

**MARYLAND GOVERNOR'S COMMISSION ON
HISPANIC AFFAIRS**

Meeting Minutes

Date: Wednesday, February 18, 2009

Time: 7:00 pm – 9:00 pm

Place: Miller Senate Office Building
11 Bladen Street, 1st Floor Conference Room
Annapolis, Maryland

Present: Chair Y. Maria Welch, Vice Chair Ricardo Martinez, Elizabeth C. Bellavance, Richard V. Cook, Veronica A. Cool, Ricardo Flores, Chief Roberto Hylton, Maria Johnson, Elizabeth Ysla Leight, Hector G. Manzano, Luisa Montero-Diaz, Sonia E. Mora, Arelis A. Pérez, Lea Ybarra

Ex-Officios Present: Lily Cubano, Stacy Rodgers, Susan Spinnato

Absent: Javier G. Bustamante, Mariana Cordier, Lydia Espinosa Crafton, Christina M. Diaz-Malone, Carmen Ortiz Larsen, Nicolas H. Ramos, V

Staff Present: Ruby Stemmler, Jessy Mejia, Angela Lagdameo, Agnes M. Smith

Guest Speakers: Delegate Joseline Peña-Melnyk, District 21
Delegate Ana Sol Gutierrez, District 18
Delegate Victor Ramirez, District 47
Delegate Jolene Ivy, District 47
Senator David Harrington, District 47

I. Call to Order and Greetings

The meeting was called to order at 6:30p.m. by Chair Y. Maria Welch. Chair Welch introduced herself and welcomed all attending speakers and guests.

II. Guest Speakers

Vice Chair Ricardo Martinez introduced the Delegates.

Delegate Joseline Peña-Melnyk, District 21

Delegate Joseline Peña-Melnyk thanked the Commission for inviting her. Delegate Peña-Melnyk informed the Commission that every year, over two thousand bills that are filed and it is important that Commissioners feel welcomed and encouraged to contact her

should they have any particular proposals for a bill or would like to express their support or opposition regarding any of the bills introduced. She spoke on a particular bill which her office had received over three hundred e-mails since yesterday because that bill will be discussed tomorrow. It really matters and makes a difference if the community contacts their legislators and she informed them legislators need to hear from you. As one of three Latinos in the General Assembly, she sits on the Health and Government Operations Committee, but her bills will be heard in her committee and others as she has introduced bills with impact in other areas. One of her bills will be heard February 25; the "Gender Anti-Discrimination Bill" which makes discrimination against trans-gendered individuals punishable by law. Another bill, heard last week, gives local municipalities in permission to pick up signs (e.g. foreclosure, going out of business, etc.), clean up neighborhoods and the ability to fine \$100 per sign. Another one of her bills is to expand insurance coverage to allow for yearly mammograms for women over forty instead of every two years, as it is recommended by the American Cancer Society. Delegate Peña-Melnyk spoke about a foreclosure bill in which counties and municipalities will get notice from attorneys who file properties for foreclosure cases. These attorneys will have to send the name, address and telephone number of the bank they represent to the counties and municipalities. This bill would allow for the municipalities to be able to contact the bank to hold them responsible for property maintenance (i.e. grass needs cutting, property being used for illicit purposes such as drug use, etc.). She informed the Commission that Prince George's County has 32% of all the foreclosure cases in the State of Maryland, and wants to prevent neighborhood deterioration in the County. She informed the Commission that for the last eighteen months she has sat on the Health Care Access and Reimbursement Task Force for Doctors. Maryland has one of the worst reimbursement rates for physicians, and as a result, doctors are leaving Maryland. Her work in the Task Force is to prevent this from happening any longer. The task force has recommended four bills; one is a loan program. Delegate Peña-Melnyk told the Commission that such ideas for bills come from this kind of work such as that of the Commission, so she encouraged they think of her for any proposals borne out of their work with the community. She thanked the Commission for inviting her, for the great work they do and for the support that they have given her.

