
Analysis of Supplemental Budget No. 3

**Department of Legislative Services
Office of Policy Analysis
Annapolis, Maryland**

March 11, 2016

Supplemental Budget No. 3
Action by Fund Source
Fiscal 2016-2017
(\$ in Millions)

	<u>General</u>	<u>Special</u>	<u>Federal</u>	<u>Total</u>
BPW: Shady Grove PAYGO	\$31.7			\$31.7
MSDE: Declining Enrollment Grants	13.8			13.8
DoIT: DHR IT	13.8			13.8
Medicaid: CHIP Shortfall	10.0			10.0
DBM: SLEOLA Collective Bargaining	9.7	\$2.4	\$0.0	12.1
DPSCS: Overtime	8.0			8.0
BPW: UMBC PAYGO	5.0			5.0
BPW: Morgan State University PAYGO	4.7			4.7
DPSCS: Inmate Welfare Fund	4.0	-4.0		0.0
BPW: UMES PAYGO	3.5			3.5
Other	22.5	-1.4	4.3	25.4
<i>Subtotal</i>	<i>\$126.7</i>	<i>-\$3.0</i>	<i>\$4.3</i>	<i>\$128.0</i>
 Withdrawals and Reversions				
Medicaid Withdrawn Appropriation	-58.1		-58.1	-116.2
Medicaid Reversion	-15.0			-15.0
DBM Shared Services	-0.2			-0.2
Total Spending	\$53.4	-\$3.0	-\$53.8	-\$3.4

BPW: Board of Public Works
CHIP: Children's Health Program
DBM: Department of Budget and Management
DoIT: Department of Information Technology
DHR: Department of Human Resources
DPSCS: Department of Public Safety and Correctional Services
IT: information technology
MSDE: Maryland State Department of Education
PAYGO: pay-as-you-go
SLEOLA: State Law Enforcement Officers Labor Alliance
UMBC: University of Maryland Baltimore County
UMES: University of Maryland Eastern Shore

Supplemental Budget No. 3
General Fund Spending Summary
Fiscal 2016-2017
(\$ in Millions)

	<u>2016</u>	<u>2017</u>	<u>Total</u>
Spending			
BPW: Shady Grove PAYGO		\$31.7	
MSDE: Declining Enrollment Grants		13.8	
DoIT: DHR IT		13.8	
Medicaid: CHIP Shortfall	10.0		
DBM: SLEOLA Collective Bargaining		9.7	
DPSCS: Overtime	8.0		
BPW: UMBC PAYGO		5.0	
BPW: Morgan State University PAYGO		4.7	
DPSCS: Inmate Welfare Fund		4.0	
BPW: UMES PAYGO		3.5	
Other	9.9	12.4	
Medicaid	-15.0	-58.1	
Total Spending	\$12.9	\$40.4	\$53.4

BPW: Board of Public Works
CHIP: Children's Health Program
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DHR: Department of Human Resources
DPSCS: Department of Public Safety and Correctional Services
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**Senate General Fund Balance
Effect of Supplemental Budget No. 3
(\$ in Millions)**

	<u>Administration</u>	<u>Senate</u>
Starting Fiscal 2016 Balance	\$320	\$320
Revenues	\$16,462	\$16,462
Board of Revenue Estimates March Revision	9	9
<i>Subtotal Revenues</i>	<i>\$16,471</i>	<i>\$16,471</i>
Appropriations	\$16,280	\$16,280
Supplemental Budget No. 3	28	28
Supplemental Budget No. 3 – Reductions/Reversions	-15	-15
Additional Reversions	0	-53
<i>Subtotal Appropriations</i>	<i>\$16,293</i>	<i>\$16,240</i>
Closing Fiscal 2016/Starting Fiscal 2017 Balance	\$499	\$551
Revenues	\$17,078	\$17,118
Board of Revenue Estimates March Revision	-61	-61
<i>Subtotal Revenues</i>	<i>\$17,017</i>	<i>\$17,057</i>
Appropriations	\$17,128	\$17,129
Supplemental Budget No. 1 – New Spending	15	15
Supplemental Budget No. 2 – New Spending	27	27
Supplemental Budget No. 3 – New Spending	99	99
Legislative Reductions	0	-5
Supplemental Budget No. 3 – Reductions/Reversions	-58	-58
<i>Subtotal Appropriations</i>	<i>\$17,210</i>	<i>\$17,206</i>
Closing Fiscal 2017 Balance Before Supplemental 3	\$353	\$451
Closing Fiscal 2017 Balance After Supplemental 3	\$306	\$403
Difference	-\$46	-\$48

