

DA0201
Department of Disabilities

Capital Budget Summary

Grant and Loan *Capital Improvement Program*
(\$ in Millions)

<i>Program</i>	<i>2014 Approp.</i>	<i>2015 Approp.</i>	<i>2016 Request</i>	<i>2017 Estimate</i>	<i>2018 Estimate</i>	<i>2019 Estimate</i>	<i>2020 Estimate</i>
----------------	-------------------------	-------------------------	-------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Accessibilities Modifications	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600
Total	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600

<i>Fund Source</i>	<i>2014 Approp.</i>	<i>2015 Approp.</i>	<i>2016 Request</i>	<i>2017 Estimate</i>	<i>2018 Estimate</i>	<i>2019 Estimate</i>	<i>2020 Estimate</i>
--------------------	-------------------------	-------------------------	-------------------------	--------------------------	--------------------------	--------------------------	--------------------------

GO Bonds	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600
Total	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600

GO: general obligation

Summary of Recommended Bond Actions

	<u>Funds</u>
1. Accessibility Modifications	\$1,527,000 GO
Reduce funds and authorize reimbursable fund budget amendment.	
2. Accessibility Modifications	
Express legislative intent regarding future funding of the program.	
Total Reductions	\$1,527,000

For further information contact: Richard H. Harris

Phone: (410) 946-5530

Analysis of the FY 2016 Maryland Executive Budget, 2015

Program Description

Program Description: The Accessibilities Modifications program, also known as Access Maryland and administered by the Maryland Department of Disabilities (MDOD), provides funds to eliminate architectural barriers in State-owned facilities and allows the State to move toward compliance with the federally mandated Americans with Disabilities Act (ADA) of 1990. The program helps to increase access to State programs, services, and employment opportunities and helps to reduce the liability of the State for noncompliance with ADA. Each year, MDOD requests projects for funding from State agencies and the public higher education institutions. The projects funded within this program are part of a long-term effort, and the program will require funding beyond the current *Capital Improvement Program* (CIP).

The fiscal 2016 capital budget includes \$1.6 million in general obligation (GO) bonds to fund 11 projects at State-owned facilities throughout Maryland. With \$0.6 million available in prior-year funds, total spending on projects is \$2.2 million.

To receive funding in the allowance, agencies must have a transition plan on file with MDOD. The deadline for fiscal 2016 was January 1, 2014. At that time, 14 State agencies had transition plans on file with identified issues. As of February 2015, 15 agencies have transition plans on file, in addition to Historic St. Mary's City and the Department of Health and Mental Hygiene having no identified deficiencies. **Exhibit 1** lists each agency with transition plans on file and the total cost of their identified needs.

Identified need totals \$64.4 million, 92% of which is on public college campuses. The Department of Public Safety and Correctional Services has the most need of nonhigher education institutions, with \$3.5 million. It should be noted that the funding needs shown in the exhibit are only the identified needs at those State agencies. It is likely that some have other modification needs that are not covered in its transition plan, in addition to other State agencies that have not yet submitted transition plans.

Transition plans are revised and resubmitted to MDOD on a three-year cycle, and the current round of updates were due in January 2014 for funding in fiscal 2016 through 2018. Without an update, even agencies that were previously eligible for funding will no longer have access to Access Maryland. The program focuses mainly on State-owned facilities, and rented space is not eligible. The Department of Human Resources has expressed interest in the program, but much of its space in need of modification is rented.

Projects receiving funding from this program must complete design within two years of receiving approval from the General Assembly to remain eligible for funding. In addition, starting in fiscal 2010, agencies were required to initiate construction within six months of approval of design. These policies are intended to ensure that projects are completed in a timely manner. MDOD reports that a \$38,000 project at the University of Maryland Baltimore County (UMBC) approved in fiscal 2014 was cancelled under these provisions due to delays from environmental reviews. However, it is now a part of a larger capital project at the college.

Exhibit 1
Maryland State Agency Transition Plans
February 2015
(\$ in Millions)

<u>Agency</u>	<u>Transition Plan Value</u>
University of Maryland, College Park	\$22.400
University of Maryland Baltimore County	10.562
University of Maryland Eastern Shore	7.508
Towson University	5.243
Morgan State University	4.775
University of Maryland, Baltimore	3.950
Department of Public Safety and Correctional Services	3.514
Coppin State University	2.964
Department of Natural Resources	1.026
Salisbury University	0.917
Bowie State University	0.778
Department of General Services	0.250
Maryland Public Television	0.180
Frostburg State University	0.160
St. Mary's College of Maryland	0.124
Total	\$64.351

Source: Maryland Department of Disabilities

It should be noted that in the event a project is declared ineligible, the agency is not relieved of the obligation to make the modification, just that the project will not be funded using Access Maryland funds. MDOD has no way to ensure the project is actually completed. However, for most State agencies, Access Maryland is the only source of funds for small scale facility improvements.