Delegate Victor Ramirez, District 47

Delegate Victor Ramirez welcomed everyone back to Annapolis. He added that Delegate Peña-Melnyk touched on the broad scope of their work for the first half of the ninety day session, which is usually the introduction of bills. The second half is usually the busier half; when most bills are being debated and voted on by the entire legislature. Delegate Ramirez also spoke about the stimulus package in which Maryland will be receiving approximately \$3.8 billion of which a good part is for transportation and education. The good news is that some of the cuts will not be happening in education according to Governor O'Malley. This means voters in Prince George's County will potentially not have to make up \$35 million necessary for their education system. One of the bills sponsored; was proposed to combat the domestic violence problem in Maryland. The domestic violence bill allows for petitioners of legal orders be notified within two hours by the sheriff when the respondent has been served to be aware of potential risks, since

statistically, the first few hours/days after being served, petitioners are even more vulnerable of attacks by upset recipients of legal orders. Delegate Ramirez added the Governor's bill that enforces hand guns/weapons be turned in during an Ex Parte Hearing (Temporary Protection Order) which can last up to thirty days. He said he sees his duties as making sure people are safe, have jobs and safety net services available. He informed the Commission that he is working very closely with Kim Propeack from Casa de Maryland to enhance the penalties for employers not paying proper wages, are paying below minimum wage, or improperly deducting from due overtime. This bill allows attorneys to tackle these cases and receive up to triple the amount of damages. Delegate Ramirez said that he is working very closely on these bills to make it practical for people to live and work in their community, especially those who need the most help. He informed the Commission that the tuition rate will remain the same price for those students going to the University of Maryland, Towson, and other Maryland colleges and universities. Students will pay the same tuition from start to finish. He informed the Commission that these measures have been supported by the Governor and wishes they thank him on behalf of his constituents. Delegate Ramirez told the Commission that Secretary Tom Perez is working very hard on the misclassification bill which clarifies employees from being classified as independent contractors in order to not pay proper benefits and services. This bill applies to employers in the construction, landscaping and packaging industry. These measures give greater protection to employees.

A question was asked as to what Delegate Ramirez sees as the major problem facing Latinos in the State. Delegate Ramirez said that whether you are an established business owner or a new immigrant, Latinos can't allow certain stigmas to be cast them, particularly since on our numbers continue to grow and it's up to the community to step up and show up at legislative, political, and other similar events and rallies. The community must be politically active in order to show legislators that Latinos deserve a seat at the table. Overall, becoming and staying involved is of particular stress to allow for positive changes. Delegate Ramirez recognized and congratulated the newly sworn Prince George's Chief of Police, Commissioner Roberto Hylton, who he pointed to as an asset for the Latino community.

A question was asked as to what is the status of the bill that was offering in-state tuition to Latino students that graduate from Maryland high schools but whose parents are undocumented. Delegate Ramirez said that this bill is moving progressively through the House but they are waiting for a commitment from the Senate. It is an uphill battle but they will continue to try to pass it. Delegate Ramirez informed the Commission that letters and phone calls, especially to Senate President Miller will help.

Delegate Ramirez thanked the Commission for their time in Annapolis and wished them a productive meeting.

Delegate Ana Sol Gutierrez, District 21

Delegate Ana Sol Gutierrez spoke about the economic crisis impacting everyone. There are increases in need and services, however, these are being cut such as the Department of Human Services losing 240 Social Worker positions that handle the needs of foster children. The Department of Education had six cuts while the Department of Transportation had none. Delegate Gutierrez said that the problem she sees with the budget is that it is devastating a lot of social services programs and some cuts are being made permanent. She spoke about a program in Montgomery County that is being zeroed out that addressed the needs for immigrant women that do not have access through federal funds for prenatal care at Holy Cross Hospital. Delegate Gutierrez told the Commission that they should feel free to see themselves as agents of change; as they are informed; read the newspapers, and stay tuned to changes in the safety net systems; send an e-mail to her office to see to it that it is maintained to serve those most in need. Delegate Gutierrez asked Executive Director Ruby Stemmler to put together some basic instructions to inform the Commission on how to utilize the main General Assembly website; Maryland Legislative Information System, where they can get information on any bill by its number, sponsor, status, hearing, before the General Assembly. She spoke about all the e-mails and letters she has been receiving concerning the 66% cut to the cigarette restitution fund that not only funds cigarette cessation programs, but many other health-related programs. This is a permanent cut which leaves \$20 million of federal funds in the General Fund to be distributed as wished by the Administration. Delegate Gutierrez also spoke about the \$3.3 billion stimulus package that she feels is not going to be sufficient to cover for the greater reduction in tax revenue. She said these cuts are of greatest impact to the Latino community, especially in the health and social services programs they use, which include anti-gang youth programs, which are slated for cuts. Another area is transportation which she feels will fare very well with the direct funds from the federal government. The Purple Line (Metro) project is going to move more than 68,000 people between Bethesda, Silver Spring, Langley Park and New Carrollton. It is the best transportation project in the nation and we need to make sure the funds do not get cut. Delegate Gutierrez told the Commission that 50% of school construction funds were already seen as a loss, and is of real impact to children since ESOL services are already deteriorated and will incrementally lower with the cuts. These are the programs that are very easy targets because they are new programs. Delegate Gutierrez told the Commission that with the anti-immigrant bills proposed this year, it seemed that they may have little chance of passing because of the positive trend at the national level for comprehensive immigration reform. There have already been some small victories such as permanent residents now having access to Medicaid, Medicare services that had previously been cut off. That has made local groups like Help Save Maryland much more active than they have ever been and therefore the Immigrant Rights rally on Monday night in support for the driver's license bill that has bipartisan support from 64 co-sponsors is a great sign of support. There are five driver license bills, three of which are coming from the Senate. Delegate Gutierrez said that the driver's license bill that has been introduced by Delegate Ivy, who has obtained 82 co-sponsors (and for which you only need 71 votes to pass) is a real strong message that she wishes the Commission takes to the Governor for his added support. Delegate Gutierrez told the Commission this is not the time to be quiet. Make Annapolis your home away from home.

