

Journal *of* Proceedings

of the

Senate

of

Maryland

2017 Regular Session

Volume IX

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

...

William B.C. Addison, Jr.
Secretary of the Senate

Library and Information Services,
Editing and Bill Processing, and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

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)

TTY: (410-946-5401) (301-970-5401)

TTY users may also call the

Maryland Relay Service to contact the General Assembly.

E-Mail: 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.

Vetoed House Bills and Messages

May 25, 2017

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1 – *Labor and Employment – Maryland Healthy Working Families Act*.

While all of us agree that more workers need paid sick leave in Maryland, House Bill 1 is an irresponsible piece of legislation that unfairly penalizes the hundreds of thousands of hard working men and women who own and operate small businesses in our state. This bill mandates that every employer with 15 or more employees must institute a sick and safe leave policy for employees. This is a complicated, broad, and inflexible proposal that would have a significant impact on every employer in the state. We have made great progress in improving Maryland's business climate, creating nearly 100,000 new jobs since January 2015, and moving forward, we must strike a balance between the needs of workers while not harming our small businesses.

Marylanders deserve a common sense paid sick leave policy that is fair, bipartisan, and balanced – and our administration's proposal, the Common Sense Paid Sick Leave Act of 2017 is exactly that. It requires companies with more than 50 employees to provide paid sick leave and encourages small businesses, as defined by the widely accepted federal standards, to offer paid sick leave by providing tax incentives to offset the costs of providing those additional benefits. Our bill applies a uniform standard for all 24 jurisdictions and balances paid sick leave benefits that had the potential to cover nearly all working Marylanders without placing an unmanageable burden on job creators.

Conversely, House Bill 1 is not a compromise bill, but rather a worse version of a bill that failed to pass the Democratic controlled legislature on four previous occasions. This is an example of political opportunism at its worst and the results will harm, not help Marylanders. Under this proposal, the state will determine the specific procedures that businesses must follow or be found in violation of the law, which carries with it heavy civil penalties. This approach does not allow for flexibility or take into account the specific needs and structure of Maryland businesses today. Further, the requirements for seasonal employers were hastily developed and do not address the true needs of seasonal workers and employers.

The application of the sick and safe leave policy in the bill is overly broad and too ambiguous for effective and reasonable compliance and enforcement. Despite what certain Maryland legislators clearly believe, every business in Maryland is not the same. Different sick leave standards are needed across various industries (i.e. restaurant industry, tipped employees,

certain health care workers, non-profit and government grant recipients, etc.). For example, the employee calculation to determine if the employer is required to provide sick leave includes all employees, even those not eligible for sick leave benefits. Employees have to “regularly” work at least 12 hours per week and employee hours are based on a “normal” work week. “Regularly” and “normal” are undefined and overly ambiguous terms that will further complicate compliance.

These are just a few of the problems regarding the application of your sick and safe leave proposal. The complexities of tracking sick leave accrual and use is also an unnecessary burden for Maryland businesses. Employees accrue leave at different rates, can use the leave at different intervals, and the law allows for complex shift trading and modified schedule allowances. Maryland businesses need a common sense approach to affording valuable sick leave benefits to their workers and House Bill 1 does not provide this.

In addition, employers face unfair enforcement measures for actual and presumed violations. The employer is presumed to be in violation of the law if they somehow fail to keep sick and safe leave records for three years. These same employers also face extensive, burdensome and sometimes unknown damages for violations. An employer can be ordered to pay actual economic damages to an employee in addition to the monetary value of unpaid sick and safe leave. A court has overly broad discretion to award damages in a civil action including an award of three times the value of unpaid sick and safe leave. A court can also order punitive damages in any amount to be determined by the court, as well as any other relief that the court deems appropriate.

Further and perhaps most egregiously, workers may legally be required to provide a reason and be forced to verify that reason to access their sick and safe leave. For example, if a person is suffering from a sensitive medical issue, they could be forced to divulge this personal and/or protected information to their employer.

I remain committed to continuing to improve Maryland’s business climate and preventing hardworking Marylanders from having to make difficult choices about their health and welfare. A balanced, fair, and common sense approach to paid sick leave benefits that are flexible for the employee and the employer are an important step in continuing to foster a more business-friendly climate in the state. This legislation does not get us there.

Fortunately, as drafted, House Bill 1 would not take effect until January 1, 2018. This gives both the Senate and the House the ability to work with our administration on a bipartisan proposal next session that would finally provide the employees and employers of our state with the benefits and protections they so clearly need and deserve. I view this as not the end of this discussion on this issue, but just the beginning.

We owe it to the citizens of our state to work together on this important issue, to compromise, and find the right balance between providing benefits and protecting our hardworking citizens. We can and we must find this balance. I am respectfully calling on both you and President Mike Miller to join with our administration in that effort.

For these reasons, I have vetoed House Bill 1.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

FOR the purpose of requiring certain employers to provide employees with certain earned sick and safe leave; providing that, except under certain circumstances, certain employees of a unit of State or local government are subject to certain provisions of the unit's laws, regulations, policies, and procedures under certain circumstances; prohibiting an employer from being required to pay a tipped employee more than a certain wage for earned sick and safe leave; providing for the method of determining whether an employer is required to provide paid or unpaid earned sick and safe leave; providing for the manner in which earned sick and safe leave is accrued by the employee and treated by the employer; authorizing an employer, under certain circumstances, to deduct the amount paid for earned sick and safe leave from the wages paid to an employee on the termination of employment under a certain provision of law; prohibiting an employer from being required to pay out on the termination of employment certain earned sick and safe leave; requiring an employer to allow an employee to use earned sick and safe leave for certain purposes; authorizing an employer to require an employee to provide certain notice under certain circumstances; requiring an employee, under certain circumstances, to provide certain notice to the employer; authorizing an employer to deny a request for leave under certain circumstances; prohibiting an employer from requiring that a certain employee search for or find an individual to work in the employee's stead during a certain period of time; authorizing an employee to work additional hours or trade shifts with another employee instead of taking earned sick and safe leave, under certain circumstances; providing that an employee is not required to accept a certain offer; providing that an employer is not required to consent to a certain request under certain circumstances; prohibiting an employer, under certain circumstances, from being required to pay more than a certain rate ~~or allowing an employee to work certain hours or shifts;~~ prohibiting an employer, under certain circumstances, from deducting a certain absence from a certain employee's earned sick and safe leave; requiring an employer to offer a certain employee employed in the restaurant industry the employee's base rate of pay for the employee's absence, except under certain circumstances; authorizing an employer, in lieu of offering to pay a certain employee the employee's base rate of pay, to offer an additional shift of the same number of hours within a certain time frame; authorizing an employer to deduct accrued earned sick and safe leave for leave taken under certain circumstances; authorizing an employee to take earned sick and safe leave in certain increments of time, subject to a certain limitation; authorizing an employer, under certain circumstances, to require

an employee to provide certain verification; requiring an employer to notify the employees that the employees are entitled to certain earned sick and safe leave; specifying the information that must be included in the notice; requiring the Commissioner of Labor and Industry to create and make available a certain poster and notice; requiring the Commissioner to develop a certain model sick and safe leave policy for use by certain employers for certain purposes; requiring the Commissioner to provide technical assistance to certain employers under certain circumstances; requiring the Department of Labor, Licensing, and Regulation to post a certain notice and model on a certain Web site in a certain format; requiring an employer to keep certain records for a certain time period; authorizing the Commissioner to inspect certain records; establishing a rebuttable presumption that an employer has violated certain provisions of this Act under certain circumstances; ~~prohibiting an employer from being assessed a certain civil penalty under certain circumstances; providing for the liability of certain payroll service providers~~ authorizing the Commissioner to waive a certain civil penalty under certain circumstances; requiring and authorizing the Commissioner to take certain acts when the Commissioner receives a certain written complaint; specifying the contents that are required to be included and may be included in a certain order issued by the Commissioner; subjecting certain acts to certain hearing and notice requirements; requiring an employer to comply with a certain order within a certain time period; authorizing an employee to bring a civil action in a certain court against an employer for a violation of certain provisions of this Act within a certain time period; ~~requiring~~ authorizing a court to award certain damages, fees, and injunctive relief under certain circumstances; establishing certain prohibited acts; providing for certain criminal penalties; providing that certain protections apply to certain employees; authorizing the Commissioner to adopt regulations to carry out certain provisions of this Act; authorizing the Commissioner to conduct an investigation, under certain circumstances, to determine whether certain provisions of this Act have been violated; requiring the Commissioner, except under certain circumstances, to keep certain information confidential; providing for the construction of certain provisions of this Act; providing that this Act preempts the authority of a local jurisdiction to enact a law on or after a certain date that provides for certain sick and safe leave provided by certain employers; authorizing certain jurisdictions to amend certain sick and safe leave laws enacted before a certain date; providing for the application of this Act; providing for a delayed effective date; defining certain terms; and generally relating to earned sick and safe leave.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 2–106(b)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 3–103(k); and 3–1301 through 3–1311 to be under the new subtitle “Subtitle 13. Healthy Working Families Act”

Annotated Code of Maryland
(2016 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Labor and Employment

2–106.

(b) Except as provided in subsection (c) of this section, and in addition to authority to adopt regulations that is set forth elsewhere, the Commissioner may adopt regulations that are necessary to carry out:

- (1) Title 3, Subtitle 3 of this article;
- (2) Title 3, Subtitle 5 of this article;
- (3) TITLE 3, SUBTITLE 13 OF THIS ARTICLE;**
- [(3)] (4)** Title 4, Subtitle 2, Parts I through III of this article;
- [(4)] (5)** Title 5 of this article;
- [(5)] (6)** Title 6 of this article; and
- [(6)] (7)** Title 7 of this article.

3–103.

(K) (1) THE COMMISSIONER MAY CONDUCT AN INVESTIGATION TO DETERMINE WHETHER SUBTITLE 13 OF THIS TITLE HAS BEEN VIOLATED ON RECEIPT OF A WRITTEN COMPLAINT BY AN EMPLOYEE.

(2) TO THE EXTENT PRACTICABLE, THE COMMISSIONER SHALL KEEP CONFIDENTIAL THE IDENTITY OF AN EMPLOYEE WHO HAS FILED A WRITTEN COMPLAINT ALLEGING A VIOLATION OF SUBTITLE 13 OF THIS TITLE UNLESS THE EMPLOYEE WAIVES CONFIDENTIALITY.

SUBTITLE 13. HEALTHY WORKING FAMILIES ACT.

3–1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ABUSE” HAS THE MEANING STATED IN § 4–501 OF THE FAMILY LAW ARTICLE.

(C) “DOMESTIC VIOLENCE” MEANS ABUSE AGAINST AN INDIVIDUAL ELIGIBLE FOR RELIEF.

(D) “EARNED SICK AND SAFE LEAVE” MEANS ~~PAID~~ LEAVE AWAY FROM WORK THAT IS PROVIDED BY AN EMPLOYER UNDER § 3–1304 OF THIS SUBTITLE.

(E) “EMPLOYEE” DOES NOT INCLUDE AN INDIVIDUAL WHO:

(1) PERFORMS WORK UNDER A CONTRACT OF HIRE THAT IS DETERMINED NOT TO BE COVERED EMPLOYMENT UNDER § 8–205 OF THIS ARTICLE;

(2) IS NOT A COVERED EMPLOYEE UNDER § 9–222 OF THIS ARTICLE;

(3) IS UNDER THE AGE OF 18 YEARS BEFORE THE BEGINNING OF THE YEAR; ~~OR~~

(4) IS EMPLOYED IN THE AGRICULTURAL SECTOR ON AN AGRICULTURAL OPERATION UNDER § 5–403(A) OF THE COURTS ARTICLE;

(5) IS EMPLOYED BY A TEMPORARY SERVICES AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO ANOTHER PERSON IF THE TEMPORARY SERVICES AGENCY DOES NOT HAVE DAY-TO-DAY CONTROL OVER THE WORK ASSIGNMENTS AND SUPERVISION OF THE INDIVIDUAL WHILE THE INDIVIDUAL IS PROVIDING THE TEMPORARY STAFFING SERVICES; OR

(6) IS DIRECTLY EMPLOYED BY AN EMPLOYMENT AGENCY TO PROVIDE PART-TIME OR TEMPORARY SERVICES TO ANOTHER PERSON.

(F) “EMPLOYER” INCLUDES:

(1) A UNIT OF STATE OR LOCAL GOVERNMENT; AND

(2) A PERSON THAT ACTS DIRECTLY OR INDIRECTLY IN THE INTEREST OF ANOTHER EMPLOYER WITH AN EMPLOYEE.

(G) “FAMILY MEMBER” MEANS:

(1) A BIOLOGICAL CHILD, AN ADOPTED CHILD, A FOSTER CHILD, OR A STEPCHILD OF THE EMPLOYEE;

(2) A CHILD FOR WHOM THE EMPLOYEE HAS LEGAL OR PHYSICAL CUSTODY OR GUARDIANSHIP;

(3) A CHILD FOR WHOM THE EMPLOYEE STANDS IN LOCO PARENTIS, REGARDLESS OF THE CHILD'S AGE;

(4) A BIOLOGICAL PARENT, AN ADOPTIVE PARENT, A FOSTER PARENT, OR A STEPPARENT OF THE EMPLOYEE OR OF THE EMPLOYEE'S SPOUSE;

(5) THE LEGAL GUARDIAN OF THE EMPLOYEE;

(6) AN INDIVIDUAL WHO ACTED AS A PARENT OR STOOD IN LOCO PARENTIS TO THE EMPLOYEE OR THE EMPLOYEE'S SPOUSE WHEN THE EMPLOYEE OR THE EMPLOYEE'S SPOUSE WAS A MINOR;

(7) THE SPOUSE OF THE EMPLOYEE;

(8) A BIOLOGICAL GRANDPARENT, AN ADOPTED GRANDPARENT, A FOSTER GRANDPARENT, OR A STEPGRANDPARENT OF THE EMPLOYEE;

(9) A BIOLOGICAL GRANDCHILD, AN ADOPTED GRANDCHILD, A FOSTER GRANDCHILD, OR A STEPGRANDCHILD OF THE EMPLOYEE; OR

(10) A BIOLOGICAL SIBLING, AN ADOPTED SIBLING, A FOSTER SIBLING, OR A STEPSIBLING OF THE EMPLOYEE.

(H) "PERSON ELIGIBLE FOR RELIEF" HAS THE MEANING STATED IN § 4-501 OF THE FAMILY LAW ARTICLE.

(I) "RESTAURANT" MEANS AN ESTABLISHMENT THAT:

(1) ACCOMMODATES THE PUBLIC;

(2) IS EQUIPPED WITH A DINING ROOM WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND

(3) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

(J) "SEXUAL ASSAULT" MEANS:

(1) RAPE, SEXUAL OFFENSE, OR ANY OTHER ACT THAT IS A SEXUAL CRIME UNDER TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE;

(2) CHILD SEXUAL ABUSE UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE; OR

(3) SEXUAL ABUSE OF A VULNERABLE ADULT UNDER § 3-604 OF THE CRIMINAL LAW ARTICLE.

~~(J)~~ (K) “STALKING” HAS THE MEANING STATED IN § 3-802 OF THE CRIMINAL LAW ARTICLE.

~~(K)~~ (L) UNLESS THE CONTEXT REQUIRES OTHERWISE, “YEAR” MEANS A REGULAR AND CONSECUTIVE 12-MONTH PERIOD AS DETERMINED BY THE EMPLOYER.

3-1302.

(A) IN THIS SECTION, “EXISTING PAID LEAVE” INCLUDES:

(1) VACATION DAYS;

(2) SICK DAYS;

(3) SHORT-TERM DISABILITY BENEFITS;

(4) FLOATING HOLIDAYS;

(5) PARENTAL LEAVE; AND

(6) OTHER PAID TIME OFF THAT MAY BE USED UNDER THE TERMS AND CONDITIONS AS PAID SICK AND SAFE LEAVE.

(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO:

(1) REQUIRE AN EMPLOYER TO COMPENSATE AN EMPLOYEE FOR UNUSED EARNED SICK AND SAFE LEAVE WHEN THE EMPLOYEE LEAVES THE EMPLOYER’S EMPLOYMENT;

(2) REQUIRE AN EMPLOYER TO MODIFY AN EXISTING PAID LEAVE POLICY IF:

(1) THE POLICY PERMITS AN EMPLOYEE TO ACCRUE AND USE LEAVE UNDER TERMS AND CONDITIONS THAT ARE AT LEAST EQUIVALENT TO THE EARNED SICK AND SAFE LEAVE PROVIDED FOR UNDER THIS SUBTITLE; OR

(II) THE PAID LEAVE POLICY DOES NOT REDUCE EMPLOYEE COMPENSATION FOR AN ABSENCE DUE TO SICK OR SAFE LEAVE;

(3) EXCEPT AS PROVIDED IN SUBSECTION ~~(C)~~ (D) OF THIS SECTION, PREEMPT, LIMIT, OR OTHERWISE AFFECT ANY OTHER LAW THAT PROVIDES FOR SICK AND SAFE LEAVE BENEFITS THAT ARE MORE GENEROUS THAN REQUIRED UNDER THIS SUBTITLE;

(4) PREEMPT, LIMIT, OR OTHERWISE AFFECT ANY WORKERS' COMPENSATION BENEFITS THAT ARE AVAILABLE UNDER TITLE 9 OF THIS ARTICLE; OR

(5) PROHIBIT AN EMPLOYER FROM ADOPTING AND ENFORCING A POLICY THAT LIMITS AN EMPLOYEE TO USING EARNED SICK AND SAFE LEAVE ONLY FOR THE REASONS LISTED IN § 3-1305(A) OF THIS SUBTITLE PROHIBITS THE IMPROPER USE OF EARNED SICK AND SAFE LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF EARNED SICK AND SAFE LEAVE.

~~(B)~~ (C) FOR THE PURPOSES OF SUBSECTION ~~(A)(2)~~ (B)(2) OF THIS SECTION, THE TERMS AND CONDITIONS OF A PAID LEAVE POLICY SHALL BE PRESUMED TO BE EQUIVALENT IF THE TERMS AND CONDITIONS ALLOW AN EMPLOYEE TO:

(1) ACCESS AND ACCRUE PAID LEAVE AT THE SAME RATE OR AT A GREATER RATE THAN PROVIDED FOR IN § 3-1304 OF THIS SUBTITLE; AND

(2) USE THE PAID LEAVE FOR THE PURPOSES LISTED IN § 3-1305 OF THIS SUBTITLE.

~~(C)~~ (D) (1) THIS EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE PREEMPTS THE AUTHORITY OF A LOCAL JURISDICTION TO ENACT A LAW ON OR AFTER JANUARY 1, 2017, THAT REGULATES SICK AND SAFE LEAVE PROVIDED BY AN EMPLOYER OTHER THAN THE LOCAL JURISDICTION.

(2) THIS SUBSECTION DOES NOT PREEMPT A LOCAL JURISDICTION FROM AMENDING A LAW THAT WAS ENACTED BEFORE JANUARY 1, 2017, AND REGULATES SICK AND SAFE LEAVE PROVIDED BY AN EMPLOYER.

3-1303.

(A) THIS SUBTITLE DOES NOT APPLY TO AN EMPLOYEE WHO:

(1) REGULARLY WORKS LESS THAN ~~§~~ 12 HOURS A WEEK FOR AN EMPLOYER; ~~OR~~

(2) (I) IS EMPLOYED IN THE CONSTRUCTION INDUSTRY; AND

(II) IS COVERED BY A BONA FIDE COLLECTIVE BARGAINING AGREEMENT IN WHICH THE REQUIREMENTS OF THIS SUBTITLE ARE EXPRESSLY WAIVED IN CLEAR AND UNAMBIGUOUS TERMS; OR

(3) (I) IS CALLED TO WORK BY THE EMPLOYER ON AN AS-NEEDED BASIS IN A HEALTH OR HUMAN SERVICES INDUSTRY;

(II) CAN REJECT OR ACCEPT THE SHIFT OFFERED BY THE EMPLOYER;

(III) IS NOT GUARANTEED TO BE CALLED ON TO WORK BY THE EMPLOYER; AND

(IV) IS NOT EMPLOYED BY A TEMPORARY STAFFING AGENCY.

(B) FOR THE PURPOSE OF SUBSECTION (A)(2)(I) OF THIS SECTION, AN EMPLOYEE WHO IS EMPLOYED IN THE CONSTRUCTION INDUSTRY DOES NOT INCLUDE AN EMPLOYEE EMPLOYED AS:

- (1) A JANITOR;
- (2) A BUILDING CLEANER;
- (3) A BUILDING SECURITY OFFICER;
- (4) A CONCIERGE;
- (5) A DOORPERSON;
- (6) A HANDYPERSON; OR
- (7) A BUILDING SUPERINTENDENT.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A UNIT OF STATE OR LOCAL GOVERNMENT'S SICK LEAVE ACCRUAL AND USE REQUIREMENTS MEET OR EXCEED THE SICK AND SAFE LEAVE PROVIDED FOR UNDER THIS SUBTITLE, EMPLOYEES OF THE UNIT OF STATE OR LOCAL GOVERNMENT WHO ARE PART OF THE UNIT'S PERSONNEL SYSTEM ARE SUBJECT TO THE UNIT'S LAWS, REGULATIONS, POLICIES, AND PROCEDURES PROVIDING FOR:

(I) ACCRUAL AND USE OF SICK LEAVE;

(II) GRIEVANCES; AND

(III) DISCIPLINARY ACTIONS.

(2) EMPLOYEES OF A UNIT OF STATE GOVERNMENT THAT ARE ENTITLED TO SICK AND SAFE LEAVE UNDER THIS SUBTITLE AND WHO ARE NOT COVERED BY THE UNIT'S SICK LEAVE AND ACCRUAL AND USE REQUIREMENTS ARE SUBJECT TO § 3-1308 OF THIS SUBTITLE.

3-1304.

(A) (1) ~~(I)~~ AN ~~SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,~~ AN EMPLOYER THAT EMPLOYS 15 OR MORE EMPLOYEES SHALL PROVIDE AN EMPLOYEE WITH EARNED SICK AND SAFE LEAVE THAT IS PAID AT THE SAME WAGE RATE AS THE EMPLOYEE NORMALLY EARNS.

~~(2)~~ (II) AN EMPLOYER THAT EMPLOYS 14 OR FEWER EMPLOYEES SHALL AT LEAST PROVIDE AN EMPLOYEE WITH UNPAID EARNED SICK AND SAFE LEAVE.

(III) AN EMPLOYER MAY NOT BE REQUIRED TO PAY A TIPPED EMPLOYEE MORE THAN THE APPLICABLE MINIMUM WAGE FOR EARNED SICK AND SAFE LEAVE.

~~(3)~~ (2) (I) FOR THE PURPOSE OF DETERMINING WHETHER AN EMPLOYER IS REQUIRED TO PROVIDE PAID OR UNPAID EARNED SICK AND SAFE LEAVE UNDER THIS SUBSECTION, THE NUMBER OF EMPLOYEES OF AN EMPLOYER SHALL BE DETERMINED BY CALCULATING THE AVERAGE MONTHLY NUMBER OF EMPLOYEES EMPLOYED BY THE EMPLOYER DURING THE IMMEDIATELY PRECEDING YEAR.

(II) EACH EMPLOYEE OF AN EMPLOYER SHALL BE INCLUDED IN THE CALCULATION MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WITHOUT REGARD TO WHETHER THE EMPLOYEE IS A FULL-TIME, PART-TIME, TEMPORARY, OR SEASONAL EMPLOYEE OR WOULD BE ELIGIBLE FOR EARNED SICK AND SAFE LEAVE BENEFITS UNDER THIS SUBSECTION.

(B) THE EARNED SICK AND SAFE LEAVE PROVIDED UNDER SUBSECTION (A) OF THIS SECTION SHALL ACCRUE AT A RATE OF AT LEAST 1 HOUR FOR EVERY 30 HOURS AN EMPLOYEE WORKS.

(C) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO:

(1) EARN MORE THAN ~~56~~ 40 HOURS OF EARNED SICK AND SAFE LEAVE IN A YEAR;

(2) USE MORE THAN ~~80~~ 64 HOURS OF EARNED SICK AND SAFE LEAVE IN A YEAR;

(3) ACCRUE A TOTAL OF MORE THAN ~~80~~ 64 HOURS AT ANY TIME; ~~OR~~

(4) USE EARNED SICK AND SAFE LEAVE DURING THE FIRST ~~90~~ 106 CALENDAR DAYS THE EMPLOYEE WORKS FOR THE EMPLOYER ~~OR THE FIRST 480 HOURS WORKED, WHICHEVER IS SHORTER; OR~~

(5) ACCRUE EARNED SICK AND SAFE LEAVE DURING A:

(I) 2-WEEK PAY PERIOD IN WHICH THE EMPLOYEE WORKED FEWER THAN ~~16~~ 24 HOURS TOTAL;

(II) 1-WEEK PAY PERIOD IF THE EMPLOYEE WORKED FEWER THAN A COMBINED TOTAL OF ~~16~~ 24 HOURS IN THE CURRENT AND THE IMMEDIATELY PRECEDING PAY PERIOD; OR

(III) PAY PERIOD IN WHICH:

1. THE EMPLOYEE IS PAID TWICE A MONTH REGARDLESS OF THE NUMBER OF WEEKS IN A PAY PERIOD; AND

2. THE EMPLOYEE WORKED FEWER THAN ~~17.3~~ 26 HOURS IN THE PAY PERIOD.

(D) AT THE BEGINNING OF EACH YEAR, AN EMPLOYER MAY AWARD TO AN EMPLOYEE THE FULL AMOUNT OF EARNED SICK AND SAFE LEAVE THAT AN EMPLOYEE WOULD EARN OVER THE COURSE OF THE YEAR RATHER THAN AWARDED THE LEAVE AS THE LEAVE ACCRUES DURING THE YEAR.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR THE PURPOSES OF CALCULATING THE ACCRUAL OF EARNED SICK AND SAFE LEAVE, AN EMPLOYEE WHO IS EXEMPT FROM OVERTIME WAGE REQUIREMENTS UNDER THE FEDERAL FAIR LABOR STANDARDS ACT IS ASSUMED TO WORK 40 HOURS EACH WORKWEEK.

(2) IF THE EMPLOYEE'S NORMAL WORKWEEK IS LESS THAN 40 HOURS, THE NUMBER OF HOURS IN THE NORMAL WORKWEEK SHALL BE USED.

(F) EARNED SICK AND SAFE LEAVE SHALL BEGIN TO ACCRUE:

(1) JANUARY 1, 2018; OR

(2) IF THE EMPLOYEE IS HIRED AFTER JANUARY 1, 2018, THE DATE ON WHICH THE EMPLOYEE BEGINS EMPLOYMENT WITH THE EMPLOYER.

(G) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, IF AN EMPLOYEE HAS UNUSED EARNED SICK AND SAFE LEAVE AT THE END OF EACH YEAR, THE EMPLOYEE MAY CARRY OVER THE BALANCE OF THE EARNED SICK AND SAFE LEAVE TO THE FOLLOWING YEAR.

(2) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO CARRY OVER MORE THAN ~~56~~ 40 HOURS OF EARNED SICK AND SAFE LEAVE UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO CARRY OVER UNUSED EARNED SICK AND SAFE LEAVE UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE EMPLOYER AWARDS THE EMPLOYEE THE FULL AMOUNT OF EARNED SICK AND SAFE LEAVE AT THE BEGINNING OF EACH YEAR UNDER SUBSECTION (D) OF THIS SECTION; OR

(II) ~~THE EMPLOYMENT OF THE EMPLOYEE IS CONTINGENT ON THE EMPLOYER RECEIVING A GRANT~~ EMPLOYEE IS EMPLOYED BY A NONPROFIT ENTITY OR A GOVERNMENTAL UNIT IN ACCORDANCE WITH A GRANT, THE DURATION OF WHICH IS LIMITED TO 1 YEAR AND IS NOT SUBJECT TO RENEWAL.

(H) IF AN EMPLOYEE IS REHIRED BY THE EMPLOYER WITHIN ~~9 MONTHS~~ 37 WEEKS AFTER LEAVING THE EMPLOYMENT OF THE EMPLOYER, THE EMPLOYER SHALL REINSTATE ANY UNUSED EARNED SICK AND SAFE LEAVE THAT THE EMPLOYEE HAD WHEN THE EMPLOYEE LEFT THE EMPLOYMENT OF THE EMPLOYER UNLESS THE EMPLOYER VOLUNTARILY PAID OUT THE UNUSED EARNED SICK AND SAFE LEAVE ON THE TERMINATION OF EMPLOYMENT.

(I) (1) AN EMPLOYER MAY ALLOW AN EMPLOYEE TO USE EARNED SICK AND SAFE LEAVE BEFORE THE EMPLOYEE ACCRUES THE AMOUNT NEEDED.

(2) IF AN EMPLOYEE IS ALLOWED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO USE EARNED SICK AND SAFE LEAVE BEFORE IT HAS ACCRUED, THE EMPLOYER MAY DEDUCT THE AMOUNT PAID FOR THE EARNED SICK AND SAFE LEAVE

FROM THE WAGES PAID TO THE EMPLOYEE ON THE TERMINATION OF EMPLOYMENT UNDER § 3-505 OF THIS TITLE IF:

(I) THE EMPLOYER AND EMPLOYEE MUTUALLY CONSENTED TO THE DEDUCTION AS EVIDENCED BY A DOCUMENT SIGNED BY THE EMPLOYEE; AND

(II) THE EMPLOYEE LEAVES THE EMPLOYMENT OF THE EMPLOYER BEFORE THE EMPLOYEE HAS ACCRUED THE AMOUNT OF EARNED SICK AND SAFE LEAVE THAT WAS USED.

(J) AN EMPLOYER MAY NOT BE REQUIRED TO PAY OUT ON THE TERMINATION OF EMPLOYMENT UNUSED EARNED SICK AND SAFE LEAVE ACCRUED BY AN EMPLOYEE.

(K) AN EMPLOYER WHO ACQUIRES, BY SALE OR OTHERWISE, ANOTHER EMPLOYER SHALL ALLOW ALL EMPLOYEES OF THE ORIGINAL EMPLOYER WHO REMAIN EMPLOYED BY THE SUCCESSOR EMPLOYER TO RETAIN ALL UNUSED EARNED SICK AND SAFE LEAVE ACCRUED DURING EMPLOYMENT WITH THE ORIGINAL EMPLOYER.

3-1305.

(A) AN EMPLOYER SHALL ALLOW AN EMPLOYEE TO USE EARNED SICK AND SAFE LEAVE:

(1) TO CARE FOR OR TREAT THE EMPLOYEE'S MENTAL OR PHYSICAL ILLNESS, INJURY, OR CONDITION;

(2) TO OBTAIN PREVENTIVE MEDICAL CARE FOR THE EMPLOYEE OR EMPLOYEE'S FAMILY MEMBER;

(3) TO CARE FOR A FAMILY MEMBER WITH A MENTAL OR PHYSICAL ILLNESS, INJURY, OR CONDITION; ~~OR~~

(4) FOR MATERNITY OR PATERNITY LEAVE; OR

~~(4)~~ (5) IF:

(I) THE ABSENCE FROM WORK IS NECESSARY DUE TO DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING COMMITTED AGAINST THE EMPLOYEE OR THE EMPLOYEE'S FAMILY MEMBER; AND

(II) THE LEAVE IS BEING USED:

1. BY THE EMPLOYEE TO OBTAIN FOR THE EMPLOYEE OR THE EMPLOYEE'S FAMILY MEMBER:

A. MEDICAL OR MENTAL HEALTH ATTENTION THAT IS RELATED TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING;

B. SERVICES FROM A VICTIM SERVICES ORGANIZATION RELATED TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; OR

C. LEGAL SERVICES OR PROCEEDINGS RELATED TO OR RESULTING FROM THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; OR

2. DURING THE TIME THAT THE EMPLOYEE HAS TEMPORARILY RELOCATED DUE TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.

(B) (1) IF THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE, AN EMPLOYER MAY REQUIRE AN EMPLOYEE TO PROVIDE REASONABLE ADVANCE NOTICE OF NOT MORE THAN 7 DAYS BEFORE THE DATE THE EARNED SICK AND SAFE LEAVE WOULD BEGIN.

(2) IF THE NEED TO USE EARNED SICK AND SAFE LEAVE IS NOT FORESEEABLE, AN EMPLOYEE SHALL:

(I) PROVIDE NOTICE TO AN EMPLOYER AS SOON AS PRACTICABLE; AND

(II) GENERALLY COMPLY WITH THE EMPLOYER'S NOTICE OR PROCEDURAL REQUIREMENTS FOR REQUESTING OR REPORTING OTHER LEAVE, IF THOSE REQUIREMENTS DO NOT INTERFERE WITH THE EMPLOYEE'S ABILITY TO USE EARNED SICK AND SAFE LEAVE.

(3) AN EMPLOYER MAY DENY A REQUEST TO TAKE EARNED SICK AND SAFE LEAVE IF:

(I) 1. AN EMPLOYEE FAILS TO PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPHS (1) OR (2) OF THIS SUBSECTION; AND

~~(II)~~ 2. THE EMPLOYEE'S ABSENCE WILL CAUSE A DISRUPTION TO THE EMPLOYER; OR

(II) 1. THE EMPLOYER IS A PRIVATE EMPLOYER LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH – GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS;

2. THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE;

3. AFTER EXERCISING REASONABLE EFFORTS, THE EMPLOYER IS UNABLE TO PROVIDE A SUITABLE REPLACEMENT EMPLOYEE; AND

4. THE EMPLOYEE'S ABSENCE WILL CAUSE A DISRUPTION OF SERVICE TO AT LEAST ONE INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY OR MENTAL ILLNESS.

(C) AN EMPLOYER MAY NOT REQUIRE THAT AN EMPLOYEE WHO IS REQUESTING EARNED SICK AND SAFE LEAVE SEARCH FOR OR FIND AN INDIVIDUAL TO WORK IN THE EMPLOYEE'S STEAD DURING THE TIME THE EMPLOYEE IS TAKING THE LEAVE.

(D) (1) (I) INSTEAD OF TAKING EARNED SICK AND SAFE LEAVE UNDER THIS SECTION, BY MUTUAL CONSENT OF THE EMPLOYER AND EMPLOYEE, AN EMPLOYEE MAY WORK ADDITIONAL HOURS OR TRADE SHIFTS WITH ANOTHER EMPLOYEE DURING A PAY PERIOD, OR THE FOLLOWING PAY PERIOD, TO MAKE UP WORK HOURS THAT THE EMPLOYEE TOOK OFF FOR WHICH THE EMPLOYEE COULD HAVE TAKEN EARNED SICK AND SAFE LEAVE.

~~(2)~~ (II) AN EMPLOYEE IS NOT REQUIRED TO OFFER OR TO ACCEPT AN OFFER OF ADDITIONAL WORK HOURS OR A TRADE IN SHIFTS.

~~(3)~~ (III) IF AN EMPLOYEE WORKS ADDITIONAL HOURS OR TRADES SHIFTS UNDER ~~PARAGRAPH (1) OF THIS SUBSECTION~~ SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EMPLOYER MAY NOT:

~~(I) BE REQUIRED TO PAY THE EMPLOYEE MORE THAN THE EMPLOYEE'S BASE RATE OF PAY FOR THE EMPLOYEE'S ABSENCE;~~

~~(II) BE REQUIRED TO ALLOW AN EMPLOYEE TO WORK ADDITIONAL HOURS OR SHIFTS THAT WOULD RESULT IN THE EMPLOYER BEING REQUIRED TO PAY OVERTIME TO THE EMPLOYEE; OR~~

~~(III) DEDUCT THE ABSENCE FROM THE EMPLOYEE'S ACCRUED EARNED SICK AND SAFE LEAVE.~~

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN EMPLOYEE EMPLOYED IN THE RESTAURANT INDUSTRY WHO IS COMPENSATED AS A TIPPED EMPLOYEE UNDER § 3-419 OF THIS TITLE AND WHO WOULD BE ENTITLED TO PAID LEAVE UNDER § 3-1304 OF THIS SUBTITLE IF THE EMPLOYEE;

1. NEEDS TO TAKE EARNED SICK AND SAFE LEAVE;

2. PREFERS AND IS ABLE TO WORK ADDITIONAL HOURS OR TRADE SHIFTS WITH ANOTHER EMPLOYEE IN THE SAME PAY PERIOD OR THE FOLLOWING PAY PERIOD; AND

3. REQUIRES THE EMPLOYER TO ARRANGE COVERAGE OF THE SHIFT.

(II) IF THE EMPLOYER IS CONTACTED TO ARRANGE THE COVERAGE OF A SHIFT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EMPLOYER SHALL HAVE THE DISCRETION TO OFFER THE EMPLOYEE A CHOICE OF:

1. BEING PAID THE MINIMUM WAGE REQUIRED UNDER § 3-413 OF THIS TITLE FOR THE EMPLOYEE'S ABSENCE; OR

2. WORKING AN EQUIVALENT SHIFT OF THE SAME NUMBER OF HOURS IN THE SAME PAY PERIOD OR THE FOLLOWING PAY PERIOD.

(III) AN EMPLOYER THAT DOES NOT OFFER THE TIPPED EMPLOYEE THE CHOICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL PAY TO THE EMPLOYEE THE MINIMUM WAGE REQUIRED UNDER § 3-413 OF THIS TITLE FOR THE USE OF THE EARNED SICK AND SAFE LEAVE.

(IV) AN EMPLOYER MAY DEDUCT AN ABSENCE TAKEN UNDER THIS PARAGRAPH FROM THE EMPLOYEE'S ACCRUED EARNED SICK AND SAFE LEAVE.

(3) AN EMPLOYER IS NOT REQUIRED TO CONSENT TO AN EMPLOYEE'S REQUEST TO WORK ADDITIONAL HOURS OR TRADE SHIFTS IF THE ADDITIONAL HOURS OR TRADE IN SHIFTS WOULD RESULT IN THE EMPLOYER BEING REQUIRED TO PAY OVERTIME TO THE EMPLOYEE.

(E) (1) ~~AN~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN EMPLOYEE MAY TAKE EARNED SICK AND SAFE LEAVE IN THE SMALLEST INCREMENT THAT THE EMPLOYER'S PAYROLL SYSTEM USES TO ACCOUNT FOR ABSENCES OR USE OF THE EMPLOYEE'S WORK TIME.

(2) AN ~~EMPLOYEE~~ EMPLOYER MAY ~~NOT BE REQUIRED~~ REQUIRE AN EMPLOYEE TO TAKE EARNED SICK AND SAFE LEAVE IN AN INCREMENT ~~OF MORE THAN~~ NOT EXCEEDING 4 HOURS.

(F) (1) WHEN WAGES ARE PAID TO AN EMPLOYEE, THE EMPLOYER SHALL PROVIDE IN WRITING BY ANY REASONABLE METHOD A STATEMENT REGARDING THE

AMOUNT OF EARNED SICK AND SAFE LEAVE THAT IS AVAILABLE FOR USE BY THE EMPLOYEE.

(2) AN EMPLOYER MAY SATISFY THE REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION BY PROVIDING AN ONLINE SYSTEM THROUGH WHICH AN EMPLOYEE MAY ASCERTAIN THE BALANCE OF THE EMPLOYEE'S AVAILABLE EARNED SICK AND SAFE LEAVE.

(G) (1) AN EMPLOYER MAY REQUIRE AN EMPLOYEE WHO USES EARNED SICK AND SAFE LEAVE ~~FOR MORE THAN TWO CONSECUTIVE SCHEDULED SHIFTS~~ TO PROVIDE VERIFICATION THAT THE LEAVE WAS USED APPROPRIATELY UNDER SUBSECTION (A) OF THIS SECTION IF:

(I) THE LEAVE WAS USED FOR MORE THAN TWO CONSECUTIVE SCHEDULED SHIFTS; OR

(II) 1. THE EMPLOYEE USED THE LEAVE DURING THE PERIOD BETWEEN THE FIRST 107 AND 120 CALENDAR DAYS, BOTH INCLUSIVE, THAT THE EMPLOYEE WAS EMPLOYED BY THE EMPLOYER; AND

2. THE EMPLOYEE AGREED TO PROVIDE VERIFICATION UNDER TERMS MUTUALLY AGREED TO BY THE EMPLOYER AND THE EMPLOYEE AT THE TIME THE EMPLOYEE WAS HIRED BY THE EMPLOYER.

(2) IF AN EMPLOYEE FAILS OR REFUSES TO PROVIDE VERIFICATION AS REQUIRED BY AN EMPLOYER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE EMPLOYER MAY DENY A SUBSEQUENT REQUEST TO TAKE EARNED SICK AND SAFE LEAVE FOR THE SAME REASON.

3-1306.

(A) AN EMPLOYER SHALL NOTIFY THE EMPLOYER'S EMPLOYEES THAT THE EMPLOYEES ARE ENTITLED TO EARNED SICK AND SAFE LEAVE UNDER THIS SUBTITLE.

