



Report of the
House Appropriations Committee
To the Maryland House of Delegates

2020 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 190

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: 410-946-5400 • Washington Area: 301-970-5400

Other Areas: 1-800-492-7122, Extension 5400

TTY: 410-946-5401 • 301-970-5401

TTY users may also use the Maryland Relay Service
to contact the General Assembly.

Email: libr@mlis.state.md.us

Home Page: <http://mgaleg.maryland.gov>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, gender identity, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

General Assembly of Maryland House Appropriations Committee

2020 Session Membership Roster

Delegate Maggie McIntosh, Chair
Delegate Michael A. Jackson, Vice Chair

Capital Budget Subcommittee

Delegate Mark S. Chang, Chair
Delegate Ben Barnes, Vice Chair

Delegate Wendell R. Beitzel
Delegate Jefferson L. Ghrist
Delegate Keith E. Haynes
Delegate Michael A. Jackson
Delegate Marc Korman
Delegate Carol L. Krimm
Delegate Michael McKay
Delegate Susie Proctor
Delegate Kirill Reznik
Delegate Geraldine Valentino-Smith
Delegate Pat Young

Education and Economic Development Subcommittee

Delegate Ben Barnes, Chair
Delegate Jared Solomon, Vice Chair

Delegate Mark S. Chang
Delegate Catherine M. Forbes
Delegate Jefferson L. Ghrist

Health and Social Services Subcommittee

Delegate Kirill Reznik, Chair
Delegate Geraldine Valentino-Smith, Vice Chair

Delegate Shaneka Henson
Delegate Nino Mangione
Delegate Pat Young

Public Safety and Administration Subcommittee

Delegate Keith E. Haynes, Chair
Delegate Susie Proctor, Vice Chair

Delegate Gabriel Acevero
Delegate Paul D. Corderman
Delegate Michael McKay

Transportation and the Environment Subcommittee

Delegate Marc Korman, Chair
Delegate Carol L. Krimm, Vice Chair

Delegate Wendell R. Beitzel
Delegate Tony Bridges
Delegate Trent Kittleman
Delegate Ric Metzgar

Department of Legislative Services

Director, Office of Policy Analysis

Ryan Bishop

Coordinator, Fiscal and Policy Analysis

David C. Romans

Operating Budget Managers

Simon G. Powell

Rebecca J. Ruff

Capital Budget Manager

Matthew D. Klein

Information Systems Support

Patrick S. Frank

Jason A. Kramer

Quality Control Editor

Maureen R. Merzlak

Committee Report Coordinator

Andrew D. Gray

Committee Staff

Matthew B. Jackson

Michele K. Lambert

Priya Narapeddy

Budget Subcommittee Coordinators

Andrew C. Garrison

Ian M. Klein

Laura H. Hyde

Steve McCulloch

Other Analysts

Sara J. Baker

Samuel M. Quist

Jacob C. Cash

Anne P. Wagner

Emily R. Haskell

Kenneth B. Weaver

Nicholas Konzelman

Caleb E. Weiss

Grace M. Pedersen

Tonya D. Zimmerman

Support Staff

Mary Alice Gehrdes, Operating Budget Support Coordinator

Katylee M. Cannon, Capital Budget Support Coordinator

Danielle A. Clemons

Kamar Merritt

Susan Eckert

Brett A. Ogden

Katherine K. Hayward

Department of Legislative Services

2020 Budget Assignments

Sara J. Baker

Maryland Higher Education Commission
Student Financial Assistance
University System of Maryland
Overview
Salisbury University
University of Baltimore
University of Maryland Baltimore County
University of Maryland Center for Environmental Science

Jacob C. Cash

Department of Public Safety and Correctional Services
Administration and Offices
Community Supervision
Corrections
Division of Pretrial Detention
Overview
Police and Correctional Training Commissions

Patrick S. Frank

Board of Public Works
Department of General Services
Department of Information Technology
Maryland Stadium Authority
Public Debt

Andrew C. Garrison

Department of Veterans Affairs
Maryland Department of Health
Administration
Behavioral Health Administration
Health Professional Boards and Commissions
Health Regulatory Commissions
Office of Health Care Quality
Maryland Institute for Emergency Medical Services Systems

Andrew D. Gray

Canal Place Preservation and Development Authority
Chesapeake Bay Overview
Department of Agriculture
Department of Natural Resources
Department of Planning
Department of the Environment
Maryland Environmental Service

Emily R. Haskel

Department of Commerce
Department of Housing and Community Development
Maryland Department of Labor
Maryland Economic Development Corporation
Maryland Technology Development Corporation
State Lottery and Gaming Control Agency

Laura Hyde

Interagency Commission on School Construction
Maryland State Department of Education
 Aid to Education
 Funding for Educational Organizations
 Headquarters

Ian M. Klein

Aid to Community Colleges
Baltimore City Community College
Higher Education Overview
Morgan State University
University System of Maryland
 Bowie State University
 Coppin State University
 University of Maryland Global Campus
 University System of Maryland Office

Matthew D. Klein

Capital Fiscal Briefing

Nicholas Konzelman

Department of Juvenile Services
Department of State Police
Governor's Office of Crime Prevention, Youth, and Victim
 Services
Maryland Emergency Medical System Operations Fund
Maryland State Department of Education
 Maryland Center for School Safety
Military Department

Jason A. Kramer

Department of Budget and Management – Personnel
Maryland Supplemental Retirement Plans
Payments to Civil Divisions of the State
State Retirement Agency
Subsequent Injury Fund
Uninsured Employer’s Fund

Steven D. McCulloch

Maryland Department of Transportation
Debt Service Requirements
Maryland Transit Administration
Overview
State Highway Administration
The Secretary’s Office
Washington Metropolitan Area Transit Authority

Grace M. Pedersen

Department of Aging
Department of Disabilities
Department of Human Services
Administration
Child Support Administration
Overview
Executive Department – Boards, Commissions, and Offices
Office of Deaf and Hard of Hearing
State Board of Elections

Simon G. Powell

Maryland Department of Health
Medical Care Programs Administration

Samuel M. Quist

Comptroller of Maryland
Maryland Commission on Civil Rights
Maryland Public Broadcasting Commission
Maryland School for the Deaf
Maryland State Library Agency
Secretary of State
State Treasurer

Rebecca J. Ruff

State Reserve Fund

Anne P. Wagner

Department of Budget and Management – Secretary
Maryland Department of Health
 Developmental Disabilities Administration
 Overview
 Prevention and Health Promotion Administration
 Public Health Administration
Maryland State Department of Education
 Early Childhood Development

Kenneth B. Weaver

Executive Department – Governor
Judiciary
Maryland Tax Court
Office of Administrative Hearings
Office of Attorney General
Office of Public Defender
Office of State Prosecutor
Property Tax Assessment Appeals Board
State Archives
State Department of Assessments and Taxation
Worker’s Compensation Commission

Caleb E. Weiss

Historic St. Mary’s City Commission
Maryland African American Museum Corporation
Maryland Automobile Insurance Fund
Maryland Department of Transportation
 Maryland Aviation Administration
 Maryland Port Administration
 Motor Vehicle Administration
Maryland Insurance Administration
Maryland Transportation Authority

Tonya D. Zimmerman

Department of Human Services
 Family Investment
 Office of Home Energy Programs
 Social Services
Maryland Energy Administration
Maryland Health Benefit Exchange
Office of People’s Counsel
Public Service Commission

Contents

| | <u>Budget Code</u> | <u>Page</u> |
|---|---------------------------|--------------------|
| Senate Budget and Taxation Committee – Reductions | | xv |
| Payments to Civil Divisions of the State | | |
| Payments to Civil Divisions of the State..... | A15O00 | 1 |
| Legislative and Judicial | | |
| Judiciary | C00A00 | 2 |
| Office of the Public Defender | C80B00 | 9 |
| Office of the Attorney General | C81C | 10 |
| Public Service Commission | C90G00 | 14 |
| Uninsured Employers’ Fund | C96J00 | 16 |
| Executive and Administrative Control | | |
| Board of Public Works..... | D05E01 | 17 |
| Executive Department – Governor..... | D10A01 | 18 |
| Office of the Deaf and Hard of Hearing..... | D11A0401 | 19 |
| Department of Disabilities | D12A02 | 20 |
| Maryland Energy Administration | D13A13 | 21 |
| Boards, Commissions, and Offices | D15A05 | 24 |
| Governor’s Office of Crime Prevention, Youth, and Victim Services . | D21 | 27 |
| Department of Aging..... | D26A07 | 36 |
| State Board of Elections..... | D38I01 | 41 |
| Department of Planning | D40W01 | 44 |
| Military Department..... | D50H01 | 46 |
| Department of Veterans Affairs | D55P00 | 47 |
| Maryland Automobile Insurance Fund | D70J00 | 48 |
| Maryland Health Benefit Exchange | D78Y01 | 49 |
| Office of Administrative Hearings..... | D99A11 | 52 |
| Financial and Revenue Administration | | |
| Comptroller of Maryland | E00A | 53 |
| State Department of Assessments and Taxation | E50C | 57 |
| Property Tax Assessment Appeals Boards | E80E | 60 |

| | <u>Budget Code</u> | <u>Page</u> |
|--|---------------------------|--------------------|
| Budgetary and Personnel Administration | | |
| Department of Budget and Management | | |
| Office of the Secretary | F10A | 61 |
| Office of Personnel Services and Benefits | F10A02 | 62 |
| Office of Budget Analysis | F10A05 | 65 |
| Department of Information Technology | F50 | 66 |
| Personnel Administration and Retirement | | |
| State Retirement Agency | G20J01 | 70 |
| General Services | | |
| Department of General Services | H00 | 71 |
| Transportation | | |
| Department of Transportation | J00 | 74 |
| The Secretary's Office | J00A01 | 77 |
| Debt Service Requirements | J00A04 | 80 |
| State Highway Administration | J00B01 | 83 |
| Maryland Port Administration | J00D00 | 86 |
| Motor Vehicle Administration | J00E00 | 87 |
| Maryland Aviation Administration | J00I00 | 88 |
| Maryland Transportation Authority | J00J | 89 |
| Natural Resources | | |
| Department of Natural Resources | K00A | 91 |
| Agriculture | | |
| Department of Agriculture | L00A | 97 |
| Health | | |
| Maryland Department of Health | | |
| Office of the Secretary | M00A01 | 100 |
| Public Health Administration | M00F | 102 |
| Prevention and Health Promotion Administration | M00F03 | 104 |
| Office of the Chief Medical Examiner | M00F05 | 105 |
| Behavioral Health Administration | M00L | 106 |
| Developmental Disabilities Administration | M00M | 110 |

| | <u>Budget Code</u> | <u>Page</u> |
|---|---------------------------|--------------------|
| Medical Care Programs Administration | M00Q01 | 114 |
| Health Regulatory Commissions | M00R01 | 121 |
| Human Services | | |
| Department of Human Services | | |
| Office of the Secretary | N00A01 | 123 |
| Social Services Administration..... | N00B | 125 |
| Office of Technology for Human Services | N00F00 | 130 |
| Local Department Operations | N00G00 | 132 |
| Child Support Administration..... | N00H00 | 138 |
| Family Investment Administration | N00I00 | 141 |
| Labor, Licensing, and Regulation | | |
| Maryland Department of Labor | P00 | 147 |
| Public Safety and Correctional Services | | |
| Department of Public Safety and Correctional Services | Q00 | 151 |
| Administration and Offices | Q00A | 153 |
| Maryland Correctional Enterprises | Q00A03 | 156 |
| Corrections | Q00B | 157 |
| Community Supervision | Q00C | 158 |
| Patuxent Institution | Q00D | 160 |
| Police and Correctional Training Commissions | Q00G | 161 |
| Division of Correction – West Region..... | Q00R | 162 |
| Division of Correction – East Region..... | Q00S | 164 |
| Division of Pretrial Detention..... | Q00T | 168 |
| Public Education | | |
| Maryland State Department of Education | | |
| Headquarters | R00A01 | 169 |
| Aid to Education | R00A02 | 173 |
| Funding for Educational Organizations | R00A03 | 178 |
| Maryland Center for School Safety | R00A06 | 186 |
| Interagency Commission on School Construction..... | R00A0702 | 188 |
| Higher Education | | |
| Morgan State University | R13M00 | 191 |

| | <u>Budget Code</u> | <u>Page</u> |
|---|---------------------------|--------------------|
| University System of Maryland | R30B00 | 192 |
| Bowie State University | R30B23 | 193 |
| University of Baltimore | R30B28 | 194 |
| University of Maryland Global Campus | R30B30 | 195 |
| University System of Maryland Office | R30B36 | 196 |
| Maryland Higher Education Commission..... | R62I00 | 197 |
| Higher Education | R75T00 | 202 |
| Baltimore City Community College | R95C00 | 205 |
| Housing and Community Development | | |
| Department of Housing and Community Development | S00A | 207 |
| Commerce | | |
| Department of Commerce | T00 | 209 |
| Environment | | |
| Department of the Environment..... | U00A | 214 |
| Maryland Environmental Service | U10B00 | 219 |
| Juvenile Services | | |
| Department of Juvenile Services..... | V00A | 220 |
| State Police | | |
| Department of State Police | W00A | 222 |
| Debt | | |
| Public Debt..... | X00A00 | 225 |
| Reserve | | |
| State Reserve Fund..... | Y01A | 226 |
| Deficiencies | | |
| Fiscal 2020 Deficiencies | | 228 |
| Sections | | |
| Sections | | 232 |
| Supplemental Budget | | |
| Supplemental Budget No. 1 | | 261 |

House Appropriations Committee – Reductions

| <u>Agency</u> | <u>General Funds</u> | <u>Special Funds</u> | <u>Federal Funds</u> | <u>Education Funds</u> | <u>Total Funds</u> | <u>Positions</u> |
|--|--------------------------|--------------------------|--------------------------|----------------------------|------------------------|------------------|
| 2021 Budget Request | | | | | | |
| Judiciary | \$10,582,708 | \$95,173 | \$0 | \$0 | \$10,677,881 | 57.0 |
| Office of the Attorney General | 640,985 | 300,000 | 0 | 0 | 940,985 | |
| Executive Department – Governor | 112,590 | 0 | 0 | 0 | 112,590 | |
| Executive Department – Boards, Commissions and Offices | 153,328 | 0 | 0 | 0 | 153,328 | 2.0 |
| Office of Crime Prevention, Youth, and Victim Services | 250,000 | 0 | 0 | 0 | 250,000 | |
| Department of Aging | 600,000 | 0 | 0 | 0 | 600,000 | |
| State Board of Elections | 0 | 877,488 | 0 | 0 | 877,488 | |
| Department of Planning | 104,221 | 0 | 0 | 0 | 104,221 | 1.0 |
| Department of Veterans Affairs | 65,452 | 0 | 0 | 0 | 65,452 | 2.0 |
| Maryland Health Benefit Exchange | 0 | 210,000 | 0 | 0 | 210,000 | |
| Comptroller of Maryland | 165,300 | 706,084 | 0 | 0 | 871,384 | 3.0 |
| Department of Budget and Management – Personnel | 8,459,674 | 1,625,834 | 914,492 | 0 | 11,000,000 | |
| Department of Information Technology | 20,015,612 | 110,000 | 90,000 | 0 | 20,215,612 | |
| Department of General Services | 500,000 | 24,000 | 6,000 | 0 | 530,000 | |
| Maryland Department of Transportation (MDOT) – State Highway Administration | 0 | 10,500,266 | 0 | 0 | 10,500,266 | |
| MDOT – Maryland Aviation Administration | 0 | 270,000 | 0 | 0 | 270,000 | |
| Department of Natural Resources | 0 | 59,828 | 0 | 0 | 59,828 | 1.0 |
| Department of Agriculture | 0 | 1,500,000 | 0 | 0 | 1,500,000 | |
| Maryland Department of Health (MDH) –Administration | 1,000,000 | 0 | 0 | 0 | 1,000,000 | |
| MDH – Public Health Administration | 1,000,000 | 0 | 0 | 0 | 1,000,000 | |
| MDH – Prevention and Health Promotion Administration | 0 | 0 | 9,851,721 | 0 | 9,851,721 | |
| MDH – Developmental Disabilities Administration | 461,354 | 0 | 0 | 0 | 461,354 | |
| MDH – Medical Care Programs Administration | 12,357,000 | 0 | 5,414,000 | 0 | 17,771,000 | |
| Department of Human Services (DHS) – Administration | 0 | 0 | 7,500,000 | 0 | 7,500,000 | |
| DHS – Social Services | 0 | 1,000,000 | 0 | 0 | 1,000,000 | |
| DHS – Child Support Administration | 0 | 0 | 842,805 | 0 | 842,805 | |
| DHS – Family Investment | 28,905 | 2,689 | 50,035,628 | 0 | 50,067,222 | 1.0 |

AX

| | <u>Agency</u> | <u>General</u> | <u>Special</u> | <u>Federal</u> | <u>Education</u> | <u>Total</u> | <u>Positions</u> |
|-----|--|----------------------------|----------------------------|----------------------------|---------------------------|-----------------------------|--------------------|
| | | <u>Funds</u> | <u>Funds</u> | <u>Funds</u> | <u>Funds</u> | <u>Funds</u> | |
| | Maryland Department of Labor | 247,000 | 110,328 | 0 | 0 | 357,328 | |
| | Department of Public Safety and Correctional Services (DPSCS) – Overview | 2,500,000 | 0 | 0 | 0 | 2,500,000 | |
| | DPSCS – Corrections | 121,300 | 0 | 0 | 0 | 121,300 | |
| | DPSCS – Community Supervision | 1,300,000 | 0 | 0 | 0 | 1,300,000 | |
| | Maryland State Department of Education – Funding for Educational Organizations | 0 | 4,500,000 | 0 | 0 | 4,500,000 | |
| | Morgan State University | 0 | 0 | 0 | 260,000 | 260,000 | |
| | University System of Maryland Overview | 0 | 0 | 0 | 5,000,000 | 5,000,000 | |
| | Maryland Higher Education Commission – Student Financial Assistance | 3,500,000 | 0 | 0 | 0 | 3,500,000 | |
| | Aid to Community Colleges PAYGO | 333,000 | 0 | 0 | 0 | 333,000 | |
| | State Support for Higher Education Institutions | 5,260,000 | 0 | 0 | 0 | 5,260,000 | |
| | Department of Commerce | 17,063,374 | 0 | 0 | 0 | 17,063,374 | |
| IAX | Department of the Environment | 0 | 192,177 | 375,750 | 0 | 567,927 | 10.0 |
| | Public Debt | 5,000,000 | 0 | 0 | 0 | 5,000,000 | |
| | State Reserve Fund | 1,000,000 | 0 | 0 | 0 | 1,000,000 | |
| | <i>Subtotal Fiscal 2021 Regular Budget</i> | <i>\$92,821,803</i> | <i>\$22,083,867</i> | <i>\$75,030,396</i> | <i>\$5,260,000</i> | <i>\$195,196,066</i> | <i>77.0</i> |
| | Fiscal 2021 Total Budget | \$92,821,803 | \$22,083,867 | \$75,030,396 | \$5,260,000 | \$195,196,066 | 77.0 |
| | Fiscal 2020 Deficiency Budget | | | | | | |
| | Judiciary | 5,629,947 | 355,902 | 0 | 0 | 5,985,849 | |
| | Maryland Energy Administration | 0 | 241,153 | 0 | 0 | 241,153 | |
| | MDH Medical Care Programs Administration | 15,000,000 | 0 | 0 | 0 | 15,000,000 | |
| | <i>Subtotal Fiscal 2020 Deficiency Budget</i> | <i>\$20,629,947</i> | <i>\$597,055</i> | <i>\$0</i> | <i>\$0</i> | <i>\$21,227,002</i> | |
| | Total Fiscal 2020 Deficiency Budget | \$20,629,947 | \$597,055 | \$0 | \$0 | \$21,227,002 | |
| | Grand Total Budget Bill | \$113,451,750 | \$22,680,922 | \$75,030,396 | \$5,260,000 | \$216,423,068 | 77.0 |

PAYGO: pay-as-you-go

A15000
Payments to Civil Divisions of the State

Budget Amendments

A15000.01 Disparity Grants

Strike the following language to the general fund appropriation:

~~provided that \$250,000 of this appropriation made for the purpose of a Disparity Grant for Baltimore City may not be expended until Baltimore City includes in its Capital Improvement Plan an upgrade for a facility in East Baltimore that would be suitable as a transfer site for small haulers that need to dispose of waste and provides a report to the budget committees detailing the transfer site location and timeline for opening. The report shall be submitted prior to the expenditure of funds, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of this 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 received.~~

~~**Explanation:** The budget committees are concerned about illegal dumping in Baltimore City and the lack of a transfer site for small haulers that could mitigate the illegal dumping problem. This action restricts a portion of Baltimore City's Disparity Grant until a transfer site for small haulers is included in Baltimore City's Capital Improvement Plan and a report is provided detailing the site and its timeline for opening.~~

| Information Request | Author | Due Date |
|--|---------------------------|--|
| Report on transfer site for small haulers | Baltimore City | 45 days prior to the expenditure of the funds |

Amendment No.

1

C00A00 Judiciary

Budget Amendments

Amend the following language:

Provided that ~~\$2,662,280~~ \$3,554,879 in general funds for new positions is reduced and ~~46.0~~ 57.0 new positions (~~35~~ 46 regular employees and 11 full-time equivalent contractual bailiffs) are eliminated.

Explanation: This action eliminates ~~46.0~~ 57.0 general funded positions (~~35~~ 46 regular employees and 11 contractual bailiffs) in the Judiciary's fiscal 2021 budget. This expansion of services is unaffordable in light of the Judiciary's overall budget request. This reduction does not include the problem-solving court case managers/coordinators and Baltimore County clerk positions.

Amendment No.

2

Add the following language:

Further provided that \$5,713,700 in general funds, \$377,991 in special funds, and \$83,363 in reimbursable funds for employee merit increases in fiscal 2021 is reduced. The Chief Judge is authorized to allocate this reduction across the Judiciary.

Explanation: This action eliminates funding for fiscal 2021 merit salary increases for Judiciary employees. A separate action provides funding for a cost-of-living adjustment, keeping salary enhancements for Judiciary employees consistent with the Executive Branch.

Add the following language:

Further provided that the Judiciary's budget is increased by \$4,537,198 in general funds and \$282,818 in special funds to provide employees with a 2% general salary increase effective January 1, 2021. The Chief Judge is authorized to allocate these funds across the Judiciary.

Explanation: This action provides funding to the Judiciary to provide its employees with a 2% general salary increase in fiscal 2021, the same salary enhancements given to other State employees.

C00A00

Amend the following language:

Further provided that it is the intent of the General Assembly that all general salary increases provided by the *Executive Branch* for State employees be provided for the Judiciary in the budget of the Department of Budget and Management.

Explanation: In fiscal 2021, the Judiciary's budget request included a \$6.9 million fiscal 2020 deficiency appropriation to provide its employees with a 3% cost-of-living adjustment retroactive to July 1, 2019. This request, the first in Judiciary history, was the result of the current process where general salary increases are historically budgeted within the Department of Budget and Management (DBM), and merit increases are budgeted within the Judiciary. Budgeting salary enhancements in different areas of the State budget has made it difficult to evaluate the full scope of compensation and equity regarding judicial employees compared to other State employees. This language expresses intent that all general salary enhancements provided by the *Executive Branch* for employees statewide be budgeted within DBM.

Amendment No. **3**

C00A00.04 District Court

Add the following language to the general fund appropriation:

, provided that \$8,250,000 of the general fund appropriation may be expended only for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Court of Appeals in *DeWolfe v. Richmond*. Any funds not expended for this purpose shall revert to the General Fund.

Explanation: This language restricts the use of \$8.25 million of the Judiciary's general fund appropriation for the implementation of *DeWolfe v. Richmond*.

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce funding for the Appointed Attorney Program by \$250,000. This action leaves \$8.25 million for the program, which should be sufficient to meet demand based on historic utilization. In fiscal 2019, actual expenditures for this program were \$7.75 million. The Chief Judge is authorized to allocate this reduction across the Judiciary. | 250,000 | GF |

C00A00

2. Reduce funding for subobjects related to building repair and computer maintenance, supplies and equipment, communications, advertising and printing, microfilm, and the Clerks of the Circuit Court. The Chief Judge is authorized to allocate this reduction across the Judiciary. 3,541,327 GF
3. Reduce operating expenses in line with historical levels of spending. The Chief Judge is authorized to allocate this reduction across the Judiciary. 1,500,000 GF
- Total Reductions 5,291,327 0.00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position | 1,605.00 | 1,605.00 | | 0.00 |
| General Fund | 218,114,834 | 212,823,507 | 5,291,327 | |
| Total Funds | 218,114,834 | 212,823,507 | 5,291,327 | |

C00A00.06 Administrative Office of the Courts

Add the following language to the general fund appropriation:

. provided that \$750,000 of this appropriation made for the purpose of providing grants through the Administrative Office of the Courts may not be expended for that purpose but instead may be transferred by budget amendment to program D21A01.01 in the Governor's Office of Crime Prevention, Youth, and Victim Services to be used only to provide funds for the Pretrial Services Program Grant Fund, established by Chapter 771 of 2018. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise and shall revert to the General Fund.

Explanation: This language allows the Governor to transfer \$750,000 by budget amendment to support a pretrial services program in the Governor's Office of Crime Prevention, Youth, and Victim Services.

Amendment No.

4

C00A00

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------------------|------------------|
| 1. Reduce the appropriation for general fund grants to the same level as the fiscal 2019 appropriation. This will keep all special, federal, and reimbursable fund grants as well as adult drug court and required compensation increases for county magistrates at the requested levels. The Chief Judge is authorized to allocate this reduction across the Judiciary. | 869,891 GF 560,000 GF | |
| Total Reductions | 869,891 560,000 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|--|----------------------------------|---------------------------|
| Position | 242.00 | 242.00 | | 0.00 |
| General Fund | 75,696,933 | 74,827,042 75,136,933 | 869,891 560,000 | |
| Special Fund | 22,000,000 | 22,000,000 | 0 | |
| Federal Fund | 268,822 | 268,822 | 0 | |
| Total Funds | 97,965,755 | 97,095,864 97,405,755 | 869,891 560,000 | |

Amendment No.

5

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report, to be submitted by October 1, 2020, detailing the fiscal 2020 costs and utilization of the Appointed Attorney Program.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Appointed Attorney Program costs and utilization | Judiciary | October 1, 2020 |

C00A00

Adult Drug Court Evaluations and Transparency: The committees are concerned about the ongoing impact of drug addiction in the State and the role that adult drug courts can play in the State's response to this crisis. The committees request that the Office of Problem Solving Courts (OPSC) prepare a status report on how it intends to use performance evaluation benchmarks developed by the National Center for State Courts (NCSC). Specifically, the status report should address the following issues:

- the status of the implementation of a performance management system for adult drug courts in the State;
- whether and to what extent OPSC has adopted the objectives and benchmarks for adult drug courts developed by NCSC;
- whether OPSC has a plan for the evaluation of outcomes for each adult drug court at regular intervals;
- how OPSC will ensure that service providers and drug court managers are providing all data necessary for evaluation;
- whether the Judiciary intends to make results of performance evaluations available to the public; and
- an estimate of the variable correctional, court, and other savings associated with adult drug courts.

| Information Request | Author | Due Date |
|---|-----------|--------------|
| Adult drug court evaluations and transparency | Judiciary | July 1, 2020 |

Judicial Transfers Report: While cases filed in State courts have declined (but have begun to level off), the Judiciary has not always seen judicial or employee workloads decrease at the same rate. At the same time, dramatic case declines such as those seen in Baltimore City offer an opportunity for the Judiciary to move judges and staff to other jurisdictions. Currently, the Judiciary has the ability to recall senior judges in extenuating circumstances to fill a need. In addition, pursuant to Section 1-605(c) of the Courts and Judicial Proceedings Article, the Judiciary can also assign a judge to sit temporarily in a county other than the judge's county of residence to assist in reducing workloads in that county. However, these are temporary, short-term solutions. In keeping with both prudence and the need for flexibility, if the Judiciary were able to transfer judges as it would any other employee, it could reduce the need for new, expensive, and time-consuming judgeship requests and save funding for the State.

C00A00

As a result, the Judiciary should report to the committees on its current abilities under the law to provide workload relief to the State courts; details on the type of statutory changes that would be required to assign judges as needed; consultation with the National Center for State Courts or other legal authorities that support this type of adjustment; and any other pertinent information that would allow the budget committees to understand if judicial transfers could be a viable option for both the Judiciary and the State to reduce workloads and unnecessary expenses.

| Information Request | Author | Due Date |
|---------------------------|-----------|------------------|
| Judicial transfers report | Judiciary | November 1, 2020 |

Statewide Expungement Report: Pursuant to Sections 10-101 to 10-110 of the Criminal Procedure Article, Maryland citizens can have certain criminal records expunged and removed from public inspection. While there are already a variety of eligible crimes, misdemeanors, and records that can be expunged, numerous statutory changes have increased the various case types that qualify for expungement. Currently, the number of expungements is 44% as high as the number of criminal cases statewide. As this trend continues, the Judiciary's expungement workload has increased significantly. The committees are interested in this topic and request that the Judiciary submit a report that includes the following:

- data on the type of crimes or citations expunged;
- the number of expungements per jurisdiction in the last three fiscal years;
- the ratio of expungements to criminal cases in District and circuit courts for the last three fiscal years;
- the current expungement caseload for Judiciary employees; i.e. the amount of time taken to process expungement petitions on average in each jurisdiction or court district;
- to the extent possible, an accounting of the additional hours that expungements have added to the court workload and the number of employees required to absorb the added expungement processing time; ~~and~~
- information on the expungement process in State courts from petition application to approval or rejection, and any Judiciary efforts to educate the public on the expungement process; *and*
- *information on partial expungements, including the total amount of partial expungement petitions, the specific challenges associated with these types of petitions, and the potential usage of software to automatically erase certain charges from public view.*

C00A00

| Information Request | Author | Due Date |
|------------------------------|---------------|------------------|
| Statewide expungement report | Judiciary | November 1, 2020 |

C80B00
Office of the Public Defender

Committee Narrative

C80B00.01 General Administration

Workload Reduction Pilot Program Data Report: In recent years, the Office of the Public Defender (OPD) has noted that while caseloads per attorney have changed, the actual workloads for its attorneys have remained either consistent or have risen. By increasing the number of cases that can be handled via multi-case dockets to private bar attorneys, the Workload Reduction Pilot Program (WRPP) has enabled the agency to decrease its overall caseloads. Therefore, it is the intent of the budget committees that OPD submit a calendar year update that includes, but is not limited to, the following information with its annual Managing for Results submission:

- total dockets paneled and average cases per docket;
- average number of cases resolved;
- total number of cases resolved in total and by district;
- estimated savings due to cost avoidance of the resolved cases; and
- total funding of the WRPP for the most recent fiscal year.

| Information Request | Author | Due Date |
|----------------------------|---------------|---|
| WRPP data report | OPD | January 1, 2021, and each year thereafter |

C81C
Office of the Attorney General

Budget Amendments

C81C00.01 Legal Counsel and Advice

Amend the following language to the general fund appropriation:

, provided that, contingent on the enactment of SB 407 or HB 745, \$250,000 of this appropriation made for the purpose of operations in the Office of the Attorney General may not be expended for that purpose but instead may be used only to establish and fund the Senior and Vulnerable Adult Asset Recovery Unit. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts funding for the implementation and operation of a Senior and Vulnerable Adult Asset Recovery Unit *contingent upon enactment of legislation (SB 407 or HB 745).*

Amendment No.

6

C81C00.04 Securities Division

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce funding for contractual positions due to the agency's previous low hiring rate for Securities Division contractual employees. Due to unfilled positions in this area, the agency reverted \$1.2 million in fiscal 2019. | 300,000 SF | |
| Total Reductions | 300,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 21.00 | 21.00 | | 0.00 |
| General Fund | 2,757,393 | 2,757,393 | 0 | |
| Special Fund | 1,224,869 | 924,869 | 300,000 | |
| Total Funds | 3,982,262 | 3,682,262 | 300,000 | |

C81C

C81C00.22 Baltimore City Violent Crime Prosecution Division

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Adjust turnover to the standard 25% for new Baltimore City Violent Crime Prosecution Division positions. Currently, these positions are allocated zero turnover expectancy.</i> | 640,985 | GF |
| <i>Total Reductions</i> | 640,985 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------------|-------------------------|-------------------------|---------------------------|
| <i>Position</i> | 25.00 | 25.00 | | 0.00 |
| <i>General Fund</i> | 2,547,873 | 1,906,888 | 640,985 | |
| <i>Total Funds</i> | <i>2,547,873</i> | <i>1,906,888</i> | <i>640,985</i> | |

Amendment No.

7

Committee Narrative

Baltimore City Violent Crime Prosecution Division Memo of Understanding and Activity Report: It is in the interest of the budget committees that the Office of the Attorney General (OAG) and the Baltimore City State's Attorney's Office (SAO) collectively enter into a signed Memorandum of Understanding (MOU) due July 1, 2020, that fully codifies the operational relationship between the OAG's new Baltimore City Violent Crime Prosecution Division and SAO. This MOU must include rules or directives that govern (1) the specific prosecutorial and geographic jurisdiction of each party; (2) the types of investigations and types of crimes to be pursued by each party; and (3) the sharing of information and communications between both parties.

Additionally, OAG shall present a report by January 1, 2021, that should include, but not be limited to, the following division information:

- total matters litigated;
- the total number of cases, both filed and assigned;
- cases by crime committed;

C81C

- the total number of indictments along with conviction rates as well as any other relevant performance measures; and
- to the extent possible, complete information on OAG and SAO activity including cooperation with local stakeholders such as the Baltimore City Police Department and other relevant organizations; attorney caseload and workload data; division structure and organizational charts; any pertinent data regarding organized crime and narcotics investigations; and information about the division of labor, decision making, and chain of command between the division and SAO with State, federal, and local agencies in terms of how cases are received, processed, adjudicated, and closed.

Further, it is the intent of the budget committees that the division does not hire existing SAO employees to fill newly created vacancies. To effectuate this, OAG should commit to not hiring attorneys currently employed by SAO as part of the signed MOU and include the total number of division attorneys hired and which specific organization each of its employees was hired from in its January 2021 report submission.

~~Further, it is the intent of the budget committees that if the MOU is not signed by July 1, 2020, the new division will begin operations as originally intended.~~

| Information Request | Authors | Due Date |
|---|---------------------------|-----------------|
| Baltimore City Violent Crime Prosecution Division MOU | OAG Baltimore City SAO | July 1, 2020 |
| Activity report | OAG | January 1, 2021 |

Report on State Policy Recommendations to Increase Electronic Advance Directive Registrations: The committees are concerned about the low percentage of Maryland residents who have electronically registered their advance directives, especially their designated health care agents. Therefore, the committees request that the State Advisory Council on Quality Care at the End of Life and the Office of the Attorney General (OAG) prepare a report on policy options that might increase the number of residents taking action. The council should assess the potential efficacy of policies including, but not limited to, inviting residents to either designate or decline naming a health care agent when registering their vehicle(s) or renewing their drivers' license with the Motor Vehicle Administration, when obtaining auto or health insurance with their insurance carrier(s), and/or when submitting their State taxes (i.e., similar to the program described in the Insurance Article § 31-201).

C81C

| Information Request | Authors | Due Date |
|---|--|------------------|
| Report on State policy recommendations to increase electronic advance directive registrations | OAG State Advisory Council on Quality Care at the End of Life | December 1, 2020 |

C90G00

Public Service Commission

Committee Narrative

C90G00.01 General Administration and Hearings

Electric Vehicle Recharging Station Pilot Program: The committees are interested in receiving additional information about the ongoing pilot program for the installation and ownership of electric vehicle recharging stations by investor-owned utilities (IOU). The Public Service Commission (PSC) ordered IOUs to install and own a certain number of these stations, which were required to be installed on land owned or leased by a unit of State, county, or municipal government for public use. PSC reported that it receives information regularly on the pilot program. The committees request PSC provide information on the status of installation by IOU including the location of the installations, the cost by IOU for the utility and for ratepayers, the cost for use of the recharging station, and information on benefits to the State and ratepayers from these installations.

| Information Request | Author | Due Date |
|---|--------|------------------|
| Report on electric vehicle recharging station pilot program | PSC | December 1, 2020 |

~~**Energy Supplier Pricing and Marketing:** The committees continue to be concerned about energy supplier marketing and pricing. In particular, the committees are concerned that certain energy suppliers may be targeting certain communities with high rate and high fee plans. The committees request that the Public Service Commission (PSC) provide a report on the use of variable rates for both electric and natural gas suppliers and termination fees. The information provided should include the companies that currently use variable rates, how the variable rates are incorporated in plans (for example, fixed rates that become variable at renewal or some other time during the contract period), how the use of variable rates has changed over time, companies currently using termination fees, the structure of termination fees, and how the use of termination fees has changed over time. PSC should also provide information on the number of customers, separately for electric and natural gas, energy suppliers by zip code for fiscal 2019 and 2020 and (if available) any bill level data collected by PSC. PSC should also report on the reported door to door marketing and telephone solicitations by energy suppliers by zip code by month for fiscal 2019 and 2020.~~

Energy Supplier Pricing and Marketing: *The committees continue to be concerned about energy supplier marketing and pricing. In particular, the committees are concerned that certain energy suppliers may be targeting certain communities with high rate and high fee plans. The committees request that the Public Service Commission (PSC) provide a report on the current offers as posted on the PSC website for energy supplier pricing that contain variable rates and/or termination fees. The information provided should describe the use of variable rates in the current offers posted on the PSC website for energy supplier pricing, including current rates,*

C90G00

how the listed rates compare to the Standard Offer Service rate for that period, and the trigger for a change in the variable rates (if available). The report should also include information provided on the website about offers that have termination fees in the reported pricing and the structure of those termination fees (if available). PSC should also report on the monthly number of electricity customers enrolled with suppliers by utility service territory in recent years. PSC should also report on the door-to-door sales activities reported by retail energy suppliers, including the number of suppliers reporting activities by zip code. PSC should note the period that the marketing data covers.

| Information Request | Author | Due Date |
|---|---------------|---------------------------------------|
| Report on energy supplier pricing and marketing | PSC | August 1 December 15, 2020 |

C96J00

Uninsured Employers' Fund

Committee Narrative

C96J00.01 General Administration

Report on Operational Needs and Actuarial Study: The budget committees are concerned about the massive increase in operating expenditures due to the procurement of a contract with a third-party administrator (TPA) to perform many core functions of the agency. The committees direct that, in conjunction with the Department of Budget and Management (DBM), the Uninsured Employers' Fund (UEF) produce a report documenting whether or not a TPA is needed beyond the current five-year contract. The report should also provide an analysis of the agency's current and future staffing needs in light of the shift of primary agency functions to an outside vendor. The report should also provide an update on the progress of obtaining an outside actuarial evaluation of the health of the fund and appropriateness of the assessment on workers' compensation awards.

| Information Request | Authors | Due Date |
|---|----------------|-------------------|
| UEF operational needs and status of actuarial study | UEF DBM | September 1, 2020 |

D05E01
Board of Public Works

Committee Narrative

Operational Reporting: In continuance of the practice that began in July 2008, the committees request that the Maryland Zoological Society submit audited financial statements for fiscal 2020 and year-to-date monthly attendance figures for the zoo for fiscal 2021 by visitor group. This should include a breakdown of the kinds of passes allocated.

| Information Request | Author | Due Date |
|----------------------------|-----------------------------|--|
| Audited financials | Maryland Zoological Society | November 1, 2020 |
| Monthly attendance | Maryland Zoological Society | Quarterly report by July 15, 2020 October 15, 2020 January 15, 2021 April 15, 2021 |

D10A01
Executive Department – Governor

Budget Amendments

D10A01.01 General Executive Direction and Control

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Increase turnover to 3.65%. The agency has a current vacancy rate of 10.3%; an increase in turnover will be more in line with both historical and recent levels. | 112,590 GF | |
| Total Reductions | 112,590 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 81.50 | 81.50 | | 0.00 |
| General Fund | 12,514,907 | 12,402,317 | 112,590 | |
| Total Funds | 12,514,907 | 12,402,317 | 112,590 | |

D11A0401
Office of Deaf and Hard of Hearing

Committee Narrative

D11A04.01 Executive Direction

Ways to Protect and Serve Users of Sign Language Interpreting Services: A recent report from the Office of the Deaf and Hard of Hearing (ODHH) recommended the credentialing of interpreters. However, deferring to a nonprofit's standards may not be the most effective way to protect deaf and hard of hearing Maryland constituents from unskilled, fraudulent, and unethical interpreters. This approach also does not actively plan for continued and adequate interpreting service provision in the State. Given the importance of quality interpreters to the deaf and hard of hearing community and the importance of the deaf and hard of hearing community to the State the committees request that ODHH submit a report describing:

- policy options that the State could implement to protect its deaf and hard of hearing residents from unskilled, fraudulent, or unethical interpreters; and
- a strategic plan that does not rest solely on Registry of Interpreters for the Deaf, Inc. certifications to ensure an adequate pool of competent interpreters in the State.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Report on ways to protect and serve users of sign language interpreting services | ODHH | September 1, 2020 |

D12A02

Department of Disabilities

Committee Narrative

D12A02.01 General Administration

Information Technology Accessibility Initiative Update: In the 2019 session, the budget committees requested that the Maryland Department of Disabilities (MDOD) submit a report on the status of the State's website information technology (IT) accessibility. Although MDOD was unable to provide the requested information at the time, MDOD informed the budget committees that it was beginning its statewide IT accessibility initiative and outlined its plans going forward. In light of this timeline and the fact that the budget committees have not yet received the information they requested, the committees again request that MDOD submit a report including:

- an assessment of the current nonvisual accessibility of State websites and documents;
- national best practices and innovative techniques to achieve better access;
- recommendations to improve accessibility that would be appropriate for State agencies;
- cost estimates for any recommendations made by MDOD; and
- a plan describing how the IT Accessibility Initiative will be implemented.