Delegate Jolene Ivy, District 47

Delegate Jolene Ivy introduced herself and thanked the Commission for allowing her time to address them. She spoke about an MBE bill that raises the capital from \$5 million to \$3 million, to expand the number of small minority businesses being certified. She does not have the bill number at this time, but will send the Commission more information should they ask for it.

Delegate Jolene Ivy told the Commission that she is the sponsor of two of the driver's license bills now before the legislature. One provides an identification card to fulfill the Real I.D. requirement so that it will not be attached to your driver's license. The second bill introduced allows for a dual licensing system where one of two kinds of licenses will be generated depending on which requirements you can fulfill at the MVA; one being a Real I.D. and the other just being a plain driver's license. She also spoke about a domestic violence bill where judges could impose a two-year protective order if the person has committed a second offense within a year of the first offense.

A question was asked to elaborate on the different driver license bills. Delegate Ivy said there are more conservative bills that they are not happy with. Delegate Gutierrez noted that there are three main driver license related bills in the Senate and there are two bad ones in the House. She said that hers creates a Real I.D. id card but requires it to meet all the federal specifications, but it is just an id card and leaves the driver license by itself. She proposed it as a way to meet Real ID compliance. Her bill forces MVA to show the cost of being Real I.D. compliant. Good news however, is the clear signals from the Obama Administration to change the requirements for the Real I.D. Act. The reason for having to pass a bill during this legislative session has to do with federal law requiring states to become Real ID compliant by December of this year. None of these proposals would immediately impact you if you have a driver's license and are undocumented. Only until you renew it would you have to prove lawful presence. She noted that if you have friends without their license; help them get it before Maryland laws change. Hopefully it doesn't.

A question was asked about what department lost the 240 social worker positions. Delegate Gutierrez said that the Department of Human Resources, Secretary Brenda Donald lost those positions. Ms. Stacy Rodgers, Deputy Secretary, Department of Human Resources, the Commission's ex-officio, informed the Commission that they now have 253 additional positions that they have been asked to identify for cuts. Those positions are not in the child welfare department. They are struggling to find balance because they have a mandate to have certain staffing pattern for child welfare services and cuts cannot be taken from social workers and child welfare. DHMH is challenged and truly struggling in the Family Investment Administration which deals with public welfare. Those positions review individuals' eligibility determination for food stamps, cash assistance, medical assistance, emergency services, etc. Delegate Gutierrez wanted to clarify that the positions are not social workers from child welfare cases.