(B) THE NOTICE PROVIDED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:

(1) A STATEMENT OF HOW EARNED SICK AND SAFE LEAVE IS ACCRUED UNDER § 3-1304 OF THIS SUBTITLE;

(2) THE PURPOSES FOR WHICH THE EMPLOYER IS REQUIRED TO ALLOW AN EMPLOYEE TO USE EARNED SICK AND SAFE LEAVE UNDER § 3-1305 OF THIS SUBTITLE;

(3) A STATEMENT REGARDING THE PROHIBITION:

(I) IN § 3-1309 OF THIS SUBTITLE AGAINST THE EMPLOYER TAKING ADVERSE ACTION AGAINST AN EMPLOYEE WHO EXERCISES A RIGHT UNDER THIS SUBTITLE; AND

(II) IN § 3-1310 OF THIS SUBTITLE AGAINST AN EMPLOYEE MAKING A COMPLAINT, BRINGING AN ACTION, OR TESTIFYING IN AN ACTION IN BAD FAITH; AND

(4) INFORMATION REGARDING THE RIGHT OF AN EMPLOYEE TO REPORT AN ALLEGED VIOLATION OF THIS SUBTITLE BY THE EMPLOYER TO THE COMMISSIONER OR TO BRING A CIVIL ACTION UNDER § 3-1308(C) OF THIS SUBTITLE.

(C) THE COMMISSIONER SHALL:

(1) CREATE AND MAKE AVAILABLE A POSTER AND A MODEL NOTICE AT NO CHARGE TO THE EMPLOYER THAT MAY BE USED BY AN EMPLOYER TO COMPLY WITH SUBSECTION (A) OF THIS SECTION;

(2) DEVELOP A MODEL SICK AND SAFE LEAVE POLICY THAT AN EMPLOYER MAY USE AS A SICK AND SAFE LEAVE POLICY IN AN EMPLOYEE HANDBOOK OR OTHER WRITTEN GUIDANCE TO EMPLOYEES CONCERNING EMPLOYEE BENEFITS OR LEAVE PROVIDED BY THE EMPLOYER; AND

(3) PROVIDE TECHNICAL ASSISTANCE TO AN EMPLOYER, IF AN EMPLOYER REQUESTS ASSISTANCE REGARDING IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.

(D) THE DEPARTMENT SHALL POST THE NOTICE AND MODEL SICK AND SAFE LEAVE POLICY CREATED AND DEVELOPED UNDER SUBSECTION (C)(1) AND (2) OF THIS SECTION ON THE DEPARTMENT'S WEB SITE IN A DOWNLOADABLE FORMAT.

3-1307.

(A) AN EMPLOYER SHALL KEEP FOR AT LEAST 3 YEARS A RECORD OF:

(1) EARNED SICK AND SAFE LEAVE ACCRUED BY EACH EMPLOYEE;
AND

(2) EARNED SICK AND SAFE LEAVE USED BY EACH EMPLOYEE.

(B) THE COMMISSIONER MAY INSPECT A RECORD KEPT UNDER SUBSECTION (A) OF THIS SECTION FOR THE PURPOSE OF DETERMINING WHETHER THE EMPLOYER IS COMPLYING WITH THE PROVISIONS OF THIS SUBTITLE.

(C) (1) AN EMPLOYER THAT FAILS TO KEEP ACCURATE RECORDS OR REFUSES TO ALLOW THE COMMISSIONER TO INSPECT A RECORD KEPT UNDER SUBSECTION (A) OF THIS SECTION ~~SHALL BE PRESUMED TO HAVE~~ CREATES A REBUTTABLE PRESUMPTION THAT THE EMPLOYER VIOLATED THIS SUBTITLE.

(2) THE COMMISSIONER MAY WAIVE A CIVIL PENALTY ASSESSED UNDER THIS SUBTITLE IF THE PENALTY WAS ASSESSED FOR A VIOLATION THAT WAS DUE TO AN ERROR CAUSED BY A THIRD-PARTY PAYROLL SERVICE PROVIDER WITH WHOM THE EMPLOYER IN GOOD FAITH CONTRACTED FOR SERVICES.

~~(I) AN EMPLOYER MAY NOT BE ASSESSED A CIVIL PENALTY BY THE COMMISSIONER UNDER THIS SUBTITLE DUE TO AN UNINTENTIONAL PAYROLL ERROR OR WRITTEN NOTICE ERROR CAUSED BY A THIRD-PARTY PAYROLL SERVICE PROVIDER WITH WHOM THE EMPLOYER CONTRACTED FOR SERVICES.~~

~~(II) IF AN EMPLOYER CONTRACTS WITH A THIRD-PARTY PAYROLL SERVICE PROVIDER AND THE EMPLOYER IS FOUND IN VIOLATION OF THIS SUBTITLE AS A RESULT OF THE PAYROLL SERVICE PROVIDER'S ACTIONS, THE PAYROLL SERVICE PROVIDER IS LIABLE FOR ANY PENALTIES AND COSTS INCURRED BY THE EMPLOYER.~~

3-1308.

(A) IF AN EMPLOYEE BELIEVES THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, THE EMPLOYEE MAY FILE A WRITTEN COMPLAINT WITH THE COMMISSIONER.

(B) (1) WITHIN 90 DAYS AFTER THE RECEIPT OF A WRITTEN COMPLAINT, THE COMMISSIONER SHALL CONDUCT AN INVESTIGATION AND ATTEMPT TO RESOLVE THE ISSUE INFORMALLY THROUGH MEDIATION.

(2) (I) IF THE COMMISSIONER IS UNABLE TO RESOLVE AN ISSUE THROUGH MEDIATION DURING THE PERIOD STATED IN PARAGRAPH (1) OF THIS SUBSECTION AND THE COMMISSIONER DETERMINES THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, THE COMMISSIONER SHALL ISSUE AN ORDER.

(II) AN ORDER ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. SHALL DESCRIBE THE VIOLATION;

2. SHALL DIRECT THE PAYMENT OF THE FULL MONETARY VALUE OF ANY UNPAID EARNED SICK AND SAFE LEAVE AND ANY ACTUAL ECONOMIC DAMAGES;

3. MAY, IN THE COMMISSIONER'S DISCRETION, DIRECT THE PAYMENT OF AN ADDITIONAL AMOUNT UP TO THREE TIMES THE VALUE OF THE EMPLOYEE'S HOURLY WAGE FOR EACH VIOLATION; AND

4. MAY, IN THE COMMISSIONER'S DISCRETION, ASSESS A CIVIL PENALTY OF UP TO \$1,000 FOR EACH EMPLOYEE FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE WITH THIS SUBTITLE.

(3) THE ACTIONS TAKEN UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION ARE SUBJECT TO THE HEARING AND NOTICE REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) (1) WITHIN 30 DAYS AFTER THE COMMISSIONER ISSUES AN ORDER, AN EMPLOYER SHALL COMPLY WITH THE ORDER.

(2) IF AN EMPLOYER DOES NOT COMPLY WITH AN ORDER WITHIN THE TIME PERIOD STATED IN PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE COMMISSIONER MAY:

1. WITH THE WRITTEN CONSENT OF THE EMPLOYEE, ASK THE ATTORNEY GENERAL TO BRING AN ACTION ON BEHALF OF THE EMPLOYEE IN THE COUNTY WHERE THE EMPLOYER IS LOCATED; OR

2. BRING AN ACTION TO ENFORCE THE ORDER FOR THE CIVIL PENALTY IN THE COUNTY WHERE THE EMPLOYER IS LOCATED; AND

(II) WITHIN 3 YEARS AFTER THE DATE OF THE ORDER, AN EMPLOYEE MAY BRING A CIVIL ACTION TO ENFORCE THE ORDER IN THE COUNTY WHERE THE EMPLOYER IS LOCATED.

(3) IF AN EMPLOYEE PREVAILS IN AN ACTION BROUGHT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION TO ENFORCE AN ORDER, THE COURT ~~SHALL~~ MAY AWARD:

(I) THREE TIMES THE VALUE OF THE EMPLOYEE'S UNPAID EARNED SICK AND SAFE LEAVE;

- (II) PUNITIVE DAMAGES IN AN AMOUNT TO BE DETERMINED BY THE COURT;
- (III) REASONABLE COUNSEL FEES AND OTHER COSTS;
- (IV) INJUNCTIVE RELIEF, IF APPROPRIATE; AND
- (V) ANY OTHER RELIEF THAT THE COURT DEEMS APPROPRIATE.

3-1309.

(A) IN THIS SECTION, “ADVERSE ACTION” INCLUDES:

- (1) DISCHARGE;
- (2) DEMOTION;
- (3) THREATENING THE EMPLOYEE WITH DISCHARGE OR DEMOTION;

AND

(4) ANY OTHER RETALIATORY ACTION THAT RESULTS IN A CHANGE TO THE TERMS OR CONDITIONS OF EMPLOYMENT THAT WOULD DISSUADE A REASONABLE EMPLOYEE FROM EXERCISING A RIGHT UNDER THIS SUBTITLE.

(B) A PERSON MAY NOT INTERFERE WITH THE EXERCISE OF OR THE ATTEMPT TO EXERCISE ANY RIGHT GIVEN UNDER THIS SUBTITLE.

(C) AN EMPLOYER MAY NOT:

(1) TAKE ADVERSE ACTION OR DISCRIMINATE AGAINST AN EMPLOYEE BECAUSE THE EMPLOYEE EXERCISES IN GOOD FAITH THE RIGHTS PROTECTED UNDER THIS SUBTITLE;

(2) INTERFERE WITH, RESTRAIN, OR DENY THE EXERCISE BY AN EMPLOYEE OF ANY RIGHT PROVIDED FOR UNDER THIS SUBTITLE; OR

(3) APPLY AN ABSENCE CONTROL POLICY THAT INCLUDES EARNED SICK AND SAFE LEAVE ABSENCES AS AN ABSENCE THAT MAY LEAD TO OR RESULT IN AN ADVERSE ACTION BEING TAKEN AGAINST AN EMPLOYEE.

(D) THE PROTECTIONS AFFORDED UNDER THIS SUBTITLE SHALL APPLY TO AN EMPLOYEE WHO MISTAKENLY, BUT IN GOOD FAITH, ALLEGES A VIOLATION OF THIS SUBTITLE.

3-1310.**(A) AN EMPLOYEE MAY NOT IN BAD FAITH:**

(1) FILE A COMPLAINT WITH THE COMMISSIONER ALLEGING A VIOLATION OF THIS SUBTITLE;

(2) BRING AN ACTION UNDER § 3-1308 OF THIS SUBTITLE; OR

(3) TESTIFY IN AN ACTION UNDER § 3-1308 OF THIS SUBTITLE.

(B) AN EMPLOYEE WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

3-1311.

THIS SUBTITLE MAY BE CITED AS THE MARYLAND HEALTHY WORKING FAMILIES ACT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any bona fide collective bargaining agreement entered into before June 1, 2017, for the duration of the contract term, excluding any extensions, options to extend, or renewals of the term of the original agreement.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to preempt any federal law or regulation governing employees subject to federal law or regulations.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2018.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 23 – *Vehicle Laws – School Vehicles – Definition*.

This bill alters the definition of “school vehicle” to include certain vehicles that meet certain standards and requirements, were originally titled in another state and used to transport children, students, and teachers in that state, and are used only for transporting children to and from a certain program.

Senate Bill 341, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 23.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 23

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

FOR the purpose of altering the definition of “school vehicle” to include certain vehicles that meet certain standards and requirements, were originally titled in another state and used to transport children, students, and teachers in that state, and are used only for transporting children to and from a certain program; and generally relating to school vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–154
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–173 and 11–174
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

11–154.

(a) “School vehicle” means, except as provided in subsection (b) of this section, any motor vehicle that:

(1) Is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity; and

(2) Is [either]:

(i) A Type I school vehicle, as defined in this subtitle; [or]

(ii) A Type II school vehicle, as defined in this subtitle; OR

(III) A VEHICLE THAT:

1. WAS ORIGINALLY TITLED IN ANOTHER STATE AND USED TO TRANSPORT CHILDREN, STUDENTS, OR TEACHERS FOR EDUCATIONAL PURPOSES OR IN CONNECTION WITH A SCHOOL ACTIVITY IN THAT STATE;

~~**2. MEETS THE STANDARDS AND REQUIREMENTS ESTABLISHED BY THE ADMINISTRATION FOR REGISTRATION AS A TYPE II SCHOOL VEHICLE AS DEFINED IN THIS SUBTITLE;**~~

~~**3. 2. COMPLIES WITH REGULATIONS ON TRANSPORTING CHILDREN ENROLLED IN THE FEDERALLY FUNDED HEAD START PROGRAM ADOPTED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND**~~

~~**4. 3. IS USED ONLY FOR TRANSPORTING CHILDREN TO AND FROM A HEAD START PROGRAM.**~~

(b) “School vehicle” does not include:

(1) A privately owned vehicle while it is carrying members of its owner’s household and not operated for compensation; or

(2) A vehicle that is registered as a Class M (multipurpose) vehicle under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and used to transport children between one or more schools or licensed child care centers or to and from designated areas that are approved by the Administration if:

(i) The vehicle is designed for carrying 15 persons or less, including the driver;

(ii) The children are permitted to embark or exit the vehicle only at a school or child care center or a designated area approved by the Administration;

(iii) The owner has obtained vehicle liability insurance or other security as required by Title 17 of this article; and

(iv) The vehicle is equipped with proper seat belts or safety seats so as to permit each child to be secured in a seat belt or a safety seat as required by §§ 22–412.2 and 22–412.3 of this article.

11–173.

(a) “Type I school vehicle” means a school vehicle that:

(1) Is designed and constructed to carry passengers;

(2) Is either of the body–on–chassis type construction or integral type construction; and

(3) Has a gross vehicle weight of more than 15,000 pounds and provides a minimum of 13 inches of seating space per passenger.

(b) “Type I school vehicle” does not include any bus operated by a common carrier under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself.

11–174.

“Type II school vehicle” means a school vehicle that:

(1) Is designed and constructed to carry passengers;

(2) Is either of the body–on–chassis type construction or integral type construction; and

(3) Has a gross vehicle weight of 15,000 pounds or less and provides a minimum of 13 inches of seating space per passenger.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H–101 State House

Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 118 – *Election Law – Persons Doing Public Business – Reporting by Governmental Entities*.

This bill alters the requirement and process by which a governmental entity notifies the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law.

Senate Bill 632, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 118.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 118

AN ACT concerning

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

FOR the purpose of repealing the requirement that a governmental entity notify the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law; requiring a governmental entity that has awarded a person a contract that causes the person to be doing public business to provide the State Board with certain information; authorizing the governmental entity to comply with a certain provision of this Act by sending a certain quarterly report to the State Board; requiring that the quarterly report include the required information for certain persons and be submitted by a certain date; and generally relating to reporting by governmental entities of persons doing public business.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 14–107
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Election Law

14–107.

(a) (1) ~~Except as provided in paragraph (2) of this subsection, a~~ A governmental entity that has awarded a person a contract that causes the person to be doing public business shall:

(i) require the person to certify that the person has filed the statement required under § 14–104(b)(1) of this title; and

(ii) [notify the State Board if a person doing public business with the governmental entity fails to file the statement under § 14–104(b)(1) of this title] **PROVIDE THE STATE BOARD WITH THE PERSON’S NAME, ADDRESS, AND ANY OTHER CONTACT INFORMATION REQUIRED BY THE STATE BOARD.**

(2) (I) A GOVERNMENTAL ENTITY MAY COMPLY WITH PARAGRAPH (1)(II) OF THIS SUBSECTION BY SENDING TO THE STATE BOARD A QUARTERLY REPORT ON A FORM PROVIDED BY THE STATE BOARD.

~~**(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS SINCE THE LAST REPORT WAS SENT BY THE GOVERNMENTAL ENTITY.**~~

(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY DURING THE PRECEDING CALENDAR QUARTER; AND

2. BE SUBMITTED TO THE STATE BOARD NO LATER THAN 10 BUSINESS DAYS AFTER THE CLOSE OF EACH CALENDAR QUARTER.

~~**[(2)] (3) This subsection does not apply to a contract for which notice of award has been posted on eMaryland Marketplace.**~~

(b) (1) If a person files a statement under § 14–104 of this title that does not include all the information required, the State Board shall notify the person in writing of the particular deficiencies.

(2) Within 30 days after service of the notice under paragraph (1) of this subsection, the person shall file an amended statement that includes all the information required.

(c) (1) As provided in this subsection, the State Board may impose fees for late filing of:

(i) a statement required under § 14–104 of this title; or

(ii) an amended statement required under subsection (b) of this section.

(2) The State Board may impose late filing fees in the same amounts and in the same manner as provided under § 13–331(a) and (b) of this article for late filing of campaign finance reports.

(3) Late filing fees imposed under this subsection shall be distributed to the Fair Campaign Financing Fund established under § 15–103 of this article.

(d) A person who knowingly and willfully violates this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

(e) An officer or partner of a business entity who knowingly authorizes or participates in a violation of this title by the business entity is subject to the penalty provided in subsection (d) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 174 – *Education – Children With Disabilities – Individualized Education Program Process – Parental Consent*.

This bill requires an individualized education program team to obtain written consent from the parent of a child with a disability if the team proposes certain actions regarding the individualized education program of the child. This bill also requires an individualized education program team, under certain circumstances, to send a parent written notice within a specific time frame that informs the parent of certain rights to consent, or refuse to consent, to certain actions, and authorizes authorizing an individualized education program team to implement a certain action regarding an individualized education program if a parent does not provide certain written feedback within a specific timeframe. In addition, this bill authorizes an individualized education program team to use dispute resolution options certain circumstances.

Senate Bill 710, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 174.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 174

AN ACT concerning

Education – Children With Disabilities – Individualized Education Program Process – Parental Consent

FOR the purpose of requiring an individualized education program team to obtain written consent from the parent of a child with a disability if the team proposes certain actions regarding the individualized education program of the child; requiring an individualized education program team, under certain circumstances, to send a parent certain written notice within a certain time frame that informs the parent of certain rights to consent or refuse to consent to certain actions; authorizing an individualized education program team to implement a certain action regarding an individualized education program if a parent does not provide certain written consent or a written refusal to consent to a certain action within a certain time frame; authorizing an individualized education program team to use certain dispute resolution options to resolve a certain matter under certain circumstances; and generally relating to parental consent in the individualized education program process.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

8–405.

(a) (1) In this section the following words have the meanings indicated.

(2) “Accessible copy” includes a copy of a document provided to an individual in a format as defined in § 8–408 of this subtitle.

(3) “Extenuating circumstance” means:

(i) A death in the family;

(ii) A personal emergency;

(iii) A natural disaster; or

(iv) Any other similar situation defined by the Department.

(4) “Individualized education program” and “individualized family service plan” have the same meaning as provided in the federal Individuals with Disabilities Education Act.

(b) (1) When a team of qualified professionals and the parents meet for the purpose of discussing the identification, evaluation, educational program, or the provision of a free appropriate public education of a child with a disability:

(i) The parents of the child shall be afforded the opportunity to participate and shall be provided reasonable notice in advance of the meeting; and

(ii) Reasonable notice shall be at least 10 calendar days in advance of the meeting, unless an expedited meeting is being conducted to:

1. Address disciplinary issues;

2. Determine the placement of the child with a disability not currently receiving educational services; or

3. Meet other urgent needs of a child with a disability to ensure the provision of a free appropriate public education.

(2) (i) 1. At the initial evaluation meeting, the parents of the child shall be provided:

A. In plain language, a verbal and written explanation of the parents' rights and responsibilities in the individualized education program process and a program procedural safeguards notice; and

B. Written information that the parents may use to contact early intervention and special education family support services staff members within the local school system and a brief description of the services provided by the staff members.

2. If a parent's native language is not English, the information in subparagraph 1B of this subparagraph shall be provided to the parent in the parent's native language.

(ii) The parents may request the information provided under subparagraph (i) of this paragraph at any subsequent meeting.

(iii) If a child who has an individualized education program developed in another school system moves into a different local school system, that local school system shall provide the information required under subparagraph (i)1B of this paragraph at the time of the first written communication with the parents regarding the child's individualized education program or special education services.

(iv) A local school system shall publish information that a parent may use to contact early intervention and special education family support services staff members within the local school system and a brief description of the services provided by the staff members in a prominent place on the section of its Web site relating to special education services.

(3) Failure to provide the information required under paragraph (2)(i)1B of this subsection does not constitute grounds for a due process complaint under § 8–413 of this subtitle.

(4) (i) If, during an individualized education program team meeting, a parent disagrees with the child's individualized education program or the special education services provided to the child, the individualized education program team shall provide the parent with, in plain language:

1. An oral and a written explanation of the parent's right to request mediation in accordance with § 8–413 of this subtitle;

2. Contact information, including a telephone number that a parent may use to receive more information about the mediation process; and

3. Information regarding pro bono representation and other free or low-cost legal and related services available in the area.

(ii) A parent may request the information provided under subparagraph (i) of this paragraph at any individualized education program team meeting.

(5) (i) If the native language spoken by a parent who requests information under paragraph (4) of this subsection is spoken by more than 1% of the student population in the local school system, the parent may request that the information be translated into the parent's native language.

(ii) If a parent makes a request under subparagraph (i) of this paragraph, the individualized education program team shall provide the parent with the translated document within 30 days after the date of the request.

(c) The individualized education program team shall determine, on at least an annual basis, whether the child requires extended year services in order to ensure that the child is not deprived of a free appropriate public education by virtue of the normal break in the regular school year.

(d) (1) (i) Except as provided in paragraph (2) of this subsection, and subject to subparagraphs (ii) and (iii) of this paragraph, at least 5 business days before a scheduled meeting of the individualized education program team or other multidisciplinary education team for any purpose for a child with a disability, appropriate school personnel shall provide the parents of the child with an accessible copy of each assessment, report, data chart, draft individualized education program, or other document that either team plans to discuss at the meeting.

(ii) Subject to subparagraph (i) of this paragraph, an assessment, report, data chart, or other document prepared by a school psychologist or other medical professional that either team plans to discuss at the meeting may be provided to the parents of the child orally and in writing prior to the meeting.

(iii) The parents of a child may notify appropriate school personnel that they do not want to receive the documents required to be provided under subparagraph (i) of this paragraph.

(2) (i) Subject to subparagraph (ii) of this paragraph, appropriate school personnel are not required to comply with paragraph (1) of this subsection in the event of an extenuating circumstance.

(ii) In the event of an extenuating circumstance, appropriate school personnel who fail to comply with paragraph (1) of this subsection shall document the extenuating circumstance and communicate that information to the parents of the child.

(e) (1) Not later than 5 business days after a scheduled meeting of the individualized education program team or other multidisciplinary team for a child with a disability, appropriate school personnel shall provide the parents of the child with a copy of the completed individualized education program.

(2) If the individualized education program has not been completed by the 5th business day after the meeting, the parents shall be provided with the draft copy of the individualized education program.

(3) The completed or draft individualized education program shall be provided to the parents in an accessible format.

(4) (i) If the native language spoken by the parents of a child with a completed individualized education program or a completed individualized family service plan is spoken by more than 1 percent of the student population in the local school system, the parents may request the document to be translated into the parents' native language.

(ii) If a parent makes a request under subparagraph (i) of this paragraph, appropriate school personnel shall provide the parents with the translated document within 30 days after the date of the request.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL OBTAIN WRITTEN CONSENT FROM A PARENT IF THE TEAM PROPOSES TO:

(I) ENROLL THE CHILD IN AN ALTERNATIVE EDUCATION PROGRAM THAT DOES NOT ISSUE OR PROVIDE CREDITS TOWARDS A MARYLAND HIGH SCHOOL DIPLOMA;

(II) IDENTIFY THE CHILD FOR THE ALTERNATIVE EDUCATION ASSESSMENT ALIGNED WITH THE STATE'S ALTERNATIVE CURRICULUM; OR ~~OR~~

(III) INCLUDE RESTRAINT OR SECLUSION IN THE INDIVIDUALIZED EDUCATION PROGRAM TO ADDRESS THE CHILD'S BEHAVIOR AS DESCRIBED IN ~~COMAR 13A.08.04.05~~ 13A.08.04.05; ~~OR~~

~~(IV) INITIATE A CHANGE IN THE CHILD'S EDUCATIONAL PLACEMENT.~~

(2) IF THE PARENT DOES NOT PROVIDE WRITTEN CONSENT TO AN ACTION PROPOSED IN PARAGRAPH (1) OF THIS SUBSECTION AT THE INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETING, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL SEND THE PARENT WRITTEN NOTICE NO LATER THAN 5 BUSINESS DAYS AFTER THE INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETING THAT INFORMS THE PARENT THAT:

(I) THE PARENT HAS THE RIGHT TO EITHER CONSENT TO OR REFUSE TO CONSENT TO AN ACTION PROPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) IF THE PARENT DOES NOT PROVIDE WRITTEN CONSENT OR A WRITTEN REFUSAL TO CONSENT TO AN ACTION PROPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 15 BUSINESS DAYS OF THE INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETING, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM MAY IMPLEMENT THE PROPOSED ACTION.

(3) IF THE PARENT REFUSES TO CONSENT TO THE ACTION PROPOSED, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM MAY USE THE DISPUTE RESOLUTION OPTIONS LISTED IN § 8-413 OF THIS SUBTITLE TO RESOLVE THE MATTER.

[(f)] (G) To fulfill the purposes of this section, school personnel may provide the documents required under this section through:

- (1) Electronic delivery;
- (2) Home delivery with the student; or
- (3) Any other reasonable and legal method of delivery.

[(g)] (H) Failure to comply with this section does not constitute a substantive violation of the requirement to provide a student with a free appropriate public education.

[(h)] (I) The Department shall adopt:

- (1) Regulations that define what information should be provided in the verbal and written explanations of the parents' rights and responsibilities in the individualized education program process; and
- (2) Any other regulations necessary to carry out subsection (b)(2) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 180 – *Department of Health and Mental Hygiene – Renaming*.

This bill renames the Department of Health and Mental Hygiene to be the Maryland Department of Health, and the Secretary of Health and Mental Hygiene to be the Secretary of Health.

Senate Bill 82, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 180.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 180

AN ACT concerning

Department of Health and Mental Hygiene – Renaming

FOR the purpose of renaming the Department of Health and Mental Hygiene to be the Maryland Department of Health; renaming the Secretary of Health and Mental Hygiene to be the Secretary of Health; providing that the Maryland Department of Health is the successor of the Department of Health and Mental Hygiene; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; providing that letterhead, business cards, and other documents reflecting the renaming of the Department may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Department before the effective date of this Act are used; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to correct cross–references and terminology in the Code that are rendered incorrect by this Act; and generally relating to the renaming of the Department of Health and Mental Hygiene and the Secretary of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General

Section 1–101(c) and (k); and 2–101 and 2–102(a) to be under the amended title “Title 2. Maryland Department of Health”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–201(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–201(b)(8)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

1–101.

(a) In this article the following words have the meanings indicated.

(c) “Department” means the **MARYLAND** Department of Health [and Mental Hygiene].

(k) “Secretary” means the Secretary of Health [and Mental Hygiene].

Title 2. **MARYLAND** Department of Health [and Mental Hygiene].

2–101.

There is a **MARYLAND** Department of Health [and Mental Hygiene], established as a principal department of the State government.

2–102.

(a) The head of the Department is the Secretary of Health [and Mental Hygiene], who shall be appointed by the Governor with the advice and consent of the Senate.

Article – State Government

8–201.

(a) The Executive Branch of the State government shall have not more than 21 principal departments, each of which shall embrace a broad, functional area of that Branch.

(b) The principal departments of the Executive Branch of the State government are:

(8) Health [and Mental Hygiene];

SECTION 2. AND BE IT FURTHER ENACTED, That, as provided in this Act:

(a) The Maryland Department of Health is the successor of the Department of Health and Mental Hygiene.

(b) In every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of this State, the names and titles of those agencies and officials mean the names and titles of the successor agency or official.

SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act affects the term of office of an appointed or elected member of any commission, office, department, agency, or other unit. An individual who is a member of a unit on the effective date of this Act shall remain for the balance of the term to which appointed or elected, unless the member sooner dies, resigns, or is removed under provisions of law.

SECTION 4. AND BE IT FURTHER ENACTED, That any transaction or employment status affected by or flowing from any change of nomenclature or any statute amended by this Act and validly entered into or existing before the effective date of this Act and every right, duty, or interest flowing from a statute amended by this Act remains valid after the effective date of this Act and may be terminated, completed, consummated, or enforced as required or allowed by any statute amended by this Act as though the amendment had not occurred. If a change in nomenclature involves a change in name or designation of any State unit, the successor unit shall be considered in all respects as having the powers and obligations granted the former unit.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(1) the continuity of every commission, office, department, agency or other unit is retained; and

(2) the personnel, records, files, furniture, fixtures, and other properties and all appropriations, credits, assets, liabilities, and obligations of each retained unit are continued as the personnel, records, files, furniture, fixtures, properties, appropriations, credits, assets, liabilities, and obligations of the unit under the laws enacted by this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That letterhead, business cards, and other documents reflecting the renaming of the Department of Health and Mental Hygiene to be the Maryland Department of Health may not be used until all letterhead,

business cards, and other documents already in print and reflecting the name of the Department before the effective date of this Act have been used.

SECTION 7. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross-references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction made in an editor's note following the section affected.

SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 197 – *Education – Remote Classroom Technology Grant Program – Establishment (Peyton's Bill)*.

This bill establishes the Remote Classroom Technology Grant Program for the purpose of providing grants to public schools in order to purchase technology that allows students with medical conditions to participate remotely if in-person classroom attendance is not possible. This bill also authorizes the Governor to include annual funding in the State budget for the program, which must be administered by the Maryland State Department of Education.

Senate Bill 485, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 197.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 197

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

FOR the purpose of establishing the Remote Classroom Technology Grant Program; providing for the purpose of the Program; requiring the State Department of Education to implement and administer the Program; authorizing the Governor to include ~~a certain~~ an appropriation to the Program in the State budget; authorizing the Department to adopt certain regulations; and generally relating to the Remote Classroom Technology Grant Program.

BY adding to

Article – Education

Section 7–124

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7–124.

(A) (1) THERE IS A REMOTE CLASSROOM TECHNOLOGY GRANT PROGRAM IN THE STATE.

(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO PUBLIC SCHOOLS IN THE STATE TO PURCHASE TECHNOLOGY TO ALLOW STUDENTS WITH MEDICAL CONDITIONS TO PARTICIPATE IN CLASSROOMS REMOTELY IF IN-PERSON ATTENDANCE IS NOT POSSIBLE.

(B) THE GOVERNOR MAY INCLUDE IN THE STATE BUDGET AN ANNUAL APPROPRIATION ~~OF AT LEAST \$500,000~~ TO THE PROGRAM.

(C) THE DEPARTMENT SHALL IMPLEMENT AND ADMINISTER THE PROGRAM IN ACCORDANCE WITH THIS SECTION.

(D) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 249 – *Carroll County – Mechanical Musical Devices – Licensing Requirements – Repeal*.

This bill repeals a licensing requirement for certain mechanical musical devices in Carroll County.

Senate Bill 324, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 249.

Sincerely,

Lawrence J. Hogan, Jr.
 Governor

House Bill 249

AN ACT concerning

Carroll County – Mechanical Musical Devices – Licensing Requirements – Repeal

FOR the purpose of repealing a licensing requirement for certain mechanical musical devices in Carroll County; and generally relating to licensing requirements in Carroll County.

BY repealing

The Public Local Laws of Carroll County
 Section 6–103
 Article 7 – Public Local Laws of Maryland
 (2014 Edition and January 2016 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article 7 – Carroll County

[6–103.

Every person, firm or corporation keeping, maintaining or operating for public entertainment in Carroll County any music box, mechanical player piano, graphophone, or other similar mechanical musical device played by the insertion of a coin or token, shall obtain an annual county license from the Clerk of the Circuit Court of county, and shall pay the sum of twenty dollars for each machine or device, and the sum of three dollars additional for each independent coin–operated speaker delivering music on the same premises. Each machine or device licensed shall have affixed to it a metal tag issued by the Clerk, showing that the fee for current year has been paid. All licenses shall expire on the thirtieth day of April of each year, shall be transferable, and shall be prorated monthly. Any person, firm, or corporation keeping, maintaining or operating any such machine or device without a license, shall be guilty of a misdemeanor, and upon conviction, shall be fined one hundred dollars. All license fees collected under the provisions of this section shall be paid to the County Commissioners of Carroll County and credited to the general funds of the County.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 279 – *Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court*.

This bill authorizes the juvenile court to direct the provision of certain services to a certain child during a certain disposition hearing, and requires the juvenile court to direct the provision of certain services to a certain child during a certain permanency planning hearing or guardianship hearing. This bill also provides that if the juvenile court enters an order directing the provision of certain services to a certain child, the juvenile court retains jurisdiction for a certain time period and for a certain purpose, notwithstanding certain provisions of law.

Senate Bill 272, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 279.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 279

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

FOR the purpose of authorizing the juvenile court to direct the provision of certain services to a certain child during a certain disposition hearing; requiring the juvenile court to direct the provision of certain services to a certain child during a certain permanency planning hearing or guardianship hearing; providing that, if the juvenile court enters an order directing the provision of certain services to a certain child, the juvenile court retains jurisdiction for a certain time period and for a certain purpose, notwithstanding certain provisions of law; providing that a certain order shall remain effective for a certain period of time; defining a certain term; and generally relating to the jurisdiction and authority of the juvenile court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and (l)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–804, 3–819(c), and 3–823(h)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–819(m) and 3–823(k)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–301, 5–324(b), and 5–328
Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Family Law

Section 5–324(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, § 5–324(b)(1)(ii)7B of the Family Law Article provides that, for children placed under an order of guardianship by the juvenile court following the termination of parental rights, the juvenile court shall direct the provision of certain services or the taking of certain actions as to the child’s education, health, and welfare, including, for a child with a disability, services to obtain ongoing care, if any, needed after the guardianship case ends; and

WHEREAS, In the recent case of *In re Adoption/Guardianship of Dustin R.*, No. 24, September Term, 2015, the Maryland Court of Appeals affirmed that these provisions empower the juvenile court to order a State agency to provide services needed to obtain ongoing care for a child under an order of guardianship after the child reaches age 21 and the guardianship ends and that these provisions do not violate the separation of powers doctrine enshrined in Article 8 of the Maryland Declaration of Rights; and

WHEREAS, The Court of Appeals further held that the juvenile court has inherent *parens patriae* powers to order these services for the protection of the child; and

WHEREAS, The Court of Appeals further held that these services should act as a bridge for a child with a disability to provide continuity as the child transitions to the adult guardianship system; and

WHEREAS, The Court of Appeals further stated that, if a State agency challenges the necessity of these services, the juvenile court has the authority to enforce an order directing the provision of these services until the child’s adult guardian files a request for a judicial or administrative hearing on the challenge; and

WHEREAS, Children in foster care face significant challenges when they age out of the child welfare system and transition to adulthood, including a lack of access to necessary services, resources, and support; and

WHEREAS, Children who are under the CINA jurisdiction of the juvenile court are not eligible for the protection provided by § 5–324(b)(1)(ii)7B of the Family Law Article, yet would benefit from that protection; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

3–801.

(a) In this subtitle the following words have the meanings indicated.

(l) “Developmental disability” means a severe chronic disability of an individual that:

(1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;

(2) Is likely to continue indefinitely;

(3) Results in an inability to live independently without external support or continuing and regular assistance; and

(4) Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.

3–804.

(a) (1) Except as provided in paragraph (2) of this subsection, the court has jurisdiction under this subtitle only if the alleged CINA or child in a voluntary placement is under the age of 18 years when the petition is filed.

(2) The court has jurisdiction under this subtitle over a former CINA:

(i) Whose commitment to the local department was rescinded after the individual reached the age of 18 years but before the individual reached the age of 20 years and 6 months; and

(ii) Who did not exit foster care due to reunification, adoption, guardianship, marriage, or military duty.

(b) If the court obtains jurisdiction over a child, that jurisdiction continues in that case until the child reaches the age of 21 years, unless the court terminates the case.

(c) After the court terminates jurisdiction, a custody order issued by the court in a CINA case:

(1) Remains in effect; and

(2) May be revised or superseded only by another court of competent jurisdiction.

(D) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF THE COURT ENTERS AN ORDER DIRECTING THE PROVISION OF SERVICES TO A CHILD UNDER § 3-819(C)(3) OR § 3-823(H)(2)(VII) OF THIS SUBTITLE, THE COURT RETAINS JURISDICTION TO RULE ON ANY MOTION RELATED TO THE ENFORCEMENT, MODIFICATION, OR TERMINATION OF THE ORDER FOR AS LONG AS THE ORDER IS EFFECTIVE.

3-819.

(c) In addition to any action under subsection (b)(1)(iii) of this section, the court may:

(1) (i) Place a child under the protective supervision of the local department on terms the court considers appropriate;

(ii) Grant limited guardianship to the department or an individual or both for specific purposes including medical and educational purposes or for other appropriate services if a parent is unavailable, unwilling, or unable to consent to services that are in the best interest of the child; or

(iii) Order the child and the child's parent, guardian, or custodian to participate in rehabilitative services that are in the best interest of the child and family; [and]

(2) Determine custody, visitation, support, or paternity of a child in accordance with § 3-803(b) of this subtitle; AND

(3) FOR A CHILD WITH A DEVELOPMENTAL DISABILITY, DIRECT THE PROVISION OF SERVICES TO OBTAIN ONGOING CARE, IF ANY, NEEDED AFTER THE COURT'S JURISDICTION ENDS.

(M) AN ORDER DIRECTING THE PROVISION OF SERVICES TO A CHILD UNDER SUBSECTION (C)(3) OF THIS SECTION IS EFFECTIVE UNTIL:

(1) THE CHILD IS TRANSITIONED TO ADULT GUARDIANSHIP CARE IF ADULT GUARDIANSHIP IS NECESSARY AND THERE IS NO LESS RESTRICTIVE ALTERNATIVE THAT MEETS THE NEEDS OF THE CHILD; AND

(2) (I) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE ENTERS INTO AN AGREEMENT TO PROVIDE OR OBTAIN THE SERVICES ORDERED BY THE COURT; OR

(II) IF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE CHALLENGES THE NECESSITY OF THE SERVICES ORDERED BY THE COURT, THE

CONCLUSION OF ANY ADMINISTRATIVE OR JUDICIAL REVIEW PROCEEDING REGARDING THE CHALLENGE.

3-823.

(h) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded or a voluntary placement is terminated.

(ii) The court shall conduct a review hearing every 12 months after the court determines that the child shall be continued in out-of-home placement with a specific caregiver who agrees to care for the child on a permanent basis.

(iii) 1. Unless the court finds good cause, a case shall be terminated after the court grants custody and guardianship of the child to a relative or other individual.

2. If the court finds good cause not to terminate a case, the court shall conduct a review hearing every 12 months until the case is terminated.

3. The court may not conclude a review hearing under subparagraph 2 of this subparagraph unless the court has seen the child in person.

(2) At the review hearing, the court shall:

(i) Determine the continuing necessity for and appropriateness of the commitment;

(ii) Determine and document in its order whether reasonable efforts have been made to finalize the permanency plan that is in effect;

(iii) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating commitment;

(iv) Project a reasonable date by which a child in placement may be returned home, placed in a preadoptive home, or placed under a legal guardianship;

(v) Evaluate the safety of the child and take necessary measures to protect the child; [and]

(vi) Change the permanency plan if a change in the permanency plan would be in the child's best interest; AND

(VII) FOR A CHILD WITH A DEVELOPMENTAL DISABILITY, DIRECT THE PROVISION OF SERVICES TO OBTAIN ONGOING CARE, IF ANY, NEEDED AFTER THE COURT'S JURISDICTION ENDS.

(3) Every reasonable effort shall be made to effectuate a permanent placement for the child within 24 months after the date of initial placement.

(K) AN ORDER DIRECTING THE PROVISION OF SERVICES TO A CHILD UNDER SUBSECTION (H)(2)(VII) OF THIS SECTION IS EFFECTIVE UNTIL:

(1) THE CHILD IS TRANSITIONED TO ADULT GUARDIANSHIP CARE IF ADULT GUARDIANSHIP IS NECESSARY AND THERE IS NO LESS RESTRICTIVE ALTERNATIVE THAT MEETS THE NEEDS OF THE CHILD; AND

(2) (I) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE ENTERS INTO AN AGREEMENT TO PROVIDE OR OBTAIN THE SERVICES ORDERED BY THE COURT; OR

(II) IF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE CHALLENGES THE NECESSITY OF THE SERVICES ORDERED BY THE COURT, THE CONCLUSION OF ANY ADMINISTRATIVE OR JUDICIAL REVIEW PROCEEDING REGARDING THE CHALLENGE.

Article – Family Law

5–301.

(a) In this subtitle the following words have the meanings indicated.

(b) “Caregiver” means a person with whom a child resides and who exercises responsibility for the welfare of the child.

(c) “Child” means an individual who is the subject of a guardianship or adoption petition under this subtitle.

(D) “DEVELOPMENTAL DISABILITY” HAS THE MEANING STATED IN § 3–801 OF THE COURTS ARTICLE.

