

COMMISSION MEETING MINUTES
June 10, 2008

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, June 10, 2008 at 10:10 a.m., in Baltimore, Maryland.

Present Norman Gelman, John Hermina, Sambhu Banik, Doris Cowl, JoAnn Fisher, and Thomas Owen.

APPROVAL OF THE MINUTES The minutes were accepted as written.

CHAIRPERSON'S REPORT
Interfaith Dialogue Commissioners received copies of the Chairperson's Report (See attached). Chairperson Gelman informed Commissioners that he spoke to the two people that Elizabeth Harris, Liaison from the Governor's office, suggested he talk to. Izzy Patoka, the Director of the Governor's Office of Community Initiatives was quite interested in the concept of establishing a capability at MCHR to initiate and facilitate interfaith dialogues. Ms. Patoka referred Chairperson Gelman to David Lee, who directs the Asian Pacific Commission. Mr. Lee also thought this was a good idea. Sometime in the future an Interfaith Commission may be established.

Chairperson Gelman tried to contact Ms. Harris but discovered that she would be out of the office until June 17, 2008. Chairperson Gelman expects to talk to some key legislators regarding the interfaith dialogue.

EXECUTIVE DIRECTOR'S REPORT Commissioners received copies of the Executive Director's Report (See attached).

Commissioner Training The Executive Director informed Commissioners that the Maryland Association of Human Rights Agencies is planning a Commissioner training in the fall. If any Commissioner has a topic on which he or she would like to have training, please let the Executive Director know.

DEPUTY DIRECTOR'S REPORT Commissioners received copies of the Deputy Director's Report (See attached). The Deputy Director informed Commissioners that MCHR is on track to complete both federal contracts.

The Deputy Director informed Commissioners that on May 22, 2008 he met with Commissioners from Kent County. This commission has no enforcement powers. There were conversations regarding what MCHR and the Kent County Commission can do jointly. The Kent County Commission's efforts are channeled toward community outreach.

**ASSISTANT
DIRECTOR'S
REPORT**
Fiscal Year 2008

Commissioners received copies of the agency's Monthly Budget Status Report provided by the Assistant Director (See attached). The Assistant Director informed Commissioners that MCHR is in the last month of fiscal year 2008 and is on target.

Fiscal Year 2009

MCHR received the final number for fiscal year 2009 budget. MCHR has been asked to reduce that number by \$30,000.00, which will be accomplished by not filling a half time position.

Teleconference
Equipment

The Assistant Director informed Commissioners that a teleconferencing telephone has been ordered.

Information
Technology

The Assistant Director informed Commissioners that recruitment for the Information Technology position has been completed. Six to eight applications were received and interviews will be scheduled soon.

The Assistant Director complimented Keith Witte who has served as back-up in terms of the day-to-day maintenance and running of the agency's network.

Chairperson Gelman inquired as to whether or not MCHR still tracks the number of hits to the agency's website. The Assistant Director will check into this matter.

**GENERAL
COUNSEL'S
REPORT**

Everyday
Democracy

Commissioners received copies of the General Counsel's Report (See attached).

Commissioners received copies of material received by the General Counsel from Everyday Democracy, which operates the Studies Circle program. The material contains a cover sheet for the website Study Circles Resource center. There is a copy of the Executive Summary dealing with the Hartford, Connecticut initiative, which Commissioners were interested in and also a copy of the magazine articles on the initiatives. There is helpful resource information included in the articles.

Article 49B
Amended

The General Counsel informed Commissioners that since Article 49B was amended last year, the bill passed this year to amend Article 49B and was signed by the Governor into law. This bill waives sovereign immunity allowing state employees who are victims of discrimination to collect compensatory damages. Punitive damages are not available against the State.

There has been a two (2) year statute of limitations added with the new amendments. The amendment also included the right of the Respondent to elect to have the case heard in Court as opposed to having the case heard before the Office of Administrative Hearings. These amendments will go into effect October 1, 2008.

Persons who filed complaints from October 1, 2007 to October 1, 2008 will not be eligible for compensatory damages because it is not retroactive. There has been a lot of training on the changes to Article 49B.

Article 49B is being reviewed and edited to be placed into the State Government Article. Article 49B is one of the few statutes left in the old black Annotated Code. All the other statutes have been reviewed and revised and put into titles, which are the burgundy books. This process is to be completed in nine (9) months so the bill can go into the 2009 session to codify Article 49B into the State Government Article. The State Government Article will be Title 21.

MCHR Name
Change

The General Counsel informed Commissioners that if MCHR is going to change its name this is the time to do so. Once the amendment is placed in the State Government Article, MCHR will be called Maryland Commission on Human Relations.

The Executive Director informed Commissioners that some time ago he distributed a list of possible names for the agency. The Executive Director will re-distribute that list to Commissioners. If any Commissioner comes up with something different from what is listed, please let the Executive Director know.

It was agreed that changing the agency name would be placed on the agenda for next month's meeting.

Legislation

The Executive Director informed Commissioners that if they are going to submit any legislation, administrative or departmental, they should decide what they wish to submit now.

Gender Identity
Bill

The General Counsel informed Commissioners that she will have to check on the status of the gender identity bill.

Ledbetter Bill

The General Counsel stated that Delegate Rosenberg is going to submit the Ledbetter bill again next session. This bill would return the law to allow a person to file a complaint when they discover that they have been discriminated against.

Commercial Non-
Discrimination Bill

The General Counsel informed Commissioners that she met with Franklin Lee, drafter of the commercial non-discrimination bill, who will train the

General Counsel and the legal staff on this bill on June 30, 2008. The legal department has a couple of complaints that they have been investigating. There is a preliminary construction of the website for the Commercial Non-Discrimination law.

The General Counsel informed Commissioners that legal will meet with the Governor's Office of Minority Affairs, who has referred complaints to MCHR, to set up a partnership so we can begin to conduct outreach and education to the business community about the law.

Chairperson Gelman inquired as to how MCHR processes commercial non-discrimination complaints. The General Counsel stated that complaints are processed according to the regulations promulgated by MCHR that went into effect April 2008. The cases are being processed in the legal department of the agency.

The General Counsel informed Commissioners that in their folders, each month, is a copy of MCHR's Training/Education Campaign conducted by the Training Specialist.

OLD BUSINESS

Chairperson Gelman informed Commissioners that the Commissioners Attorney, Frank Morgan, has resigned. Chairperson Gelman will send Attorney Morgan a thank you letter.

NEW BUSINESS

Commissioner Owen informed Commissioners that Bob Barnes, a former staff member, received the Jack Epstein Award for his human rights activities over his many years of service.

The Commission meeting adjourned at 11:30 a.m.

Barbara Wilson