Spending Affordability Analysis
Effect of Supplemental Budget No. 3
(\$ in Millions)

	<u>Admin.</u>	<u>SB&T</u>
2015 Session SAC Limit	\$24,416.9	\$24,416.9
2016 Session		
Allowance	\$25,502.3	\$25,502.3
Supplemental Budget No. 1	15.0	15.0
Supplemental Budget No. 2	5.5	5.5
Supplemental Budget No. 3	4.2	4.2
Legislative Reductions/Reversions	0.0	0.3
2016 Session Subtotal	\$25,526.9	\$25,527.2
Increase Over 2015 Session	1,110.0	1110.3
Percent Increase Over 2015 Session	4.55%	4.55%
2016 SAC Limit	\$25,601.1	\$25,601.1
Amount Above/(Below) SAC limit	-74.2	-73.9
Percentage Point Difference vs. SAC Limit	-0.30%	-0.30%

Personnel

Regular Positions for All Agencies	80,978.0	80,978.0
Section 20: Across-the-board cut	-657.0	-657.0
Legislative Reductions	0.0	-4.0
Regular Positions in the Supplemental Budget	7.0	7.0
Total SAC PINs	80,328.0	80,324.0
SAC Limit	80,831.0	80,831.0
Amount Over (Under) SAC	-503.0	-507.0

PIN: position identification number
SAC: Spending Affordability Committee

Supplemental Budget No. 3 Overview

<u>Pg.</u>	<u>Item #</u>	<u>Committee</u>	<u>Item</u>	<u>DLS Rec.</u>	<u>GF</u>	<u>SF</u>	<u>FF</u>
2	1	CAP/CPH	Board of Public Works To provide capital grants for Morgan State University (\$4.7 million), Coppin State University (\$1.3 million), the University of Maryland, Baltimore County (\$5.0 million), the University of Maryland Eastern Shore (\$3.5 million), and the University System of Maryland Office for Universities at Shady Grove (\$31.7 million).	Language	\$46,200,000		
2	2	PSTE/PSA	Governor's Office of Crime Control and Prevention To transfer funds from the Department of Public Safety and Correctional Services (Item 31) for a day reporting center pilot program.		540,000		
2	3	HHS/PSA	Maryland State Board of Contract Appeals To provide funds for staff leave payouts in fiscal 2016.		23,700		
3	4	HHS/PSA	Department of Veterans Affairs To provide funds for an energy performance contract payment in fiscal 2016.		57,144		
3	5	HHS/HHR	Maryland Health Benefit Exchange To provide funds for legal services in fiscal 2016.		2,800,000		
3	6	EBA/EED	Canal Place Preservation and Development Authority To provide funds for renovation projects and vehicle replacement in fiscal 2016.				\$425,760

Supplemental Budget No. 3 Overview

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3	7	EBA/PSA	Comptroller of the Treasury To provide funds to administer the Achieving a Better Life Experience (ABLE) subtraction modification.	Language	745,000		
4	8	PSA/PSTE	Department of Budget and Management To provide funds to implement the Human Resources Shared Services Initiative for payroll functions in fiscal 2016.		218,246		
4	9	B&T/APP	Department of Budget and Management To provide funds to implement the Human Resources Shared Services Initiative for payroll functions.		913,696		
4	10	B&T/APP	Department of Budget and Management To provide funds to implement certain collective bargaining agreements.		9,698,148	2,419,037	\$32,637
5	11	B&T/PSA	Department of Information Technology To provide funds for a Shared Human Services Platform project.	Language	13,784,449		
5	12	EBA/PSA	Department of General Services To provide funds and 5 positions for security at the Crownsville complex.		394,243		
5	13	EBA/PSA	Department of General Services To provide funds and 2 positions for maintenance at the Crownsville complex.		109,516		
5	14	HHS/HHR	Department of Health and Mental Hygiene To provide funds to fund a grant to 2-1-1 Maryland.		183,300		