[(d)] **(E)** “Guardianship” means an award, under this subtitle, of any power of a guardian.

[(e)] **(F)** “Identifying information” means information that reveals the identity or location of an individual.

[(f)] **(G)** (1) “Parent” means an individual who, at the time a petition for guardianship is filed under this subtitle or at any time before a court terminates the individual’s parental rights:

- (i) meets a criterion in § 5–306(a) of this subtitle; or
- (ii) is the mother.

(2) “Parent” does not include an individual whom a court has adjudicated not to be a father or mother of a child.

[(g)] (H) “Party” means:

- (1) in a guardianship case under this subtitle:
 - (i) the child;
 - (ii) except as provided in § 5–326(a)(3)(iii) of this subtitle, the child’s parent; and
 - (iii) the local department to which the child is committed;
- (2) in an adoption case under Part III of this subtitle:
 - (i) the child;
 - (ii) the child’s parent; and
 - (iii) the individual seeking adoption;
- (3) in an adoption case under Part IV of this subtitle:
 - (i) the child; and
 - (ii) the individual seeking adoption; and
- (4) if express reference is made to a CINA case, a governmental unit or person defined as a party in § 3–801 of the Courts Article.

5–324.

- (b) (1) In a separate order accompanying an order granting guardianship of a child, a juvenile court:
 - (i) shall include a directive terminating the child’s CINA case;
 - (ii) consistent with the child’s best interests:
 - 1. may place the child:

- type of facility; or
- A. subject to paragraph (2) of this subsection, in a specific
 - B. with a specific individual;
2. may direct provision of services by a local department to:
 - A. the child; or
 - B. the child's caregiver;
 3. subject to a local department retaining legal guardianship, may award to a caregiver limited authority to make an emergency or ordinary decision as to the child's care, education, mental or physical health, or welfare;
 4. may allow access to a medical or other record of the child;
 5. may allow visitation for the child with a specific individual;
 6. may appoint, or continue the appointment of, a court-appointed special advocate for any purpose set forth under § 3–830 of the Courts Article;
 7. shall direct the provision of any other service or taking of any other action as to the child's education, health, and welfare, including:
 - A. for a child who is at least 16 years old, services needed to help the child's transition from guardianship to independence; or
 - B. for a child with a **DEVELOPMENTAL** disability, services to obtain ongoing care, if any, needed after the guardianship case ends; and
 8. may co-commit the child to the custody of the Department of Health and Mental Hygiene and order the Department of Health and Mental Hygiene to provide a plan for the child of clinically appropriate services in the least restrictive setting, in accordance with federal and State law;
- (iii) if entered under § 5–322 of this subtitle, shall state each party's response to the petition;
 - (iv) shall state a specific factual finding on whether reasonable efforts have been made to finalize the child's permanency plan;
 - (v) shall state whether the child's parent has waived the right to notice; and

(vi) shall set a date, no later than 180 days after the date of the order, for the initial guardianship review hearing under § 5–326 of this subtitle.

(2) (i) Except for emergency commitment in accordance with § 10–617 of the Health – General Article or as expressly authorized by a juvenile court in accordance with the standards in § 3–819(h) or (i) of the Courts Article, a child may not be committed or otherwise placed for inpatient care or treatment in a psychiatric facility or a facility for the developmentally disabled.

(ii) A juvenile court shall include in a commitment order under this paragraph a requirement that the guardian:

1. file a progress report with the juvenile court at least every 180 days; and

2. provide a copy of each report to each person entitled to notice of a review hearing under § 5–326 of this subtitle.

(iii) Every 180 days during a commitment or placement under this paragraph, a juvenile court shall hold a hearing to determine whether the standards in § 3–819(h) or (i) of the Courts Article continue to be met.

(D) AN ORDER DIRECTING THE PROVISION OF SERVICES TO A CHILD WITH A DEVELOPMENTAL DISABILITY UNDER SUBSECTION (B)(1)(II)7B OF THIS SECTION IS EFFECTIVE UNTIL:

(1) THE CHILD IS TRANSITIONED TO ADULT GUARDIANSHIP CARE IF ADULT GUARDIANSHIP IS NECESSARY AND THERE IS NO LESS RESTRICTIVE ALTERNATIVE THAT MEETS THE NEEDS OF THE CHILD; AND

(2) (I) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE ENTERS INTO AN AGREEMENT TO PROVIDE OR OBTAIN THE SERVICES ORDERED BY THE COURT; OR

(II) IF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE CHALLENGES THE NECESSITY OF THE SERVICES ORDERED BY THE COURT, THE CONCLUSION OF ANY ADMINISTRATIVE OR JUDICIAL REVIEW PROCEEDING REGARDING THE CHALLENGE.

5–328.

(a) If a local department is a child’s guardian under this subtitle, a juvenile court:

(1) retains jurisdiction until:

(i) the child attains 18 years of age; or

and (ii) the juvenile court finds the child to be eligible for emancipation;

(2) may continue jurisdiction until the child attains 21 years of age.

(b) If a juvenile court designates an individual as a child's guardian, the juvenile court:

(1) may retain jurisdiction until the child attains 18 years of age; or

(2) on finding further review unnecessary to maintain the child's health and welfare, may terminate the case before the child attains 18 years of age.

(c) An order for adoption of a child terminates the child's guardianship case.

(d) On termination of a guardianship case, a juvenile court shall close the case.

(E) NOTWITHSTANDING SUBSECTIONS (A) AND (B) OF THIS SECTION, IF THE COURT ENTERS AN ORDER DIRECTING THE PROVISION OF SERVICES TO A CHILD UNDER § 5-324(B)(1)(II)7B OF THIS SUBTITLE, THE COURT RETAINS JURISDICTION TO RULE ON ANY MOTION RELATED TO THE ENFORCEMENT, MODIFICATION, OR TERMINATION OF THE ORDER FOR AS LONG AS THE ORDER IS EFFECTIVE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 324 – *State Personnel – Leap Year – Personal Leave*.

This bill provides a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year.

Senate Bill 580, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 324.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 324

AN ACT concerning

State Personnel – Leap ~~Day Pay Act~~ Year – Personal Leave

FOR the purpose of ~~requiring the Secretary of Budget and Management to amend the Standard Pay Plan during a leap year to increase certain pay rates for certain classes of State employees to account for a certain day;~~ providing a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year; and generally relating to ~~the Standard Pay Plan pay rates for classes of~~ personal leave during leap years for State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~8-105~~ 9-401
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

~~§ 105.~~

~~(a) This section applies only to the Standard Pay Plan.~~

~~(b) [With] SUBJECT TO SUBSECTION (D) OF THIS SECTION, WITH the approval of the Governor, the Secretary may amend the Standard Pay Plan to increase pay rates for specific classes to:~~

~~(1) recruit or retain competent personnel; or~~

~~(2) ensure that pay rates adequately compensate for the effort, knowledge, responsibility, skills, and working conditions of employees in the class.~~

~~(e) If an amendment affects a position in the Executive Branch that is listed in the budget bill in accordance with § 7-109 of the State Finance and Procurement Article, the amendment is contingent on the approval of the Board of Public Works.~~

~~(d) IN A LEAP YEAR, TO ENSURE THAT NO EMPLOYEE'S PAY RATE IS REDUCED, THE SECRETARY SHALL AMEND THE STANDARD PAY PLAN TO INCREASE PAY RATES FOR ALL CLASSES TO ACCOUNT FOR THE ADDITIONAL DAY IN THE LEAP YEAR.~~

~~(E) An amendment to the Standard Pay Plan may not take effect unless sufficient money is available in the budget to cover the resulting pay rates.~~

~~[(c)] (F) (1) Subject to § 2-1246 of the State Government Article, the Secretary shall report all amendments to the Standard Pay Plan to the General Assembly on or before the 15th day of the next regular legislative session.~~

~~(2) If the General Assembly rejects an amendment, the appropriate reduction in pay rates takes effect as of the next fiscal year.~~

9-401.

(a) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, or otherwise provided by law, each employee in the State Personnel Management System, except a temporary employee, is entitled to 6 days, not to exceed 48 hours, of personal leave with pay at the beginning of the first full pay period of the calendar year.

(2) For the calendar year in which an employee begins employment, the employee is entitled only to the following personal leave with pay:

(i) 6 days, not to exceed 48 hours, if employment begins on or after January 1 and on or before the last day in February;

(ii) 5 days, not to exceed 40 hours, if employment begins on or after March 1 and on or before April 30;

(iii) 4 days, not to exceed 32 hours, if employment begins on or after May 1 and on or before June 30; or

(iv) 3 days, not to exceed 24 hours, if employment begins on or after July 1.

(3) FOR EACH CALENDAR YEAR THAT IS A LEAP YEAR, EACH EMPLOYEE IN THE STATE PERSONNEL MANAGEMENT SYSTEM, EXCEPT A TEMPORARY EMPLOYEE, IS ENTITLED TO 7 DAYS, NOT TO EXCEED 56 HOURS, OF

PERSONAL LEAVE WITH PAY AT THE BEGINNING OF THE FIRST FULL PAY PERIOD OF THE CALENDAR YEAR.

(b) Personal leave may be used for any purpose.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 352 – *Health Care Practitioners – Use of Teletherapy*.

This bill authorizes certain health care practitioners to use teletherapy under certain circumstances, and also requires certain health occupations boards to adopt regulations on or before April 1, 2018.

Senate Bill 1106, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 352.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 352

AN ACT concerning

Health Care Practitioners – Use of Teletherapy

FOR the purpose of authorizing certain health care practitioners to use teletherapy for a certain patient under certain circumstances; ~~establishing certain requirements for the technology a health care practitioner uses for teletherapy; requiring a health care practitioner to make a certain identification and establish certain safety protocols before a certain teletherapy session; requiring a health care practitioner and a~~

~~patient to execute an informed consent agreement that includes certain information and establish certain protocols to be used under certain circumstances before a certain teletherapy session; prohibiting a health occupations board from refusing to issue a certain license or certificate to a certain individual who intends to provide certain services to a certain patient only by using teletherapy if the individual satisfies certain requirements; requiring certain health occupations boards to adopt certain regulations on or before a certain date; defining certain terms; providing for a delayed effective date *for certain provisions of this Act*; and generally relating to the use of teletherapy by health care practitioners.~~

BY adding to

Article – Health Occupations

Section 1–901 through ~~1–905~~ 1–903 to be under the new subtitle “Subtitle 9. Teletherapy”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

SUBTITLE 9. TELETHERAPY.

1–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL WHO:

(1) PROVIDES ~~CLINICAL~~ BEHAVIORAL HEALTH SERVICES TO A PATIENT IN THE STATE; AND

(2) IS LICENSED IN THE STATE BY:

(I) THE STATE BOARD OF NURSING;

(II) THE STATE BOARD OF PHYSICIANS;

(III) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS;

(IV) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS; OR

(V) THE STATE BOARD OF SOCIAL WORK EXAMINERS.

(C) (1) ~~“TELETHERAPY” MEANS TELEMEDICINE, AS DEFINED IN § 15-139 OF THE INSURANCE ARTICLE, USED TO DELIVER CLINICAL BEHAVIORAL HEALTH SERVICES. THE USE OF INTERACTIVE AUDIO, VIDEO, OR OTHER TELECOMMUNICATIONS OR ELECTRONIC TECHNOLOGY BY A HEALTH CARE PRACTITIONER TO DELIVER TO A PATIENT CLINICAL BEHAVIORAL HEALTH SERVICES THAT ARE WITHIN THE SCOPE OF PRACTICE OF THE HEALTH CARE PRACTITIONER AT A SITE OTHER THAN THE SITE AT WHICH THE PATIENT IS LOCATED.~~

~~(2) “TELETHERAPY” INCLUDES THE ASSESSMENT, DIAGNOSIS, AND TREATMENT OF A PATIENT AND CONSULTATION WITH A PATIENT.~~

~~(3) “TELETHERAPY” DOES NOT INCLUDE:~~

~~(I) AN AUDIO ONLY TELEPHONE CONVERSATION BETWEEN A HEALTH CARE PRACTITIONER AND A PATIENT;~~

~~(II) AN ELECTRONIC MAIL MESSAGE BETWEEN A HEALTH CARE PRACTITIONER AND A PATIENT;~~

~~(III) A FACSIMILE TRANSMISSION BETWEEN A HEALTH CARE PRACTITIONER AND A PATIENT; OR~~

~~(IV) A TEXT MESSAGE OR OTHER TYPE OF MESSAGE SENT BETWEEN A HEALTH CARE PRACTITIONER AND A PATIENT BY A SHORT MESSAGE SERVICE OR MULTIMEDIA MESSAGING SERVICE.~~

1-902.

A HEALTH CARE PRACTITIONER MAY USE TELETHERAPY IF:

~~(1) THE HEALTH CARE PRACTITIONER HAS RECEIVED TRAINING IN THE TECHNOLOGY USED FOR THE TELETHERAPY; AND~~

~~(2) THE HEALTH CARE PRACTITIONER COMPLIES WITH THE PROVISIONS OF THIS SUBTITLE AND ANY REGULATIONS ADOPTED UNDER THIS SUBTITLE; AND~~

(2) THE HEALTH CARE PRACTITIONER:

(I) ESTABLISHES A PATIENT-PRACTITIONER RELATIONSHIP WITH THE PATIENT FOR WHOM TELETHERAPY IS BEING USED;

(II) PROVIDES FOR THE PRIVACY OF COMMUNICATIONS MADE THROUGH TELETHERAPY; AND

(III) ADDRESSES, TO THE EXTENT PRACTICABLE, THE NEED TO MAINTAIN THE SAFETY AND WELL-BEING OF PATIENTS FOR WHOM TELETHERAPY IS BEING USED.

~~1-903.~~

~~(A) THE TECHNOLOGY A HEALTH CARE PRACTITIONER USES FOR TELETHERAPY SHALL:~~

~~(1) BE COMPLIANT WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT;~~

~~(2) HAVE A SECURE AND PRIVATE CONNECTION; AND~~

~~(3) INCLUDE REAL TIME TWO-WAY AUDIO AND VIDEO COMMUNICATIONS.~~

~~(B) BEFORE THE FIRST TELETHERAPY SESSION BETWEEN A HEALTH CARE PRACTITIONER AND A PATIENT:~~

~~(1) THE HEALTH CARE PRACTITIONER SHALL MAKE A POSITIVE IDENTIFICATION OF THE PATIENT THROUGH:~~

~~(i) IF POSSIBLE, AN INITIAL FACE-TO-FACE MEETING; OR~~

~~(ii) THE USE OF GOVERNMENT ISSUED PHOTOGRAPHIC IDENTIFICATION;~~

~~(2) THE HEALTH CARE PRACTITIONER SHALL ESTABLISH SAFETY PROTOCOLS TO BE USED IN THE CASE OF AN EMERGENCY OR A CRISIS, INCLUDING THE LOCAL TELEPHONE NUMBERS AND CONTACTS AT THE PATIENT'S LOCATION FOR:~~

~~(i) POLICE OR EMERGENCY MEDICAL SERVICES;~~

~~(ii) THE LOCAL HOSPITAL, EMERGENCY ROOM, OR CRISIS INTERVENTION TEAM; AND~~

~~(iii) APPROPRIATE BEHAVIORAL HEALTH EMERGENCY SERVICES;~~

~~(3) THE HEALTH CARE PRACTITIONER AND THE PATIENT SHALL EXECUTE AN INFORMED CONSENT AGREEMENT THAT INCLUDES:~~

~~(I) REQUIREMENTS FOR PRIVACY SUCH THAT ONLY THE HEALTH CARE PRACTITIONER AND THE PATIENT CAN PARTICIPATE IN OR BE PRESENT DURING A TELETHERAPY SESSION UNLESS OTHERWISE AGREED TO BY THE HEALTH CARE PRACTITIONER AND THE PATIENT;~~

~~(II) ACTIONS TO BE TAKEN IF THE TECHNOLOGY USED FOR THE TELETHERAPY SESSION IS DISCONNECTED OR OTHER TECHNICAL DIFFICULTIES OCCUR;~~

~~(III) EMERGENCY PROTOCOLS; AND~~

~~(IV) THE NAME AND TELEPHONE NUMBER OF AN EMERGENCY CONTACT AS PROVIDED BY THE PATIENT; AND~~

~~(4) THE HEALTH CARE PRACTITIONER AND THE PATIENT SHALL ESTABLISH PROTOCOLS TO BE USED IF:~~

~~(I) PRIVACY IS COMPROMISED;~~

~~(II) THE CONDITIONS OF A TELETHERAPY SESSION BECOME UNSAFE; OR~~

~~(III) A TELETHERAPY SESSION IS BASED ON COERCION, FORCE, OR UNAUTHORIZED THIRD PARTY INVOLVEMENT.~~

~~1-904.~~

~~NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A HEALTH OCCUPATIONS BOARD MAY NOT REFUSE TO ISSUE A LICENSE OR CERTIFICATE TO AN INDIVIDUAL WHO INTENDS TO PROVIDE BEHAVIORAL HEALTH CARE SERVICES TO A PATIENT IN THE STATE ONLY BY USING TELETHERAPY IF THE INDIVIDUAL SATISFIES THE REQUIREMENTS ESTABLISHED UNDER THIS ARTICLE FOR THE LICENSURE OR CERTIFICATION.~~

~~1-905. 1-903.~~

EACH HEALTH OCCUPATIONS BOARD LISTED IN § 1-901(B)(2) OF THIS SUBTITLE SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE THAT, TO THE EXTENT PRACTICABLE, ARE UNIFORM AND NONCLINICAL.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before April 1, 2018, the State Board of Nursing, the State Board of Physicians, the State Board of Professional Counselors and Therapists, the State Board of Examiners of Psychologists, and the State Board of Social Work Examiners shall adopt regulations that, to the extent practicable, are uniform and nonclinical for the use of teletherapy by health care practitioners in accordance with §§ 1-901 ~~through 1-904~~ and 1-902 of the Health Occupations Article, as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, ~~2017~~ 2018.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 383 – *Public Information Act – Denials of Inspection – Explanation Regarding Redaction*.

This bill requires, under certain circumstances, a custodian of a public record to include in a written statement an explanation of why redacting information would not address the reasons for denying inspection of a public record under the Maryland Public Information Act.

Senate Bill 1057, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 383.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 383

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

FOR the purpose of requiring, under certain circumstances, a custodian of a public record to include in a certain written statement an explanation of why redacting information would not address the reasons for denying inspection of a public record; and generally relating to the denials of inspection of public records.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–203
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – General Provisions

4–203.

(a) The custodian shall grant or deny the application promptly, but not more than 30 days after receiving the application.

(b) (1) A custodian who approves the application shall produce the public record immediately or within a reasonable period that is needed to retrieve the public record, but not more than 30 days after receipt of the application.

(2) If the custodian reasonably believes that it will take more than 10 working days to produce the public record, the custodian shall indicate in writing or by electronic mail within 10 working days after receipt of the request:

(i) the amount of time that the custodian anticipates it will take to produce the public record;

(ii) an estimate of the range of fees that may be charged to comply with the request for public records; and

(iii) the reason for the delay.

(3) Failure to produce the public record in accordance with this subsection constitutes a denial of an application that may not be considered the result of a bona fide dispute unless the custodian has complied with paragraph (2) of this subsection and is working with the applicant in good faith.

(c) (1) A custodian who denies the application shall:

that gives:

(i) within 10 working days, give the applicant a written statement

1. the reasons for the denial [and,];

2. if inspection is denied under § 4–343 of this title[,];

A. a brief explanation of why the denial is necessary; AND

B. AN EXPLANATION OF WHY REDACTING INFORMATION WOULD NOT ADDRESS THE REASONS FOR THE DENIAL;

[2.] 3. the legal authority for the denial;

[3.] 4. without disclosing the protected information, a brief description of the undisclosed record that will enable the applicant to assess the applicability of the legal authority for the denial; and

[4.] 5. notice of the remedies under this title for review of the denial; and

(ii) allow inspection of any part of the record that is subject to inspection.

(2) A custodian may not ignore an application to inspect public records on the grounds that the application was intended for purposes of harassment.

(d) Any time limit imposed under this section:

(1) with the consent of the applicant, may be extended for not more than 30 days; and

(2) if the applicant seeks resolution of a dispute under § 4–1B–04 of this title, shall be extended pending resolution of that dispute.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch

Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 395 – *Child Care Subsidy Program – Alternative Methodology – Report*.

This bill requires the State Department of Education to report to certain committees of the General Assembly by October 1, 2017, on methodologies to set child care subsidy reimbursement rates in the Child Care Subsidy Program.

Senate Bill 293, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 395.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 395

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

FOR the purpose of requiring the State Department of Education to report to certain committees of the General Assembly on or before a certain date on methodologies to set child care subsidy reimbursement rates in the Child Care Subsidy Program; requiring the report to contain certain information; and generally relating to the Child Care Subsidy Program.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, on or before October 1, 2017, the State Department of Education shall report to the Joint Committee on Children, Youth, and Families, the Senate Budget and Taxation Committee, and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article, on:

(1) whether an alternative methodology for setting child care subsidy reimbursement rates in the Child Care Subsidy Program should replace the market rate survey or be used in addition to the market rate survey;

(2) the benefits and constraints of various alternative reimbursement rate setting methodologies;

(3) how other states set child care subsidy reimbursement rates;

(4) feedback on reimbursement rate setting methodologies from stakeholder meetings of the Office of Child Care Advisory Council, resource and referral agencies, child care worker organizations, and other appropriate entities; and

(5) what alternative reimbursement rate setting methodology should be used or, if no alternative is recommended, whether there are ways to modify the market rate survey method to better measure the actual cost of child care and the cost of improvements to the quality of child care.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 433 – *State Finance and Procurement – Small and Minority Business Participation*.

This bill clarifies what constitutes good cause for the purpose of removal of a certified minority business enterprise after the execution of a contract, and prohibits the failure of a certified minority business to provide a certain bond from being considered nonperformance. This bill also expands the Small Business Reserve Program to apply to all State agencies, raises the program's goal from 10% to 15% of the value of agency procurements, and alters the method of measuring whether agencies reach the goal. In addition, this bill requires the Special Secretary of Minority Affairs, in consultation with the Attorney General, to establish standards and guidelines for participation in the small business reserve program every 5 years.

Senate Bill 309, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 433.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 433

AN ACT concerning

State Finance and Procurement – Small and Minority Business Participation

FOR the purpose of clarifying what constitutes good cause for the purpose of removal of a certified minority business enterprise after the execution of a contract; prohibiting the failure of a certified minority business to provide a certain bond from being considered nonperformance; authorizing a certain unit to apply a certain percentage of certain costs toward achieving certain goals under certain circumstances; authorizing a certain unit to apply the total amount of certain fees or commissions toward certain goals under certain circumstances; prohibiting a certain unit from applying any portion of certain costs toward certain goals; repealing the definition of “designated procurement unit” in the Small Business Reserve Program; altering a requirement that certain units structure certain procurement procedures to achieve a certain minimum percentage of the unit’s total dollar value of certain contracts to be made directly to small businesses; providing that a certain unit may apply only certain payments toward its overall annual Small Business Reserve payment; requiring the Special Secretary of Minority Affairs, in consultation with the Attorney General, to establish certain standards and guidelines at a certain regular interval; defining a certain term; making conforming changes; and generally relating to small and minority business participation in State procurement.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 14–302 and 14–502 through 14–505
 Annotated Code of Maryland
 (2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 14–501
 Annotated Code of Maryland
 (2015 Replacement Volume and 2016 Supplement)
 (As enacted by Chapter 8 of the Acts of the General Assembly of 2016)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – State Finance and Procurement

14–302.

(a) (1) (i) 1. Except for leases of real property, each unit shall structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve an

overall percentage goal of the unit's total dollar value of procurement contracts being made directly or indirectly to certified minority business enterprises.

2. Notwithstanding subparagraph 1 of this subparagraph, the following contracts may not be counted as part of a unit's total dollar value of procurement contracts:

A. a procurement contract awarded in accordance with Subtitle 1 of this title;

B. a procurement contract awarded to a not-for-profit entity in accordance with requirements mandated by State or federal law; and

C. a procurement by the Maryland Developmental Disabilities Administration of the Department of Health and Mental Hygiene for family and individual support services, community residential services, resource coordination services, behavioral support services, vocational and day services, and respite services, as those terms are defined in regulations adopted by the Department of Health and Mental Hygiene.

(ii) 1. The overall percentage goal shall be established on a biennial basis by the Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General.

2. During any year in which there is a delay in establishing the overall goal, the previous year's goal will apply.

(iii) 1. In consultation with the Secretary of Transportation and the Attorney General, the Special Secretary of Minority Affairs shall establish guidelines on a biennial basis for each unit to consider while determining whether to set subgoals for the minority groups listed in § 14–301(k)(1)(i)1, 2, 3, 4, and 6 of this subtitle.

2. During any year in which there is a delay in establishing the subgoal guidelines, the previous year's subgoal guidelines will apply.

(iv) 1. The Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish goals and subgoal guidelines that, to the maximum extent feasible, approximate the level of minority business enterprise participation that would be expected in the absence of discrimination.

2. In establishing overall goals and subgoal guidelines, the Special Secretary of Minority Affairs shall provide for public participation by consulting with minority, women's, and general contractor groups, community organizations, and other officials or organizations that could be expected to have information concerning:

A. the availability of minority- and women-owned businesses;

B. the effects of discrimination on opportunities for minority– and women–owned businesses; and

C. the State’s operation of the Minority Business Enterprise Program.

(v) In establishing overall goals, the factors to be considered shall include:

1. the relative availability of minority– and women–owned businesses to participate in State procurement as demonstrated by the State’s most recent disparity study;

2. past participation of minority business enterprises in State procurement, except for procurement related to leases of real property; and

3. other factors that contribute to constitutional goal setting.

(vi) Notwithstanding § 12–101 of this article, the Special Secretary of Minority Affairs shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article setting forth the State’s overall goal.

(2) The Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish guidelines for each unit to consider when determining the appropriate minority business enterprise participation percentage goal for a procurement contract in accordance with paragraph (3) of this subsection.

(3) Each unit shall:

(i) consider the practical severability of all contracts and, in accordance with § 11–201 of this article, may not bundle contracts;

(ii) implement a program that will enable the unit to evaluate each contract to determine the appropriate minority business enterprise participation goals, if any, for the contract based on:

1. the potential subcontract opportunities available in the prime procurement contract;

2. the availability of certified minority business enterprises to respond competitively to the potential subcontract opportunities;

3. the contract goal guidelines established under paragraph (2) of this subsection;

of this subsection; and

4. the subgoal guidelines established under paragraph (1)(iii)

5. other factors that contribute to constitutional goal setting;

- (iii) monitor and collect data with respect to prime contractor compliance with contract goals; and

- (iv) institute corrective action when prime contractors do not make good-faith efforts to comply with contract goals.

- (4) Units may not use quotas or any project goal-setting process that:

- (i) solely relies on the State's overall numerical goal, or any other jurisdiction's overall numerical goal; or

- (ii) fails to incorporate the analysis outlined in paragraph (3)(ii) of this subsection.

- (5)
 - (i) A woman who is also a member of an ethnic or racial minority group may be certified in that category in addition to the gender category.

- (ii) For purposes of achieving the goals in this subsection, a certified minority business enterprise may participate in a procurement contract and be counted as a woman-owned business, or as a business owned by a member of an ethnic or racial group, but not both, if the business has been certified in both categories.

- (6) Each unit shall meet the maximum feasible portion of the State's overall goal established in accordance with this subsection by using race-neutral measures to facilitate minority business enterprise participation in the procurement process.

- (7) If a unit establishes minority business enterprise participation goals for a contract, a contractor, including a contractor that is a certified minority business enterprise, shall:

- (i) identify specific work categories appropriate for subcontracting;

- (ii) at least 10 days before bid opening, solicit minority business enterprises, through written notice that:

1. describes the categories of work under item (i) of this paragraph; and

2. provides information regarding the type of work being solicited and specific instructions on how to submit a bid;

(iii) attempt to make personal contact with the firms in item (ii) of this paragraph;

(iv) offer to provide reasonable assistance to minority business enterprises to fulfill bonding requirements or to obtain a waiver of those requirements;

(v) in order to publicize contracting opportunities to minority business enterprises, attend prebid or preproposal meetings or other meetings scheduled by the unit; and

(vi) upon acceptance of a bid or proposal, provide the unit with a list of minority businesses with whom the contractor negotiated, including price quotes from minority and nonminority firms.

(8) The Special Secretary of Minority Affairs shall:

(i) in consultation with the Secretary of Transportation and the Attorney General, establish procedures governing how the participation of minority business enterprise prime contractors is counted toward contract goals; and

(ii) notwithstanding § 12–101 of this article, adopt regulations setting forth the procedures established in accordance with this paragraph.

(9) (i) 1. If a contractor, including a certified minority business enterprise, does not achieve all or a part of the minority business enterprise participation goals on a contract, the unit shall make a finding of whether the contractor has demonstrated that the contractor took all necessary and reasonable steps to achieve the goals, including compliance with paragraph (7) of this subsection.

2. A waiver of any part of the minority business enterprise goals for a contract shall be granted if a contractor provides a reasonable demonstration of good–faith efforts to achieve the goals.

(ii) If the unit determines that a waiver should be granted in accordance with subparagraph (i) of this paragraph, the unit may not require the contractor to renegotiate any subcontract in order to achieve a different result.

(iii) The head of the unit may waive any of the requirements of this subsection relating to the establishment, use, and waiver of contract goals for a sole source, expedited, or emergency procurement in which the public interest cannot reasonably accommodate use of those requirements.

(iv) 1. Except for waivers granted in accordance with subparagraph (iii) of this paragraph, when a waiver determination is made, the unit shall issue the determination in writing.

2. The head of the unit shall:

A. keep one copy of the waiver determination and the reasons for the determination; and

B. forward one copy of the waiver determination to the Governor's Office of Minority Affairs.

(v) On or before July 31 of each year, each unit shall submit directly to the Board of Public Works and the Governor's Office of Minority Affairs an annual report of waivers requested and waivers granted under this paragraph.

(vi) The report required under subparagraph (v) of this paragraph shall contain the following information on those contracts where the unit considered a contractor's request for waiver of all or a portion of the minority business enterprise goals:

1. the contract titles, numbers, and dates;
2. the number of waiver requests received;
3. the number of waiver requests granted; and
4. any other information specifically requested by the Board.

(10) (i) 1. This paragraph applies to a bidder or offeror after submission of a bid or proposal and before the execution of a contract with an expected degree of minority business enterprise participation.

2. If the bidder or offeror determines that a minority business enterprise identified in the minority business enterprise participation schedule has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror shall notify the unit within 72 hours of making the determination.

(ii) 1. If a minority business enterprise identified in the minority business enterprise participation schedule submitted with a bid or offer has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror may submit a written request with the unit to amend the minority business enterprise participation schedule.

2. The request to amend the minority business enterprise participation schedule shall indicate the bidder's or offeror's efforts to substitute another certified minority business enterprise to perform the work that the unavailable or ineligible minority business enterprise would have performed.

(iii) A minority business enterprise participation schedule may not be amended unless:

1. the bidder or offeror provides a satisfactory explanation of the reason for inclusion of the unavailable or ineligible firm on the minority business enterprise participation schedule; and

2. the amendment is approved by the unit's procurement officer after consulting with the unit's minority business enterprise liaison.

(11) (i) This paragraph applies after execution of a contract with an expected degree of minority business enterprise participation.

(ii) The minority business enterprise participation schedule, including any amendment, shall be attached to and made a part of the executed contract.

(iii) 1. A. ~~FOR~~ EXCEPT AS PROVIDED IN SUBSUBSUBPARAGRAPH B OF THIS SUBSUBPARAGRAPH, FOR PURPOSES OF THIS SUBPARAGRAPH, GOOD CAUSE FOR REMOVAL OF A CERTIFIED MINORITY BUSINESS ENTERPRISE AFTER CONTRACT EXECUTION INCLUDES DOCUMENTED NONPERFORMANCE BY THE MINORITY BUSINESS ENTERPRISE OR ELECTION BY THE CERTIFIED MINORITY BUSINESS ENTERPRISE TO CEASE WORK ON THE CONTRACT.

B. FAILURE OF A CERTIFIED MINORITY BUSINESS ENTERPRISE TO PROVIDE A BOND REQUESTED BY A CONTRACTOR IN VIOLATION OF § 13-227 OF THIS ARTICLE MAY NOT BE CONSIDERED NONPERFORMANCE BY THE MINORITY BUSINESS ENTERPRISE.

[1.] 2. A contractor may not terminate or otherwise cancel the contract of a certified minority business enterprise subcontractor listed in the minority business enterprise participation schedule without showing good cause and obtaining the prior written consent of the minority business enterprise liaison and approval of the head of the unit.

[2.] 3. The unit shall send a copy of the written consent obtained under subparagraph [1] 2 of this subparagraph to the Governor's Office of Minority Affairs.

(iv) A minority business enterprise participation schedule may not be amended after the date of contract execution unless the request is approved by the head of the unit and the contract is amended.

(12) If, during the performance of a contract, a certified minority business enterprise contractor or subcontractor becomes ineligible to participate in the Minority Business Enterprise Program because one or more of its owners has a personal net worth that exceeds the amount specified in § 14-301(k)(3) of this subtitle:

(i) that ineligibility alone may not cause the termination of the certified minority business enterprise's contractual relationship for the remainder of the term of the contract; and

(ii) the certified minority business enterprise's participation under the contract shall continue to be counted toward the program and contract goals.

(13) (i) Except as provided in subparagraph (ii) of this paragraph, a not-for-profit entity participating as a minority business enterprise on a procurement contract awarded by a unit before July 1, 2015, may continue to participate in the contract until the contract expires or otherwise terminates, including all options, renewals, and other extensions.

(ii) 1. The not-for-profit entity's participation may not be counted toward achieving the minority business enterprise participation goals in this subsection.

2. The unit may not require that a certified minority business enterprise be substituted for the not-for-profit entity in order to meet the minority business enterprise goals for the procurement contract.

(14) (I) FOR PURPOSES OF THIS PARAGRAPH AND PARAGRAPH (15) OF THIS SUBSECTION, "REGULAR DEALER":

1. MEANS A FIRM THAT OWNS, OPERATES, OR MAINTAINS A STORE, A WAREHOUSE, OR ANY OTHER ESTABLISHMENT IN WHICH THE MATERIALS, SUPPLIES, ARTICLES, OR EQUIPMENT ARE OF THE GENERAL CHARACTER DESCRIBED BY THE SPECIFICATIONS REQUIRED UNDER THE CONTRACT AND ARE BOUGHT, KEPT IN STOCK, OR REGULARLY SOLD OR LEASED TO THE PUBLIC IN THE USUAL COURSE OF BUSINESS; AND

2. DOES NOT INCLUDE A PACKAGER, A BROKER, A MANUFACTURER'S REPRESENTATIVE, OR ANY OTHER PERSON THAT ARRANGES OR EXPEDITES TRANSACTIONS.

(II) A UNIT MAY APPLY ONLY 60% OF THE COSTS OF THE MATERIALS AND SUPPLIES PROVIDED BY THE CERTIFIED MINORITY BUSINESS ENTERPRISE IF THE CERTIFIED MINORITY BUSINESS ENTERPRISE IS A REGULAR DEALER FOR PURPOSES OF ACHIEVING THE MINORITY BUSINESS ENTERPRISE CONTRACT GOAL.

(15) (I) WITH RESPECT TO MATERIALS OR SUPPLIES PURCHASED FROM A CERTIFIED MINORITY BUSINESS ENTERPRISE THAT IS NEITHER A MANUFACTURER NOR A REGULAR DEALER, A UNIT MAY APPLY THE ENTIRE AMOUNT OF FEES OR COMMISSIONS CHARGED FOR ASSISTANCE IN THE PROCUREMENT OF

THE MATERIALS AND SUPPLIES, FEES, OR TRANSPORTATION CHARGES FOR THE DELIVERY OF MATERIALS AND SUPPLIES REQUIRED ON A PROCUREMENT TOWARD MINORITY BUSINESS ENTERPRISE CONTRACT GOALS, PROVIDED A UNIT DETERMINES THE FEES TO BE REASONABLE AND NOT EXCESSIVE AS COMPARED WITH FEES CUSTOMARILY ALLOWED FOR SIMILAR SERVICES.

(II) A UNIT MAY NOT APPLY ANY PORTION OF THE COSTS OF THE MATERIALS AND SUPPLIES TOWARD MINORITY BUSINESS ENTERPRISE GOALS.

(b) (1) The provisions of §§ 14-301(f) and 14-303 of this subtitle and subsection (a) of this section are inapplicable to the extent that any unit determines the provisions to be in conflict with any applicable federal program requirement.

(2) The determination under this subsection shall be included with the report required under § 14-305 of this subtitle.

14-501.

(a) In this subtitle the following words have the meanings indicated.

(b) [“Designated procurement unit” means:

- (1) the State Treasurer;
- (2) the Department of Information Technology;
- (3) the Department of Commerce;
- (4) the Department of the Environment;
- (5) the Department of General Services;
- (6) the Department of Health and Mental Hygiene;
- (7) the Department of Housing and Community Development;
- (8) the Department of Human Resources;
- (9) the Department of Juvenile Services;
- (10) the Department of Labor, Licensing, and Regulation;
- (11) the Department of Natural Resources;
- (12) the State Department of Education;

- (13) the Department of State Police;
- (14) the Department of Public Safety and Correctional Services;
- (15) the Department of Transportation;
- (16) the University System of Maryland;
- (17) the Maryland Port Commission;
- (18) the State Retirement Agency;
- (19) the Maryland Insurance Administration;
- (20) the Maryland Stadium Authority;
- (21) the State Lottery and Gaming Control Agency;
- (22) the Morgan State University; and
- (23) the Maryland Transportation Authority.

(c)] “Small business” means:

- (1) a certified minority business enterprise, as defined in § 14–301 of this title, that meets the criteria specified under item (2) of this subsection; or
- (2) a business, other than a broker, that meets the following criteria:
 - (i) the business is independently owned and operated;
 - (ii) the business is not a subsidiary of another business;
 - (iii) the business is not dominant in its field of operation; and
 - (iv) 1. A. the wholesale operations of the business did not employ more than 50 persons in its most recently completed 3 fiscal years;
B. the retail operations of the business did not employ more than 25 persons in its most recently completed 3 fiscal years;
C. the manufacturing operations of the business did not employ more than 100 persons in its most recently completed 3 fiscal years;
D. the service operations of the business did not employ more than 100 persons in its most recently completed 3 fiscal years;

E. the construction operations of the business did not employ more than 50 persons in its most recently completed 3 fiscal years; and

F. the architectural and engineering services of the business did not employ more than 100 persons in its most recently completed 3 fiscal years; or

2. A. the gross sales of the wholesale operations of the business did not exceed an average of \$4,000,000 in its most recently completed 3 fiscal years;

B. the gross sales of the retail operations of the business did not exceed an average of \$3,000,000 in its most recently completed 3 fiscal years;

C. the gross sales of the manufacturing operations of the business did not exceed an average of \$2,000,000 in its most recently completed 3 fiscal years;

D. the gross sales of the service operations of the business did not exceed an average of \$10,000,000 in its most recently completed 3 fiscal years;

E. the gross sales of the construction operations of the business did not exceed an average of \$7,000,000 in its most recently completed 3 fiscal years; and

F. the gross sales of the architectural and engineering services of the business did not exceed an average of \$4,500,000 in its most recently completed 3 fiscal years.

[(d)] (C) “Small business reserve” means those procurements that are limited to responses from small businesses under § 14–502(b) of this subtitle.

14–502.

(a) Except as provided in subsection (d) of this section, this subtitle applies to all procurements by a **[designated procurement]** unit.

(b) This subsection does not apply to procurements subject to Subtitle 1 of this title.

(c) **[A designated procurement]** **TO THE EXTENT PRACTICABLE, A** unit shall structure its procurement procedures to achieve a minimum of **[10%]** **15%** of the unit’s total dollar value of goods, supplies, services, maintenance, construction, construction–related services, and architectural and engineering service contracts to be made directly to small businesses.

(d) The total dollar value of procurements by a [designated procurement] unit does not include the value of contracts to which this section does not apply because of a conflict with federal law.

(E) A UNIT MAY APPLY TOWARD THE UNIT'S OVERALL ANNUAL SMALL BUSINESS RESERVE PAYMENT ACHIEVEMENT ONLY THOSE PAYMENTS RESULTING FROM A PROCUREMENT THAT IS DESIGNATED A SMALL BUSINESS RESERVE PROCUREMENT.

(F) THE SPECIAL SECRETARY OF MINORITY AFFAIRS, IN CONSULTATION WITH THE ATTORNEY GENERAL, SHALL ESTABLISH STANDARDS AND GUIDELINES FOR PARTICIPATION IN THE SMALL BUSINESS RESERVE PROGRAM EVERY 5 YEARS.

14-503.

(a) The Governor's Office of Minority Affairs shall adopt regulations to establish procedures for compiling and maintaining a comprehensive bidder's list of qualified small businesses that shall be posted on the Internet.

