



# BOAST TAX CREDIT

**LEGISLATION:** BOAST Tax Credit - Senate Bill 385/House Bill 946

**SPONSORS:** Sen. James "Ed" DeGrange (Dist. 32)  
Del. James Proctor (Dist. 27A) & Del. Jay Walker (Dist. 26)

**COMMITTEES:** House Ways and Means (Del. Sheila Hixson, chair)  
Senate Budget and Taxation

**KEY DISTRICTS:** 6 (Del. Olszewski)      17 (Del. Gilchrist)  
15 (Del. Rice)                      20 (Del. Hixson)

**MCC POSITION:** SUPPORT

## TALKING POINTS

- The BOAST Maryland Tax Credit benefits *all* students and teachers – those in both public and nonpublic schools – and will reinforce the state's #1 public schools ranking. It has been introduced this year without funding.
- Catholic school students and teachers are a vital part of our state's education system. More than 55,000 students are enrolled in Maryland Catholic schools, and together with other nonpublic schools, provide a savings to the state of more than \$1.5 billion annually.
- During a time of economic difficulty, the state cannot afford to lose these savings through school closings or decreases in our enrollment.



LEARN MORE:  
**BOAST TAX CREDIT**

**LEGISLATION:** BOAST MARYLAND TAX CREDIT – SENATE BILL 385/HOUSE BILL 946

**MCC POSITION:** SUPPORT

**SPONSORS:** Sen. DeGrange (Dist. 32), Del. Proctor (Dist. 27A), and Del. Walker (Dist. 26)

**BACKGROUND:**

The BOAST Maryland Tax Credit would give businesses a 75% state income tax credit (instead of a charitable deduction) in exchange for their donations to groups that provide:

- scholarships for Catholic and nonpublic school students
- grants to Catholic and nonpublic school teachers for continuing education
- enrichment programs for public school students

Donations made through BOAST (Building Opportunities for All Students and Teachers) will:

- Help Catholic school students receive scholarships from scholarship organizations
- Assist more lower- and middle-income families in sending their children to Catholic and other nonpublic schools
- Help stabilize enrollment Catholic and other nonpublic schools
- Assist Catholic and other nonpublic school teachers in receiving grants to cover the cost of graduate-level coursework or professional development programs. This will make it easier for nonpublic schools to recruit and retain talented teachers.
- Allow businesses to invest in our schools, while the schools will be able to secure the resources needed to provide a high-quality educational program.

In 2009, BOAST was prevented from being brought to a vote in the House Ways and Means Committee. It has previously passed the full Senate. More 127,000 students attend Maryland's Catholic and other nonpublic schools. Together, those students save taxpayers more than \$1.5 billion annually in per-pupil public school costs. Those are savings the state cannot afford to lose through decreases in enrollment or school closures. In light of the budget situation, BOAST has been introduced in 2010 without funding.

**CHURCH TEACHING:**

"As the primary educators of their children, parents have the right to choose the school best suited for them. The entire Catholic community should be encouraged to advocate for parental school choice and personal and corporate tax credits, which will help parents to fulfill their responsibility in educating their children." (*Renewing Our Commitment to Catholic Elementary and Secondary Schools in the Third Millennium, USCCB, 2005*)

MCC staff: Ellen Robertson, 410-269-1155, 301-261-1979, erobertson@mdcathcon.org



# DEATH PENALTY

**LEGISLATION:** Death Penalty Evidence – Senate Bill 404

**SPONSOR:** Sen. Norman Stone (District 6)

**COMMITTEE:** Senate Judicial Proceedings (JPR)

**MCC POSITION:** OPPOSE

## TALKING POINTS:

- The Church supports an end to capital punishment in Maryland. We urge legislators to oppose Senate Bill 404, which would weaken the strict evidence requirements the General Assembly passed last year for death penalty cases.
- Expanding the cases eligible for the death penalty contradicts the recommendation of the Maryland Commission on Capital Punishment to repeal executions in our state.
- Allowing evidence as unreliable as fingerprints or photographs is a step backwards, and will increase the chance of convicting an innocent person.
- The sentence of life without the possibility of parole, which is already available in our state, is a just and sufficient means of protecting Maryland's citizens.



LEARN MORE:  
**DEATH PENALTY**

**LEGISLATION:** SENATE BILL 404 (SEN. STONE, DISTRICT 6)

**MCC POSITION:** OPPOSE

**BACKGROUND:**

In December 2008, the Maryland Commission on Capital Punishment recommended that the state repeal the death penalty because, among other things, it found: A "real possibility" of executing an innocent person; serious racial, socioeconomic, and geographic disparities in application of the death penalty; and that death penalty cases are three times more expensive to prosecute than life without the possibility of parole cases.

