

BOAST defeat perplexes supporters

Few lawmakers worked as hard as Del. James E. Proctor Jr. to pass the BOAST business tax credit benefitting students and teachers in public and nonpublic schools.

The Prince George's County Democrat sponsored the measure in the House of Delegates and was a passionate advocate during a hearing that brought pointed questions from fellow lawmakers. He was a driving force behind lining up 75 co-sponsors – four more than were needed to approve the bill on the House floor.

That's why it's an understatement to say Proctor was perplexed and deflated when the House Ways and Means Committee defeated BOAST on a 14-7 vote on the last day of the legislative session.

"I'm really disappointed we couldn't pull it off," Proctor said. "I honestly thought this year was our best shot. Instead of 75 co-sponsors, maybe I need to get 100. I don't know."

Proctor was upset that four committee members who had personally pledged their support wound up voting against the measure.

"At the last minute, they changed their votes," said Proctor, noting that it is a House courtesy for lawmakers to inform a sponsor before a vote if they intend to change their votes. None of those lawmakers did that, he said.

"I'm not going to call their names," he said, "but they know who they are and they know now that they reneged and they are not dependable people."

Had those four committee members kept their word, BOAST would have made it to the House floor and would have likely passed. The measure had already passed the full Senate on a 30-17 vote. For the first time, it also had the public support of Gov. Martin J. O'Malley who had pledged to sign it into law.

BOAST, an acronym for Building Opportunities for All Students and Teachers in Maryland, would have granted businesses a 75 percent state income tax credit for

donations to scholarship organizations for nonpublic school students. It would have also supported enrichment programs in public schools and professional development for public and private school teachers.

Proctor expressed frustration with the House committee and last-minute amendments that were brought up in an education sub-committee that would have gutted the tax credit and replaced it with a grant program providing up to \$10 million a year to nonpublic schools that met restrictive requirements. Many nonpublic school advocates pointed out that those amendments had the effect of excluding Jewish schools. They were also seen as unconstitutional because they provided direct assistance to private entities.

"I think they were trying to say, 'hey we tried to help the private schools but you turned us down,'" Proctor said. "It was a take-it or leave-it attitude."

In a written statement, Archbishop Edwin F. O'Brien said Del. Sheila Hixson, committee chair, and Del. Anne Kaiser, sub-committee chair, both of Montgomery County, "blocked attempts to work on BOAST at every possible level."

The Catholic Review attempted to contact Hixson three times, but did not receive a response.

Ellen Robertson, associate director for education with the Maryland Catholic Conference, said it was clear that the committee had no intention of giving the bill a fair deal.

"I really believe they had no intention of doing anything with it," Robertson said. "They put up a good show, but the writing was on the wall at the hearing."

Robertson said it would take "drastic changes" in the makeup of the committee to push the measure forward next year. She blamed powerful unions for dragging the legislation down.

"I think we need to educate people more on the stance of their representatives," Robertson said. "We are not giving up."