Chair Welch spoke to the Commission about the legislative agenda and the bills of interest, an insert in their packet had been included, to give them more information such as sponsors, dates of the hearings, etc. Chair Welch made a note of some of the bills of interest; including immigrant issues, small business, education, health disparities, etc. She discussed the meeting that the Commission had with the MVA Administrator, Mr. John Kuo in reference to Real I.D. He clarified that there is now an aggressive push to become Real ID compliant because there are required benchmarks that must be met by certain deadlines in order for Maryland licenses to be useful for federal purposes such as boarding planes and entering federal buildings. There was also the discussion about the two-tier system, which other states have tried as another option to become Real ID compliant without taking away licenses. In reference to Real I.D., Arizona and Virginia have opted out of complying due to costs of implementation. That Arizona opted out is a good sign, in particular, since then Governor Janet Napolitano is now Secretary of Homeland Security, which is in charge of Real ID Law implementation, and so changes in that law, can hopefully be expected. Chair Welch also mentioned a discussion about driver safety bills targeted for teens, which the Commission could feel free to submit support. Chair Welch spoke about the Federal Immigration Law under the Immigration and Nationality Act Section 287 (g) and noted that the Commission submitted an information paper on the issue of local law enforcement to Mr. Israel (Izzy) Patoka, Executive Director, Governor's Office of Community Initiatives. She pointed to his response—a document from former Head of the Maryland State Police, a 2004 special order about the enforcement of federal immigration laws, which Izzy pointed to as remaining the Governor's response to the issue. The 2004 Special Order states that the Maryland State Police will not serve as an immigration enforcer. Chair Welch noted that on behalf of the Commission, they would like something more recent, and coming from the Governor. Delegate Gutierrez noted that however dated, this Special Order was a positive response and the Commission should not bring it up for debate given the anti-immigrant environment. Maryland State Police should remain neutral.

Senator David Harrington, District 47 was introduced as well, and spoke about one of his bills that would allow people who have completed their jail time to be able to get an id, a privilege they do not have under current law, even if they have completed their due time. He informed the Commission that a senator tried to add an amendment to the bill requiring for lawful presence to this bill as well, highlighting the fact that the driver's license issue would be a fight in the Senate. The good news, was that the amendment was defeated, however, it was a very close 26 to 21 vote. He also spoke about a bill giving students who have been accepted at the University of Maryland in-state tuition rates regardless of immigrant status, if they attended Maryland public schools. He thanked the Commission for their time and welcomed them to contact him at any time.

III. Census 2010
Jane Traynham, Manager, Maryland State Data Center
Maryland Department of Planning

Ms. Jane Traynham informed the Commission that the Maryland State Department of Planning was partnering with the Governor's Office of Community Initiatives to carry

out the Governor's plan to make sure every person in Maryland is counted for the Census 2010. She noted that the Census forms will be coming out and have to be returned by April 1, 2010. They have been partners with the Census Bureau since 1979. She noted that the Hispanic population has increased over 128,000 since 2000. Ms. Trayham told the Commission that they are trying to prepare some tools that will hopefully be on the website devoted totally to Latinos and the Census. Currently on their website they have 28 maps with the different languages noting the different languages spoken at home. She told the Commission that hopefully this will help them identify the areas to concentrate their resources for their Complete Count Committee, since as part of GOCI, they will be collaborating in those efforts. They also have maps showing hard-to-count areas, where they are called to strategize to facilitate counts. The Census Bureau has developed a composite score for all of Maryland, identifying these hard-to-count areas based on Census characteristics of 2000. These characteristics include things like demographics, race, social characteristics (poverty, language spoken at home), housing characteristics (high vacancy, high concentration of rental units). Also the Census Bureau has information related to Census 2000 with the percentage of households that mailed back their questionnaires. All these measurement factors will help target communities in need of more information and media and educational campaigns to ensure an accurate and complete count. If after the April 1 deadline, households do not send back questionnaires the Census will go knocking on doors asking for those to be mailed. Ms. Traynham asked the Commission to encourage the community to complete and send in the questionnaires. Ms. Traynham told the Commission they should think about having energetic, motivated and trusted leaders on the Complete Count Committee they form to help with the count. Ms. Traynham gave the Commission the Census and the State Data Center websites: www.census.gov/2010census and www.mdp.state.md.us/msdc

The State will be working with three Complete Count Committees. They currently have contacts with most of the State agencies and will be having a Kick-off Meeting on March 25, 2009. They are also developing a list for a statewide Complete Count Committee that will be made up of business, non-profit, faith-based, community leaders, ethnic and race based organizations, etc. They are also hoping to do business with the local Complete Count Committees of the counties and municipalities.