(b) The Governor's Office of Minority Affairs shall:

(1) establish guidelines for Small Business Reserve Program administration;

(2) ensure agency compliance with the Small Business Reserve Program;

(3) provide training and technical assistance to agency personnel; and

(4) collect data regarding the State's utilization of small business reserve vendors.

(c) Each [designated procurement] unit shall ensure compliance with the regulations set forth in subsection (a) of this section.

14-504.

(a) Any procurement by a [designated procurement] unit of goods, supplies, services, maintenance, construction, construction-related services, architectural services, and engineering services shall be eligible for designation for the small business reserve.

(b) A solicitation for procurement that has been designated for a small business reserve shall be published in the same manner as required for an invitation for bids as set forth in § 13-103(c) of this article.

(c) The procurement officer of a [designated procurement] unit shall award a procurement contract designated for a small business reserve to the small business that submits a responsive bid that:

(1) is the lowest bid price;

(2) if the invitation for bids so provides, is the lowest evaluated bid price;

or

(3) is the bid or proposal most favorable to the State within the small business reserve.

14-505.

(a) Within 60 days after the enactment of the budget bill by the General Assembly, each [designated procurement] unit shall submit a report to the Governor's Office of Minority Affairs that complies with the reporting requirements set forth in COMAR 21.11.01.06.

(b) (1) Within 90 days after the end of each fiscal year, each unit shall submit a report to the Governor's Office of Minority Affairs that complies with the requirements of paragraph (2) of this subsection.

(2) For the preceding fiscal year, the report shall:

(i) state the total number and the dollar value of payments the unit made to small businesses under designated small business reserve contracts;

(ii) state the total number and the dollar value of payments the unit made to small businesses under nondesignated small business reserve contracts, including purchase card procurements;

(iii) state the total dollar value of payments the unit made under procurement contracts; and

(iv) contain other such information as required by the Governor's Office of Minority Affairs.

(c) On or before December 31 of each year, the Governor's Office of Minority Affairs shall submit to the Board of Public Works and, subject to § 2-1246 of the State Government Article, to the Legislative Policy Committee a report summarizing the information the Office receives under subsection (b) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 436 – *Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship*.

This bill authorizes the Baltimore County Board of License Commissioners to transfer, convert, and issue a certain license for an establishment that is at least a certain number of feet away from a place of worship under certain circumstances, subject to restrictions and qualifications. As such, this bill creates an exception to the prohibition against issuing an alcoholic beverages license in Baltimore County to an establishment within 300 feet of a place of worship.

Senate Bill 559, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 436.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 436

AN ACT concerning

Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to ~~issue or~~ transfer, convert, and issue a certain license for an establishment that is at least a certain number of feet away from a place of worship under certain circumstances and subject to certain restrictions and qualifications; making a certain exception to a prohibition against issuing a license for an establishment that is within 300 feet of a place of worship or school; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
 Section 13–102
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 13–1601
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 13–1710
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

13–102.

This title applies only in Baltimore County.

13–1601.

(a) (1) Except as provided in subsection (b) of this section, the Board may not issue a license for an establishment that is within 300 feet of a place of worship or school.

(2) The distance from the establishment to the place of worship or school is to be measured from the nearest point of the building of the establishment to the nearest point of the building of the place of worship or school.

(b) The prohibition against issuing a license in subsection (a) of this section does not apply to:

(1) the renewal or transfer of a license of an establishment if, after issuance of the license, a place of worship or school was built within 300 feet of the establishment;

(2) the issuance of a temporary license;

(3) a transfer that moves the licensed premises within the same building;

(4) a transfer of ownership of the licensed premises; [or]

(5) the renewal of a Class B beer, wine, and liquor (on-sale) license or a 7-day Class BDR (deluxe restaurant) (on-sale) beer, wine, and liquor license, if the licensed premises has a seating capacity of more than 50 individuals and is within a town center;
OR

~~(6) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE ISSUANCE, RENEWAL, OR TRANSFER OF A CLASS B BEER, WINE, AND LIQUOR (ON SALE) SERVICE BAR LICENSE, IF THE LICENSED PREMISES IS:~~

~~(I) LOCATED WITHIN A COUNTY REVITALIZATION DISTRICT;~~

~~(II) ZONED BL CCC AND IN COMPLIANCE WITH ANY APPLICABLE ZONING ORDINANCE;~~

~~(III) USED FOR ON PREMISES CONSUMPTION OF BEER, WINE, AND LIQUOR ONLY AS PART OF THE OPERATION OF A RESTAURANT AS DEFINED IN THE RULES OF THE BOARD;~~

~~(IV) LOCATED IN THE ELECTION DISTRICT FOR WHICH THE LICENSE WAS ISSUED; AND~~

~~(V) LOCATED AT LEAST 100 FEET FROM A PLACE OF WORSHIP.~~

~~(C) (1) A LICENSE MAY NOT BE ISSUED FOR:~~

~~(I) A LOCATION THAT HAS BEEN LICENSED UNDER ANY CLASS OF ON-SALE LICENSE WITHIN 2 YEARS PRECEDING THE DATE OF APPLICATION FOR THE LICENSE; OR~~

~~(II) A RESTAURANT THAT ALLOWS SERVICE OF PURCHASED FOOD TO A CUSTOMER WHO IS NOT SEATED AT A TABLE.~~

~~(2) A LICENSE MAY NOT BE CONVERTED TO ANY OTHER CLASS OF LICENSE.~~

~~(D) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE LICENSE FEES, AND THE HOURS AND DAYS OF SALE FOR A LICENSE EXEMPTED UNDER SUBSECTION (B)(6) OF THIS SECTION ARE THE SAME AS THOSE FOR A CLASS B BEER, WINE, AND LIQUOR (ON SALE) HOTEL AND RESTAURANT LICENSE. THE TRANSFER, CONVERSION, AND ISSUANCE OF A LICENSE UNDER § 13-1710 OF THIS TITLE.~~

13-1710.

(A) (1) IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER TO AN ESTABLISHMENT SPECIFIED IN SUBSECTION (C) OF THIS SECTION OF A CLASS B BEER, WINE, AND LIQUOR LICENSE OR A CLASS D BEER, WINE, AND LIQUOR LICENSE THAT:

(I) WAS ISSUED ON OR BEFORE DECEMBER 31, 2016;

(II) WAS IN EXISTENCE IN THE SAME ELECTION DISTRICT OF THE COUNTY AS THE PROPOSED LICENSED PREMISES ON DECEMBER 31, 2016; AND

(III) IS VALID ON THE DATE OF TRANSFER.

(2) TO BE TRANSFERRED UNDER THIS SECTION, A LICENSE MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY STATUTE OR REGULATION.

(3) ON THE DATE OF TRANSFER, A LICENSE SHALL BE CONVERTED INTO A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) SERVICE BAR COMMERCIAL REVITALIZATION DISTRICT LICENSE (B-SB-CRD LICENSE).

(B) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE FEE, AND THE HOURS AND DAYS OF SALE FOR A SERVICE BAR LICENSE ARE THE SAME AS THOSE FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE.

(C) (1) A B-SB-CRD LICENSE MAY BE ISSUED ONLY FOR A PREMISES THAT IS:

(I) IN A FREE-STANDING BUILDING WITH ITS OWN PARKING LOT;

(II) ZONED BL-CCC AND IN COMPLIANCE WITH ANY APPLICABLE ZONING ORDINANCE; AND

(III) AT LEAST 100 FEET FROM A PLACE OF WORSHIP.

(2) A B-SB-CRD LICENSE SHALL BE USED IN CONJUNCTION WITH THE OPERATION OF A RESTAURANT, AS DEFINED IN THIS ARTICLE AND IN THE REGULATIONS OF THE BOARD.

(3) THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS DURING WHICH FOOD IS OFFERED FOR SALE.

(4) THE B-SB-CRD LICENSE SHALL BE USED TO ALLOW THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES TO PATRONS ONLY AS PART OF A MEAL AT A DINING TABLE.

(5) THE LICENSED PREMISES MAY NOT HAVE A SEPARATE BAR AREA FOR SERVICE OF ALCOHOLIC BEVERAGES.

(6) THE B-SB-CRD LICENSE HOLDER MAY NOT SELL BEER, WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION.

(D) A B-SB-CRD BAR LICENSE ISSUED UNDER THIS SECTION MAY NOT BE CONVERTED INTO ANY OTHER CLASS OF LICENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 447 – *Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority*.

This bill limits the authority of the Baltimore City Board of Municipal and Zoning Appeals to hear and decide certain appeals to instances when the Board is authorized to hear and decide the appeals by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City. This bill also states it does not prohibit an administrative official or unit from making a certain decision when authorized by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City, and establishes that this it does not alter or impair the right to appeal, provided for under certain provisions of the law.

Senate Bill 541, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 447.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 447

AN ACT concerning

Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority

FOR the purpose of limiting the authority of the Baltimore City Board of Municipal and Zoning Appeals to hear and decide certain appeals to instances when the Board is authorized to hear and decide the appeals by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; stating that this Act does not prohibit an administrative official or unit from making a certain decision when authorized by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; establishing that this Act does not alter or impair the right to appeal provided for under certain provisions of law; and generally relating to Baltimore City zoning.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 10–404

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Land Use

10–404.

(a) The Board may:

(1) hear and decide appeals when:

(I) it is alleged that there was an error in any order, requirement, decision, or determination made by an administrative official or unit under this title or any local law adopted under this title; AND

(II) **THE BOARD IS AUTHORIZED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY BY LOCAL LAW OR THE CHARTER OF BALTIMORE CITY;**

(2) hear and decide special exceptions or conditional uses on which the Board is required to act under a local law;

(3) authorize on appeal in specific cases a variance from the terms of a local law;

(4) approve buildings and uses limited as to location by any regulation adopted under a local law; and

(5) when acting on a zoning application, consider the availability of public facilities in the area, including schools and flood plain facilities, under regulations adopted under a local law.

(b) If authorized by the general zoning laws of Baltimore City, this subtitle does not prevent the Mayor and City Council of Baltimore City from granting by local law:

(1) variances;

(2) special exceptions; or

(3) conditional uses.

(C) NOTHING IN THIS SUBTITLE PROHIBITS AN ADMINISTRATIVE OFFICIAL OR UNIT FROM MAKING A DECISION UNDER THIS TITLE OR ANY LOCAL LAW ADOPTED UNDER THIS TITLE WHEN AUTHORIZED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY BY LOCAL LAW OR THE CHARTER OF BALTIMORE CITY.

(D) THIS SECTION DOES NOT ALTER OR IMPAIR THE RIGHT TO APPEAL PROVIDED FOR UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 461 – *Education – Accountability Program – Assessments (More Learning, Less Testing Act of 2017)*.

This bill requires the State Board of Education to develop, in collaboration with certain entities and individuals, a middle school social studies assessment, as well as a redesigned high school social studies assessment, that meet specified criteria to be implemented by a certain date. This bill also requires each local board of education to establish a District Committee on Assessments to monitor and evaluate the county’s assessment program, and to complete specified tasks. In addition, this bill requires the State Board of Education to adopt regulations that limit the amount of time that may be devoted to federal, State, and locally mandated assessments for each grade, and also requires the Maryland State Department of Education (MSDE) to conduct a specified survey regarding time spent on assessments.

Senate Bill 452, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 461.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 461

AN ACT concerning

Education – Accountability Program – Assessments **~~(Less Testing, More Learning~~ *(More Learning, Less Testing Act of 2017)***

FOR the purpose of requiring ~~certain county boards of education to develop a certain social studies assessment beginning in a certain school year; repealing certain requirements relating to certain social studies assessments; requiring a county board to certify annually to the State Board of Education that the county board’s social studies assessment aligns with certain standards and matches a certain tool~~ the State Board of Education to develop, in collaboration with certain entities and individuals, a middle school level social studies assessment that meets certain requirements and for implementation in a certain school year; requiring the State Board, in collaboration with certain entities and individuals, to redesign the high school level social studies assessment to meet certain requirements and for implementation in a certain school year; requiring the State Board to adopt certain regulations limiting the amount of time that may be spent on certain assessments; requiring the State Board, in collaboration with certain stakeholders, to redesign a certain assessment to meet certain criteria when a certain contract expires; requiring certain county boards of education and certain employee representatives to meet and confer regarding certain items and to mutually agree to a certain amount of time that must be devoted to certain assessments, subject to certain conditions, on or before

certain dates; requiring certain county boards to establish on or before certain dates a certain committee on assessments; requiring the committee to submit recommendations to certain county boards and certain employee representatives on or before certain dates; prohibiting a student who participates in certain programs from being subject to certain testing time limits; prohibiting certain types of assessments and activities from being counted toward certain testing time limits; ~~requiring certain county boards to establish on or before a certain date a certain committee on assessments; providing for the membership of the committee; requiring the committee on or before a certain date to develop a certain rubric to evaluate certain local assessments; requiring the committee to report annually to the local county board beginning on or before a certain date; providing for the content of the report; authorizing a county board, after reviewing the committee's report, to adopt or reject the committee's recommendations; requiring a county board that adopts a recommendation to implement the change to the assessment for the following school year; requiring the county board to report annually to the State Board certain information beginning on a certain date; requiring the committee to publish annually on its Web site certain information beginning on a certain date; requiring the State Department of Education to survey annually certain public schools to measure time spent administering assessments;~~ defining a certain term; providing for the construction of this Act; repealing certain obsolete provisions of law; and generally relating to assessments in public schools.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 7–203
 Annotated Code of Maryland
 (2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, Maryland's education accountability program must recognize the need for a well-educated populace to perpetuate and maintain democracy and the growth of the State economy; and

WHEREAS, It is necessary that the program include high-quality student assessments that provide timely, actionable feedback for students, parents, and educators that can be used to guide and inform instruction, aid leaders' decisions to target resources, and provide supports for students; and

WHEREAS, In addition to providing an accurate measure of student achievement and growth, and measuring student knowledge and skills against college- and career-ready standards, the high-quality student assessments should inform and guide additional teaching, supports, or interventions that help students master challenging material; and

WHEREAS, Consultation with educators at all levels, businesses, government officials, community representatives, bargaining representatives, and parents is essential in the development of an education accountability program; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7–203.

(a) The State Board, the State Superintendent, each county board, and each public school shall implement a program of education accountability for the operation and management of the public schools.

(b) (1) In this subsection, “grade band assessment” means one assessment of a middle school student’s knowledge in a core academic subject area during grades 6 through 8.

(2) The education accountability program shall include the following:

(i) The State Board and the State Superintendent shall assist each county board to establish educational goals and objectives that conform with statewide educational objectives for subject areas including reading, writing, mathematics, science, and social studies;

(ii) With the assistance of its county board, each public school shall survey current student achievement in reading, language, mathematics, science, social studies, and other areas to assess its needs;

(iii) 1. The State Board and the State Superintendent shall implement assessment programs in reading, language, mathematics, ~~AND~~ science~~],~~ and social studies~~]~~ that include written responses;

2. The assessment program required in this subsection shall:

A. Provide information needed to improve public schools by enhancing the learning gains of students and academic mastery of the skills and knowledge set forth in the State’s adopted curricula or common core curricula;

B. Inform the public annually of the educational progress made at the school, local school system, and State levels; and

C. Provide timely feedback to schools and teachers for the purposes of adapting the instructional program and making placement decisions for students; ~~[and]~~

3. ~~Beginning in the 2014-2015 school year, the~~ **THE** ~~THE~~ following assessments shall be implemented and administered annually:

A. At the middle school level, a statewide, comprehensive, grade band assessment program that measures the learning gains of each public school student towards achieving mastery of the standards set forth in the common core curricula or the State's adopted curricula for the core content areas of reading, language, mathematics, ~~AND~~ science~~], and social studies];~~ and

B. At the high school level, a statewide, standardized, end-of-course assessment that is aligned with and that measures each public school student's skills and knowledge of the State's adopted curricula for the core content areas of reading, language, mathematics, ~~AND~~ science~~], and social studies];~~

~~4. BEGINNING IN THE 2017-2018 SCHOOL YEAR, EACH COUNTY BOARD SHALL DEVELOP A SOCIAL STUDIES ASSESSMENT THAT IS A LOCALLY DESIGNED AND IMPLEMENTED PERFORMANCE-BASED ASSESSMENT FULLY EMBEDDED IN THE LOCAL CURRICULUM; AND~~

~~5. EACH COUNTY BOARD SHALL CERTIFY EACH YEAR TO THE STATE BOARD THAT:~~

~~A. THE COUNTY BOARD'S SOCIAL STUDIES ASSESSMENT ALIGNS WITH SOCIAL STUDIES CONTENT STANDARDS, SKILLS, AND PROCESSES; AND~~

~~B. THE ASSESSMENT MATCHES APPROPRIATE LOCALLY DESIGNED ASSESSMENT TOOLS;~~

(iv) Each public school shall establish as the basis for its assessment of its needs, project goals and objectives that are in keeping with the goals and objectives established by its county board and the State Board;

(v) With the assistance of its county board, the State Board, and the State Superintendent, each public school shall develop programs to meet its needs on the basis of the priorities it sets;

(vi) Evaluation programs shall be developed at the same time to determine if the goals and objectives are being met; and

(vii) A reevaluation of programs, goals, and objectives shall be undertaken regularly.

~~(3) (i) After the 2014-2015 school year, the~~ **THE** State Board shall determine whether the assessments ~~at the middle school and high school levels~~ required under paragraph (2)(iii)3 of this subsection adequately measure the skills and knowledge

set forth in the State's adopted curricula for the core content areas of reading, language, mathematics, science, and social studies.

(ii) If the State Board makes a determination under subparagraph (i) of this paragraph that an assessment does not adequately measure the skills and knowledge set forth in the State's adopted curricula for a core content area, the ~~Department~~ **STATE BOARD** shall develop a State-specific assessment in that core content area to be implemented in the 2018–2019 school year.†

(4) AT THE MIDDLE SCHOOL LEVEL, THE STATE BOARD SHALL DEVELOP, IN COLLABORATION WITH COUNTY BOARDS, COUNTY CURRICULUM SPECIALISTS IN SOCIAL STUDIES, MIDDLE SCHOOL SOCIAL STUDIES TEACHERS, AND ACADEMICS WITH EXPERTISE IN SOCIAL STUDIES EDUCATION, A SOCIAL STUDIES ASSESSMENT THAT:

(I) CONSISTS, TO THE GREATEST EXTENT POSSIBLE, OF CRITERION-REFERENCED, PERFORMANCE-BASED TASKS THAT REQUIRE STUDENTS TO UTILIZE CRITICAL AND HISTORICAL THINKING SKILLS AND ANALYZE PRIMARY SOURCES;

(II) SHALL BE ADMINISTERED, TO THE GREATEST EXTENT POSSIBLE, WITHIN EXISTING CLASS PERIODS; AND

(III) SHALL BE IMPLEMENTED IN THE ~~2018-2019~~ 2019-2020 SCHOOL YEAR.

(5) AT THE HIGH SCHOOL LEVEL, WHEN THE DEPARTMENT'S CONTRACT FOR THE CURRENT HIGH SCHOOL SOCIAL STUDIES ASSESSMENT EXPIRES, THE STATE BOARD SHALL, IN COLLABORATION WITH COUNTY BOARDS, COUNTY CURRICULUM SPECIALISTS IN SOCIAL STUDIES, HIGH SCHOOL SOCIAL STUDIES TEACHERS, AND ACADEMICS WITH EXPERTISE IN SOCIAL STUDIES EDUCATION, REDESIGN THE HIGH SCHOOL LEVEL SOCIAL STUDIES ASSESSMENT TO:

(I) ~~TO CONSIST~~ CONSIST, TO THE GREATEST EXTENT POSSIBLE, OF CRITERION-REFERENCED, PERFORMANCE-BASED TASKS THAT REQUIRE STUDENTS TO UTILIZE CRITICAL AND HISTORICAL THINKING SKILLS AND ANALYZE PRIMARY SOURCES;

(II) ~~TO BE~~ BE ADMINISTERED, TO THE GREATEST EXTENT POSSIBLE, WITHIN EXISTING CLASS PERIODS; AND

(III) ~~TO BE~~ BE IMPLEMENTED IN THE 2018-2019 SCHOOL YEAR AND EACH YEAR THEREAFTER.

(c) National standardized testing may not be the only measure for evaluating educational accountability.

(d) The Department shall assist each county board to establish an education accountability program by providing:

(1) Guidelines for development and implementation of the program by the county boards; and

(2) Assistance and coordination where it is needed and requested by the county boards.

(e) (1) The Department shall survey a statewide, representative sample of public schools and public school teachers annually to measure:

(i) The amount of instructional time spent on social studies and science instruction in elementary schools;

(ii) The availability and use of appropriate instructional resources and teaching technology in social studies and science classrooms;

(iii) The availability and use of appropriate professional development for social studies and science teachers; and

(iv) The number of secondary school social studies and science classes that are taught by teachers who are:

1. Certified in the subject being taught; and

2. Not certified in the subject being taught.

(2) The Department shall:

(i) Compile the results of the survey conducted under paragraph (1) of this subsection; and

(ii) Publish the results on the Department's Web site.

(f) The State Superintendent shall send the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly a report each January that includes:

(1) Documentation of the progress of the Department, the county boards, and each public school in this State towards their respective goals and objectives; and

(2) Recommendations for legislation that the State Board and the State Superintendent consider necessary to improve the quality of education in this State.

(g) On the recommendation of the State Superintendent, the State Board shall include in its annual budget request the funds it considers necessary to carry out the provisions of this section.

(H) (1) (I) IN THIS SUBSECTION, "ASSESSMENT" MEANS A FEDERAL, STATE, OR LOCALLY MANDATED TEST THAT IS INTENDED TO MEASURE A STUDENT'S ACADEMIC READINESS, LEARNING PROGRESS, AND SKILL ACQUISITION.

(II) "ASSESSMENT" DOES NOT INCLUDE ~~A TEACHER-DEVELOPED QUIZ OR TEST:~~

- 1. A TEACHER-DEVELOPED QUIZ OR TEST; OR
- 2. A SAMPLING TEST THAT IS NOT ADMINISTERED TO ALL STUDENTS.

~~(2) THE STATE BOARD SHALL ADOPT REGULATIONS THAT LIMIT THE AMOUNT OF TIME IN THE AGGREGATE THAT MAY BE DEVOTED TO FEDERAL, STATE, AND LOCALLY MANDATED ASSESSMENTS FOR EACH GRADE TO 2% OF THE MINIMUM REQUIRED ANNUAL INSTRUCTIONAL HOURS IN ACCORDANCE WITH § 7-103 OF THIS TITLE.~~

~~(3) A STUDENT WHO PARTICIPATES IN AN ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE PROGRAM MAY NOT BE SUBJECT TO THE AGGREGATE TESTING LIMIT PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.~~

(2) (I) ON OR BEFORE AUGUST 1, 2017, AND EACH AUGUST 1 THEREAFTER IN AN ODD-NUMBERED YEAR, A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FOR TEACHERS FOR THAT LOCAL SCHOOL SYSTEM SHALL MEET AND CONFER REGARDING:

- 1. A RUBRIC FOR EVALUATING LOCAL ASSESSMENTS;
- 2. THE TIME REQUIRED TO ADMINISTER EACH LOCAL ASSESSMENT; AND
- 3. THE PURPOSE OF EACH LOCAL ASSESSMENT.

(II) 1. BEGINNING ON OR AFTER JANUARY 1, 2018, AND EACH JANUARY 1 THEREAFTER IN AN EVEN-NUMBERED YEAR, A COUNTY BOARD SHALL ESTABLISH A DISTRICT COMMITTEE ON ASSESSMENTS THAT INCLUDES ADMINISTRATORS, PARENTS, AND TEACHERS SELECTED BY THE EXCLUSIVE BARGAINING UNIT TO ADVISE AND MAKE RECOMMENDATIONS IN THE FOLLOWING AREAS:

A. THE TIME REQUIRED TO ADMINISTER EACH ASSESSMENT;

B. THE DUPLICATIVENESS OF ASSESSMENTS;

C. THE PURPOSE OF ASSESSMENTS;

D. THE VALUE OF FEEDBACK PROVIDED TO EDUCATORS;
AND

E. THE TIMELINESS OF RESULTS.

2. ON OR BEFORE JUNE 1, 2019, AND EACH JUNE 1 THEREAFTER IN AN ODD-NUMBERED YEAR, THE DISTRICT COMMITTEE ON ASSESSMENTS SHALL SUBMIT THE COMMITTEE'S RECOMMENDATIONS TO THE COUNTY BOARD AND EXCLUSIVE EMPLOYEE REPRESENTATIVE FOR TEACHERS FOR THAT LOCAL SCHOOL SYSTEM.

(III) SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, ON OR BEFORE DECEMBER 1, 2017, AND EACH DECEMBER 1 THEREAFTER IN AN ODD-NUMBERED YEAR, A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FOR THAT LOCAL SCHOOL SYSTEM SHALL MUTUALLY AGREE TO THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS, ON A GRADE-BY-GRADE BASIS, FOR THE FOLLOWING YEAR.

(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, IF A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS SHALL BE NO MORE THAN 2.2% OF THE MINIMUM REQUIRED ANNUAL INSTRUCTIONAL HOURS IN ACCORDANCE WITH § 7-103 OF THIS TITLE.

(V) IF A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS IN THE EIGHTH GRADE SHALL BE NO MORE THAN 2.3% OF THE MINIMUM REQUIRED ANNUAL INSTRUCTIONAL HOURS IN ACCORDANCE WITH § 7-103 OF THIS TITLE.

(3) A STUDENT MAY NOT BE SUBJECT TO THE REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION IF THE STUDENT PARTICIPATES IN:

(I) AN ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE PROGRAM; OR

(II) THE SCHOLASTIC APTITUDE TEST (SAT), IF ADMINISTERED DURING THE REGULAR SCHOOL DAY.

(4) TIME DEVOTED TO TEACHER-SELECTED CLASSROOM QUIZZES, ~~AND~~ EXAMS, PORTFOLIO REVIEWS, OR PERFORMANCE ASSESSMENTS MAY NOT BE COUNTED TOWARD THE ~~TESTING LIMIT ESTABLISHED IN~~ REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO ~~SUPERSEDE~~ INCLUDE THE REQUIREMENTS OF:

(I) A STUDENT'S 504 PLAN;

(II) THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 U.S.C. 1400, ET SEQ.;

(III) FEDERAL LAW RELATING TO ENGLISH LANGUAGE LEARNERS; ~~OR.~~

(6) THIS SUBSECTION MAY NOT BE CONSTRUED TO SUPERSEDE THE REQUIREMENTS OF

~~(IV) THE~~ THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT, 20 U.S.C. 6301, ET SEQ.

~~(6) (I) ON OR BEFORE DECEMBER 1, 2017, EACH COUNTY BOARD SHALL ESTABLISH A DISTRICT COMMITTEE ON ASSESSMENTS TO MONITOR AND EVALUATE THE COUNTY'S ASSESSMENT PROGRAM.~~

~~(II) THE DISTRICT COMMITTEE FORMED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL CONSIST OF AT LEAST THE FOLLOWING MEMBERS, SELECTED BY THE COUNTY SUPERINTENDENT:~~

~~1. A REPRESENTATIVE OF AN EXCLUSIVE BARGAINING UNIT IN THE COUNTY;~~

~~2. A REPRESENTATIVE OF AN ELEMENTARY SCHOOL IN THE COUNTY;~~

~~3. A REPRESENTATIVE OF A MIDDLE SCHOOL IN THE COUNTY;~~

~~4. A REPRESENTATIVE OF A HIGH SCHOOL IN THE COUNTY;~~

~~5. A REPRESENTATIVE OF STUDENTS WITH DISABILITIES WHO RECEIVE SERVICES IN THE COUNTY; AND~~

~~6. A REPRESENTATIVE OF TEACHERS WHO TEACH ENGLISH LANGUAGE LEARNERS; AND~~

~~7. A PARENT OF A CURRENT STUDENT IN THE LOCAL SCHOOL SYSTEM.~~

~~(III) 1. ON OR BEFORE JULY 1, 2018, THE DISTRICT COMMITTEE SHALL DEVELOP A RUBRIC FOR EVALUATING LOCAL ASSESSMENTS, INCLUDING DISTRICT MANDATED ASSESSMENTS AND SCHOOL BASED ASSESSMENTS.~~

~~2. THE RUBRIC SHALL EVALUATE THE FOLLOWING FACTORS:~~

~~A. THE TIME REQUIRED TO ADMINISTER EACH ASSESSMENT;~~

~~B. THE DUPLICATIVENESS OF ASSESSMENTS;~~

~~C. THE PURPOSE OF ASSESSMENTS;~~

~~D. THE VALUE OF FEEDBACK PROVIDED TO EDUCATORS; AND~~

~~E. THE TIMELINESS OF RESULTS.~~

~~(IV) 1. ON OR BEFORE DECEMBER 1, 2018, AND EACH DECEMBER 1 THEREAFTER, THE DISTRICT COMMITTEE SHALL SUBMIT A REPORT TO THE COUNTY BOARD.~~

~~2. THE REPORT SHALL:~~

~~A. IDENTIFY LOCAL ASSESSMENTS THAT ARE DUPLICATIVE;~~

~~B. RECOMMEND ADJUSTMENTS TO LOCAL ASSESSMENTS CURRENTLY IN PLACE; AND~~

~~C. PROPOSE A TIMELINE FOR THE IMPLEMENTATION OF THE RECOMMENDED ADJUSTMENTS.~~

~~3. AFTER REVIEWING THE REPORT FROM THE DISTRICT COMMITTEE, THE COUNTY BOARD MAY ADOPT OR REJECT THE DISTRICT COMMITTEE'S RECOMMENDATION TO ADJUST THE ASSESSMENTS.~~

~~A. IF THE COUNTY BOARD REJECTS A RECOMMENDATION, THE COUNTY BOARD SHALL RETURN THE RECOMMENDATION TO THE DISTRICT COMMITTEE WITH THE COUNTY BOARD'S COMMENTS.~~

~~B. IF THE COUNTY BOARD ADOPTS A RECOMMENDATION, THE COUNTY BOARD SHALL IMPLEMENT THE RECOMMENDATION AND MAKE THE CHANGE TO THE ASSESSMENT THAT WILL BE USED IN THE FOLLOWING SCHOOL YEAR.~~

~~4. ON JULY 1, 2019, AND EACH JULY 1 THEREAFTER, THE COUNTY BOARD SHALL REPORT TO THE STATE BOARD:~~

~~A. THE DISTRICT COMMITTEE'S RECOMMENDED ADJUSTMENTS TO THE ASSESSMENTS; AND~~

~~B. THE STATUS OF THE COUNTY BOARD'S IMPLEMENTATION OF THE DISTRICT COMMITTEE'S RECOMMENDATIONS.~~

~~(v) ON OR BEFORE JULY 1, 2018, AND EACH JULY 1 THEREAFTER, THE DISTRICT COMMITTEE SHALL PUBLISH ON ITS WEB SITE:~~

~~1. A CALENDAR OF ASSESSMENTS; AND~~

~~2. THE DATE THE DISTRICT COMMITTEE WILL REPORT TO THE COUNTY BOARD.~~

~~(vi) BEGINNING JULY 1, 2019, AND ON OR BEFORE EACH JULY 1 THEREAFTER, THE DISTRICT COMMITTEE SHALL PUBLISH ON ITS WEB SITE A COPY OF THE DISTRICT COMMITTEE'S REPORT TO THE COUNTY BOARD.~~

~~(7) THE DEPARTMENT SHALL SURVEY A STATEWIDE, REPRESENTATIVE SAMPLE OF PUBLIC SCHOOLS ANNUALLY TO MEASURE HOW MUCH TIME IS SPENT IN EACH GRADE AND IN EACH LOCAL SCHOOL SYSTEM ON ADMINISTERING FEDERAL, STATE, AND LOCALLY MANDATED ASSESSMENTS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 485 – *Harford County – Alcoholic Beverages – Common Direct or Indirect Sharing of Profit*.

This bill repeals a provision of law stating that a condition of a common direct or indirect sharing between certain persons of profit from the sale of alcoholic beverages gives rise to a presumption of indirect ownership interest in an alcoholic beverages license in Harford County.

Senate Bill 1177, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 485.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 485

AN ACT concerning

Harford County – Alcoholic Beverages – ~~Interest in More Than One License~~ Common Direct or Indirect Sharing of Profit

FOR the purpose of ~~specifying that a percentage rent provision in a commercial lease does not constitute an interest in an alcoholic beverages license in Harford County;~~
repealing in Harford County a provision of law stating that a condition of a common direct or indirect sharing between certain persons of profit from the sale of alcoholic beverages gives rise to a presumption of indirect ownership interest in an alcoholic beverages license; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 22–102 and 22–1501
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 22–1503
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

22–102.

This title applies only in Harford County.

22–1501.

(a) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the county without exception or variation:

- (1) § 4–205 (“Chain store, supermarket, or discount house”);
- (2) § 4–206 (“Limitations on retail sales floor space”);
- (3) § 4–207 (“Licenses issued to minors”);
- (4) § 4–209 (“Hearing”);
- (5) § 4–213 (“Replacement licenses”); and
- (6) § 4–214 (“Waiting periods after denial of license applications”).

(b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the county:

- (1) § 4–202 (“Authority of local licensing boards”), subject to § 22–1502 of this subtitle;

(2) § 4–203 (“Prohibition against issuing multiple licenses to individual or for use of entity”), subject to §§ 22–1503 and 22–1504 of this subtitle and Subtitle 13, Part III and Subtitle 16, Part II of this title;

(3) § 4–204 (“Prohibition against issuing multiple licenses for same premises”), subject to §§ 22–1503 and 22–1504 of this subtitle and Subtitle 13, Part III of this title;

(4) § 4–208 (“Notice of license application required”), subject to § 22–1505 of this subtitle;

(5) § 4–210 (“Approval or denial of license application”), subject to §§ 22–1506 and 22–1507 of this subtitle;

(6) § 4–211 (“License forms; effective date; expiration”), subject to § 22–1508 of this subtitle; and

(7) § 4–212 (“License not property”), in addition to § 22–1509 of this subtitle.

22–1503.

(a) (1) Except as otherwise provided in this title, a person may not have interest in more than one license.

(2) Paragraph (1) of this subsection applies whether the license is held or controlled by direct or indirect ownership, by franchise operation, by stock ownership, by interlocking directors or interlocking stock ownership, or in any other manner, directly or indirectly.

(b) Under subsection (a) of this section, an indirect ownership interest is presumed to exist between any combination of individuals, corporations, limited liability companies, partnerships, limited partnerships, joint ventures, associations, or other persons if any of the following conditions exist between them:

- (1) a common parent company;
- (2) a franchise agreement;
- (3) a licensing agreement;
- (4) a concession agreement;
- (5) dual membership in a chain of businesses commonly owned and operated;

(6) a sharing of directors, stockholders, partners, or members, or a sharing of directors, stockholders, partners, or members of parents or subsidiaries; **OR**

(7) ~~common direct or indirect sharing of profit from the sale of alcoholic beverages; or~~

~~(8)~~ a sharing of a common trade name, trademark, logo, or theme, or mode of operation identifiable by the public.

~~(C) A PERCENTAGE RENT PROVISION IN A COMMERCIAL LEASE DOES NOT CONSTITUTE AN INTEREST IN A LICENSE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 573 – *Carroll County – State’s Attorney – Salary*.

This bill alters the salary of the State’s Attorney for Carroll County upon the next term of office, pursuant to constitutional requirements.

Senate Bill 456, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 573.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 573

AN ACT concerning

Carroll County – State’s Attorney – Salary

FOR the purpose of altering the salary of the State's Attorney for Carroll County; providing for the application of this Act; and generally relating to the Office of the State's Attorney for Carroll County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–407(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–407(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Criminal Procedure

15–407.

(a) This section applies only in Carroll County.

(b) (1) (i) The State's Attorney's salary is [80%] **THE FOLLOWING PERCENTAGES** of the salary of a judge of the District Court of Maryland:

1. **80%, ENDING ON DECEMBER 3, 2018;**
2. **90%, BEGINNING ON DECEMBER 4, 2018; AND**
3. **100%, BEGINNING ON DECEMBER 3, 2019, AND**

THEREAFTER.

(ii) A salary increase shall take effect at the beginning of the elected term of office and may not increase during the term of office.

SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary or compensation of the State's Attorney for Carroll County while serving in a term of office beginning before the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the State's Attorney for Carroll County shall take effect at the beginning of the next following term of office. This limitation does not apply to an individual appointed or elected after the effective date of this Act to fill out an unexpired term.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 574 – *Carroll County – Sheriff’s Salary*.

This bill increases the salary of the Sheriff of Carroll County upon the next term of office, pursuant to constitutional requirements.

Senate Bill 457, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 574.

Sincerely,

Lawrence J. Hogan, Jr.
 Governor

House Bill 574

AN ACT concerning

Carroll County – Sheriff’s Salary

FOR the purpose of altering the salary of the Sheriff of Carroll County; providing for the application of this Act; and generally relating to the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 2-309(h)(1)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

2–309.

(h) (1) The Sheriff of Carroll County shall receive an annual salary [of] AS FOLLOWS:

- (I) \$90,000 beginning on December 1, 2014;
- (II) **\$100,000 BEGINNING DECEMBER 4, 2018; AND**
- (III) **\$110,000 BEGINNING DECEMBER 3, 2019**, and thereafter.

SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary or compensation of the Sheriff of Carroll County while serving in a term of office beginning before the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the Sheriff of Carroll County shall take effect at the beginning of the next following term of office. This limitation does not apply to an individual appointed or elected after the effective date of this Act to fill out an unexpired term.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 644 – *Independent Living Tax Credit Act*.

This bill allows an individual a credit against the State income tax for renovation or construction costs incurred while improving accessibility and universal visitability

features, within existing homes, to assist individuals with disabilities. This bill requires the Department of Housing and Community Development to administer the tax credit.

Senate Bill 180, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 644.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 644

AN ACT concerning

Independent Living Tax Credit Act

FOR the purpose of allowing an individual ~~or a corporation~~ a credit against the State income tax for certain renovation ~~or construction~~ costs incurred during the taxable year; requiring the Department of Housing and Community Development to administer the tax credit; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring an individual ~~or a corporation~~ to file a certain application before a certain date and to file an amended return; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Department to certify certain credits in a certain manner by a certain date; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain expenditures that provide accessibility and visitability features to or within a home.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

~~(2010 Replacement Volume and 2016 Supplement)~~ (2016 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Tax – General

10–741.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ACCESSIBILITY AND UNIVERSAL VISITABILITY FEATURES” MEANS COMPONENTS OF RENOVATION TO AN EXISTING HOME ~~OR CONSTRUCTION OF A NEW HOME~~ THAT IMPROVES ACCESS TO OR WITHIN THE HOME FOR INDIVIDUALS WITH DISABILITIES.

(3) “DEPARTMENT” MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(4) “DISABILITY” HAS THE MEANING STATED IN § 7-101 OF THE HUMAN SERVICES ARTICLE.

(5) “QUALIFIED EXPENSES” MEANS COSTS INCURRED TO INSTALL ACCESSIBILITY AND UNIVERSAL VISITABILITY FEATURES TO OR WITHIN A HOME.

(B) ~~(1)~~ SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL ~~OR A CORPORATION~~ MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO 50% OF THE QUALIFIED EXPENSES INCURRED DURING THE TAXABLE YEAR TO RENOVATE AN EXISTING HOME ~~OR CONSTRUCT A NEW HOME~~ WITH ACCESSIBILITY AND UNIVERSAL VISITABILITY FEATURES.

~~(2) AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE MAY APPLY THE CREDIT UNDER THIS SECTION AGAINST STATE INCOME TAX DUE ON UNRELATED BUSINESS TAXABLE INCOME AS PROVIDED UNDER §§ 10-304 AND 10-812 OF THIS TITLE.~~

(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(I) \$5,000; OR

(II) THE STATE INCOME TAX IMPOSED FOR THE TAXABLE YEAR CALCULATED BEFORE THE APPLICATION OF THE CREDITS ALLOWED UNDER THIS SECTION AND UNDER §§ 10-701 AND 10-701.1 OF THIS SUBTITLE BUT AFTER THE APPLICATION OF ANY OTHER CREDIT ALLOWED UNDER THIS SUBTITLE.

(2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

(D) (1) BY JUNE 1 OF THE CALENDAR YEAR FOLLOWING THE END OF THE TAXABLE YEAR IN WHICH THE QUALIFIED EXPENSES WERE INCURRED, AN INDIVIDUAL ~~OR A CORPORATION~~ SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT FOR THE CREDITS ALLOWED UNDER SUBSECTION (B) OF THIS SECTION.

(2) THE TOTAL AMOUNT OF CREDITS APPROVED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION MAY NOT EXCEED ~~\$2,000,000~~ \$1,000,000 FOR ANY CALENDAR YEAR.