Supplemental Budget No. 3 Overview

<u>Pg.</u>	<u>Item #</u>	<u>Committee</u>	<u>Item</u>	<u>DLS Rec.</u>	<u>GF</u>	<u>SF</u>	<u>FF</u>
6	15	HHS/HHR	Department of Health and Mental Hygiene To provide funds for salaries in fiscal 2016.				901,423
6	16	HHS/HHR	Department of Health and Mental Hygiene To provide funds for a contract with the Chesapeake Regional Information System for our Patients related to prescription drug monitoring and overdose prevention in fiscal 2016.				530,426
6	17	HHS/HHR	Department of Health and Mental Hygiene To provide funds for substance use disorder and community mental health treatment in fiscal 2016.		275,000		1,826,540
6	18	HHS/HHR	Department of Health and Mental Hygiene To provide funds for behavioral health provider reimbursements in fiscal 2016.	1,289,241			
6	19	HHS/HHR	Department of Health and Mental Hygiene To provide funds for Section 8-507 commitments.	Narrative	3,000,000		
7	20	HHS/HHR	Department of Health and Mental Hygiene To provide funds to offset underattainment of special funds.		2,112,306	-2,112,306	
7	21	HHS/HHR	Department of Health and Mental Hygiene To provide funds for inpatient services in fiscal 2016.				1,000,000
7	22	HHS/HHR	Department of Health and Mental Hygiene To provide funds for behavioral health provider reimbursements in fiscal 2016.		908,444		
7	23	HHS/HHR	Department of Health and Mental Hygiene To provide funds for placements at Institutions for Mental Disease.		3,000,000		

Supplemental Budget No. 3 Overview

<u>Pg.</u>	<u>Item #</u>	<u>Committee</u>	<u>Item</u>	<u>DLS Rec.</u>	<u>GF</u>	<u>SF</u>	<u>FF</u>
7	24	HHS/HHR	Department of Health and Mental Hygiene To reduce funds based on projected enrollment and utilization.		-58,100,000		-58,100,000
7	25	HHS/HHR	Department of Health and Mental Hygiene To provide funds for Kidney Disease Program provider reimbursements in fiscal 2016.		2,000,000		
8	26	HHS/HHR	Department of Health and Mental Hygiene To provide funds for Maryland Children's Health Program provider reimbursements in fiscal 2016.		10,000,000		
8	27	HHS/HHR	Department of Health and Mental Hygiene To reduce funds in Medicaid behavioral health to support funding in Items 18 and 22.		-2,197,685		
8	28	PSTE/PSA	Department of Public Safety and Correctional Services To provide funds for staff leave payouts in fiscal 2016.		750,000		
8	29	PSTE/PSA	Department of Public Safety and Correctional Services To provide funds to offset a projected shortfall in the Inmate Welfare Fund.	Language	4,000,000		
9	30	PSTE/PSA	Department of Public Safety and Correctional Services To provide funds for overtime in fiscal 2016.		8,000,000		

Supplemental Budget No. 3 Overview

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9	31	PSTE/PSA	Department of Public Safety and Correctional Services To reduce funds for a day reporting center pilot program to transfer to the Governor's Office of Crime Control and Prevention (Item 2).		-540,000		
9	32	PSTE/PSA	Department of Public Safety and Correctional Services To provide funds for required maintenance projects in fiscal 2016.		2,770,000		
9	33	EBA/EED	Maryland State Department of Education To provide funds to supplement existing funding for a Charter School Study in fiscal 2016.		218,190		
9	34	EBA/EED	Maryland State Department of Education To provide funds for grants to counties with declining enrollment.	Language	13,764,885		
10	35	EBA/EED	Maryland State Department of Education To provide funds for the Autism Waiver Program in fiscal 2016.		413,501		
10	36	EBA/EED	Maryland State Department of Education To provide funds for the Maryland School for the Blind.	Language	1,028,104		
10	37	EBA/EED	Maryland Higher Education Commission To provide funds for legal services in fiscal 2016.		900,000		