In addition, the budget committees request that MDOD, in consultation with the Department of Information Technology and the Department of General Services, develop and submit a guideline document that can be distributed to all State agencies to be used when developing Requests for Proposals that are compliant with IT accessibility standards.

| Information Request | Author | Due Date |
|------------------------------------|---------------|-------------------|
| IT Accessibility Initiative update | MDOD | November 15, 2020 |

D13A13
Maryland Energy Administration

Committee Narrative

D13A13.01 General Administration

Strategic Energy Investment Fund Revenue, Spending, and Fund Balance: The committees are interested in ensuring transparency in Regional Greenhouse Gas Initiative (RGGI) revenue assumptions and spending included in the budget as well as available fund balance. The committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emission allowance auctions, set aside allowance, and interest income in conjunction with the submission of the fiscal 2022 budget as an appendix to the Governor’s Budget Books. The report shall include information on the actual fiscal 2020 budget, the fiscal 2021 working appropriation, and the fiscal 2022 allowance. The report shall detail:

- revenue assumptions used to calculate the available Strategic Energy Investment Fund (SEIF) from RGGI auctions for each fiscal year, including the number of auctions, the number of allowances sold, the allowance price in each auction, and the anticipated revenue from set-aside allowances;
- interest income received on the SEIF;
- amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required statutory allocation, dues owed to RGGI, Inc., and transfers or diversions of revenue made to other funds; and
- fund balance for each SEIF subaccount for the fiscal 2019 actual, the fiscal 2020 actual, the fiscal 2021 working appropriation, and the fiscal 2022 allowance.

| Information Request | Author | Due Date |
|---|---------------|--|
| Report on revenue assumptions and use of RGGI auction revenue | DBM | With the submission of the Governor’s Fiscal 2022 Budget Books |

D13A13

Budget Amendments

D13A13.08 Renewable and Clean Energy Programs and Initiatives

Add the following language to the special fund appropriation:

, provided that, contingent upon the enactment of HB 982 or SB 740, \$6,500,000 of this appropriation made for the purpose of Maryland Energy Infrastructure Grants, Contributions in Aid of Construction Dispensation Fund, and technical assistance from the Maryland Gas Expansion Fund may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Housing and Community Development program S00A25.04 Housing and Building Energy Programs to be used only for low-income residential weatherization as part of the Electric Universal Service Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts the funding in the Renewable and Clean Energy Programs and Initiatives program of the Maryland Energy Administration from the Maryland Gas Expansion Fund created as a result of a condition of approval of the WGL Holdings, Inc. and AltaGas Ltd. to be used in the Department of Housing and Community Development for low-income residential weatherization. This restriction is contingent on the enactment of HB 982 or SB 740, which would authorize the use of these funds for that purpose beginning in fiscal 2021.

Amendment No.

8

Committee Narrative

Revenue from Electric Vehicle Recharging Equipment: The fiscal 2021 allowance includes \$1.8 million to continue supporting the Electric Vehicle Recharging Equipment Rebate Program. The State, through the Strategic Energy Investment Fund, has supported the purchase and installation of electric vehicle recharging equipment through a tax credit and later the rebate program since fiscal 2011. As the use of electric vehicles grows and the State support for recharging equipment continues, the committees are interested in understanding more about the potential for generating revenue from the use of electricity for vehicle recharging. The committees request that the Maryland Energy Administration (MEA) submit a report on options for revenue generation from the sale of electricity for vehicle recharging including a description of the method (for example, point of sale or fees). MEA should include a review of efforts in other states, including a discussion of both enacted revenue generation options and those under current or previous consideration.

D13A13

| Information Request | Author | Due Date |
|---|---------------|-------------------|
| Report on revenue generating options from electric vehicle recharging equipment | MEA | November 15, 2020 |

D15A05 Boards, Commissions, and Offices

Budget Amendments

D15A05.03 Governor's Office of Small, Minority & Women Business Affairs

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Governor's Office of Small, Minority, and Women Business Affairs submits a report to the budget committees that provides the date that the Director of Compliance and Legislative Affairs position will be filled and, when filled, describes the work the Director is doing to support State agencies in diversifying their procurement awards. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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.

Explanation: The budget committees are concerned about low Minority Business Enterprise (MBE) participation rates. The committees are also concerned that the Director of Compliance and Legislative Affairs has been vacant since May 1, 2018. Keeping key positions filled is critical for an effective MBE program. The Governor's Office of Small, Minority, and Women Business Affairs (GOSBA) testified that this position requires highly specialized credentials and offers essential support to State agencies. This language restricts funds pending receipt of a report that provides the date this position will be filled and describes how, when filled, the position is supporting State agencies in diversifying their procurement awards.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on the Director of Compliance and Legislative Affairs position | GOSBA | July 1, 2020 |

Amendment No.

9

Committee Narrative

Policies Affecting Small, Minority, and Women Business Enterprises: The budget committees are concerned about low levels of Minority Business Enterprise (MBE) participation rates. The State goal is an MBE participation rate of 29% of the value of procurement contracts. The Governor's Office of Small, Minority, and Women Business Affairs (GOSBA) reports that most State agency procurements are under the 29% goal, with numerous agencies having an MBE participation rate of less than 10%. GOSBA, in consultation with the Board of Public

D15A05

Works (BPW), should examine procurement practices that affect small, minority, and women business enterprises and identify policies that would improve small, minority, and women business enterprise participation rates. The report should do the following:

- describe the existing requirements for State procurements that affect local small, minority, and women business enterprises;
- describe how MBE data is collected and reported, including how multi-year contracts are scored;
- identify components of Requests for Proposals, including bonding requirements and contract liability terms and conditions, that may prevent small, minority, and women business enterprises from responding to procurement opportunities or submitting competitive proposals;
- identify ways procurements can be structured to increase MBE opportunities, including types of procurements that could require a minimum of 25% participation from small, minority, and women business enterprises;
- propose ways that GOSBA and BPW could better educate prime contractors on the value of MBE relationships and methods for fostering these relationships;
- examine the small, minority, and women business enterprise certification processes for constraints that may impede the success of qualified applicants and report on those findings;
- provide updated data on the benefits of small, minority, and women business enterprises to the State; and
- identify current policies being used in other jurisdictions, including those at the local level in Maryland or in other states, that could be beneficial if adopted statewide.

| Information Request | Authors | Due Date |
|--|--------------|------------------|
| Policies affecting small, minority, and women business enterprises | GOSBA BPW | November 1, 2020 |

D15A05

Budget Amendments

D15A05.25 Governor's Coordinating Offices – Shared Services

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding and associated positions for the Office of Education Accountability (PIN 024198 and 024348). With the Maryland State Department of Education's Office of Education Accountability and the creation of the Office of the Inspector General, another Office of Education Accountability, budgeted in the Governor's Coordinating Offices, is duplicative. | 153,328 GF | 2.00 |
| Total Reductions | 153,328 | 2.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 7.00 | 5.00 | | 2.00 |
| General Fund | 1,477,513 | 1,324,185 | 153,328 | |
| Total Funds | 1,477,513 | 1,324,185 | 153,328 | |

D21

Governor's Office of Crime Prevention, Youth, and Victim Services

Budget Amendments

Add the following language:

Provided that \$45,500,000 in federal crime victim assistance funding provided through the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) shall be allocated in fiscal 2021 for the purpose of continuing victims of crime services.

Further provided that GOCPYVS is authorized to process a budget amendment recognizing additional federal funds to reach the mandated \$45,500,000 threshold.

Further provided that \$250,000 of the general fund appropriation for GOCPYVS may not be expended until GOCPYVS submits a report by November 1, 2020, regarding the federal Victims of Crime Act (VOCA) funding. The report should include:

- (1) total active VOCA grant awards as of January 1, 2020, including grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;
- (2) for each VOCA grant award in item (1) and for any other VOCA grant awards made subsequently, a description of whether for the federal fiscal year beginning October 1, 2020, the award was continued, awarded, or otherwise funded, including the grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant; and
- (3) identification of any decrease or other change in victim services funding between items (1) and (2), the justification for each grant award change, and the impact on the continuity of crime victim services.

The budget committees shall have 45 days from the receipt of the report to review and comment. Funds not expended for this restricted purpose 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.

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the VOCA grant awards be to ensure continuity of trauma-informed, high-quality services for victims of crime.

Explanation: The language addresses concerns among victim services providers that a reduction in federal VOCA funding will result in a loss of services available to victims of crime in Maryland. In order to ease the impact of the loss in funding, GOCPYVS is required to allocate \$45.5 million in VOCA funds to victim service providers to maintain continuity of service; GOCPYVS is also authorized to process a budget amendment to achieve this end. This mandated appropriation will be one time in nature and will only apply to the fiscal 2021 appropriation and the subsequent fiscal 2021 grant funding cycle.

D21

The language also requests a report providing information for all active VOCA grants as of January 1, 2020. The report should additionally detail whether each of the grant recipients received the same level of VOCA funding during the federal fiscal 2020 VOCA grant cycle and the information on each of the grant programs receiving such funds. This report should specifically identify any changes in victim services funding between January 1, 2020, and October 1, 2020, and the subsequent impact on the continuity of crime victim services.

| Information Request | Author | Due Date |
|---|---------|------------------|
| Report on the continuity of VOCA services | GOCPYVS | November 1, 2020 |

Budget Amendments

D21A01.01 Administrative Headquarters

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation to the Governor's Office of Crime Prevention, Youth, and Victim Services' (GOCPYVS) Administrative Headquarters may not be expended until GOCPYVS and the Victim Services Unit submit a report detailing the allocation of the Victims of Crime Act (VOCA) funding for the federal fiscal 2015, 2016, and 2017 fund cycles. This report should identify funds expended for the purpose of the direct provision of services, administration, and funds that went unobligated. The report should also evaluate the success of Maryland's VOCA funding program using performance metrics to detail how these funds have translated to improved outcomes for victims of crime. This report shall be submitted no later than December 1, 2020. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the 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.

Explanation: In past legislative sessions, concerns were raised that the State was receiving a significant increase in federal VOCA funding that was going unspent. This language requests GOCPYVS to provide additional detail regarding the expenditure of VOCA funds for the three most recently completed funding periods: federal fiscal 2015, 2016, and 2017. This language further requests GOCPYVS to discuss how the programs funded with VOCA funds translate to improved outcomes for victims of crime.

| Information Request | Author | Due Date |
|--------------------------------------|---------|------------------|
| Report on VOCA spending and outcomes | GOCPYVS | December 1, 2020 |

D21

Committee Narrative

~~**Nonprofit Services in Baltimore City:** The Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) provides approximately \$6.9 million in grant funding to Baltimore City through the Baltimore City Prevention Initiative as well as funding through various grant programs within the Violence Intervention and Prevention Program. In order to identify the communities being served in Baltimore City as well as to identify any services gaps, the budget committees request a report detailing all federal and State grants allocated by GOCPYVS to nonprofit organizations operating within Baltimore City during the fiscal 2021 funding cycle.~~

~~This report should identify the services provided by each nonprofit organization and the demographics of those being served and their ZIP codes of residence. Further, this report should discuss how the ZIP codes served by these organizations compare to the geographic distribution of violent crime within Baltimore City. The budget committees request that this report be provided no later than January 1, 2021.~~

***Nonprofit Services in Maryland:** The Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) allocates more than \$100 million in grants each fiscal year to each of Maryland's 23 counties and Baltimore City. In order to identify the communities being served by these grants, as well as to identify any services gaps, the budget committees request a report detailing all federal and State grants allocated by GOCPYVS to nonprofit organizations operating within Maryland during the fiscal 2021 funding cycle.*

This report should identify the services provided by each nonprofit organization and the demographics of those being served and their ZIP codes of residence. Further, this report should discuss how each ZIP code served by these organizations compares to the geographic distribution of violent crime within that respective jurisdiction. The budget committees request that this report be provided no later than January 1, 2021.

| Information Request | Author | Due Date |
|--|---------|-----------------|
| Report on nonprofit services in Baltimore City Maryland | GOCPYVS | January 1, 2021 |

D21

Budget Amendments

Administrative Headquarters

D21A01.02 Local Law Enforcement Grants

Amend the following language on the general fund appropriation:

~~, provided that \$11,136,063 of this appropriation, representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State's Attorney's Office, may not be expended unless the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore Police Department, submits a comprehensive annual crime strategy for the city, which must include specific measurable actions the city will take to address crime, be based on a threat assessment, and include annual crime reduction targets for homicides, nonfatal shootings, violent crime, firearms related offenses, and property crime. The crime reduction strategy report shall be submitted to the Governor and budget committees by October 1, 2020. By December 31, 2020, and quarterly thereafter, the Mayor's Office of Criminal Justice shall report on progress made on the crime reduction targets included in the annual crime reduction strategy. Further provided that the Baltimore Police Department enters their warrant information into the National Criminal Information Center (NCIC) / Maryland Telecommunications Enforcement Resources System (METERS).~~

, provided that \$11,136,063 of this appropriation, representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State's Attorney's Office, may not be expended unless the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore Police Department, submits a year one update to the comprehensive five-year crime strategy for the city submitted during the 2020 fiscal year. The crime reduction strategy report shall be submitted to the Governor and budget committees by October 1, 2020. The budget committees shall have 45 days following the receipt of a report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert back to the General Fund if the report is not submitted.

Further provided that by December 31, 2020, and quarterly thereafter, the Mayor's Office of Criminal Justice shall provide quarterly performance reports on progress made on the crime reduction strategy.

Further provided that the Baltimore Police Department enters its warrant information into the National Criminal Information Center/Maryland Telecommunications Enforcement Resources System.

D21

Explanation: ~~This recommendation is a technical action that strikes language from the Governor's Office of Crime Prevention, Youth, and Victim Services general fund appropriation. An amended version of this bill language is included as a section in the back of the budget bill and has been amended to involve several agencies.~~

This recommendation amends language included in the fiscal 2021 Budget Bill as introduced by the Governor. This action restricts grant funding to Baltimore City provided through the Governor's Office of Crime Prevention, Youth, and Victim Services until the Baltimore City Mayor's Office, the Mayor's Office of Criminal Justice, the Baltimore City State's Attorney's Office, and the Baltimore Police Department provide an update to the five-year crime strategy, which was submitted during the 2020 fiscal year. This language also requires the Mayor's Office of Criminal Justice to provide quarterly performance metrics on progress made in the reduction of crime.

Amendment No.

10

Committee Narrative

Protecting Against Hate Crimes Grant: The Governor's Office of Crime Prevention, Youth, and Victim Services' (GOCPYVS) fiscal 2020 working appropriation provided \$3.0 million in grant funding to religious institutions at risk of hate crimes. GOCPYVS accepts applications on a rolling basis. As of January 1, 2020, less than one-third of the working appropriation had been expended. The budget committees request a report, due September 15, 2020, detailing the allocation of these grant funds during the fiscal 2020 grant funding cycle.

This report should specifically identify the grant recipients and the total number of grant applications received. For each grant recipient, the report should detail the respective amount of the grant award and how the grantee expended these funds. Finally, the report should identify the total amount of grant funds allocated and unallocated at the close of the 2020 fiscal year.

| Information Request | Author | Due Date |
|--|---------|--------------------|
| Report on fiscal 2020 Protecting Against Hate Crimes grant | GOCPYVS | September 15, 2020 |

D21

Budget Amendments

D21A01.04 Violence Intervention and Prevention Program

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation provided for a grant to the Children and Parent Resource Group, Inc. shall be reduced contingent on the enactment of legislation repealing the mandate that funding be provided to the Children and Parent Resource Group, Inc.

Explanation: This language reduces the general fund appropriation to the Violence Intervention and Prevention Program (VIPP) by \$250,000, contingent on a provision which would relieve the statutory mandate that the Children and Parent Resource Group, Inc. receive \$250,000 each fiscal year, beginning in fiscal 2020 through 2023, through VIPP. Additionally, this language minimizes the State's work with organizations currently under review by the Office of the Attorney General.

CHILDREN'S SERVICES

D21A02.01 Children and Youth Division

Amend the following language on the general fund appropriation:

, provided that \$100,000 of this appropriation to the Governor's Office of Crime Prevention, Youth, and Victim Services' Children and Youth Division may not be expended until the Children and Youth Division submits a report on behalf of the Children's Cabinet to the budget committees on out-of-home placements containing:

- (1) the total number of out-of-home placements and entries by jurisdiction over the previous three years and similar data on out-of-state placements;
- (2) the costs associated with out-of-home placements;
- (3) an explanation of recent placement trends;
- (4) findings of child abuse and neglect occurring while families are receiving family preservation services or within 1 year of each case closure;
- (5) an evaluation of data derived from the application of the Maryland Family Risk Assessment; and

D21

- (6) areas of concern related to trends in out-of-home placements and potential corrective actions that the Children's Cabinet and local management boards can take to address these concerns.

Further provided that each agency or administration that funds or places children and youth in out-of-home placements shall assist the Children and Youth Division and comply with any data requests necessary for the timely production of the report. The report shall be submitted to the budget committees by December 31, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose. Should the report not be submitted by the requested date, the restricted funds shall revert to the General Fund.

Explanation: The out-of-home placements report was annually requested of the Governor's Office for Children to be submitted to the budget committees each December; it is frequently submitted several months past the due date, with the 2018 out-of-home placements report being submitted on April 30, 2019. The out-of-home placements report is a useful evaluative tool to assess the well-being of Maryland's youth and families, and to identify areas of concern related to youth placed out of home. Given the rising rate of out-of-home placements and the annually late submission of this report, this action restricts funds within the Children and Youth Division's administrative budget pending the submission of the 2020 report.

| Information Request | Author | Due Date |
|----------------------------------|---|-------------------|
| Report on out-of-home placements | Governor's Office of Crime Prevention, Youth, and Victim Services | December 31, 2020 |

Amend the following language to the general fund appropriation:

Further provided that ~~\$100,000-\$250,000~~ of this appropriation may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) submits a report by October 15, 2020, regarding funding provided to Local Management Boards (LMB) through the Children's Cabinet Interagency Fund (CCIF). The report should include the different strategies that GOCPYVS uses to determine funding levels for LMBs, as well as any future plans that the agency may have to alter funding or grant procedures. The report should also include, in consultation with LMBs, an evaluation of the effectiveness of funding procedures on current outcomes, the rationale behind funding criminal justice-related grants through LMBs, and how the current and proposed funding goals and programs address and assist families and youth of all ages and backgrounds. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose 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.

D21

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the CCIF grants be to ensure a safe, stable, and healthy environment for all children and families in order to promote positive child well-being.

Explanation: This language restricts funds pending the receipt of a report regarding the funding strategies and priorities for the grants provided to LMBs through CCIF. This language also expresses legislative intent that CCIF grant be used for programs that support the positive well-being of all children and families.

| Information Request | Author | Due Date |
|---------------------|---------|------------------|
| LMB funding | GOCPYVS | October 15, 2020 |

Amendment No.

11

D21A03.01 Victim Services Unit

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of general administration may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services' (GOCPYVS) Victim Services Unit (VSU) submits a report on care for postexposure prophylaxis administered through the Pilot Program for Preventing Human Immunodeficiency Virus Infection for Rape Victims. This report shall include the following:

- (1) the number of patients that qualified to receive postexposure prophylaxis under the pilot program;
- (2) the number of patients that chose to receive postexposure prophylaxis;
- (3) the total amount requested for reimbursement by providers and the total amount reimbursed to providers for the postexposure prophylaxis;
- (4) the number of requests for reimbursements submitted, granted, and denied, including the reasons for each request denied;
- (5) the cost of the postexposure prophylaxis treatment and follow-up care provided under the pilot program;
- (6) the date the pilot program was fully implemented; and
- (7) discussion of the process for treatment providers to apply for and receive reimbursement under this program.

D21

This report shall be submitted to the budget committees no later than December 1, 2020. The budget committees shall have 45 days following the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert back to the General Fund if the report is not submitted.

Explanation: Chapter 431 of 2019 established the Pilot Program for Preventing Human Immunodeficiency Virus (HIV) Infection for Rape Victims to be administered by VSU. Under this program, a victim of an alleged rape or sexual offense or a victim of alleged child sexual abuse be provided with a full course of treatment and follow-up care for postexposure prophylaxis for the prevention of HIV infection. This language restricts funds pending the submission of a report detailing the number of patients eligible for postexposure prophylaxis, the number who received it, and the costs associated with this program. The report should also provide background on the process of receiving reimbursement through the program.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Report of the Pilot Program for Preventing HIV Infection for Rape Victims | GOCPYVS | December 1, 2020 |

Amendment No.

12

D26A07
Department of Aging

Budget Amendments

D26A07.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Maryland Department of Aging submits two reports to the budget committees. The first report should describe its method of waitlist data collection and each Area Agency on Aging's (AAA) approach to waitlist management. The second report should provide the waitlist data from each AAA, by program, as of January 1, 2021. This second report shall be submitted by January 15, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of these reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if both reports are not submitted.

Explanation: As consideration of waitlist data is essential to determining the effectiveness of service, this language restricts funds until the Maryland Department of Aging (MDOA) creates a method for collecting waitlist data from local AAAs for each program's waitlist and a description of each AAA's approach to managing waitlists.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Methodology for collecting waitlist data for each program | MDOA | September 1, 2020 |
| The number of individuals in each jurisdiction that are on the waitlist for each program | MDOA | January 15, 2021 |

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation for general operating expenditures may not be expended until the Maryland Department of Aging (MDOA) submits a report to the budget committees analyzing the current administration and utilization of the Community for Life (CFL) program. The report shall include the following: (1) data about each grantee of the program since its inception, including the membership capacity of each CFL, the amount of funding each CFL was originally granted, the amount each CFL has expended, the amount of the State grant that the CFL intends to encumber, and the amount of funding, by source, that each grantee receives from other sources to support operating expenses of the CFL program; (2) fiscal 2020 actual data about members' utilization of the core CFL services, which include transportation, service navigator assistance, and home repair and maintenance; (3) membership totals for each CFL as of July 1, 2020; (4) the number of members that benefit from a scholarship as of

D26A07

July 1, 2020; and (5) a list of engagement events, informational publications, and other outreach efforts hosted by CFLs and MDOA throughout fiscal 2020 to increase awareness of the program throughout the State, and outreach efforts planned for fiscal 2021. The report shall be submitted by September 1, 2020, and the committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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.

Explanation: The committees are concerned that only 123 Marylanders are currently benefitting from the \$1 million previously appropriated to the CFL program. According to a Joint Chairmen's Report response, grantees are also taking longer than anticipated to become financially self-sustaining. This language restricts funds pending receipt of a report describing the administration of the CFL program and current utilization of CFL services.

| Information Request | Author | Due Date |
|------------------------------------|---------------|-------------------|
| CFL administration and utilization | MDOA | September 1, 2020 |

Amendment No.

13

D26A07.03 Community Services

Add the following language to the general fund appropriation:

, provided that \$470,000 of this appropriation for community services may be expended only to increase funding for the State Nutrition Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The Maryland Department of Aging's allowance includes a \$2,000,000 general fund increase to support Area Agencies on Aging administration of community services. A recently implemented population-based formula to allocate State Nutrition Program funds resulted in a reduction of funding levels to certain jurisdictions from previous funding levels that were not based on a formula. This language restricts \$470,000 of the increased funding for the purpose of the State Nutrition program to hold harmless those jurisdictions set to lose funding from prior year levels in fiscal 2021.

D26A07

Add the following language to the general fund appropriation:

Further provided that \$1,530,000 of this appropriation made for the purpose of community services may not be expended until the Maryland Department of Aging submits a report to the budget committees describing how the funds will be used and, to the extent applicable, distributed among the Area Agencies on Aging. The report shall be submitted prior to the expenditure of the funds, and the budget committees shall have 30 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of this 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 received.

Explanation: The Maryland Department of Aging's (MDOA) allowance includes \$2,000,000 in new general funds to support administration of community services. This language restricts a portion of these funds pending a report on how the funds will be used and, to the extent applicable, distributed among the Area Agencies on Aging.

| Information Request | Author | Due Date |
|----------------------------------|--------|---------------------------------------|
| Use of new general funds in MDOA | MDOA | Prior to the expenditure of the funds |

Strike the following language:

~~Further provided that \$600,000 of this appropriation for Community for Life (CFL) may be expended only to establish new CFLs in jurisdictions that have not yet received funding under this program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

~~**Explanation:** The Maryland Department of Aging's allowance includes \$600,000 to establish new CFLs throughout the State. This language restricts these funds for the purpose of establishing new CFLs in jurisdictions not previously served by the program.~~

Amendment No.

14

D26A07

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Delete funds to expand Community for Life (CFL) pilot program. No previous grantee has established financial self-sufficiency, though that was the original intent. This reduction removes funding for additional CFL grantees.</i> | 600,000 | GF |
| <i>Total Reductions</i> | 600,000 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------|----------------------|-------------------------|---------------------------|
| <i>General Fund</i> | 25,635,025 | 25,035,025 | 600,000 | |
| <i>Federal Fund</i> | 31,876,191 | 31,876,191 | 0 | |
| <i>Total Funds</i> | 57,511,216 | 56,911,216 | 600,000 | |

Amendment No.

15

Committee Narrative

Timeline for Community For Life Self-sufficiency: The committees direct that the Maryland Department of Aging (MDOA) submit a report describing expected timelines for when each Community for Life (CFL) grantee will achieve self-sufficiency, a plan for how each CFL will achieve self-sufficiency, and current participation for each grantee.

| Information Request | Author | Due Date |
|-----------------------------------|---------------|-------------------|
| Timeline for CFL self-sufficiency | MDOA | September 1, 2020 |

Grant Allocations to the Local Area Agencies on Aging: The committees want to ensure that grant allocations to the local Area Agencies on Aging (AAA) are made in a timely, predictable manner so that AAAs may effectively provide services to Maryland's elderly population and adequately prepare their local government budgets with accurate expectations of State support. It is the intent of the committees that all allocations to AAAs are made no later than October 1, 2020; that funding levels will not change after January 1, 2021; and that AAAs are adequately informed of potential fiscal 2022 funding changes anticipated by the Maryland Department of Aging (MDOA). The committees request that MDOA submit two reports. The

D26A07

first shall be submitted no later than October 2, 2020, and certify that all allocations of Community Services funds were made to AAAs by October 1, 2020. The second report shall be submitted no later than January 1, 2021, and identify potential changes to fiscal 2022 funding levels for each AAA.

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|------------------------|
| <i>Report on certification of grant allocations to AAAs</i> | <i>MDOA</i> | <i>October 2, 2020</i> |
| <i>Report on potential funding level changes for each AAAs</i> | <i>MDOA</i> | <i>January 1, 2021</i> |

Public Guardianship Administration: *The committees are interested in the current administration of public guardianship for older Marylanders. The committees request that the Maryland Department of Aging (MDOA) provide a report that does the following:*

- *evaluates the efficacy of the current public guardianship program;*
- *describes the types of cases that the public guardianship program currently does and does not serve;*
- *provides the distribution of funding for public guardianship among the Area Agencies on Aging;*
- *identifies evidence-based practices that are currently included in the State's administration of public guardianship in the State; and*
- *explores opportunities to improve public guardianship administration in the State.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|------------------------|
| <i>Report on public guardianship administration</i> | <i>MDOA</i> | <i>October 1, 2020</i> |

D38I01

State Board of Elections

Budget Amendments

D38I01.01 General Administration

Strike the following language:

~~provided that \$200,000 of this appropriation made for the purpose of general administration may not be expended until the State Board of Elections, in consultation with the Department of Information Technology, submits quarterly reports on July 1, 2020; October 1, 2020; January 1, 2021; and April 1, 2021, on all information technology (IT) project activities undertaken by State Board of Elections including a listing of all IT development projects, a description of the actions undertaken in that quarter, an assessment of timeliness of the project with respect to the project schedule, a description of costs incurred in that quarter, an assessment of the cost of the project with respect to estimated project costs, and a listing of deficiencies or concerns related to the projects. Funding restricted for this purpose may be released quarterly in \$50,000 installments upon receipt of the required quarterly reports. The budget committees shall have 45 days from the date of receipt of the reports to review and comment upon receipt of each report. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.~~

Explanation: The General Assembly is concerned that the State Board of Elections (SBE) has not provided adequate information to the budget committees and the Department of Information Technology (DoIT) about Major Information Technology Development projects. This action requires that SBE update the budget committees on all its IT development projects quarterly.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Quarterly reports on IT development projects | SBE | July 1, 2020 |
| | DoIT | October 1, 2020 |
| | | January 1, 2021 |
| | | April 1, 2021 |

Amendment No.

16

Committee Narrative

Improving Coordination with the Board: The committees are interested in opportunities to improve coordination between the State Board of Elections (SBE) staff and the board. The committees request that SBE submit a report describing its plan for improved coordination between staff and the board. The plan should outline a specific time period within which staff

D38I01

will inform the board of decisions made by staff regarding election administration, information technology development project management, and interactions with local boards of elections.

| Information Request | Author | Due Date |
|--------------------------------------|---------------|-----------------|
| Improved coordination with the board | SBE | July 1, 2020 |

Overview of Policy Regarding Detained Individuals: *The budget committees are interested in voting policies affecting individuals committed to pretrial detention. The committees request that the State Board of Elections (SBE) submit a report that provides an overview of State policy regarding voting eligibility throughout the adjudicatory and correctional process, describes policies that affect detained individuals, identifies policies and initiatives that may differ between local boards of elections, and examines whether there are opportunities for improvement within current State policy to provide greater access to voting for detained individuals.*

| Information Request | Author | Due Date |
|--|---------------|-----------------------|
| <i>Policies affecting detained individuals</i> | <i>SBE</i> | <i>August 1, 2020</i> |

Budget Amendments

D38I01.02 Help America Vote Act

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | | |
| 1. Reduce special fund appropriation for pollbook wide area network (WAN), to reflect the decision to use federal funds for this purpose. The agency is authorized to process a budget amendment that allocates federal funds to purchase WAN equipment for any of the six largest jurisdictions that opt to use WAN in the 2020 elections. | 661,875 SF | |
| Total Reductions | 661,875 | 0.00 |

D38I01

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-----------------------------|-------------------------------|
| Position | 10.00 | 10.00 | | 0.00 |
| General Fund | 7,641,912 | 7,641,912 | 0 | |
| Special Fund | 15,950,861 | 15,288,986 | 661,875 | |
| Federal Fund | 1,102,560 | 1,102,560 | 0 | |
| Total Funds | 24,695,333 | 24,033,458 | 661,875 | |

D38I01.03 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <i>Reduce special funds for the Agency Election Management System (AEMS). The available funding for AEMS through fiscal 2021 totals \$4.4 million, as reflected in the Governor's fiscal 2021 Budget Books. However, in the agency's testimony to the operating analysis, the agency informed the committees that it expects that the final cost of this project will be \$3.5 million. This action reduces the fiscal 2021 special fund appropriation to align with the agency's most recent estimate for AEMS funding needs. This action retains \$12,500 in special funds in fiscal 2021 to provide for Department of Information Technology oversight. A companion general fund reduction is made in the Department of Information Technology budget.</i> | 215,613 | SF |
| <i>Total Reductions</i> | 215,613 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------|------------------|----------------------|-----------------------------|-------------------------------|
| <i>Special Fund</i> | <i>1,379,551</i> | <i>1,163,938</i> | <i>215,613</i> | |
| Total Funds | 1,379,551 | 1,163,938 | 215,613 | |

Amendment No.

17

D40W01
Department of Planning

Committee Narrative

D40W01.03 Planning Data and Research

Outcome of the 2020 Census: The committees are interested in the outcome from the 2020 Census in terms of (1) the immediate self-response rate and feedback from the Maryland Department of Planning and local jurisdictions to increase the self-response rate and (2) the influence on Maryland's self-response rate of the 2020 Census Grant Program created by Chapter 18 of 2018 (2020 Census Grant Program – Establishment and Funding), the Maryland Department of Planning's (MDP) own census outreach efforts, and the work of the Maryland Complete Count Committee. Therefore, the budget committees request that MDP report by May 15, 2020, on the status of census outreach by MDP and the local jurisdictions in response to real-time self-response rate information. In addition, the budget committees request that MDP report by January 1, 2021, on whether Maryland met its goal of being in the top 10 states for self-response rate; the lessons learned from the 2020 Census Grant Program, MDP's own census outreach efforts, and the work of the Maryland Complete Count Committee; and the funding and resources needed to improve the self-response rate for the 2030 census.

| Information Request | Author | Due Date |
|----------------------------|---------------|---------------------------------|
| Outcome of the 2020 Census | MDP | May 15, 2020 January 1, 2021 |

Budget Amendments

D40W01.04 Planning Coordination

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | | |
| 1. Abolish a vacant principal planner position in the Planning Coordination program. PIN 032069 has been vacant for over a year, and the agency claims that the position is being held vacant to meet turnover expectancy despite the agency having sufficient vacancies year-round to satisfy projected turnover. | 104,221 GF | 1.00 |
| Total Reductions | 104,221 | 1.00 |

D40W01

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-----------------------------|-------------------------------|
| Position | 22.00 | 21.00 | | 1.00 |
| General Fund | 1,771,556 | 1,667,335 | 104,221 | |
| Federal Fund | 61,772 | 61,772 | 0 | |
| Total Funds | 1,833,328 | 1,729,107 | 104,221 | |

D50H01 Military Department

Committee Narrative

D50H01.03 Army Operations and Maintenance

Improving the Functionality of Army National Guard Facilities: It is the intent of the budget committees that the Army National Guard maintenance funding dedicated to improving facility functionality, as identified by the Military Department's Managing for Results performance measure, be more easily identifiable in the agency's budget. It is the intent of the committees that the Military Department, in coordination with the Department of Budget and Management (DBM), begin to budget funds within the new subprogram for maintenance expenses specifically dedicated to improving the functionality of the Army National Guard facilities beginning with the fiscal 2022 budget.

| Information Request | Authors | Due Date |
|---|----------------------------|---|
| Army National Guard maintenance funding dedicated to improving facility functionality | Military Department DBM | With the submission of the fiscal 2022 budget |

D50H01.08 MEMA – Opioid Operational

Opioid Crisis Fund: The budget committees request quarterly reports for fiscal 2021 on the funding plan for the funds contained in the Opioid Crisis Fund (OCF) from the Opioid Operational Command Center (OCCC) as well as the Maryland Department of Health (MDH). These reports are to include the spending plan for these funds, including the fund source for each line item, as well as any changes to the spending plan and any performance metrics that have been gathered by OCCC from programs receiving this funding.

| Information Request | Authors | Due Date |
|-----------------------|-------------|--|
| OCF quarterly reports | OCCC MDH | September 30, 2020 December 31, 2020 March 31, 2021 June 30, 2021 |

D55P00
Department of Veterans Affairs

Budget Amendments

D55P00.02 Cemetery Program

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete the funding for 2 new caretakers for the cemetery program (PIN #s: 104489, and 104490). This action still allows for five new cemetery positions over the fiscal 2020 budget which also added 17 new cemetery positions. | 65,452 GF | 2.00 |
| Total Reductions | 65,452 | 2.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 78.00 | 76.00 | | 2.00 |
| General Fund | 5,985,939 | 5,920,487 | 65,452 | |
| Special Fund | 980,636 | 980,636 | 0 | |
| Federal Fund | 1,706,038 | 1,706,038 | 0 | |
| Total Funds | 8,672,613 | 8,607,161 | 65,452 | |

D70J00
Maryland Automobile Insurance Fund

Committee Narrative

Report on the Likelihood and Impact of a Maryland Automobile Insurance Fund Assessment: The Maryland Automobile Insurance Fund (Maryland Auto) is required to assess a surcharge on automobile insurance companies in the State after the following two triggers occur: (1) the surplus of the Insured Division falls below 25% of the three-year average of direct written premiums; and (2) Maryland Auto experiences an operating loss. The surplus to assessment ratio is estimated to stand at 1.29 at the end of calendar 2019. Due to the concern that an assessment on automobile insurance companies would be passed through to Marylanders, the committees request that Maryland Auto and the Maryland Insurance Administration (MIA) prepare a report on the likelihood of an assessment and the impact that it would have on the price of automobile insurance premiums in Maryland. The report should include projections on the likelihood of an assessment during calendar 2020 through 2025. The report should also note the impacts of the expiration of the Maryland Auto premium tax exemption in 2022 and the impact of declining investment revenue in the event of a market slowdown. Additionally, the report should include information on potential legislative initiatives that would address this issue. The report shall be provided to the budget committees by October 1, 2020.

| Information Request | Authors | Due Date |
|---|----------------------|-----------------|
| Report on the likelihood and impact of a Maryland Auto assessment | Maryland Auto MIA | October 1, 2020 |

D78Y01 Maryland Health Benefit Exchange

Budget Amendments

D78Y01.01 Maryland Health Benefit Exchange

Amend the following language to the special fund appropriation:

, provided that ~~\$3,000,000~~\$3,500,000 of this appropriation shall be reduced contingent upon the enactment of legislation altering the mandate for the Maryland Health Benefit Exchange.

***Explanation:** This action modifies the special fund reduction contingent on the Budget Reconciliation and Financing Act of 2020, reducing the mandate for the Maryland Health Benefit Exchange to reflect the lowering of the mandate to \$31.5 million beginning in fiscal 2021. The reduced mandate better aligns with recent spending, which was less than \$29 million in fiscal 2018 and 2019.*

Amendment No.

18

Amend the following language to the special fund appropriation:

Further provided that ~~\$1,160,000~~\$450,000 of this appropriation made for the purpose of operating the Maryland Health Benefit Exchange (MHBE) may not be expended until MHBE submits a report that evaluates the appropriate future State funding level of MHBE, taking into account the available federal funding to support activities of the agency, for fiscal 2022 and beyond. The report should take into account the current required activities of the agency and any activities related to legislation enacted in 2020. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The General Assembly is interested in a new evaluation of the funding needs for MHBE as the current mandated level has not been reevaluated in the time that MHBE has been a mature organization. This language restricts funds until MHBE submits a report evaluating the appropriate future funding level of the agency that takes into account current activities and available federal funding.

D78Y01

| Information Request | Author | Due Date |
|--|--------|------------------|
| Report on future funding needs of MHBE | MHBE | December 1, 2020 |

Amendment No.

19

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <i>Reduce funding for the development of a reinsurance claims system that is not needed. The Maryland Health Benefit Exchange (MHBE) was notified in January 2020 that the Edge Server (the federal system for claims) would continue to be available, after it was initially expected to end after 2020. This reduction leaves \$40,000, which is the level of funding that MHBE anticipates requiring for the annual fee for the Edge Server.</i> | 210,000 | SF |
| <i>Total Reductions</i> | 210,000 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------|----------------------|-------------------------|---------------------------|
| <i>Position</i> | 67.00 | 67.00 | | 0.00 |
| <i>Special Fund</i> | 23,430,140 | 23,220,140 | 210,000 | |
| <i>Federal Fund</i> | 22,541,402 | 22,541,402 | 0 | |
| <i>Total Funds</i> | 45,971,542 | 45,761,542 | 210,000 | |

Amendment No.

20

Committee Narrative

Maryland Easy Enrollment Health Insurance Program: Chapters 423 and 424 of 2019 created the Maryland Easy Enrollment Health Insurance Program (MEEHP) to allow for the sharing of information between the Comptroller and the Maryland Health Benefit Exchange (MHBE) for the purpose of determining eligibility for Medicaid, the Maryland Children's Health Program (MCHP), or Advanced Premium Tax Credits (APTC). For tax year 2019, individuals

D78Y01

may authorize the sharing of information after indicating that they are interested in obtaining minimum essential coverage. MHBE will make a preliminary determination of eligibility and provide notice to the individual. The committees are interested in understanding the impact of this change on enrollment. The committees request that MHBE submit a report on Medicaid, MCHP, and enrollment in Qualified Health Plans with an APTC that result from MEEHP for tax year 2019 filings.

| Information Request | Author | Due Date |
|---------------------------------|--------|---------------|
| Enrollment resulting from MEEHP | MHBE | July 15, 2020 |

Reinsurance Program Costs and the Provider Assessment: The State Reinsurance Program is in place for plan year 2019. However, due to claims run out and the need to know full year claims data, the actual cost of the program for that year remains uncertain. Estimates have differed substantially for both the first year and out-year costs. Given the uncertainty regarding the cost of the reinsurance program, including the first payments to be made in fiscal 2021, the committees request that the Maryland Health Benefit Exchange (MHBE) report on the payments made for the reinsurance program for plan year 2019 (including the amount by each fund source) and an updated forecast of spending and funding needs over the waiver period. In addition, to the extent that not all of the provider assessment funds included in the fiscal 2021 budget are needed for that purpose, MHBE should report on the planned use of those funds in fiscal 2021, including for an additional or new subsidy program or whether the funds will be canceled to be used in a later fiscal year.

| Information Request | Author | Due Date |
|--|--------|--------------------|
| Reinsurance program costs and planned use of the provider assessment | MHBE | September 30, 2020 |

D99A11

Office of Administrative Hearings

Committee Narrative

D99A11.01 General Administration

Report on Administrative Law Judge Workloads: Due to the wide variety of case types that agency administrative law judges (ALJ) are responsible for, the use of multi-case dockets is a useful way to streamline casework and dispose of cases in a more timely fashion. While overall ALJ caseloads declined by approximately 4% in fiscal 2019 from the previous year, the actual workload for judges has remained constant or increased, according to various other work-related metrics, such as the number of decisions written per ALJ per year. The committees are interested in determining the scope of ALJ workloads. Therefore, it is the intent of the budget committees that the agency submit information on the type and number of dockets per year for each judge as well as any other work-related measures that can assist the committees in understanding and quantifying ALJ workloads.

| Information Request | Author | Due Date |
|---|-----------------------------------|------------------|
| Administrative law judge workload reporting | Office of Administrative Hearings | November 1, 2020 |

E00A
Comptroller of Maryland

Budget Amendments

Add the following language:

Provided that 3 regular positions and \$165,300 in general funds and \$6,084 in special funds are reduced.