The General Assembly, unfortunately, did not pass full repeal of the death penalty in its 2009 session. The legislature did, however, make significant progress by passing some of the most stringent evidence requirements in the nation for prosecution of capital cases. The law now only allows the death penalty to be pursued in cases where there is DNA evidence, a video of the crime in progress, or a voluntary, video-taped confession.

Efforts are underway to diminish the gains made last year and expand the cases eligible for the death penalty. Senate Bill 404 would add fingerprints and photographs to the types of evidence that can be used to pursue a death penalty case. Last year's law already allows the use of fingerprint evidence when biological evidence or DNA is lifted from the fingerprint. Absent DNA, there are no uniform standards for determining a fingerprint "match" with any certainty. As pointed out in a 2009 report to Congress from the National Academy of Sciences, "With the exception of nuclear DNA analysis, however, no forensic method has been rigorously shown to have the capacity to consistently, and with a high degree of certainty, demonstrate a connection between evidence and a specific individual or source." SB 404 increases the risk of sentencing an innocent person to death.

**CHURCH TEACHING**

"If non-lethal means are sufficient to defend and protect people's safety from an aggressor, then public authority should limit itself to such means, because they are more in keeping with the concrete conditions of the common good, and with the dignity of the human person." (*Catechism of the Catholic Church, paragraph 2267*)

"The dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform." (*Pope John Paul II, St. Louis homily, 1999*)

*MCC staff: Mary Ellen Russell. 410-269-1155, 301-261-1979, mrussell@mdcathcon.org*



# MARRIAGE

**ISSUE:** Senate Bill 582/House Bill 808 - Legalization of Same-Sex Marriage  
**SPONSORS:** Sen. Richard Madaleno (District 18)/Del. Ben Barnes (Dist. 21)  
**MCC POSITION:** OPPOSE

**ISSUE:** Senate Bill 852 –Foreign Same-Sex Marriage – Invalidity  
**SPONSOR:** Sen. Norman Stone (District 6)  
**MCC POSITION:** SUPPORT

**COMMITTEES:** Senate Judicial Proceedings (JPR)  
House Judiciary (JUD)

## TALKING POINTS:

- Civil marriage is reserved to the union of one man and one woman because only a mother and father can bring children – society’s next generation – into the world.
- Evidence from a majority of states, including California and Maine, shows that the public overwhelmingly supports the traditional definition of marriage. This decision belongs before Maryland’s state legislature and the people who elected them, and should not be decided by out-of-state courts or jurisdictions.
- Redefining marriage could infringe upon the religious liberties of institutions and individuals.
- Support for traditional marriage should not be equated with bigotry against homosexual persons, who deserve to be treated with respect and compassion.



## LEARN MORE: MARRIAGE

**LEGISLATION:** Senate Bill 582/House Bill 808-Legalization of Same-Sex Marriage - **OPPOSE**  
Senate Bill 852 – Foreign Same-Sex Marriage – Invalidity – **SUPPORT**

**BACKGROUND:** In 2007, the Maryland Court of Appeals upheld the constitutionality of the Maryland statute defining marriage as between a man and a woman, but acknowledged that the legislature may “grant and recognize for homosexual persons civil unions or the right to marry a person of the same sex.” Since then, legislation has repeatedly been introduced to legalize same-sex marriage or civil unions in Maryland. There are now 3 laws that provide for domestic partnerships in parts of the health and tax codes.

More recently, Maryland’s attorney general has been considering whether the state’s law permits recognition of same-sex marriages performed in other states. Past attorney general opinions have made clear that Maryland’s marriage statute does not recognize “foreign” same-sex marriages; an opposite ruling would undermine state law, and the democratic process for deciding this important issue. Senate Bill 852 would make it explicit in state law that Maryland’s marriage statute precludes recognition of “foreign” same-sex marriages.

Recognizing the important role marriage plays in securing a stable foundation for society, the Church supports efforts to preserve traditional marriage, and opposes efforts to alter the legal definition of marriage. The Church opposes legislation to permit same-sex marriages or civil unions and domestic partnerships, since the legal definition of a civil union or domestic partnership is essentially the same as that of a same-sex marriage. The Church does not necessarily oppose granting certain benefits to couples who are not married, such as medical decision making rights, as long as the proposals do not impose requirements on private institutions contrary to their moral or religious beliefs, or create an alternative legal definition of marriage.

The title of Senate Bill 582/House Bill 808 to legalize same-sex marriage, the *Religious Freedom and Civil Marriage Protection Act*, is misleading: The bill *does not expand religious freedom* and it *does not protect civil marriage*. Rather, it attempts to redefine marriage, and could actually infringe upon the religious liberties of institutions and individuals. Voters in California, Maine and 29 other states continue to vote to uphold the traditional definition of marriage – displaying the overwhelming support for marriage as the union of one man and one woman.