Supplemental Budget No. 3 Overview

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10	38	EBA/EED	Maryland Higher Education Commission To provide funds for a grant to the Frederick Center for Research and Education in Science and Technology.		244,012		
10	39	EBA/EED	Maryland Higher Education Commission To provide funds for the Maryland Higher Education Outreach and College Access Pilot Program.		250,000		
11	Amend. No. 1	PSTE/PSA	To reduce funds available from the Inmate Welfare Fund based on projected revenues (backfilled in Item 29).			-4,000,000	
11	Amend. No. 2		Technical.				
11	Amend. No. 3		Technical				
11	Amend. No. 4	B&T/APP	To reduce funds related to a Human Resources Shared Services Initiative.		-904,957		
Total Funds					\$68,573,483	-\$2,992,509	-\$53,808,974

D06E0201
Board of Public Works

Supplemental Budget No. 3

Item # 1

Budget Amendments

D06E02.01 Public Works Capital Appropriation

Amend the following language:

To add an appropriation on page 9 of the printed bill (first reading file bill), to provide funds for the following capital projects. Expenditure of these funds will be made in accordance with State Finance and Procurement Article Sections 3-601 through 3-607 and 7-305.

(1) Morgan State University—New Student Services Support Building	4,700,000
(2) Coppin State University—Perey Julian Science Renovation for the College of Business	1,300,000
(3) University of Maryland—Baltimore County—Interdisciplinary Life Science Building	5,000,000
(4) University of Maryland Eastern Shore—School of Pharmacy and Allied Health Professions	3,500,000
(5) University System of Maryland—Office—Biomedical Sciences and Engineering Education Facility at the Universities of Shady Grove	31,700,000

provided that \$46,200,000 of this appropriation may not be expended for the projects listed above in order that funding for such projects may be provided using tax exempt debt authorized under SB 191 the Maryland Consolidated Capital Bond Loan of 2016. Further provided that \$46,200,000 of this appropriation may only be used to fund capital appropriations in the amounts and only for the purposes herein listed in order to avoid the additional expense that would result from financing them using taxable general obligation bonds. Funds not expended for the purposes herein listed shall revert to the general fund:

(1) <u>Neighborhood Business Development Program. Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designated by local governments, including food desert projects in designated food deserts. The funds shall be administered in accordance with Sections 6-301 through 6-311 of the Housing and Community Development Article.....</u>	<u>3,400,000</u>
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- (2) Baltimore Regional Neighborhoods Initiative. Provide funds for grants and loans to nonprofit community development corporations or coalitions to fund comprehensive revitalization strategies for sustainable community areas in Baltimore City, Baltimore County, and Anne Arundel County.....1,500,000
- (3) Homeownership Programs. Provide funds for below-market interest rate mortgages with minimum down payments to low- and moderate-income homebuyers. These funds shall be administered in accordance with Sections 4-501, 4-502, 4-801 through 4-810, and 4-814 through 4-816 of the Housing and Community Development Article..... 8,500,000
- (4) Housing and Building Energy Programs. Provide funds in the form of loans or grants to promote energy-efficient improvements either through renovation of existing facilities, the construction of new properties, or the installment of equipment and materials for single-family and rental-housing properties to be administered in accordance with Section 4-218 of the Housing and Community Development Article.....1,000,000
- (5) Partnership Rental Housing Program. Provide funds to be credited to the Partnership Rental Housing Fund to be administered in accordance with Sections 4-501, 4-503, and 4-1201 through 4-1209 of the Housing and Community Development Article....6,000,000
- (6) Rental Housing Program. Provide funds for rental housing developments that serve low- and moderate-income households. The funds shall be administered in accordance with Sections 4-401 through 4-411, 4-501, and 4-504 of the Housing and Community Development Article.....10,000,000
- (7) Special Loan Programs. Provide funds to low- and moderate-income families, sponsors of rental properties occupied primarily by limited-income families, and nonprofit sponsors of housing facilities, including group homes and shelters to bring housing up to code and remediate lead paint hazards. These funds shall be administered in accordance with Sections 4-501, 4-505, 4-601 through 4-612, 4-701 through 4-712, 4-901 through 4-923, 4-926 through 4-931, and 4-933 of the Housing and Community Development Article.....2,100,000
- (8) Community Legacy Program. Provide funds to assist neighborhoods with revitalization efforts. The funds shall be administered in accordance with Sections 6-201 through 6-211 of the Housing and Community Development Article and Code of Maryland Regulations (COMAR) 05.17.01. Provided that any financial assistance awarded under this program is not subject to Section 8-3-1 of the State Finance and Procurement Article.....3,905,000
- (9) Maryland Drinking Water Revolving Loan Fund. Provide funds to finance drinking water projects. The funds shall be administered in accordance with Section 9-1605.1 of the Environment Article.....3,003,000