Explanation: This language deletes 3 vacant positions (PIN 046589, 003203, and 003460) and associated funding. These positions have been vacant for one year or longer.

REVENUE ADMINISTRATION DIVISION

E00A04.01 Revenue Administration

Add the following language to the general fund appropriation:

. provided that \$300,000 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only for the purpose of implementing a private letter ruling process. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This action restricts administrative funding to support the implementation of a private letter ruling process within the agency. A private letter ruling is a written statement issued to a taxpayer that interprets and applies tax laws to the taxpayer's represented set of facts.

Amendment No.

21

E00A04.02 Major Information Technology Development Projects

Add the following language to the special fund appropriation:

. provided that \$10,059,068 of this appropriation made for the purpose of the Integrated Tax System Major Information Technology Project may not be expended until the Comptroller of Maryland submits documentation to the budget committees certifying that the Alcohol and Tobacco Commission shall be provided office space at the current location of the Comptroller's Office in the City of Annapolis, and that the Alcohol and Tobacco Commission shall be provided access to the existing comprehensive document management and licensing database system currently used by the Field Enforcement Division within the Comptroller's Office for alcoholic beverages and tobacco enforcement activities. Office space and access to the database shall be

E00A

provided for the period of January 1, 2021 through June 30, 2021. The documentation shall be submitted by June 1, 2020, and the budget committees shall have 30 days from the date of receipt to review and comment. Funds restricted pending the receipt of the documentation may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the documentation is not submitted to the budget committees.

Explanation: The language restricts \$10,759,068 in special funds for the Integrated Tax System (ITS) Major Information Technology Project until the Comptroller of Maryland submits documentation certifying that the agency will provide the Alcohol and Tobacco Commission office space and access to the Field Enforcement Division's existing comprehensive document management and licensing database for the second half of fiscal 2021.

| Information Request | Author | Due Date |
|---|-------------------------|-----------------|
| Documentation of certification that the Alcohol and Tobacco Commission will be provided office space and database access for the second half of fiscal 2021 | Comptroller of Maryland | June 1, 2020 |

Amendment No. **22**

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce special fund support for the Integrated Tax System Major Information Technology Project because of available fund balances due to greater project funding than costs in prior years. A corresponding reduction of \$2.0 million in general funds is made in the Department of Information Technology budget. | 700,000 | SF |
| Total Reductions | 700,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Special Fund | 10,759,068 | 10,059,068 | 700,000 | |
| Total Funds | 10,759,068 | 10,059,068 | 700,000 | |

E00A

FIELD ENFORCEMENT DIVISION

E00A06.01 Field Enforcement Administration

Add the following language to the general fund appropriation:

, provided that \$1,600,000 and 27 positions in program E00A06.01 Field Enforcement Administration in the Comptroller of Maryland may not be expended for that purpose but instead may only be transferred by budget amendment to the Alcohol and Tobacco Commission, program E17A01.01 for the staffing and operations of that Commission. This transfer shall occur on January 1, 2021. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language transfers Field Enforcement Division staff who are currently responsible for licensing and regulatory duties related to alcoholic beverages and tobacco and the associated funding for these positions from the Comptroller of Maryland to the Alcohol and Tobacco Commission, for the second half of fiscal 2021.

Amendment No.

23

Committee Narrative

Report on the Integrated Tax System: The committees request quarterly reports on the current status, cost projections, and timeline for the Integrated Tax System (ITS) Major Information Technology Development Project. The report should include details on the use of fiscal 2021 funding and ITS project development costs.

| Information Request | Author | Due Date |
|---------------------------|-------------------------|---|
| Report on the ITS project | Comptroller of Maryland | July 1, 2020 October 1, 2020 January 1, 2021 April 1, 2021 |

Excise Tax Compliance for Online Premium Cigar Sales: Chapter 735 of 2019 required online premium cigar establishments to pay excise tax as provided in Section 12-302 of the Tax-General Article. It is recognized that compliance has not been possible due to difficulties in properly calculating the correct amount of tax owed. The committees request the Comptroller, in consultation with online premium cigar companies, to study ways in which to solve this compliance problem and report to the committees by December 31, 2020.

E00A

| Information Request | Author | Due Date |
|---|-------------------------|-------------------|
| Study on compliance issues for excise tax on online premium cigar sales | Comptroller of Maryland | December 31, 2020 |

Earned Income Tax Credit Participation: *The committees request a report on Maryland participation for the Earned Income Tax Credit based on the most recent available tax data. The report should include the total number of individuals who received a credit compared to the number of individuals who filed for a credit and the total number of individuals who were eligible for a credit. Additionally, the report should include information on the filing status, number of qualifying children, geographic breakdown, income ranges, and size of credit awarded by income range.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|--------------------------------|--------------------------|
| <i>Report on Earned Income Tax Credit participation</i> | <i>Comptroller of Maryland</i> | <i>September 1, 2020</i> |

E50C
State Department of Assessments and Taxation

Committee Narrative

E50C00.01 Office of the Director

Maryland Jurisdiction Tax Lien Sale Information Report: In some Maryland jurisdictions, a home can be placed into a tax sale for relatively minor amounts due in property taxes (and in some cases, for municipal liens such as water bills). For example, in Baltimore City, a house can be put up for tax sale with just \$750 in property tax delinquencies. The State Department of Assessments and Taxation (SDAT) Ombudsman's Office is likely the only authority in the State where collecting select property tax lien sale information for each county would be appropriate, given the mandate of Chapter 730 of 2019 that created the office. Therefore, SDAT should collect the following information from each jurisdiction for the most recent fiscal year:

- property tax delinquency thresholds (i.e., the minimum amount required to initiate a homeowner property tax lien sale);
- the length of the jurisdiction's tax lien sale redemption period (if any);
- the total number of property tax lien sales; and
- the neighborhood of each property tax lien sale.

The agency should include this information in a brief update to the budget committees as the goal is to understand any factor that may affect property tax delinquency and what measures can be taken to offer tax relief to homeowners in the State.

| Information Request | Author | Due Date |
|-------------------------------|---------------|------------------|
| Property tax lien sale report | SDAT | November 1, 2020 |

E50C00.02 Real Property Valuation

Real Property Valuation Assessor Vacancy Report: The budget committees continue to be concerned about reports of the serious staffing and hiring problems in the Real Property Valuation Program and its assessor positions due to noncompetitive salaries, a high number of employees leaving State service, and inadequate recruiting and hiring. Therefore, the State Department of Assessments and Taxation (SDAT) shall provide a report due December 1, 2020, that includes, but is not limited to, the following information by employee class title and jurisdiction:

- the number of employees in the program that have left State service;

E50C

- the number of new hires and positions posted;
- the number of qualified applications received in response to each posting segmented by qualification level;
- the length of time from the posting of each position to the acceptance of an offer of employment;
- an update on SDAT's Annual Salary Review regarding assessor positions; and
- a full strategic plan that presents SDAT's overall hiring process, recruitment efforts, challenges, and proposed solutions; a list of jurisdictions with the most vacancies and SDAT hiring efforts in those jurisdictions; a listing of hiring milestones and projected hires by jurisdiction through fiscal 2022; and any additional information that would be helpful to the committees in understanding how the agency intends to solve the vacancy issue.

| Information Request | Author | Due Date |
|---|--------|------------------|
| Real property valuation assessor vacancy report | SDAT | December 1, 2020 |

Real Property Valuation Equity and Transparency Report: *The budget committees continue to be concerned about transparency and equity in the State's property tax assessment process. Because the State Department of Assessment (SDAT) Real Property Valuation Program and its assessors conduct statewide assessments, and information is needed about how this process is conducted, the budget committees request that the agency provide a report due December 1, 2020, which includes, but is not limited to, the following information:*

- *for the last five fiscal years, the total number of and zip code for all appeals, successful appeals, and properties reassessed because of a successful appeal;*
- *for the last five fiscal years, for those properties reassessed, the change in assessed value for each property;*
- *an explanation of the SDAT property tax assessment appeals process including whether a reassessment of one property requires that the entire block be reassessed and what the average value increase or decrease is after reassessment;*
- *specific information about the Neighborhood Adjustment Factor (formerly known as the Market Value Index), how it is calculated, and if there is a range for this factor for*

E50C

properties within certain areas; and a specific explanation of all formulas and factors calculated in the assessment process;

- *an explanation of which specific metrics account for a decrease in property values in an area that is experiencing a continued increase in sale prices; as well as any information and examples as to how SDAT calculations can produce assessment values that are below current market value;*
- *an equity evaluation that examines the properties that were successfully reassessed according to zip code that quantifies whether these properties are in lower, middle, or upper income areas; and*
- *a full report on SDAT efforts to ensure transparency and equity in its assessment processes and procedures.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|-------------------------|
| <i>Real property valuation equity and transparency report</i> | <i>SDAT</i> | <i>December 1, 2020</i> |

E80E

Property Tax Assessment Appeals Boards

Committee Narrative

E80E00.01 Property Tax Assessment Appeals Boards

Property Tax Assessment Appeals Boards Hearing Postponements Report: One of the primary goals of the Property Tax Assessment Appeals Boards (PTAAB) is to conduct its hearings in a timely and efficient fashion. While its appeals backlog was significantly high in calendar 2015, the agency has reduced the backlog substantially in fiscal 2019. However, PTAAB continues to report that in the five largest State counties, hearing backlogs continue to exist and can be exacerbated whenever key parties to the hearing postpone. In particular, the committees are concerned because one of the main reasons for appeals backlogs was due to hearing postponements by commercial real estate litigants. When cases are postponed, the time delay can result in these litigants receiving additional compensation from their clients as high as 18%. Therefore, the committees request that PTAAB submit a report by December 1, 2020, on this topic. The information provided should include the following data for the last two fiscal years:

- the number of hearing postponements from all litigants;
- the reason(s) given for all hearing postponements by county and litigant type;
- a sample case walkthrough that outlines the overall time PTAAB employees spend on a hearing from initiation to completion, the amount of time lost due to hearing delays, and the typical estimated compensation benefit to a commercial real estate attorney due to the hearing delay;
- to the extent possible, any estimates on the amount of increased expenses by the State due to hearing postponements; and
- any legislative or agency modifications in rules or procedures (such as reducing the number of postponements allowed) that could assist PTAAB in hearing cases in a timely fashion.

| Information Request | Author | Due Date |
|------------------------------------|---------------|------------------|
| PTAAB hearing postponements report | PTAAB | December 1, 2020 |

F10A
Department of Budget and Management
Office of the Secretary

Committee Narrative

F10A01.02 Division of Finance and Administration

***State Fleet Inventory Tracking by Fuel Type:** Special funds from the Strategic Energy Investment Fund have been allocated in fiscal 2020 and 2021 to support the State's efforts to switch from conventional fuel vehicles to electric vehicles. While the Department of Budget and Management (DBM) has indicated that it maintains an information system to track State fleet inventory, it relies on a vendor to provide the number of vehicles by fuel type. The committees are interested in monitoring the State fleet inventory by fuel type and request that DBM track on an ongoing basis:*

- *the number of active vehicles by fuel type (including gas, diesel, and zero emission);*
- *the number of fully electric vehicles, plug-in hybrid electric vehicles, and fuel cell vehicles; and*
- *electric vehicle purchases.*

DBM should submit this information for fiscal 2020 and 2021 year to date by December 1, 2020.

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|-------------------------|
| <i>Report on State fleet inventory tracking</i> | <i>DBM</i> | <i>December 1, 2020</i> |

F10A02
Department of Budget and Management
Office of Personnel Services and Benefits

Budget Amendments

F10A02.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$50,000 of this appropriation may not be expended until the Department of Budget and Management submits a report on the fiscal 2020 closeout of the Employee and Retiree Health Insurance Account. This report shall include (1) closing fiscal 2020 fund balance; (2) actual provider payments due in the fiscal year broken out by medical payments for active employees, medical payments for non-Medicare-eligible retirees, medical payments for Medicare-eligible retirees, prescription drug payments for active employees, prescription drug payments for non-Medicare-eligible retirees, and prescription drug payments for Medicare-eligible retirees; (3) State employee and retiree contributions, broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; (4) an accounting of rebates, recoveries, and other costs, broken out into rebates, recoveries, and other costs associated with active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; (5) any closeout transactions processed after the fiscal year ended; and (6) actual incurred but not received costs. The report shall be submitted to the budget committees by October 1, 2020. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This annual budget bill language requires the Department of Budget and Management (DBM) to submit a report with fiscal 2020 closeout data for the Employee and Retiree Health Insurance Account. This annual language is updated to request the information be provided in categories of active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on fiscal 2020 closeout data for the Employee and Retiree Health Insurance Account | DBM | October 1, 2020 |

F10A02

Committee Narrative

F10A02.02 Division of Employee Benefits

Quarterly Prescription Drug Plan Performance: The State entered into a pharmacy benefit manager contract with CVS Caremark effective January 1, 2018. The contract is expected to generate savings through better prices, enhanced rebates, and a new drug formulary. The budget committees request that the Department of Budget and Management (DBM) provide quarterly prescription drug plan performance data to the budget committees in order to monitor the trends of prescription drug utilization and costs. The report should provide information on the highest cost prescription drugs by category of treatment; the prescription drugs accounting for the largest increases in drug spending; the top 25 most costly individual prescription drugs in generic, brand, biologics, and specialty drug categories; recent drug patent expirations; and upcoming new drug patent approvals. Additionally, the reports should include data on the cost drivers and drug trends by actives, non-Medicare retirees, and Medicare retirees.

| Information Request | Author | Due Date |
|--|--------|--|
| Quarterly State prescription drug plan performance | DBM | September 15, 2020 December 15, 2020 March 15, 2021 June 15, 2021 |

Quarterly Medical and Dental Plan Performance: In recent years, the State has implemented different strategies to contain medical costs. The budget committees request that the Department of Budget and Management (DBM) submit quarterly reports on plan performance of the State's medical and dental plans. Reports should provide utilization and cost data broken out by plans as well as actives, non-Medicare-eligible retirees, and Medicare-eligible retirees. The reports should include utilization per 1,000 plan participants; and unit cost and per member costs for hospital inpatient services, hospital outpatient services, professional inpatient services, professional outpatient services, and ancillary services that are provided by the State's health plans.

| Information Request | Author | Due Date |
|---|--------|--|
| Quarterly medical and dental plan performance reports | DBM | September 15, 2020 December 15, 2020 March 15, 2021 June 15, 2021 |

F10A02

Budget Amendments

F10A02.09 SmartWork

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce funding for the SmartWork Program from \$2 million to \$1 million to better reflect actual program usage. | 1,000,000 GF | |
| Total Reductions | 1,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 2,000,000 | 1,000,000 | 1,000,000 | |
| Total Funds | 2,000,000 | 1,000,000 | 1,000,000 | |

F10A05
Department of Budget and Management
Office of Budget Analysis

Committee Narrative

F10A05.01 Budget Analysis and Formulation

Submission of Select Budget Detail: The level of budget detail provided to the General Assembly has changed following the implementation of the Department of Budget and Management's (DBM) new budget system, BARS. The committees request that DBM submit complete fiscal 2022 subobject detail by program for Comptroller Objects 08 and 12 by the third Wednesday of January 2021 in an electronic format subject to the concurrence of the Department of Legislative Services.

| Information Request | Author | Due Date |
|---|---------------|---------------------------------|
| Comptroller objects 08 and 12 budget detail | DBM | Third Wednesday of January 2021 |

F50
Department of Information Technology

Budget Amendments

Add the following language:

Provided that 15 regular positions shall be reduced from the budget of the Department of Information Technology (DoIT), and that \$90,000 in general funds, \$60,000 in special funds, and \$1,350,000 in reimbursable funds associated with these positions may not be expended for that purpose but instead may be used only for the purpose of enhancing DoIT salaries by creating a new salary scale for information technology positions. The Department of Budget and Management and DoIT should report on salary actions to the budget committees by September 4, 2020. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled.

Further provided that the budget of DoIT shall be reduced by \$30,000 in general funds and \$20,000 in special funds.

Explanation: DoIT's vacancy rates have been between 16% and 25% since January 2018. There currently are 55 vacant positions, which is 42 positions above the budgeted turnover rate for fiscal 2021. This action abolishes 15 regular positions that have been vacant for over one year and also increases the fiscal 2021 budget turnover rate to the level in fiscal 2020. Savings will be used to reduce the DoIT budget by \$500,000 with \$1.5 million restricted for salary enhancements. The Department of Budget and Management and DoIT shall create a new salary scale for information technology positions and report to the budget committees on the salary scales and enhancements by September 4, 2020.

| Information Request | Author | Due Date |
|----------------------------|---------------|-------------------|
| Report on salary actions | DoIT | September 4, 2020 |

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce funding for the Medicaid Management Information System II replacement information technology development project based on expectations of program spending in fiscal 2020 and 2021. | 1,000,000 GF | |
| 2. Reduce funding for the Maryland Total Human-services Information NetworkK Major | 16,500,000 GF | |

F50

Information Technology Development Project to reflect anticipated spending in fiscal 2020 and 2021.

- | | | |
|------------------|--|--------------------------|
| 3. | Reduce general funds appropriated in the Major Information Technology Development Fund (MITDPF). The Department of Information Technology (DoIT) estimates that annual revenues from resource sharing agreements (RSA) are \$1.1 million. These funds are deposited into the MITDPF. The MITDPF does not reflect these revenues for fiscal 2020 and 2021. Recognizing these revenues provides an additional \$2 million enabling a general fund reduction of the same amount. DoIT is authorized to appropriate up to \$2 million RSA revenues deposited into the MITDPF in fiscal 2020 and 2021. | 2,000,000 GF |
| | | |
| 4. | <i>Reduce general funds for the Agency Election Management System (AEMS). The available funding for AEMS through fiscal 2021 totals \$4.4 million, as reflected in the Governor's fiscal 2021 Budget Books. However, in the State Board of Elections' (SBE) testimony to its operating analysis, SBE informed the committees that it expects that the final cost of this project will be \$3.5 million. This action reduces the fiscal 2021 general fund appropriation to align with the agency's most recent estimate for AEMS funding needs. This action retains \$12,500 in general funds in fiscal 2021 to provide for Department of Information Technology oversight. A companion special fund reduction is made in the SBE budget.</i> | 215,612 GF |
| | | |
| Total Reductions | | 19,500,000 19,715,612 |

F50

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|---|---|---------------------------|
| General Fund | 96,552,770 | 77,052,770 76,837,158 | 19,500,000 19,715,612 | |
| Special Fund | 8,649,796 | 8,649,796 | 0 | |
| Total Funds | 105,202,566 | 85,702,566 85,486,954 | 19,500,000 19,715,612 | |

Amendment No.

24

Committee Narrative

Total Statewide Costs of the Department of Human Services' Maryland Total Human-services Integrated Network: The Maryland Total Human-services Integrated NetworkK (MD THINK) is a shared human services platform. The objective is to keep individual data in one system instead of numerous silos throughout State government. Other State systems, such as the Maryland Department of Health's Medicaid Management Information System, are being migrated onto MD THINK. Appendix N of the Governor's Budget Highlights for fiscal 2021 shows that the total cost to the Department of Human Services is \$468 million. These costs do not include all costs borne by State agencies to migrate onto MD THINK. The Department of Information Technology (DoIT) should report to the committees on the total estimated cost of MD THINK. This should include costs by year and also costs incurred as well as required in the future of all State agencies by State agency. The report should be submitted by September 4, 2020.

| Information Request | Author | Due Date |
|-----------------------------------|---------------|-------------------|
| Report on total costs of MD THINK | DoIT | September 4, 2020 |

Device as a Service Procurement: The committees note that other states have begun to pursue 'Device as a Service' models for the procurement, inventory management, maintenance, and support of hardware and associated operating systems. The committees request that the Department of Information Technology (DoIT) provide a survey of states that have already undertaken this type of procurement or have issued requests for proposals for this type of service, including but not limited to, the number of State employees served, the number of devices available for selection, and types of operating systems. The committees request a report to include a contrast between the annual costs of these procurements with the equivalent costs incurred by the State under the current procurement model for and support of DoIT's inventory,

F50

maintenance, and support of hardware and associated software. Further, the report should address any concerns that DoIT has related to security and inventory matters that present barriers to the State moving to a 'Device as a Service' model. This report shall be provided by September 1, 2020.

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|--------------------------|
| <i>Report on device as a service procurement</i> | <i>DoIT</i> | <i>September 1, 2020</i> |

G20J01
State Retirement Agency

Committee Narrative

G20J01.43 Investment Division

Cost Savings of Moving the Investment Division Off-budget: In fiscal 2019, the Investment Division of the State Retirement Agency (SRA) moved off budget. The division added 6 positions in fiscal 2021 and has future plans to add 20 more. With the planned growth of the Investment Division, the budget committees want to ensure that cost savings to the pension trust fund are being realized. SRA should produce a report detailing the expenses of the Investment Division compared to the estimated cost savings resulting from not procuring comparable contractual services from outside the agency.

| Information Request | Author | Due Date |
|----------------------------------|---------------|------------------|
| Investment Division cost savings | SRA | November 1, 2020 |

H00

Department of General Services

Budget Amendments

OFFICE OF FACILITIES OPERATION AND MAINTENANCE

H00C01.01 Facilities Operation and Maintenance

Amend the following language to the general fund appropriation:

~~, provided that \$383,000 of this appropriation shall be reduced contingent on the enactment of legislation altering the mandated level of funding provided for the City of Annapolis as a Payment in Lieu of Taxes, provided that \$40,000 of this appropriation made for the purpose of a mandated level of funding to the City of Annapolis as a Payment in Lieu of Taxes may not be provided until: (1) the establishment of a workgroup on the Housing Authority of the City of Annapolis (HACA); and (2) the City of Annapolis, in consultation with Anne Arundel County, the Housing Commission of Anne Arundel County and HACA, submit a report to the budget committees with the findings of the workgroup on the conditions of public housing and with recommendations for short-term and long-term plans for redevelopment. Specifically, the report shall:~~

- ~~(1) identify in a HACA property any existing or chronically recurring hazardous condition that may be identified according to the Building and Maintenance Code of the City of Annapolis;~~
- ~~(2) identify any dangerous or unsafe aspects, features, locations, or conditions existing or prevailing on or about HACA property, including any recent harmful or unsafe behavior patterns, incidents, or trends;~~
- ~~(3) articulate the existing preservation and upkeep scheme; and~~
- ~~(4) articulate the redevelopment plan, including prospective funding requirements and sources, and a prospective schedule.~~

~~The report shall be submitted by December 15, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of this 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 language requires that \$40,000 of the Payment in Lieu of Taxes for the City of Annapolis may only be provided after the establishment of a work group on HACA and the budget committees receive a report on the conditions of public housing in Annapolis.

H00

| Information Request | Authors | Due Date |
|---|--|-------------------|
| Report on conditions and redevelopment plans for public housing | Anne Arundel County City of Annapolis HACA Housing Commission of Anne Arundel County | December 15, 2020 |

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|-------------------------------------|------------------|
| 1. Increase the fiscal 2021 turnover rate to the fiscal 2020 level. The fiscal 2020 budgeted turnover rate is 7%. Since January 2018, vacancy rates have been averaging more than 9% per month. In January 2020, the department had 70 vacant positions, which is 34 positions more than are needed to meet the turnover rate. It is unlikely that the vacancy rate will average 5.7% as budgeted in fiscal 2021. | 500,000 GF 24,000 SF 6,000 FF | |
| Total Reductions | 530,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 197.00 | 197.00 | | 0.00 |
| General Fund | 33,061,542 | 32,561,542 | 500,000 | |
| Special Fund | 378,967 | 354,967 | 24,000 | |
| Federal Fund | 1,134,040 | 1,128,040 | 6,000 | |
| Total Funds | 34,574,549 | 34,044,549 | 530,000 | |

OFFICE OF PROCUREMENT AND LOGISTICS

H00D01.01 Procurement and Logistics

Add the following language to the general fund appropriation:

, provided that since the Department of General Services' Office of State Procurement (OSP) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$100,000 of this agency's administrative appropriation may not be expended unless:

H00

- (1) OSP has taken corrective action with respect to all repeat audit findings on or before November 1, 2020; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days from the date of the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2021.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. In this case, OSP has five repeat audit findings. Each such agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit reports to the budget committees on the status of repeat findings.

| Information Request | Author | Due Date |
|---|--------|-------------------------------------|
| Status of corrective actions related to the most recent fiscal compliance audit | OLA | 45 days before the release of funds |

Committee Narrative

Transparent Agency Office Moving Process: The Department of General Services' (DGS) Office of Real Estate is responsible for procuring office leases. This process can be complicated and opaque. The office has a substantial workload, and leases take time to procure. In recent years, it has been common for DGS to negotiate 50 real estate contracts annually. Procuring lease office space usually takes 18 to 24 months. So that this process is transparent, DGS should develop a web page that provides the status of its real estate procurements. DGS should post procurements on the website within a week after releasing a Request for Proposal. This should include acceptable locations of the office space. DGS should also post the location and specifications of the winning bid on the website within one week after entering into an agreement with a vendor. DGS should report to the committees on the status of including this information on its website by December 18, 2020.

| Information Request | Author | Due Date |
|--|--------|-------------------|
| Report on agency office moving website | DGS | December 18, 2020 |

J00
Department of Transportation

Budget Amendments

Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (2) above; or moving projects from the development and evaluation program to the construction program shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

Explanation: This annual budget bill language requires the department to notify the budget committees of proposed changes to the transportation capital program that will add a new project that was not in the fiscal 2020-2025 Consolidated Transportation Program (CTP) or will increase a total project’s cost by more than 10%, or \$1 million, due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP with each using the 2020 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

J00

| Information Request | Author | Due Date |
|---|--|---|
| Capital budget changes from one CTP version to the next | Maryland Department of Transportation (MDOT) | With draft CTP With final CTP |
| Capital budget changes throughout the year | MDOT | 45 days prior to the expenditure of funds or seeking Board of Public Works approval |

Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,057.5 positions and 122.2 contractual full-time equivalent (FTE) positions paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2021. The level of contractual FTE positions may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore-Washington International Thurgood Marshall Airport, that demands additional personnel; or
- (2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2021 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

Explanation: This annual budget bill language establishes a position ceiling for MDOT each year to limit growth in regular positions and contractual FTEs.

| Information Request | Author | Due Date |
|--|--------|-----------|
| Need for additional regular or contractual positions | MDOT | As needed |

J00

Budget Amendments

Add the following language:

Further provided that \$10,500,266 in special funds is reduced to increase turnover. The department may allocate this reduction among the department's programs.

Further provided that the Maryland Department of Transportation is authorized to increase by budget amendment the special fund capital appropriation for the Maryland Port Administration by \$10,000,000 to provide a portion of the funds needed for the Howard Street Tunnel Project.

Explanation: This language reduces funding in order to increase turnover and authorizes the department to increase the special fund capital appropriation for the Maryland Port Administration by budget amendment by \$10 million in support of the Howard Street Tunnel Project using the funds freed up through this reduction.

J00A01
Department of Transportation
The Secretary's Office

Committee Narrative

J00A01.01 Executive Direction

Project-based Scoring System Modifications: The committees believe that the project-based scoring system required by Chapter 30 of 2017 should be modified:

- to create a separate category to evaluate projects procured as a public-private partnership (P3) according to criteria specific to P3 projects; and
- to provide preferential points for projects that span more than one jurisdiction.

The committees request that the Maryland Department of Transportation (MDOT) study these proposals and provide a report to the committees that:

- discusses the advantages and disadvantages of each proposed change; and
- provides draft legislation for necessary changes to current law to implement each proposal.

MDOT should submit this report by October 1, 2020.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report and draft legislation on changes to project-based scoring pursuant to Chapter 30 | MDOT | October 1, 2020 |

J00A01

Budget Amendments

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$5,855,901 of this appropriation may be expended for operating grants-in-aid, except for:

- (1) any additional special funds necessary to match unanticipated federal fund attainments;
or
- (2) any proposed increase either to provide funds for a new grantee or to increase funds for an existing grantee.

Further provided that no expenditures in excess of \$5,855,901 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees.

Explanation: This annual language caps the level of special funds provided for operating grants-in-aid. The cap may be increased to match unanticipated federal dollars or to provide new or expanded grant funding upon notification to the budget committees.

| Information Request | Author | Due Date |
|--|---------------------------------------|------------------------------|
| Explanation of need for additional special funds for operating grants-in-aid | Maryland Department of Transportation | 45 days prior to expenditure |

J00A01

J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2020-2025 Consolidated Transportation Program, except as outlined below:

- (1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of \$500,000, including the need and justification for the project and its total cost; and
- (2) the budget committees shall have 45 days from the date of notification to review and comment on the proposed system preservation or minor project.

Explanation: This language provides legislative oversight of grants exceeding \$500,000 that are not listed in the current Consolidated Transportation Program (CTP).

| Information Request | Author | Due Date |
|--|---------------------------------------|------------------------------|
| Notification of the intent to fund a capital grant exceeding \$500,000 that is not listed in the current CTP | Maryland Department of Transportation | 45 days prior to expenditure |

J00A04
Department of Transportation
Debt Service Requirements

Budget Amendments

Add the following language:

Consolidated Transportation Bonds may be issued in any amount, provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues may not exceed \$3,877,330,000 as of June 30, 2021.

Explanation: Section 3-202 of the Transportation Article requires the General Assembly to establish the maximum debt outstanding each year in the budget bill. The level is based on the outstanding debt as of June 30, 2019, plus projected debt to be issued during fiscal 2020 and 2021 in support of the transportation capital program.

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on:

- (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and
- (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2020 through 2030.

Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation, debt backed by customer facility charges, passenger facility charges or other revenues, and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

Explanation: The General Assembly is interested in monitoring the use of nontraditional debt by MDOT. The information requested provides the budget committees with additional information on the usage and annual costs of nontraditional debt.

J00A04

| Information Request | Author | Due Date |
|---|--------|-----------------------------|
| Nontraditional debt outstanding and anticipated debt service payments | MDOT | With the September forecast |
| Nontraditional debt outstanding and anticipated debt service payments | MDOT | With the January forecast |

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by the Maryland Department of Transportation (MDOT), exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed \$1,226,530,000 as of June 30, 2021. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed \$925,315,170 as of June 30, 2021. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2021, and the total amount by which the fiscal 2021 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

J00A04

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2021 for non-TIFIA debt to the total amount that was outstanding from all previous nontraditional debt issuances as of June 30, 2019, plus an anticipated issuance of \$350 million for the concourse A/B connector and baggage handling system at the Baltimore-Washington International Thurgood Marshall Airport. TIFIA debt outstanding for the Purple Line Project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2021 by providing notification to the budget committees regarding the reason that the additional debt is required.

| Information Request | Author | Due Date |
|--|---------------|--|
| Justification for increasing nontraditional debt outstanding | MDOT | 45 days prior to publication of a preliminary official statement |

J00B01
Department of Transportation
State Highway Administration

J00B01.01 State System Construction and Equipment

Budget Amendments

Add the following language:

, provided that \$5,000,000 of this appropriation made for the purpose of Safety, Congestion Relief and Community Enhancement projects may not be expended for that purpose but instead may be transferred by budget amendment to the Maryland Transit Administration program J00H01.02 Bus Operations to be used only for contributions to the Maryland Transit Administration pension plan. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: The Maryland General Assembly added intent language to the fiscal 2020 budget that funding for the Maryland Transit Administration (MTA) pension plan be increased by \$5 million each year until the budgeted amount equaled the actuarially determined contribution contained in the most recent actuarial valuation report. The budget as introduced does not comply with this intent with the amount budgeted for the MTA pension plan increasing by less than \$500 over the fiscal 2020 amount despite the actuarially determined contribution exceeding the amount budgeted by more than \$10 million. This language restricts \$5 million of the State Highway Administration (SHA) capital appropriation because SHA has the largest capital appropriation among the department's units and since the department should adequately cover its operating expenses prior to funding the capital program, a reduction to the capital appropriation is consistent with the priority of use of Transportation Trust Fund resources.

Add the following language to the special fund appropriation:

Further provided that \$1,000,000 of this appropriation made for the purpose of Safety, Congestion Relief and Community Enhancement projects may not be expended for that purpose but instead may only be used for preliminary planning for Segment D of MD 28, Norbeck Road, and MD 198, Spencerville Road/Sandy Spring Road. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts funds for preliminary planning for a specific project.

Amendment No.

25

J00B01

Add the following language to the special fund appropriation:

Further provided that \$12,500,000 of this appropriation made for the purpose of funding projects in the Total Maximum Daily Load (TMDL) Program shall be reduced contingent on enactment of legislation authorizing the transfer of \$12,500,000 from the Bay Restoration Fund to the Transportation Trust Fund. Authorization is hereby given for the Maryland Department of Transportation to process a budget amendment to increase the appropriation for TMDL projects by \$12,500,000 using the funds available from the transfer from the Bay Restoration Fund.

Explanation: The TMDL program is part of Maryland's Watershed Implementation Plan (WIP) effort. The Bay Restoration Fund is projected to have fund balances of not less than \$30 million between fiscal 2021 and 20230 which allows for the transfer of \$12.5 million to the Transportation Trust Fund for projects that help improve the water quality of the Chesapeake Bay. The TMDL reduction frees up Transportation Trust Fund resources which can be used to fund a portion of the mandated capital grant to the Washington Metropolitan Area Transit Authority (WMATA) which will in turn allow a reduction of \$12.5 million to be made to the general fund appropriation in the Dedicated Purpose Account for the mandated grant to WMATA.

Amendment No.

26

Committee Narrative

~~**Brunswick Parking Garage Study:** The budget committees request that the State Highway Administration (SHA) conduct a study on where a parking garage in Brunswick, Maryland that is in close proximity to the MARC station and the downtown area could be constructed. SHA should submit the study to the budget committees by December 1, 2020.~~

| Information Request | Author | Due Date |
|---|-------------------|-----------------------------|
| Study on the Brunswick, Maryland parking garage location | SHA | December 1, 2020 |

J00B01

Budget Amendments

J00B01.05 County and Municipality Funds

Strike the following language:

~~, provided that \$28,157 of this appropriation made for the purpose of providing transportation aid to Deer Park in Garrett County may not be expended until the town has submitted the audit reports and the Uniform Financial Reports as required under Sections 16-304 and 16-306 of the Local Government Article for fiscal 2017, 2018, and 2019. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.~~

~~**Explanation:** Deer Park has not submitted the required audit reports and the Uniform Financial Reports for several years. This language restricts transportation aid to Deer Park until the required documents have been submitted for all delinquent years.~~

| Information Request | Author | Due Date |
|---|----------------------|---|
| Audit reports and Uniform Financial Reports for fiscal 2017 through 2019 | Deer Park | Prior to distribution of funds |

Amendment No.

27

Add the following language to the special fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of providing transportation aid to Baltimore City may be used only for a traffic engineering study of York Road in Baltimore City.

***Explanation:** This language restricts a portion of Baltimore City's transportation aid to be used only for a traffic engineering study of York Road.*

Amendment No.

28

J00D00
Department of Transportation
Maryland Port Administration

Committee Narrative

Monitoring and Intercepting of Firearms and Controlled Substances at Port of Baltimore Report: The Maryland Transportation Authority (MDTA) Police provide security and police services for the Maryland Port Administration (MPA) at the Port of Baltimore. This is in addition to the U.S. Customs and Border Protection (CBP) and U.S. Coast Guard presence at the Port of Baltimore. Given the concern about the Port of Baltimore being used as an entry point into the State for firearms and controlled substances, the budget committees request that MPA, in consultation with MDTA, submit a report that outlines, without divulging information that might jeopardize public safety or national security, the MDTA Police procedures for the monitoring and interception of these materials, as well as efforts to improve these measures. Additionally, the report should highlight the role that MDTA Police, private security contractors, CBP, and the U.S. Coast Guard each play in the effort to intercept firearms at the Port of Baltimore and the coordination between MDTA, private security, and these federal agencies. The report should include the types of inspections carried out, explanation of what triggers an inspection of cargo, and the frequency of these inspections. The report shall be provided by October 1, 2020.

| <i>Information Request</i> | <i>Authors</i> | <i>Due Date</i> |
|--|-----------------------|------------------------|
| <i>Report on monitoring and interception of firearms and controlled substances</i> | <i>MPA MDTA</i> | <i>October 1, 2020</i> |

J00D00.02 Port Facilities and Capital Equipment

Howard Street Tunnel Project Funding Report: The Howard Street Tunnel project was awarded a \$125 million U.S. Department of Transportation Infrastructure for Rebuilding America (INFRA) grant in July 2019. Federal funds are in conjunction with CSX funds and the following sources of State funding: general obligation bonds; general funds; Baltimore City highway user revenue; a Maryland Transportation Authority loan; and the Transportation Trust Fund. Due to the significant reliance on nontransportation related sources of State funding and the potential negative consequences to the viability of the project if the funding falls through and the INFRA grant is lost, the budget committees request that the Maryland Port Administration (MPA) submit a report outlining the plan if one or more of the State funding sources is unavailable and who will be responsible for funding any cost overruns during the course of the project. The report shall be provided by October 1, 2020.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Report on Howard Street Tunnel project funding | MPA | October 1, 2020 |

J00E00
Department of Transportation
Motor Vehicle Administration

Committee Narrative

Maryland REAL ID Act Implementation Report: Federal law requires that starting October 1, 2020, all state-issued drivers' licenses and identification cards be in compliance with the REAL ID Act requirements if an individual seeks to enter a federal facility or board a commercial domestic airline flight. Due to the potential consequences for Maryland residents who are not in compliance with the REAL ID Act when the deadline passes, the budget committees request that the Motor Vehicle Administration (MVA) submit a pre- and post-deadline report regarding the implementation of the October 1, 2020 REAL ID deadline. These reports should include the number of Maryland residents not in compliance as of June 1, 2020, and November 1, 2020, respectively, providing a breakdown by gender, age, ethnicity, zip code, and jurisdiction. The pre-deadline report should also provide information on the number of outstanding recalled drivers' licenses and identification cards and MVA's efforts to meet the deadline, along with an explanation of the rubric that was used to decide which MVA facilities would be open for additional days and extended hours. The post-deadline report should include information on MVA's plan to address Maryland residents still not in compliance, including the agency's actions to reach communities that are more difficult to contact. The reports shall be provided by July 1, 2020, and December 1, 2020, respectively.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Pre-deadline report on REAL ID implementation | MVA | July 1, 2020 |
| Post-deadline report on REAL ID implementation | MVA | December 1, 2020 |

J00I00
Department of Transportation
Maryland Aviation Administration

Budget Amendments

J00I00.02 Airport Operations

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce funds for new consulting contract due to fiscal constraints. | 270,000 SF | |
| Total Reductions | 270,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position | 451.50 | 451.50 | | 0.00 |
| Special Fund | 218,779,812 | 218,509,812 | 270,000 | |
| Federal Fund | 645,500 | 645,500 | 0 | |
| Total Funds | 219,425,312 | 219,155,312 | 270,000 | |

J00J
Maryland Transportation Authority

Committee Narrative

Future I-95 Northbound Express Toll Lane Expansion Report: The Maryland Transportation Authority (MDTA) has currently completed or started construction of Express Toll Lanes (ETL) on two of the four I-95 sections identified in its 2003 I-95 Master Plan. Given the possibility of future ETL development on the remaining two sections, the budget committees request that MDTA submit a report that outlines any further ETL development plans that MDTA has for I-95 along with updated cost estimates and project timelines. The report should also include discussion of any alternatives to ETLs on the remaining northbound sections of I-95 that MDTA is considering. The report shall be provided by November 2, 2020.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Report on future I-95 northbound ETL expansion | MDTA | November 2, 2020 |

I-495 and I-270 Public-private Partnership Maryland Transportation Authority Bonds Report: The plan for financing the I-495 and I-270 project involves the Maryland Transportation Authority (MDTA) issuing one or more series of bonds to pay for a portion of the project. The repayment of these would come solely from revenue generated from the public-private partnership (P3) program and would not be backed by toll revenue from MDTA facilities. Given that this constitutes a new form of MDTA financing of non-MDTA facilities, the committees request that MDTA submit a report that outlines the scope of MDTA loans to this project, the use of these funds, and MDTA's claim on toll revenue from the project. Additionally, this report should include an explanation of the need for a second trust agreement and how it will differ from the existing trust agreement. The report shall be provided by October 1, 2020.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Report on MDTA involvement in I-495 and I-270 P3 | MDTA | October 1, 2020 |

~~**Maryland Transportation Authority Facilities:** It is the intent of the budget committees that the Maryland Transportation Authority construct no new facilities on MD 152 north of Taylor Brook Lane.~~

J00J

Maryland Transportation Authority Third Chesapeake Bay Bridge Span Construction Local Aid Report: The Maryland Transportation Authority (MDTA) is responsible for the ongoing planning process for the construction of a third Chesapeake Bay Bridge span. Given the impact of the existing spans on the counties on both sides of the Chesapeake Bay, the budget committees request that MDTA, in consultation with the Maryland Department of Transportation (MDOT), submit a report regarding the support that would be provided to local communities during and after the construction of a third Chesapeake Bay Bridge span. This report should outline the anticipated financial support by the State, MDTA, and MDOT to counties to handle increased traffic due to the third Chesapeake Bay Bridge span. Additionally, this report should identify the level of funding, the State agency responsible, the rubric that will be used to determine the funding split between the counties involved, and a timeline for providing the State funding. If there are no current plans for State aid to the counties involved in a potential third Chesapeake Bay Bridge span, the report should explain why this is the case and how counties are expected to fund the increased costs associated with the higher levels of traffic. The report shall be provided by October 1, 2020.

| <i>Information Request</i> | <i>Authors</i> | <i>Due Date</i> |
|---|-----------------------|------------------------|
| <i>Report on local aid for the construction of a third Chesapeake Bay Bridge span</i> | <i>MDTA MDOT</i> | <i>October 1, 2020</i> |

K00A
Department of Natural Resources

Committee Narrative

OFFICE OF THE SECRETARY

K00A01.01 Secretariat

Multi-year Special Fund Overhead Replacement Plan: The budget committees are concerned that insufficient information has been provided about the scope of the Department of Natural Resources' (DNR) multi-year plan to replace the special fund overhead charged to the Office of the Secretary with general funds. In addition, the budget committees are concerned that DNR appears to be shifting from a funding model of self-sustaining special funds to a funding model making greater use of general funds. Therefore, the budget committees request that DNR submit a report on its multi-year special fund overhead replacement plan with additional information about its special funds and interunit reimbursable fund arrangements. The report shall be submitted by January 20, 2021. The additional information about DNR's special funds and interunit reimbursable fund arrangements shall include an analysis of the following:

- the relative burden to be shared by the general public and the user community for the work funded by each special fund;
- the revenue goals, expenditure plans, and desired fund balance levels for each special fund and explanations for these determinations;
- the fee structure history for each special fund;
- scenarios for future fee increases, expenditure reductions, or both in order to address the revenue goals, expenditure plans, and desired fund balance for each special fund;
- the source of the reimbursable funds supporting DNR's interunit reimbursable fund arrangements by fund and fund type;
- the equitableness of DNR's reimbursable fund arrangements; and
- the implementation of the special fund overhead replacement plan in fiscal 2022 and the out-years.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Multi-year special fund overhead replacement plan | DNR | January 20, 2021 |

K00A

Budget Amendments

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Abolish vacant positions in the Wildlife and Heritage Service. PINs 013561 and 013799 have been vacant for more than a year. | 96,136 SF | 2.00 |
| | 45,015 FF | |
| Total Reductions | 141,151 | 2.00 |
| | 0 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 84.00 | 82.00 | | 2.00 |
| | | 84.00 | | 0.00 |
| Special Fund | 5,214,466 | 5,118,330 | 96,136 | |
| | | 5,214,466 | 0 | |
| Federal Fund | 6,013,184 | 5,968,169 | 45,015 | |
| | | 6,013,184 | 0 | |
| Total Funds | 11,227,650 | 11,086,499 | 141,151 | |
| | | 11,227,650 | 0 | |

Amendment No.