(3) IF THE TOTAL AMOUNT OF CREDITS APPLIED FOR BY ALL INDIVIDUALS ~~AND CORPORATIONS~~ UNDER SUBSECTION (B) OF THIS SECTION EXCEEDS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL APPROVE A CREDIT FOR EACH APPLICANT IN AN AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING THE CREDIT APPLIED FOR BY THE APPLICANT TIMES A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL OF ALL CREDITS APPLIED FOR BY ALL APPLICANTS UNDER SUBSECTION (B) OF THIS SECTION IN THE CALENDAR YEAR.

(4) BY AUGUST 1 OF THE CALENDAR YEAR FOLLOWING THE END OF THE TAXABLE YEAR IN WHICH THE QUALIFIED EXPENSES WERE INCURRED, THE DEPARTMENT SHALL CERTIFY TO THE INDIVIDUAL ~~OR CORPORATION~~ THE AMOUNT OF TAX CREDITS APPROVED BY THE DEPARTMENT FOR THE INDIVIDUAL ~~OR CORPORATION~~ UNDER SUBSECTION (B) OF THIS SECTION.

(5) TO CLAIM THE APPROVED CREDITS ALLOWED UNDER THIS SECTION, AN INDIVIDUAL ~~OR A CORPORATION~~ SHALL:

(I) FILE AN AMENDED INCOME TAX RETURN FOR THE TAXABLE YEAR IN WHICH THE QUALIFIED EXPENSES WERE INCURRED; AND

(II) ATTACH A COPY OF THE DEPARTMENT'S CERTIFICATION OF THE APPROVED CREDIT AMOUNT TO THE AMENDED INCOME TAX RETURN.

(E) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION, INCLUDING THE CRITERIA AND PROCEDURES FOR APPLICATION FOR, APPROVAL OF, AND MONITORING ELIGIBILITY FOR THE TAX CREDIT AUTHORIZED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017, and shall be applicable to all taxable years beginning after December 31, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 655 – *Frederick County – Hunting – Nongame Birds and Mammals*.

This bill repeals a requirement in Frederick County that a person must obtain a hunting license before hunting or attempting to hunt nongame birds and mammals.

Senate Bill 519, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 655.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 655

AN ACT concerning

Frederick County – Hunting – Nongame Birds and Mammals

FOR the purpose of repealing a prohibition in Frederick County against hunting or attempting to hunt nongame birds and mammals without first obtaining a hunting license; making certain stylistic changes; and generally relating to hunting nongame birds and mammals in Frederick County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Natural Resources

10–301.

(b) (1) To provide a fund to pay the expense of protecting and managing wildlife, and preventing unauthorized persons from hunting them, a person may not hunt or attempt to hunt during open season and in any permitted manner any game birds and mammals in the State without first having procured either a resident or nonresident hunter's license.

(2) A person may not hunt or attempt to hunt nongame birds and mammals in Baltimore County [or Frederick County] without first obtaining a license.

(3) A permanent resident of a government reservation may obtain a resident hunter's license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 682 – *St. Mary's County – Sheriff, County Treasurer, and State's Attorney – Salaries*.

This bill increases the salary of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, and the State's Attorney for St. Mary's County upon the next term of office, pursuant to constitutional requirements.

Senate Bill 298, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 682.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 682

AN ACT concerning

St. Mary's County – Sheriff, County Treasurer, and State's Attorney – Salaries

FOR the purpose of altering the salary of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, and the State's Attorney for St. Mary's County; providing for the application of this Act; and generally relating to the salaries of public officials of St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(t)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–419(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–419(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–203
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

2–309.

- (t) (1) The annual salary of the Sheriff of St. Mary's County shall be:
- (i) \$100,000 for the calendar year 2015;
 - (ii) \$102,000 for the calendar year 2016;
 - (iii) \$104,040 for the calendar year 2017; and

(iv) **[\$106,120 for the calendar year 2018] BEGINNING IN CALENDAR YEAR 2018, EQUAL TO THE SALARY OF A DEPARTMENT OF STATE POLICE LIEUTENANT COLONEL (STEP 12).**

(2) The Sheriff shall devote full time to the duties of office.

Article – Criminal Procedure

15–419.

(a) This section applies only in St. Mary’s County.

(b) (1) (i) The State’s Attorney’s salary is **[90% of] EQUAL TO** the salary of a **[judge of the District Court of Maryland] CIRCUIT COURT JUDGE** and shall be paid biweekly.

(ii) A salary increase shall take effect at the beginning of the elected term of office and may not increase during the term of office.

(2) (i) The county commissioners shall provide for the administrative support staff, independent office facilities, office equipment, supplies, books, and other items necessary for the operation of the office.

(ii) The State’s Attorney shall present vouchers to the county commissioners for the payment of office expenses.

Article – Local Government

16–203.

(a) The annual salary of the County Treasurer of St. Mary’s County is:

(1) \$50,000 for calendar year 2015;

(2) \$50,500 for calendar year 2016;

(3) \$51,005 for calendar year 2017; and

(4) **[\$51,515] \$63,000** for calendar year 2018.

(b) The County Treasurer of St. Mary’s County shall devote full time to the duties of office.

SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary

or compensation of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, or the State's Attorney for St. Mary's County while serving in a term of office beginning before the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, and the State's Attorney for St. Mary's County shall take effect at the beginning of the next following term of office. This limitation does not apply to an individual appointed or elected after the effective date of this Act to fill out an unexpired term.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, MD 21401

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. President and Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 543/House Bill 694 – *Higher Education – Admissions Process – Criminal History (Maryland Fair Access to Education Act of 2017)*.

This legislation prohibits colleges and universities from using an admissions application containing questions about a prospective student's criminal history — no matter how violent or lengthy that criminal history may be. Additionally, Senate Bill 543/House Bill 694 limits how a college can use a prospective or incoming student's criminal history information, curtailing its ability to ensure a safe campus environment.

Protecting our citizens must be a top priority of any government and Maryland's colleges and universities must be safe communities where students are free to learn and grow. When families send their children to college, they know they will be exposed to exciting new opportunities and challenges, but also to new dangers. In this, parents have an expectation that the school to which they entrust their child will do everything possible to keep its students safe.

Senate Bill 543/House Bill 694 jeopardizes student safety by dictating how and when schools can ask about and use criminal history information about potential students. This

could lead to situations where a school unknowingly admits a student with a violent past or feels it must accept a student with a criminal history for fear of running afoul of the law.

Most alarmingly, the legislation does little to differentiate between those with a violent felony, such as a sexual assault conviction, and those with a nonviolent misdemeanor on their record.

Legislation barring colleges and universities from using admissions applications containing questions about misdemeanor or nonviolent convictions while still allowing questions about violent felonies would better balance opportunity with public safety.

Our laws must balance the opportunity for second chances with our most important duty of ensuring public safety. I have championed policies that recognize the innate potential of each and every Marylander no matter their criminal history. In 2015, I was proud to sign the Second Chance Act and provide individuals a clean slate by shielding from public knowledge certain low-level criminal offenses. Last year, together with your leadership, we were able to pass the Justice Reinvestment Act which lowers penalties for nonviolent drug offenders, emphasizes treatment and rehabilitation, and contains one of the largest expansions of expungement opportunities in recent history.

However, while measures like the Second Chance Act and Justice Reinvestment Act strike this crucial balance, Senate Bill 543/House Bill 694 tips the scales to the detriment of public safety. While individuals of all criminal backgrounds should be given educational, employment, and growth opportunities, colleges and universities must have the ability to know who they are accepting onto their campuses. We should not encourage schools to turn a blind eye to a prospective student's potentially violent criminal background.

For these reasons, I have vetoed Senate Bill 543 and House Bill 694.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 694

AN ACT concerning

Higher Education – Admissions Process – Criminal History (Maryland Fair Access to Education Act of 2017)

FOR the purpose of prohibiting certain institutions of higher education from ~~inquiring into or considering~~ using information about the criminal history of applicants on certain admissions applications; providing for a certain ~~exception~~ exceptions to the ban on ~~inquiring into or considering~~ using certain criminal history information; allowing certain institutions of higher education to inquire into or consider the criminal history of students for purposes of admission and access to campus ~~residency~~;

~~residency or offering certain counseling or services, and deciding whether students may participate in certain activities or aspects of campus life services; prohibiting certain institutions of higher education from using information on a student's criminal history to rescind admission or unreasonably restrict a student's automatically or unreasonably restricting a student's admission and access to certain activities or aspects of campus life; requiring certain institutions of higher education to adopt an individualized a process when denying or limiting certain students' access to campus residency or a particular activity, academic program, or aspect of campus life certain academic program; requiring an individualized the process to be set forth in writing and include certain considerations; requiring that certain negatively affected students have the right to appeal a denial or limitation of access to campus residency or a particular activity or aspect of campus life; requiring certain institutions of higher education to inform accepted students of their individualized processes and the students' right to present certain evidence in writing; requiring certain institutions of higher education to consider the State's policy of promoting the admission of students with criminal records; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to the prohibition against institutions of higher education considering criminal history during the admissions process consideration of criminal history in the admissions process.~~

BY adding to

Article – Education

Section 26–501 through 26–506 to be under the new subtitle “Subtitle 5. ~~Prohibition on Considering~~ Consideration of Criminal History During in the Admissions Process”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Preamble

~~WHEREAS, Higher education plays a critical role in developing good citizenship, creating economic and social opportunities, and enhancing public safety; and~~

~~WHEREAS, Barriers to education increase recidivism rates for individuals with criminal histories and national crime statistics demonstrate that higher education institutions that have eliminated pre-admission inquiry into criminal history have not experienced an increase in campus crime rates; and~~

~~WHEREAS, It is the policy of the State to encourage the continuing education of individuals with a criminal record and remove barriers to their ability to meaningfully reenter society and transition into the workforce; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

**SUBTITLE 5. ~~PROHIBITION ON CONSIDERING CRIMINAL HISTORY DURING THE~~
~~ADMISSIONS PROCESS~~ CONSIDERATION OF CRIMINAL HISTORY IN THE
ADMISSIONS PROCESS.**

26-501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) ~~(1) "ADMISSIONS PROCESS" MEANS THE PROCESS BY WHICH INSTITUTIONS OF HIGHER EDUCATION SELECT STUDENTS FOR ENROLLMENT.~~

~~(2) "ADMISSIONS PROCESS" INCLUDES THE SUBMISSION OF AN APPLICATION TO ATTEND AN INSTITUTION OF HIGHER EDUCATION, ALL DECISIONS MADE DURING THE REVIEW OF APPLICATIONS, AND THE SELECTION OF APPLICANTS TO MATRICULATE~~ "ADMISSIONS APPLICATION" MEANS AN INDIVIDUAL APPLICATION TO ENROLL AS AN UNDERGRADUATE STUDENT AT AN INSTITUTION OF HIGHER EDUCATION.

(C) "CRIMINAL HISTORY" MEANS AN ARREST, ~~A CRIMINAL ACCUSATION,~~ OR A CRIMINAL CONVICTION.

~~(D) "DIRECT RELATIONSHIP" MEANS A CONNECTION BETWEEN THE NATURE OF THE CRIMINAL HISTORY OF AN ACCEPTED STUDENT AND AN ACTIVITY OR ASPECT OF CAMPUS LIFE THAT WOULD CREATE AN UNREASONABLE RISK TO THE SAFETY OR WELFARE OF THE ACCEPTED STUDENT, OTHER INDIVIDUALS ON CAMPUS, OR CAMPUS PROPERTY IF THE ACCEPTED STUDENT WERE AUTHORIZED TO PARTICIPATE WITHOUT CONDITION.~~

~~(E) (D)~~ "THIRD-PARTY ADMISSIONS APPLICATION" MEANS AN ADMISSIONS APPLICATION NOT CONTROLLED BY THE INSTITUTION.

26-502.

THIS SUBTITLE APPLIES TO INSTITUTIONS OF HIGHER EDUCATION THAT RECEIVE STATE FUNDS.

26-503.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN INSTITUTION OF HIGHER EDUCATION MAY NOT ~~INQUIRE INTO OR CONSIDER INFORMATION ABOUT THE CRIMINAL HISTORY OF AN INDIVIDUAL DURING THE~~

~~ADMISSIONS PROCESS~~ USE AN ADMISSIONS APPLICATION THAT CONTAINS QUESTIONS ABOUT THE CRIMINAL HISTORY OF THE APPLICANT.

(B) AN INSTITUTION OF HIGHER EDUCATION MAY ~~CONSIDER INFORMATION ABOUT A CRIME COMMITTED BY AN APPLICANT IF THE INSTITUTION KNOWS OR SHOULD KNOW THAT THE CRIME IS ONGOING~~ USE A THIRD-PARTY ADMISSIONS APPLICATION THAT CONTAINS QUESTIONS ABOUT THE CRIMINAL HISTORY OF THE APPLICANT IF THE INSTITUTION POSTS A NOTICE ON ITS WEB SITE STATING THAT A CRIMINAL HISTORY DOES NOT DISQUALIFY AN APPLICANT FROM ADMISSION.

26-504.

(A) SUBJECT TO § 26-505 OF THIS SUBTITLE, AN INSTITUTION OF HIGHER EDUCATION MAY MAKE INQUIRIES INTO AND CONSIDER INFORMATION ABOUT A STUDENT'S CRIMINAL HISTORY FOR THE PURPOSE OF:

(1) MAKING DECISIONS REGARDING ADMISSION AND ACCESS TO CAMPUS RESIDENCY; OR

(2) OFFERING SUPPORTIVE COUNSELING OR SERVICES TO HELP REHABILITATE AND EDUCATE THE STUDENT ON BARRIERS A CRIMINAL RECORD MAY ~~PRESENT; OR~~

~~(3) DECIDING WHETHER THE STUDENT MAY PARTICIPATE IN ACTIVITIES AND ASPECTS OF CAMPUS LIFE USUALLY OPEN TO STUDENTS~~ PRESENT.

(B) IN MAKING INQUIRIES OR CONSIDERING INFORMATION UNDER THIS SECTION, AN INSTITUTION OF HIGHER EDUCATION MAY NOT:

~~(1) USE ANY INFORMATION ABOUT A STUDENT'S CRIMINAL HISTORY TO RESCIND AN OFFER OF ADMISSION; OR~~

~~(2) AUTOMATICALLY AUTOMATICALLY OR UNREASONABLY RESTRICT A STUDENT'S ADMISSION, ACTIVITIES, OR ASPECTS OF CAMPUS LIFE BASED ON THAT STUDENT'S CRIMINAL HISTORY.~~ AUTOMATICALLY OR UNREASONABLY RESTRICT A STUDENT'S ADMISSION BASED ON THAT STUDENT'S CRIMINAL HISTORY.

26-505.

~~(A) IN DECIDING TO DENY OR LIMIT A STUDENT'S ADMISSION OR ACCESS TO CAMPUS RESIDENCY OR PARTICIPATION IN A PARTICULAR ACTIVITY OR ASPECT OF CAMPUS LIFE UNDER § 26-504 OF THIS SUBTITLE, AN INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP AN INDIVIDUALIZED A PROCESS FOR DETERMINING WHETHER THERE IS A DIRECT RELATIONSHIP BETWEEN A STUDENT'S CRIMINAL~~

~~HISTORY AND CAMPUS RESIDENCY, A SPECIFIC ACADEMIC PROGRAM, OR A PARTICULAR ACTIVITY OR ASPECT OF CAMPUS LIFE.~~

(A) IN DECIDING TO DENY OR LIMIT A STUDENT'S ADMISSION OR ACCESS TO CAMPUS RESIDENCY UNDER § 26-504 OF THIS SUBTITLE, AN INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP A PROCESS FOR DETERMINING WHETHER THERE IS A RELATIONSHIP BETWEEN A STUDENT'S CRIMINAL HISTORY AND CAMPUS RESIDENCY OR A SPECIFIC ACADEMIC PROGRAM.

(B) ~~AN INDIVIDUALIZED~~ THE PROCESS DEVELOPED UNDER THIS SECTION SHALL BE SET FORTH IN WRITING AND SHALL INCLUDE CONSIDERATION OF:

(1) THE AGE OF THE STUDENT AT THE TIME ANY ASPECT OF THE STUDENT'S CRIMINAL HISTORY OCCURRED;

(2) THE TIME THAT HAS ELAPSED SINCE ANY ASPECT OF THE STUDENT'S CRIMINAL HISTORY OCCURRED;

(3) THE NATURE OF THE CRIMINAL HISTORY ~~AND WHETHER IT BEARS A DIRECT RELATIONSHIP TO CAMPUS RESIDENCY, THE ACTIVITY, OR THE ASPECT OF CAMPUS LIFE AT ISSUE;~~ AND

(4) ANY EVIDENCE OF REHABILITATION OR GOOD CONDUCT PRODUCED BY THE STUDENT.

~~(C) AN INDIVIDUALIZED PROCESS DEVELOPED UNDER THIS SECTION SHALL PROVIDE AN AFFECTED STUDENT WITH REASONABLE NOTICE AND AN OPPORTUNITY TO APPEAL A DENIAL OR LIMITATION OF CAMPUS RESIDENCY, AN ACTIVITY, OR AN ASPECT OF CAMPUS LIFE.~~

~~(D) INSTITUTIONS OF HIGHER EDUCATION SHALL INFORM ACCEPTED STUDENTS IN WRITING OF THE INDIVIDUALIZED PROCESS DEVELOPED UNDER THIS SECTION AND THE RIGHT STUDENTS HAVE TO PROVIDE EVIDENCE OF REHABILITATION AND GOOD CONDUCT.~~

26-506.

AN INSTITUTION OF HIGHER EDUCATION THAT INQUIRES INTO OR CONSIDERS INFORMATION ABOUT A STUDENT'S CRIMINAL HISTORY, IN A MANNER CONSISTENT WITH THIS SUBTITLE, SHALL CONSIDER THE STATE'S POLICY TO PROMOTE THE ADMISSION OF STUDENTS WITH CRIMINAL RECORDS, INCLUDING FORMERLY INCARCERATED INDIVIDUALS, TO PROVIDE THESE STUDENTS WITH THE OPPORTUNITY TO OBTAIN THE KNOWLEDGE AND SKILLS NEEDED TO CONTRIBUTE TO THE STATE'S ECONOMY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
December 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 702 – *Residential Property – Vacant and Abandoned Property – Expedited Foreclosure.*

This bill authorizes a secured party to petition a circuit court for leave to immediately commence an action to foreclose a mortgage or deed of trust on a residential property if the property is vacant and abandoned under certain circumstances, establishes criteria for vacant and abandoned residential property, and requires the court to rule promptly.

Senate Bill 1033, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 702.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 702

AN ACT concerning

Residential Property – Vacant and Abandoned Property – Expedited Foreclosure

FOR the purpose of authorizing a secured party to petition a circuit court for leave to immediately commence an action to foreclose a mortgage or deed of trust on a residential property if the property is vacant and abandoned under certain circumstances; requiring a secured party to send a copy of a certain petition to certain persons under certain circumstances; requiring a court to rule on a certain foreclosure petition promptly after the petition is filed; providing that a residential property is vacant and abandoned if certain criteria apply to the property; requiring

~~a court to order the appropriate official of the county or municipal corporation in which a residential property is located to verify that the property is vacant and abandoned under certain circumstances; requiring a court to order a residential property to be offered for sale not later than a certain period of time after issuance of a certain final judgment; authorizing a secured party to enter and secure a residential property after the property is found to be vacant and abandoned under certain circumstances~~ grant a certain petition for leave to file an action for immediate foreclosure under certain circumstances; providing that, if a court grants a certain petition, certain foreclosure process provisions do not apply to an action to foreclose residential property found to be vacant and abandoned under certain circumstances; requiring a secured party to serve certain foreclosure documents in a certain manner under certain circumstances; requiring the Commissioner of Financial Regulation to adopt certain regulations; requiring a challenge to a certain finding regarding residential property being vacant and abandoned to be filed within a certain period of time; requiring a secured party to comply with certain foreclosure process provisions if a certain challenge is upheld; making stylistic changes; defining a certain term; providing for the application of this Act; and generally relating to the foreclosure of vacant and abandoned residential property.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 7–105.1(a)(12)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Real Property

Section 7–105.14

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Real Property

7–105.1.

(a) (12) “Residential property” means real property improved by four or fewer single family dwelling units that are designed principally and are intended for human habitation.

(b) (1) Except as provided in paragraph (2) of this subsection, an action to foreclose a mortgage or deed of trust on residential property may not be filed until the later of:

(i) 90 days after a default in a condition on which the mortgage or deed of trust provides that a sale may be made; or

(ii) 45 days after the notice of intent to foreclose required under subsection (c) of this section is sent.

(2) (i) The secured party may petition the circuit court for leave to immediately commence an action to foreclose the mortgage or deed of trust if:

1. The loan secured by the mortgage or deed of trust was obtained by fraud or deception;

2. No payments have ever been made on the loan secured by the mortgage or deed of trust;

3. The property subject to the mortgage or deed of trust has been destroyed; [or]

4. The default occurred after the stay has been lifted in a bankruptcy proceeding; OR

5. THE PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST IS PROPERTY THAT IS VACANT AND ABANDONED AS PROVIDED UNDER § 7-105.14 OF THIS SUBTITLE.

(ii) The court may rule on the petition with or without a hearing.

(iii) If the petition is granted[, the]:

1. **THE** action may be filed at any time after a default in a condition on which the mortgage or deed of trust provides that a sale may be made [and the]; AND

2. **THE** secured party need not send the written notice of intent to foreclose required under subsection (c) of this section.

7-105.14.

(A) IN THIS SECTION, “RESIDENTIAL PROPERTY” HAS THE MEANING STATED IN § 7-105.1 OF THIS SUBTITLE.

(B) (1) A SECURED PARTY MAY PETITION THE CIRCUIT COURT FOR LEAVE TO IMMEDIATELY COMMENCE AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL PROPERTY ON THE BASIS THAT THE PROPERTY IS VACANT AND ABANDONED AS PROVIDED IN THIS SECTION.

(2) ON FILING A PETITION UNDER THIS SECTION, THE SECURED PARTY SHALL SEND A COPY OF THE PETITION TO THE MORTGAGOR'S OR GRANTOR'S LAST KNOWN ADDRESS AND THE RECORD OWNER OF THE PROPERTY BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL.

(3) THE CIRCUIT COURT SHALL RULE ON THE PETITION PROMPTLY AFTER THE PETITION IS FILED.

(C) A RESIDENTIAL PROPERTY IS VACANT AND ABANDONED UNDER THIS SECTION IF ALL OF THE FOLLOWING CRITERIA APPLY TO THE PROPERTY:

(1) THE COURT FINDS THAT THE MORTGAGE OR DEED OF TRUST ON THE RESIDENTIAL PROPERTY HAS BEEN IN DEFAULT FOR 120 DAYS OR MORE IN A CONDITION ON WHICH THE MORTGAGE OR DEED OF TRUST PROVIDES THAT A SALE MAY BE MADE;

(2) THE COURT FINDS THAT AT LEAST THREE OF THE CIRCUMSTANCES LISTED IN SUBSECTION (D) OF THIS SECTION ARE TRUE AS TO THE PROPERTY;

(3) NO MORTGAGOR OR GRANTOR HAS FILED WITH THE COURT AN ANSWER OR OBJECTION SETTING FORTH A DEFENSE OR OBJECTION THAT, IF PROVEN, WOULD PRECLUDE THE ENTRY OF A FINAL JUDGMENT AND A DECREE OF FORECLOSURE; AND

(4) NO MORTGAGOR OR GRANTOR HAS FILED WITH THE COURT A WRITTEN STATEMENT THAT THE PROPERTY IS NOT VACANT AND ABANDONED.

(D) THE CIRCUMSTANCES OF A RESIDENTIAL PROPERTY THAT A COURT MAY FIND ARE TRUE UNDER SUBSECTION (C)(2) OF THIS SECTION ARE:

(1) GAS, ELECTRIC, SEWER, OR WATER UTILITY SERVICES TO THE PROPERTY HAVE BEEN DISCONNECTED;

(2) WINDOWS OR ENTRANCES TO THE STRUCTURE ON THE PROPERTY ARE BOARDED UP OR CLOSED OFF, OR MULTIPLE WINDOW PANES ARE BROKEN AND UNREPAIRED;

(3) DOORS TO THE STRUCTURE ON THE PROPERTY ARE SMASHED THROUGH, BROKEN OFF, UNHINGED, OR CONTINUOUSLY UNLOCKED;

(4) JUNK, LITTER, TRASH, DEBRIS, OR HAZARDOUS, NOXIOUS, OR UNHEALTHY SUBSTANCES OR MATERIALS HAVE ACCUMULATED ON THE PROPERTY;

(5) FURNISHINGS, WINDOW TREATMENTS, OR PERSONAL ITEMS ARE ABSENT FROM THE STRUCTURE ON THE PROPERTY;

(6) THE PROPERTY IS THE OBJECT OF VANDALISM, LOITERING, OR CRIMINAL CONDUCT, OR THERE HAS BEEN PHYSICAL DESTRUCTION OR DETERIORATION OF THE PROPERTY;

(7) A MORTGAGOR OR GRANTOR HAS MADE A WRITTEN STATEMENT EXPRESSING THE INTENTION OF ALL MORTGAGORS OR GRANTORS TO ABANDON THE PROPERTY;

(8) THERE IS A DETERMINATION THAT NO OWNER OR TENANT APPEARS TO BE RESIDING ON THE PROPERTY AT THE TIME OF AN INSPECTION OF THE PROPERTY BY:

~~(i) THE THE SECURED PARTY; OR~~

~~(ii) AN APPROPRIATE OFFICIAL OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE PROPERTY IS LOCATED;~~

~~(9) AN APPROPRIATE OFFICIAL OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE PROPERTY IS LOCATED PROVIDES A WRITTEN STATEMENT INDICATING THAT THE STRUCTURE ON THE PROPERTY IS VACANT AND ABANDONED;~~

(9) TWO OR MORE CITATIONS HAVE BEEN ISSUED BY A COUNTY OR MUNICIPAL CORPORATION AGAINST THE PROPERTY FOR FAILURE TO MAINTAIN THE PROPERTY AND A HEALTH AND SAFETY ISSUE EXISTS THAT HAS NOT BEEN RECTIFIED;

~~(10) THE PROPERTY IS SEALED BECAUSE, IMMEDIATELY PRIOR TO BEING SEALED, THE PROPERTY WAS CONSIDERED BY AN APPROPRIATE OFFICIAL OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE PROPERTY IS LOCATED TO BE OPEN, VACANT, OR VANDALIZED; OR~~

(10) THE PROPERTY HAS BEEN CONDEMNED BY A COUNTY OR MUNICIPAL CORPORATION; OR

(11) OTHER REASONABLE INDICIA OF ABANDONMENT EXIST.

~~(E) IF THE COURT MAKES A PRELIMINARY FINDING THAT A RESIDENTIAL PROPERTY IS VACANT AND ABANDONED UNDER SUBSECTION (D) OF THIS SECTION WITHOUT VERIFICATION BY AN APPROPRIATE OFFICIAL OF THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED, THE COURT WITHIN 7 DAYS OF THE PRELIMINARY FINDING SHALL ORDER THE APPROPRIATE OFFICIAL OF THE COUNTY OR MUNICIPAL OFFICIAL TO VERIFY THAT THE PROPERTY IS VACANT AND ABANDONED.~~

~~(F)~~ (E) (1) IF THE COURT FINDS THAT A RESIDENTIAL PROPERTY IS VACANT AND ABANDONED AND THE SECURED PARTY FILING A PETITION FOR LEAVE TO FILE AN ACTION FOR IMMEDIATE FORECLOSURE IS ENTITLED TO JUDGMENT, THE COURT SHALL GRANT THE PETITION.

~~(1) ENTER A FINAL JUDGMENT OF FORECLOSURE; AND~~

~~(2) ORDER THAT THE PROPERTY BE OFFERED FOR SALE NOT LATER THAN 30 DAYS AFTER THE ISSUANCE OF THE FINAL JUDGMENT.~~

~~(G) (1) AFTER A RESIDENTIAL PROPERTY IS FOUND TO BE VACANT AND ABANDONED UNDER THIS SECTION, THE SECURED PARTY MAY ENTER AND SECURE THE PROPERTY IN ORDER TO PROTECT THE PROPERTY FROM DAMAGE.~~

~~(2) A SECURED PARTY THAT DOES NOT FILE AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE WITH A PETITION FOR LEAVE TO FILE AN ACTION FOR IMMEDIATE FORECLOSURE IN ACCORDANCE WITH THIS SECTION MAY ENTER AND SECURE A RESIDENTIAL PROPERTY ONLY IF THE MORTGAGE OR DEED OF TRUST PROVIDES FOR THE ENTRY.~~

(2) EXCEPT AS PROVIDED UNDER SUBSECTION (F) OF THIS SECTION, IF THE COURT GRANTS THE PETITION UNDER PARAGRAPH (1) OF THIS SUBSECTION, § 7-105.1 OF THIS SUBTITLE DOES NOT APPLY TO AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON THE RESIDENTIAL PROPERTY THAT IS FOUND TO BE VACANT AND ABANDONED.

(F) (1) A SECURED PARTY FILING AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE BASED ON A PETITION GRANTED BY A COURT UNDER SUBSECTION (E)(1) OF THIS SECTION SHALL SERVE THE FORECLOSURE DOCUMENTS, ACCOMPANIED BY THE DOCUMENT REQUIRED UNDER PARAGRAPH (4) OF THIS SUBSECTION, BY:

(I) PERSONAL DELIVERY OF THE PAPERS TO THE MORTGAGOR OR GRANTOR; OR

(II) LEAVING THE PAPERS WITH A RESIDENT OF SUITABLE AGE AND DISCRETION AT THE MORTGAGOR'S OR GRANTOR'S DWELLING HOUSE OR USUAL PLACE OF ABODE.

(2) IF AT LEAST TWO GOOD FAITH EFFORTS ON DIFFERENT DAYS TO SERVE THE MORTGAGOR OR GRANTOR UNDER PARAGRAPH (1) OF THIS SUBSECTION HAVE NOT SUCCEEDED, THE SECURED PARTY MAY EFFECT SERVICE BY:

(I) FILING AN AFFIDAVIT WITH THE COURT DESCRIBING THE GOOD FAITH EFFORTS TO SERVE THE MORTGAGOR OR GRANTOR; AND

(II) 1. MAILING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL TO THE MORTGAGOR'S OR GRANTOR'S LAST KNOWN ADDRESS AND, IF DIFFERENT, TO THE ADDRESS OF THE RESIDENTIAL PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST; AND

2. POSTING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A CONSPICUOUS PLACE ON THE RESIDENTIAL PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST.

(3) THE INDIVIDUAL MAKING SERVICE OF DOCUMENTS UNDER THIS SUBSECTION SHALL FILE PROOF OF SERVICE WITH THE COURT IN ACCORDANCE WITH THE MARYLAND RULES.

(4) THE SERVICE OF DOCUMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ACCOMPANIED BY A SEPARATE, CLEARLY MARKED NOTICE, IN THE FORM PRESCRIBED BY REGULATIONS ADOPTED BY THE COMMISSIONER OF FINANCIAL REGULATION, THAT STATES:

(I) THE SIGNIFICANCE OF THE ORDER TO DOCKET OR COMPLAINT TO FORECLOSE; AND

(II) THE RIGHT OF A RECORD OWNER OR OCCUPANT OF THE PROPERTY TO CHALLENGE THE FINDING THAT THE RESIDENTIAL PROPERTY IS VACANT AND ABANDONED.

(5) (I) A CHALLENGE TO THE FINDING THAT THE RESIDENTIAL PROPERTY IS VACANT AND ABANDONED SHALL BE FILED WITH THE COURT IN THE FORECLOSURE PROCEEDING NOT LATER THAN 20 DAYS AFTER SERVICE IS MADE UNDER THIS SUBSECTION.

(II) IF A TIMELY FILED CHALLENGE UNDER THIS SUBSECTION IS UPHELD, THE SECURED PARTY SHALL COMPLY WITH THE REQUIREMENTS OF § 7-105.1 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any order to docket or complaint to foreclose on residential property that is filed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 758 – *Garrett County – Payment to Rescue Squads*.

This bill alters the Public Local Laws of Garrett County to require the Board of County Commissioners of Garrett County to appropriate certain funds for the benefit of volunteer rescue squads through either a direct payment or through an in-kind payment.

Senate Bill 591, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 758.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 758

AN ACT concerning

Garrett County – Payment to Rescue Squads – ~~Repeal~~

FOR the purpose of ~~repealing from~~ altering the Public Local Laws of Garrett County ~~certain provisions of law relating to certain payments to rescue squads by~~ to require the Board of County Commissioners of Garrett County to appropriate certain funds for the benefit of certain rescue squads; authorizing the County Commissioners to pay the value of a certain appropriation to a rescue squad by in-kind payment of personnel, equipment, or services; repealing certain provisions concerning the use and withholding of county funds and certain reporting requirements under certain circumstances; and generally relating to the payment of rescue squads in Garrett County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Garrett County

Section 35.05

Article 12 – Public Local Laws of Maryland

(2005 Edition and September 2015 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 12 – Garrett County

~~§~~35.05.

(A) In this section, RESCUE SQUAD means a voluntary, nonprofit entity that provides pre-hospital emergency services and patient transport.

(B) (1) The Board of County Commissioners of Garrett County shall appropriate ~~and pay to~~ **FOR THE BENEFIT OF** rescue squads in the county a total amount per year of up to \$0.008 per hundred dollars on the assessable real property in Garrett County other than operating real property of a public utility and up to \$0.02 per hundred dollars on the assessable personal property and operating real property of a public utility.

(2) ~~The Board of County Commissioners of Garrett County shall make the payments twice a year in December and June~~ **THE VALUE OF THE APPROPRIATION SHALL BE PAID TO THE RESCUE SQUADS IN THE COUNTY BY:**

(I) DIRECT PAYMENT; OR

(II) IN-KIND PAYMENT BY THE BOARD OF COUNTY COMMISSIONERS THROUGH THE ASSIGNMENT OF PERSONNEL, EQUIPMENT, OR SERVICES TO THE RESCUE SQUAD.

(3) The payments to each rescue squad shall be equivalent.

[(C) A rescue squad shall use the funds for:

- (1) The purchase, maintenance and repair of rescue apparatus and equipment;
- (2) The construction, maintenance, or repair of facilities and grounds necessary for:
 - (a) Emergency medical service purposes;
 - (b) Hosting community events;
 - (c) Providing emergency shelter; or
 - (d) Enhancing fund-raising or operations capability;
- (3) The promotion, retention, or recruitment of membership; or
- (4) Other special expenditures, including hardships or other extenuating circumstances that have:
 - (a) The prior approval of the Garrett County Emergency Services Board; and
 - (b) Consideration of recommendations from the Garrett County Fire and Rescue Association.

(D) The Board of County Commissioners of Garrett County may reserve the right to withhold any or all of the funds from a rescue squad that fails to meet all standards and policies recommended by the Garrett County Emergency Services Board to the Board of County Commissioners.

(E) A rescue squad receiving funding under this section shall file annually signed copies of federal Form 990 and Form 990 Schedule A, including receipt and disbursement of funds received under this chapter with the Board of County Commissioners. A rescue squad may not file federal Form 990 EZ with the County Commissioners under this section. If the Internal Revenue Service changes, amends, or replaces Form 990 and Form 990 Schedule A with a report that is to be filed annually, a fully executed copy of that report with all corresponding schedules shall be filed with the County Commissioners.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 832 – *Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District*.

This bill authorizes the Baltimore City Board of License Commissioners to issue four Class B-D-7 licenses within a specific alcoholic beverages district of the Old Goucher Revitalization District. This bill also exempts an applicant from certain zoning requirements, as well as certain distance restrictions near schools and places of worship. In addition, the license may be transferred within the Old Goucher Revitalization District.

Senate Bill 384, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 832.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 832

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

FOR the purpose of exempting an applicant for a certain Class B-D-7 license in a certain Old Goucher Revitalization District in the 43rd alcoholic beverages district in Baltimore City from certain zoning requirements; creating an exception under which the Board of License Commissioners for Baltimore City may issue certain new Class B-D-7 licenses under certain circumstances; specifying that, notwithstanding certain other provisions of law, the Board may issue certain licenses to certain establishments that are located in certain areas and meet a certain minimum capital investment requirement; specifying that a certain Class B-D-7 license may be transferred within, ~~but may not be transferred out of,~~ the Old Goucher Revitalization District; specifying that a certain distance restriction for the issuance of new alcoholic beverages licenses within a certain distance of a school or place of worship does not apply to a property in a certain Old Goucher Revitalization District; defining a certain term; making this Act an emergency measure; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages

Section 12–102, 12–905, and 12–1605(a)(1)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1407, 12–1603, and 12–1605(a)(2)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12–905.

(a) There is a Class B–D–7 beer, wine, and liquor license.

(b) (1) The Board may issue a Class B–D–7 license if the Board determines that the license is reasonably necessary for the convenience of the public.

(2) In making the determination, the Board shall consider the number of beer, wine, and liquor outlets in a given area and the number of days the outlets are open, rather than the nature of the outlets.

(c) The license authorizes the license holder to sell beer, wine, and liquor at retail at the place described in the license, for on– and off–premises consumption.

(d) The license holder may sell beer, wine, and liquor during the hours and days set out under § 12–2004(c) of this title.

(e) The Board shall adopt regulations to determine the manner of operation of a licensed premises.

(f) The annual license fee is \$1,320.

12–1407.

(a) (1) The Board or the Board’s designee shall examine each application for the issuance or transfer of a license within 45 days of receipt of the application to determine whether the application is complete.

(2) [An] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN** application for the issuance, transfer, or renewal is not complete unless the applicant has:

(i) obtained zoning approval or verification of zoning if the application is for renewal;

(ii) submitted all documents required in the application; and

(iii) paid all fines and fees that are due.

(3) AN APPLICATION FOR THE ISSUANCE, TRANSFER, OR RENEWAL OF A CLASS B–D–7 LICENSE THAT MAY BE ISSUED UNDER § 12–1603(C)(5) OF THIS TITLE IN THE OLD GOUCHER REVITALIZATION DISTRICT UNDER § 12–1603(E) OF THIS TITLE IS COMPLETE WITHOUT AN APPLICANT OBTAINING ZONING APPROVAL OR VERIFICATION OF ZONING.

(b) (1) A license hearing may not be scheduled unless the Board determines that the application is complete.

(2) A complete application with all submitted documents shall be posted online at least 14 days before the hearing date.

(3) The postponement of a hearing shall be posted online not less than 72 hours before the hearing date.

(c) (1) To incorporate a change in the application document after the Board or the Board's designee has determined the application to be complete, the applicant shall submit the change to the Board not later than 15 days before the scheduled hearing.

(2) After the hearing on the application, an applicant may change the application only at a new hearing.

(d) The Board shall impose a fine that it determines for failure to comply with the requirements under this section.

12–1603.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002.

(b) Except as provided in subsection (c) of this section, the Board may not issue a new license in:

(1) the 40th alcoholic beverages district;

- (2) the 41st alcoholic beverages district;
- (3) the 43rd alcoholic beverages district;
- (4) the 44th alcoholic beverages district; and
- (5) the 45th alcoholic beverages district.

(c) The Board may issue:

(1) in the alcoholic beverages districts specified in subsection (b) of this section:

- (i) a 1-day license; or
- (ii) a Class B beer, wine, and liquor license to a restaurant that:

1. has a minimum capital investment, not including the cost of land and buildings, of \$200,000 for restaurant facilities; and

2. has a minimum seating capacity of 75 individuals;

(2) a Class C beer, wine, and liquor license in the 45th alcoholic beverages district;

(3) a Class C beer, wine, and liquor license in ward 5, precinct 1 of the 44th alcoholic beverages district; [and]

(4) a Class C beer, wine, and liquor license in the 200 block of West Saratoga Street in ward 4, precinct 3 of the 40th alcoholic beverages district; AND

(5) SUBJECT TO THE REQUIREMENTS UNDER SUBSECTION (E) OF THIS SECTION, FOUR CLASS B-D-7 LICENSES IN THE 43RD ALCOHOLIC BEVERAGES DISTRICT.

(d) One Class B-D-7 license issued for a property surrounded by Morton Street on the west, West Eager Street on the north, North Charles Street on the east, and West Read Street on the south may be transferred to a property surrounded by 21st Street on the north, Morton Street on the west, North Charles Street on the east, and 20th Street on the south.

(E) (1) IN THIS SUBSECTION, "OLD GOUCHER REVITALIZATION DISTRICT" MEANS THE AREA SURROUNDED BY HOWARD STREET ON THE WEST, 25TH STREET ON THE NORTH, ST. PAUL STREET ON THE EAST, AND 22ND STREET ON THE SOUTH.