10. Maryland Water Quality Revolving Loan Fund. Provide funds to finance water quality improvement projects. The funds shall be administered in accordance with Section 9-1605 of the Environment Article.....6,792,000

Explanation: The amendment restricts funding for selected State capital projects that would require the issuance of taxable debt in the Maryland Consolidated Capital Bond Loan of 2016.

E00A
Comptroller of Maryland

Supplemental Budget No. 3

Item # 7

Budget Amendments

E00A04.01 Revenue Administration

Add the following language:

Provided that \$745,000 of this appropriation is contingent upon the enactment of SB 355 or HB 431. Further provided that \$642,600 of this appropriation made for the purpose of the Achieving a Better Life Experience (ABLE) program subtraction modification may not be used for that purpose but instead may only be used as a grant to the College Savings Plan Board for the implementation of the ABLE program. Further provided that \$102,400 of this appropriation made for the purpose of subtraction modification may not be used for that purpose but may instead be used for one-time programming costs to implement the ABLE program. Funds not spent for these restricted purposes may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the general fund.

Explanation: This language would make the funding for the ABLE program contingent on legislation that establishes the program. Further, the language clarifies that the funds are not for the actual subtraction modification but are for the start up costs for the Office of the Comptroller and the College Savings Plan Board. Because the College Savings Plan Board is a nonbudgeted board, the funds will be provided to them in the form of a one-time grant from the Comptroller for the specified purpose.

F50
Department of Information Technology

Supplemental Budget No. 3

Item # 11

Budget Amendments

F50A01.01 Major Information Technology Development Project Fund

Add the following language:

, provided that \$13,784,449 of this appropriation made for the purpose of the Department of Human Resources (DHR) Shared Human Services Platform project may not be expended until the Department of Information Technology (DoIT) submits a report to the budget committees, in conjunction with DHR, on the status of the project. The report shall address (1) State and federal costs of the project, including an approved Advanced Planning Document; (2) the project timeline, including subsequent components such as the replacement of DHR's information technology systems; (3) procurement process; (4) agencies involved in the project, including the role of each agency and the funding provided by each agency; and (5) project governance. In addition, DoIT shall provide a standard Information Technology Project Request. The report shall be submitted to the budget committees, and the committees shall have 45 days to review and comment. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The supplemental budget provides \$13.8 million to begin the Shared Human Services Platform project. The costs of this project are expected to reach \$200 million and the project is ultimately expected to involve at least nine different agencies. The budget committees are concerned about the risks associated with a project of this size that involves this many agencies. To minimize risk, the committees encourage detailed planning about project governance, the roles of each agency, the procurement process, costs, and the project timeline. DoIT is required to report to the budget committees 45 days prior to the expenditures of funds.

Information Request	Authors	Due Date
Report on the Shared Human Services Platform major information technology project	DoIT DHR	45 days prior to the expenditure of funds

M00L
Behavioral Health Administration
Department of Health and Mental Hygiene

Supplemental Budget No. 3

Item # 19

Committee Narrative

M00L01.02 Community Services

Adopt the following narrative:

Alternatives to Residential Treatment: The budget committees remain concerned about the availability of treatment options for commitments to the Department of Health and Mental Hygiene (DHMH) under Section 8-507 of the Health – General Article, especially in light of the need to place individuals into treatment in a more expedient manner. The committees request a report from DHMH and the Judiciary on the alternatives to residential treatment for commitments under Section 8-507, including the appropriateness of utilizing recovery support housing in conjunction with outpatient services to meet the needs of those individuals committed to DHMH under this procedure. The report shall be submitted by December 1, 2016.