29

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan

Add the following language to the special fund appropriation:

Further provided that \$4,590,000 of this appropriation made for the purpose of capital development projects in State parks under the Natural Resources Development Fund may not be expended for that purpose but instead may be used only for completion of construction and equipping of renovations to the Patterson Center at the Jefferson Patterson Park and Museum. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

K00A

Explanation: The fiscal 2021 capital budget bill includes \$4,590,000 in general obligation (GO) bond authorization for the Patterson Center Renovations project in the Maryland Department of Planning. This action restricts Natural Resources Development Fund funding in the Department of Natural Resources' pay-as-you-go operating budget appropriation for this purpose instead as authorized in Section 5-903(g)(1) of the Natural Resources Article. This allows for the \$4,590,000 GO bond authorization to be repurposed.

Amendment No. **30**

Committee Narrative

Natural Resources Development Fund and the Critical Maintenance Program Capital Improvement Program: The committees are concerned about the impact of the inclusion of large unplanned projects on the ability of the Natural Resources Development Fund to provide for amenities at the Department of Natural Resources' (DNR) facilities and the Critical Maintenance Program to reduce the project and funding backlog. Therefore, the committees request that DNR and the Department of Budget and Management (DBM) continue to develop a capital improvement program for the Natural Resources Development Fund and the Critical Maintenance Program that is updated to conform with the statewide 2021 Capital Improvement Program. DNR's capital improvement program shall include project estimates of planning, construction, and equipment funding by fiscal year for all projects; project prioritizations; explanations for any changes in project scheduling or amount; and a general depreciation schedule for DNR's facilities. The narrative shall be submitted with the fiscal 2022 budget submission.

| Information Request | Authors | Due Date |
|---|------------|-------------------------------|
| Natural Resources Development Fund and the Critical Maintenance Program capital improvement program | DNR DBM | Fiscal 2022 budget submission |

K00A

Budget Amendments

CHESAPEAKE AND COASTAL SERVICE

K00A14.01 Waterway Capital

Amend the following language to the special fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of waterway improvement capital projects may not be expended for that purpose but instead may be used only for the following project in the following specified amount:

- (1) \$250,000 for a nonmatching fund grant for replenishment of the Cape St. Claire Beach.

Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This action restricts Waterway Improvement Program funding in the Department of Natural Resources' pay-as-you-go operating budget appropriation for one project.

K00A14.02 Chesapeake and Coastal Service

Add the following language to the special fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of administration may not be expended until the Department of Natural Resources submits the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans as required by Section 8-2A-03 of the Natural Resources Article. The work plan shall identify the planned work to be funded with money from the Trust Fund for fiscal 2022, including annual nutrient and sediment reduction targets, performance measures, and accountability criteria. The expenditure plan shall identify planned expenditures for the work plan and include an accounting of all money distributed from the Trust Fund in fiscal 2020. The report shall be submitted with the fiscal 2022 budget submission, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: This language restricts funding in the Department of Natural Resources (DNR) pending the submission of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans as required by § 8-2A-03 of the Natural Resources Article.

K00A

| Information Request | Author | Due Date |
|--|--------|-------------------------------|
| Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans | DNR | Fiscal 2022 budget submission |

| | | |
|--|--------------|------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Abolish a vacant position in the Chesapeake and Coastal Service. PIN 224528 has been vacant for more than a year. | 59,828 SF | 1.00 |
| Total Reductions | 59,828 | 1.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 67.00 | 66.00 | | 1.00 |
| General Fund | 2,040,990 | 2,040,990 | 0 | |
| Special Fund | 59,830,874 | 59,771,046 | 59,828 | |
| Federal Fund | 9,324,013 | 9,324,013 | 0 | |
| Total Funds | 71,195,877 | 71,136,049 | 59,828 | |

Committee Narrative

Summary of Chesapeake Bay Restoration Spending: The budget committees request that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide a report on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the report is as follows: Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2020 actual, fiscal 2021 working appropriation, and fiscal 2022 allowance to be included as an appendix in the fiscal 2022 budget volumes and submitted electronically in disaggregated form to DLS.

K00A

| Information Request | Authors | Due Date |
|---|-------------------|-------------------------------|
| Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration | DBM DNR MDE | Fiscal 2022 budget submission |

L00A
Department of Agriculture

Committee Narrative

OFFICE OF THE SECRETARY

L00A11.01 Executive Direction

Maryland's Agricultural Strategic Plan Implementation: The budget committees appreciate the submission of Maryland's agricultural strategic plan and understand that there are ongoing stakeholder discussions about implementation of the plan. The budget committees request that the Maryland Department of Agriculture (MDA) submit a report on the status of these discussions, including any information about action items, responsible parties, and implementation status. The report is requested to be submitted by December 1, 2020.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Maryland's agricultural strategic plan implementation | MDA | December 1, 2020 |

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.10 Marketing and Agriculture Development

Dairy Industry Status Report: The budget committees are concerned that the dairy industry in Maryland is facing the dual challenge of low milk prices and high feed costs. Therefore, the budget committees request that the Maryland Department of Agriculture (MDA) submit a report on the overall status of the dairy industry in Maryland including the number of farms, milk production in million pounds, and average milk price for calendar 2015 through 2020; and what actions are being taken to mitigate the concerns of low milk price and high feed cost. In addition, the budget committees request that the report include the following calendar 2019 and 2020 measures by month for the Dairy Margin Coverage Program: all milk prices in dollars per hundredweight; feed cost for the program in dollars per hundredweight; the milk margin above the feed cost; and the Maryland dairy farmer payment with \$9.50 protection. The report is requested to be submitted by January 1, 2021.

| Information Request | Author | Due Date |
|------------------------------|---------------|-----------------|
| Dairy industry status report | MDA | January 1, 2021 |

L00A

Budget Amendments

L00A12.20 Maryland Agricultural and Resource-Based Industry Development Corporation

Add the following language to the general fund appropriation:

, provided that contingent on the enactment of SB 985 or HB 1488, \$140,000 of this appropriation made for the purpose of making grants to or providing equity investment financing for agricultural and resource-based businesses may not be expended by the Maryland Agricultural and Resource-Based Industry Development Corporation for that purpose but instead may be transferred only by budget amendment to the Maryland Department of Agriculture, program L00A12.10 Marketing and Agriculture Development for the hiring of two staff and equipping of the Office of the Certified Local Farm Enterprise Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: SB 985 and HB 1488 have been introduced in the 2020 legislative session to establish the Office for the Certified Local Farm Enterprise Program. The legislation requires the Maryland Department of Agriculture to create 2 positions to provide staff for the Office for the Certified Local Farm Enterprise Program. The Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) is specified as the administrator of the Certified Local Farm Enterprise Food Aggregation Grant Fund – also established by the legislation. This action restricts MARBIDCO funding for the hiring of two staff and equipping of the Office of the Certified Local Farm Enterprise Program.

OFFICE OF RESOURCE CONSERVATION

L00A15.02 Program Planning and Development

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funding for the Animal Waste Technology Fund. The funding was budgeted as being supported by Strategic Energy Investment Fund special funds that were a condition of approval for the Exelon/Constellation merger. This funding is not available for this purpose, so the special fund appropriation is unnecessary. | 1,500,000 SF | |
| Total Reductions | 1,500,000 | 0.00 |

L00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-----------------------------|-------------------------------|
| Position | 4.00 | 4.00 | | 0.00 |
| General Fund | 354,131 | 354,131 | 0 | |
| Special Fund | 1,892,126 | 392,126 | 1,500,000 | |
| Federal Fund | 1,050,000 | 1,050,000 | 0 | |
| Total Funds | 3,296,257 | 1,796,257 | 1,500,000 | |

Committee Narrative

L00A15.04 Resource Conservation Grants

Office of Resource Conservation Grants Funding Report: The budget committees are concerned that there is insufficient information in the support materials provided with the fiscal 2021 budget to determine the grant funding in the Maryland Department of Agriculture's (MDA) Office of Resource Conservation. Therefore, the budget committees request that MDA submit a report on the Office of Resource Conservation grant funding levels for the fiscal 2021 working appropriation and fiscal 2022 allowance by fund and fund source including, but not limited to, the following grants: Manure Transport Program; Cover Crop Program; Animal Waste Technology Fund; Conservation Reserve Enhancement Program; Phosphorus Management Tool; grants to farmers; and agricultural technical assistance to soil conservation districts. The report is requested to be submitted with the fiscal 2022 budget submission.

| Information Request | Author | Due Date |
|---|---------------|-------------------------------|
| Office of Resource Conservation grants funding report | MDA | Fiscal 2022 budget submission |

M00A01
Maryland Department of Health
Office of the Secretary

Budget Amendments

M00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purposes of executive direction may not be expended until the Maryland Department of Health submits a report to the budget committees on the administrative services organization transition and estimated payments made during the transition. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 Maryland Department of Health (MDH) transition to a new Administrative Services Organization (ASO), effective January 1, 2020, found many providers unable to register, submit claims, or receive proper reimbursements. MDH's short-term solution for providers is to issue estimated payments based on calendar 2019 services until April 20, 2020, when the new ASO will hopefully be ready to process claims. This language restricts funding from the MDH Secretary budget until a report is submitted detailing the full scope of the estimated payments issued during this period of transition. *This report should also address progress made on the ASO functionality and client-access issues that may have resulted from the ASO transition. Further, the report should include the process for reconciliation of estimated payments to providers, inconsistencies between provider claims records and MDH's, and financial impacts experienced by providers during this transition period.*

| Information Request | Author | Due Date |
|------------------------------|---------------|-----------------|
| Report on estimated payments | MDH | July 1, 2020 |

M00A01.02 Operations

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funding for Local Health Improvement Coalitions to be replaced with special funds from the Community Health Resource Commission. | 1,000,000 | GF |
| Total Reductions | 1,000,000 | 0.00 |

M00A01

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-----------------------------|-------------------------------|
| Position | 217.00 | 217.00 | | 0.00 |
| General Fund | 22,942,958 | 21,942,958 | 1,000,000 | |
| Special Fund | 10,834 | 10,834 | 0 | |
| Federal Fund | 9,284,514 | 9,284,514 | 0 | |
| Total Funds | 32,238,306 | 31,238,306 | 1,000,000 | |

Committee Narrative

M00A01.07 MDH Hospital System

Apprenticeship Program at State Facilities: The budget committees are interested in the opportunity for apprenticeship programs at the State-run facilities, including those for developmentally disabled patients, psychiatric patients, and those with chronic care needs. The budget committees request that the Maryland Department of Health (MDH) submit a report detailing the opportunities for creating a pilot apprenticeship program at the State facilities. The report should give consideration to the following aspects of a potential apprenticeship program:

- combinations of facilities, colleges, and other training providers that would make the best partnerships for this program;
- occupations that would be best suited for apprenticeships;
- costs of operating the program and potential benefits gained through recruitment and retention of State employees; and
- obstacles to creating and scaling apprenticeships.

MDH's report should also address compensation plans, including participation in the State's employee pension system. The report should be submitted by October 1, 2020.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Opportunities for creating apprenticeship programs in State facilities | MDH | October 1, 2020 |

M00F
Maryland Department of Health
Public Health Administration

Budget Amendments

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Strike the following language:

~~, provided that \$800,000 of this appropriation made for the purpose of supporting the Maryland Primary Care Program Project Management Office shall be reduced contingent on the enactment of HB 152 or SB 192 authorizing the use of special fund balance from the Maryland Board of Physicians for this purpose.~~

~~**Explanation:** This language adds a contingent reduction of \$800,000 in general funds for the Maryland Primary Care Program Management Office. The reduction is contingent on HB 152 or SB 192 (the Budget Reconciliation and Financing Act of 2020) authorizing the use of special fund balance from the Maryland Board of Physicians for the Maryland Primary Care Program.~~

Amendment No. **31**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. <i>Reduce general funds for administrative costs related to the Maryland Primary Care Program.</i> | 1,000,000 | GF |
| <i>Total Reductions</i> | 1,000,000 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| <i>Position</i> | 93.50 | 93.50 | | 0.00 |
| <i>General Fund</i> | 10,463,045 | 9,463,045 | 1,000,000 | |
| <i>Special Fund</i> | 408,570 | 408,570 | 0 | |
| <i>Federal Fund</i> | 8,478,607 | 8,478,607 | 0 | |
| Total Funds | 19,350,222 | 18,350,222 | 1,000,000 | |

Amendment No. **32**

M00F

Committee Narrative

OFFICE OF POPULATION HEALTH IMPROVEMENT

M00F02.07 Core Public Health Services

Local Health Department Formula Funding: Section 2-302 of the Health – General Article mandates formula funding for Core Public Health Services (funding for local health departments (LHD)) with an annual adjustment factor set to inflation and population growth. The formula, as currently written in statute, does not account for ongoing expenditures related to annual general salary increases, salary increments, or health insurance costs. Further, the data required to calculate the formula increase is difficult to get on a timely basis during budget development.

Due to variations in how the base and adjustment factor have been calculated in prior fiscal years, the budget committees are concerned that the formula has been applied inconsistently. The budget committees request that the Maryland Department of Health (MDH), in consultation with LHDs and the Department of Budget and Management (DBM), submit a report by October 1, 2020, clarifying the prior year LHD funding that should be included in the base and how the annual adjustment factor compared to actual LHD expenditure change in fiscal 2018 through 2020, actual non-State LHD expenditures by jurisdiction and State funding outside of the mandated formula funding by jurisdiction allocated to LHDs in fiscal 2018 through 2020, and any recommendations to change the formula.

| Information Request | Authors | Due Date |
|-------------------------------|----------------|-----------------|
| Report on LHD formula funding | MDH DBM | October 1, 2020 |

M00F03
Maryland Department of Health
Prevention and Health Promotion Administration

Budget Amendments

M00F03.04 Family Health and Chronic Disease Services

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete federal funds due to double budgeted expenditures under the Special Supplemental Nutrition Program for Women, Infants, and Children. | 9,851,721 FF | |
| Total Reductions | 9,851,721 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 174.60 | 174.60 | | 0.00 |
| General Fund | 43,843,449 | 43,843,449 | 0 | |
| Special Fund | 51,357,874 | 51,357,874 | 0 | |
| Federal Fund | 157,735,715 | 147,883,994 | 9,851,721 | |
| Total Funds | 252,937,038 | 243,085,317 | 9,851,721 | |

M00F05
Maryland Department of Health
Office of the Chief Medical Examiner

Committee Narrative

M00F05.01 Post Mortem Examining Services

Office of the Chief Medical Examiner Accreditation and Staffing: The Office of the Chief Medical Examiner (OCME) was placed on provisional accreditation status in May 2018 due to the cases examined per medical examiner exceeding accreditation limits. Although the office corrected this violation for the July 2019 inspection, the office was again put on provisional status due to a physical hazard caused by a leak in the roof of its facility. Recent vacancies, including the chief medical examiner position, also cause concern for the OCME accreditation status moving forward. The committees request that the Maryland Department of Health (MDH) provide:

- an update on OCME’s accreditation status following the expiration of its current provisional status in May 2020;
- an update on the roof repair project, including project costs, funding sources, and completion date;
- information on the use of per diem pathologists to assist in meeting caseload standards, including year-to-date expenditures;
- the status of filling vacant medical examiner positions; and
- information on new efforts to increase staffing to ensure that OCME can return to or maintain full accreditation in the future.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on OCME accreditation and staffing | MDH | October 1, 2020 |

M00L
Maryland Department of Health
Behavioral Health Administration

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH

M00K01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purposes of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees detailing quality measures available for the treatment of specialty behavioral health services in the public behavioral health system. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the 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: Growth trends in the Public Behavioral Health System (PBHS) in recent years have caused concerns regarding the appropriateness of the care settings and the quality of care being provided in PBHS. This language requests that the Behavioral Health Administration (BHA) compile a report on potential quality measures that would be available and useful to ensure that Marylanders in PBHS are receiving high-quality specialty behavioral health services in the most appropriate settings.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Quality and performance measures in PBHS | BHA | October 1, 2020 |

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purposes of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees detailing the increase in psychiatric rehabilitation program expenditures and utilization. The report shall also include reasons for the significant growth in psychiatric rehabilitation program expenditures, utilization, and providers. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

M00L

Explanation: Increases in psychiatric rehabilitation program (PRP) expenditures have caused the need for a deficiency appropriation in fiscal 2020. If the current growth trend continues, PRP spending could be the main cause of future budget shortfalls. This language requests that the Behavioral Health Administration (BHA) submit a report on the increases in PRP expenditures and utilization.

| Information Request | Author | Due Date |
|---|--------|------------------|
| Causes for the increase in PRP expenditures | BHA | December 1, 2020 |

M00L01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of program direction may not be expended until the Maryland Department of Health submits a report to the budget committees on Assertive Community Treatment. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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 budget committees are interested in Assertive Community Treatment (ACT), an evidence-based practice designed to serve high-risk individuals and reduce unnecessary hospital utilization, and the evaluation of these programs. The Maryland Department of Health (MDH) has been planning to transition from the Dartmouth Assertive Community Treatment Scale (DACTS) to the Tool for Measurement of Assertive Community Treatment (TMACT). These scales are used for measuring ACT teams on fidelity to the ACT model. The budget committees request a timeline for moving from DACTS to TMACT. The report should also discuss any incentives, assistance, or other programs planned for providers to ensure compliance with new TMACT standards.

| Information Request | Author | Due Date |
|-------------------------------------|--------|-------------------|
| Report on ACT measurement standards | MDH | September 1, 2020 |

Amendment No.

33

M00L

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purposes of program direction may not be expended until the Maryland Department of Health submits a report to the budget committees on substance use residential treatment funding limitations. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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 Maryland Department of Health's (MDH) Medical Assistance program (Medicaid) limits substance use disorder (SUD) residential treatment reimbursement to two nonconsecutive 30-day stays within a calendar year. The ability to bill Medicaid for these services and receive federal fund reimbursement is through an 1115 waiver from the federal government. The budget committees are interested in aligning residential treatment reimbursements with clinic best practices and request that MDH submit a report on SUD residential treatment. This report should address medical findings for best practices in length and frequency of treatment as well as possible opportunities to seek waivers to expand treatment. Further, the report should include timelines for seeking adjustments or revisions to the Medicaid reimbursement policies for SUD residential treatment.

| Information Request | Author | Due Date |
|---|---------------|-------------------|
| Report on SUD treatment limitations in the Medicaid program | MDH | September 1, 2020 |

Amendment No.

34

M00L01.02 Community Services

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for substance use disorder treatment, uninsured treatment, or other community service grants for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

M00L

M00L01.03 Community Services for Medicaid State Fund Recipients

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for Medicaid State Funded Mental Health Services for that purpose or for provider reimbursements in M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

M00M
Maryland Department of Health
Developmental Disabilities Administration

Budget Amendments

M00M01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation may not be expended until the department submits a report to the budget committees including recommendations for expanded uses of the Waiting List Equity Fund, an estimate for the number of individuals on the waiting list for community services that would be served under the expanded uses, a timeline for when the agency plans to propose amendments to the statute establishing the fund, and a timeline for spending down the current balance in the fund. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the 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 a report is not submitted.

Explanation: At the close of fiscal 2019, the Waiting List Equity Fund (WLEF) had a balance of over \$8.0 million. The committees are concerned that the growing fund balance can be used more effectively to provide services for more individuals on the waiting list for community services. The Maryland Department of Health (MDH) has indicated that it worked with stakeholders to develop specific recommendations for changes in the allowable use of the WLEF and planned to propose a change in the statutory and regulatory authority of the fund. However, the department has not provided concrete recommendations or any analysis for the number of individuals who would be served.

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| Report on WLEF uses | MDH | October 1, 2020 |

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation may not be expended until the department submits two reports to the budget committees providing updates on the agency's implementation of the new functionalities on the Long Term Services and Supports (LTSS) system and community service provider rate structure. The first report shall be submitted by June 1, 2020, and shall include descriptions of the finalized rates, any phase-in decisions, any bridge funding availability, a provider impact analysis based on the final rates, a State budgetary impact based on the final rates, the findings of the LTSS pilot, the corrections applied to the LTSS system as a result of the pilot, and the timeline for meeting the federal electronic-visit verification requirement. The second report shall be submitted by October 1, 2020, and shall provide updates on the final operationalized rates; the number of providers, individuals, and service types

M00M

transitioned to the LTSS system; the number of providers, individuals, and service types that have not transitioned and a timeline for when they will switch systems; the initial impact of new rates on providers; the initial impact of new rates on community services spending; agency spending on bridge funding and the process the agency will use to recoup any overpayments; any defects or issues with the billing and reimbursement functionality of LTSS; any defects or issues with the service authorization functionality of LTSS and service authorization process overall; and the progress in meeting the electronic-visit verification requirement. The budget committees shall have 45 days from the date of receipt of the reports to review and comment. Funds restricted pending the receipt of both reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if both reports are not submitted.

Explanation: The Maryland Department of Health (MDH) is simultaneously transitioning community service program under the Developmental Disabilities Administration to new functionality on the State's LTSS system, a fee-for-service reimbursement model with new rates, and new community-based services. The department plans to begin implementation in July 2020 but has not announced a comprehensive implementation plan that outlines the final rates, how these rates will be applied, and how a phased-in approach may take place, among other considerations.

| Information Request | Author | Due Date |
|-------------------------------------|--------|---------------------------------|
| New rate and LTSS transition report | MDH | June 1, 2020 October 1, 2020 |

M00M01.02 Community Services

Add the following language:

Provided that \$26,507,537 in general funds, \$140,261 in special funds, and \$23,651,144 in federal funds of this appropriation made for the purpose of a 4% community service provider rate increase may only be used to adjust the rates for all community services to a level 4% higher than the rates in effect as of March 1, 2020. Notwithstanding this requirement, the rates for community services provided to individuals in the Long Term Services and Supports pilot program may increase by more than 4%. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled.

Explanation: Chapters 10 and 11 of 2019 mandate an annual 4% provider rate increase beginning in fiscal 2021 across all community services funded by the Developmental Disabilities Administration (DDA). This language restricts funds for that purpose. However, the rates for community services provided to individuals in the Long Term Services and Supports pilot program may still receive a rate increase higher than 4% as deemed necessary by DDA.

M00M

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Reduce the general fund appropriation for the Quality Improvement Organization services contract in anticipation of an enhanced federal fund match.</i> | 461,354 | GF |
| <i>Total Reductions</i> | 461,354 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|----------------------|----------------------|-------------------------|---------------------------|
| <i>Position</i> | 118.50 | 118.50 | | 0.00 |
| <i>General Fund</i> | 722,395,870 | 721,934,516 | 461,354 | |
| <i>Special Fund</i> | 6,146,790 | 6,146,790 | 0 | |
| <i>Federal Fund</i> | 644,463,564 | 644,463,564 | 0 | |
| <i>Total Funds</i> | 1,373,006,224 | 1,372,544,870 | 461,354 | |

Amendment No.

35

Committee Narrative

Person-centered Planning Performance Measures: The Maryland Department of Health (MDH) is integrating the service authorization and person-centered planning process on the agency's integrated care management system, known as Long Term Services and Supports (LTSS). These plans must be authorized at least once every 12 months, and more often if changes in an individuals' services are necessary. Due to the workflow and multiple approvals needed at different stages to authorize a person-centered plan, it is possible that delays and backlogs in this process could cause issues in individuals receiving approval for services. The budget committees request that MDH include goals, objectives, and performance measures related to the processing and timing of person-centered plans in its fiscal 2022 Managing for Results submission.

| Information Request | Author | Due Date |
|--|---------------|--|
| Performance measures related to person-centered planning | MDH | With the submission of the fiscal 2022 allowance |

M00M

Transitioning Youth Placements: *The budget committees are concerned that individuals who are eligible for adult services funded by the Maryland Department of Health (MDH) Developmental Disabilities Administration (DDA) are not starting these services in a timely manner after aging out of youth services. The budget committees request that DDA submit a report by October 1, 2020, including:*

- *the number of transitioning youth referred to DDA who have exited the State educational system, have not received approval for DDA funding since exiting, and/or have not begun DDA-funded services (aggregated by fiscal year from fiscal 2018 to 2021 year to date);*
- *a list of reasons that transitioning youth who exited the State educational system and were referred to DDA in fiscal 2018 through 2021 year to date have not begun to receive DDA-funded services;*
- *barriers and delays that have prevented transitioning youth from receiving approval and placement into DDA-funded services;*
- *DDA's plan to ensure that services for transitioning youth are approved and provided in a timely manner for individuals who exit the educational system in fiscal 2021; and*
- *a timeline and necessary steps to ensure that all transitioning youth who are deemed eligible for DDA-funded services throughout fiscal 2021 are able to begin services by July 1, 2021.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|------------------------|
| <i>Report on transitioning youth placements</i> | <i>MDH</i> | <i>October 1, 2020</i> |

M00Q01
Maryland Department of Health
Medical Care Programs Administration

Budget Amendments

M00Q01.02 Office of Enterprise Technology – Medicaid

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------------------|-------------------------|
| 1. Increase turnover to 9%. The budgeted turnover rate is 7.7%. The most recent vacancy rate in the Administration is 11.2%. The reduction is taken in the Office of Enterprise Technology but may be allocated across the Administration as appropriate. | 207,000 GF 414,000 FF | |
| Total Reductions | 621,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 90.00 | 90.00 | | 0.00 |
| General Fund | 4,606,745 | 4,399,745 | 207,000 | |
| Federal Fund | 12,866,098 | 12,452,098 | 414,000 | |
| Total Funds | 17,472,843 | 16,851,843 | 621,000 | |

M00Q01.03 Medical Care Provider Reimbursements

Add the following language:

All appropriations provided for program M00Q01.03 Medical Care Provider Reimbursements are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: The annual budget bill language restricts Medicaid provider reimbursements to that purpose.

M00Q01

Amend the following language to the general fund appropriation:

Further provided that ~~\$10,000,000~~ \$20,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation ~~reducing~~ increasing the Medicaid Deficit Assessment for fiscal 2021.

Explanation: *The language increases the general fund reduction from \$10.0 million to \$20.0 million contingent on legislation increasing available funding from the Medicaid Deficit Assessment.*

Amendment No.

36

Add the following language to the general fund appropriation:

Further provided that \$750,000 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the transfer of a like amount of special funds from the Board of Pharmacy Fund.

Explanation: The language makes a reduction to funding to support an increase in rural pharmacy dispensing fees contingent on legislation authorizing a transfer from the Board of Pharmacy Fund to backfill the reduction.

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|------------------------------------|------------------|
| 1. Reduce general funds in the nonemergency transportation program to align with the most recent federal fund participation rate in that program. | 3,900,000 | GF |
| 2. <i>Reduce general funds based on the availability of special funds from the Cigarette Restitution Fund.</i> | 4,500,000 | GF |
| 3. Reduce funding based on expectations of revenues received as a result of improved auditing of hospital claim payments. This reduction is based on the Maryland Department of Health's response to a recent audit finding noting that few audits of hospital claims were done since 2007 to ensure that Medicaid was not paying for services that were not provided, medically necessary, or were not appropriately priced. | 3,000,000 | GF |
| Total Reductions | 6,900,000 11,400,000 | |

M00Q01

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|----------------------|---|--|---------------------------|
| General Fund | 3,178,930,546 | 3,172,030,546 3,167,530,546 | 6,900,000 11,400,000 | |
| Special Fund | 882,296,805 | 882,296,805 | 0 | |
| Federal Fund | 5,848,171,206 | 5,848,171,206 | 0 | |
| Total Funds | 9,909,398,557 | 9,902,498,557 9,897,998,557 | 6,900,000 11,400,000 | |

Amendment No.

37

Add the following language to the special fund appropriation:

. provided that authorization is hereby provided to process a special fund budget amendment of up to \$4,500,000 from the Cigarette Restitution Fund to support Medicaid provider reimbursements.

Explanation: The language authorizes the transfer of up to \$4.5 million from the Cigarette Restitution Fund to support Medicaid reimbursements. This transfer is related to a reduction of a like amount of special funds for nonpublic schools.

Amendment No.

38

Committee Narrative

Baltimore City Capitation Project: In the 2019 interim, the Maryland Department of Health (MDH) undertook a review of the Baltimore City Capitation Project, a program serving individuals with severe and persistent mental illness in Baltimore City. The review was done in the context of possible expansion of the program. The report noted the need for additional research prior to making such a decision. The committees remain interested in the potential to expand the program and request that MDH investigate service utilization changes by recent program enrollees; determine what group would most benefit from the program; assess whether more variation in capitated rates is needed; determine how many providers could assume the risk associated with a capitated program, even one with limits on risk such as the current program, including an analysis of how the program could expand geographically based on that risk assessment; and track State-only costs that were not part of the original analysis.

M00Q01

| Information Request | Author | Due Date |
|-----------------------------------|--------|-------------------|
| Baltimore City Capitation Project | MDH | November 15, 2020 |

Hepatitis C Treatment in the HealthChoice Program: In January 2020, the Maryland Department of Health (MDH) removed fibrosis restrictions for accessing new Hepatitis C therapies. The committees are interested in the result of this change on the extent of Hepatitis C treatment, treatment adherence, and cost in the HealthChoice program. The information should provide detail by individual managed care organization.

| Information Request | Author | Due Date |
|-----------------------|--------|------------------|
| Hepatitis C treatment | MDH | January 15, 2021 |

Community First Choice Program Financial Data: Spending under the Community First Choice (CFC) program is expected to approach \$400 million in fiscal 2021. In order to better forecast future growth in the program, the committees request that the Maryland Department of Health (MDH) submit quarterly reports on spending in CFC. The reports should include monthly enrollment, utilization, and cost data that can be used to support actual budget expenditures under the program. The initial report should include data that reconciles to actual spending in fiscal 2018 through 2020.

| Information Request | Author | Due Date |
|---------------------|--------|------------------------------------|
| CFC financial data | MDH | Quarterly beginning August 1, 2020 |

Medicaid Business Processes and Organization Structure: In July 2018, Medicaid hired a consulting firm to review its existing business processes and organizational structure and to make recommendations for improvement. The resulting report released in December 2018 contained a wide-ranging set of options for improvement around eligibility decisions, internal organization, cost-saving and revenue enhancement proposals, and minority health and health disparities. The committees are interested in an updated timeline of the implementation of recommendations that the Maryland Department of Health (MDH) is pursuing.

| Information Request | Author | Due Date |
|--|--------|-----------------|
| Medicaid business process and organization structure changes | MDH | October 1, 2020 |

M00Q01

Impact of Health Services Cost Review Commission-led Programs on Medicaid Dual Eligibles: Medicaid spending on dual-eligible enrollees (enrollees eligible for Medicaid and Medicare) is disproportionate to enrollment. The Maryland Department of Health (MDH) has investigated various efforts to substantially reform service delivery for these individuals but has not implemented them. Rather, MDH has adopted an approach of monitoring how programs utilized by the Health Services Cost Review Commission (HSCRC) under the Total Cost of Care model can benefit Medicaid spending on the duals. The committees are interested in a report on what programs are being utilized by the duals and the benefits accruing to Medicaid.

| Information Request | Authors | Due Date |
|----------------------------------|--------------|-------------------|
| Medicaid dual-eligible enrollees | MDH HSCRC | November 15, 2020 |

Delivery of Medicaid Dental Services: Since 2009, a single statewide dental Administrative Services Organization (ASO) has overseen services for the Maryland Medicaid Healthy Smiles Dental Program. ASO is responsible for credentialing, billing, and dental provider issues. The current ASO contract is set to expire at the end of calendar 2020. The Maryland Department of Health (MDH) is currently working on a Request for Proposals for a new ASO contract.

Across the states, there are different models for delivering dental services, including dental services being carved into managed care (as they were in Maryland before 2009) or carved out; and, for carved out services, delivered using an ASO model or through an independent managed care organization.

Although it appears that MDH is committed to the ASO model for the immediate future, the budget committees are interested in learning about the advantages and disadvantages of the various service delivery models in place for dental services. The budget committees request that MDH, in coordination with interested stakeholders, review the different models used by states for dental services, in particular the use of an independent managed care organization. In that review, MDH should look specifically at performance in delivering quality dental care, cost versus the current ASO model in place in Maryland, and how states have been able to expand dental services with savings generated by changing service delivery models.

| Information Request | Author | Due Date |
|--------------------------------------|--------|------------------|
| Delivery of Medicaid dental services | MDH | December 1, 2020 |

M00Q01

Enteral Nutrition: The budget committees are concerned that the current reimbursement methodology for enteral nutrition (tube feeding) does not cover the costs associated with providing enteral nutrition services. The budget committees request that the Maryland Department of Health (MDH) develop a reimbursement methodology to cover the costs associated with enteral nutrition services. MDH is requested to submit a report detailing the revised methodology and the extent of funding that would be provided under the revised methodology compared to the existing reimbursement rate.

| Information Request | Author | Due Date |
|---|--------|--------------|
| Reimbursement methodology for enteral nutrition | MDH | July 1, 2020 |

Budget Amendments

M00Q01.08 Major Information Technology Development Projects

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce funding for the Medicaid Management Information System II replacement information technology development project based on expectations of program spending in fiscal 2020 and 2021. A general fund reduction of \$1.0 million is proposed in the Department of Information Technology budget. | 5,000,000 FF | |
| Total Reductions | 5,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Federal Fund | 78,301,291 | 73,301,291 | 5,000,000 | |
| Total Funds | 78,301,291 | 73,301,291 | 5,000,000 | |

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted or canceled.

M00Q01

Explanation: This language restricts the entire appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Funded Recipients or M00L01.02 Community Services.

M00R01
Maryland Department of Health
Regulatory Commissions

Committee Narrative

M00R01.02 Health Services Cost Review Commission

Health Services Cost Review Commission Evaluation of the Maryland Primary Care Program: Given the role of the Maryland Primary Care Program (MDPCP) in transforming care in the State under the Total Cost of Care Model, the budget committees request information on the effectiveness of the program. In particular, this evaluation should focus on cost-savings from MDPCP reducing unnecessary utilization or hospitalization for patients participating in MDPCP over the increased expenditures from provider incentives.

| Information Request | Author | Due Date |
|----------------------------|---|-----------------|
| Evaluation of MDPCP | Health Services Cost Review Commission | October 1, 2020 |

Health Services Cost Review Commission Policy on and Management of Hospital Profits: Given the spending targets under the Total Cost of Care Model and Maryland's regulation of hospitals under global budgets, the committees are interested in how the Health Services Cost Review Commission (HSCRC) intends to manage hospitals that are generating excessive operating profits under regulated rates. HSCRC should submit a report detailing its policy on the appropriate level of hospital profits, detail tools available to regulate hospital profits, and outline future plans to employ these strategies to contain regulated profits.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Policy tools available to HSCRC to constrain excessive hospital profits | HSCRC | October 1, 2020 |

Budget Amendments

M00R01.03 Maryland Community Health Resources Commission

Add the following language to the special fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of community health grants may not be expended for that purpose and instead may be used only to support Local Health Improvement Coalitions. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

M00R01

Explanation: This budget language restricts \$1,000,000 of special funds in the Community Health Resource Commission (CHRC) budget to be used to support Local Health Improvement Coalitions. This action is related to the rejection of a Budget Financing and Reconciliation Act proposal that would reduce the special fund amount available to CHRC from \$8 million to \$4 million.

N00A01
Department of Human Services
Office of the Secretary

Budget Amendments

N00A01.01 Office of the Secretary

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Human Services submits a report to the budget committees that identifies the factors affecting the low proportion of out-of-home placement cases that receive appropriate physical and mental health services and a strategic plan for improving the rate of appropriate services provided to children in out-of-home placements. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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.

Explanation: The budget committees are concerned that just 41% of out-of-home placement cases reviewed were provided with appropriate physical and mental health services in fiscal 2019. This language restricts funds pending receipt of a report describing factors affecting the low proportion of out-of-home placement cases that receive appropriate physical and mental health services and a strategic plan for improving the rate of appropriate services provided to children in out-of-home placements.

| Information Request | Author | Due Date |
|---|------------------------------|-----------------|
| Report on factors affecting services provided to children in out-of-home placements | Department of Human Services | October 1, 2020 |

Amendment No. **39**

Committee Narrative

Factors Affecting Low Social Worker Retention: The budget committees request that the Department of Human Services (DHS) investigate the factors at play affecting low social worker retention rates, including, but not limited, to compensation, work environment, workload, adequacy of staffing, and sufficient opportunities for employee growth. The budget committees also recommend that the department develop a strategic plan for improving social worker retention. The budget committees request that the findings regarding factors affecting low social worker retention and the plan to improve retention be reported to the budget committees on November 1, 2020.

N00A01

| Information Request | Author | Due Date |
|---|--------|------------------|
| Factors affecting low social worker retention | DHS | November 1, 2020 |

Budget Amendments

N00A01.04 Maryland Legal Services Program

Add the following language to the general fund appropriation:

, provided that this appropriation made for the purpose of the Maryland Legal Services Program may be expended only for that purpose. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts the general fund appropriation of the Maryland Legal Services Program (MLSP) to that purpose and, if it is not needed for that purpose, requires that the funds revert to the General Fund. During the fiscal 2013 closeout process, the Department of Human Services recorded an unprovided for payable in the MLSP. That was the second consecutive year an unprovided for payable was recorded and the fourth since fiscal 2007. Given the important functions of the MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last six fiscal years.

N00B
Department of Human Services
Social Services Administration

Budget Amendments

N00B00.04 General Administration – State

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administrative expenses may not be expended until the Department of Human Services (DHS) submits a report to the budget committees on a planned new foster care rate structure including detail on how the provider rates will be calculated, whether the change will impact the availability of federal funds to support foster care payments, and the timeline for implementing the new rate structure. If DHS decides not to proceed with a new foster care rate structure, the report shall instead detail the reason why no change will be made and a planned timeline for consideration of any future changes. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 fiscal 2020 budget of DHS Social Services Administration included funding to support a contract for the development of a new foster care rate structure. DHS reported that it was working with the University of Maryland School of Social Work Institute for Innovation and Implementation and the Hilltop Institute at the University of Maryland Baltimore County on this project. During the 2019 session, DHS indicated that the report would be completed in December 2019 with a plan to begin using this structure for fiscal 2021. Committee narrative in the 2019 Joint Chairmen’s Report requested that DHS provide a copy of this report with submission of the fiscal 2021 budget. DHS did not submit the report as requested with the budget submission, and the fiscal 2021 allowance does not reflect a change in the rate structure. This language restricts funds until DHS submits the report on planned changes to the foster care rate structure and requests that if the department chooses not to proceed with any changes in the rate structure, the report instead explain why it did not move forward with these changes.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Report on planned new foster care rate structure or information on why no changes will be made | DHS | September 1, 2020 |

N00B

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation made for the purpose of recognizing savings from expanded federal fund eligibility for subsidized adoptions may not be expended until the Department of Human Services submits a report detailing the planned use of the funds, including describing specific child welfare activities that will be completed or undertaken with the funds. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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.