Budget Overview

The proposed fiscal 2016 GO bond authorization totals \$1.6 million. However, due to a program balance from lower than expected project costs in prior years, total spending in fiscal 2016 is estimated to be \$2.2 million. The CIP programs \$1.6 million annually for fiscal 2017 through 2020.

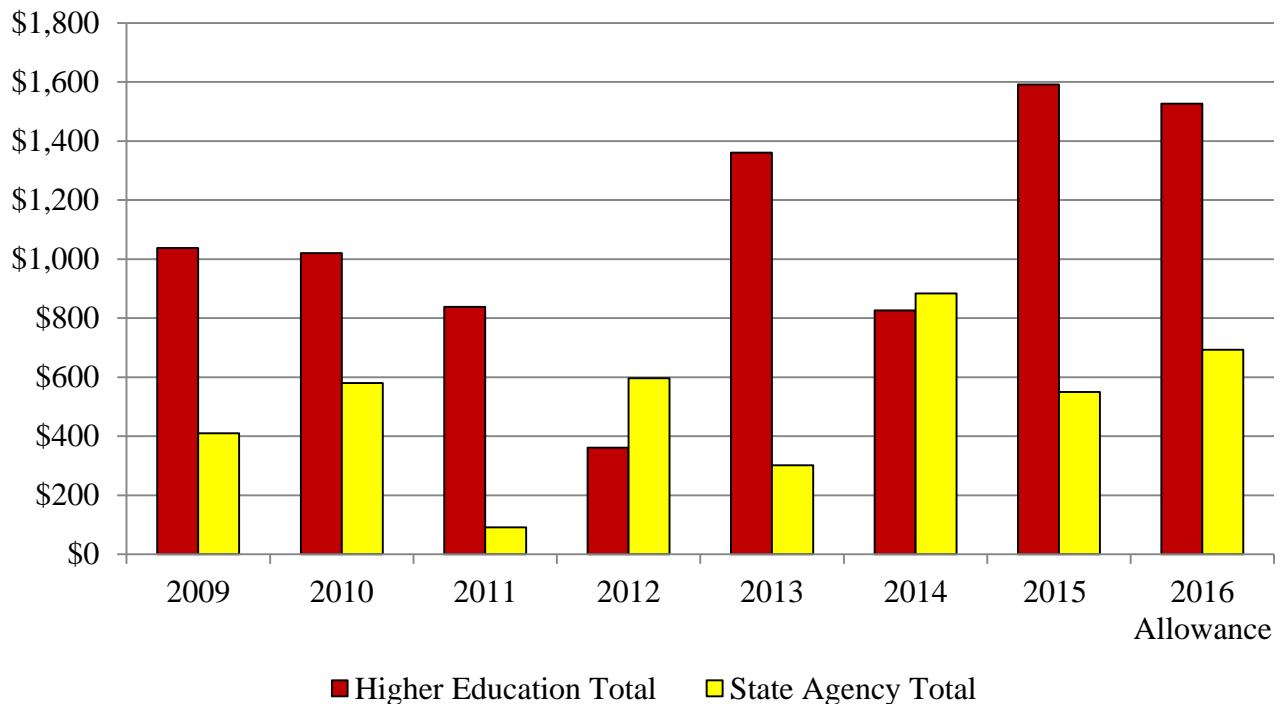
The 11 projects included for funding in fiscal 2016 are comprised of 8 at higher education institutions (Bowie State University; Salisbury University; Towson University; UMBC; University of Maryland, Baltimore; and University of Maryland, College Park), 2 at correctional facilities

(Brockbridge Correctional Facility and Maryland Reception Diagnostic and Classification Center) and 1 at Maryland Public Television. Although projects in Access Maryland often receive funding over more than one fiscal year, all projects funded this year are expected to receive funding in fiscal 2016 only.

Higher Education Funding in Access Maryland

Higher education institutions have traditionally received the majority of funding under Access Maryland. In fiscal 2015, the University System of Maryland (USM) alone received \$1.6 million, only \$0.1 million more than what is programmed for fiscal 2016. MDOD puts a priority on these projects because higher education leads to greater employment opportunities and greater independence. **Exhibit 2** shows that higher education received more funding than all other State agencies in each year since fiscal 2009, except for fiscal 2012, and does so again in fiscal 2016.

Exhibit 2
Access Maryland Funding
Higher Educating Institutions Compared to All Other State Agencies
Fiscal 2009-2016



Source: Governor's Budget Books, Fiscal 2009-2015

Exhibit 1 shows that higher education represents a significant share of identified accessibility need in the State, 92%. However, USM, Morgan State University, and St. Mary's College of Maryland all have internal facility funds that can be used for accessibility modifications as well, and USM receives an additional \$17 million a year in academic revenue bonds for facility renewal, which often overlaps with accessibility modifications.