Information Request	Authors	Due Date
Alternatives to residential treatment under Section 8-507 of the Health – General Article	DHMH Judiciary	December 1, 2016

Q00A
Administration
Department of Public Safety and Correctional Services

Supplemental Budget No. 3

Item # 29

Budget Amendments

Q00A02.01 Administrative Services

Add the following language:

, provided that \$4,000,000 of this appropriation made for the purpose of providing adequate funds for inmate services and programs related to a projected shortfall in the Inmate Welfare Fund may not be expended unless the Department of Public Safety and Correctional Services receives approval from the Board of Public Works before July 1, 2016, of a contract modification eliminating the commission from the current inmate payphone equipment and services contract. Upon approval of a contract modification, the Department of Public Safety and Correctional Services shall provide written notice of the modification to the budget committees. Funds restricted pending approval of the contract modification may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the contract modification is not approved by the Board of Public Works.

Explanation: In October 2015, the Federal Communications Commission (FCC) took action to reduce rate caps for inmate calling and limit add-on fees imposed by service providers. Several phone service providers have filed petitions with the District of Columbia Circuit to review the FCC rate caps and other inmate calling service changes, and in early March 2016, the circuit court granted a partial stay on the order, which otherwise would have gone into effect on March 17, 2016. The State's current inmate phone service contract provides for a commission paid to the Department of Public Safety and Correctional Services (DPSCS), which would be significantly reduced by implementation of the FCC rate reduction order. Although the FCC order does not prohibit commissions, many states have already begun to move away from commissions. The \$4 million reduction to Inmate Welfare Fund revenue in Amendment 1 of Supplemental Budget No. 3 assumes that DPSCS will not receive a commission from the inmate phone service vendor, however a contract modification eliminating the commission has not yet been introduced to the Board of Public Works (BPW). This action restricts the \$4 million in general funds to replace the anticipated reduction in Inmate Welfare Funds until BPW approves a contract modification eliminating the commission.

Information Request**Author****Due Date**

Written notification of BPW approval of an inmate calling contract modification

DPSCS

July 1, 2016

R00A02
Aid to Education

Supplemental Budget No. 3

Item # 34

Budget Amendments

R00A02.01 State Share of Foundation Program

Add the following language:

In addition to the appropriation shown on page 93 of the printed bill (first reading file bill) to provide funding for grants to counties with declining student enrollment, provided that funding may only be allocated as follows:

<u>(a)</u>	<u>Baltimore City</u>	<u>12,674,305</u>
<u>(b)</u>	<u>Calvert</u>	<u>1,090,580</u>

Explanation: This language specifies that funding provided in Supplemental Budget No. 3 should be allocated to Baltimore City and Calvert County due to their having declining enrollment and a decrease of State education aid in fiscal 2016 or 2017. This is in addition to funding provided in the fiscal 2017 allowance for Carroll (\$4,000,000), Garrett (\$1,300,000) and Kent (\$300,000) counties for similar purposes.

R00A03
Funding for Educational Organizations

Supplemental Budget No. 3

Item # 36

Budget Amendments

R00A03.01 Maryland School for the Blind

Add the following language:

, provided that this additional appropriation shall be contingent on the enactment of SB 422 or HB 709.

Explanation: This added language makes additional funding provided for the Maryland School for the Blind in Supplemental Budget No. 3 contingent upon the enactment of SB 422 or HB 709.

Technical Amendment to Supplemental Budget No. 3 – Amendments to Senate Bill 190/House Bill 150

Amend the following language:

Amendment No. 4

On page 172, after line 11, insert "22 45"

Strike the following language:

~~In line 12, after the word Section, strike "22" and replace with "23", and in line 18, strike "23" and replace with "24".~~

Amend the following language:

Adds language that authorizes the Governor to transfer funding and positions from State agencies to DBM for the HR shared services initiative ~~and renumbers the Sections of the budget bill accordingly.~~

Amendment No. _____