There was a discussion to have an information page in Spanish letting the community know that there will be no repercussions when the Census form is filled out. The community needs to know the importance of being counted and that the Census is not concerned with legal status.

IV. New Business

Chair Welch advised the community that the Commission would be having a planning meeting to review accomplishments and plan forward to new initiatives. This is tentively set for March 14, 2009. This is for all Commissioners and will be a full day meeting. Chair Welch again congratulated Chief Roberto Hylton, the new Police Chief of Prince George's County, and allowed him time to address the Commission regarding his new position.

Chief Hylton spoke of his humble beginnings from Panama. He is now running the 33rd largest police department in the United States. He thanked everyone for their support and help and said that he would continue to work for the community.

Chair Welch also thanked Mr. Ricardo Flores who will be the designee Commission representative for the New Americans Council.

Mr. Flores noted that the New Americans Council is an initiative of the Governor. The Council is created by Executive order and will be looking at a number of different policy issues related to full-integration and garnering the full potential of new Americans throughout the State. The group will be giving a report to the Governor in August regarding the needs of this community.

Ex-officio Stacy Rogers also noted that there are several government agencies serving in ex-official capacity with the Council and she is a designee as well. She also informed the Commission that they need more participation.

Ms. Angela Lagdameo, Special Assistant to GOCI's Chief of Staff, is also one of two staffers for the Council. She was asked to give more information, and she named the four subcommittees of the Council: citizenship access, governmental access, financial services and workforce development. She said that the most recent update information could be found on the website; www.newamericans.maryland.gov. She also noted that the next large Council meeting will be held on April 7, 2009, and invited the Commission to attend.

V. Director's Report

In order to keep within the schedule for the meeting, Ms. Ruby Stemmler will give her report via a conference call to Commissioners on Friday.

Ms. Stemmler said that the next Commission meeting will be held at Prince George's County. Chief Hylton offered the police headquarters. She also said that she is working very closely with the Secretary of Appointments, Jeanne Hitchcock to supplement the "Green Bag" which presents individuals for Governor appointments which must be approved by the Senate. The Governor has committed to have 6% of the Green Bag appointments be individuals of Hispanic origin. Presently there are four Hispanics in appointments in the State

VI. Public Comment

There were numerous speakers from the U.S. Hispanic Youth Entrepreneur Education [USHYEE] program including President Mr. Luis Borunda. USHYEE has encouraged over 500 Hispanic students to stay in high school and pursue college degrees, provides a support for at-risk youth, developed partnerships with local school districts, etc.

Ms. Jane Wagner, Executive Director, Central Scholarship Bureau spoke about the 85 year old program that offers need-based scholarships to Maryland residents. There is an income and academic guideline, but beyond that, it is readily accessible for Hispanic individuals looking for funding for educational graduate programs in the field of Social Work. The new program provides a steady stream of money to create a pool of bi-lingual social workers to help serve the growing immigrant population. The preference is for Spanish speakers. This will be for master degrees for social workers or any other mental-illness professionals. You can get \$5,000 in grants and \$5,000 on loans. The website is: www.centrlsb.org.

Mr. Enrique Melendez; President, Board of Education, Anne Arundel County, home to the 3rd largest group of Hispanics in the State, wanted the Commission to know more about USHYEE which is making a difference.

Mr Anthony Ruiz, Regional Director, Capitol Region of the Maryland Small Business Center shared this resource with the Commission. This region previously performed last with helping small businesses, but he is happy to report this region is number one. They provide cost free business consulting services to small business entrepreneurs such as obtaining finances, government contracts, increasing revenues, helping them get certified, etc. He asked the Commission to help them get more Hispanic counselors.

Christopher Kelly, Department of Commerce, US Census Bureau let the Commission know he would be available after the meeting for any questions. He also let them know that he works in the recruiting branch and they are to making sure they hire bi-lingual, bi-cultural individuals available to help folks complete the Census.

Ms. Kim Propreack, CASA de Maryland, spoke on some of the anti immigrant bills. There are fifteen bills of which half have to do with driver licenses. She asked the Commission to take a position on some of the bills.

Chair Welch introduced Mr. Izzy Patoka, Executive Director, Governor's Office of Community Initiatives and Mr. David Lee, Senior Executive Director, Governor's Office on Asian Pacific American Affairs.

The meeting was adjourned at 8:15 p.m.