The Department of Legislative Services (DLS) recommends reducing the fiscal 2016 Accessibilities Modifications allowance by \$1.5 million, the value of USM's fiscal 2016 projects, and requiring USM to fund them through reimbursable funds to MDOD. As the purpose is not to reduce Maryland's overall commitment to the program, DLS further recommends adopting committee narrative expressing intent that the program be funded at \$1.6 million in GO bonds in fiscal 2017 and thereafter, with an additional \$1.5 million in reimbursable funds from USM for projects on its campuses. After this reduction, a total of \$0.7 million will still be spent on the program.

GO Bond Recommended Actions

1. Reduce funds and authorize reimbursable fund budget amendment.

DA0201A	Accessibility Modifications	\$ 73,000
---------	-----------------------------------	-----------

Add the following language:

, provided that it is the intent of the General Assembly that projects on the fiscal 2016 funding list at the University System of Maryland (USM) institutions be funded by USM to ensure these projects are undertaken during fiscal 2016. Authorization is hereby provided to process a \$1,527,000 reimbursable fund budget amendment to support these projects in fiscal 2016.

<u>Allowance</u>	<u>Change</u>	<u>Authorization</u>
1,600,000	-1,527,000	73,000

Explanation: The majority of funding from the Accessibilities Modifications program is for higher education institution projects. USM is programmed to receive \$1.5 million in general obligation (GO) bonds from the program in fiscal 2016 and received \$1.6 million in fiscal 2016. USM, as a higher education institution, has internal facility funds that can be used for accessibilities modifications as well. This language reduces funding for accessibilities modifications in fiscal 2016 with the expectation that USM will provide reimbursable funds to the Maryland Department of Disabilities so that the projects will still be completed in fiscal 2016.

Though this action reduces the fiscal 2016 appropriation to \$73,000 in GO bonds, there is a \$619,680 program balance allocated to projects at Maryland Public Television and the Department of Public Safety and Correctional Services. After this reduction, a total of \$692,680 will be spent on the program in fiscal 2016.

2. Express legislative intent regarding future funding of the program.

It is the intent of the General Assembly that beginning in fiscal 2017 and thereafter, the Accessibilities Modifications program continue to be funded with general obligation bond funds at the level proposed by the Governor in the Capital Improvement Program but Americans with Disabilities Act compliant accessibility projects at University System of Maryland institutions be funded with system resources through reimbursable fund amendments to the Maryland Department of Disabilities.

Total General Obligation Bonds Reduction	\$1,527,000
---	--------------------

Fiscal 2016 Projects

<u>Subdivision</u>	<u>Agency</u>	<u>Project</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Prior Authorization</u>	<u>Fiscal 2016 Amount</u>	<u>Future Request</u>	<u>Total State Share (%)</u>
Anne Arundel	DPSCS	Brockbridge Correctional Facility	Install accessible bathroom	\$248,000	\$0	\$248,000	\$0	100.0%
Baltimore City	DPSCS	Maryland Reception Diagnostic and Classification Center	Convert 16 cells	295,000	0	295,000	0	100.0%
Baltimore City	UMB	Ten Building Signage	Improved campus signage	84,480	0	84,480	0	100.0%
Baltimore City	UMB	School of Social Work	Entrance improvements	160,000	0	160,000	0	100.0%
Baltimore	MPT	Main Lobby	Restroom modifications	150,000	0	150,000	0	100.0%
Baltimore	TU	Accessible Doors	Install accessible doors throughout campus	239,100	0	239,100	0	100.0%
Baltimore	UMBC	Sondheim Hall	Bathroom and water fountain conversions	235,400	0	235,400	0	100.0%
Baltimore	UMBC	Undergraduate Admissions Building	Restroom modifications	92,600	0	92,600	0	100.0%
Prince George's	BSU	Thurgood Marshall Library	Signage, restroom, and doors	253,100	0	253,100	0	100.0%

<u>Subdivision</u>	<u>Agency</u>	<u>Project</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Prior Authorization</u>	<u>Fiscal 2016 Amount</u>	<u>Future Request</u>	<u>Total State Share (%)</u>
Prince George's	UMCP	Biology/Psychology Building	Restroom modifications	390,000	0	390,000	0	100.0%
Wicomico	SU	Holloway Hall South Entrance	Ramp replacement	72,000	0	72,000	0	100.0%
		Cash flow and available funds adjustment		-619,680		-619,680		100.0%
Statewide								
Total				\$1,600,000	\$0	\$1,600,000	\$0	

ADA: Americans with Disabilities Act

BSU: Bowie State University

DPSCS: Department of Public Safety and Correctional Services

SU: Salisbury University

TU: Towson University

UMB: University of Maryland, Baltimore

UMBC: University of Maryland Baltimore County

UMCP: University of Maryland, College Park

UMES: University of Maryland Eastern Shore