(2) IF AN ESTABLISHMENT HAS A MINIMUM CAPITAL INVESTMENT, NOT INCLUDING LAND AND ACQUISITION COSTS, OF \$50,000, THE BOARD MAY ISSUE ONE CLASS B-D-7 LICENSE FOR USE IN EACH OF THE FOLLOWING PROPERTIES IN THE OLD GOUCHER REVITALIZATION DISTRICT:

(I) A PROPERTY THAT IS SURROUNDED BY MARYLAND AVENUE ON THE WEST, 24TH STREET ON THE NORTH, MORTON STREET ON THE EAST, AND 22ND STREET ON THE SOUTH;

(II) A PROPERTY THAT IS SURROUNDED BY MORTON STREET ON THE WEST, 23RD STREET ON THE NORTH, CHARLES STREET ON THE EAST, AND 22ND STREET ON THE SOUTH;

(III) A PROPERTY THAT IS SURROUNDED BY MORTON STREET ON THE WEST, WARE STREET ON THE NORTH, CHARLES STREET ON THE EAST, AND 24TH STREET ON THE SOUTH; AND

(IV) A PROPERTY THAT IS SURROUNDED BY MARYLAND AVENUE ON THE WEST, 24TH STREET ON THE NORTH, MORTON STREET ON THE EAST, AND 23RD STREET ON THE SOUTH.

(3) A CLASS B-D-7 LICENSE:

~~(I) THAT MAY BE ISSUED UNDER § 12-1603(C)(5) OF THIS TITLE MAY BE TRANSFERRED WITHIN THE OLD GOUCHER REVITALIZATION DISTRICT; AND~~

~~(II) MAY NOT BE TRANSFERRED OUT OF THE OLD GOUCHER REVITALIZATION DISTRICT.~~

12-1605.

(a) (1) (i) Except as otherwise provided in this subsection, a new license may not be issued for and an existing license may not be moved to a building that is within 300 feet of the nearest point of the building of a place of worship or school.

(ii) In the 45th legislative district, a new Class A license of any type may not be issued for a building that is within 500 feet of the nearest point of the building of a place of worship or school.

(2) Paragraph (1)(i) of this subsection does not apply to:

(i) a Class B beer and wine license outside the 46th legislative district;

(ii) a Class B beer, wine, and liquor license outside the 46th legislative district;

(iii) **A CLASS B-D-7 LICENSE IN THE OLD GOUCHER REVITALIZATION DISTRICT UNDER § 12-1603(E) OF THIS SUBTITLE;**

(IV) a Class C beer and wine license; and

[(iv)] (V) a Class C beer, wine, and liquor license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect July 1, 2017~~ is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 844 – *Driver Improvement Program and Failure to Pay Child Support – Driver’s License Suspensions – Penalties and Assessment of Points*.

This bill alters the assessment of points and penalties associated with the suspension of a driver’s license, or privilege to drive, for failure to attend a required driver improvement program or make certain child support payments.

Senate Bill 799, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 844.

Sincerely,

Lawrence J. Hogan, Jr.
 Governor

House Bill 844

AN ACT concerning

**Driver's Driver Improvement Program and Failure to Pay Child Support –
Driver's License Suspensions – Penalties and Assessment of Points**

FOR the purpose of ~~repealing the term of imprisonment for a person convicted of driving a vehicle on a highway or certain property while the person's driver's license or privilege to drive is suspended in the State; reducing the number of points assessed to a person convicted of driving a vehicle on a highway or certain property while the person's driver's license or privilege to drive is suspended in the State; repealing the term of imprisonment for a person convicted of driving a vehicle on a highway or certain property while the person's driver's license issued by another state is suspended under the laws of the State or the traffic laws or regulations of another state under certain circumstances; reducing the number of points assessed to a person convicted of driving a vehicle on a highway or certain property while the person's driver's license issued by another state is suspended under the laws of the State or the traffic laws or regulations of another state under certain circumstances; altering the assessment of points and the penalties associated with the suspension of a driver's license or privilege to drive for failure to attend a certain driver improvement program or make certain child support payments; making conforming changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to penalties for driver's license suspensions~~ for failure to attend a certain driver improvement program or make certain child support payments.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–203(b), 16–206(a)(2), and 16–402(a)(14)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–303, ~~16–402(a)(14) and (34), 27–101(e)(12) through (26) and (h), and
27–111(e)(1) and (3)(i)~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, ~~with~~ without amendments,

Article – Transportation

Section 27–101(gg)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

~~BY repealing and reenacting, with amendments,~~

~~Article – Transportation~~

~~Section 16-303(k)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)
(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

16-203.

(b) On notification by the Child Support Enforcement Administration in accordance with § 10-119 of the Family Law Article that an obligor is 60 days or more out of compliance with the most recent order of the court in making child support payments, the Administration:

(1) Shall suspend an obligor's license or privilege to drive in the State; and

(2) May issue a work-restricted license or work-restricted privilege to drive.

16-206.

(a) (2) The Administration may suspend a license to drive of an individual who fails to attend:

(i) A driver improvement program or an alcohol education program required under § 16-212 of this subtitle; or

(ii) A private alternative program or an alternative program that is provided by a political subdivision of this State under § 16-212 of this subtitle.

16-303.

(a) A person may not drive a motor vehicle on any highway or on any property specified in § 21-101.1 of this article while the person's license or privilege to drive is refused in this State or any other state.

(b) A person may not drive a motor vehicle on any highway or on any property specified in § 21-101.1 of this article while the person's license or privilege to drive is canceled in this State.

(c) ~~¶~~A person may not drive a motor vehicle on any highway or on any property specified in § 21-101.1 of this article while the person's license or privilege to drive is suspended in this State.

~~(d)~~ A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license or privilege to drive is revoked in this State.

~~(e)~~ ~~(D)~~ A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is canceled.

~~(f)~~ A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is suspended.

~~(g)~~ ~~(E)~~ A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license issued by any other state is revoked.

~~(h)~~ ~~(F)~~ A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while:

~~(1) [the] THE person’s license or privilege to drive is suspended [under § 16–203, § 16–206(A)(2) FOR FAILURE TO ATTEND A DRIVER IMPROVEMENT PROGRAM, § 17–106, § 26–204, § 26–206, or § 27–103 of this article] IN THIS STATE;~~

~~(2) THE PERSON’S LICENSE ISSUED BY ANY OTHER STATE IS SUSPENDED; OR~~

~~(3) THE PERSON’S LICENSE OR PRIVILEGE TO DRIVE IS SUSPENDED UNDER THE TRAFFIC LAWS OR REGULATIONS OF ANY OTHER STATE FOR:~~

~~(I) FAILURE TO COMPLY WITH A NOTICE TO APPEAR IN A COURT OF THAT STATE CONTAINED IN A TRAFFIC CITATION ISSUED TO THE PERSON; OR~~

~~(H) FAILURE TO PAY A FINE FOR A VIOLATION OF ANY TRAFFIC LAWS OR REGULATIONS OF THAT STATE.~~

~~(i)~~ (1) This subsection applies only to a person whose license or privilege to drive is suspended under the traffic laws or regulations of another state for:

(i) Failure to comply with a notice to appear in a court of that state contained in a traffic citation issued to the person; or

(ii) Failure to pay a fine for a violation of any traffic laws or regulations of that state.

(2) A person may not drive a motor vehicle on any highway or on any property specified in § 21–101.1 of this article while the person’s license or privilege to drive is suspended under the traffic laws or regulations of any other state as described in paragraph (1) of this subsection.

~~(j)~~ ~~(G)~~ (1) Except as provided in paragraph (2) of this subsection, any individual who violates a provision of this section shall be assessed the points as provided for in § 16–402(a)(34) of this title.

(2) Any individual who violates a provision of subsection ~~[(h)]~~ or subsection ~~(i)~~ ~~(F)~~ of this section shall be assessed the points as provided for in § 16–402(a)(14) of this title.

16–402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(14) Any violation of ~~[(§ 16–303(h) or (i))] § 16–303(F)~~ of this title... 3 points

27–101.

(gg) A person who is convicted of a violation of § 16–303(h) (“Licenses suspended under certain provisions of Code”) or § 16–303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”) of this article:

(1) is subject to a fine of not more than \$500;

(2) must appear in court; and

(3) may not prepay the fine.

~~(34) Any violation of § 16–303 of this title, excluding ~~[(§ 16–303(h) or (i))] § 16–303(F)~~.....12 points~~

~~27–111.~~

~~(e) (1) As a sentence, a part of a sentence, or a condition of probation, a court may order, for not more than 180 days, the impoundment or immobilization of a solely owned vehicle used in the commission of a violation of § 16–303(e) or ~~[(d)] (F)(1)~~ of this article if, at the time of the violation:~~

~~(i) The owner of the vehicle was driving the vehicle; and~~

~~(ii) The owner's license was suspended or revoked under § 16-205 of this article.~~

~~(3) (i) Subject to the provisions of subparagraph (ii) of this paragraph, impoundment or immobilization of a vehicle may not be ordered under this section, if the registered owner of the vehicle made a bona fide sale, gift, or other transfer of the vehicle to another person before the date of the finding of a violation of § 16-303(e) or [(d)] (F)(1) of this article.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article — Transportation~~

~~27-101.~~

~~(e) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:~~

~~(12) [§ 16-303(h) (“Licenses suspended under certain provisions of Code”);~~

~~(13) § 16-303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”);~~

~~(14) Repealed.~~

~~[(15)] § 20-103 (“Driver to remain at scene — Accidents resulting only in damage to attended vehicle or property”);~~

~~[(16)] (13) § 20-104 (“Duty to give information and render aid”);~~

~~[(17)] (14) § 20-105 (“Duty on striking unattended vehicle or other property”);~~

~~[(18)] (15) § 20-108 (“False reports prohibited”);~~

~~[(19)] (16) § 21-206 (“Interference with traffic control devices or railroad signs and signals”);~~

~~[(20)] (17) As to a pedestrian in a marked crosswalk, § 21-502(a) (“Pedestrians’ right of way in crosswalks: In general”), if the violation contributes to an accident;~~

~~[(21)] (18) As to another vehicle stopped at a marked crosswalk, § 21-502(c) (“Passing of vehicle stopped for pedestrian prohibited”), if the violation contributes to an accident;~~

~~[(22)] (19) Except as provided in subsections (f) and (g) of this section, § 21-902(b) (“Driving while impaired by alcohol”);~~

~~[(23)] (20) Except as provided in subsections (f) and (g) of this section, § 21-902(c) (“Driving while impaired by drugs or drugs and alcohol”);~~

~~[(24)] (21) § 21-902.1 (“Driving within 12 hours after arrest”);~~

~~[(25)] (22) Title 21, Subtitle 10A (“Towing or Removal of Vehicles from Parking Lots”); or~~

~~[(26)] (23) § 27-107(d), (e), (f), or (g) (“Prohibited acts — Ignition interlock systems”);~~

~~(h) Any person who is convicted of a violation of any of the provisions of § 16-113(k) of this article (“Ignition Interlock System Program participant driving vehicle without ignition interlock”), § 16-303(a), (b), (c), (d), OR (e)[, (f), or (g)] of this article (“Driving while license is canceled, [suspended,] refused, or revoked”), § 17-107 of this article (“Prohibitions”), or § 17-110 of this article (“Providing false evidence of required security”) is subject to:~~

~~(1) For a first offense, a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both; and~~

~~(2) For any subsequent offense, a fine of not more than \$1,000, or imprisonment for not more than 2 years, or both.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article — Transportation~~

~~27-101.~~

~~(h) Any person who is convicted of a violation of any of the provisions of § 16-113(k) of this article (“Ignition Interlock System Program participant driving vehicle without ignition interlock”), § 16-303(a), (b), (c), (d), OR (e)[, (f), or (g)] of this article (“Driving while license is canceled, [suspended,] refused, or revoked”), § 17-107 of this article (“Prohibitions”), or § 17-110 of this article (“Providing false evidence of required security”) is subject to:~~

~~(1) For a first offense, a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both; and~~

~~(2) For any subsequent offense, a fine of not more than \$1,000, or imprisonment for not more than 2 years, or both.~~

~~(gg) A person who is convicted of a violation of [~~§ 16-303(h)~~] ~~§ 16-303(F)~~ (“Licenses suspended under certain provisions of Code”) [~~or § 16-303(i)~~] (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”)] of this article:~~

~~(1) Is subject to a fine of not more than \$500;~~

~~(2) Must appear in court; and~~

~~(3) May not prepay the fine.~~

~~SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article — Transportation~~

~~16-303.~~

~~[(k)] (H) (1) Except as provided in paragraph (2) of this subsection, a person convicted of a violation of this section is subject to:~~

~~(i) For a first offense, imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both; and~~

~~(ii) For a second or subsequent offense, imprisonment not exceeding 2 years or a fine not exceeding \$1,000 or both.~~

~~(2) A person convicted of a violation of subsection [(h) or (i)] (F) of this section:~~

~~(i) Is subject to a fine not exceeding \$500;~~

~~(ii) Must appear in court; and~~

~~(iii) May not prepay the fine.~~

~~SECTION 5. AND BE IT FURTHER ENACTED, That, if Section 3 or 4 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.~~

~~SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2017, the effective date of Section 4 of Chapter 515 of the Acts of the General Assembly of 2016. If the effective date of Section 4 of Chapter 515 is amended, Section 3 of this Act shall take effect on the taking effect of Section 4 of Chapter 515. If Section 4 of Chapter 515 does not take effect or if Section 4 of this Act takes effect, Section 3 of this Act shall be abrogated and of no further force and effect.~~

~~SECTION 7. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect October 1, 2017, the effective date of Chapter (S.B. 165) of the Acts of the General Assembly of 2017. If the effective date of Chapter (S.B. 165) is amended, Section 4 of this Act shall take effect on the taking effect of Chapter (S.B. 165). If Chapter (S.B. 165) does not take effect, Section 4 of this Act shall be abrogated and of no further force and effect.~~

~~SECTION 8. 2. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 5, 6, and 7 of this Act, this Act shall take effect October 1, 2017.~~

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 858 – *Allegany County – Sheriff’s Deputies – Salary and Duties*.

This bill alters the salary of a Sheriff’s deputy in Allegany County and establishes that salaries are to be determined by the sheriff’s budget. This bill also requires that at least one of the deputies must be assigned to execute process, orders, and directions for the juvenile court, as well as to perform other duties as assigned by the sheriff.

Senate Bill 639, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 858.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 858

AN ACT concerning

Allegany County – Sheriff’s Deputies – Salary and Duties

FOR the purpose of altering the salary of a Sheriff’s deputy in Allegany County; clarifying that at least one of the Sheriff’s deputies is required to be assigned to certain duties; and generally relating to Sheriff’s deputies in Allegany County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(b)(2)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

2–309.

(b) (2) The Sheriff shall appoint not less than five deputies at salaries [of at least \$2,400 each] **DETERMINED BY THE SHERIFF’S BUDGET** who are under the county classified service; **AT LEAST** one of these deputies shall be assigned by the Sheriff to execute process, orders, and directions for the juvenile court, and to perform the other duties the Sheriff assigns.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 914 – *St. Mary’s County – Metropolitan Commission – Authority to Borrow Money*.

This bill requires the St. Mary's County Commissioners to review and approve any loan application before the St. Mary's County Metropolitan Commission submits that application to a lender.

Senate Bill 735, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 914.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 914

AN ACT concerning

St. Mary's County – Metropolitan Commission – Authority to Borrow Money

FOR the purpose of requiring the Board of County Commissioners of St. Mary's County, when the St. Mary's County Metropolitan Commission plans to borrow any money, to review and approve any loan application before the Commission submits the loan application to a lender; and generally relating to the authority to borrow money of the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–2
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article 19 – St. Mary's County

113–2.

A. The members of the Commission are a body politic and corporate, by the name of the "St. Mary's County Metropolitan Commission" (referred to elsewhere in this chapter as the "Commission"), with the right to use a common seal, to sue and be sued and to do any and all other corporate acts for the purpose of carrying out the provisions of this chapter, including, without limiting the generality of the foregoing, the right and power to make and enter into all contracts or agreements as the Commission determines with the Federal government, the State of Maryland or any agency or instrumentality of either thereof or with any municipal corporation, county, private corporation, copartnership, association or individual, on terms and conditions which the Commission approves, relating to the performance of the Commission's duties, the execution of its rights and powers, the

use by the Federal government, the State government or any Federal or State agency, municipal corporation, county or private entity or individual of any water supply or sewerage system constructed or acquired by the Commission under this chapter or the services therefrom or the facilities thereof or the use by the Commission of any water supply or sewerage systems owned or operated other than by the Commission.

B. Whenever it is deemed necessary by the Commission to take or acquire any land, structure or buildings, or any streambed, waterway, water rights or watershed, either in fee or as an easement, within or outside of St. Mary's County, for the construction, extension or maintenance of any water main, sewer or appurtenance thereof, or any sewage treatment plant, reservoir, water treatment plant, storage tank or pumping station, or for the execution by the Commission of any other power or function vested in it by this chapter, the Commission may purchase it from the owners or, failing to agree with the owner or owners thereof, may condemn it by proceedings in the Circuit Court for the county in which the land, structures or buildings, streambed, waterway, water rights or watershed is located, as are provided for condemnation of land by public service corporations in the Public General Laws of Maryland. The Commission may likewise condemn the interest of any tenant, lessee or other person having any right or interest in the land, structures or buildings, streambed, waterway, water rights or watershed. At any time after ten (10) days after the return and recordation of the verdict or award in the proceedings, the Commission may enter and take possession of the property so condemned, upon first paying to the Clerk of the Court the amount of the award and all costs taxed to that date, notwithstanding any appeal or further proceedings upon the part of the defendant. At the time of payment, however, the Commission shall give its corporate undertaking to abide by and fulfill any judgment in such appeal or further proceedings.

C. WHEN THE COMMISSION PLANS TO BORROW ANY MONEY, THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL REVIEW AND APPROVE ANY LOAN APPLICATION BEFORE THE COMMISSION SUBMITS THE LOAN APPLICATION TO A LENDER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 967 – *The Textbook Cost Savings Act of 2017*.

This bill requires the Governor to include a certain amount of general funds in the fiscal 2019 State budget to provide a grant to the William E. Kirwan Center for Academic Innovation at the University System of Maryland for the Maryland Open Source Textbook Initiative. This bill also requires the center and the Maryland State Department of Education to jointly explore the possibility of providing all students in primary and secondary education with high-quality, low-cost learning materials and resources. In addition, the center and MSDE must submit an interim report by December 31, 2017, as well as findings and recommendations by December 31, 2018.

Senate Bill 424, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 967.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 967

AN ACT concerning

The Textbook Cost Savings Act of 2017

FOR the purpose of requiring the Governor to include a certain amount of general funds in the State budget for a certain fiscal year for the purpose of providing a certain grant to the William E. Kirwan Center for Academic Innovation at the University System of Maryland for a certain initiative; authorizing certain funds to be used for certain purposes; requiring certain funds allocated for certain purposes to be for the adoption, adaptation, and creation of certain resources that are equally accessible to and independently usable by individuals with disabilities; stating a certain policy of the State; requiring the Center and the State Department of Education to explore jointly the possibility of providing access to certain types of learning materials and resources to certain students; requiring the Center and the Department to submit certain reports on or before certain dates; providing for the termination of this Act; and generally relating to the funding of an initiative that supports and promotes the adoption, adaptation, and creation of openly licensed educational resources in higher education.

BY adding to

Article – Education

Section 12–114.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

12-114.1.

(A) IT IS THE POLICY OF THE STATE THAT ALL STUDENTS HAVE ACCESS TO HIGH-QUALITY, LOW-COST LEARNING MATERIALS AND RESOURCES.

(B) (1) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE \$100,000 IN GENERAL FUNDS IN THE STATE BUDGET FOR THE PURPOSE OF PROVIDING A GRANT TO THE WILLIAM E. KIRWAN CENTER FOR ACADEMIC INNOVATION AT THE UNIVERSITY SYSTEM OF MARYLAND FOR THE MARYLAND OPEN SOURCE TEXTBOOK INITIATIVE.

(2) THE FUNDS ALLOCATED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE USED TO:

(I) AWARD GRANTS TO SUPPORT AND PROMOTE THE ADOPTION, ADAPTATION, AND CREATION OF OPENLY LICENSED EDUCATIONAL RESOURCES IN ORDER TO REDUCE A STUDENT'S COST OF ATTENDANCE WHILE MAINTAINING OR IMPROVING LEARNING OUTCOMES;

(II) REIMBURSE EXPENSES INCURRED IN THE OPERATION OF THE MARYLAND OPEN SOURCE TEXTBOOK INITIATIVE, INCLUDING ADMINISTRATIVE FUNCTIONS AND THE EVALUATION OF ITS EFFICACY; AND

(III) REIMBURSE MONEY EXPENDED IN FISCAL YEAR 2018 THAT WOULD HAVE MET THE REQUIREMENTS OF ITEMS (I) AND (II) OF THIS PARAGRAPH IF FUNDS HAD BEEN AVAILABLE.

(C) TO THE EXTENT PRACTICABLE, FUNDS ALLOCATED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE FOR THE ADOPTION, ADAPTATION, AND CREATION OF OPENLY LICENSED EDUCATIONAL RESOURCES THAT ARE EQUALLY ACCESSIBLE TO AND INDEPENDENTLY USABLE BY INDIVIDUALS WITH DISABILITIES.

SECTION 2. AND BE IT FURTHER ENACTED, That the William E. Kirwan Center for Academic Innovation at the University System of Maryland and the State Department of Education shall explore jointly the possibility of providing all students in primary and secondary education with high-quality, low-cost learning materials and resources such as openly licensed educational resources. On or before December 31, 2017, the Center and the Department shall submit an interim report regarding their progress to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly. On or before December 31, 2018, the Center and the Department shall submit their findings and

recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. It shall remain effective for a period of 5 years and, at the end of June 30, 2022, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 971 – *James W. Hubbard Inclusive Higher Education Grant Program*.

This bill establishes the James W. Hubbard Inclusive Higher Education Grant Program and requires that it be administered jointly by the Maryland Higher Education Commission, in consultation with the Department of Disabilities, the State Department of Education, and the Developmental Disabilities Administration. This bill authorizes the program to award competitive grants to institutions of higher education in order to develop and implement programs that provide inclusive higher education opportunities for students with intellectual and developmental disabilities, subject to specified conditions.

Senate Bill 872, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 971.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 971

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

FOR the purpose of establishing the James W. Hubbard Inclusive Higher Education Grant Program; providing for the purpose of the Program; requiring the Program to be administered ~~jointly~~ by the Maryland Higher Education Commission, in consultation with the Department of Disabilities, the State Department of Education, and the Developmental Disabilities Administration; providing for the duties of the Commission, ~~the Department, and the Administration~~ under the Program; ~~requiring the Governor to include a certain appropriation in the annual budget bill in certain fiscal years~~ providing that funding for the Program shall be as provided in the State budget; establishing qualifications for an institution of higher education to be awarded a grant under the Program; requiring certain institutions of higher education to submit a certain report to the Commission, ~~the Department, and the Administration~~ beginning on a certain date and at certain intervals thereafter, that includes certain information ~~on certain dates~~; requiring the Commission, after consultation with the Department, the State Department of Education, and the Administration to submit a certain report to the General Assembly on or before a certain date and each year thereafter; defining certain terms; and generally relating to the James W. Hubbard Inclusive Higher Education Grant Program.

BY adding to

Article – Education

Section 11–1201 through 11–1205 to be under the new subtitle “Subtitle 12. James W. Hubbard Inclusive Higher Education Grant Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, In 2014, the State Department of Education estimated there were 5,338 students in Maryland public schools classified as having an intellectual disability, of which 947 were students between the ages of 18 and 21 years, nearing the age when they will be leaving high school; and

WHEREAS, Maryland students with intellectual and developmental disabilities lack access to higher education in Maryland despite their desire to attend college with their nondisabled peers because no inclusive higher education options exist in Maryland; and

WHEREAS, The development of an inclusive higher education program for students with intellectual and developmental disabilities would allow a student to attend an institution of higher education, pay tuition, and have access to undergraduate courses that support the student’s desired outcomes and job aspirations; and

WHEREAS, Only 32% of adults with an intellectual disability between the ages of 20 and 30 years are employed compared to 74% of people without disabilities; and

WHEREAS, Inclusive higher education programs in other states have been proven to significantly increase rates of employment for people with an intellectual disability; and

WHEREAS, Data from existing programs in other states shows that 77% of students with an intellectual disability who attend college receive a credential and 41% leave with a meaningful job; and

WHEREAS, Opportunities for inclusive higher education exist in 31 other states, but not in Maryland; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

SUBTITLE 12. JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT PROGRAM.

11-1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ADMINISTRATION” MEANS THE DEVELOPMENTAL DISABILITIES ADMINISTRATION.

(C) “DEPARTMENT” MEANS THE DEPARTMENT OF DISABILITIES.

(D) (1) “INCLUSIVE HIGHER EDUCATION” MEANS ACCESS TO A PROGRAM OF HIGHER EDUCATION FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES THAT ALLOWS FOR, TO THE GREATEST EXTENT POSSIBLE, THE SAME RIGHTS, PRIVILEGES, EXPERIENCES, BENEFITS, AND OUTCOMES THAT RESULT FROM A COLLEGE EXPERIENCE AS THEIR PEER STUDENTS WITHOUT DISABILITIES.

(2) “INCLUSIVE HIGHER EDUCATION” INCLUDES:

(I) ACADEMIC ACCESS AND INCLUSIVE INSTRUCTION;

(II) CAREER DEVELOPMENT;

(III) CAMPUS ENGAGEMENT;

(IV) SELF-DETERMINATION;

(V) PARTICIPATION IN PAID WORK EXPERIENCES;

(VI) ON- OR OFF-CAMPUS LIVING, WHEN AVAILABLE TO OTHER STUDENTS; AND

(VII) INCLUSIVE SOCIAL ACTIVITIES.

(E) “PROGRAM” MEANS THE JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

11-1202.

(A) THERE IS A JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT PROGRAM.

(B) THE PROGRAM SHALL AWARD COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP AND IMPLEMENT ~~PILOT~~ PROGRAMS THAT PROVIDE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

11-1203.

(A) THE PROGRAM SHALL BE ADMINISTERED ~~JOINTLY~~ BY THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, THE STATE DEPARTMENT OF EDUCATION, AND THE ADMINISTRATION.

(B) TO CARRY OUT THE PURPOSE OF THE PROGRAM, THE COMMISSION, ~~THE DEPARTMENT, AND THE ADMINISTRATION~~ SHALL:

(1) DEVELOP AND SEND TO EACH INSTITUTION OF HIGHER EDUCATION IN THE STATE A DESCRIPTION OF THE PROGRAM, INCLUDING MATERIALS DESCRIBING THE PURPOSE AND GOALS OF THE PROGRAM, AN APPLICATION, COMPLIANCE REQUIREMENTS, AND AVAILABLE FUNDING;

(2) DEVELOP APPLICATION REQUIREMENTS AND REVIEW AND APPROVE APPLICATIONS; AND

(3) AWARD GRANTS TO INSTITUTIONS OF HIGHER EDUCATION ON A COMPETITIVE BASIS.

(C) ~~FOR FISCAL YEARS 2019, 2020, AND 2021, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 FOR THE PROGRAM~~ FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET.

11-1204.

TO QUALIFY FOR A GRANT UNDER THE PROGRAM, AN INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP A ~~PILOT~~ PROGRAM OF INCLUSIVE HIGHER EDUCATION THAT:

(1) OFFERS THE NECESSARY SUPPORTS TO STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO ALLOW THESE STUDENTS, TO THE GREATEST EXTENT POSSIBLE, TO HAVE THE SAME RIGHTS, PRIVILEGES, EXPERIENCES, BENEFITS, AND OUTCOMES AS THEIR PEER STUDENTS WITHOUT DISABILITIES;

(2) ENSURES THAT STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES:

(I) HAVE ACCESS TO A WIDE ARRAY OF ACADEMIC COURSES THAT ARE ATTENDED BY STUDENTS WITHOUT DISABILITIES;

(II) HAVE ACCESS AND SUPPORT FOR PARTICIPATION IN CAMPUS LIFE, INCLUDING SOCIAL ACTIVITIES AND ORGANIZATIONS, INSTITUTION FACILITIES, AND TECHNOLOGY; AND

(III) ARE ABLE TO ACCESS AND USE CAMPUS RESOURCES AVAILABLE TO STUDENTS WITHOUT DISABILITIES;

(3) PROVIDES STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WITH THE SUPPORTS AND EXPERIENCES NECESSARY TO SEEK AND SUSTAIN COMPETITIVE EMPLOYMENT;

(4) DEVELOPS AND PROMOTES THE SELF-DETERMINATION SKILLS OF STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(5) OFFERS PEER MENTORING;

(6) COORDINATES WITH THE STATE DEPARTMENT OF EDUCATION, INCLUDING THE DIVISION OF REHABILITATION SERVICES AND OTHER STAKEHOLDERS IN THE DEVELOPMENT OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM;

(7) ADOPTS ADMISSIONS STANDARDS THAT DO NOT REQUIRE A STUDENT WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO PARTICIPATE IN A CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM THAT IS ADMINISTERED NATIONWIDE;

(8) INCLUDES THE DEVELOPMENT OF A MEANINGFUL CREDENTIAL FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO EARN

ON SUCCESSFUL COMPLETION OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM; AND

(9) MEETS THE REQUIREMENTS OF A COMPREHENSIVE TRANSITION PROGRAM UNDER THE FEDERAL HIGHER EDUCATION OPPORTUNITY ACT SO THAT STUDENTS ENROLLED IN THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM ARE ELIGIBLE FOR FEDERAL FINANCIAL AID.

11-1205.

(A) BEGINNING JANUARY 1, 2019, AND EACH 6 MONTHS THEREAFTER, AN INSTITUTION OF HIGHER EDUCATION AWARDED A GRANT UNDER THE PROGRAM SHALL SUBMIT TO THE COMMISSION, ~~THE DEPARTMENT, AND THE ADMINISTRATION~~ A REPORT THAT INCLUDES:

(1) A PLAN FOR THE SUSTAINABILITY OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM, INCLUDING ENROLLMENT PROJECTIONS;

(2) ANY NEEDS FOR TRAINING, TECHNICAL ASSISTANCE, AND OTHER CAPACITY NECESSARY TO PROVIDE FOR CONTINUATION OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM; AND

(3) LESSONS LEARNED BY THE INSTITUTION AND IDENTIFICATION OF BEST PRACTICES WITH THE GOAL OF PROMOTING THE DEVELOPMENT OF A STATEWIDE MODEL PROGRAM OF INCLUSIVE HIGHER EDUCATION FOR USE BY OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

(B) ON OR BEFORE JUNE 30, 2019, AND EACH YEAR THEREAFTER, THE COMMISSION, AFTER CONSULTATION WITH THE DEPARTMENT, THE STATE DEPARTMENT OF EDUCATION, AND THE ADMINISTRATION SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE EFFECTIVENESS AND SUCCESS OF THE PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

April 5, 2017

The Honorable Michael E. Busch

Speaker of the House
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 978 – *Education – Accountability – Consolidated State Plan and Support and Improvement Plans*.

The Every Student Succeeds Act (ESSA) was signed by President Obama on December 10, 2015. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the federal education law that reflects this country’s longstanding commitment to equal opportunity for all students. ESSA was a response to the growing concern over the prescriptive nature of the student achievement goals required by the former No Child Left Behind (NCLB) Act. Unlike NCLB, ESSA provides flexibility to states to choose their own goals and create their own accountability systems, so long as they are designed to close achievement gaps and promote strong student performance.

Maryland has been a leader on school accountability for more than two decades. Unfortunately, if House Bill 978 is enacted, Maryland would be forced by the legislature to adopt the weakest accountability system in the country under ESSA. Instead of being recognized as a national leader in education, Maryland would become a national leader in deprioritizing student learning. Because this legislation lacks accountability and includes provisions aimed at maintaining the status quo in failing schools, Maryland State Department of Education has expressed strong opposition to this bill, and the Maryland State Board of Education voted unanimously against this legislation.

House Bill 978 would weight academic performance indicators at 65 percent, while non-academic indicators such as “school climate surveys” are weighted at 35 percent. Very simply, the prioritization of these non-academic factors is designed to hide what is really happening in failing schools and is not correlated to student achievement in any way. Of the states that have posted their proposed plans to comply with ESSA, all have proposed academic performance indicators weighted at or above 75 percent. ESSA specifies that student performance must be given “much greater weight” in the accountability system. 65 percent for academic indicators and 35 percent for non-academic indicators is not “much greater weight.”

This legislation also prohibits most well-known and nationally accepted interventions in persistently failing schools. The bill’s sponsor alleges this language is necessary to “prevent the state from enacting heavy-handed, radical solutions” when a school has been failing to meet the educational needs of its children, year after year. It is important to note the State Board of Education is powerless to adopt these interventions without the legislature’s approval. This part of the bill is nothing more than bald, and frankly, bad politics.

To make matters much worse, the bill and its sponsor have identified no other evidence-based intervention strategies that are working in other states. In essence, the true purpose of this bill is to fight for and protect the status quo, which sadly has become the unofficial mantra of the political operatives who run the state teachers union. In response to the months of lobbying and political pressure applied by these operatives, the legislature has voted in favor of a bill that puts the priorities and needs of adults over what is best for our children and students. This bill invents a nonexistent “crisis” and then presents no alternative solutions. The entire episode is beneath the standards of the Maryland General Assembly and our state as a whole.

Most outrageously, this dangerous bill would potentially put hundreds of millions of dollars of federal funding at risk. In fact, according to the Department of Legislative Services, this bill threatens to cost the state \$246.8 million annually in federal education funding, including more than \$50 million annually in Baltimore City alone. At a time when school districts around the state are fighting for additional funding in response to declining enrollment, the cavalier manner in which the legislature is potentially jeopardizing federal funding is as astounding as it is disturbing. Just this week, our administration was proud to join with leaders from the General Assembly, Baltimore City, and jurisdictions around the state to provide nearly \$30 million in additional education funding. This potential funding loss due to the enactment of this bill would completely wipe out this new investment.

While other states are working to add to the toolbox of their boards of education and state departments of education to help students assigned to persistently failing schools, this outrageous legislation has an opposite and deleterious effect. House Bill 978 would dramatically limit the ability of the State Board of Education, an independent body charged with providing an exceptional education for all Maryland’s children regardless of where a child happens to live, to meet its constitutional and moral obligations.

Ultimately, it is difficult to describe the disastrous effects of this misguided legislation any better than the following blog post excerpt from The Education Trust, a national non-profit education advocacy organization, headed by former U.S. Secretary of Education under President Obama, John B. King, Jr.:

In recent years, Maryland has taken important steps to increase the honesty and rigor in its education system. The state has raised its standards. It has included more students — especially students with disabilities — in the National Assessment of Educational Progress. This new bill could dramatically reverse this progress, leaving Maryland — often considered a leader in education — in the unfamiliar position of trailing behind other states. The Maryland State Board of Education and Gov. Larry Hogan are right to oppose this legislation and keep sights set higher for Maryland’s students. (Natasha Ushomirsky, “Maryland Takes A Big Step In The Wrong Direction,” The Education Trust, 4/4/17)

For these reasons, I have vetoed House Bill 978.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 978

AN ACT concerning

Education – Accountability – Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017)

FOR the purpose of requiring a certain educational accountability program to include at least a certain number of school quality indicators; requiring one of the school quality indicators to be a certain school climate survey; authorizing certain school quality indicators to include certain factors; prohibiting certain school quality indicators from being based on student testing, subject to a certain exception; ~~requiring that certain indicators be given equal weight under certain circumstances the State Board of Education to consider stakeholder input in determining the weights of certain indicators~~; prohibiting a certain total of certain indicators from exceeding a certain percentage of a certain score; ~~requiring the State Department of Education, on or before a certain date, to establish a certain program for data collection and reporting on student growth~~ requiring the State Board of Education to establish a certain composite score that provides for certain differentiation; requiring a certain composite score to include certain indicators and incorporate a certain methodology; prohibiting a certain total of academic indicators from exceeding a certain percentage of a composite score; requiring a certain composite score to be calculated in a certain manner; prohibiting a certain composite score from being reported in a certain format; prohibiting certain indicators from being weighted in a certain manner; specifying that the final weights of certain indicators, subject to certain provisions of law, are determined by the State Board, with certain stakeholder input; requiring a certain academic indicator to be a certain measure; requiring a county board of education to develop and implement a Comprehensive Support and Improvement Plan for certain schools under certain circumstances; providing for the content and requirements of a Comprehensive Support and Improvement Plan; requiring a school to develop and implement a Targeted Support and Improvement Plan for certain schools under certain circumstances; providing for the content and requirements of a Targeted Support and Improvement Plan; requiring certain entities to approve, monitor, and annually review a certain plan; requiring a plan to be implemented in compliance with certain collective bargaining agreements; requiring the State Department of Education to distribute federal funds for the implementation of a certain plan in a certain manner; requiring a county board, after a certain time period, to consult with a school to develop certain strategies under certain circumstances; authorizing a certain plan to include a lengthening of the school year, notwithstanding certain laws, regulations, or executive orders; requiring the Department, after a certain time period, to collaborate with a certain county board in determining the appropriate intervention strategy under certain circumstances, subject to certain limitations; specifying that a certain decision of the Department is final; providing for the

construction of certain provisions of this Act; and generally relating to education accountability plans.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–203

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 7–203.4

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, All students in the State should have a fair, equal, and significant opportunity to obtain a high–quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and State academic assessments; and

WHEREAS, The State should focus on closing the achievement gaps between high– and low–performing students and minority and nonminority students; and

WHEREAS, Parents and students should hold schools, county boards of education, and the State accountable for improving the academic achievement of all students, and identifying and improving low–performing schools to provide a high–quality education; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7–203.

(a) **(1)** The State Board, the State Superintendent, each county board, and each public school shall implement a program of education accountability for the operation and management of the public schools.

(2) A CONSOLIDATED STATE PLAN TO IMPROVE STUDENT OUTCOMES SUBMITTED BY THE DEPARTMENT TO THE UNITED STATES DEPARTMENT OF EDUCATION UNDER THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE.

(b) (1) In this subsection, “grade band assessment” means one assessment of a middle school student’s knowledge in a core academic subject area during grades 6 through 8.

(2) The education accountability program shall include the following:

(i) The State Board and the State Superintendent shall assist each county board to establish educational goals and objectives that conform with statewide educational objectives for subject areas including reading, writing, mathematics, science, and social studies;

(ii) With the assistance of its county board, each public school shall survey current student achievement in reading, language, mathematics, science, social studies, and other areas to assess its needs;

(iii) 1. The State Board and the State Superintendent shall implement assessment programs in reading, language, mathematics, science, and social studies that include written responses;

2. The assessment program required in this subsection shall:

A. Provide information needed to improve public schools by enhancing the learning gains of students and academic mastery of the skills and knowledge set forth in the State’s adopted curricula or common core curricula;

B. Inform the public annually of the educational progress made at the school, local school system, and State levels; and

C. Provide timely feedback to schools and teachers for the purposes of adapting the instructional program and making placement decisions for students; and

3. Beginning in the 2014–2015 school year, the following assessments shall be implemented and administered annually:

A. At the middle school level, a statewide, comprehensive, grade band assessment program that measures the learning gains of each public school student towards achieving mastery of the standards set forth in the common core curricula or the State’s adopted curricula for the core content areas of reading, language, mathematics, science, and social studies; and

B. At the high school level, a statewide, standardized, end-of-course assessment that is aligned with and that measures each public school student’s skills and knowledge of the State’s adopted curricula for the core content areas of reading, language, mathematics, science, and social studies;

(iv) Each public school shall establish as the basis for its assessment of its needs, project goals and objectives that are in keeping with the goals and objectives established by its county board and the State Board;

(v) With the assistance of its county board, the State Board, and the State Superintendent, each public school shall develop programs to meet its needs on the basis of the priorities it sets;

(vi) Evaluation programs shall be developed at the same time to determine if the goals and objectives are being met; and

(vii) A reevaluation of programs, goals, and objectives shall be undertaken regularly.

(3) (i) After the 2014–2015 school year, the State Board shall determine whether the assessments at the middle school and high school levels required under paragraph (2)(iii)3 of this subsection adequately measure the skills and knowledge set forth in the State’s adopted curricula for the core content areas of reading, language, mathematics, science, and social studies.

(ii) If the State Board makes a determination under subparagraph (i) of this paragraph that an assessment does not adequately measure the skills and knowledge set forth in the State’s adopted curricula for a core content area, the Department shall develop a State–specific assessment in that core content area to be implemented in the 2018–2019 school year.

(c) (1) National standardized testing may not be the only measure for evaluating educational accountability.

(2) (I) AN EDUCATIONAL ACCOUNTABILITY PROGRAM SHALL INCLUDE AT LEAST THREE SCHOOL QUALITY INDICATORS THAT MEASURE THE COMPARATIVE OPPORTUNITIES PROVIDED TO STUDENTS OR THE LEVEL OF STUDENT SUCCESS IN PUBLIC SCHOOLS.

(II) 1. ONE OF THE SCHOOL QUALITY INDICATORS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SCHOOL CLIMATE SURVEYS.

2. THE SCHOOL CLIMATE SURVEYS SHALL INCLUDE AT LEAST ONE QUESTION TO EDUCATORS REGARDING THE RECEIPT OF CRITICAL INSTRUCTIONAL FEEDBACK.