Explanation: The fiscal 2021 allowance of the Department of Human Services (DHS) Social Services Administration contains \$2.0 million of general funds in the General Administration – State program as part of a requirement to spend savings that result from expanded federal fund eligibility for subsidized adoptions for child welfare activities. While the department has adequately described the need to spend these savings in response to federal requirements, DHS did not describe the activities that these funds would support. This language restricts half of these funds until DHS submits a report describing what activities these funds will support.

| Information Request | Author | Due Date |
|---------------------------------|--------|--------------|
| Planned use of adoption savings | DHS | July 1, 2020 |

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administrative expenses may not be expended unless the Department of Human Services includes in the fiscal 2022 budget subprogram detail for the fiscal 2020 actual, fiscal 2021 working, and fiscal 2022 allowance that separately identifies payments and anticipated payments by the department for youth in both medical hospitals and psychiatric hospitals that are not covered by Medicaid. The detail shall be submitted with the fiscal 2022 budget, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 detail is not provided.

Explanation: The Department of Human Services (DHS) does not separately identify in the budget placement costs associated with the youth in hospitals for periods in which Medicaid does not cover the placement. As these are costs incurred by DHS and the costs could be significant based on recent lengthy stays beyond medical necessity, the General Assembly is concerned that these costs are not identifiable in the department's budget. This language restricts funds pending inclusion of this information in the fiscal 2022 budget submission.

N00B

| Information Request | Authors | Due Date |
|---|--|--|
| Placement costs for youth in hospital settings incurred by the department | DHS Department of Budget and Management | With the submission of the fiscal 2022 allowance |

Committee Narrative

~~**Hospital Stays by Youth in Out-of-home Placements:** In an effort to monitor whether youth in out-of-home placements are remaining in hospitals beyond the length of time that is deemed medically necessary, the committees request that the Department of Human Services (DHS) provide for each month of the period December 2019 through November 2020:~~

- ~~• the number of youth in out-of-home placements served in hospitals separately by type of hospital;~~
- ~~• the average hospital length of stay for youth in out-of-home placements separately by type of hospital;~~
- ~~• the number of days that these youth were in the hospital longer than was deemed medically necessary by either the hospital or a juridical finding separately by type of hospital;~~
- ~~• the placement type after discharge separately by type of hospital (reunification with the family of origin, kinship placement, family foster home, treatment foster home, group home, residential treatment center, additional hospitalization, or other placements) including identifying the number of youth placed out-of-state after discharge; and~~
- ~~• the dollar amount of payments to hospitals for these youth by DHS and the number of youth for which payments were made separately by type of hospital.~~

~~The report should include information for all youth in the care of the department, regardless of whether the youth entered out-of-home care while in the hospital or prior to entering the hospital.~~

| Information Request | Author | Due Date |
|---|-------------------|----------------------------|
| Hospital stays and post-hospital stay placements | DHS | January 1, 2021 |

N00B

Protecting the Resources of Youth in State Custody Accounts: Chapters 815 and 816 of 2018 reduced the amount of federal benefits received on behalf of youth in foster care that the Department of Human Services (DHS) could use to support the cost of foster care beginning at age 14. The amounts not used for the cost of care were to be conserved. The chapters became effective October 2018. The amounts conserved do not appear in the State budget; however, the committees are interested in continuing to monitor the impact of this legislation on youth in State custody. The committees request that DHS provide information by jurisdiction and month for the period November 2019 through December 2020 on the number of accounts opened on behalf of youth as a result of Chapters 815 and 816 and the number of accounts for which subsequent deposits have been made. The committees also request that the report include information on the average amount conserved in each account by age group specified in the chapters and the total amount conserved in these accounts by age group specified in the chapters.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Accounts/trusts opened and maintained as a result of Chapters 815 and 816 | DHS | January 1, 2021 |

Impact of Vacancies on Child Welfare Outcomes: The budget committees are interested in better understating the impact of the current high vacancy rate on outcomes and other measures of performance related to child welfare. The budget committees are particularly concerned about the impact of social worker position and family services caseworker position vacancies in child welfare on outcomes related to recurrence of maltreatment, rate of victimization per 100,000 days of foster care, reentry into care within 12 months of an exit to reunification, reentry into care within 12 months of an exit to guardianship, and child deaths in which abuse or neglect is determined to be a factor. The budget committees request that the Department of Human Services (DHS) examine and report on the impact of high vacancy rates and low five-year retention rates of these positions on these child welfare outcomes. DHS should also report on how high child welfare caseloads impact the quality of in-home services provided to prevent entry or reentry into care.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Impact of high vacancy rates on child welfare outcomes and quality of services | DHS | November 15, 2020 |

N00B

Child Placement Agency Provider Staffing Concerns: *The budget committees are concerned about the impact of regulatory requirements on the ability of Child Placement Agency providers that contract with the Department of Human Services (DHS) to recruit, hire, and retain staff. The committees request that DHS, in collaboration with the contracted Child Placement Agency providers, evaluate the causes of Child Placement Agency staffing shortages and identify options for addressing the shortage in qualified workers for these providers. The committees request that options considered include reviewing the regulations regarding Child Placement Agency worker qualifications to increase provider flexibility and the potential for implementing hiring incentives. The budget committees request that DHS submit a report describing the findings from the evaluation and recommendations to address the staffing shortages.*

| Information Request | Author | Due Date |
|---|---------------|-------------------------|
| <i>Report on Child Placement Agency worker shortages and options for addressing the shortages</i> | <i>DHS</i> | <i>December 1, 2020</i> |

Outcomes for Foster Youth Who Aged Out of Care: *The budget committees are concerned about whether youth who aged out of foster care are leaving care with appropriate supports in place to ensure a successful transition. The Department of Human Services (DHS) indicates that it will be able to report on data related to these outcomes after care with the implementation of the new information technology system. The committees request that DHS report on:*

- the number and share of youth aging out of care who have a stable place to live and who do not have a stable place to live in the first year after exit;*
- the number and share of youth aging out of care who are participating or have participated in employment and training programs, including the number who completed programs; and*
- the number and share of youth aging out of care who are attending colleges and universities, including both community colleges and four-year institutions, and who receive the Maryland Tuition Waiver for Foster Care Recipients.*

If possible, DHS should report this data by month for fiscal 2020 and year-to-date fiscal 2021. If monthly data is not reported, DHS should identify the period that the provided data covers.

| Information Request | Author | Due Date |
|--|---------------|--------------------------|
| <i>Report on outcomes for foster youth aging out of care</i> | <i>DHS</i> | <i>December 31, 2020</i> |

N00F00
Department of Human Services
Office of Technology for Human Services

Budget Amendments

N00F00.02 Major Information Technology Development Projects

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce federal funds for Maryland Total Human Services Information NetworK (MD THINK). The available funding for MD THINK through fiscal 2021 is higher than needed to cover planned expenditures, and planned expenditure levels are unlikely to be realized. A companion general fund reduction is made in the Department of Information Technology budget. | 7,500,000 | FF |
| Total Reductions | 7,500,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Federal Fund | 94,771,080 | 87,271,080 | 7,500,000 | |
| Total Funds | 94,771,080 | 87,271,080 | 7,500,000 | |

N00F00.04 General Administration

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Human Services submits a report describing the timeline to completion, including detail for each system, for the Maryland Total Human-services Information NetworK development. The report should also include spending by source over the course of fiscal 2021 and 2022 with monthly milestones to be achieved. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the 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 fiscal 2021 allowance includes a \$66.1 million deficiency for the Maryland Total Human-services Information NetworK (MD THINK) expenditures in fiscal 2020. The total project cost has grown each year. To monitor the use of its appropriation the General Assembly is interested in further monitoring of project spending in addition to schedule and scope updates. This language restricts funding until the Department of Human Services (DHS) submits a timeline of development and spending over the remainder of the project's estimated funding timeline.

N00F00

| Information Request | Author | Due Date |
|--|--------|--------------|
| MD THINK spending and development timeline | DHS | July 1, 2020 |

Committee Narrative

Bimonthly Maryland Total Human-services Information NetworkK Development and Expenditure Updates: The committees request that the Department of Human Services (DHS) provide bimonthly updates including the following information:

- Maryland Total Human-services Information NetworkK (MD THINK) encumbrances/expenditures by project component since the prior report, specifically identifying components supported by other agencies;
- the actual general/federal fund split for each category of expenditures;
- a description of the activities since the prior report;
- an update on the timeline for activities to be completed during the year; and
- a description of any schedule delays, scope changes, or cost increases, including the reason for the delay or changes.

| Information Request | Author | Due Date |
|--|--------|--|
| Bimonthly updates of MD THINK expenditures and development | DHS | July 15, 2020 September 15, 2020 November 15, 2020 January 15, 2021 March 15, 2021 May 15, 2021 |

N00G00
Department of Human Services
Local Department Operations

Budget Amendments

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

Further provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for foster care payments to that use only. This restriction prevents a transfer of general funds to other programs that might create or increase a deficit in spending in the Foster Care Maintenance Payments program (N00G00.01).

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce funds budgeted from Cost of Care Reimbursement that will not be available to support foster care payments. Chapters 815 and 816 of 2018 required that beginning October 1, 2018, a portion of federal benefits received on behalf of youth 14 and older be conserved rather than used for the cost of care. The Department of Human Services has implemented the legislation. However, the fiscal 2021 allowance continues to reflect the level of spending from this source based on levels from prior to the implementation. This action reduces the special fund appropriation for the Cost of Care reimbursement to the level of funds expected to be available for the cost of care after the required funds are conserved. | 1,000,000 SF | |
| Total Reductions | 1,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 209,320,229 | 209,320,229 | 0 | |
| Special Fund | 4,283,046 | 3,283,046 | 1,000,000 | |
| Federal Fund | 74,388,193 | 74,388,193 | 0 | |
| Total Funds | 287,991,468 | 286,991,468 | 1,000,000 | |

N00G00

N00G00.03 Child Welfare Services

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for the Child Welfare Services program to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administrative expenses in Child Welfare Services may not be expended until the Department of Human Services (DHS) submits a report that demonstrates that DHS has reallocated to Baltimore, Carroll, and Prince George's counties the number of caseworker and supervisor positions needed, in combination with existing filled and vacant positions in the jurisdiction, to meet the Child Welfare League of America (CWLA) caseload standards. The report should also include data on the number of cases and positions required based on the caseload to meet the CWLA caseload standards, by jurisdiction, for the following caseload types current within 70 days: intake screening, child protective investigation, consolidated in-home services, interagency family preservation services, services to families with children-intake, foster care, kinship care, family foster care, family foster homes – recruitment and new applications, family foster homes – ongoing and licensing, adoption, interstate compact for the placement of children, and caseworker supervision. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the 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.

Explanation: Maintaining an adequate child welfare workforce is essential to improving the outcomes for children entering the State's care. This language restricts funds until DHS submits a report that demonstrates it has reallocated to Baltimore, Carroll, and Prince George's counties sufficient caseworker and supervisor positions needed to meet CWLA caseload standards and also includes in the report data necessary to determine whether the caseload ratios have been met by jurisdiction. The caseload reports submitted by the department in fiscal 2019 and 2020 have indicated that Baltimore, Carroll, and Prince George's counties did not have enough filled positions to meet these standards on the whole or enough vacant positions that could be filled to allow the jurisdiction to meet the standards.

N00G00

Information Request

Author

Due Date

Report on caseload data and filled positions assigned by jurisdiction for specified caseload types and reallocations of positions to certain jurisdictions

DHS

December 1, 2020

Amendment No.

40

Committee Narrative

~~**Child Welfare Caseload Data:** The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS), on December 1, 2020, report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America (CWLCA) caseload standards, by jurisdiction, for the following caseload types using data current within 70 days:~~

- ~~● intake screening;~~
- ~~● child protective investigation;~~
- ~~● consolidated in-home services;~~
- ~~● interagency family preservation services;~~
- ~~● services to families with children intake;~~
- ~~● foster care;~~
- ~~● kinship care;~~
- ~~● family foster care;~~
- ~~● family foster homes recruitment and new applications;~~
- ~~● family foster homes ongoing and licensing;~~
- ~~● adoption;~~

N00G00

- ~~interstate compact for the placement of children; and~~
- ~~casework supervision.~~

~~The committees also request that DHS discuss the specific actions taken by the department and local departments of social services to reallocate positions to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors. The report should note how many caseworker and supervisor positions were transferred to, transferred from, or reclassified within the jurisdiction or other areas of the department to assist in meeting the caseload standard. DHS should also provide any update on efforts by CWLA to revise or update the caseworker caseload ratio standards.~~

| Information Request | Author | Due Date |
|--|-------------------|-----------------------------|
| Caseload data and filled positions assigned by jurisdiction for specified caseload types and how shortfalls are addressed | DHS | December 1, 2020 |

Budget Amendments

N00G00.08 Assistance Payments

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduced funding for the Supplemental Nutrition Assistance Program (SNAP) to better reflect anticipated spending. The fiscal 2021 allowance includes funding for SNAP at the level of the fiscal 2018 expenditures (\$931.5 million) despite caseload decreases of more than 5%. The fiscal 2019 expenditures in the program were \$885.8 million. This reduction still provides sufficient funding to support an increase in the caseload from the fiscal 2020 year-to-date spending levels. The agency is authorized to process a budget amendment if the spending for the program increases beyond the available remaining appropriation. | 50,000,000 | FF |
| Total Reductions | 50,000,000 | 0.00 |

N00G00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|----------------------|----------------------|-----------------------------|-------------------------------|
| General Fund | 47,610,808 | 47,610,808 | 0 | |
| Special Fund | 6,445,657 | 6,445,657 | 0 | |
| Federal Fund | 1,044,449,048 | 994,449,048 | 50,000,000 | |
| Total Funds | 1,098,505,513 | 1,048,505,513 | 50,000,000 | |

Committee Narrative

Children Served in the Summer Supplemental Nutrition Assistance Program: Chapters 635 and 636 of 2019 created a supplemental benefit for children receiving Supplemental Nutrition Assistance Program (SNAP) in jurisdictions that chose to implement the program. The program was designed to provide \$100 in benefits (\$30 per month in June, July, and August and \$10 in December) per year. Jurisdictions are able to apply for State matching funds, which are based on the Public School Construction matching rate. The chapters mandated \$200,000 in State funds for the program. At this level of funding, only 2,000 children could be served; however, the required local matches will enable additional children to receive the benefit. The participating jurisdictions and the amount of local funds available for the program are unknown, as the approval process is not complete. In June 2019, there were 246,431 children receiving SNAP benefits across Maryland. Given the limited State funding for the program and the lack of information on the amount of local funding available to support the program, the committees request that the Department of Human Services (DHS) provide two reports with the following information:

- the number of children served by jurisdiction;
- the benefit level provided per child by jurisdiction;
- the total funding available for benefits in the program, including local funding by jurisdiction; and
- the number of children in participating jurisdictions that are not able to receive benefits due to insufficient funding by jurisdiction.

The first report should cover the summer portion of the program (June, July, and August), while the second report should cover the winter portion of the program (December).

N00G00

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Children receiving benefits through the Summer SNAP for Children Act | DHS | September 1, 2020 |
| Children receiving benefits through the Summer SNAP for Children Act | DHS | January 15, 2020 |

N00H00
Department of Human Services
Child Support Administration

Budget Amendments

N00H00.08 Child Support – State

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce the federal funding for the Harford County State's Attorneys cooperative reimbursement agreement. The fiscal 2021 budget includes positions and related funding to transfer duties of the State's Attorneys office from Harford County to the State but also includes funding for the cooperative reimbursement agreement. This reduction removes the duplicative funding. | 842,805 FF | |
| Total Reductions | 842,805 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 69.30 | 69.30 | | 0.00 |
| General Fund | 3,164,139 | 3,164,139 | 0 | |
| Special Fund | 11,122,223 | 11,122,223 | 0 | |
| Federal Fund | 30,064,248 | 29,221,443 | 842,805 | |
| Total Funds | 44,350,610 | 43,507,805 | 842,805 | |

Committee Narrative

Baltimore City Office of Child Support Services Performance Report: Child support services in Baltimore City are administered by Veritas HHS, LLC (Veritas) through a privatization contract. In the most recent performance update submitted in response to the 2019 Joint Chairmen's Report, the Department of Human Services (DHS) reported that Veritas was not meeting two of the minimum performance measure goals. The committees request that DHS submit reports on Veritas performance in federal fiscal 2020 and in the first two quarters of federal fiscal 2021. The reports should include:

- best practices and operational procedures being used or modified by Veritas to improve performance;

N00H00

- Baltimore City Office of Child Support Services (BCOCSS) performance measures set against the goals used to determine federal incentive payments;
- BCOCSS performance measures set against the goals set by DHS to determine incentives or liquidated damages;
- any incentives or liquidated damages assessed; and
- a discussion of any changes to the privatization contract and the method used to make the change.

| Information Request | Author | Due Date |
|---------------------|--------|--|
| BCOCSS performance | DHS | October 1, 2020 January 1, 2021 April 1, 2021 June 30, 2021 |

Performance Measures for Temporary Cash Assistance-related Child Support Cases:
Since fiscal 2020, the Department of Human Services (DHS) has passed through a portion of the child support payments collected on behalf of Temporary Cash Assistance (TCA) recipients. The committees request that DHS include annually beginning with the fiscal 2022 Managing for Results submission the average monthly collections for TCA-related cases, the number of families that received passed through collections, the number of children that received passed through collections, the total collections on arrears for TCA-related cases, and the percent of TCA-related cases with a support order.

| Information Request | Author | Due Date |
|--|--------|---|
| Performance measures for TCA-related child support cases | DHS | Annually beginning with the submission of the fiscal 2022 allowance |

Increased Legal Oversight for Baltimore City Office of Child Support Services:
Baltimore City handles 27% of the State's child support cases. Child support services in Baltimore City are administered by Veritas HHS, LLC through a privatization contract. In addition, the State retains State positions in Baltimore City from prior to the privatization. The State positions perform legal/court work that supports enforcement actions. The committees are concerned that these State positions are not overseen by the contractor, which is involved in other enforcement duties. Instead, court workers are overseen by the Assistant Director of the Baltimore City Office of Child Support Services (BCOCSS) that reports to the director, who works in a different building. Generally, legal/court workers and those that oversee legal/court

N00H00

work are located in the same building in other jurisdictions. As at least two of the recent audit findings from the Office of Legislative Audits (OLA) May 15, 2019 fiscal compliance audit may be addressed by greater oversight of legal work, the committees request that the Department of Human Services (DHS) explore ways to reorganize its child support administration in Baltimore City so that positions that perform legal work will have the opportunity for greater coordination with the director. The committees request that DHS submit a report that includes the following:

- *best practices and operational procedures that would address audit findings in the OLA May 15, 2019 fiscal compliance audit;*
- *the feasibility of colocation of the State regular positions in Baltimore City that perform legal work with the director; and*
- *an assessment of the adequacy of oversight for positions that perform legal work statewide.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|-------------------------|
| <i>Report on increased legal oversight for BCOCSS</i> | <i>DHS</i> | <i>November 1, 2020</i> |

N00I00
Department of Human Services
Family Investment Administration

Budget Amendments

N00I00.04 Director's Office

Add the following language to the general fund appropriation:

, provided that since the Department of Human Services (DHS) Family Investment Administration has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$100,000 of this agency's administrative appropriation may not be expended unless:

- (1) DHS has taken corrective action with respect to all repeat audit findings on or before November 1, 2020; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2021.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. Each agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

| Information Request | Author | Due Date |
|---|---------------|-------------------------------------|
| Status of corrective actions related to the most recent fiscal compliance audit | OLA | 45 days before the release of funds |

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of the Director's Office in the Family Investment Administration may not be expended until the Department of Human Services submits a report to the budget committees detailing the impact of recent federal Supplemental Nutrition Assistance Program (SNAP) rule changes. The detail should include for the period January 2020 through November 2020:

N00I00

- (1) the number of able-bodied adults without dependents (ABAWD) separately by jurisdiction and month;
- (2) the number of ABAWDs determined ineligible for benefits due to ABAWD requirements separately by jurisdiction and month; and
- (3) the number of ABAWDs that returned to benefits after complying with the requirements separately by jurisdiction and month.

The report shall also include information on the number of SNAP applicants and recipients who no longer qualify, do not qualify for benefits, or have had their benefits reduced as a result of any finalized federal rule change related to broad-based categorical eligibility or the standard utility allowance. The report shall be submitted by December 15, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 U.S. Department of Agriculture (USDA) finalized changes to the waiver process related to ABAWD requirements in December 2019. The rule changes go into effect on April 1, 2020. Waivers in 13 jurisdictions in Maryland are expected to end at that time, as none of these jurisdictions are expected to qualify for a waiver under the new rules. In addition, in calendar 2019, USDA also proposed rule changes related to the use of broad-based categorical eligibility for eligibility determination and the calculation of the standard utility allowance included in the deductions related to the income and benefit level. The General Assembly is concerned about the impact of these final and proposed rule changes. This language restricts funds in the Family Investment Administration until the Department of Human Services (DHS) provides a report detailing information about the impact of the changes.

| Information Request | Author | Due Date |
|---|--------|-------------------|
| Report on the impact of final and proposed rule changes related to SNAP | DHS | December 15, 2020 |

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|------------------------------------|------------------|
| 1. Delete 1 regular position (PIN 080945) that has been vacant for longer than one year. As of January 1, 2020, the Family Investment Administration had 189.5 vacant positions, including 6 positions that had been vacant for longer than one year. Five of the long-term vacancies are transferred to other areas of the Department of Human Services in the fiscal 2021 | 28,905 GF 2,689 SF 35,628 FF | 1.00 |

N00I00

allowance. This action deletes the remaining long-term vacant position.

| | | |
|------------------|--------|------|
| Total Reductions | 67,222 | 1.00 |
|------------------|--------|------|

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 228.00 | 227.00 | | 1.00 |
| General Fund | 10,002,815 | 9,973,910 | 28,905 | |
| Special Fund | 649,362 | 646,673 | 2,689 | |
| Federal Fund | 31,265,256 | 31,229,628 | 35,628 | |
| Total Funds | 41,917,433 | 41,850,211 | 67,222 | |

Committee Narrative

Performance Data for the Supplemental Nutrition Assistance Program Employment and Training Program: The committees continue to be interested in the participation in and performance of the Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program (E&T), particularly given the changes to the waiver rules related to able-bodied adults without dependents (ABAWD). The committees request that the Department of Human Services (DHS) report on:

- spending by source for fiscal 2020 actual and fiscal 2021 estimates;
- distribution of funds by local department of social services and third-party partner;
- current program offerings, including those by third-party partners, and any planned changes in program offerings;
- performance in the national performance measures for the fourth quarter after completing an employment and training program, including both the total population and ABAWD population for federal fiscal 2018;
- performance in each of the national performance measures, including both the total population and the ABAWD population for federal fiscal 2019;
- performance in the State option measures identified in the State plan for program components serving 100 or more individuals, including both the total population and the ABAWD population for federal fiscal 2019 and, to the extent available, federal fiscal 2020;

N00I00

- participation in SNAP E&T by participant characteristic as defined in the performance measures, including education, gender, age, and ABAWD status for federal fiscal 2020; and
- efforts to increase program participation, particularly for the ABAWD population.

| Information Request | Author | Due Date |
|--|--------|-------------------|
| SNAP E&T participation and performance | DHS | December 31, 2020 |

Employment and Training Program Outcomes: *The budget committees are interested in better understanding the employment and training programs available to customers of the Family Investment Administration. The budget committees request that the Department of Human Services (DHS) provide information on:*

- *the various employment and training (E&T) programs offered by fund source, how those programs are provided to customers, and how the customers transition between employment and training program offerings funded through different sources (for example, how customers move from Work Opportunities programs to Supplemental Nutrition Assistance Program (SNAP) E&T programs);*
- *the restrictions that may apply on comingling of funds between programs funded by various sources and whether that presents a barrier to providing E&T services to customers;*
- *the outcome data tracked by DHS for each type of E&T program, including the Work Opportunities programs, SNAP E&T, and the Noncustodial Parent Employment Program; and*
- *the feasibility for tracking outcomes for periods longer than four quarters after program completion.*

DHS should specifically describe whether the data is collected for outcomes at the jurisdictional level and whether it is collected by program provider. If the data is not currently tracked at the jurisdiction or provider level, the department should develop a plan for tracking outcomes by jurisdiction and provider. The department should also describe how it works with the Maryland Department of Labor in the operation of the programs to ensure that the State has a consistent E&T program across agencies.

N00I00

Information Request

Author

Due Date

Report on outcome tracking for E&T DHS programs

November 1, 2020

N00I00.06 Office of Home Energy Programs

Energy Assistance Application Processing Times: The committees are interested in continuing to monitor the local administering agencies (LAA) energy assistance application processing times. The committees request that the Department of Human Services (DHS) provide by LAA:

- the number of applications received;
- the average number of days to process applications;
- the number of days to process applications; and
- the number and percent of applications processed within 30 days, 55 days, and longer than 60 days.

The report should note the date of the data. The data should be current through November 1, 2020, for the report due December 30 and current through May 1, 2020, for the report due June 30.

Information Request

Author

Due Date

Application processing times

DHS

December 31, 2020

Application processing times

DHS

June 30, 2021

N00I00

Denial Rates for Energy Assistance Applications: *The committees are interested in monitoring the progress on reducing denial rates for energy assistance applications due to missing information. The committees request that the Department of Human Services (DHS) submit a report on:*

- *application denial rates by benefit type (Electric Universal Service Program (EUSP) bill payment, EUSP arrearage assistance, Maryland Energy Assistance Program bill payment, and natural gas arrearage assistance) for the fiscal 2019 actual, fiscal 2020 actual, and year to date in fiscal 2021*
- *most common causes for application denials separately for the bill assistance benefits and arrearage assistance benefit programs;*
- *steps taken by Local Administering Agencies to work with customers to avoid application denials due to missing documentation; and*
- *any changes in policy implemented in recent years or planned to assist in reducing application denial rates for energy assistance benefits.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|--------------------------|
| <i>Report on application denial rates and efforts to reduce denial rates due to missing documentation</i> | <i>DHS</i> | <i>November 30, 2020</i> |

P00
Maryland Department of Labor

Budget Amendments

P00A01.01 Executive Direction

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Increase turnover to 8.2%. The budgeted turnover rate is 7.09%. The most recent vacancy rate in the department is 13.34%. The reduction is taken in Executive Direction but may be allocated across the department as appropriate. | 247,000 | GF |
| 2. The fiscal 2021 allowance includes additional funds over the intended amount for the Clean Energy Jobs Act. This action reduces the funds to the intended level. | 110,328 | SF |
| Total Reductions | 357,328 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 24.00 | 24.00 | | 0.00 |
| General Fund | 12,517,298 | 12,270,298 | 247,000 | |
| Special Fund | 1,715,611 | 1,605,283 | 110,328 | |
| Federal Fund | 3,304,793 | 3,304,793 | 0 | |
| Total Funds | 17,537,702 | 17,180,374 | 357,328 | |

Committee Narrative

Unrecoverable Federal Fund Revenues: The statewide closeout audit confirmed that the Maryland Department of Labor (MDL) has prior year unrecoverable federal fund revenues of \$6,375,000. The committees request a report identifying where in State records this debt is located and detailing a plan to pay down the remaining debt.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on unrecoverable federal fund revenues | MDL | October 1, 2020 |

P00

Providing Our Workers Education and Readiness Apprenticeship Act: The committees request a report on the capital projects that met the standards outlined in the Providing Our Workers Education and Readiness (POWER) Apprenticeship Act (Chapter 782 of 2017), the location of those projects, the number of apprentices that worked on those projects, and the number of contractors or subcontractors that worked on those projects and paid into the Maryland Apprenticeship Training Fund, covering all available data following implementation of the data collection system.

| Information Request | Author | Due Date |
|---|------------------------------|------------------|
| Report on projects affected by POWER Apprenticeship Act | Maryland Department of Labor | November 1, 2020 |

Report on Workforce Development Program Outcomes: *The committees are interested in better understanding the department's workforce development programs and their outcomes. The committees request that the Maryland Department of Labor (MDL) submit a report including the following information:*

- *the various workforce development programs offered and the outcome data tracked by MDL for each program, including whether programs track data on wages and retention;*
- *whether outcome data is tracked by jurisdiction and provider;*
- *a comparison of program success across sectors;*
- *the biggest barriers to success in each program; and*
- *the feasibility of tracking outcomes for periods longer than four quarters after program completion.*

| Information Request | Author | Due Date |
|---|--------|------------------|
| Report on outcome tracking for workforce development programs | MDL | November 1, 2020 |

P00E01.02 Maryland Racing Commission

Horse Fatalities: The committees request an annual report on horse fatalities at Maryland racetracks during training and racing. The report should include the number of fatalities at each track and identify the cause of each fatality as well as potential contributing factors, including

P00

but not limited to track surface, track conditions, and/or necropsies positive for various medications. *In addition, the report should include the number of retired racehorses rescued and the number of racehorses killed at the end of their racing days.* The first report should include an update on the implementation of new safety rules.

| Information Request | Author | Due Date |
|----------------------------|------------------------------|---|
| Report on horse fatalities | Maryland Department of Labor | October 1, 2020, and each year thereafter |

Budget Amendments

P00G01.07 Workforce Development

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of the Office of Workforce Development may not be expended until the Maryland Department of Labor submits a report to the budget committees on journeyworker to apprentice ratios in construction apprenticeship programs and specifically (1) the number of construction apprenticeship programs that are operating at a 1:1 journeyworker to apprentice ratio; (2) the number of programs operating at a 1:2 journeyworker to apprentice ratio; (3) the number and percentage of employers participating in a construction apprenticeship program with a 1:2 ratio that are utilizing the 1:2 ratio; (4) details of any Occupational Safety and Health Administration and/or Maryland Occupational Safety and Health violations involving employers utilizing the 1:2 ratio; (5) how employers utilizing a 1:1 ratio are impacted during the bidding process for projects by employers utilizing the 1:2 ratio; and (6) any plans by the department to standardize the ratio for all construction apprenticeship sponsors. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the 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.

Explanation: The language restricts \$100,000 pending the receipt of a report on the number and percentage of construction apprenticeship programs and employers with certain journeyworker to apprenticeship ratios, occupational health and safety violations by programs operating at a certain ratio, the impact on the bidding process for projects, and the department's plans, if any, to standardize the ratio for all construction apprenticeship sponsors.

P00

| Information Request | Author | Due Date |
|--|------------------------------|-----------------|
| Report on journeyworker to apprentice ratios in construction apprenticeship programs | Maryland Department of Labor | October 1, 2020 |

Committee Narrative

P00G01.13 Adult Corrections Program

***Correctional Education Vacancies:** The committees request a report on the Maryland Department of Labor's progress in filling vacancies in the correctional education program. The report should include the status of PINs 053419, 055372, and 055644, including whether these positions have been reclassified and/or filled.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|-------------------------------------|------------------------|
| <i>Report on correctional education vacancies</i> | <i>Maryland Department of Labor</i> | <i>October 1, 2020</i> |

Q00

Department of Public Safety and Correctional Services

Budget Amendments

Amend the following language:

Further provided that ~~\$5,000,000~~ \$2,500,000 in general funds shall be reduced to reflect personnel savings associated with the abolishment of 521 positions across the department.

Explanation: The Department of Public Safety and Correctional Services is directed to abolish 521 positions through budget bill language. This related action deletes a portion of saved personnel costs due to these position abolishments while ensuring that funding is sufficient to fill vacant positions.

Amendment No.

41

Strike the following language:

~~Further provided that \$900,000,000 of this appropriation made for the purpose of Comptroller Object 01 Salaries and Wages may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled.~~

Explanation: ~~The Department of Public Safety and Correctional Services had substantial salary savings in recent fiscal years due to high levels of vacancies in all employee categories. In fiscal 2019, \$18.8 million in excess salary funds were used to cover shortfalls in other areas of the budget. Spending funds in this manner does not provide adequate transparency to the budget committees regarding the actual destination of appropriated funds. This language ensures that salary savings will only be used to support personnel costs without affecting necessary spending on additional overtime or bonus programs. Finally, this language ensures that necessary spending is requested through either a supplemental budget or the deficiency process.~~

Amendment No.

42

Q00

Budget Amendments

Add the following language:

Further provided that \$7,157,230 of this appropriation for the purpose of substance abuse treatment services may only be expended for that purpose or for the purpose of providing aid to political subdivisions to implement Chapter 532 of 2019. Funds unexpended at the end of the fiscal year shall revert to the fund of origin.

Further provided that \$100,000 of this appropriation for the purpose of substance abuse treatment services may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on the new substance abuse treatment services provider and the Medication Assisted Treatment (MAT) Pilot Program in the Baltimore City Pretrial Complex. The report shall include a description of the new vendor and substance abuse treatment services that are provided at DPSCS facilities, a description of actions taken to establish an MAT Pilot Program at the Baltimore City Pretrial Complex, and a description of the planned use of restricted substance abuse treatment funds. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the 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: Chapter 532 of 2019 directs DPSCS to create a MAT program within the confines of the Baltimore Pretrial Complex as well as apply for funding to support local detention centers required to create their own treatment programs. DPSCS has historically underspent the appropriation for substance abuse services and does not have a contract in place for these services. Additionally, current funding for local detention centers may not be adequate to ensure the efficient creation of MAT programs for local detainees. This language ensures that funds for substance abuse services will only be spent for that purpose or shall revert to the fund of origin at the end of the fiscal year.

| Information Request | Author | Due Date |
|--------------------------|--------|-------------------|
| MAT Pilot Program report | DPSCS | September 1, 2020 |

Q00A
Department of Public Safety and Correctional Services
Administration and Offices

Committee Narrative

Q00A01.01 General Administration

Justice Reinvestment Act Report: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2020, on the following items:

- annual updates on the number of offenders petitioning and approved for new Justice Reinvestment Act Report (JRA) provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation, and graduated sanctions;
- the number of offenders affected by new diminution and earned compliance credit rules; and
- annual JRA cost savings updates along with any efforts/initiatives to increase savings.

| Information Request | Author | Due Date |
|----------------------------|---------------|------------------|
| JRA report | DPSCS | December 1, 2020 |

Position Abolishments and Reclassifications Report: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by September 1, 2020, on the following items:

- all fiscal 2020 and 2021 abolishments, reclassifications, and transfers including the position titles, what facility or division they came from, and what agency or division they are being transferred or reclassified into, along with the effect these position changes are having on operations; and
- a briefing on the impact of the fiscal 2019 and 2020 changes in correctional officers (CO) compensation and the department's expectations regarding those changes on CO retention and recruitment.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Position abolishments and reclassifications report | DPSCS | September 1, 2020 |

Q00A

Q00A01.04 9-1-1 Emergency Number Systems

Local 9-1-1 Staffing Analysis Report: With the advent of Next Generation 9-1-1 (NG911) and overall changes to the State 9-1-1 system, the budget committees are concerned about staffing within local public safety answering points (PSAP). In order to ensure a PSAP environment that enables the approximately 1,300 9-1-1 specialists across the State of Maryland to serve their communities and flourish personally and professionally within the public safety community, the budget committees request a report due January 15, 2021, on the following:

- a breakdown of the number of budgeted and vacant positions at each local PSAP;
- a breakdown and analysis of salaries and benefits for entry-level and advanced 9-1-1 specialists, including a discussion of disparities between various jurisdictions;
- an analysis of how wage and benefit discrepancies affect efforts to recruit and retain highly qualified and well-trained 9-1-1 specialists as well as any other systematic staffing issues;
- an analysis of the training needs of 9-1-1 specialists in a changing emergency response environment; and
- a status update indicating the progress of each PSAP in implementing NG911.

| Information Request | Authors | Due Date |
|--------------------------------------|---|------------------|
| Local 9-1-1 staffing analysis report | Emergency Number Systems Board Department of Public Safety and Correctional Services | January 15, 2021 |

Committee Narrative

Q00A02.04 Security Operations

Report on Contraband: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by October 15, 2020, on overall trends in contraband finds, including:

- an analysis of trends in contraband finds using data from at least three fiscal years;
- a review of departmental rules and procedures regarding contraband detection;

Q00A

- a review of recent changes to contraband detection, including a discussion of Suboxone film as both contraband and as medication used in the department's Medication Assisted Treatment pilot program; and
- an analysis of personnel in the Canine Unit, including the impact of high vacancies on the ability to carry out tactical contraband searches.

| Information Request | Author | Due Date |
|---------------------|--------|------------------|
| Contraband report | DPSCS | October 15, 2020 |

Q00A03

Department of Public Safety and Correctional Services

Maryland Correctional Enterprises

Committee Narrative

Q00A03.01 Maryland Correctional Enterprises

Maryland Correctional Enterprises Staffing, Programs, and Sales Report: The budget committees are concerned that recent trends in sales, employment, and staff vacancies may inhibit the ability of Maryland Correctional Enterprises (MCE) to carry out its mission to improve employability upon release, enhance safety and security, reduce prison idleness, and produce quality goods and services. The budget committees direct the Department of Public Safety and Correctional Services (DPSCS) to submit a report by September 15, 2020, providing the following information:

- a breakdown of regular and special programs to include employment data;
- a review of MCE audit findings and steps taken to address faulty inventory records;
- an analysis of sales and employment trends and any steps that can be taken to maximize sales and employment; and
- an analysis of the impact of MCE vacancies on audit findings, sales, and employment trends.

| Information Request | Authors | Due Date |
|---------------------------------------|--------------|--------------------|
| MCE staff, programs, and sales report | MCE DPSCS | September 15, 2020 |

Q00B
Department of Public Safety and Correctional Services
Corrections

Budget Amendments

Q00B01.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits a report on plans to replace the Brockbridge Correctional Facility (BCF). The report shall summarize actions taken to downsize BCF, provide a funding estimate and construction timeline for any necessary facility renovations, and provide a detailed description of operational and programmatic plans for the new facility. The report shall be due August 15, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 Department of Public Safety and Correctional Services (DPSCS) announced in January 2020 that BCF is depopulated and will be replaced by a comprehensive Pre-Release, Re-Entry, and Workforce Development Facility. This action requires the department to report on plans for renovating BCF and provide a detailed description of the programs and operations that will take place once the new facility opens.

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| BCF replacement report | DPSCS | August 15, 2020 |

Q00C
Department of Public Safety and Correctional Services
Community Supervision

Budget Amendments

Q00C02.01 Division of Parole and Probation – Support Services

Add the following language:

Provided that \$1,300,000 of the general fund appropriation for the Division of Parole and Probation shall be reduced contingent on enactment of legislation to increase the Drinking Driver Monitor Program supervision fee. The Division is authorized to allocate this reduction across the regions.

Explanation: The language reduces general fund support for Drinking Driver Monitor Program (DDMP) operations contingent on legislation authorizing an increase in the DDMP supervision fee. The fee at the current amount is no longer sufficient to support operations, requiring \$1.3 million in general funds to be added to the fiscal 2021 allowance. The additional revenues available from the fee increase eliminate the need for a general fund appropriation. This reduction is intended to be distributed across the Division of Parole and Probation (DPP) regions where general funds are appropriated. DPP is authorized to process a budget amendment recognizing the additional special funds available to support DDMP operations.

Committee Narrative

Division of Parole and Probation Caseload Report: In recent fiscal years, the Division of Parole and Probation (DPP) has been working to reduce caseloads to a manageable level for its parole and probation agents. While vacancies and caseload ratios marginally improved in fiscal 2019, vacancy rates remain above 10%, and some offices have over 100 cases per agent. The budget committees request a report due by September 15, 2020, from DPP on the following:

- efforts to maintain uniform caseloads below the national average in each region;
- the exact breakdown of support staff and general supervision caseloads by office into DPP supervision levels (low, moderate, high risk, administrative, and Violence Prevention Initiative) for fiscal 2019 and 2020; and
- an evaluation of staff realignment between regions.

| Information Request | Author | Due Date |
|----------------------------|---------------|--------------------|
| DPP caseload report | DPP | September 15, 2020 |

Q00C

Community Supervision Treatment and Services Report: Division of Parole and Probation (DPP) agents supervise offenders in the community in addition to referring offenders to employment, treatment, and housing services. Employment is a primary indicator for successful reentry into society following correctional or community supervision, yet the employment rate of supervisees upon case closure in fiscal 2019 was 28%, below the performance goal of 30%. The budget committees request a report from DPP on the services that it provides to offenders during and following supervision, including but not limited to employment assistance, mental health and medical treatment, housing assistance, and other reentry services. This report should include current enrollment and expenditures and should be submitted to the committees by November 1, 2020.

| Information Request | Author | Due Date |
|---------------------------------------|---------------|------------------|
| Community Supervision services report | DPP | November 1, 2020 |

Community Supervision Drug Testing Report: The Division of Parole and Probation (DPP) is responsible for administering drug testing for prohibited substances of offenders supervised in the community, as ordered by a sentencing authority. Testing rates have declined dramatically since the switch to a new vendor in fiscal 2018. Additionally, while the rate of positive results increased to 25% in fiscal 2019, the sharp decline in sample size makes comparisons difficult between years. The budget committees request a report due by October 1, 2020, including the following:

- an overview of drug testing policies, including what offenders are subject to testing, how often testing occurs, the way results are processed by staff, and the provision of laboratory technicians for testimony at hearings;
- a breakdown of drug testing and results for fiscal 2017 to 2020 by type of substance;
- an analysis of these results, including possible reasons for any increase in drug use rates among supervisees, and steps taken to address high drug-use rates; and
- a review of the operational impacts of testing less frequently.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Community Supervision drug testing report | DPP | October 1, 2020 |

Q00D
Department of Public Safety and Correctional Services
Patuxent Institution

Budget Amendments

Q00D00.01 Patuxent Institution

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. <i>Reduce funding for chiller replacement at the Patuxent Institution. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund.</i> | 21,450 | GF |
| <i>Total Reductions</i> | 21,450 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| <i>Position</i> | 426.00 | 426.00 | | 0.00 |
| <i>General Fund</i> | 60,053,112 | 60,031,662 | 21,450 | |
| <i>Special Fund</i> | 212,400 | 212,400 | 0 | |
| <i>Total Funds</i> | 60,265,512 | 60,244,062 | 21,450 | |

Amendment No.