**CHURCH TEACHING:** “The marital union also provides the best conditions for raising children: namely, the stable, loving relationship of a mother and father present only in marriage. The state rightly recognizes this relationship as a public institution in its laws because the relationship makes a unique and essential contribution to the common good.” (*Between Man and Woman, USCCB, 2003*)

MCC staff: Mary Ellen Russell. 410-269-1155, 301-261-1979, [mrussell@mdcathcon.org](mailto:mrussell@mdcathcon.org)



# POVERTY

**LEGISLATION:** Budget Bill

**COMMITTEES:** House Appropriations/Senate Budget & Taxation

**MCC POSITION:** Oppose cuts to programs that serve those in most need.

**KEY LEGISLATORS:** 25 (Sen. Currie)                      38B (Del. Conway)  
12 (Sen. Kasemeyer)                      34A (Del. James)

## TALKING POINTS:

- The budget reflects the state's priorities. The highest priority should be assigned to preserving programs that help vulnerable Marylanders meet their most basic needs.
- As the economy has worsened, Maryland's social services safety net has become increasingly strained. A system that was already challenged is now tasked with catching those who are newly in need of help.
- Repairs to the safety were needed even before the most recent rounds of budget cuts. When it comes time to make the repairs, a simple restoration of recent cuts will not be enough. Funding decisions should be based on Marylanders' needs, not on historic funding levels.



LEARN MORE:  
**POVERTY**

**LEGISLATION:** Budget Bill

**POSITION:** Oppose cuts to programs that serve those in most need.

**BACKGROUND:**

**Poverty in Maryland**

According to the U.S. Census Bureau's 2006-2008 *American Community Survey*, 449,460 Marylanders – one in 12 people in the state, more than the entire population of Maryland's Eastern Shore – live in poverty. For a family of four, "living in poverty" means having an annual income of no more than \$22,050. These figures, however, capture few of the effects of the current recession. According to the U.S. Department of Labor, Maryland's December 2009 unemployment rate stood at 7.5% – more than double its rate of 3.4% just two years before. This is the highest reported level of unemployment in Maryland since 1983.

**The Budget**

Maryland's budget starts with the governor; his administration develops the bill that will be considered by the legislature. Once the budget bill is introduced, it is sent to the General Assembly's two budgetary committees: the Senate Budget and Taxation (B&T) Committee and the House of Delegates Appropriations (APP) Committee. In committee, the budget is broken up and considered by issue-oriented subcommittees. In B&T, the Health, Education, and Human Resources Subcommittee handles poverty-related programs. In APP, the programs are considered by the Health and Human Resources Subcommittee. B&T and APP members wield more influence over the budget than their colleagues on other legislative committees.

**Recent Budget Cuts**

Three-fourths of Maryland's general fund revenues come from income and sales taxes. As both sources have dropped off considerably in the current recession, the Governor has had to resort to a series of budget cuts to keep Maryland's budget balanced. Since the (current) Fiscal Year 2010 budget was passed at the end of the 2009 legislative session, it has already suffered three major rounds of cuts. At the end of July, the budget was cut by some \$281 million; just a month later, it was cut by an additional \$454 million. In November, \$364 million more was cut. The combined \$1.1 billion in cuts include the following measures that will have real and negative impacts on Marylanders in need:

- **Prescription drug assistance** – Elimination of the Maryland Medbank Program, which provided prescription drug assistance to low-income patients who were uninsured or under-insured.
- **Mental health** – Closure of the Upper Shore Community Mental Health Center and the closure of units at three other facilities.

- **Health and community services** – Reductions in rates paid to health care and community services providers, including *nursing homes*, providers of *mental health* and *substance abuse* treatment, Medicaid *Managed Care Organizations*, and providers of *developmental disabilities* services. Rate reductions can cause providers to go out of business, or to stop accepting Medicaid patients and state agency referrals.

Even with these cuts and an influx of federal stimulus dollars, it has been estimated that the State will face a shortfall of \$2 billion in Fiscal Year 2011. Certainly, more programs will be vulnerable to budget cuts in the coming months. Federally-funded programs, which are not under direct threat from State budget cuts, will still face indirect threats in the form of staffing cuts to the State departments that administer them.