~~(H)~~ (III) SCHOOL OTHER SCHOOL QUALITY INDICATORS MAY INCLUDE, BUT ARE NOT LIMITED TO:

~~1. FOR SECONDARY SCHOOLS:~~

~~A. 1. CLASS SIZE;~~

~~B. 2. CASE LOAD;~~

~~C. 3. SCHOOL CLIMATE SURVEYS ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM BY THE END OF NINTH GRADE, INCLUDING MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, SOCIAL STUDIES, AND RELATED ARTS;~~

~~D. 4. 3. OPPORTUNITIES TO ENROLL IN ADVANCED PLACEMENT COURSES AND INTERNATIONAL BACCALAUREATE PROGRAMS;~~

~~E. OPPORTUNITIES FOR DUAL ENROLLMENT;~~

~~F. OPPORTUNITIES TO ENROLL IN CAREER AND TECHNOLOGY EDUCATION PROGRAMS; AND~~

~~G. OPPORTUNITIES FOR INDUSTRY CERTIFICATION;~~

~~AND~~

~~2. FOR ELEMENTARY AND MIDDLE SCHOOLS:~~

~~A. CLASS SIZE;~~

~~B. CASE LOAD;~~

~~C. CHRONIC ABSENTEEISM; AND~~

~~D. SCHOOL CLIMATE SURVEYS. FOR:~~

~~A. ADVANCED PLACEMENT COURSES AND INTERNATIONAL BACCALAUREATE PROGRAMS;~~

~~AND~~

~~B. CAREER AND TECHNOLOGY EDUCATION PROGRAMS;~~

~~C. DUAL ENROLLMENT; AND~~

~~D. INDUSTRY CERTIFICATION;~~

~~5. 4. CHRONIC ABSENTEEISM;~~

~~AND~~

~~6. 5. DATA ON DISCIPLINE AND RESTORATIVE PRACTICES;~~

7. 6. ACCESS TO TEACHERS WHO HOLD AN ADVANCED PROFESSIONAL CERTIFICATE OR HAVE OBTAINED NATIONAL BOARD CERTIFICATION.

~~(III) (IV) THE EXCEPT AS PROVIDED IN ITEM (III) 3 OF THIS PARAGRAPH, THE~~ THE SCHOOL QUALITY INDICATORS USED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE BASED ON STUDENT TESTING.

~~(IV) (V) 1. BOTH ACADEMIC INDICATORS AND SCHOOL QUALITY INDICATORS SHALL BE GIVEN EQUAL WEIGHT IN REPORTING INTERIM PROGRESS TOWARD THE STATE BOARD'S GOALS AND OBJECTIVES IN DETERMINING THE WEIGHTS OF THE ACADEMIC INDICATORS AND SCHOOL QUALITY INDICATORS. THE STATE BOARD SHALL CONSIDER STAKEHOLDER INPUT.~~

~~2. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 51% 55% OF THE COMPOSITE SCORE.~~

~~3. ON OR BEFORE JULY 1, 2018, THE DEPARTMENT SHALL ESTABLISH A STATEWIDE WEB-BASED PROGRAM FOR DATA COLLECTION, REPORTING, AND DATA SHARING AMONG THE COUNTY BOARDS ON ACADEMIC INDICATORS THAT ALLOW FOR MEANINGFUL DIFFERENTIATION IN SCHOOL PERFORMANCE.~~

1. THE STATE BOARD SHALL ESTABLISH A COMPOSITE SCORE THAT PROVIDES FOR MEANINGFUL DIFFERENTIATION OF SCHOOLS UNDER THE SCHOOL ACCOUNTABILITY SYSTEM.

2. THE COMPOSITE SCORE ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL:

A. INCLUDE BOTH ACADEMIC AND SCHOOL QUALITY INDICATORS; AND

B. INCORPORATE A METHODOLOGY THAT COMPARES SCHOOLS THAT SHARE SIMILAR DEMOGRAPHIC CHARACTERISTICS, INCLUDING THE PROPORTION OF ECONOMICALLY DISADVANTAGED STUDENTS, AS DEFINED BY THE STATE IN ACCORDANCE WITH FEDERAL LAW; AND

C. BE REPORTED IN A MANNER THAT STATES FOR EACH SCORE THE INDIVIDUAL INDICATOR SCORE THAT IS USED TO CALCULATE THE COMPOSITE SCORE FOR EACH SCHOOL.

3. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 55% 65% OF THE COMPOSITE SCORE.

4. THE COMPOSITE SCORE:

A. SHALL BE CALCULATED NUMERICALLY IN A PERCENTILE FORM; AND

B. MAY NOT BE REPORTED USING A LETTER GRADE MODEL.

5. NO ACADEMIC INDICATOR MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

6. NO SCHOOL QUALITY INDICATOR DESCRIBED UNDER SUBSECTION (C)(2) OF THIS SECTION MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

7. SUBJECT TO THIS SUBPARAGRAPH, THE FINAL WEIGHTS OF THE ACADEMIC AND SCHOOL QUALITY INDICATORS SHALL BE DETERMINED BY THE STATE BOARD, WITH STAKEHOLDER INPUT.

(VI) OF THE ACADEMIC INDICATORS ESTABLISHED BY THE STATE BOARD UNDER SUBPARAGRAPH (V) OF THIS PARAGRAPH, ONE SHALL BE ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM THAT IS INDICATIVE OF ON-TRACK PROGRESS AT KEY TRANSITION POINTS WITHIN ELEMENTARY AND SECONDARY EDUCATION.

(d) The Department shall assist each county board to establish an education accountability program by providing:

(1) Guidelines for development and implementation of the program by the county boards; and

(2) Assistance and coordination where it is needed and requested by the county boards.

(e) (1) The Department shall survey a statewide, representative sample of public schools and public school teachers annually to measure:

(i) The amount of instructional time spent on social studies and science instruction in elementary schools;

(ii) The availability and use of appropriate instructional resources and teaching technology in social studies and science classrooms;

(iii) The availability and use of appropriate professional development for social studies and science teachers; and

(iv) The number of secondary school social studies and science classes that are taught by teachers who are:

1. Certified in the subject being taught; and
2. Not certified in the subject being taught.

(2) The Department shall:

(i) Compile the results of the survey conducted under paragraph (1) of this subsection; and

(ii) Publish the results on the Department's Web site.

(f) The State Superintendent shall send the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly a report each January that includes:

(1) Documentation of the progress of the Department, the county boards, and each public school in this State towards their respective goals and objectives; and

(2) Recommendations for legislation that the State Board and the State Superintendent consider necessary to improve the quality of education in this State.

(g) On the recommendation of the State Superintendent, the State Board shall include in its annual budget request the funds it considers necessary to carry out the provisions of this section.

7–203.4.

(A) (1) FOR EACH PUBLIC SCHOOL IDENTIFIED BY THE DEPARTMENT FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT, THE COUNTY BOARD SHALL DEVELOP AND IMPLEMENT A COMPREHENSIVE SUPPORT AND IMPROVEMENT PLAN TO IMPROVE STUDENT OUTCOMES AT THE SCHOOL.

(2) THE PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) BE DEVELOPED IN CONSULTATION WITH PRINCIPALS, PARENTS, LOCAL COMMUNITY ~~MEMBERS~~ LEADERS, LOCAL EMPLOYER LEADERS, LOCAL GOVERNMENT LEADERS, TEACHERS, SCHOOL STAFF, AND THE EXCLUSIVE BARGAINING REPRESENTATIVE;

(II) INCLUDE THE SCHOOL QUALITY INDICATORS DESCRIBED UNDER § 7-203(C) OF THIS SUBTITLE;

(III) INCLUDE EVIDENCE-BASED INTERVENTIONS;

(IV) BE BASED ON SCHOOL-LEVEL NEEDS ASSESSMENTS; AND

(V) IDENTIFY RESOURCE INEQUITIES AND BUDGETARY NEEDS.

(3) THE SCHOOL AND THE COUNTY BOARD, AND THE DEPARTMENT SHALL APPROVE THE PLAN.

(4) THE DEPARTMENT SHALL MONITOR AND ANNUALLY REVIEW THE PLAN.

(B) (1) FOR EACH PUBLIC SCHOOL IDENTIFIED BY THE DEPARTMENT FOR TARGETED SUPPORT AND IMPROVEMENT, THE SCHOOL SHALL DEVELOP AND IMPLEMENT A TARGETED SUPPORT AND IMPROVEMENT PLAN TO IMPROVE STUDENT OUTCOMES AT THE SCHOOL.

(2) THE PLAN DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL MEET THE REQUIREMENTS OF SUBSECTION (A)(2) ~~AND (3)~~ OF THIS SECTION.

(3) THE COUNTY BOARD SHALL MONITOR AND ANNUALLY REVIEW THE PLAN.

(C) PLANS DEVELOPED UNDER SUBSECTIONS (A)(1) AND (B)(1) OF THIS SECTION SHALL BE IMPLEMENTED IN COMPLIANCE WITH EXISTING COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE COUNTY BOARD AND THE EXCLUSIVE BARGAINING REPRESENTATIVE.

(D) THE DEPARTMENT SHALL DISTRIBUTE FEDERAL FUNDS FOR THE IMPLEMENTATION OF PLANS DEVELOPED UNDER SUBSECTIONS (A)(1) AND (B)(1) OF THIS SECTION BASED ON A FORMULA AND DRIVEN BY THE IDENTIFIED NEEDS OF EACH SCHOOL IDENTIFIED BY THE DEPARTMENT.

(E) (1) AFTER A 2-YEAR PERIOD FROM THE DATE OF A PLAN'S IMPLEMENTATION UNDER SUBSECTIONS (A)(1) AND (B)(1) OF THIS SECTION, IF A COUNTY BOARD DETERMINES THAT STUDENT OUTCOMES HAVE NOT IMPROVED AT A PUBLIC SCHOOL, THE COUNTY BOARD SHALL CONSULT WITH THE SCHOOL TO DEVELOP ADDITIONAL STRATEGIES AND INTERVENTIONS INCLUDING FUNDING, COMMUNITY SUPPORTS, AND GRANTS PROVIDED IN THE PUBLIC SCHOOL OPPORTUNITIES ENHANCEMENT PROGRAM.

(2) NOTWITHSTANDING ANY LAW, REGULATION, OR EXECUTIVE ORDER, A PLAN UNDER THIS SECTION MAY INCLUDE A LENGTHENING OF THE SCHOOL YEAR BEYOND 180 DAYS OR ANY OTHER LIMITATION.

~~(2)~~ **(3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO AUTHORIZE THE DEPARTMENT TO REQUIRE A COUNTY BOARD TO IMPLEMENT A SPECIFIC INTERVENTION STRATEGY.**

(F) (1) AFTER A 3-YEAR PERIOD FROM THE DATE OF A PLAN'S IMPLEMENTATION UNDER SUBSECTIONS (A)(1) AND (B)(1) OF THIS SECTION, IF THE DEPARTMENT DETERMINES THAT STUDENT OUTCOMES HAVE NOT IMPROVED AT A PUBLIC SCHOOL AND INTERVENTION IS NECESSARY, THE DEPARTMENT SHALL COLLABORATE WITH THE COUNTY BOARD IN DETERMINING THE APPROPRIATE INTERVENTION STRATEGY, SUBJECT TO EXISTING COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE COUNTY BOARD AND THE EXCLUSIVE BARGAINING REPRESENTATIVE.

(2) AN INTERVENTION STRATEGY DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT INCLUDE:

(I) CREATING A STATE-RUN SCHOOL DISTRICT;

(II) CREATING A LOCAL SCHOOL SYSTEM IN ADDITION TO THE 24 SCHOOL SYSTEMS ESTABLISHED IN THIS ARTICLE;

(III) CONVERTING OR CREATING A NEW PUBLIC SCHOOL WITHOUT LOCAL BOARD APPROVAL;

~~**(II) (IV) CONVERTING A PUBLIC SCHOOL TO A CHARTER SCHOOL;**~~

~~**(III) (V) (IV)**~~ **ISSUING SCHOLARSHIPS TO PUBLIC SCHOOL STUDENTS TO ATTEND NONPUBLIC SCHOOLS THROUGH DIRECT VOUCHERS, TAX CREDIT PROGRAMS, OR EDUCATION SAVINGS ACCOUNTS; AND**

~~**(IV) (VI) (V)**~~ **CONTRACTING WITH A FOR-PROFIT COMPANY.**

(3) A DECISION OF THE DEPARTMENT UNDER THIS SUBSECTION IS FINAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 991 – *State Employee and Retiree Health and Welfare Benefits Program – Participation by Satellite Organizations*.

This bill alters the definition of “qualifying not-for-profit organization”, to clarify that a corporation, limited liability company, or any other entity that is wholly owned by the Legal Aid Bureau, Inc., may participate in the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances.

Senate Bill 382, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 991.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 991

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Participation by Satellite Organizations

FOR the purpose of altering the definition of “qualifying not-for-profit organization”, for purposes of provisions of law that authorize certain qualifying not-for-profit organizations to participate in the State Employee and Retiree Health and Welfare Benefits Program, to include a corporation, a limited liability company, or any other entity that is wholly owned by the Legal Aid Bureau, Inc.; authorizing the employees of the corporation, limited liability company, or other entity to enroll and participate in the Program under certain circumstances; and generally relating to participation of employees of satellite organizations in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions

Section 2–512
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

2–512.

(a) In this section, “qualifying not–for–profit organization” means an organization that:

(1) (i) receives State funds from the Department of Health and Mental Hygiene that cover more than one–third of the organization’s operating expenses; and

(ii) is:

1. described in § 501(c)(3) of the Internal Revenue Code; and

2. exempt from income tax under § 501(a) of the Internal Revenue Code;

(2) is the Legal Aid Bureau, Inc.; [or]

(3) IS A CORPORATION, A LIMITED LIABILITY COMPANY, OR ANY OTHER ENTITY THAT IS WHOLLY OWNED BY THE LEGAL AID BUREAU, INC.; OR

[(3)] (4) is the Maryland Crime Victims’ Resource Center.

(b) The Secretary shall adopt regulations for the enrollment and participation of employees of a qualifying not–for–profit organization to participate in the Program as a satellite organization.

(c) A qualifying not–for–profit organization that participates in the Program as a satellite organization shall:

(1) pay to the State:

(i) a premium in the amount determined by the Secretary; and

(ii) any costs, as determined by the Secretary, for the administration of this Program; and

(2) determine the extent to which the organization will subsidize participation by its employees in the Program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1030 – *Baltimore City – Hotel Room Tax – Convention Center Promotion and Operations*.

This bill extends to a certain date the requirement that Baltimore City appropriate at least 40% of hotel room tax proceeds to Visit Baltimore for convention center marketing and tourism promotion. This bill also authorizes the proceeds to be used for convention center operations.

Senate Bill 846, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1030.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1030

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion and
Operations**

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; altering

the purposes for which the proceeds shall be appropriated to include the operations of the Baltimore City Convention Center; and generally relating to hotel room taxes and convention center marketing and operations and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (40)(e)

(2007 Replacement Volume, as amended)

(As enacted by Chapter 151 of the Acts of the General Assembly of 2007, as amended by Chapter 197 of the Acts of the General Assembly of 2012)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(40)

(e) (1) For each fiscal year beginning on or after July 1, 1997 but before [July 1, 2017] **JULY 1, 2022**, the Mayor and City Council shall appropriate from its General Fund to Visit Baltimore ~~specifically~~ for **THE MARKETING AND OPERATIONS OF THE** Convention Center ~~marketing~~ and tourism promotion an amount equal to at least 40% of the proceeds of any hotel room tax imposed.

(2) If the appropriation made for any fiscal year pursuant to paragraph (1) of this subsection is less than the amount required when compared to actual receipts for the completed fiscal year, the difference shall be added to the appropriation to be made for the second succeeding fiscal year. If the appropriation made for any fiscal year pursuant to paragraph (1) of this subsection is more than the amount required when compared to actual receipts for the completed fiscal year, the difference may be deleted from the appropriation to be made for the second succeeding fiscal year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1031 – *State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students*.

This bill provides that a certain provision of law requiring an individual to be registered and approved by the State Board of Pharmacy as a pharmacy technician before performing delegated pharmacy acts does not apply to certain pharmacy students.

Senate Bill 815, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1031.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1031

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students

FOR the purpose of providing that a certain provision of law requiring an individual to be registered and approved by the State Board of Pharmacy as a pharmacy technician before performing delegated pharmacy acts does not apply to a certain pharmacy student; repealing an obsolete provision of law; and generally relating to the State Board of Pharmacy, registered pharmacy technicians, and pharmacy students.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12-101(a), (f), (h), (s), and (w)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6B–01
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health Occupations

12–101.

(a) In this title the following words have the meanings indicated.

(f) (1) “Delegated pharmacy act” means an activity that constitutes the practice of pharmacy delegated by a licensed pharmacist under this title and regulations adopted by the Board.

(2) “Delegated pharmacy act” does not include:

(i) An act within the parameters of a therapy management contract as provided under Subtitle 6A of this title;

(ii) The administration of an influenza vaccination in accordance with § 12–508 of this title;

(iii) The delegation of a pharmacy act by a registered pharmacy technician, pharmacy student, or pharmacy technician trainee;

(iv) A pharmacy activity performed by a pharmacy student in accordance with § 12–301(b) of this title;

(v) A pharmacy activity performed by an applicant for a license to practice pharmacy in accordance with regulations adopted by the Board; or

(vi) The performance of other functions prohibited in regulations adopted by the Board.

(h) “Direct supervision” means that a licensed pharmacist is physically available, notwithstanding appropriate breaks, on-site and in the prescription area or in an area where pharmacy services are provided to supervise the practice of pharmacy and delegated pharmacy acts.

(s) “Pharmacy student” means an individual who is enrolled as a student in a school or college of pharmacy approved by the Board or accredited by the Accreditation Council for Pharmacy Education.

(w) “Registered pharmacy technician” means an individual who is registered with the Board to perform delegated pharmacy acts.

12-6B-01.

(a) Except as otherwise provided in this title, [on or after January 1, 2007,] an individual shall be registered and approved by the Board as a pharmacy technician before the individual may perform delegated pharmacy acts.

(b) This section does not apply to [a]:

(1) A pharmacy technician trainee under the direct supervision of a licensed pharmacist provided that the individual does not perform delegated pharmacy acts for more than 6 months; OR

(2) A PHARMACY STUDENT WHO:

~~(1)~~ **(I) IS CURRENTLY COMPLETING THE FIRST YEAR OF A PROFESSIONAL PHARMACY EDUCATION PROGRAM; AND**

~~(2)~~ **(II) UNDER THE DIRECT SUPERVISION OF A LICENSED PHARMACIST, PERFORMS DELEGATED PHARMACY ACTS IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1047 – *Child Support – Noncompliance With Court Order – License Suspension*.

This bill extends the period of time that an individual with a commercial driver’s license may be out of compliance with the most recent order of the court in making child support

payments before the Child Support Enforcement Administration may notify the Motor Vehicle Administration to suspend the individual's driver's license. This bill also alters the circumstances under which the Child Support Enforcement Administration may request that a license be suspended, denied, or reinstated, and authorizes an individual who has received notice to request an investigation under certain circumstances.

Senate Bill 906, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1047.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1047

AN ACT concerning

~~Child Support – Suspension of Employment Related License for Arrears –
Hardship Exception and Reinstatement~~
Child Support – Noncompliance With Court Order – License Suspension

FOR the purpose of extending the period of time that an individual with a commercial driver's license may be out of compliance with the most recent order of the court in making child support payments before the Child Support Enforcement Administration may notify the Motor Vehicle Administration to suspend the individual's driver's license; altering the circumstances under which the Child Support Enforcement Administration may request that a certain licensing authority suspend or deny a certain license under certain circumstances; requiring that a notice of a certain proposed action to suspend or deny a business, occupational, or professional license for failure to pay child support contain certain information on grounds for requesting a certain investigation; ~~authorizing the Child Support Enforcement Administration to choose temporarily not to request a suspension of a certain license under certain circumstances~~ altering the circumstances under which the Child Support Enforcement Administration may not send a notification about an individual to a certain licensing authority; providing certain additional circumstances under which a certain license suspended for failure to pay child support may be reinstated; making a certain stylistic change; and generally relating to the suspension of ~~employment-related~~ licenses for the failure to pay child support.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 10–119(a) and 10–119.3(a)(1) and (2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section ~~10-119.3(f)~~ 10-119(b)(1) and 10-119.3(e)(1)(i), (f), and (j)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Family Law

10-119.

(a) (1) In this section the following words have the meanings indicated.

(2) “License” has the meaning stated in § 11-128 of the Transportation Article.

(3) “Motor Vehicle Administration” means the Motor Vehicle Administration of the Department of Transportation.

(b) (1) Subject to the provisions of subsection (c) of this section, the Administration may notify the Motor Vehicle Administration of [any] AN obligor WITH A NONCOMMERCIAL LICENSE who is 60 days or more out of compliance, OR AN OBLIGOR WITH A COMMERCIAL LICENSE WHO IS 120 DAYS OR MORE OUT OF COMPLIANCE, with the most recent order of the court in making child support payments if:

(i) the Administration has accepted an assignment of support under § 5-312(b)(2) of the Human Services Article; or

(ii) the recipient of support payments has filed an application for support enforcement services with the Administration.

10-119.3.

(a) (1) In this section the following words have the meanings indicated.

(2) “License” means any license, certificate, registration, permit, or other authorization that:

(i) is issued by a licensing authority;

(ii) is subject to suspension, revocation, forfeiture, or termination by a licensing authority; and

(iii) is necessary for an individual to practice or engage in:

1. a particular business, occupation, or profession; or
2. recreational hunting or fishing.

(e) (1) Except as provided in paragraph (3) of this subsection and subject to the provisions of subsection (f) of this section, the Administration may request a licensing authority to suspend or deny an individual's license if:

(i) 1. the individual is [in arrears amounting to more than] 120 days [under] OR MORE OUT OF COMPLIANCE WITH the most recent order; and

2. A. the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or

B. the recipient of support payments has filed an application for support enforcement services with the Administration; or

(f) (1) At least 30 days before requesting a licensing authority to suspend or deny a license or at least 30 days before making a referral under subsection (e)(3) of this section, the Administration shall:

(i) send written notice of the proposed action to the individual whose license is subject to suspension under this section, including notice of the individual's right to request an investigation; and

(ii) give the individual a reasonable opportunity to contest the accuracy of the information.

(2) ~~(H)~~ **FOR A LICENSE NECESSARY TO PRACTICE OR ENGAGE IN A PARTICULAR BUSINESS, OCCUPATION, OR PROFESSION, THE NOTICE SHALL INCLUDE A STATEMENT THAT THE OBLIGOR HAS THE RIGHT TO REQUEST AN INVESTIGATION ON THE FOLLOWING GROUNDS:**

~~1.~~ **(I) THE REPORTED ARREARAGE IS INACCURATE;**

~~2.~~ **(II) A. 1. THE SUSPENSION OF THE LICENSE WOULD BE AN IMPEDIMENT TO CURRENT OR POTENTIAL EMPLOYMENT BECAUSE THE LICENSE IS NECESSARY FOR THE PRIMARY SOURCE OF INCOME FOR THE OBLIGOR; AND**

~~B. 2.~~ **THE OBLIGOR HAS MADE GOOD FAITH PAYMENTS TOWARD THE CHILD SUPPORT OBLIGATION; OR**

~~3.~~ **(III) THE SUSPENSION OF THE LICENSE WOULD RESULT IN AN UNDUE HARDSHIP BECAUSE:**

~~A~~ **1.** THE OBLIGOR HAS A DOCUMENTED DISABILITY RESULTING IN A VERIFIED INABILITY TO WORK; OR

~~B~~ **2.** THE SUSPENSION OF THE LICENSE WOULD RESULT IN THE INABILITY OF THE OBLIGOR TO COMPLY WITH THE COURT ORDER.

~~(H) THE ADMINISTRATION MAY CHOOSE TEMPORARILY NOT TO REQUEST A LICENSING AUTHORITY TO SUSPEND A LICENSE UNDER THIS SECTION IF THE ADMINISTRATION DETERMINES, AFTER AN INVESTIGATION, THAT SUSPENSION OF THE LICENSE WOULD RESULT IN AN UNDUE HARDSHIP OR WOULD OTHERWISE BE INAPPROPRIATE.~~

(3) (i) Upon receipt of a request for investigation from an individual whose license is subject to suspension, the Administration shall conduct an investigation.

(ii) Upon completion of the investigation, the Administration shall notify the individual of the result of the investigation and the individual's right to appeal to the Office of Administrative Hearings.

~~[(3)]~~ **(4)** (i) An appeal under this section shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(ii) An appeal shall be made in writing and shall be received by the Office of Administrative Hearings within 30 days after the notice to the individual whose license is subject to suspension of the results of the investigation.

~~[(4)]~~ **(5)** If, after the investigation or appeal to the Office of Administrative Hearings, the Administration finds that it erred in making a decision OR THAT ONE OF THE GROUNDS UNDER PARAGRAPH (2) OF THIS SUBSECTION EXISTS, the Administration may not send a notification about an individual to a licensing authority or make a referral under subsection (e)(3) of this section.

(j) The Administration shall notify the licensing authority to reinstate any license suspended or denied under this section within 10 days after the occurrence of any of the following events:

(1) the Administration receives a court order to reinstate the suspended license;

(2) with respect to an individual with a child support arrearage, the individual has:

(i) paid the support arrearage in full;

(ii) demonstrated good faith by paying the ordered amount of support for 4 consecutive months; [or]

(III) PAID A LUMP SUM EQUAL TO FOUR TIMES THE ORDERED AMOUNT OF MONTHLY SUPPORT;

(IV) COOPERATED WITH THE ADMINISTRATION IN ENTERING INTO AN ENFORCEABLE WAGE WITHHOLDING ORDER WITH THE MAXIMUM DEDUCTION PERMITTED UNDER FEDERAL LAW; OR

[(iii)] (V) fully complied with the Noncustodial Parent Employment Assistance Pilot Program established under § 10–112.2 of this title; or

(3) with respect to an individual whose license was suspended or denied because of a failure to comply with a subpoena issued under § 10–108.5 of this subtitle, the individual has complied with the subpoena.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1055 – *St. Mary’s County – Bonds and Other Evidences of Indebtedness – Limitations and Repayment*.

This bill alters the calculation of certain debt limits in St. Mary’s County, subjecting certain bonds and other evidences of indebtedness issued under the authority of the St. Mary’s County Sanitary Commission Act to a specific limit, and requires the responsibility for repayment of the bonds that it issues to remain with the St. Mary’s County Metropolitan Commission.

Senate Bill 737, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1055.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1055

AN ACT concerning

St. Mary's County – Bonds and Other Evidences of Indebtedness – Limitations and Repayment

FOR the purpose of altering certain limits on debt in St. Mary's County ~~to reflect the changes in the computation of assessments as a result of the transition to full value assessments;~~ subjecting certain bonds and other evidences of indebtedness issued under the authority of the St. Mary's County Sanitary Commission Act to a certain limitation and requiring the responsibility for repayment to remain with the St. Mary's County Metropolitan Commission; and generally relating to limitations on and repayment of debt issued under the approval of the County Commissioners of St. Mary's County.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 27–11
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–6
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)
(As enacted by Chapter 284 of the Acts of the General Assembly of 2016)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article 19 – St. Mary's County

27–11.

A. Unless and until otherwise provided by ordinance of the County Commissioners within the limitations provided by public general law, the aggregate amount of bonds and other evidences of indebtedness outstanding at any ONE time may not exceed [five (5) percent upon the assessable basis of the county] **A TOTAL OF THE SUM OF ~~ONE AND EIGHT TENTHS (1.8)~~ TWO AND FIFTEEN HUNDREDTHS (2.15) PERCENT UPON THE ASSESSABLE REAL PROPERTY IN THE COUNTY OTHER THAN THE**

OPERATING REAL PROPERTY OF A PUBLIC UTILITY AND FIVE (5) PERCENT UPON THE ASSESSABLE PERSONAL PROPERTY AND OPERATING REAL PROPERTY OF A PUBLIC UTILITY. However, tax anticipation notes or other evidences of indebtedness having a maturity not in excess of twelve (12) months, bonds or other evidences of indebtedness issued or guaranteed by the county, payable primarily or exclusively from taxes levied in or on or other revenues of special taxing areas or districts heretofore or hereafter established by law, [and] bonds or other evidences of indebtedness issued for self-liquidating and other projects payable primarily or exclusively from the proceeds of assessments or charges for special benefits or services, and agreements or other evidences of indebtedness executed or guaranteed by the county, payable primarily or exclusively from investment instruments purchased by the county, that are guaranteed to yield proceeds equal to or exceeding the amount of the county's indebtedness, are not subject to or to be included as bonds or evidences of indebtedness in computing or applying the percent limitations above provided.

B. All bonds or other evidences of indebtedness issued under the authority of the Sanitary Commission Act shall be [construed as exempt, under Subsection A above, from] **SUBJECT TO** the percent limitation **SET FORTH** in **SUBSECTION A OF** this section [provided but shall continue as heretofore to be subject to the percent limitation as from time to time provided in said Act]. **RESPONSIBILITY FOR REPAYMENT SHALL REMAIN WITH THE ST. MARY'S COUNTY METROPOLITAN COMMISSION.**

C. All bonds or other evidences of indebtedness issued by the County Commissioners for the benefit of St. Mary's Hospital of St. Mary's County may not be included as bonds or other evidences of indebtedness in computing or applying the percent limitation provided in Subsection A of this section.

113-6.

A. For the purpose of providing funds for the design, construction, establishment, purchase or condemnation of water supply and sewerage systems in any of the sanitary districts, the Commission, upon the approval of the County Commissioners of St. Mary's County **AND IN ACCORDANCE WITH § 27-11 OF THE ST. MARY'S COUNTY CODE**, is authorized and empowered to issue bonds, from time to time, upon the full faith and credit of St. Mary's County, in such amounts as it may deem to be necessary to carry on its work, but at no time shall the total issue of bonds for all purposes under this chapter exceed twenty-five (25) percent of the total value of the property assessed for County taxation purposes within all of the sanitary districts in which public water or sewer facilities are located. Subject to the conditions contained herein, the form, tenor, manner of selling and all other matters relating to the issuance of bonds under this chapter shall be prescribed in a resolution to be adopted by the St. Mary's County Metropolitan Commission prior to sale of the bonds. [The] **EXCEPT AS PROVIDED IN § 27-11 OF THE ST. MARY'S COUNTY CODE, THE** issuance of such bonds may not be subject to any limitations or conditions contained in any other law, and the Commission may sell such bonds in such manner, either at public or private sale, and for such price, as it may determine to be for the best interests of the Commission and the County Commissioners of St. Mary's County. The bonds shall

be serial bonds issued upon the serial maturing plan and in such denominations as shall be determined by the Commission. The bonds may be redeemable before maturity at the option of the Commission at such price and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds, shall bear interest at such rate or rates payable semiannually, as shall be determined by a resolution of the St. Mary's County Metropolitan Commission adopted prior to the delivery of the bonds, and shall mature in not more than forty (40) years after date of issue and shall be forever exempt from State, City and County taxation as hereinafter provided. They shall be issued under the signature and seal of the Commission and shall be unconditionally guaranteed as to payment of both principal and interest by the County Commissioners of St. Mary's County, a political subdivision of the State of Maryland, which guaranty shall be endorsed on each of the bonds in the following language: "The payment of interest when due and the principal at maturity is guaranteed by the County Commissioners of St. Mary's County, Maryland." Such endorsement shall be signed on each of the bonds by the President and by the Clerk of the Board of County Commissioners of the County, or another person lawfully assigned to the functions of the Clerk, within ten (10) days after the bonds are presented by the Commission to them for endorsement.

B. The principal amount of bonds issued hereunder, the interest payable thereon, their transfer and any income derived therefrom, including any profit made in the sale or transfer thereof, shall be and remain exempt from taxation by the State of Maryland and by the several counties and municipal corporations of this State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1093 – *Substance Use Treatment – Inpatient and Intensive Outpatient Programs – Consent by Minor*.

This bill authorizes a parent or a guardian of a minor to apply, on behalf of the minor, for admission of the minor to a certified intensive outpatient alcohol and drug abuse program. This bill also requires programs to note specific information on an application in order for an individual to be retained for certain treatment, and provides that certain programs have

the right to discharge an individual under certain circumstances. In addition, this bill specifies that the capacity of a minor to consent to treatment for drug abuse or alcoholism does not include the capacity to refuse treatment in an intensive outpatient alcohol or drug abuse treatment program.

Senate Bill 433, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1093.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1093

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –
Consent by Minor**

FOR the purpose of authorizing a parent or a guardian of the person of a minor to apply, on behalf of the minor, for admission of the minor to a certified intensive outpatient alcohol and drug abuse program; requiring certain programs to note certain information on a certain application in order for an individual to be retained for certain treatment; providing that certain programs have the right to discharge an individual admitted for certain treatment under certain circumstances; providing that the capacity of a minor to consent to treatment for drug abuse or alcoholism does not include the capacity to refuse certain treatment for drug abuse or alcoholism in a certain intensive outpatient treatment program; making a stylistic change; and generally relating to consent of minors for alcohol and drug abuse treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–502.1 and 20–102
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

8–502.1.

(a) A parent or guardian of the person of a minor may apply, on behalf of the minor, for admission of the minor to a certified inpatient alcohol and drug abuse program

or facility **OR A CERTIFIED INTENSIVE OUTPATIENT ALCOHOL AND DRUG ABUSE PROGRAM** under this section.

(b) A program or facility may not admit an individual under this section unless the program or facility has determined that:

(1) The individual has an alcohol or other drug dependency that necessitates the level of care provided by the program or facility;

(2) The individual would benefit from treatment;

(3) The parent or guardian making application for admission of the individual understands the nature of the request for admission and the nature of the treatment provided by the program or facility; and

(4) Assent to the admission has been given by the Director or the Director's designee of the program or facility.

(c) In order for an individual to be retained for treatment under this section:

(1) The parent or guardian who applied for admission of the individual shall have the right to be actively involved in treatment; and

(2) The **PROGRAM OR** facility [must] **SHALL** note on the application for admission whether or not the minor was admitted in accordance with the provisions of § 20-102(c-1) of this article.

(d) A **PROGRAM OR** facility has the right to discharge an individual admitted for treatment under this section if the individual is not complying with the treatment program or the facility's policies and procedures.

20-102.

(a) A minor has the same capacity as an adult to consent to medical or dental treatment if the minor:

(1) Is married;

(2) Is the parent of a child; or

(3) (i) Is living separate and apart from the minor's parent, parents, or guardian, whether with or without consent of the minor's parent, parents, or guardian; and

(ii) Is self-supporting, regardless of the source of the minor's income.

(b) A minor has the same capacity as an adult to consent to medical treatment if, in the judgment of the attending physician, the life or health of the minor would be affected adversely by delaying treatment to obtain the consent of another individual.

(c) A minor has the same capacity as an adult to consent to:

- (1) Treatment for or advice about drug abuse;
- (2) Treatment for or advice about alcoholism;
- (3) Treatment for or advice about venereal disease;
- (4) Treatment for or advice about pregnancy;
- (5) Treatment for or advice about contraception other than sterilization;
- (6) Physical examination and treatment of injuries from an alleged rape or sexual offense;
- (7) Physical examination to obtain evidence of an alleged rape or sexual offense; and
- (8) Initial medical screening and physical examination on and after admission of the minor into a detention center.

(c-1) The capacity of a minor to consent to treatment for drug abuse or alcoholism under subsection (c)(1) or (2) of this section does not include the capacity to refuse treatment for drug abuse or alcoholism in an inpatient **OR INTENSIVE OUTPATIENT** alcohol or drug abuse treatment program certified under Title 8 of this article for which a parent or guardian has given consent.

(d) A minor has the same capacity as an adult to consent to psychological treatment as specified under subsection (c)(1) and (2) of this section if, in the judgment of the attending physician or a psychologist, the life or health of the minor would be affected adversely by delaying treatment to obtain the consent of another individual.

(e) A licensed health care practitioner who treats a minor is not liable for civil damages or subject to any criminal or disciplinary penalty solely because the minor did not have capacity to consent under this section.

(f) Without the consent of or over the express objection of a minor, a licensed health care practitioner may, but need not, give a parent, guardian, or custodian of the minor or the spouse of the parent information about treatment needed by the minor or provided to the minor under this section, except information about an abortion.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1344 – *Baltimore City and Charles, Prince George’s, and Harford Counties – Recall of Former Judge for Temporary Assignment – Eligibility*.

This bill alters the eligibility requirements for recall of a former judge in Baltimore City, Charles County, Harford County, and Prince George’s County for temporary assignment.

Senate Bill 182, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1344.

Sincerely,

Lawrence J. Hogan, Jr.
 Governor

House Bill 1344

AN ACT concerning

~~Charles and~~ **Baltimore City and Charles, Prince George’s, and Harford Counties**
– Recall of Former Judge for Temporary Assignment – Eligibility

FOR the purpose of altering the eligibility requirements for recall of a former judge in Baltimore City, Charles County, Harford County, and Prince George’s County for temporary assignment; making this Act an emergency measure; and generally relating to the recall of former judges for temporary assignment.

BY repealing and reenacting, without amendments,
 Article – Courts and Judicial Proceedings
 Section 1–302(a) and (c)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings

Section 1–302(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

1–302.

(a) In this section, “former judge” means a judge who previously served in a court.

(b) Except as provided in subsection (c) of this section, the Chief Judge of the Court of Appeals may assign any former judge to sit temporarily in any court if the temporary assignment is approved by the administrative judge of the circuit in which the former judge is to be assigned and if the former judge:

(1) Has served in the aggregate at least 2 years as a judge, except that:

~~(i) In Baltimore City and [Charles, Prince George’s, and] Harford [counties] COUNTY the former judge shall have served in the aggregate at least 3 years as a judge; and~~

~~(ii) In IN Talbot County, the former judge shall have served in the aggregate at least 1 year as a judge;~~

(2) Has been approved for assignment by a majority of the judges of the Court of Appeals;

(3) Meets the standards established by this section as well as any additional standards established by rule of the Court of Appeals; and

(4) Has consented to the assignment.

(c) A former judge may not be recalled for temporary assignment if the judge:

(1) Was removed or involuntarily retired from judicial office pursuant to the Constitution or laws of this State;

(2) Voluntarily retired by reason of disability;

(3) Had the most recent service as a judge terminated by reason of defeat for election to judicial office or by rejection of confirmation by the Senate;

(4) Was censured by the Court of Appeals upon recommendation of the Commission on Judicial Disabilities; or

(5) Is engaged in the practice of law.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1360 – *Estates and Trusts – Vehicle Transfers – Excise Tax and Fee Exemption*.

This bill provides that the motor vehicle excise tax and certificate of title fee may not be imposed for the issuance of a certificate of title for certain vehicles transferred, under certain circumstances, to a trust or from a trust to certain beneficiaries.

Senate Bill 449, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1360.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1360

AN ACT concerning

Estates and Trusts – Vehicle Transfers – Excise Tax and Fee Exemption

FOR the purpose of providing that the motor vehicle excise tax and certificate of title fee may not be imposed for the issuance of a certificate of title for certain vehicles transferred, under certain circumstances, to a trust or from a trust to certain beneficiaries; altering a certain definition; defining a certain term; and generally relating to an exemption from the motor vehicle excise tax and certificate of title fee.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 14.5–103(a), (d), (t), and (v)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14.5–1001
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 13–802(c) and 13–810(a)(26)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–810(a)(24) and (25)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Estates and Trusts

14.5–103.

(a) In this title the following words have the meanings indicated.

(d) “Beneficiary” means a person that:

(1) Has a present or future beneficial interest in a trust, vested or contingent; or

(2) In a capacity other than that of a trustee, holds a power of appointment over trust property.

(t) (1) “Qualified beneficiary” means a beneficiary that on the date the qualification of the beneficiary is determined:

(i) Is a distributee or permissible distributee of trust income or principal;

(ii) Would be a distributee or permissible distributee of trust income or principal if the interests of the distributees described in item (i) of this paragraph terminated on that date without causing the trust to terminate; or

(iii) Would be a distributee or permissible distributee of trust income or principal if the trust terminated on that date and no power of appointment was exercised.

(2) “Qualified beneficiary” does not include an appointee under the will of a living person or the object of an unexercised inter vivos power of appointment.

(v) (1) “Settlor” means a person, including a testator, that creates or contributes property to a trust.

(2) “Settlor” includes a person that, with other settlors, creates or contributes property to a trust in which case each such person is a settlor of the portion of the trust property attributable to the contribution of that person except to the extent another person has the power to revoke or withdraw that portion.

14.5–1001.

(a) (1) In this section the following words have the meanings indicated.

(2) “Consideration” does not include the amount of any obligation under a mortgage, [or] deed of trust, **OR OTHER WRITING** encumbering the transferred property.

(3) “Trust” does not include:

(i) A real estate investment trust as defined in § 8–101 of the Corporations and Associations Article; or

(ii) A statutory trust as defined in § 12–101 of the Corporations and Associations Article.