43

Q00G
Department of Public Safety and Correctional Services
Police and Correctional Training Commission

Budget Amendments

Q00G00.01 General Administration

Add the following language to the special fund appropriation:

, provided that \$50,000 of this appropriation made for the purpose of management studies and consultants may not be expended until the Police and Correctional Training Commissions, in consultation with the Maryland State Police, submit a report to the budget committees outlining the results of a utilization analysis of the Public Safety Education and Training Center driver training course, firearms training course, and overall classroom space. The utilization analysis shall include (1) a quantitative analysis of subscription and utilization rates of the driver training course, firearms training course, and other classrooms from the beginning of fiscal 2019 to present, broken down by audience type and instructor type; and (2) an evaluation of these results, including the identification of areas that require additional resources or strategic enhancements. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: Utilization of the resources housed in the Public Safety Education and Training Center (PSETC) is of interest to the budget committees in determining the appropriateness of new initiatives and budgetary changes. The driver training track and firearms course are especially of interest, considering the unique service that they provide to public safety professionals in the region. The budget committees request that an evaluation of current resources and space be performed to better understand the needs of public safety professionals. This language restricts Maryland Police Training and Standards Commission police training funds in the Police and Correctional Training Commissions (PCTC) budget so that trends in the prescription or overprescription of special PSETC resources are better understood.

| Information Request | Authors | Due Date |
|---------------------------------|-------------------------------|------------------|
| PCTC training facilities report | PCTC Maryland State Police | December 1, 2020 |

Q00R
Department of Public Safety and Correctional Services
Division of Correction – West Region

Budget Amendments

Q00R02.01 Maryland Correctional Institution – Hagerstown

Amend the following language:

, provided that \$100,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits hiring and attrition reports to the budget committees on a ~~quarterly~~ monthly basis. The reports shall include a breakdown of all hires and separations for the 3–each month period in question by category of employee (correctional officer, community supervision agent, or administrative employee) and by reason for separation. The report shall also include narrative summarizing all hiring events and changes to the hiring process that occurred during the quarter–each month; the quantity, type, and cost of bonuses disbursed; as well as overall applications received, tested, and interviewed. The first ~~quarterly~~ report shall be submitted to the budget committees no later than ~~October 30~~ August 15, 2020 and the committees shall have 45 days to review and comment from the date the first report was received. Funds restricted pending the 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: Hiring within the Department of Public Safety and Correctional Services (DPSCS) has dropped to unsustainable levels, threatening the safety of staff and inmates at facilities and hampering efforts to carry out major projects and policy reforms. The department submitted the Correctional Officer Hiring Strategic Plan Report in December 2019, detailing efforts to improve the hiring process and increase hiring numbers, which are currently 50% lower than the calendar 2010 through 2015 average. The ~~quarterly~~ monthly reports requested in fiscal 2021 will enhance the ability of the budget committees to track all departmental hiring as well as the success of recent initiatives.

| Information Request | Author | Due Date |
|-----------------------------------|---------------|---|
| DPSCS hiring and attrition report | DPSCS | October August 15, 2020 and monthly thereafter January 15, 2021 April 15, 2021 July 15, 2021 |

Amendment No.

44

Q00R

Q00R02.04 Western Correctional Institution

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Reduce funding for heating, ventilation, and air conditioning replacement at Western Correctional Institution. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund.</i> | 65,000 | GF |

| | |
|-------------------------|--------|
| <i>Total Reductions</i> | 65,000 |
|-------------------------|--------|

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------|----------------------|-------------------------|---------------------------|
| <i>Position</i> | 465.50 | 465.50 | | 0.00 |
| <i>General Fund</i> | 64,523,623 | 64,458,623 | 65,000 | |
| <i>Special Fund</i> | 175,000 | 175,000 | 0 | |
| <i>Total Funds</i> | 64,698,623 | 64,633,623 | 65,000 | |

Amendment No.

45

Q00S
Department of Public Safety and Correctional Services
Division of Correction – East Region

Budget Amendments

Q00S02.02 Maryland Correctional Institution – Jessup

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. <i>Reduce funding associated with gym floor replacement, air handling unit replacement, and oven hood and vent replacements at Maryland Correctional Institution – Jessup. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund.</i> | 18,000 | GF |
| <i>Total Reductions</i> | 18,000 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| <i>Position</i> | 316.00 | 316.00 | | 0.00 |
| <i>General Fund</i> | 43,901,869 | 43,883,869 | 18,000 | |
| <i>Special Fund</i> | 100,000 | 100,000 | 0 | |
| <i>Total Funds</i> | 44,001,869 | 43,983,869 | 18,000 | |

Amendment No.

46

Q00S02.03 Maryland Correctional Institution for Women

Add the following language to the general fund appropriation:

, provided that \$1,500,000 of this appropriation may only be expended for the purpose of creating a women's pre-release pilot program. The pilot program must consist of the following:

(1) a separate, comprehensive rehabilitative space only for women who are eligible under the prerelease security level;

Q00S

- (2) a community-based unit or facility with less restrictive requirements that allow offenders to be closer to family, transportation, and community resources that will provide them with assistance;
- (3) a location situated in close proximity to where the greater number of offenders will be returning; and
- (4) evidence-based and gender-responsive programs and services.

Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: In 2009, the pre-release facility for women was closed, and the State currently lacks gender equity with regards to pre-release opportunities for incarcerated women returning to society. This language restricts funds for the sole purpose of piloting a program that would provide equitable pre-release opportunities for incarcerated women. The pilot program should be housed in a unit or facility separated from men and from women of higher custody status than pre-release. There should be evidence-based programming and adequate connections to community services, transportation, and family.

Amendment No.

47

Q00S02.06 Southern Maryland Pre-Release Unit

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce funding for metal door replacement at the Southern Maryland Pre-Release Unit. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund. | 4,350 | GF |
| Total Reductions | 4,350 | |

Q00S

| <u><i>Effect</i></u> | <u><i>Allowance</i></u> | <u><i>Appropriation</i></u> | <u><i>Amount Reduction</i></u> | <u><i>Position Reduction</i></u> |
|---------------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| <i>Position</i> | 46.00 | 46.00 | | 0.00 |
| <i>General Fund</i> | 6,163,267 | 6,158,917 | 4,350 | |
| <i>Special Fund</i> | 145,000 | 145,000 | 0 | |
| <i>Total Funds</i> | 6,308,267 | 6,303,917 | 4,350 | |

Amendment No.

48**Q00S02.08 Eastern Correctional Institution**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. <i>Reduce appropriation for a new warehouse freezer at Eastern Correctional Institution. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund.</i> | 7,500 GF | |
| <i>Total Reductions</i> | 7,500 | |

| <u><i>Effect</i></u> | <u><i>Allowance</i></u> | <u><i>Appropriation</i></u> | <u><i>Amount Reduction</i></u> | <u><i>Position Reduction</i></u> |
|---------------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| <i>Position</i> | 850.00 | 850.00 | | 0.00 |
| <i>General Fund</i> | 123,060,747 | 123,053,247 | 7,500 | |
| <i>Special Fund</i> | 367,000 | 367,000 | 0 | |
| <i>Federal Fund</i> | 215,000 | 215,000 | 0 | |
| <i>Total Funds</i> | 123,642,747 | 123,635,247 | 7,500 | |

Amendment No.

49

Q00S

Q00S02.10 Central Maryland Correctional Facility

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Reduce funding for paving project at Central Maryland Correctional Facility. Unappropriated funds are available to support this project through the Department of General Services Facilities Renewal Fund.</i> | 5,000 | GF |

Total Reductions 5,000

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|--------------------------|--------------------------|-----------------------------|-------------------------------|
| <i>Position</i> | <i>118.00</i> | <i>118.00</i> | | <i>0.00</i> |
| <i>General Fund</i> | <i>18,694,262</i> | <i>18,689,262</i> | <i>5,000</i> | |
| <i>Special Fund</i> | <i>85,000</i> | <i>85,000</i> | <i>0</i> | |
| <i>Total Funds</i> | <i>18,779,262</i> | <i>18,774,262</i> | <i>5,000</i> | |

Amendment No.

50

Q00T
Department of Public Safety and Correctional Services
Division of Pretrial Detention

Q00T04.01 Chesapeake Detention Facility

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services conducts a review of the federal agreement to operate the Chesapeake Detention Facility as a federal facility, reaches out to the U.S. Marshals Service to renegotiate the agreement, and submits a report on these efforts to the budget committees. The report shall include a detailed history of the use of this facility as a federal detention center, results of efforts to renegotiate the agreement, options to reduce the reliance on general funds for this facility (including the consequences of exiting the agreement prior to expiration), and plans for the facility following the conclusion of the agreement. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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 Chesapeake Detention Facility (CDF) is used as a federal detention center for the U.S. Marshals Service but is operated by the Division of Pretrial Detention (DPD). DPD received \$20 million as supplemental funding to construct the Dorsey Run Correctional Facility and receives a contractually negotiated per diem payment for each inmate housed. The per diem rate is no longer sufficient to support CDF operations, resulting in the State subsidizing the detainment of federal offenders. In this report, the Department of Public Safety and Correctional Services (DPSCS) shall revisit the federal agreement, seek ways to increase the per diem rate, and report on these efforts to the General Assembly. The report will include a history of DPSCS actions regarding the contract and address plans for CDF usage following the conclusion of the contract.

| Information Request | Author | Due Date |
|----------------------------|---------------|------------------|
| CDF funding report | DPSCS | December 1, 2020 |

R00A01
State Department of Education
Headquarters

Budget Amendments

Add the following language:

Provided that it is the intent of the Maryland General Assembly that the Maryland State Department of Education redistribute 20 vacant positions to meet obligations specific to implementing recommendations in line with the Blueprint for Maryland's Future.

Explanation: The Maryland State Department of Education currently has approximately 50 vacant positions. The committees recommend that 20 of these positions be redistributed to meet personnel needs identified as needed to implemented Blueprint for Maryland's Future.

R00A01.10 Division of Early Childhood Development

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland State Department of Education submits a report to the budget committees accounting for federal funds awarded through the Child Care and Development Block Grant and Child Care Mandatory and Matching Funds of the Child Care and Development Fund. The report shall detail beginning balances, gross income, expenditures, and ending balances from fiscal 2016 to 2020 in a format specified by the Department of Legislative Services. The report shall be submitted by November 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the 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: Due to recent federal actions, Maryland has received increased federal funds through the Child Care and Development Fund (CCDF) to provide child care financial assistance to low-income families and to improve the quality of child care services. The Maryland State Department of Education (MSDE) has simultaneously implemented programmatic changes to the Child Care Scholarship program that rapidly increase projected CCDF expenditures, yet it has not been able to submit consistent accounting of available CCDF funding. This language withholds funds until MSDE submits a report accounting for recent CCDF beginning and closing balances.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Report accounting for CCDF balances by fiscal year | MSDE | November 1, 2020 |

Committee Narrative

Early Childhood Expansion Funding: The fiscal 2021 allowance allocates \$45.6 million in special funds from the Blueprint for Maryland's Future Fund to expand early childhood services through prekindergarten expansion grants, capacity building efforts, the Maryland Infants and Toddlers program, and supportive services offered at Judy Centers and Family Support Centers. By December 1, 2020, the Maryland State Department of Education (MSDE) should submit a report to the budget committees that provides year-to-date spending of these special funds by purpose and the number of Judy Centers and Family Support Centers created in fiscal 2021. The report should also provide the fiscal 2021 prekindergarten expansion grant awards by jurisdiction and the number of prekindergarten slots created or improved with the additional special funds.

| Information Request | Author | Due Date |
|--|--------|------------------|
| Report on early childhood expansion spending | MSDE | December 1, 2020 |

Family Child Care Involvement in Prekindergarten Expansion: *The State currently offers various grants for public and private prekindergarten providers to serve low-income students and improve the quality of their programs. In the fiscal 2021 budget, there is also increased State investment in early childhood expansion. The committees request that the Maryland State Department of Education (MSDE), in consultation with experts and stakeholders in family child care, develop a model or models of supporting family child care providers in becoming eligible for State funding and programs to expand prekindergarten. The committees request that by November 1, 2020, MSDE submit a report that:*

- *researches the policies of other states or localities that partner with family child care providers to deliver prekindergarten;*
- *assesses the potential use of consortiums and community hubs;*
- *examines child care credentialing and alternative pathways to prekindergarten teaching certification;*
- *outlines a model or models for involving family child care providers as eligible recipients of State funding to expand prekindergarten; and*
- *reviews other topics related to its development of this model or models.*

R00A01

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|-------------------------|
| <i>Report on family child care and prekindergarten expansion</i> | <i>MSDE</i> | <i>November 1, 2020</i> |

Improvements to Accounting Practices: The committees request that the Maryland State Department of Education (MSDE) provide a report by September 30, 2020, on its accounting practices that includes an explanation for all fiscal 2020 encumbered and reverted funds for any amount that does not equal zero. In a recent fiscal 2019 closeout audit, the Office of Legislative Audits found that MSDE improperly retained \$569,000 in special funds as well as incorrectly encumbered over \$1 million for the Students with Disabilities – Aid to Education Program. In a three-year audit released in July 2019, the Division of Rehabilitative Services paid \$10.9 million more for consumer services than budgeted, and federal fund reimbursement requests for the Nutrition Block Grant were not always complete and timely, resulting in lost investment income totaling approximately \$300,000.

| Information Request | Author | Due Date |
|--------------------------------|---------------|--------------------|
| Report on accounting practices | MSDE | September 30, 2020 |

Updates to Data Security Procedures: The committees request that the Maryland State Department of Education (MSDE) and the Department of Information Technology (DoIT) prepare a report on MSDE's data security procedures by December 30, 2020, that includes an update on their progress to remediate all findings in the audit report and account for funds expended by each agency on remediation. MSDE is responsible for the safekeeping of many types of sensitive, personally identifiable information. An Office of Legislative Audits audit in July 2019 indicated that MSDE had four separate findings in regard to information systems security and control with two recommendations repeated either in full or in part from the last audit.

| Information Request | Authors | Due Date |
|----------------------------|----------------|-------------------|
| Report on data security | MSDE DoIT | December 30, 2020 |

Clarifications to Organizational Structure: The committees request that the Maryland State Department of Education (MSDE) report on the current organizational structure of its office. In 2019, MSDE reported that it had restructured their organization. However, MSDE's organizational chart does not include some offices and independent units within MSDE, such as the new Office of the Inspector General. By July 1, 2020, MSDE should provide the committees with a report that includes its organizational chart, clarifies office and division responsibilities,

R00A01

and elaborates on the relationship of MSDE to its independent units, including the office or offices that supervises these units.

| Information Request | Author | Due Date |
|------------------------------------|--------|--------------|
| Organizational chart and structure | MSDE | July 1, 2020 |

Transition to the Maryland Comprehensive Assessment Program: The committees request that, by August 1, 2020, the Maryland State Department of Education (MSDE) report on the transition from the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments to the Maryland Comprehensive Assessment Program (MCAP). Spring 2019 was the last administration of PARCC; in spring 2020, students will take MCAP. MSDE has not released a cost estimate for the changeover from PARCC to MCAP or a comprehensive cost analysis of the MCAP assessments. MSDE should provide the committees with MCAP costs compared to PARCC and any additional costs or savings for MCAP due to projected enrollment growth or decline. Data for this transition should be provided for fiscal 2020 to 2024.

| Information Request | Author | Due Date |
|---------------------|--------|----------------|
| Transition to MCAP | MSDE | August 1, 2020 |

Division of Rehabilitative Services Placements Under New Criteria: The committees request that the Maryland State Department of Education (MSDE) report on the Department of Rehabilitative Services (DORS) qualified employment placements by July 1, 2020. Due to changes in 2017 in the Workforce Innovation and Opportunity Act (WIOA), DORS has continued to have a steady decline in placements. MSDE should report to the budget committees on the reasons for this continued decline and review this Managing For Results (MFR) performance goal in light of the WIOA changes with changes in the MFR to start in fiscal 2022.

| Information Request | Author | Due Date |
|--------------------------|--------|--------------|
| Report and review of MFR | MSDE | July 1, 2020 |

R00A02
State Department of Education
Aid to Education

Budget Amendments

Add the following language:

Provided that the Maryland State Department of Education shall notify the budget committees of any intent to transfer funds from program R00A02 Aid to Education to any other budgetary unit. The budget committees shall have 45 days from the date of notification to review and comment on the planned transfer prior to its effect.

Explanation: The Maryland State Department of Education (MSDE) should not transfer any funds from Aid to Education until the transfer is reviewed by the budget committees.

| Information Request | Author | Due Date |
|---|---------------|---------------------------|
| Report on any transfer of funds from R00A02 | MSDE | 45 days prior to transfer |

Committee Narrative

R00A02.07 Students With Disabilities

Compensation Disparities in Special Education: The committees are concerned that compensation disparities exist between special education teachers in nonpublic special education schools and special education teachers in public schools. Before December 1, 2020, the Maryland Department of Education (MSDE) should provide a report with compensation data (wages and benefits) and qualifications (certification area, years of experience, and terminal degree) for public school special education teachers and nonpublic school special education teachers by jurisdiction and grade level served for fiscal years 2018 through 2020. The report should include an analysis of identified wage and compensation disparities and recommendations for remediation. If needed, MSDE should consult with the Maryland Association of Nonpublic Special Education Facilities.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Report on special education compensation disparities | MSDE | December 1, 2020 |

Autism Waiver Capacity: *The Autism Waiver is administrated by the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH). In fiscal 2021, MSDE's budget increased \$78,000 for this program, which currently serves 1,201*

R00A02

children and their families but has a waitlist of over 5,000 children. Due to the number of children currently on the Autism Waiver waitlist, the budget committees request an update to the 2018 Joint Chairman's Report on this waiver and its capacity challenges. For both MDH and MSDE, this report should specify fiscal 2019 and 2020 expenditures, fiscal 2021 allowances, review of provider rates for those years, and how these agencies are working to increase provider capacity.

| Information Request | Authors | Due Date |
|-----------------------------|----------------|------------------|
| Report on the autism waiver | MSDE MDH | November 1, 2020 |

Budget Amendments

R00A02.13 Innovative Programs

Add the following language to the general fund appropriation:

, provided that \$437,341 of this appropriation made for the purpose of Advanced Placement testing may not be expended for that purpose, but instead may be transferred by budget amendment to R00A03.03 – Other Institutions – Funding for Educational Organizations for the purpose of providing a grant to the Chesapeake Bay Foundation for educational programming. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that \$649,159 of this appropriation is contingent on the enactment of HB 348 or SB 267, the AP Opportunities Act of 2020. Funds not expended for this purpose shall revert to the General Fund.

Explanation: This action transfers a portion of the funds provided for a new program to help students cover the costs associated with taking Advanced Placement (AP) tests to instead provide a grant to the Chesapeake Bay Foundation for educational programming. This language also makes the remainder of the funding for the new AP testing program contingent on the enactment of legislation establishing the new program.

Amendment No. **51**

Committee Narrative

Report on Pathways in Technology Early College High School Program: The Pathways in Technology Early College High School (P-TECH) Program enrolls students in grades 9 through 14 to complete a high school diploma and associate's degree, as well as earn work experience.

R00A02

However, the costs of this program are difficult to determine due to the increasing number of students entering the program in grade 9. The budget committees request that the Maryland State Department of Education provide a report on P-TECH that includes current enrollment for the 2019-2020 school year in the program, anticipated enrollment for the 2020-2021 school year in the program, and estimated costs for the program in fiscal 2022.

| Information Request | Author | Due Date |
|---------------------|--------|--------------|
| Report on P-TECH | MSDE | July 1, 2020 |

***Medicaid Claims for School-based Health Services:** A 2019 Joint Chairmen's Report (JCR) report found that the State and local education agencies (LEA) would need to take several steps to initiate Medicaid claiming for school-based health services. The committees are concerned that due to the complexity of this process, the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH) will not continue to pursue steps to help LEAs implement this type of claiming system, which would potentially provide significant savings. The committees request that by October 1, 2020, MSDE and MDH provide additional detail on the five areas identified in the 2019 JCR as necessary to implement Medicaid claims for school-based health services. This report should include a timeline and approximate costs for implementation, as well as approximate savings for the State and LEAs if such a program were to be implemented.*

| Information Request | Authors | Due Date |
|--|-------------|-----------------|
| Report on Medicaid claims for school-based health services | MDSE MDH | October 1, 2020 |

R00A02.59 Child Care Subsidy Program

Child Care Scholarship Program: Recent changes to the Child Care Scholarship (CCS) program, specifically lifting enrollment freezes, expanding income eligibility, and increasing provider reimbursement rates, are expected to substantially increase program participation and expenditures. General fund expenditures for the CCS program are expected to increase in future years as federal funds from the Child Care and Development Fund (CCDF) become insufficient to support the full impact of these programmatic changes. The rapid increase in program expenditures is especially concerning as the Maryland State Department of Education (MSDE) has implemented enrollment freezes in the past due to limited funding availability.

MSDE should report quarterly on CCS expenditures, including the amount of CCDF funds being spent that were carried over from prior fiscal years, the amount of newly authorized federal funds, and the amount of general funds. These reports should disaggregate CCDF funding used directly for scholarships and funding used by MSDE Headquarters in support of the CCS program specified by purpose. In its August 1, 2020 report, MSDE should provide actual data

R00A02

as it relates to the CCS program in the final quarter of fiscal 2020 and fiscal 2020 overall. MSDE should also report quarterly on the provider reimbursement rate as a percentile of the market rate, statewide and by region. The reports should include the total number of children and families receiving CCS per month and the number of children and families receiving CCS who are newly eligible as a result of the emergency regulation effective August 1, 2018. Finally, MSDE should provide quarterly updates on whether it is maintaining a CCS waiting list and, if so, which income categories are impacted and how many children are on the waiting list.

| Information Request | Author | Due Date |
|-----------------------------------|--------|---|
| CCS quarterly expenditure reports | MSDE | August 1, 2020 November 1, 2020 February 1, 2021 May 1, 2021 |

Child Care Scholarship Program Data Analysis: Since June 2018, the Maryland State Department of Education (MSDE) has not contracted with any entity for the purpose of projecting Child Care Scholarship (CCS) program participation. Subsequent programmatic changes, including expanding income eligibility, have already caused program utilization to increase and rising reimbursement rates are likely to further increase participation. MSDE indicates that it anticipates proposing an advanced research and data analysis contract for the CCS program to the Board of Public Works in February 2020. The committees request that MSDE submit a report by December 1, 2020 with the new vendors' program participation forecast by income category and an analysis of the fiscal impact of increasing income eligibility and reimbursement rates.

| Information Request | Author | Due Date |
|-------------------------------------|--------|------------------|
| Report on CCS program data analysis | MSDE | December 1, 2020 |

Budget Amendments

R00A02.60 Blueprint for Maryland's Future Grant Program

Add the following language to the special fund appropriation:

, provided that, contingent on the enactment of HB 1300 or SB 1000, the Governor is authorized to process a fiscal 2021 budget amendment recognizing \$6,500,000 in special funds from the Blueprint for Maryland's Future Fund to support the implementation of recommendations from the Commission on Innovation and Excellence in Education. Funds should be distributed as follows:

R00A02

| <u>Programs</u> | <u>Amount</u> |
|---|--------------------|
| <u>Accountability and Implementation Board</u> | <u>\$1,500,000</u> |
| <u>Career and Technical Education Committee and Skills Advisory Board</u> | <u>\$300,000</u> |
| <u>School Based Health Centers</u> | <u>\$1,300,000</u> |
| <u>Behavioral Health Training</u> | <u>\$700,000</u> |
| <u>Teacher Training</u> | <u>\$500,000</u> |
| <u>Maryland State Department of Education (MSDE), Expert Review Teams</u> | <u>\$500,000</u> |
| <u>MSDE, School-level Financial Reporting System</u> | <u>\$1,700,000</u> |

Explanation: Approximately \$6.5 million in unanticipated fund balance is expected for the Blueprint for Maryland's Future Fund at the close of fiscal 2020. This language authorizes the Governor to process a budget amendment recognizing the availability of those additional special funds in fiscal 2021 and specifies how the additional funding should be expended, contingent on the enactment of legislation implementing the recommendations of the Commission on Innovation and Excellence in Education.

Add the following language to the special fund appropriation:

Further provided that, contingent on the enactment of HB 1300 or SB 1000, the Governor is authorized to process a fiscal 2021 budget amendment that provides sufficient funding from the Blueprint for Maryland's Future Fund for all schools identified as eligible to receive a Concentration of Poverty grant in the 2020-2021 school year.

Explanation: This budget amendment authorizes the Governor to expend special funds from the Blueprint for Maryland's Future Fund on schools identified as eligible to receive Concentration of Poverty grant funds in the 2020-2021 school year.

Amendment No.

52

R00A03
State Department of Education
Funding for Educational Organizations

Budget Amendments

R00A03.01 Maryland School for the Blind

Amend the following language to the general fund appropriation:

, provided that the \$100,000 of this appropriation made for the purpose of providing a grant to the Maryland School for the Blind (MSB) may not be expended until the Maryland Department of Education and MSB submit a report that includes, but is not limited to:

- (1) federal, State, and local sources of revenue, including formula, Enhanced Services grant, and local education agency funding;
- (2) expenditures identified in accordance with State object and subobject categories, and
- (3) a 5-year capital improvement plan that includes preventative maintenance costs; and
- (4) consideration of how MSB might transition from a private school to a public school similar to Maryland School for the Deaf.

The requested revenue and expenditure data shall be provided for fiscal 2019 actuals through fiscal 2023 estimates. The report shall be submitted to the budget committees by ~~September~~ November 1, 2020. The budget 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.

Explanation: Section 8-314 of the Education Article requires that the budget submitted by the Governor to the General Assembly include the operating and administrative budget for MSB, including a complete list of revenue sources and expenditures. In a 2019 report, MSB determined that a new State funding model is necessary for the school to avoid financial instability. This language restricts funds pending receipt of detailed revenue and expenditure data consistent with other State budgeting practices, along with a proposed multi-year capital plan for the school, in order to better evaluate MSB's operations.

| Information Request | Author | Due Date |
|-------------------------------|----------------------------------|---------------------------------------|
| Financial information for MSB | Maryland Department of Education | September November 1, 2020 |

Amendment No.

53

R00A03

R00A03.04 Aid to Non-Public Schools

Amend the following language:

, provided that this appropriation shall be for the purchase of textbooks or computer hardware and software and other electronically delivered learning materials ~~as permitted under Title II, Section 2416(b)(4), (6), and (7) of the No Child Left Behind Act~~ for loan to students in eligible nonpublic schools with a maximum distribution of \$65 per eligible nonpublic school student for participating schools, except that at schools where ~~at least 20%~~ from 20% to 40% of the students are eligible for free or reduced-price lunch program, there shall be a distribution of \$95 per student, and at schools where more than 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$155 per student.

Explanation: This action amends language modifying the distribution of funding for the Aid to Non-Public Schools Program so that schools where more than 40% of the students are eligible for the free or reduced-price lunch program receive \$155 per student. Similar language has been included in the budget since fiscal 2017. It also strikes language regarding the No Child Left Behind Act due to technical differences with the reauthorized Elementary and Secondary Education Act.

Amend the following language:

- (2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department; ~~and~~
- (3) Comply with Title VI of the Civil Rights Act of 1964, as amended; and
- (4) Submit its student handbook or other written policy related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

Explanation: This action requires schools that participate in the Aid to Non-Public Schools Program to submit a student handbook or policy on student admissions to the Maryland State Department of Education in order to ensure compliance with program eligibility requirements.

Add the following language:

Further provided that a nonpublic school participating in the Aid to Non-Public Schools Program R00A03.04 shall certify compliance with Title 20, Subtitle 6 of the State Government Article. A nonpublic school participating in the program may not discriminate in student admissions, retention, or expulsion, or otherwise discriminate against any student on the basis of race, color,

R00A03

national origin, sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Any school found to be in violation of the requirements to not discriminate shall be required to return to the Maryland State Department of Education all textbooks or computer hardware and software and other electronically delivered learning materials acquired through the fiscal 2021 allocation. The only other legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program. Any school that is found in violation of the nondiscrimination requirements in fiscal 2020 or 2021 may not participate in the program in fiscal 2021. It is the intent of the General Assembly that a school that violates the nondiscrimination requirements is ineligible to participate in the Aid to Non-Public Schools Program, the Broadening Options and Opportunities for Students Today Program, the James E. “Ed” DeGrange Nonpublic Aging Schools Program, and the Nonpublic School Security Improvements Program in the year of the violation and the following two years.

Explanation: This action requires a nonpublic school participating in the Aid to Non-Public Schools Program to certify compliance with Title 20, Subtitle 6 of the State Government Article (Discrimination in Employment). It also specifies that a participating school may not discriminate in student admissions on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Violation of these provisions means that a school will be ineligible for the program. Similar language has been included in the budget since 2017. This action also specifies that schools that violate the provisions must return all textbooks and technology received through the program to the Maryland State Department of Education. It also states that a school that violates the nondiscrimination requirements in fiscal 2020 or 2021 is not eligible to participate in the program in fiscal 2021 and states legislative intent that any school that violates the nondiscrimination requirements is ineligible to participate in any program that provides funding to nonpublic schools for a total of three years.

R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language:

- (a) ~~participate~~ have participated in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE; during the 2019-2020 school year;

Explanation: This language specifies that in order to participate in the Broadening Options and Opportunities for Students Today (BOOST) Program during the 2020-2021 school year, a nonpublic school must have already participated in the Aid to Non-Public Schools Program during the 2019-2020 school year. This language eliminates ambiguity for the Maryland State Department of Education, specifying that nonpublic schools are eligible for BOOST for the

R00A03

2020-2021 school year by participating in the Aid to Non-Public Schools Program in the previous school year.

Amend the following language:

- (c) ~~administer assessments to all students in accordance with federal and State law; and~~ administer national, norm-referenced standardized assessments chosen from the list of assessments published by the U.S. Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:
 - (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
 - (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
- (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student based on race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program for the 2020-2021 school year and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.
- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year. In order to be eligible to apply, a student must (1) have received a BOOST Program scholarship award for the 2019-2020 school year and will be entering any of grades 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, or 12, or grade 9 if he or she is a student who attended during the 2019-2020 school year a nonpublic school that serves kindergarten through grade 12; or (2) have a sibling who received a BOOST Program scholarship award for the 2019-2020 school year.

R00A03

- (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.
- (4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.
- (5) There is a BOOST Advisory Board that shall be appointed as follows: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.
- (6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts. The BOOST Advisory Board shall take into account the needs of students with disabilities on an Individualized Education Plan or 504 Plan when determining scholarship award amounts.
- (7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.
- (8) ~~The~~ Unless the student has special needs due to a disability, the amount of a scholarship award may not exceed the lesser of:
 - (a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or
 - (b) the tuition of the nonpublic school.
- (9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.
- (10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2020, for the 2019-2020 school year to eligible individuals. Any unexpended funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2021 and available for scholarships in the 2021-2022 school year.

Further provided that \$700,000 of this appropriation shall be used only to provide an additional

R00A03

award for each student with special needs that is at least equal in amount to the BOOST Program scholarship award that student is awarded in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2021, that includes the following:

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded (a) the nonpublic school and grade level attended by the student; (b) the school attended in the 2020-2021 school year by the student; and (c) if the student attended the same nonpublic school in the 2019-2020 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2019-2020 school year and will receive in the 2020-2021 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;
- (8) the number of students designated as English language learners receiving BOOST Program scholarships;
- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;
- (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;
- (12) the number of students who received BOOST Program scholarships for the 2019-2020 school year who are attending public school for the 2020-2021 school year as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2019-2020

R00A03

school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.

Explanation: *This language specifies that students who receive a BOOST award must have received a BOOST Program scholarship award for the 2019-2020 school year, be entering any of grades 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, or 12, or grade 9 if he or she is a student who attended during the 2019-2020 school year a nonpublic school that serves kindergarten through grade 12, or have a sibling who received a BOOST Program scholarship award for the 2019-2020 school year. This language specifies priorities for the Broadening Options and Opportunities for Students Today (BOOST) Program scholarship awards and makes nonpublic schools that do not provide required information to the Maryland State Department of Education (MSDE) by a certain date ineligible for participating in the BOOST Program. The language also provides that for the 2020-2021 school year, the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2020, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. This language also requires MSDE to report by January 15, 2021, on the distribution of the BOOST scholarships, information on the students receiving BOOST scholarships, teacher certifications for nonpublic schools participating in the BOOST Program, and assessments being administered in nonpublic schools participating in the BOOST Program, including student performance. The language also requires that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so, and information on students receiving scholarships for the 2019-2020 school year who withdrew or were expelled from the nonpublic schools that they were attending. Finally, the language requires that the BOOST Advisory Board shall take into account the special needs of students with disabilities as it is determining scholarship award amounts and that \$700,000 of the BOOST appropriation shall be used to provide higher awards for these students.*

| Information Request | Author | Due Date |
|-----------------------------|--------|------------------|
| BOOST Program participation | MSDE | January 15, 2021 |

Amendment No.

54

R00A03

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Reduce funding for the Broadening Options and Opportunities for Students Today program.</i> | 4,500,000 | SF |

| | |
|-------------------------|-----------|
| <i>Total Reductions</i> | 4,500,000 |
|-------------------------|-----------|

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------|------------------|----------------------|-----------------------------|-------------------------------|
| <i>Special Fund</i> | 10,000,000 | 5,500,000 | 4,500,000 | |
| <i>Total Funds</i> | 10,000,000 | 5,500,000 | 4,500,000 | |

Amendment No.

55

R00A06
State Department of Education
Maryland Center for School Safety

Budget Amendments

R00A06.01 Maryland Center for School Safety – Operations

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation within the Maryland Center for School Safety may not be expended until the center submits a report to the budget committees detailing the allocation of the School Resource Officer (SRO) Grant for the fiscal 2020 funding cycle. The report should further identify any local school systems that have failed to submit an SRO Adequate Coverage Plan by the July 1, 2020, deadline and the respective SRO Grant funds withheld from each noncompliant school during the fiscal 2021 grant funding cycle. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the 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: Chapter 30 of 2018 requires local school systems to submit SRO Adequate Coverage Plans each year. The first report submissions were due by July 1, 2019 and must demonstrate that each public school in the district employs SROs or provides sufficient local law enforcement resources to adequately provide security to that school. By the start of the 2019-2020 school year, only 66% of school systems had submitted the report. The statute also allocated \$10 million for the SRO Grant in fiscal 2020 for the purpose of assisting local school systems achieve adequate safety coverage by SROs or local law enforcement agencies. This report requests information regarding the allocation of the SRO Grant during fiscal 2020 and the amount of grant funds withheld from schools who fail to submit an SRO Adequate Coverage Plan for the fiscal 2021 grant funding cycle.

| Information Request | Author | Due Date |
|---|-----------------------------------|-------------------|
| Report on the allocation of the SRO Grant for fiscal 2020 | Maryland Center for School Safety | September 1, 2020 |

Committee Narrative

School Safety Tip Line Performance Measures: Operating out of the Maryland Emergency Management Agency headquarters, the Maryland School Safety Tip Line is a 24 hours a day, 7 days a week anonymous tip line for citizens to report concerns such as a threat to a school, bullying in a school, or mental health. Performance measures for this program are not currently reported as part of the Maryland Center for School Safety's (MCSS) Managing for Results (MFR) submission. The committees request that MCSS demonstrate the volume of calls received

R00A06

each year by event type, the closure rate, and outreach efforts to advertise the tip line service, as part of their annual MFR submission.

| Information Request | Author | Due Date |
|----------------------------|---------------|--|
| School Safety Tip Line MFR | MCSS | With submission of the fiscal 2022 budget books |

R00A0702
Interagency Commission on School Construction

Budget Amendments

R00A07.01 Interagency Commission on School Construction

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Interagency Commission on School Construction submits a report to the budget committees on the status of the Statewide Facilities Assessment, which will include the agency's progress to secure a third-party vendor, the anticipated timeline for completing the required assessment, and its anticipated cost. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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: Chapter 14 of 2018 requires the Interagency Commission on School Construction (IAC) to contract with a third-party vendor to complete the Statewide Facilities Assessment (SFA). Following this assessment, IAC is to develop standards and procedures to comprehensively update data on school facilities so that these data are not more than four years old. Due to delays in the procurement of a third-party vendor, this assessment has not started. This language directs IAC to submit a report on the status of this assessment in order to provide the budget committees with an update on the agency's progress in meeting the requirements in Chapter 14.

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| Status of SFA | IAC | July 1, 2020 |

Committee Narrative

Status Update on the Interagency Commission on School Construction Staffing: In fiscal 2019 and 2020, the Interagency Commission on School Construction (IAC) received 8 additional positions in recognition of the agency's enhanced responsibilities from the enactment of Chapter 14 of 2018. The agency has struggled to fill these positions and, when combined with agency departures, is currently operating with nearly half of its allotted positions vacant. Due to these continued hiring challenges for IAC and the potential impact of these vacancies on the implementation of statutory requirements in Chapter 14, the budget committees direct IAC and the Maryland State Department of Education (MSDE) Office of Human Resources to jointly report to the budget committees by July 1, 2020, on how MSDE and IAC intend to fill current vacancies.

R00A0702

| Information Request | Authors | Due Date |
|-------------------------------|-------------|--------------|
| Status update on IAC staffing | IAC MSDE | July 1, 2020 |

Status Update on the Integrated Master Facilities Asset Library: Chapter 14 of 2018 requires the Interagency Commission on School Construction (IAC) to create an Integrated Master Facilities Asset Library. The library will house local education agency (LEA) preventive maintenance data and schedules as well as data collected in the Statewide Facilities Assessment. The library will be made available to LEAs in a cloud-based system. Due to a delay in the procurement of this system, the budget committees direct IAC to report by September 1, 2020, on its progress to secure a third-party vendor for this library, the timeline for this project, and its anticipated cost.

| Information Request | Author | Due Date |
|-------------------------|--------|-------------------|
| Status of Asset Library | IAC | September 1, 2020 |

Revision of the Interagency Commission on School Construction's Managing for Results Measures: Prior to the adoption of Chapter 14 of 2018, the Managing for Results (MFR) measure for the Interagency Commission on School Construction (IAC) in regard to number of school buildings surveyed was a cumulative measure that counted school buildings surveyed in the last six years. Chapter 14 requires school building survey data to be no less than four years old. Due to the misalignment of IAC's current MFR measure with Chapter 14, the budget committees direct IAC to adopt new MFR measures for school building surveys that, at a minimum, provide a count of school buildings surveyed each year. IAC shall submit the revised MFR measures beginning with the fiscal 2022 data submission.

| Information Request | Author | Due Date |
|---------------------|--------|--------------------------------------|
| Revision of MFR | IAC | With the fiscal 2022 data submission |

Budget Amendments

R00A07.02 Capital Appropriation

Amend the following language to the general fund appropriation:

~~provided that \$40,000,000 of this appropriation shall be reduced contingent upon the enactment of the Building Opportunity Fund legislation that authorizes certain revenue bond proceeds be used for the Healthy School Facility Fund and the School Safety Grant Program, provided that \$3,500,000 of this appropriation made for the purpose of Nonpublic School Safety Grants shall~~

R00A0702

be distributed as grants to nonpublic schools in Maryland for school safety improvements. Provided that grants may be provided only to nonpublic schools that were eligible to participate in the Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loans to students in eligible nonpublic schools) during the 2019-2020 school year or nonpublic schools that serve students with disabilities through the Non-Public Placement Program R00A02.07 Subprogram 0762, with a maximum amount of \$65 per eligible student for participating schools, except that at schools where at least 20% of the students are eligible for the free and reduced-price meal program or for schools that service students with disabilities through the Non-Public Placement Program, there shall be a distribution of \$85 per student and no individual school may receive less than \$5,000. Further provided that funds shall be administered by the Interagency Commission on School Construction.

Explanation: This action removes the contingency based on passage of the Building Opportunity Fund legislation. It also amends language for the Nonpublic School Safety Grants to specify eligibility requirements and provides that the Interagency Commission on School Construction will administer Nonpublic School Safety Grant funds.

Strike the following language to the special fund appropriation:

~~, provided that \$30,000,000 of this appropriation shall be reduced contingent upon the enactment of the Building Opportunity Fund legislation that authorizes certain revenue bond proceeds be used for the Healthy School Facility Fund.~~

Explanation: This action removes the contingency based on the passage of the Building Opportunity Fund legislation from the appropriation for the Healthy School Facility Fund.

R13M00
Morgan State University

Budget Amendments

R13M00.00 Morgan State University

Add the following language to the unrestricted fund appropriation:

, provided that the appropriation for the purpose of Morgan State University (MSU) shall be reduced by \$260,000. Further provided that MSU may not increase resident undergraduate tuition in fiscal 2021 above the budgeted increase of 2%.

Explanation: *This language reduces MSU's general fund appropriation by \$260,000 and specifies that MSU may not increase resident undergraduate tuition in fiscal 2021 above the budgeted 2% increase.*

Amendment No.