### **Challenges to Assisting Marylanders in Need**

A fair number of State and Federal programs exist to serve Marylanders in need. However, even before the recent rounds of budget cuts, the efficacy of most of the programs – State and Federal alike – was limited by a number of factors:

- **Low levels of assistance** – Many programs provide such low levels of assistance that they are inadequate to meet people’s needs. Temporary Cash Assistance (TCA), for instance, provides a monthly grant of just \$695 for a family of four. This is often all a family has to provide for its non-food needs. The Temporary Disability Assistance Program (TDAP) provides just \$185 a month to disabled adults who are not working or collecting unemployment, SSI or SSDI.
- **Waiting lists** – Programs that provide more adequate levels of assistance (and even some that don’t) often have lengthy waits before they can be accessed. The Housing Choice Voucher Program (formerly known as Section 8) fills in the gap between the cost of housing and the rent a family can afford. However, families generally wait years before they receive a voucher. The waiting list in Baltimore County is currently seven years. Waiting lists in some jurisdictions have closed entirely.
- **Low income eligibility** – Some programs are accessible to very few because their income eligibility guidelines are so low. In order for a disabled, single, childless adult to qualify for Medicaid in Maryland, he or she must have an income of less than \$2,500 annually.
- **Inadequate staffing** – Departments of Social Services (DSS) – where Marylanders go to apply for assistance for their housing, energy, medical, food, and income needs – are terribly short-staffed. Though social workers can feel busy with a caseload of fewer than 50, some DSS employees now have caseloads of 1,000. The situation has had a major impact on Marylanders’ ability to access services – even services that are fully funded by the federal government.

### **CHURCH TEACHING**

“It is the proper function of authority to arbitrate, in the name of the common good, between various particular interests; but it should make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on.” (*Catechism of the Catholic Church, paragraph 1908*)

*MCC staff: Julie Varner Walsh. 410-269-1155, 301-261-1979, jwalsh@mdcathcon.org*



# SICKLE CELL/ STEM CELL RESEARCH

- LEGISLATION:** House Bill 371, Stem Cell Research Fund – Sickle Cell Disease – Funding
- SPONSOR:** Del. Shirley Nathan-Pulliam (District 10)
- COMMITTEE:** House Health & Government Operations Committee
- MCC POSITION:** SUPPORT

## TALKING POINTS:

- Please support House Bill 371, which devotes 5% of the Maryland Stem Cell Research Fund to adult stem cell research for sickle cell disease. This will ensure the Fund is used for its stated purpose: To produce cures & treatments.
- Sickle cell disease is a painful illness that primarily strikes African Americans and that has few treatment options for adult patients. Two years in a row, researchers applied for a grant from the Maryland Stem Cell Research Fund to study the use of adult stem cells to treat sickle cell disease, and both times the application was rejected.
- A recent paper in the New England Journal of Medicine showed that a clinical trial that used adult stem cells cured 9 out of 10 patients of sickle cell disease.
- HB 371 has no fiscal note -- a funding source already exists. The bill ensures some of the Fund will be used for applied research to rapidly save lives.



LEARN MORE:

# SICKLE CELL/STEM CELL RESEARCH

**LEGISLATION :** HB 371, Stem Cell Research Fund Sickle Cell Disease Funding

**MCC POSITION:** SUPPORT

**BACKGROUND:** Nearly 80,000 Americans, mostly African Americans, suffer from sickle cell disease (SCD). The debilitating illness causes blockages, tissue damage, and can lead to strokes and severe episodes of pain. Organ damage frequently occurs, leading to a shortened life span. There is no cure, and research into SCD has traditionally been underfunded because it mainly strikes one segment of the population. While there are some effective treatments for children, few treatment options exist for adult patients.

In December 2009, a study published in the *New England Journal of Medicine* used adult stem cells from bone marrow to treat adult SCD patients. Even 2.5 years after the treatment, 9 out of 10 patients were considered cured of SCD. Maryland has a funding source that can be used for SCD: the Maryland Stem Cell Research Fund. This Fund is *specifically set aside* to pay for research into devastating conditions. Despite this, when Maryland researchers applied for a grant from the Fund to support SCD research using adult stem cells, they were turned down – twice.

In general, a large number of research projects involving ethical adult stem cells have been rejected in favor of research using unethical and thus far ineffective embryonic stem cells. In 2009, only 20% of funded projects involved either adult stem cells or research into cancer stem cells, both of which are considered “applied” research because they’re either treating patients now or are nearly ready to test in humans.

HB 371 has no fiscal note -- a funding source already exists. Devoting 5% of the Fund to SCD adult stem cell research ensures some of the Fund will be used for its stated purpose: applied research to rapidly save lives. While some have raised concern about dedicating a portion of the Fund to research a specific disease, the case of SCD is thus far unique. SCD is a painful illness that has been traditionally underfunded, few treatment options exist for adult patients, grants to study adult stem cell therapies for treatment of SCD have repeatedly been rejected, and a published clinical trial showed overwhelming success (90% rate of cure) in treating SCD with adult stem cells. HB 371 is needed now in order to make the treatment for SCD more widely available, thus using the Fund for what it was designed – saving lives in Maryland.

**CHURCH TEACHING:** “Science and technology are precious resources when placed at the service of man and promote his integral development for the benefit of all.” – *Catechism of the Catholic Church, paragraph 2293*

MCC staff: Nancy Paltell. 410-269-1155, 301-261-1979, [nancy@mdcathcon.org](mailto:nancy@mdcathcon.org)