56

Committee Narrative

Report on Private Medical School Proposal: *The budget committees are concerned about the development of a private, for-profit medical school affiliated with, and on the campus of, Morgan State University (MSU). The committees want to ensure that no State funds will be utilized on this project and wish to better understand how the institutions plans to privately fund this proposal. A report should be submitted that provides the funding plan for this proposed medical school.*

| Information Request | Author | Due Date |
|--|---------------|------------------------|
| <i>Report on privately funded medical school</i> | <i>MSU</i> | <i>October 1, 2020</i> |

R30B00
University System of Maryland

Budget Amendments

Add the following language:

Provided that the unrestricted fund appropriation made for the purpose of University System of Maryland (USM) institutions shall be reduced by \$5,000,000. Further provided that USM institutions may not increase resident undergraduate tuition in fiscal 2021 above the budgeted increase of 2%.

Explanation: This language reduces USM's unrestricted fund (general fund) appropriation by \$5.0 million and specifies that institutions may not increase resident undergraduate tuition in fiscal 2021 above the budgeted 2% increase.

R30B23
University System of Maryland
Bowie State University

Committee Narrative

Bowie Nursing Program Update: Bowie State University (BSU) has faced difficulties in meeting the Maryland Board of Nursing (MBON) required National Council Licensure Examination (NCLEX-RN) pass rate for its Nursing Program. MBON placed the BSU Nursing Program on conditional approval in 2013 where it has remained through 2020. BSU has implemented strategies meant to improve this pass rate. The budget committees request a report that documents how the actions identified by BSU have improved the NCLEX-RN required MBON pass rate.

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| BSU Nursing Program update | BSU | August 1, 2020 |

R30B28
University System of Maryland
University of Baltimore

Committee Narrative

Status of Implementing Realignment Plan: The University of Baltimore (UB) recently announced a plan to realign the institution in response to the continuing challenges that it has been facing including budgetary constraints due to declining enrollment. Actions can be categorized in one of four goals: positioning UB as a leading professional and career-focused institution in the region; student success; community engagement; and financial stability. The committees request a report that includes the status of plan implementation, including a timeframe for full implementation and the results from actions that have already been implemented. The report should be submitted by December 15, 2020.

| Information Request | Author | Due Date |
|---|---------------|-------------------|
| Status of implementing realignment plan | UB | December 15, 2020 |

R30B30
University System of Maryland
University of Maryland Global Campus

Committee Narrative

Report on the National Footprint Campaign and Market Competitiveness: The University of Maryland Global Campus (UMGC) is undertaking a \$500 million National Footprint Campaign, which includes \$289 million for a national campaign and \$211 million for a regional campaign, to increase enrollment from outside the Baltimore-Washington area. UMGC has performance metrics in place to ensure that the advertising data is meeting internal targets. Initial results have been mixed. The committees request that UMGC submit a report by December 1, 2020, on the goals of the advertising campaign and progress toward the goals. The report should include the return on investment attained on the regional and national advertising expenditures based on enrollment.

In addition, UMGC has stressed the need for continued flexibility within its business model to maintain its competitiveness in the online higher education space. UMGC should report back on the ongoing discussion with the University System of Maryland Board of Regents and the Chancellor regarding (1) needed enhancements to the UMGC business model that will enable UMGC to respond swiftly and prudently to changes in the online market; (2) the strategic direction of the institution; and (3) enhanced tuition flexibility in order to provide eligible, qualified Maryland resident and nonresident distance, adult, and military learners with affordable, quality education.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Report on the National Footprint Campaign and market competitiveness | UMGC | December 1, 2020 |

R30B36
University System of Maryland
University System of Maryland Office

Committee Narrative

Status of Implementing Universities at Shady Grove Financial Viability Report Recommendations: In 2019, concerns about the financial sustainability and continuing enrollment decline at the Universities at Shady Grove (USG) prompted the budget committees to ask the University System of Maryland Office (USMO) to submit a plan to ensure the fiscal viability of USG. USMO convened a commission comprised of various stakeholders. The commission submitted a report on ensuring the financial viability of USG that contained 33 recommendations that focused on leadership; governance; USG's funding model, expansion of USG's mission; and the transportation needs of USG students, faculty, and staff. The committees request that USMO submit a report providing a status of implementing the recommendations by October 1, 2020.

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|------------------------|
| <i>Status of implementing USG financial viability report recommendations</i> | <i>USMO</i> | <i>October 1, 2020</i> |

R62I00
Maryland Higher Education Commission

Committee Narrative

R62I00.01 General Administration

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: The budget committees understand that, in order to meet the State's goal to have at least 55% of Maryland's residents age 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The budget committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution's progress toward the State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions' programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.

| Information Request | Author | Due Date |
|---|---------------|-------------------|
| Report on best practices and annual progress toward the 55% completion goal | MHEC | December 15, 2020 |

Report on Impact of Credit Completion Requirement on Financial Aid Awards: Beginning in the 2018-2019 academic year and in a student's third academic year, students receiving the Educational Excellence Award must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 credit hours but less than 30 credit hours will have their awards prorated, and those who do not complete at least 24 credit hours lose their award. The committees are interested in the impact the new 30-credit-hour requirement had on students in the 2019-2020 academic year, particularly if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report is due by December 15, 2020.

R62I00

| Information Request | Author | Due Date |
|---|--------------------------------------|-------------------|
| Report on impact of credit completion requirement on financial aid awards | Maryland Higher Education Commission | December 15, 2020 |

Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution Category:

In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by expected family contribution (EFC), the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2019 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

| Information Request | Author | Due Date |
|---|--------|---------------|
| Report on fiscal 2019 financial aid categories by EFC | MHEC | June 30, 2020 |

R62I00

Budget Amendments

R62I00.03 **Joseph A. Sellinger Formula for Aid to Non-Public Institutions of Higher Education**

Amend the following language to the general fund appropriation:

, provided that ~~\$32,035,089~~ ~~\$20,900,000~~ \$22,435,098 of this appropriation shall be reduced contingent upon the enactment of legislation to ~~level fund~~ reduce the grant to private colleges and universities ~~at the fiscal 2020 working appropriation level.~~

***Explanation:** The language modifies the reduction to the Sellinger formula.*

Amendment No.

57

R62I00.05 **The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges**

Amend the following language to the general fund appropriation:

, provided that ~~\$18,196,550~~ \$3,600,000 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the growth in the Cade formula over the fiscal 2020 appropriation by ~~50%~~ 10%.

***Explanation:** This language reduces the Cade Formula for fiscal 2021.*

Amendment No.

58

Budget Amendments

R62I00.47 **Community College Facilities Renewal Grant Program**

Strike the following language to the general fund appropriation:

~~General Fund Appropriation, provided that \$4,333,000 of this appropriation shall be reduced contingent upon the enactment of legislation enabling mandated Community College Facilities Renewal grants to be funded through the operating or capital budget.~~

R62I00

Explanation: This action strikes language that reduces the general fund appropriation contingent upon a provision in the Budget Reconciliation and Financing Act.

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduction to conform to 5% of funding for the Community College Construction Grant Program. | 333,000 GF | |
| Total Reductions | 333,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 4,333,000 | 4,000,000 | 333,000 | |
| Total Funds | 4,333,000 | 4,000,000 | 333,000 | |

R62I00.48 Maryland Community Colleges Promise Scholarship Program

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce funding for the Maryland Community College Promise Scholarship Program. Based on the number of awards and amount of total awards made in the 2019-2020 academic year, the full \$15.0 million in funding will not be needed. This reduction still leaves \$11.5 million to fund new awards and renewals. | 3,500,000 GF | |
| Total Reductions | 3,500,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 15,000,000 | 11,500,000 | 3,500,000 | |
| Total Funds | 15,000,000 | 11,500,000 | 3,500,000 | |

R62I00

Committee Narrative

Report on Award Notifications: *In order for students to make informed decisions when deciding to attend college, they need timely information regarding the amount of financial aid they will receive. The committees request the Maryland Higher Education Commission (MHEC) to submit a report on the feasibility of notifying students of financial aid awards by May 1 and the changes required to implement such a change. The report should be submitted by December 31, 2020.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--------------------------------------|----------------------|--------------------------|
| <i>Report on award notifications</i> | <i>MHEC</i> | <i>December 31, 2020</i> |

R75T00 Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

, provided that the appropriation made for the purpose of University System of Maryland (USM) institutions shall be reduced by \$5,000,000. Further provided that USM institutions may not increase resident undergraduate tuition in fiscal 2021 above the budgeted increase of 2%.

Explanation: This language reduces USM's general fund appropriation by \$5.0 million and specifies that institutions may not increase resident undergraduate tuition in fiscal 2021 above the budgeted 2% increase.

Add the following language to the general fund appropriation:

Further provided that \$32,000,000 of this appropriation made for the purpose of funding Workforce Development Initiatives at the University System of Maryland institutions may be expended only for that purpose. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts \$32.0 million of University System of Maryland's general fund appropriation provided to support Workforce Development Initiatives for that purpose.

Add the following language to the unrestricted fund appropriation:

Further provided that the appropriation made for the purpose of Morgan State University (MSU) shall be reduced by \$260,000. Further provided that MSU may not increase resident undergraduate tuition in fiscal 2021 above the budgeted increase of 2%.

Explanation: This language reduces MSU's general fund appropriation by \$260,000 and specifies that MSU may not increase resident undergraduate tuition in fiscal 2021 above the budgeted 2% increase.

Amendment No.

59

R75T00

Committee Narrative

Report on the Feasibility of a Bowie State University Law School: The committees request the University System of Maryland Office (USMO), in collaboration with the Maryland Higher Education Commission, to convene a workgroup to determine the feasibility of a law school at Bowie State University (BSU) or locating a law school in Prince George's County. The report should include the advantages and costs of establishing a school of law at BSU regional demand and enrollment needed to justify a law school considering other area law schools and accreditation and regulatory requirements in establishing or locating a law school. The workgroup should include representatives from the General Assembly, BSU, and the Maryland State Bar Association. The report should be submitted by December 1, 2020.

| Information Request | Authors | Due Date |
|--|--|------------------|
| Report on the feasibility of a Bowie State University Law School | USMO Maryland Higher Education Commission | December 1, 2020 |

Instructional Faculty Workload Report: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions such as full- and part-time nontenured/nontenure-track faculty including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. Furthermore, the USM report should include the percent of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.

| Information Request | Authors | Due Date |
|-----------------------------------|--------------------|-------------------|
| Annual report on faculty workload | USM MSU SMCM | December 14, 2020 |

Report on Postsecondary Strategies to Implement the Blueprint for Maryland's Future: The committees request a workgroup be established to develop postsecondary strategies and alignment with the Commission on Innovation and Excellence in Education's recommendations and the Blueprint for Maryland's Future (SB 1000/HB 1300). The workgroup will be staffed by the Maryland Higher Education Commission (MHEC) and the University System of Maryland (USM) and will consist of representatives from USM institutions, MHEC, the Maryland State

R75T00

Department of Education, the Maryland Department of Labor, community colleges, independent colleges, and apprentice sponsors. The report will focus on institutional goals and plans to reach the Commission on Innovation and Excellence in Education's goals for dual enrollment; articulation with bachelor's, associate's in arts, and apprenticeship and career credential programs; reform of teacher education; and expansion of prekindergarten teacher education. The workgroup should develop recommendations in consultation with the Accountability and Implementation Board and the Career and Technical Education Committee established by SB 1000/HB 1300. The report should be submitted to the committees by December 1, 2020.

| Information Request | Authors | Due Date |
|---|-------------|------------------|
| Report on postsecondary strategies on the Blueprint for Maryland's Future | MHEC USM | December 1, 2020 |

High Use of Contractual Employees: *The budget committees are concerned about the high number of contractual employees employed at Morgan State University (MSU), Baltimore City Community College (BCCC), and the University System of Maryland (USM). The committees request a report on the use of contractual employees, including the number of contractual employees by classification and length of service. In addition, the report should include the plan, including a timeline, for converting contractual employees to full-time positions.*

| Information Request | Authors | Due Date |
|----------------------------------|--------------------|-----------------|
| Report on contractual employment | MSU BCCC USM | October 1, 2020 |

R95C00
Baltimore City Community College

Committee Narrative

Realignment Plan Status Update: Baltimore City Community College (BCCC) has begun implementing realignment tasks as a result of the required institutional realignment. A status report was provided on October 1, 2019, that identified the progress that BCCC has achieved in meeting the 12 required realignment tasks. The budget committees request a report on the institutional realignment plan that further documents progress toward completion of the realignment plan's objectives.

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| Realignment plan update | BCCC | October 5, 2020 |

Enrollment and the Mayor's Scholars Program: Baltimore City Community College (BCCC) had seen decreases in enrollment for full-time equivalent students (FTES) from 2011 through 2018. FTES enrollment marginally increased in 2019 as a result of multiple enrollment strategies and the initiation of the Mayor's Scholars Program (MSP). The committees request two reports on MSP: a June report that includes updated information on MSP for the 2019-2020 academic year; and a November report that identifies what actions are being taken to increase enrollment per FTES. Additionally, the November report should provide the following information on MSP: (1) the number of applications received for the first, second, and third cohort; the number of students who enrolled each semester; and the number of first-year students who enrolled in the second and third year; (2) the number of students who participated in the Summer Bridge program for the first, second, and third cohort; (3) the number of students in the first and second cohort who have successfully completed at least 15 credits each semester or a total of 30 credits in their first academic year; and (4) the amount of financial aid provided to scholars in year one, two, and three by cohort, including the total amount each year and the average student award.

| Information Request | Author | Due Date |
|----------------------------|---------------|------------------------------------|
| Enrollment and MSP | BCCC | June 15, 2020 November 30, 2020 |

Information Technology Infrastructure Renovations: Baltimore City Community College (BCCC) has faced numerous difficulties in updating its information technology (IT) infrastructure. This has resulted in many IT shortcomings for BCCC, including but not limited to, being unable to procure a new Enterprise Resource Planning system, being unable to properly safeguard student data, and not adequately providing malware protection for its computers. The committees request a report that documents the status of the implementation of the IT infrastructure renovation, including if internal timelines were met and if cost estimates were correct, as well as any additional findings that occurred as a result of the upgrade process.

R95C00

| Information Request | Author | Due Date |
|-------------------------------|--------|--------------|
| IT infrastructure plan update | BCCC | July 6, 2020 |

Senior Leadership and Institutional Stability: The committees wish to ensure that the high turnover that has recently transpired at Baltimore City Community College (BCCC) in senior leadership positions positively impacts the college's operations. Nearly 70% of the senior leadership positions have been filled within individuals who began their employment at BCCC within the past 10 months. Additionally, the remaining 30% of senior leadership positions are either currently vacant or the institution is engaged in active searches to fill. The committees request a report on the status of all cabinet level positions, identifying which positions are currently vacant, which BCCC are engaged in active searches to fill, and when the institution expects to have all senior leadership positions filled.

| Information Request | Author | Due Date |
|---|--------|-------------|
| Senior leadership positions and institutional stability | BCCC | May 4, 2020 |

S00A
Department of Housing and Community Development

Committee Narrative

OFFICE OF THE SECRETARY

S00A20.01 Office of the Secretary

Qualified Allocation Plan: The committees are interested in better understanding the process for the development of the Qualified Allocation Plan (QAP) for Low-Income Housing Tax Credits. The committees request that the Department of Housing and Community Development (DHCD) submit a report detailing the decision making process used in the drafting of the annual QAP and the factors that are considered in setting or altering criteria.

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|-------------------------|
| <i>Report on the development of the QAP</i> | <i>DHCD</i> | <i>November 1, 2020</i> |

Low-Income Housing Tax Credit Compliance Monitoring: The committees are interested in better understanding the procedures and outcomes related to compliance monitoring for Low-Income Housing Tax Credits (LIHTC). The committees request that the Department of Housing and Community Development (DHCD) provide a report detailing:

- *a complete list of each LIHTC project including the total number of rental units and the percentage of rental units that are low-income units;*
- *the department's procedures for conducting on-site inspections of LIHTC units;*
- *the categories of findings related to on-site inspections and the number of findings in fiscal 2018, 2019, and 2020;*
- *the categories of findings related to the review of low-income certifications and other supporting documents and the number of findings in fiscal 2018, 2019, and 2020; and*
- *what actions are taken by either DHCD or the U.S. Department of Housing and Urban Development in response to findings.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|--------------------------|
| <i>Report on LIHTC compliance monitoring</i> | <i>DHCD</i> | <i>September 1, 2020</i> |

S00A

Report on Section 8 Contract Administration: *The committees are interested in better understanding the procedures and outcomes related to the contract management of Section 8 housing in the State. The committees request that the Department of Housing and Community Development (DHCD) provide a report detailing how the department executes its contract administration functions, specifically:*

- *the department's procedures for performing management and occupancy reviews;*
- *the department's procedures for inspecting and responding to health and safety issues;*
- *a complete list of each development under contract for compliance management;*
- *the categories of findings related to inspections performed under the contract and the number of findings in fiscal 2018, 2019, and 2020; and*
- *what actions are taken by either DHCD or the U.S. Department of Housing and Urban Development in response to findings.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|--|----------------------|--------------------------|
| <i>Report on Section 8 contract administration</i> | <i>DHCD</i> | <i>September 1, 2020</i> |

Budget Amendments

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Strike the following language from the general fund appropriation:

~~Further provided that \$5,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation altering the mandate for the Seed Community Development Anchor Institution Fund.~~

Explanation: This action strikes the contingent reduction of \$5 million in general funds for the Seed Community Development Anchor Institution Fund.

T00
Department of Commerce

Budget Amendments

OFFICE OF THE SECRETARY

T00A00.01 Office of the Secretary

Add the following language to the general fund appropriation:

provided that \$100,000 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only for the Make Office Vacancies Extinct program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts \$100,000 for the Make Office Vacancies Extinct program. The program was established by Chapter 846 of 2017 but has never received funding.

Amendment No.

60

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|-------------------------|-------------------------|
| 1. Increase turnover to 8.5%. The budgeted turnover rate is 6.27%. The most recent vacancy rate in the department is 13.83%. The reduction is taken in the Office of the Secretary but may be allocated across the department as appropriate. | 315,000 | GF |
| Total Reductions | 315,000 0 | |

T00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|---|---------------------------------------|-------------------------------|
| Position | 11.00 | 11.00 | | 0.00 |
| General Fund | 1,662,941 | 1,347,941 1,662,941 | 315,000 0 | |
| Special Fund | 116,780 | 116,780 | 0 | |
| Federal Fund | 32,836 | 32,836 | 0 | |
| Total Funds | 1,812,557 | 1,497,557 1,812,557 | 315,000 0 | |

Amendment No.

61

Committee Narrative

T00F00.15 Small, Minority, and Women-Owned Business Investment Account

Report on Small, Minority, and Women-Owned Businesses Account Fund Manager Activity:
The committees request a report detailing how the Department of Commerce (Commerce) promotes fund manager activity in the Small, Minority, and Women-Owned Businesses Account (SMWOBA). Specifically, the report should include:

- *the department's plans for disbursing additional funds;*
- *program lending goals for each fund manager;*
- *actions taken by Commerce to promote fund managers' use of available funds and to ensure fund managers meet program lending goals; and*
- *outreach efforts by Commerce to increase awareness of the program for eligible businesses.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|---|----------------------|------------------------|
| <i>Report on SMWOBA fund manager activity</i> | <i>Commerce</i> | <i>October 1, 2020</i> |

T00

Budget Amendments

DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT

T00F00.23 Maryland Economic Development Assistance Authority and Fund

Add the following language:

Provided that \$1,000,000 in general funds and \$1,000,000 in special funds made for the purpose of the Maryland Economic Development Assistance Authority and Fund may not be expended for that purpose but instead may be used only to provide grants to businesses impacted by the construction of the Purple Line Light Rail Project in Montgomery and Prince George's counties. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall either be canceled or shall revert to the General Fund.

Explanation: This action restricts funding in the Maryland Economic Development Assistance Authority and Fund to be used for grants to businesses impacted by the construction of the Purple Line.

Amendment No.

62

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|------------------------------------|---------------------|
| 1. The allowance includes \$10 million in funding for the Howard Street tunnel project in the Maryland Economic Development Assistance Authority and Fund. This action reduces funding for the project that should be funded through the Transportation Trust Fund. | 10,000,000 9,000,000 | GF GF |
| Total Reductions | 10,000,000 9,000,000 | |

T00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|------------------------------|------------------------------|---------------------------|
| General Fund | 10,000,000 | 0 | 10,000,000 | |
| | | 1,000,000 | 9,000,000 | |
| Special Fund | 18,000,000 | 18,000,000 | 0 | |
| Total Funds | 28,000,000 | 18,000,000 | 10,000,000 | |
| | | 19,000,000 | 9,000,000 | |

Amendment No.

63

T00F00.24 More Jobs for Marylanders Tax Credit Reserve Fund

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|------------------|------------------|
| 1. Reduce funding for the More Jobs for Marylanders income tax credit program in order to limit the department's authority to issue new tax credits. | 7,063,374 GF | |
| Total Reductions | 7,063,374 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 9,063,374 | 2,000,000 | 7,063,374 | |
| Total Funds | 9,063,374 | 2,000,000 | 7,063,374 | |

Committee Narrative

More Jobs for Marylanders Income Tax Credit Reserve Fund Annual Report: The committees request that the Department of Commerce (Commerce) include in the annual report on the More Jobs for Marylanders Income Tax Credit Reserve Fund a cost estimate that accounts for projected participation in the program by new companies and includes projected expenses for five years. Commerce should also include this same information for the Sales and Use Tax Refund Reserve Fund.

T00

Budget Amendments

T00F00.25 More Jobs for Marylanders Sales and Use Tax Credit Reserve Fund

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding for the More Jobs for Marylanders sales and use tax refund program due to lower than anticipated usage. | 1,000,000 GF | |
| Total Reductions | 1,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 1,000,000 | 0 | 1,000,000 | |
| Total Funds | 1,000,000 | 0 | 1,000,000 | |

U00A
Department of the Environment

Committee Narrative

OFFICE OF THE SECRETARY

U00A01.11 Capital Appropriation – Bay Restoration Fund – Wastewater

Bay Restoration Fund Cash Flow Spreadsheet: The budget committees are concerned that the Maryland Department of the Environment (MDE) has not provided sufficient information about the accounting of the Bay Restoration Fund (BRF) Wastewater Account to understand the cash flow needs of the program. Therefore, the budget committees request that MDE submit an electronic editable cash flow spreadsheet for the BRF with the fiscal 2022 budget submission and annually thereafter. The spreadsheet should reflect fund balance information that takes into account all commitments and obligations made by MDE on the use of the BRF and shall include the following schedules: capital project costs; revenues and expenditures; and revenue bond debt issuance and debt service.

| Information Request | Author | Due Date |
|----------------------------|---------------|---|
| BRF cash flow spreadsheet | MDE | Fiscal 2022 budget submission and annually thereafter |

Budget Amendments

WATER AND SCIENCE ADMINISTRATION

U00A04.01 Water and Science Administration

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | | |
| 1. Abolish vacant positions in the Water and Science Administration. PINs 073045, 014618, and 075388 have been vacant for more than a year. | 185,315 FF | 3.00 |
| Total Reductions | 185,315 | 3.00 |

U00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-----------------------------|-------------------------------|
| Position | 328.50 | 325.50 | | 3.00 |
| General Fund | 19,288,723 | 19,288,723 | 0 | |
| Special Fund | 8,782,771 | 8,782,771 | 0 | |
| Federal Fund | 13,030,662 | 12,845,347 | 185,315 | |
| Total Funds | 41,102,156 | 40,916,841 | 185,315 | |

LAND AND MATERIALS ADMINISTRATION

U00A06.01 Land and Materials Administration

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses in the Land and Materials Administration may not be expended pending the submission of the Maryland Scrap Tire annual report and a separate report on ways to make the Maryland Used Tire Cleanup and Recycling Fund solvent. The report on ways to make the Maryland Used Tire Cleanup and Recycling Fund solvent shall include information concerning all of the fund's expenditure categories – Scrap Tire Program, Land and Materials Administration, department indirect costs, stockpile cleanups, and Maryland Environmental Service projects and administration – as follows:

- (1) an analysis of the appropriate level at which the recycling fee per tire should be set and expenditures should be prioritized in order to address all of the funding needs;
- (2) a description of what is included in each of the expenditure categories for each fiscal year from fiscal 2012 to 2021 and explanations for changes between fiscal years;
- (3) the impact of the fiscal 2012 Water Quality Revolving Loan Fund loan for the Garner/Brandywine stockpile cleanup on the sustainability of the Maryland Used Tire Cleanup and Recycling Fund; and
- (4) a five-year funding plan for fiscal 2021 through 2025 for the known and estimated stockpile cleanup projects, as well as the other expenditure categories based on the revenue and expenditure analysis outlined above.

The requested reports shall be submitted no later than November 1, 2020. The budget committees shall have 45 days from the date the reports are received to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.

U00A

Explanation: This action restricts funding pending the submission of the Maryland Scrap Tire Annual Report and a report on ways to make the Maryland Used Tire Cleanup and Recycling Fund solvent by November 1, 2020. Section 9-275(c) of the Environment Article specifies that an annual status report is due on or before November 1 of each year, which has not been consistently met. In addition, the Maryland Used Tire Cleanup and Recycling Fund is exhibiting a declining fund balance.

| Information Request | Authors | Due Date |
|---|--|------------------|
| Maryland Used Tire Cleanup and Recycling Fund annual and solvency reports | Maryland Department of the Environment | November 1, 2020 |

Amendment No. 64

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Abolish vacant positions in the Land and Materials Administration. PINs 014484 and 080144 have been vacant for more than a year. | 127,064 FF | 2.00 |
| Total Reductions | 127,064 | 2.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 243.50 | 241.50 | | 2.00 |
| General Fund | 2,722,231 | 2,722,231 | 0 | |
| Special Fund | 19,875,425 | 19,875,425 | 0 | |
| Federal Fund | 10,116,041 | 9,988,977 | 127,064 | |
| Total Funds | 32,713,697 | 32,586,633 | 127,064 | |

U00A

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general operating expenses in the Air and Radiation Administration may not be expended until the Maryland Department of the Environment submits the fiscal 2020 Maryland Clean Air Fund annual report and a separate report on ways to make the Maryland Clean Air Fund solvent. The report on ways to make the Maryland Clean Air Fund solvent shall include:

- (1) a fiscal year summary of the amount of emissions that were billed to all Title V sources;
- (2) the total amount of revenue received against those billable emissions;
- (3) the direct and indirect operating expenses charged to the Title V operating permits, including a breakdown of one-time and ongoing costs for fiscal 2015 through 2020;
- (4) the fiscal 2020 revenue structure for the Title V operating permits; and
- (5) recommendations to address the long-term solvency of the Maryland Clean Air Fund.

The requested reports shall be submitted no later than November 1, 2020. The budget committees shall have 45 days from the date the reports are received to review and comment. Funds restricted pending the submission of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.

Explanation: The fiscal 2021 operating budget bill includes a \$750,000 general fund deficiency appropriation for the Air and Radiation Administration due to declining Clean Air Act Title V operating permits, which reflects ongoing revenue concerns. This action restricts fiscal 2021 funding until the submission of both the fiscal 2020 Maryland Clean Air Fund annual report and a report on ways to make the Maryland Clean Air Fund solvent.

| Information Request | Author | Due Date |
|---|--|------------------|
| Maryland Clean Air Fund annual and solvency reports | Maryland Department of the Environment | November 1, 2020 |

U00A

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Abolish vacant Air and Radiation Administration positions. PINs 077321, 087262, and 018394 have been vacant for more than a year. | 148,500 SF | 3.00 |
| Total Reductions | 148,500 | 3.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 164.00 | 161.00 | | 3.00 |
| General Fund | 3,252,844 | 3,252,844 | 0 | |
| Special Fund | 9,739,184 | 9,590,684 | 148,500 | |
| Federal Fund | 4,884,813 | 4,884,813 | 0 | |
| Total Funds | 17,876,841 | 17,728,341 | 148,500 | |

COORDINATING OFFICES

U00A10.01 Coordinating Offices

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|------------------------|------------------|
| 1. Abolish vacant Coordinating Offices positions. PINs 018216 and 055160 have been vacant for more than a year. | 43,677 SF 63,371 FF | 2.00 |
| Total Reductions | 107,048 | 2.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 98.00 | 96.00 | | 2.00 |
| General Fund | 4,700,023 | 4,700,023 | 0 | |
| Special Fund | 28,835,108 | 28,791,431 | 43,677 | |
| Federal Fund | 1,703,689 | 1,640,318 | 63,371 | |
| Total Funds | 35,238,820 | 35,131,772 | 107,048 | |

U10B00
Maryland Environmental Service

Committee Narrative

U10B00.41 General Administration

Maryland Environmental Service Funding Statement: The committees request that the Maryland Environmental Service (MES) provide a report on the following:

- undesignated unrestricted net assets for fiscal 2020, 2021, and 2022 estimated and an explanation for any changes between each of these years, including revenues credited to and expenditures debited from the net assets;
- overhead rate for fiscal 2020, 2021, and 2022 estimated;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2020 and 2021 for the State Reimbursable Project Contingency Fund, the Eastern Correctional Institution Steam Turbine Contingency Fund, and the Department of Natural Resources Project Contingency Fund; and
- justification for the changes in reimbursable project funding for fiscal 2020, 2021, and 2022 estimated based on a discussion about how MES's undesignated unrestricted net assets allow for reducing MES's overhead rate for State reimbursable projects and how project reserve funds are available for any under budgeting.

The report should be submitted in coordination with the Department of Budget and Management (DBM) with the fiscal 2022 budget submission.

| Information Request | Authors | Due Date |
|----------------------------|----------------|----------------------------------|
| MES funding statement | MES DBM | Fiscal 2022 budget submission |

V00A
Department of Juvenile Services

Budget Amendments

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of providing administrative support may not be expended until the Department of Juvenile Services submits a report detailing the operations of the Baltimore City Strategic Partnership to the budget committees. This report shall identify the entities participating in this partnership and the respective role and responsibilities of each, detail the processing of cases under this partnership, identify performance measures demonstrating the efficacy of this partnership, and comment on how the partnership will impact juvenile caseloads. The report shall be submitted by December 31, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the 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: Governor Lawrence J. Hogan, Jr. and the Department of Juvenile Services (DJS) announced the new Baltimore City Strategic Partnership in December 2019 with the goal to improve early intervention efforts for low offending youth. Details on the nature of this partnership are, however, light. This language requests additional information on the structure and operational nature and the impact of this partnership.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Report on the Baltimore City Strategic Partnership | DJS | December 31, 2020 |

V00A

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Operations

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------------|------------------|
| 1. Increase turnover expectancy based on current vacancy rates. This reduction may be allocated throughout the department. | 786,937 | GE |

| | |
|------------------|-------------------------|
| Total Reductions | 786,937 0 |
|------------------|-------------------------|

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|---|---------------------------------------|---------------------------|
| Position | 387.55 | 387.55 | | 0.00 |
| General Fund | 51,950,480 | 51,163,543 51,950,480 | 786,937 0 | |
| Special Fund | 772,380 | 772,380 | 0 | |
| Federal Fund | 759,460 | 759,460 | 0 | |
| Total Funds | 53,482,320 | 52,695,383 53,482,320 | 786,937 0 | |

Amendment No.

65

W00A
Department of State Police

Committee Narrative

W00A01.01 Office of the Superintendent

Civilianization: *In December 2016, the Office of Legislative Audits released a report that identified 127 positions in the Department of State Police's (DSP) workforce currently filled by sworn troopers that could be civilianized; DSP agreed that 84 have potential to be civilianized. In the three years since that report, DSP remains well short of civilianizing the 84 potential positions. Pursuing civilianization enhances public safety and generates cost savings to the State. It is the intent of the budget committees that DSP continue to pursue reclassifying positions for civilianization and submit a report no later than November 1, 2020, discussing these efforts.*

| <i>Information Request</i> | <i>Author</i> | <i>Due Date</i> |
|-----------------------------------|----------------------|-------------------------|
| <i>DSP civilianization report</i> | <i>DSP</i> | <i>November 1, 2020</i> |

W00A01.02 Field Operations Bureau

Baltimore Enhanced Visibility Patrol: The Department of State Police (DSP) works in collaboration with the Baltimore Police Department and the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) as part of the Baltimore Enhanced Visibility Patrol Initiative to detect and deter criminal activity. The budget committees request that DSP, in consultation with GOCPYVS, submit a biannual report providing the following information:

- the list of police agencies participating in the initiative and the number of personnel deployed to the initiative;
- the Baltimore police districts in which the initiative operates;
- the number of warnings, citations, and safety equipment repair orders issued;
- the number of warrants served;
- the number of firearms seized; and,
- the number of persons arrested.

The first report will be submitted to the budget committees on December 15, 2020, and the second report will be submitted on June 15, 2021.

W00A

| Information Request | Authors | Due Date |
|---|----------------|------------------------------------|
| Baltimore enhanced visibility patrol report | DSP GOCPYVS | December 15, 2020 June 15, 2021 |

Budget Amendments

W00A01.04 Support Services Bureau

Add the following language to the general fund appropriation:

, provided that \$100,000 of the appropriation for the Support Services Bureau within the Department of State Police (DSP) may not be expended until the department provides the budget committees with an update on its transition to the National Incident Based Reporting System (NIBRS) method of reporting crime statistics. The report shall provide the following:

- (1) a list of jurisdictions and State agencies that are currently NIBRS compliant;
- (2) the current status of implementing the transition;
- (3) actions taken by DSP to assist local reporting agencies in becoming NIBRS compliant; and
- (4) the identification of federal fund sources available to reporting agencies to assist in their transition to NIBRS.

The report shall be submitted by November 15, 2020, and the budget committees shall have 45 days to review and comment following the receipt of the report. Funds restricted pending the receipt of the 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: By January 1, 2021, the Federal Bureau of Investigation is requiring all State Uniform Crime Report (UCR) data to be reported consistent with NIBRS, and Maryland cannot currently accommodate. Currently, DSP reports summary crime statistics only. Given that NIBRS reporting requires significantly more enhanced data reporting, it is likely that local law enforcement agencies will need significant State or Federal assistance for procurement, information technology upgrades, data conversion, technical support, and training. As the agency responsible for the current UCR, this language asks the department to provide an update in its efforts to achieve compliance.

W00A

| Information Request | Author | Due Date |
|---------------------------------------|--------|-------------------|
| Update on the NIBRS transition report | DSP | November 15, 2020 |

Committee Narrative

Aviation Command Pilot Recruitment: The budget committees remain concerned with the significant vacancy rates among pilots in the Maryland State Police Aviation Command (MSPAC), particularly at the Trooper 5 Cumberland Aviation Section. Personnel limitations resulted in the shutdown of night shift operations in Allegany, Garrett, and Washington counties. It is the intent of the budget committees that MSPAC remain engaged in a pilot recruitment campaign *to fill the pilot vacancies and return Trooper 5 to 24-hour service coverage.*

Further, it is intent of the budget committees and that the Department of State Police (DSP) begin an incentive program to encourage pilots to locate to the Cumberland Aviation Section as well as sections on the Eastern Shore. The committees request a report on recruitment efforts and the development of incentive programs by October 1, 2020.

| Information Request | Author | Due Date |
|--|--------|-----------------|
| Report on MSPAC pilot recruitment and incentive programs | DSP | October 1, 2020 |

Financing Aviation Command Fleet Maintenance: *It is the intent of the budget committees that no funds expended through the Maryland Emergency Medical System Operations Fund may be used to finance the enrollment of the Maryland State Police Aviation Command in a helicopter fleet maintenance service program.*

X00A00 Public Debt

Budget Amendments

X00A00.01 Redemption and Interest on State Bonds

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce the debt service appropriation to reflect lower debt service costs than assumed in the budget bill. The budget bill assumes that fiscal 2021 debt service costs will be \$1,350 million. The Department of Budget and Management advises that excess appropriations were added to provide a hedge. Reducing the appropriation \$5 million still provides a \$2.3 million hedge. Further, in recent years due to the State's cautious budgeting approach, actual spending has been lower than the appropriation. | 5,000,000 | GF |
| Total Reductions | 5,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|----------------------|----------------------|-------------------------|---------------------------|
| General Fund | 226,000,000 | 221,000,000 | 5,000,000 | |
| Special Fund | 1,113,000,000 | 1,113,000,000 | 0 | |
| Federal Fund | 11,000,000 | 11,000,000 | 0 | |
| Total Funds | 1,350,000,000 | 1,345,000,000 | 5,000,000 | |

Committee Narrative

Review of Bond Sale Premiums: The State Treasurer's Office (STO), the Department of Budget and Management (DBM), and the Department of Legislative Services (DLS) should examine bond premiums that are realized at general obligation bond sales. This examination should include uses of bond premiums, costs of bond premiums, and options for reducing long-term debt service costs, such as resizing bond sales to reduce premiums.

| Information Request | Authors | Due Date |
|------------------------------|-------------------|------------------|
| Review of bond sale premiums | STO DBM DLS | October 30, 2020 |

Y01A State Reserve Fund

Budget Amendments

Y01A02.01 Dedicated Purpose Account

Add the following language to the general fund appropriation:

Further provided that \$12,500,000 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the transfer of an equivalent amount of funds from the Bay Restoration Fund to the Maryland Department of Transportation (MDOT) to support the State's compliance with the Watershed Implementation Plan for Chesapeake Bay restoration. MDOT is authorized to process a budget amendment increasing the amount of spending from the Transportation Trust Fund for the Washington Metropolitan Area Transit Authority contribution by \$12,500,000.

Explanation: This language reduces general fund support for the Washington Metropolitan Area Transit Authority (WMATA) capital grant contingent on legislation authorizing the use of fund balance from the Bay Restoration Fund for MDOT projects to support the State's compliance with the Watershed Implementation Plan (WIP). Using this fund balance for the WIP frees up Transportation Trust Fund (TTF) special funds to increase the TTF contribution to the WMATA grant, reducing the need for general fund support.

Amendment No.

66

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|------------------|------------------|
| 1. Reduce the fiscal 2021 transfer tax repayment. This action provides \$37.2 million for capital related Program Open Space projects. | 1,000,000 | GF |
| <i>Total Reductions</i> | <i>1,000,000</i> | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| General Fund | 266,503,782 | 265,503,782 | 1,000,000 | |
| Total Funds | 266,503,782 | 265,503,782 | 1,000,000 | |

Amendment No.

67

Y01A

Committee Narrative

Y01A04.01 Catastrophic Event Account

Repayment of the Catastrophic Event Account and the Small, Minority, and Women-Owned Businesses Account: In September 2016, \$2.5 million was transferred from the Catastrophic Event Account, and \$2.3 million was transferred from the Small, Minority, and Women-Owned Businesses Account (SMWOBA) into the Department of Housing and Community Development (DHCD) Neighborhood BusinessWorks program to provide loans to businesses in Ellicott City. Another \$2.5 million was transferred from the Catastrophic Event Account in July 2018. As part of its review of the transfer of funds from the Catastrophic Event Account, the Legislative Policy Committee recommended that DHCD develop a process by which the funds or repaid loans are credited to the Catastrophic Event Account. DHCD and the Department of Budget and Management should submit a report that provides data regarding the number and amount of loans provided, the outstanding balance of these loans, and the number and amount of any forgiven loans. This report should be submitted to the budget committees by January 15, 2021.

| Information Request | Authors | Due Date |
|---|---|------------------|
| Report on Catastrophic Event Account and SMWOBA repayment | DHCD Department of Budget and Management | January 15, 2021 |

C00A00
Judiciary

Fiscal 2020 Deficiency

C00A00.10 Clerks of the Circuit Court

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|----------------------------|-------------------------|
| 1. <i>Reduce fiscal 2020 deficiency funding for a 3% cost-of-living adjustment. The Chief Judge is authorized to allocate this reduction across the Judiciary. This action equalizes enhancements to Judiciary employee salaries with those of State employees.</i> | 5,629,947 GF 355,902 SF | |
| <i>Total Reductions</i> | 5,985,849 | |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| <i>General Fund</i> | 6,472,250 | 842,303 | 5,629,947 | |
| <i>Special Fund</i> | 383,111 | 27,209 | 355,902 | |
| <i>Total Funds</i> | 6,855,361 | 869,512 | 5,985,849 | |

Amendment No.

68

D13A13
Maryland Energy Administration

Fiscal 2020 Deficiency

D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce the deficiency appropriation for the Combined Heat and Power Program to reflect the available funding from the Exelon Corporation and Pepco Holdings, Inc. merger for this program. | 241,153 SF | |
| Total Reductions | 241,153 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Special Fund | 367,061 | 125,908 | 241,153 | |
| Total Funds | 367,061 | 125,908 | 241,153 | |

M00Q01
Maryland Department of Health
Medical Care Programs Administration

Fiscal 2020 Deficiency

M00Q01.03 Medical Care Provider Reimbursements

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce deficiency funding based on lower estimates of fiscal 2020 need. | 15,000,000 | GF |
| Total Reductions | 15,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 37,295,041 | 22,295,041 | 15,000,000 | |
| Special Fund | 106,253,135 | 106,253,135 | 0 | |
| Federal Fund | 160,868,991 | 160,868,991 | 0 | |
| Total Funds | 304,417,167 | 289,417,167 | 15,000,000 | |

U00A
Department of the Environment

Fiscal 2020 Deficiency

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of supporting air quality monitoring, permitting, and compliance in the Air and Radiation Administration may not be expended until the Maryland Department of the Environment submits the delinquent fiscal 2015 through 2019 Maryland Clean Air Fund annual reports required by Section 2-107(3) of the Environment Article by May 1, 2020. The budget committees shall have 45 days from the date of the receipt of the reports to review and comment. Funds restricted pending the submission of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.

Explanation: The Maryland Department of the Environment (MDE) has not submitted the fiscal 2015 through 2019 Maryland Clean Air Fund annual reports required by Environment Article Section 2-107(3). This action restricts funding in the fiscal 2020 general fund deficiency appropriation pending the submission of the delinquent reports.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Maryland Clean Air Fund annual reports | MDE | May 1, 2020 |

Sections

Budget Amendments

Amend the following section:

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

- (a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense ~~and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted.~~

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury ~~a schedule of allotments, if any~~ a list limited to the appropriations restricted in this Act to be placed in contingency reserve. The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

- ~~(b) To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.~~

- ~~(e)~~ (b) To fix the number and classes of positions, including temporary and permanent positions, or person years of authorized employment for each agency, unit, or program thereof, not inconsistent with the Public General Laws in regard to classification of positions. The Secretary shall make such determinations before the beginning of the fiscal year and shall base them on the positions or person years of employment authorized in the budget as amended by approved budgetary position actions. No payment for salaries or wages nor any request for or certification of personnel shall be made except in accordance with the Secretary's determinations. At any time during the fiscal year the Secretary may amend the number and classes of positions or person years of employment previously fixed by the Secretary; the Secretary may delegate all or part of this authority. The governing boards of public institutions of higher education shall have the authority to transfer positions between programs and campuses under each institutional board's jurisdiction without the approval of the Secretary, as provided in Section 15-105 of the Education Article.

- ~~(d)~~ (c) To prescribe procedures and forms for carrying out the above provisions.

Sections

Explanation: This language limits the amount of appropriations that can be placed into contingency reserves to only those items restricted by the General Assembly.

Amend the following section:

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0217 (Health Insurance), 0305 (DBM Paid Telecommunications), 0322 (Capital Lease Telecommunications), 0839 (HR Shared Services), 0874 (Office of Attorney General Administrative Fee), 0876 (DoIT IT Services Allocation), 0894 (State Personnel System Allocation), 0897 (Enterprise Budget System Allocation), and 1303 (rent paid to DGS) are to be utilized for their intended purposes only. ~~The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management.~~ Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller Objects 0152, 0154, 0217, 0305, 0322, and 0876 between State departments and agencies by approved budget amendment in fiscal 2020 and fiscal 2021. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154, and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2-516 of the State Personnel and Pensions Article.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects listed within this section shall establish within the State's accounting system a structure of accounts to separately identify for each restricted Comptroller Object, by fund source, the legislative appropriation, monthly transactions, and final expenditures. It is the intent of the General Assembly that an accounting detail be established so that the Office of Legislative Audits may review the disposition of funds appropriated for each restricted Comptroller Object as part of each closeout audit to ensure that funds are used only for the purposes for which they are restricted and that unspent funds are reverted or canceled.

Explanation: This language pertaining to restricted objects of expenditures is amended to disallow transfers to other purposes and makes it possible for the Office of Legislative Audits to track the disposition of funds in restricted statewide subobjects.

Add the following section:

Section 21 Executive Long-term Forecast

SECTION 21. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the executive budget proposal on the long-term fiscal condition of the General Fund, the Transportation Trust Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and 4 years thereafter. Expenditures shall be reported at such agency, program or unit

Sections

levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

Explanation: This annual language provides for the delivery of the executive's General Fund, transportation, and higher education forecasts and defines the conditions under which they are to be provided.

| Information Request | Author | Due Date |
|---------------------|-------------------------------------|--|
| Executive forecasts | Department of Budget and Management | With submission of the Governor's fiscal 2022 budget books |

Add the following section:

Section 22 Across-the-board Reductions and Higher Education

SECTION 22. AND BE IT FURTHER ENACTED, That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

Explanation: This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College unless their exclusion is specifically stated.

Add the following section:

Section 23 Reporting Federal Funds

SECTION 23. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a summary statement of federal revenues by major federal program sources supporting the federal appropriations made therein along with the major assumptions underpinning the federal fund estimates. The Department of Budget and Management (DBM) shall exercise due diligence in reporting this data and ensure that they are updated as appropriate to reflect ongoing congressional action on the federal budget. In addition, DBM shall provide to the Department of Legislative Services (DLS) data for the actual, current, and budget years listing the components of each federal fund appropriation by Catalog of Federal Domestic Assistance number or equivalent detail for programs not in the catalog. Data shall be provided in an electronic format subject to the concurrence of DLS.

Sections

Explanation: This annual language provides for consistent reporting of federal monies received by the State.

| Information Request | Author | Due Date |
|---|--------|---|
| Reporting components of each federal fund appropriation | DBM | With submission of the fiscal 2022 budget |

Add the following section:

Section 24 Federal Fund Spending

SECTION 24. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

- (1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.
- (2) For fiscal 2021, except with respect to capital appropriations, to the extent consistent with federal requirements:
 - (a) when expenditures or encumbrances may be charged to either State or federal fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department of Human Services with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities;
 - (b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management (DBM), whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and
 - (c) DBM shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of federal funds by executive agencies.

Explanation: This annual language defines the policies under which federal funds shall be used in the State budget.

Sections

Add the following section:

Section 25 Reporting on Budget Data and Organizational Charts

SECTION 25. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2022 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of Maryland. The presentation of budget data in the Governor's budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2021 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2020 spending, the fiscal 2021 working appropriation, and the fiscal 2022 allowance, the budget detail shall be available from the Department of Budget and Management (DBM) automated data system at the subobject level by subobject codes and classifications for all agencies. To the extent possible, except for public higher education institutions, subobject expenditures shall be designated by fund for actual fiscal 2020 spending, the fiscal 2021 working appropriation, and the fiscal 2022 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available on request and in a format subject to the concurrence of the Department of Legislative Services (DLS). Further, the expenditure of appropriations shall be reported and accounted for by the subobject classification in accordance with the instructions promulgated by the Comptroller of Maryland.

Further provided that due diligence shall be taken to accurately report full-time equivalent (FTE) counts of contractual FTEs in the budget books. For the purpose of this count, contractual FTEs are defined as those individuals having an employee-employer relationship with the State. This count shall include those individuals in higher education institutions who meet this definition but are paid with additional assistance funds.

Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

Further provided that for each across-the-board reduction to appropriations or positions in the fiscal 2022 Budget Bill affecting fiscal 2021 or 2022, DBM shall allocate the reduction for each agency in a level of detail not less than the three-digit R*Stars financial agency code and by each fund type.

Further provided that DBM shall provide to DLS special and federal fund accounting detail for the fiscal year last completed, current year, and budget year for each fund. The account detail, to be submitted with the allowance, should at a minimum provide revenue and expenditure detail, along with starting and ending balances.

Sections

Further provided that DBM shall provide to DLS by September 1, 2020, a list of subprograms used by each department, unit, agency, office, and institution, along with a brief description of the subprograms' purpose and responsibilities.

Explanation: This annual language provides for consistent reporting of fiscal 2020, 2021, and 2022 budget data and provides for the submission of department, unit, agency, office, and institutions' organizational charts to DLS with the allowance. It also requires DBM to allocate across-the-board reductions to positions or funding to ensure transparency in budget allocations approved by the General Assembly. Finally, it requires DBM to provide information on special and federal fund accounts as well as a list and description of all subprograms used by State entities.

| Information Request | Author | Due Date |
|---|--------|---|
| Agency organizational charts and special and federal fund accounting detail | DBM | With submission of the fiscal 2022 budget |
| List of subprograms | DBM | By September 1, 2020 |

Add the following section:

Section 26 Interagency Agreements

SECTION 26. AND BE IT FURTHER ENACTED, That on or before August 1, 2020, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2020 between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

- (1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;
- (2) the starting date for each agreement;
- (3) the ending date for each agreement;
- (4) a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;

Sections

- (5) a description of the nature of the goods and services to be provided;
- (6) the total number of personnel, both full- and part-time, associated with the agreement;
- (7) contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement;
- (8) total indirect cost recovery or facilities and administrative (F&A) expenditures authorized for the agreement;
- (9) the indirect cost recovery or F&A rate for the agreement and brief description of how the rate was determined;
- (10) actual expenditures for the most recently closed fiscal year;
- (11) actual base expenditures that the indirect cost recovery or F&A rate may be applied against during the most recently closed fiscal year;
- (12) actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and
- (13) total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2020, that contains information on all agreements between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 that were in effect at any time during fiscal 2020.

Further provided that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 may be entered into during fiscal 2021 without prior approval of the Secretary of Budget and Management.

Explanation: This annual language requires DBM to report on all interagency agreements between State agencies and public institutions of higher education having a total potential expenditure over the term of the agreement in excess of \$100,000. This applies only to agreements for the purchase of goods and/or services and does not apply to grants or space agreements. Further, it requires that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 be entered into during fiscal 2021 without prior approval of the Secretary of Budget and Management.

| Information Request | Author | Due Date |
|---|--------|------------------|
| Consolidated report on interagency agreements | DBM | December 1, 2020 |

Sections

Add the following section:

Section 27 **Budget Amendments**

SECTION 27. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Prevention, Youth, and Victim Services or the Maryland Emergency Management Agency made in Section 1 of this Act shall be subject to the following restrictions:

- (1) This section may not apply to budget amendments for the sole purpose of:
 - (a) appropriating funds available as a result of the award of federal disaster assistance; and
 - (b) transferring funds from the State Reserve Fund – Economic Development Opportunities Account for projects approved by the Legislative Policy Committee (LPC).
- (2) Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until:
 - (a) that amendment has been submitted to the Department of Legislative Services (DLS); and
 - (b) the budget committees or LPC has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full-time equivalent payroll requirements.
- (3) Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:
 - (a) restore funds for items or purposes specifically denied by the General Assembly;
 - (b) fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation (MDOT) shall be restricted as provided in Section 1 of this Act;
 - (c) increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees

Sections

have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to MDOT; and

- (d) provide for the additional appropriation of special, federal, or higher education funds of more than \$100,000 for the reclassification of a position or positions.
- (4) A budget may not be amended to increase a federal fund appropriation by \$100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.
- (5) No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.
- (6) Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.
- (7) Budget amendments for new major information technology projects, as defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A-308 of the State Finance and Procurement Article.
- (8) Further provided that the fiscal 2021 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2021 and the supporting electronic detail may not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the MDOT pay-as-you-go capital program.
- (9) Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2022 allowance, the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

Explanation: This annual language defines the process under which budget amendments may be used.

Sections

Add the following section:

Section 28 Maintenance of Accounting Systems

SECTION 28. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2020 in program M00Q01.03 Medical Care Provider Reimbursements and M00Q01.10 Medicaid Behavioral Health Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the monthly reports by fund type required under this section for that program.
- (2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2020 to program R00A02.07 Students With Disabilities for nonpublic placements have been disbursed for services provided in that fiscal year and to prepare monthly reports as required under this section for that program.
- (3) The Secretary of Human Services shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2020 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail by placement type for the average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the monthly reports required under this section for that program.
- (4) For the programs specified, reports must indicate by fund type total appropriations for fiscal 2020 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.
- (5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller beginning August 15, 2020, and submitted on a monthly basis thereafter.
- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2020 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

Explanation: This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the Department of Human Services (DHS).

Sections

| Information Request | Authors | Due Date |
|--|--------------------|---|
| Report on appropriations and disbursements in M00Q01.03, M00Q01.10, R00A02.07, and N00G00.01 | MDH MSDE DHS | August 15, 2020, and monthly thereafter |

Add the following section:

Section 29 Chesapeake Employers' Insurance Company Fund Accounts

SECTION 29. AND BE IT FURTHER ENACTED, That the General Accounting Division of the Comptroller of Maryland shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (Workers' Compensation) and to credit all payments disbursed to the Chesapeake Employers Insurance Company (CEIC) via transmittal. The control account shall also record all funds withdrawn from CEIC and returned to the State and subsequently transferred to the General Fund. CEIC shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

Explanation: This section provides continuation of a system to track workers' compensation payments to the CEIC Fund for payments of claims, current expenses, and funded liability for incurred losses by the State.

| Information Request | Author | Due Date |
|--|--------|-----------------------------------|
| Report on the status of ledger control account | CEIC | Monthly beginning on July 1, 2020 |

Add the following section:

Section 30 The "Rule of 100"

SECTION 30. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2020, as determined by the Secretary of Budget and Management. Provided, however, that if the imposition of this ceiling causes undue hardship in any department, agency, board, or commission, additional positions may be created for that affected unit to the extent that an equal number of positions authorized by the General Assembly for the fiscal year are abolished in that unit or in other units of State government. It is further provided that the limit of 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement

Sections

block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of man that are necessary to protect the health and safety of the people of Maryland.

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 contractual full-time equivalents (FTE) are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual FTEs for at least 2 years. Any position created by this method may not be counted within the limitation of 100 under this section.

The numerical limitation on the creation of positions by BPW established in this section may not apply to positions entirely supported by funds from federal or other non-State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

- (1) funds are available from non-State sources for each position established under this exception; and
- (2) any positions created will be abolished in the event that non-State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2021, the status of positions created with non-State funding sources during fiscal 2018 through 2021 under this provision as remaining, authorized, or abolished due to the discontinuation of funds.

Explanation: This annual language, the Rule of 100, limits the number of positions that may be added after the beginning of the fiscal year to 100 and provides exceptions to the limit.

| Information Request | Author | Due Date |
|--|--------|---------------|
| Certification of the status of positions created with non-State funding sources during fiscal 2018 through 2021. | DBM | June 30, 2021 |

Sections

Add the following section:

Section 31 Annual Report on Authorized Positions

SECTION 31. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2020, the Secretary of Budget and Management shall determine the total number of full-time equivalent (FTE) positions that are authorized as of the last day of fiscal 2020 and on the first day of fiscal 2021. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2020 and 2021, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare a report during fiscal 2021 for the budget committees upon creation of regular FTE positions through Board of Public Works action and upon transfer or abolition of positions. This report shall also be provided as an appendix in the fiscal 2022 Governor's budget books. It shall note, at the program level:

- (1) where regular FTE positions have been abolished;
- (2) where regular FTE positions have been created;
- (3) from where and to where regular FTE positions have been transferred; and
- (4) where any other adjustments have been made.

Provision of contractual FTE information in the same fashion as reported in the appendices of the fiscal 2021 Governor's budget books shall also be provided.

Explanation: This annual language provides reporting requirements for regular positions and contractual FTEs.

| Information Request | Author | Due Date |
|--|--------|---------------|
| Total number of FTEs on June 30 and July 1, 2020. | DBM | July 14, 2020 |
| Report on the creation, transfer, or abolition of regular positions. | DBM | As needed |

Sections

Add the following section:

Section 32 Positions Abolished in the Budget

SECTION 32. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

Explanation: This language prevents employees from being moved into positions abolished in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

Add the following section:

Section 33 Annual Report on Health Insurance Receipts and Spending

SECTION 33. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2022 Governor's budget books an accounting of the fiscal 2020 actual, fiscal 2021 working appropriation, and fiscal 2022 estimated revenues and expenditures associated with the employees' and retirees' health plan. The data in this report should be consistent with the budget data submitted to the Department of Legislative Services. This accounting shall include:

- (1) any health plan receipts received from State agencies, as well as prescription rebates or recoveries, or audit recoveries, and other miscellaneous recoveries;
- (2) any health plan receipts received from employees and retirees, broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees;
- (3) any premium, capitated, or claims expenditures paid on behalf of State employees and retirees for any health, mental health, dental, or prescription plan, as well as any administrative costs not covered by these plans, with health, mental health, and prescription drug expenditures broken out by medical payments for active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees, and prescription drug expenditures broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; and
- (4) any balance remaining and held in reserve for future provider payments.

Explanation: This language provides an accounting of the health plan revenues received and expenditures made on behalf of State employees and retirees. The language proposes that the language in the report be consistent with the budget data submitted with the budget bill.

Sections

Add the following section:

Section 34 Chesapeake Bay Restoration Spending

SECTION 34. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of Planning, \$200,000 of the general fund appropriation in the Department of Natural Resources, \$200,000 of the general fund appropriation in the Maryland Department of Agriculture, \$200,000 of the general fund appropriation in the Maryland Department of the Environment, and \$200,000 of the general fund appropriation in the Department of Budget and Management made for the purpose of general operating expenses may not be expended unless the agencies provide a report to the budget committees on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The report shall include:

- (1) fiscal 2020 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (2) projected fiscal 2021 to 2025 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (3) an overall framework discussing the needed regulations, revenues, laws, and administrative actions and their impacts on individuals, organizations, governments, and businesses by year from fiscal 2020 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay, to be both written in narrative form and tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;
- (4) an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states’ efforts toward Chesapeake Bay restoration;
- (5) an analysis on how cost effective the existing State funding sources, such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water Quality Revolving Loan Fund among others, are for Chesapeake Bay restoration purposes; and

Sections

- (6) updated information on the Phase III WIP implementation and how the loads associated with the Conowingo Dam infill, growth of people and animals, and climate change will be addressed.

The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the 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: This language restricts funding in the Maryland Department of Planning (MDP), the Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA), the Maryland Department of the Environment (MDE), and the Department of Budget and Management (DBM) unless the agencies provide a report by December 1, 2020, on recent and projected Chesapeake Bay restoration spending and associated impacts and the overall framework to meet the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay. In addition, the language expresses the interest that the report include information on policy innovations that improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; an analysis of how cost effective the State funding sources are that are being used; updated information on the Phase III WIP implementation; and how Conowingo Dam infill, people and animal growth, and climate change will be addressed.

| Information Request | Authors | Due Date |
|--|---------------------------------|------------------|
| Historical and projected Chesapeake Bay restoration spending | MDP DNR MDA MDE DBM | December 1, 2020 |

Budget Amendments

Add the following section:

Section 35 Submission of the Uniform Crime Report

SECTION 35. AND BE IT FURTHER ENACTED, That \$1,000,000 of the general fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2019 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget

Sections

amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that, if DSP encounters difficulty obtaining, or validating the accuracy of, the necessary crime data by November 1, 2020, from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, the office shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2020 upon receipt of notification from DSP. GOCPYVS shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP and DSP verifies the accuracy of that data. DSP and GOCPYVS shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2020, and the amount of SAPP funding withheld from each jurisdiction.

Explanation: The annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. The 2017 UCR was not submitted until March 2019, and the 2018 UCR was not submitted as of January 2020. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2019 UCR. The language also specifies that GOCPYVS, upon receipt of notification from DSP, must withhold a portion of a delinquent jurisdiction's SAPP grant until certain crime data is received by DSP. Finally, DSP and GOCPYVS must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2020, and the amount of SAPP funding that was withheld from each jurisdiction.

| Information Request | Author | Due Date |
|----------------------------|--------|---|
| 2019 UCR data verification | DSP | November 1, 2020 |
| 2019 UCR | DSP | 45 days prior to the expenditure of funds |

Add the following section:

Section 36 Baltimore City Crime Prevention Initiative

SECTION 36. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation within the Department of State Police (DSP) and \$100,000 of the general fund appropriation within the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) may not be expended until DSP and GOCPYVS jointly submit a report identifying the role each plays within the Baltimore City Crime Prevention Initiative (BCCPI) to combat violent crime in Baltimore City. This report should specifically provide an update regarding the

Sections

establishment of the Baltimore Regional Intelligence Center (BRIC). The report should also provide and evaluate measurable performance metrics related to the DSP Strike Force and BRIC, and discuss how they compare to the performance measures detailed in the Joint Report on BCCPI. Finally, this report should discuss all grant awards allocated in fiscal 2020 under this initiative and provide information on the grant recipients and how these funds were used.

The report shall be submitted by September 15, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: Despite a considerable amount of State resources provided to support the crime reduction efforts in Baltimore City, the State's role remains unclear. This report requests DSP and GOCYVVS to submit a joint report clarifying the role each plays in the BCCPI, an update regarding the establishment of BRIC, performance metrics to demonstrate the efficacy of the initiative, and grant award detail for fiscal 2020.

| Information Request | Authors | Due Date |
|-----------------------------|----------------|--------------------|
| Performance report on BCCPI | DSP GOCYVVS | September 15, 2020 |

Add the following section:

Section 37 Transfer of the Opioid Operational Command Center

SECTION 37. AND BE IT FURTHER ENACTED, That, effective July 1, 2020, the Governor is authorized to transfer all positions and funding in program D50H01.08 MEMA – Opioid Operational Command Center from the Military Department to the Maryland Department of Health Office of the Secretary, program M00A01.01 Executive Direction.

Explanation: The Opioid Operational Command Center (OOC) was established by Executive Order 01.01.2017.01 in March 2017. In December 2018, a second executive order formalized the OOC structure and moved the agency within the Maryland Emergency Management Agency (MEMA) under the Military Department. The early grant activity of OOC resulted in several Office of Legislative Audits findings and an investigation by the Maryland Department of Health (MDH) Office of the Inspector General. This section authorizes the Governor to transfer OOC and necessary positions back from MEMA to MDH Office of the Secretary to provide greater oversight of OOC grant activity.

Amendment No.

69

Sections

Strike the following language:

Section 37 — Baltimore City Crime Reduction Strategy

~~SECTION 37. AND BE IT FURTHER ENACTED, That \$11,136,063 of this appropriation, representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State's Attorney's Office, and \$3,000,000 in disparity grants to Baltimore City budgeted within A15000.01 may not be expended unless the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore Police Department, submits a comprehensive annual crime strategy for the city, which must include specific measurable actions the city will take to address crime, be based on a threat assessment, and include annual crime reduction targets for homicides, nonfatal shootings, violent crime, firearms related offenses, and property crime. The crime reduction strategy report shall be developed in consultation with the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) and submitted to the Governor and budget committees by October 15, 2020. By October 15, 2020, and quarterly thereafter, the Mayor's Office of Criminal Justice shall report on progress made on the crime reduction targets included in the annual crime reduction strategy. Further provided that the Baltimore Police Department enters their warrant information into the National Criminal Information Center (NCIC)/Maryland Telecommunications Enforcement Resources System (METERS).~~

~~Further provided that \$100,000 in the general fund appropriation for GOCPYVS Administrative Headquarters may not be expended until GOCPYVS submits a letter commenting on and expressing written approval of the comprehensive annual crime strategy no later than October 15, 2020.~~

~~Further provided that \$1,000,000 of disparity grant funding to Baltimore City shall remain withheld and shall be disbursed in increments of \$250,000 upon the submission of each quarterly report. The budget committees shall have 45 days to review and comment prior to the release of funds. Funds restricted pending the 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.~~

Explanation: This recommendation amends language included in the fiscal 2021 Budget Bill as introduced by the Governor. This action restricts grant funding to Baltimore City provided through GOCPYVS and \$3,000,000 of the city's disparity grant funding until the Baltimore City Mayor's Office, the Mayor's Office of Criminal Justice, the Baltimore City State's Attorney's Office, and the Baltimore Police Department develop a comprehensive annual crime strategy in coordination with GOCPYVS. GOCPYVS is required to consult on the development of the strategy and submit written comment and approval of the strategy to the budget committees along with the crime strategy. Funds are restricted within the GOCPYVS budget until this written approval is submitted. Of the \$3,000,000 in withheld Disparity Grant funding, a total of \$1,000,000 will remain withheld pending the submission of each quarterly performance report. The funding will be released in \$250,000 increments upon the submission of each report.

Sections

| Information Request | Author | Due Date |
|---|---------------|---|
| 2020 Baltimore City Crime Reduction Strategy | GOCPYVS | October 15, 2020 |
| Letter of comment and approval on the crime reduction strategy | GOCPYVS | October 15, 2020 |
| Quarterly performance measures | GOCPYVS | October 15, 2020 January 15, 2021 April 15, 2021 June 15, 2021 |

Amendment No.

70

Add the following section:

Section 38 Medicaid Data Memorandum of Understanding

SECTION 38. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Human Services (DHS) and \$100,000 of the general fund appropriation in the Maryland Department of Health (MDH) made for the purpose of general administration may not be expended until DHS and MDH submit a Memorandum of Understanding (MOU), signed by the secretaries of both agencies, that provides for the sharing of Medicaid data and inclusion of this data in the Life After Welfare report from the University of Maryland School of Social Work beginning with the 2020 report. The signed MOU shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the MOU may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the MOU is not submitted to the budget committees.

Explanation: The Life After Welfare Annual Update reports analyze outcomes of the Temporary Cash Assistance (TCA) receipt. Nearly all of those that exit the TCA program receive Medicaid, yet this information has not been included in the Life After Welfare analysis since 2017 because this data is owned by the Maryland Department of Health. This language requests that an MOU be signed by both agencies to provide for sharing of Medicaid data and incorporation of Medicaid data into the Life After Welfare analysis.

Sections

| Information Request | Authors | Due Date |
|---|------------|--------------|
| MOU providing for the sharing of Medicaid data and inclusion of this data in the annual Life After Welfare report | DHS MDH | July 1, 2020 |

Add the following section:

Section 39 Need for Licensed Placement Beds

SECTION 39. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administrative expenses in program N00G00.03 Child Welfare Services and \$100,000 of the general fund appropriation made for the purpose of administrative expenses in program M00L01.01 Program Direction may not be expended until the Department of Human Services (DHS) and Maryland Department of Health (MDH) submit a report that:

- (1) details how many additional licensed placement beds are needed to ensure that no child who requires placement in a psychiatric unit of a hospital, other hospital placement, residential child care program, or residential treatment center due to conditions meeting statutory criteria of psychiatric need, neurocognitive disorder, or other comparable condition is faced with the lack of suitable placement after being in a hospital emergency room for 30 or more hours for both youth in the custody of DHS and all youth in need of placement;
- (2) develops a plan to increase capacity to meet the number of beds needed by placement type, including a timeline for creation of sufficient space;
- (3) provides information on the number of additional placement beds created by type of placement since January 1, 2020;
- (4) provides options for other treatment models that allow youth to remain in a family setting while receiving treatment;
- (5) provides a plan for developing or increasing the psychiatric crisis response activities for youth to prevent the need for out-of-home placements, emergency room visits, or inpatient psychiatric care; and
- (6) provides information on psychiatric crisis response activities for youth funded by the Social Services Administration of DHS or the Behavioral Health Administration of MDH in the fiscal 2020 actual and the fiscal 2021 working appropriation.

Sections

The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the 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: Concern has been raised recently over youth in foster care and other youth remaining in hospitals longer than is medically necessary and over whether youth are being taken to emergency rooms when psychiatric placements are not available. The fiscal 2021 allowance of DHS Child Welfare Services includes approximately \$550,000 to support crisis response for prevention of out-of-home placement or inpatient psychiatric hospitalization through the Baltimore Child and Adolescent Response System. The General Assembly is interested in understanding what additional capacity is needed to meet the need for youth to prevent long stays in emergency rooms or inpatient psychiatric facilities and the current availability of crisis response programs for youth. This language restricts funds in DHS and MDH until a report is submitted detailing the need for additional placement beds, a plan to increase capacity, and a plan to improve psychiatric crisis response for youth to prevent hospitalizations.

| Information Request | Authors | Due Date |
|---|------------|------------------|
| Report on increased capacity for psychiatric care for youth | DHS MDH | December 1, 2020 |

Add the following section:

Section 40 Reduction of Health Insurance Contributions

SECTION 40. AND BE IT FURTHER ENACTED, That for fiscal 2021 funding for State health insurance contributions for employees and retirees shall be reduced by \$10,000,000 in Executive Branch, Legislative Branch, and Judicial Branch agencies. Funding for this purpose shall be reduced in Comptroller Object 0152 (Health Insurance), Comptroller Object 0154 (Retirees Health Insurance Premiums), and Comptroller Object 0217 (Contractual Health Insurance) within programs in the Executive Branch, Legislative Branch, and Judicial Branch agencies in Section 1 of this Act in fiscal 2021 by the following amounts in accordance with a schedule determined by the Governor, the Presiding Officers, and Chief Judge:

| <u>Programs</u> | <u>Fund</u> | <u>Amount</u> |
|-------------------------------------|---------------------|--------------------|
| <u>General Assembly of Maryland</u> | <u>General Fund</u> | <u>\$107,880</u> |
| <u>Judiciary</u> | <u>General Fund</u> | <u>\$519,556</u> |
| <u>Executive Branch</u> | <u>General Fund</u> | <u>\$6,832,238</u> |
| <u>Judiciary</u> | <u>Special Fund</u> | <u>\$33,747</u> |
| <u>Executive Branch</u> | <u>Special Fund</u> | <u>\$1,592,087</u> |
| <u>Executive Branch</u> | <u>Federal Fund</u> | <u>\$914,492</u> |

Sections

Explanation: The State Employees' and Retirees' Health Insurance Account is expected to close fiscal 2021 with excess fund balance. The reductions in the Executive Branch are to be applied to all agencies and higher education institutions proportionally to the fiscal 2021 allowance. This language reduces the fund balance by \$10 million (\$7.5 million in general funds).

Add the following section:

Section 41 Department of Information Technology Position Reduction Savings

SECTION 41. AND BE IT FURTHER ENACTED, That the reimbursable funds appropriation in the Department of Information Technology programs F50B04.01 State Chief of Information Technology, F50B04.02 Security, F50B04.03 Application Systems Management, and F50B04.04 Infrastructure, shall be reduced by a total of \$450,000. Funding shall be reduced from within programs in the Executive Branch, Legislative Branch, and Judicial Branch agencies in Section 1 of this Act in accordance with a schedule determined by the Governor, the Presiding Officers, and the Chief Judge. The reduction shall equal at least the amount indicated for the funds listed:

| <u>Fund</u> | <u>Amount</u> |
|----------------|------------------|
| <u>General</u> | <u>\$270,000</u> |
| <u>Special</u> | <u>\$90,000</u> |
| <u>Federal</u> | <u>\$90,000</u> |

Explanation: This partially reduces reimbursable funds for 15 regular positions in the Department of Information Technology that are abolished. The positions have been vacant for over one year.

Add the following section:

Section 42 Report on Agencies with Multiple Personally Identifiable Information Audit Findings in 2019

SECTION 42. AND BE IT FURTHER ENACTED, That since three agencies have had repeat findings in the calendar 2019 compliance audit reports issued by the Office of Legislative Audits (OLA) for problems protecting personally identifiable information (PII), \$100,000 of the general fund appropriation for administration in Program E20B01.01 Treasury Management in the State Treasurer's Office, \$100,000 of the general fund appropriation for administration in Program F10A01.01 Executive Direction in the Department of Budget and Management Office of the Secretary, and \$100,000 of the general fund appropriation for administration in Program R00A01.01 Office of the State Superintendent in the State Department of Education Headquarters may not be expended until:

Sections

- (1) agency representatives from agencies with repeat PII audit findings in calendar 2019 have met with the State Chief Information Security Officer (SCISO) to identify and document a path for resolution of any outstanding issues and the agency has taken corrective action with respect to PII protection, including articulating any ongoing associated costs and a timeline for resolution if the corrective action is not complete;
- (2) the SCISO submits a report to OLA by February 1, 2021 addressing corrective actions taken to protect PII, a path and timeline for resolution of any outstanding issues, and any ongoing costs associated with corrective actions; and
- (3) a report is submitted to the budget committees and the Joint Audit and Evaluation Committee (JAEC) by OLA listing each repeat audit finding in accordance with (1) above that demonstrates the agencies' commitment to correct each repeat audit finding. The report shall be submitted to the budget committees and JAEC by May 1, 2021 and the committees and JAEC shall have 45 days to review and comment from the date the report is submitted. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the report is not submitted.

Explanation: Commonly accepted cybersecurity standards are guided by CIA, which stands for confidentiality, integrity, and availability. Protecting PII is a key element of confidentiality. Not all State agencies are properly protecting PII. Audit reports from calendar 2019 identified repeat PII findings in the Department of Budget and Management, State Department of Education, and Office of the State Treasurer. This language requires that these agencies report their plans to correct outstanding PII issues to the SCISO. The SCISO should review these plans and report to OLA about these agencies' plans. OLA should review SCISO's findings and report on the commitment to resolving these repeat findings to the budget committees and JAEC.

| Information Request | Authors | Due Date |
|-------------------------------|--------------|---------------------------------|
| Report on repeat PII findings | SCISO OLA | February 1, 2021 May 1, 2021 |

Add the following section:

Section 43 2022 Pollbook Project Development Timeline

SECTION 43. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the State Board of Elections (SBE), and \$100,000 of the general fund appropriation in the Department of Information Technology (DoIT) made for the purpose of general operating expenses may not be expended until the SBE, in consultation with the DoIT, submits a report that outlines how the 2022 pollbook system will be developed for use in the 2022 gubernatorial election. The report should include a development timeline with specific milestones to be achieved, expenditures anticipated to achieve each milestone, and the projected

Sections

date of completion for each milestone. The report should also include affirmation by DoIT of SBE's proposed backup plan should the system not be ready in 2022. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted.

Explanation: The 2022 Pollbook Project is a new Major Information Technology Development Project for SBE. The Information Technology Project Report has limited details due to the newness of the project. This language restricts funds pending submission of a report that describes the timeline for completing this project in advance of the 2022 election cycle.

| Information Request | Authors | Due Date |
|---|-------------|--------------|
| Report on how funds will be used and the development timeline leading up to the 2022 election | SBE DoIT | July 1, 2020 |

Add the following section:

Section 44 Hospital Stays

SECTION 44. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation in the Department of Human Services, \$250,000 of the general fund appropriation in the Maryland Department of Health, and \$250,000 of the general fund appropriation for the Department of Juvenile Services all made for the purpose of general operating expenses may not be expended until the agencies provide a report to the budget committees on:

- (1) the number of youth in out-of-home placements served in emergency rooms for psychiatric evaluation or crises by month for fiscal 2019 and 2020 separately by child placing agency;
- (2) the average length of stay in an emergency room for youth in out-of-home placements served in emergency rooms for psychiatric evaluation or crises for fiscal 2019 and 2020 separately by child placing agency;
- (3) the total number of youth in out-of-home placements served in medical hospitals or inpatient psychiatric hospitals separately by type of hospital by each child placing agency for fiscal 2019 and 2020;

Sections

- (4) the average length of stay for youth in out-of-home placements served in medical hospitals or inpatient psychiatric hospitals separately by type of hospital by each child placing agency for fiscal 2019 and 2020;
- (5) the number of days that youth in out-of-home placements served in hospitals were in the hospital longer than was deemed medically necessary by either the hospital or a judicial finding separately by type of hospital for each child placing agency for fiscal 2019 and 2020;
- (6) the placement type after discharge separately by type of hospital for each child placing agency, including identifying the number of youth placed out-of-state after discharge;
- (7) the number of youth in out-of-state placement by child placing agency in community-based and non-community-based settings due to the lack of available or appropriate in-state placements due to psychiatric or other medical conditions in fiscal 2019 and 2020 separately for each child placing agency; and
- (8) efforts of the child placing agencies to reduce the number of youth in out-of-state placements in community-based and non-community-based settings due to the lack of available or appropriate in-state placements.

The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the 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: Concern has been raised recently over youth in foster care and other youth in placements by State agencies that remain for long periods of time in emergency rooms or in the hospitals, particularly after the period when the stay is medically necessary. This language restricts funds from the child placing agency until the agencies submit a joint report that provides information on emergency room and hospital stays by youth in out-of-home placements. The report also requests information on out-of-state placements due to lack of available or appropriate in-state placements due to medical or psychiatric conditions.

Sections

| <i>Information Request</i> | <i>Authors</i> | <i>Due Date</i> |
|---|---|--------------------------|
| <i>Report on emergency room visits, hospital stays, and out-of-state placements for youth with psychiatric and medical conditions</i> | <i>Department of Human Services Maryland Department of Health Department of Juvenile Services</i> | <i>September 1, 2020</i> |

Amendment No.

71

Add the following section:

Section 45 Enforcement and Inspection Position Strength Assessment and Vacant Position Filling

SECTION 45. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and \$200,000 of the general fund appropriation in the Maryland Department of Agriculture (MDA) made for the purpose of general operating expenses may be expended only for the purpose of filling vacant compliance and enforcement positions, provided, however, that no funds may be expended until MDE and MDA jointly prepare and submit quarterly reports on July 1, 2020; October 1, 2020; January 1, 2021; and April 1, 2021, which shall include:

- (1) an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:
 - (a) provide information on the delegation of authority to other entities; and
 - (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, and responsibilities of the departments' compliance and enforcement positions to neighboring or similar states;
- (3) a list of all inspection activities conducted by the MDE Water and Science Administration, the Land and Materials Administration, the Air and Radiation Administration, and the MDA Office of Resource Conservation;
- (4) the number of:
 - (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2020 actuals; and

Sections

- (b) fiscal 2021 current and fiscal 2022 estimated appropriations;*
- (5) PINs and titles for all positions filled with restricted funding and how the positions are being used; and*
- (6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.*

Further provided that funding restricted for this purpose may be released quarterly in \$50,000 installments for each agency upon receipt of the required quarterly reports by the budget committees. The budget committees shall have 45 days from the date the reports are received to review and comment. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees and the released funding is not used to fill vacant compliance and enforcement positions.

Explanation: This language restricts funding until the submission of quarterly reports from MDE and MDA to the budget committees on compliance and enforcement inspections and positions and then further restricts the funding for filling vacant compliance and enforcement positions. The 2019 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

| Information Request | Authors | Due Date |
|----------------------------------|----------------|-----------------|
| Enforcement and inspection MDA | | July 1, 2020 |
| position strength assessment MDE | | October 1, 2020 |
| and vacant position filling | | January 1, 2021 |
| | | April 1, 2021 |

Amendment No.

72

Add the following section:

Section 46 Expanded GIS Data

SECTION 46. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Governor's Office of Performance Improvement (GOPI), \$250,000 of the general fund appropriation in the Department of Commerce (Commerce), \$250,000 of the special fund appropriation in the Maryland Department of Transportation (MDOT), and \$250,000 of the general fund appropriation in the Department of Information Technology (DoIT) made for the purpose of general operating expenses may not be expended until:

Sections

- (1) MDOT develops and makes available layered geographic information system (GIS) data and maps that show all MDOT capital projects and State Highway Administration access permits;
- (2) Commerce develops and makes available layered geographic information system (GIS) data and maps that show all tax credits; and
- (3) GOPI and DoIT have reviewed the GIS data and maps.

GOPI, Commerce, MDOT, and DoIT shall report to the budget committees on the status of this GIS data. The report shall be submitted by January 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. GOPI, Commerce, and DoIT funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled if a report is not submitted.

Explanation: State agencies collect GIS data. Technology has evolved so that GIS data is commonly available, and State agencies can make this data available to the public. It is the intent of the General Assembly that State agencies continue to expand GIS data that is being offered. This restricts funds in GOPI, Commerce, MDOT, and DoIT and requires these agencies to generate GIS data and maps about MDOT capital projects, State Highway Administration (SHA) access permits, and tax credits. The agencies should report on their progress by January 1, 2021.

| Information Request | Authors | Due Date |
|--|----------------------------------|-----------------|
| Report on GIS data concerning MDOT capital projects, SHA access permits, and tax credits | GOPI Commerce MDOT DoIT | January 1, 2021 |

Budget Amendments

Technical Amendment

Renumber SECTION ~~24~~, ~~44~~, ~~47~~, and SECTION ~~22~~, ~~45~~, ~~48~~.

Amendment No.

73

M00F
Maryland Department of Health
Public Health Administration

Supplemental Budget No. 1 – Fiscal 2020 Deficiency

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Add the following language to the general fund appropriation:

Further provided that the Maryland Department of Health shall submit a report to the budget committees on the use of this general fund appropriation disaggregated by unit of State government. The report shall be submitted by July 15, 2020.

Explanation: Supplemental Budget No. 1 provides a fiscal 2020 deficiency totaling \$10.0 million for coronavirus preparedness activities. The budget committees are interested in receiving an update on how these funds were spent and by which agencies.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on fiscal 2020 deficiency for coronavirus preparedness | MDH | July 15, 2020 |

M00Q01
Maryland Department of Health
Medical Care Programs Administration

Supplemental Budget No. 1

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language to the general fund appropriation.

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted.

Explanation: This action adds annual language that restricts the supplemental appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State-funded recipients or M00L01.02 Community Services.

Amendment No.

74

N00G00
Department of Human Services
Local Department Operations

Supplemental Budget No. 1 – Fiscal 2020 Deficiency

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This language is annually added to the general fund appropriation of N00G00.01 Foster Care Maintenance Payment to restrict the funding to that use only. This restriction prevents a transfer of general fund to other programs that might create or increase a deficit in spending in the program. This action adds this annual language to the deficiency appropriation for the program included in Supplemental Budget No. 1.

T50T01
Maryland Technology Development Corporation

Supplemental Budget No. 1

T50T01.09 Maryland Technology Infrastructure Fund

Add the following language to the general fund appropriation:

, provided that \$10,000,000 of this appropriation made for the purpose of financial assistance to eligible recipients under the Maryland Technology Infrastructure Program is contingent on enactment of HB 343, SB 270, HB 1239, or SB 602 establishing the program.

Explanation: This language makes funding for the Maryland Technology Infrastructure Program contingent on legislation establishing the program.

R15P00
Maryland Public Broadcasting Commission

Supplemental Budget No. 1 – Amendment No. 5

Strike the following language:

Amendment No. 5:

~~On page 110, in line 25, strike “\$215,561” and replace with “\$314,734” and in line 28, strike “813” and replace with “816”.~~

~~Updates the language to reflect corrected mandate funding and correct chapter number.~~

Explanation: This action strikes language in technical Amendment No. 5 of Supplemental Budget Bill No. 1, which increases the dollar amount of the Budget Reconciliation and Financing Act (BRFA) contingent reduction to be consistent with the action in the BRFA rejecting the reduction.