(4) “VEHICLE” INCLUDES:

(I) A MOTOR VEHICLE, A TRAILER, A SEMITRAILER, A MOPED, A MOTOR SCOOTER, OR AN OFF–HIGHWAY RECREATIONAL VEHICLE FOR WHICH SALES AND USE TAX IS NOT COLLECTED AT THE TIME OF PURCHASE; OR

(II) A MOTOR VEHICLE, TRAILER, OR SEMITRAILER THAT IS IN INTERSTATE OPERATION AND REGISTERED UNDER § 13-109(C) OR (D) OF THE TRANSPORTATION ARTICLE WITHOUT A CERTIFICATE OF TITLE.

(b) A recordation tax, transfer tax, or any other State or local excise tax may not be imposed on the transfer of real property or an interest in real property without consideration or on the recordation of an instrument that transfers real property or an interest in real property without consideration if:

(1) The transfer is to a trust; or

(2) The transfer is from a trust to one or more beneficiaries and:

(i) The transfer is made to a person that would be exempt from tax under Title 12 or Title 13 of the Tax – Property Article if the transfer had been made to that person directly by the grantor; or

(ii) The transfer is made during the life of the grantor of the trust and the trustee of the trust originally acquired the real property for adequate consideration.

(C) AN EXCISE TAX OR A CERTIFICATE OF TITLE FEE IMPOSED UNDER TITLE 13, SUBTITLE 8 OF THE TRANSPORTATION ARTICLE MAY NOT BE IMPOSED ON THE ISSUANCE OF AN ORIGINAL OR SUBSEQUENT CERTIFICATE OF TITLE ISSUED FOR A VEHICLE THAT IS TRANSFERRED WITHOUT CONSIDERATION IF:

(1) THE TRANSFER IS TO A TRUST AND THE TRANSFER WOULD BE EXEMPT FROM THE EXCISE TAX UNDER § 13-810 OF THE TRANSPORTATION ARTICLE IF THE TRANSFEROR TRANSFERRED THE VEHICLE DIRECTLY TO ONE OR MORE OF THE BENEFICIARIES; OR

(2) THE TRANSFER IS FROM A TRUST TO ONE OR MORE BENEFICIARIES OF THE TRUST AND:

(I) THE TRANSFER IS MADE TO A PERSON THAT WOULD BE EXEMPT FROM THE EXCISE TAX UNDER § 13-810 OF THE TRANSPORTATION ARTICLE IF THE TRANSFER HAD BEEN MADE TO THAT PERSON DIRECTLY BY THE TRANSFEROR OF THE VEHICLE TO THE TRUST; OR

(II) THE TRANSFER IS MADE DURING THE LIFE OF THE SETTLOR OF THE TRUST AND THE TRUSTEE OF THE TRUST ORIGINALLY ACQUIRED THE VEHICLE FOR ADEQUATE CONSIDERATION.

Article – Transportation

(C) THE ADMINISTRATION MAY NOT CHARGE A FEE FOR A CERTIFICATE OF TITLE ISSUED FOR A VEHICLE THAT IS TRANSFERRED TO A TRUST OR FROM A TRUST TO ONE OR MORE BENEFICIARIES IN ACCORDANCE WITH § 14.5-1001 OF THE ESTATES AND TRUSTS ARTICLE.

13-810.

(a) On issuance in this State of an original or subsequent certificate of title for a vehicle, the vehicle is exempt from the excise tax imposed by this part, if it is:

(24) A vehicle acquired by a religious, charitable, or volunteer organization exempt from taxation under § 501(c) of the Internal Revenue Code, the Department of Human Resources, or a local department of social services for the purpose of transferring the vehicle to a Family Investment Program recipient or an individual certified by the Department of Human Resources or a local department of social services as eligible for the transfer; [or]

(25) A rental vehicle; **OR**

(26) A VEHICLE THAT IS TRANSFERRED TO A TRUST OR FROM A TRUST TO ONE OR MORE BENEFICIARIES IN ACCORDANCE WITH § 14.5-1001 OF THE ESTATES AND TRUSTS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1439 – *Calvert County – Bonding Authority*.

This bill authorizes and empowers the County Commissioners of Calvert County to borrow not more than \$17,620,000 to finance the construction, improvement, or development of

certain public facilities in Calvert County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds.

Senate Bill 473, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1439.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1439

AN ACT concerning

Calvert County – Bonding Authority

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$17,620,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as used herein, the term “County” means the body politic and corporate of the State of Maryland known as the County Commissioners of Calvert County, and the term “construction, improvement, or development of public facilities” means the acquisition, alteration, construction, reconstruction, enlargement, equipping, expansion, extension, improvement, rehabilitation, renovation, upgrading, and repair of public buildings and facilities, including but not limited to the Prince Frederick Volunteer Fire Department, West Dares Beach Road, the Appeal Landfill transfer station, and acquisition of fire and rescue apparatus, and issuance costs together with the costs of acquiring land or interests

in land as well as any related architectural, financial, legal, planning, or engineering services.

SECTION 2. AND BE IT FURTHER ENACTED, That the County is hereby authorized to finance any part or all of the costs of the public facilities described in Section 1 of this Act, and to borrow money and incur indebtedness for that purpose, at one time or from time to time, in an amount not exceeding, in the aggregate, \$17,620,000 and to evidence such borrowing by the issuance and sale upon its full faith and credit of general obligation bonds in like par amount, which may be issued at one time or from time to time, in one or more groups or series, as the County may determine.

SECTION 3. AND BE IT FURTHER ENACTED, That the bonds shall be issued in accordance with a resolution of the County, which shall describe generally the construction, improvement, or development of public facilities for which the proceeds of the bond sale are intended and the amount needed for those purposes. The County shall have and is hereby granted full and complete authority and discretion in the resolution to fix and determine with respect to the bonds of any issue: the designation, date of issue, denomination or denominations, form or forms, and tenor of the bonds which, without limitation, may be issued in registered form within the meaning of § 19–204 of the Local Government Article of the Annotated Code of Maryland, as amended; the rate or rates of interest payable thereon, or the method of determining the same, which may include a variable rate; the date or dates and amount or amounts of maturity, which need not be in equal par amounts or in consecutive annual installments, provided only that no bond of any issue shall mature later than 30 years from the date of its issue; the manner of selling the bonds, which may be at either public or private sale, for such price or prices as may be determined to be for the best interests of Calvert County; the manner of executing and sealing the bonds, which may be by facsimile; the terms and conditions, if any, under which bonds may be tendered for payment or purchase prior to their stated maturity; the terms or conditions, if any, under which bonds may or shall be redeemed prior to their stated maturity; the place or places of payment of the principal of and the interest on the bonds, which may be at any bank or trust company within or without the State of Maryland; covenants relating to compliance with applicable requirements of federal income tax law, including (without limitation) covenants regarding the payment of rebate or penalties in lieu of rebate; covenants relating to compliance with applicable requirements of federal or state securities laws; and generally all matters incident to the terms, conditions, issuance, sale, and delivery thereof.

The bonds may be made redeemable before maturity, at the option of the County, at such price or prices and under such terms and conditions as may be fixed by the County prior to the issuance of the bonds, either in the resolution or in a bond order pursuant to the bond resolution. The bonds may be issued in registered form and provision may be made for the registration of the principal only. In case any officer whose signature appears on any bond ceases to be such officer before the delivery thereof, such signature shall nevertheless be valid and sufficient for all purposes as if he had remained in office until such delivery. The bonds and the issuance and sale thereof shall be exempt from the provisions of §§ 19–205 and 19–206 of the Local Government Article of the Annotated Code of Maryland, as amended.

The County may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the marketability of any security for the bonds and for the purpose of securing any tender option that may be granted to holders of the bonds, all as may be determined and presented in the aforesaid resolution, which may (but need not) state as security for the performance by the County of any monetary obligations under such agreements the same security given by the County to bondholders for the performance by the County of its monetary obligations under the bonds.

If the County determines in the resolution to offer any of the bonds by solicitation of competitive bids at public sale, the resolution shall fix the terms and conditions of the public sale and shall adopt a form of notice of sale, which shall outline the terms and conditions, and a form of advertisement, which shall be published in one or more daily or weekly newspapers having a general circulation in the County and which may also be published in one or more journals having a circulation primarily among banks and investment bankers. At least one publication of the advertisement shall be made not less than 10 days before the sale of the bonds.

Upon delivery of any bonds to the purchaser or purchasers, payment therefor shall be made to the Treasurer of Calvert County or such other official of Calvert County as may be designated to receive such payment in a resolution passed by the County before such delivery.

SECTION 4. AND BE IT FURTHER ENACTED, That the net proceeds of the sale of bonds shall be used and applied exclusively and solely for the acquisition, construction, improvement, or development of public facilities for which the bonds are sold. If the amounts borrowed shall prove inadequate to finance the projects described in the resolution, the County may issue additional bonds with the limitations hereof for the purpose of evidencing the borrowing of additional funds for such financing, provided the resolution authorizing the sale of additional bonds shall so recite, but if the net proceeds of the sale of any issue of bonds exceed the amount needed to finance the projects described in the resolution, the excess funds so borrowed and not expended shall be applied to the payment of the next principal maturity of the bonds or to the redemption of any part of the bonds which have been made redeemable or to the purchase and cancellation of bonds, unless the County shall adopt a resolution allocating the excess funds to the acquisition, construction, improvement, or development of other public facilities, as defined and within the limits set forth in this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That the bonds hereby authorized shall constitute, and they shall so recite, an irrevocable pledge of the full faith and credit and unlimited taxing power of the County to the payment of the maturing principal of and interest on the bonds as and when they become payable. In each and every fiscal year that any of the bonds are outstanding, the County shall levy or cause to be levied ad valorem taxes upon all the assessable property within the corporate limits of the County in rate and amount sufficient to provide for or assure the payment, when due, of the principal of and interest on all the bonds maturing in each such fiscal year and, in the event the proceeds from the taxes so levied in any such fiscal year shall prove inadequate for such payment,

additional taxes shall be levied in the succeeding fiscal year to make up any such deficiency. The County may apply to the payment of the principal of and interest on any bonds issued hereunder any funds received by it from the State of Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, if such funds are granted for the purpose of assisting the County in financing the acquisition, construction, improvement, or development of the public facilities defined in this Act and, to the extent of any such funds received or receivable in any fiscal year, the taxes that are required to be levied may be reduced accordingly.

SECTION 6. AND BE IT FURTHER ENACTED, That the County is further authorized and empowered, at any time and from time to time, to issue its bonds in the manner hereinabove described for the purpose of refunding, by payment at maturity or upon purchase or redemption, any bonds issued hereunder. The validity of any such refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the obligations so refunded. The powers herein granted with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds. Such refunding bonds may be issued by the County in such an amount as shall be necessary for the purpose of providing it with funds to pay any of its outstanding bonds issued hereunder at maturity, for the purpose of providing it with funds to purchase in the open market any of its outstanding bonds issued hereunder, prior to the maturity thereof, or for the purpose of providing it with funds for the redemption prior to maturity of any outstanding bonds issued hereunder which are, by their terms, redeemable, for the purpose of providing it with funds to pay interest on any outstanding bonds issued hereunder prior to their payment at maturity of purchase or redemption in advance of maturity, or for the purpose of providing it with funds to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds issued hereunder. The proceeds of the sale of any such refunding bonds shall be segregated and set apart by the County as a separate trust fund to be used solely for the purpose of paying the purchase or redemption prices of the bonds to be refunded.

SECTION 7. AND BE IT FURTHER ENACTED, That the County may, prior to the preparation of definitive bonds, issue interim certificates or temporary bonds, exchangeable for definitive bonds when such bonds have been executed and are available for such delivery, provided, however, that any such interim certificates or temporary bonds shall be issued in all respects subject to the restrictions and requirements set forth in this Act. The County may, by appropriate resolution, provide for the replacement of any bonds issued hereunder which shall have become mutilated or lost or destroyed upon such conditions and after receiving such indemnity as the County may require.

SECTION 8. AND BE IT FURTHER ENACTED, That any and all obligations issued pursuant to the authority of this Act, their transfer, the interest payable thereon, and any income derived therefrom in the hands of the holders thereof from time to time (including any profit made in the sale thereof) shall be and are hereby declared to be at all times exempt from State, county, municipal, or other taxation of every kind and nature whatsoever within the State of Maryland. Nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes.

SECTION 9. AND BE IT FURTHER ENACTED, That the authority to borrow money and issue bonds conferred on the County by this Act shall be deemed to provide an additional and alternative authority for borrowing money and shall be regarded as supplemental and additional to powers conferred upon the County by other laws and shall not be regarded as in derogation of any power now existing; and all Acts of the General Assembly of Maryland heretofore passed authorizing the County to borrow money are hereby continued to the extent that the powers contained in such Acts have not been exercised, and nothing contained in this Act may be construed to impair, in any way, the validity of any bonds that may have been issued by the County under the authority of any said Acts, and the validity of the bonds is hereby ratified, confirmed, and approved. This Act, being necessary for the welfare of the inhabitants of Calvert County, shall be liberally construed to effect the purposes hereof. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1450 – *Washington County – Alcoholic Beverages – Hotel and Motel Licenses*.

This bill alters the privileges of a Class B beer, wine, and liquor license issued to a hotel and or motel in Washington County so that the privileges may be exercised for on- and off-premises consumption under specific circumstances, and for on-premises consumption only for all other licenses. This bill also requires the licensee to notify the Washington County Board of License Commissioners prior to constructing or altering an area on the licensed premises where beer, wine, and liquor are sold.

Senate Bill 1039, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1450.

Sincerely,

Lawrence J. Hogan, Jr.

Governor

House Bill 1450

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

FOR the purpose of altering the privileges of Class B beer, wine, and liquor hotel and restaurant licenses issued in Washington County so that the privileges may be exercised for on- and off-premises consumption for certain licenses and for on-premises consumption only for all other licenses; requiring the license holder to notify the Board before constructing or altering an area on the premises where beer, wine, and liquor are sold; making certain conforming changes; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 31-102
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 31-903
 Annotated Code of Maryland
 (2016 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

31-102.

This title applies only in Washington County.

31-903.

(a) There is a Class B beer, wine, and liquor [(on-sale)] hotel and restaurant license.

(b) The Board may issue the license to the owner of a hotel or motel that:

(1) is in a building at least three stories tall that was originally constructed for hotel or motel purposes;

(2) has a capital investment of at least \$500,000; and

(3) contains:

(i) at least one passenger elevator;

(ii) at least 100 rooms to accommodate the public;

(iii) a lobby with a registration and mail desk and seating facilities;

and

(iv) a ballroom, conference room, or banquet room.

(c) The license authorizes the license holder to sell beer, wine, and liquor at a hotel or restaurant at retail at the place described in the license[, for on-premises consumption]:

(1) through room service or otherwise to registered guests; or

(2) by the glass, bottle, or can to individuals attending an event in a ballroom, conference room, or banquet room.

(D) THE PRIVILEGES OF THE LICENSE MAY BE EXERCISED:

(1) FOR ON- AND OFF-PREMISES CONSUMPTION, IF:

(I) THE LICENSE WAS ISSUED ON OR BEFORE JUNE 30, 2016, WITH AN OFF-SALE PRIVILEGE; AND

(II) THE LICENSE HOLDER HAS OPERATED A RETAIL STORE ON THE LICENSED PREMISES SINCE AT LEAST JUNE 30, 2016; AND

(2) FOR ON-PREMISES CONSUMPTION ONLY, FOR ALL OTHER LICENSES.

(E) THE LICENSE HOLDER SHALL NOTIFY THE BOARD BEFORE CONSTRUCTING OR ALTERING AN AREA ON THE PREMISES WHERE BEER, WINE, AND LIQUOR ARE SOLD.

[(d)] ~~(E)~~ **(F)** Except as provided in regulations adopted by the Board under subsection [(f)] ~~(G)~~ **(H)** of this section, the license holder may sell beer, wine, and liquor during the hours and days as set out for a Class B beer, wine, and liquor (on-sale) license under § 31-2004(c) of this title.

[(e)] ~~(F)~~ **(G)** (1) The annual license fee is \$1,000.

(2) The fee for a Sunday permit is \$250.

[(f)] ~~(G)~~ (H) The Board may adopt regulations to carry out this section, including regulations that:

(1) provide for the manner of dispensing beer, wine, and liquor under the license;

(2) provide for the hours and days of sale; and

(3) limit the quantity of alcoholic beverages that may be sold to an individual as a single serving or during a 24-hour period.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1517 – *Maryland Nonprofit Development Center Program and Fund – Bridge Loans*.

This bill renames the Maryland Not-For-Profit Development Center as the Maryland Nonprofit Development Center, and expands the scope of the Program to include bridge loans for certain expenses for certain nonprofit entities. This bill establishes the Nonprofit, Interest-Free, Micro Bridge Loan Account within the Fund, and provides that the Account consists of certain money from the Small, Minority, and Women-Owned Businesses Account and any other money appropriated, transferred, or repaid to the Account, as well as prohibits the money in the Account from exceeding a certain amount. This bill requires certain money in the Account to be transferred to the Small, Minority, and Women-Owned Businesses Account under certain circumstances.

This bill also authorizes the Department of Commerce to establish an application process and receive certain written confirmation before providing a bridge loan, and requires the Department to establish a certain schedule and terms of repayment for a bridge loan. In addition, this bill requires the Comptroller to pay a certain percentage, up to a certain amount, from the Small, Minority, and Women-Owned Businesses Account to the

Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account beginning in a certain fiscal year; authorizes the Governor to transfer certain funds on or before a certain date to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account; and, requires that Department to report to the Governor and the General Assembly on or before a certain date.

Senate Bill 465, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1517.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

House Bill 1517

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

FOR the purpose of renaming the Maryland Not-For-Profit Development Center Program and the Maryland Not-For-Profit Development Center Program Fund to be the Maryland Nonprofit Development Center Program and the Maryland Nonprofit Development Center Program Fund; expanding the scope of the Program to include bridge loans for certain expenses for certain nonprofit entities; establishing the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account within the Fund; providing that the Account consists of certain money from the Small, Minority, and Women-Owned Businesses Account and any other money appropriated, transferred, or repaid to the Account; prohibiting money in the Account from exceeding a certain amount; requiring certain money in the Account to be transferred to the Small, Minority, and Women-Owned Businesses Account under certain circumstances; expanding the Fund to include certain ~~proceeds of video lottery terminals~~ money in the Account; authorizing the Department of Commerce to provide a certain bridge loan under certain circumstances; requiring the Department to establish a certain application process and receive a certain written confirmation before providing a bridge loan; ~~requiring a bridge loan to be repaid within a certain period of time~~ requiring the Department to establish a certain schedule and terms of repayment for a bridge loan; requiring the Comptroller to pay a certain ~~amount from the proceeds of certain video lottery terminals to the Fund~~ percentage, up to a certain amount, from the Small, Minority, and Women-Owned Businesses Account to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account *beginning in a certain fiscal year; authorizing the Governor to transfer certain funds on or before a certain date to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account;* requiring the Department to report to the Governor and the General Assembly on or before a certain date on certain matters; altering certain definitions; making certain

conforming changes; and generally relating to the Maryland Nonprofit Development Center Program.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–1201 through 5–1205 to be under the amended subtitle “Subtitle 12. Maryland Nonprofit Development Center Program”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–27(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–27(b) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, The nonprofit sector provides vital services to our community, including affordable housing, job training, child development, and public health, without which the government would have to foot the bill; and

WHEREAS, One in ten Maryland workers is employed by the nonprofit sector; and

WHEREAS, According to a report by Maryland Nonprofits and the Center for Nonprofit Advancement, 37 percent of nonprofit entities in the State saw an increased demand in their services and half of those nonprofit entities were unable to meet the increased demand; and

WHEREAS, Nonprofit entities disproportionately employ, are led by, and benefit marginalized groups, including minorities and women; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Economic Development

Subtitle 12. Maryland [Not–For–Profit] **NONPROFIT** Development Center Program.

5–1201.

(a) In this subtitle the following words have the meanings indicated.

(b) “Fund” means the Maryland [Not–For–Profit] **NONPROFIT** Development Center Program Fund established under § 5–1204 of this subtitle.

(c) [“Not–for–profit] **“NONPROFIT** entity” means a corporation incorporated in the State, or otherwise qualified to do business in the State, that has been determined by the Internal Revenue Service to be exempt from taxation under § 501(c)(3), (4), or (6) of the Internal Revenue Code.

(d) “Program” means the Maryland [Not–For–Profit] **NONPROFIT** Development Center Program established under § 5–1202 of this subtitle.

(e) “Qualifying [not–for–profit] **NONPROFIT** entity” means a [not–for–profit] **NONPROFIT** entity:

(1) that has annual revenues not greater than \$750,000;

(2) that has been in existence for not more than 10 years; and

(3) whose principal purpose is providing health, education, environmental, agricultural, or social services through community–based programs.

5–1202.

(a) There is a Maryland [Not–For–Profit] **NONPROFIT** Development Center Program in the Department.

(b) The Program shall foster, support, and assist the economic growth and revitalization of qualifying [not–for–profit] **NONPROFIT** entities in the State by providing training and technical assistance services **AND BRIDGE LOANS TO NONPROFIT ENTITIES WAITING TO RECEIVE THE THAT HAVE RECEIVED WRITTEN CONFIRMATION OF FUNDING FROM GOVERNMENT GRANTS OR CONTRACTS BUT HAVE NOT YET RECEIVED THE FUNDING.**

5–1203.

The Program shall provide assistance to qualifying [not–for–profit] **NONPROFIT** entities, including:

(1) operation of an information exchange governing current and new technical information and data about all aspects of [not–for–profit] **NONPROFIT** management, including:

(i) [not–for–profit] **NONPROFIT** start–up;

- (ii) budgeting and financial management;
 - (iii) facilities development and management;
 - (iv) board development;
 - (v) organizational development and strategic planning;
 - (vi) marketing;
 - (vii) federal and State contracting and grant making;
 - (viii) individual, corporate, and foundation fund-raising;
 - (ix) volunteer management;
 - (x) personnel management;
 - (xi) federal and State tax law and regulations;
 - (xii) federal and State law and regulations governing charitable solicitations;
 - (xiii) federal and State regulations applicable to licensing or accreditation;
 - (xiv) federal and State financing programs; and
 - (xv) information technology; and
- (2) individual consultation and technical assistance to any qualifying [not-for-profit] NONPROFIT entity that requests the service, including assistance on any of the subjects identified in item (1) of this section.

5-1204.

(a) (1) **(I)** There is a Maryland [Not-For-Profit] NONPROFIT Development Center Program Fund in the Department.

(II) 1. WITHIN THE FUND, THERE IS A NONPROFIT, INTEREST-FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT.

2. THE ACCOUNT CONSISTS OF:

A. MONEY RECEIVED UNDER § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE; AND

B. ANY OTHER MONEY APPROPRIATED, TRANSFERRED BY BUDGET AMENDMENT, OR REPAYED TO THE ACCOUNT.

3. THE MONEY IN THE ACCOUNT MAY NOT EXCEED \$1,000,000.

4. IF THE MONEY IN THE ACCOUNT EXCEEDS \$1,000,000, ANY MONEY IN EXCESS OF THAT AMOUNT SHALL BE TRANSFERRED TO THE SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES ACCOUNT ESTABLISHED UNDER § 9-1A-35 OF THE STATE GOVERNMENT ARTICLE.

(2) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.

(3) The Fund consists of:

(i) money appropriated in the State budget to the Fund; [and]

(ii) ~~MONEY RECEIVED UNDER § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE~~ **IN THE NONPROFIT, INTEREST-FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT; AND**

(iii) all other money accepted for the benefit of the Fund, including an additional \$50 fee to be paid for the processing of articles of incorporation of a nonstock corporation in accordance with § 1-203 of the Corporations and Associations Article.

(b) (1) The purpose of the Fund is to provide grant money **AND BRIDGE LOANS** to support the operations of the Program consistent with this subtitle.

(2) As provided in the State budget, the Fund also may be used by the Department of General Services to evaluate the participation of [not-for-profit] **NONPROFIT** entities in State procurement.

5-1205.

(a) The Department shall designate at least one private [not-for-profit] **NONPROFIT** entity to receive grants from the Maryland [Not-For-Profit] **NONPROFIT** Development Center Program Fund to implement the Program.

(b) In selecting a designee, the Department shall consider and give priority to organizations that:

(1) have experience in providing the scope of assistance and services required under § 5–1203 of this subtitle to qualifying [not–for–profit] NONPROFIT entities in the State;

(2) demonstrate the capacity to provide the assistance and services required under § 5–1203 of this subtitle on a statewide basis; and

(3) demonstrate current expenditures that:

(i) are equal to at least three times the amount of funding received under this section; and

(ii) have been received from other sources for the provision of assistance and services of the type required under § 5–1203 of this subtitle to [not–for–profit] NONPROFIT entities in the State.

(C) (1) THE DEPARTMENT MAY PROVIDE A NO-INTEREST BRIDGE LOAN FOR OPERATING EXPENSES OF UP TO \$25,000 TO A NONPROFIT ENTITY THAT ~~IS WAITING TO RECEIVE THE~~ HAS RECEIVED WRITTEN CONFIRMATION OF FUNDING FROM A GOVERNMENT GRANT OR CONTRACT BUT HAS NOT YET RECEIVED THE FUNDING.

(2) THE DEPARTMENT SHALL ESTABLISH AN APPLICATION PROCESS FOR BRIDGE LOANS PROVIDED UNDER THIS SUBSECTION.

(3) BEFORE PROVIDING A BRIDGE LOAN UNDER THIS SUBSECTION, THE DEPARTMENT SHALL RECEIVE WRITTEN CONFIRMATION THAT THE NONPROFIT ENTITY HAS BEEN AWARDED A GOVERNMENT GRANT OR CONTRACT BUT HAS NOT YET RECEIVED THE FUNDING.

~~**(4) THE RECIPIENT OF A BRIDGE LOAN UNDER THIS SUBSECTION SHALL REPAY THE BRIDGE LOAN WITHIN 60 DAYS OF RECEIPT OF THE FUNDING ANTICIPATED FROM THE GOVERNMENT GRANT OR CONTRACT.**~~

(4) THE DEPARTMENT SHALL ESTABLISH A SCHEDULE FOR REPAYMENT FOR A BRIDGE LOAN THAT:

(I) IS REASONABLE BASED ON THE NATURE AND PAYMENT SCHEDULE OF THE GOVERNMENT GRANT OR CONTRACT TO THE NONPROFIT ENTITY; AND

(II) ASSURES REPAYMENT OF THE BRIDGE LOAN IS COMPLETED NO LATER THAN THE DATE OF THE FINAL GRANT OR CONTRACT PAYMENT TO THE NONPROFIT ENTITY.

Article – State Government

9–1A–27.

(a) Except as provided in subsections (b) and (c) of this section and § 9–1A–26(a)(3) of this subtitle, on a properly approved transmittal prepared by the Commission, the Comptroller shall pay the following amounts from the proceeds of video lottery terminals at each video lottery facility:

(1) (i) on or before March 31, 2015, 2% to the State Lottery and Gaming Control Agency for costs as defined in § 9–1A–01 of this subtitle; and

(ii) beginning April 1, 2015, 1% to the State Lottery and Gaming Control Agency for costs as defined in § 9–1A–01 of this subtitle;

(2) to the video lottery operation licensee, the percentage stated in the accepted application for the location, not to exceed, except as provided in subsection (b) of this section, 33%;

(3) 5.5% in local impact grants, in accordance with § 9–1A–31 of this subtitle;

(4) 7% to the Purse Dedication Account established under § 9–1A–28 of this subtitle, not to exceed a total of \$100,000,000 to the Account annually;

(5) (i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section; and

(ii) on or after the issuance of a video lottery operation license in Baltimore City, 1% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section, not to exceed a total of \$20,000,000 to the Account annually;

(6) **(I)** 1.5% to the Small, Minority, and Women–Owned Businesses Account established under § 9–1A–35 of this subtitle; **AND**

(II) BEGINNING IN FISCAL YEAR 2021, FROM THE AMOUNT PAID TO THE SMALL, MINORITY, AND WOMEN–OWNED BUSINESSES ACCOUNT UNDER ITEM (I) OF THIS ITEM, UP TO 5%, NOT TO EXCEED \$1,000,000, TO THE NONPROFIT, INTEREST–FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT ESTABLISHED UNDER § 5–1204 OF THE ECONOMIC DEVELOPMENT ARTICLE;

(7) (i) except as provided in item (ii) of this item, 6% to the video lottery operation licensee if the video lottery operation licensee owns or leases each video lottery terminal device and the associated equipment and software; and

(ii) 8% to the video lottery operation licensee in Anne Arundel County;

(8) beginning after the issuance of a video lottery operation license for a video lottery facility in Prince George's County, 8% to the video lottery operation licensee in Anne Arundel County and 7% to the licensee in Baltimore City for:

(i) marketing, advertising, and promotional costs required under § 9-1A-23 of this subtitle; and

(ii) capital improvements at the video lottery facilities; ~~and~~

~~(9) 5% TO THE MARYLAND NONPROFIT DEVELOPMENT PROGRAM FUND ESTABLISHED UNDER § 5-1204 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND~~

~~(10)~~ the remainder to the Education Trust Fund established under § 9-1A-30 of this subtitle.

(b) (1) Beginning July 1, 2013, for a video lottery facility in Worcester County with less than 1,000 video lottery terminals, the percentage in subsection (a)(2) of this section is equal to 43% provided that each year an amount equivalent to 2.5% of the proceeds from video lottery terminals at the video lottery facility is spent on capital improvements at the video lottery facility.

(2) After the first 10 years of operations at a video lottery facility in Allegany County, the percentage:

(i) in subsection (a)(2) of this section is equal to 43% provided that each year an amount equivalent to 2.5% of the proceeds from video lottery terminals at the video lottery facility is spent on capital improvements at the video lottery facility; and

(ii) in subsection (a)(1) of this section is equal to 2%.

(3) For a video lottery facility in Prince George's County, the percentage in subsection (a)(2) of this section stated in the accepted application for the location may not exceed 38%.

(c) (1) For the first 10 years of operations at a video lottery facility in Allegany County, on a properly approved transmittal prepared by the Commission, the Comptroller shall pay the following amounts from the proceeds of video lottery terminals at a video lottery facility in Allegany County:

(i) 2% to the State Lottery and Gaming Control Agency for costs as defined in § 9-1A-01 of this subtitle;

(ii) to the video lottery operation licensee, the percentage stated in the accepted application for the location, not to exceed 50%;

(iii) 2.75% in local impact grants, in accordance with § 9–1A–31 of this subtitle;

(iv) 2.5% to the Purse Dedication Account established under § 9–1A–28 of this subtitle;

(v) 0.75% to the Small, Minority, and Women–Owned Businesses Account established under § 9–1A–35 of this subtitle; and

(vi) the remainder to the Education Trust Fund established under § 9–1A–30 of this subtitle.

(2) After the first 10 years of operations at a video lottery facility in Allegany County, the proceeds generated at the facility in Allegany County shall be allocated as provided in subsections (a) and (b) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2017, the Governor may transfer by budget amendment to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account established under Section 1 of this Act \$187,500 of the fiscal year 2017 special fund appropriation transferred in accordance with Section 11 of Chapter 23 of the Acts of the General Assembly of 2017 from the Department of Housing and Community Development to the Department of Commerce to be redistributed to the Small, Minority, and Women–Owned Businesses Account established under § 9–1A–35 of the State Government Article.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2020, the Department of Commerce shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the bridge loans issued under the Maryland Nonprofit Development Center Program, including:

- (1) the number of bridge loan applications the Department received;
- (2) the number of bridge loans provided to nonprofit entities;
- (3) the dollar amount of the bridge loans provided;
- (4) the length of time the Department took to process bridge loan applications and award funds;
- (5) the length of time between when nonprofit entities receive bridge loans and repay the bridge loans; and
- (6) the availability of funds to meet bridge loan demands.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2017.

May 26, 2017

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1661 – *Schools and Child Care Centers – State Grant Program – Security Upgrades for Facilities at Risk of Hate Crimes or Attacks*.

This bill authorizes the Maryland Center for School Safety to make grants for certain security-related projects to schools and child care centers determined to be at risk of certain hate crimes or attacks. This bill also establishes the terms and conditions for the use of State grant funds, and provides that the funding for grants shall be provided by the Governor in the State budget. In addition, this bill authorizes the State Board of Education, after consultation with the Center, to adopt regulations.

Senate Bill 1191, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1661.

Sincerely,

Lawrence J. Hogan, Jr.
 Governor

House Bill 1661

AN ACT concerning

**Schools and Child Care Centers – State Grant Program – Security Upgrades for
 Facilities at Risk of Hate Crimes or Attacks**

FOR the purpose of authorizing the Maryland Center for School Safety to make grants for certain security-related projects to schools and child care centers determined to be at risk of certain hate crimes or attacks ~~because of their ideology, beliefs, or mission~~; authorizing certain schools or child care centers to apply to the Center for a certain

State grant; establishing the terms and conditions for the use of certain State grant funds by certain recipients; providing that the funding for certain State grants shall be as provided by the Governor in the State budget; authorizing the State Board of Education, after consultation with the Center, to adopt certain regulations; defining a certain term; and generally relating to a State Grant Program for Schools and Child Care Centers at Risk of Hate Crimes or Attacks.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 10–305

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 7–1502.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Criminal Law

10–305.

A person may not deface, damage, or destroy, attempt to deface, damage, or destroy, burn or attempt to burn an object on, or damage the real or personal property connected to a building that is publicly or privately owned, leased, or used, including a cemetery, library, meeting hall, recreation center, or school:

(1) because a person or group of a particular race, color, religious belief, sexual orientation, gender, disability, or national origin, or because a person or group that is homeless, has contacts or is associated with the building; or

(2) if there is evidence that exhibits animosity against a person or group, because of the race, color, religious beliefs, sexual orientation, gender, disability, or national origin of that person or group or because that person or group is homeless.

Article – Education

7–1502.1.

(A) IN THIS SECTION, “CHILD CARE CENTER” HAS THE MEANING STATED IN § 9.5–401 OF THIS ARTICLE.

(B) THE CENTER MAY MAKE GRANTS TO SCHOOLS AND CHILD CARE CENTERS DETERMINED TO BE AT RISK OF HATE CRIMES OR ATTACKS ~~BECAUSE OF THEIR IDEOLOGY, BELIEFS, OR MISSION~~ AS DESCRIBED UNDER § 10-305 OF THE CRIMINAL LAW ARTICLE FOR SECURITY-RELATED TECHNOLOGY AND SECURITY-RELATED FACILITY UPGRADES.

(C) ANY SCHOOL OR CHILD CARE CENTER DETERMINED TO BE AT RISK OF HATE CRIMES OR ATTACKS ~~BECAUSE OF ITS IDEOLOGY, BELIEFS, OR MISSION~~ AS DESCRIBED UNDER § 10-305 OF THE CRIMINAL LAW ARTICLE BY THE CENTER MAY APPLY TO THE CENTER FOR A STATE GRANT TO BE APPLIED TOWARD THE COST OF A SECURITY-RELATED PROJECT.

(D) THE ALLOCATION AND USE OF STATE FUNDS UNDER THIS SECTION ARE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

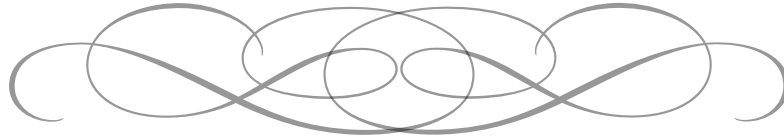
(1) STATE FUNDS MAY BE USED ONLY FOR FUNDING ADDITIONAL SECURITY TRAINING NEEDS, SECURITY PERSONNEL, SECURITY CAMERAS, SECURITY-RELATED TECHNOLOGY, DOOR-HARDENING, IMPROVED LIGHTING, OR OTHER SECURITY-RELATED FACILITY UPGRADES; AND

(2) THE AMOUNT OF THE STATE GRANT FOR ANY PROJECT SHALL BE DETERMINED AFTER CONSIDERATION OF ALL ELIGIBLE APPLICANTS, THE TOTAL OF THE UNALLOCATED STATE FUNDS AVAILABLE AT THE TIME THE APPLICATION IS RECEIVED, AND THE PRIORITIES OF AREA NEED AS MAY BE ESTABLISHED BY THE CENTER.

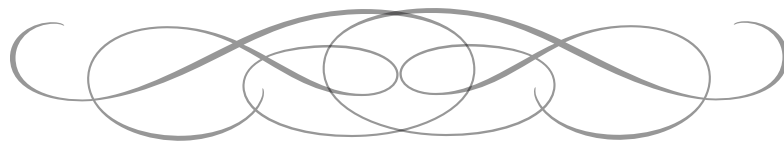
(E) FUNDING FOR THE STATE GRANTS UNDER THIS SECTION SHALL BE AS PROVIDED BY THE GOVERNOR IN THE ANNUAL STATE BUDGET.

(F) THE STATE BOARD, AFTER CONSULTATION WITH THE CENTER, MAY ADOPT REGULATIONS FOR RECEIVING AND CONSIDERING APPLICATIONS AND FOR DISBURSING FUNDS TO APPLICANTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.



Report of the
Joint Committee on Legislative Ethics



IN RE: DELEGATE DAN K. MORHAIM



Annapolis, Maryland
February 28, 2017

.

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.



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON LEGISLATIVE ETHICS

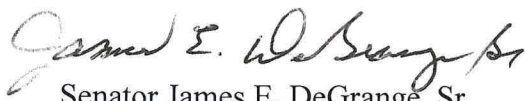
March 2, 2017

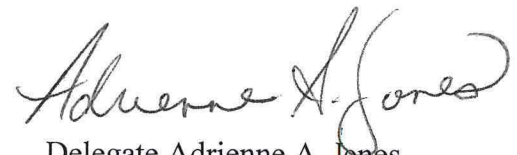
The Honorable Michael E. Busch
Speaker of the House of Delegates
H-101 State House
Annapolis, Maryland 21401

Dear Speaker Busch:

There is transmitted herewith the Report of the Joint Committee on Legislative Ethics, In Re: Delegate Dan K. Morhaim, adopted by unanimous vote of the Joint Committee on February 28, 2017.

Sincerely,


Senator James E. DeGrange, Sr.
Co-Chairman


Delegate Adrienne A. Jones
Acting Co-Chairman

**Maryland General Assembly
Joint Committee on Legislative Ethics**

2017 Membership Roster

**Senator James E. DeGrange, Sr., Senate Chairman
Delegate Adrienne A. Jones, Acting House Chairman**

Senators

Senator James Brochin
Senator Stephen S. Hershey, Jr.
Senator Nancy J. King
Senator Nathaniel J. McFadden
Senator Wayne Norman

Delegates

Delegate Susan L. Aumann
Delegate Bonnie Cullison
Delegate C. William Frick
Delegate Susan K. McComas
Delegate Samuel I. Rosenberg

Committee Staff

Deadra W. Daly
Stacy M. Goodman

Contents

Letter of Transmittal	iii
Roster.....	v
Summary of Recommendations	1
Procedural Background.....	2
Findings of the Joint Committee on Legislative Ethics	3
Factual Background	3
Natalie M. LaPrade Maryland Medical Cannabis Commission	3
Medical Cannabis Entities Express Interest in Delegate Morhaim	4
Consulting Agreement with Doctor’s Orders	5
Joint Committee Disclosure Forms D and F.....	5
Commencement of Work for Doctor’s Orders	6
Ethics Advice on Involvement in the Application Process for Medical Cannabis-related Licenses	7
Meeting with Former Executive Director of the MMCC	7
2016 Legislative Action.....	7
Post-application Interaction with the MMCC.....	8
Medical Cannabis Processor License Issue	8
Public Revelation of Interest in Doctor’s Orders.....	10
Findings of the Joint Committee on Legislative Ethics	10
Disclosure and Disclaimer Provisions	10
Use of Prestige of Office or Public Position for Private Gain or that of Another	12
Conclusions of the Joint Committee on Legislative Ethics	15
Recommendations of the Joint Committee on Legislative Ethics	17

Report of the Joint Committee on Legislative Ethics In Re: Delegate Dan K. Morhaim

February 28, 2017

The Joint Committee on Legislative Ethics (joint committee), pursuant to the October 19, 2016, complaint issued by the joint committee, and in accordance with § 5-516(a)(2) of the General Provisions Article, after conducting a review and proceedings regarding the alleged ethical improprieties on the part of Delegate Dan K. Morhaim, submits its report with recommendations to the Speaker of the House of Delegates, adopted by a unanimous vote of the joint committee on this date.

Summary of Recommendations

Based on careful and thorough consideration of the evidence and the issues before it, and for the reasons set forth in detail in this report, the joint committee unanimously recommends to the Speaker of the House of Delegates that:

1. The Speaker of the House of Delegates submit to the House of Delegates, and the full House of Delegates adopt, a resolution of reprimand expressing the House of Delegates's disapproval of Delegate Morhaim's actions, based on his activities as set forth in this Report of the Joint Committee on Legislative Ethics.
2. The Speaker of the House of Delegates requests that Delegate Morhaim consider making a public apology to the members of the House of Delegates to acknowledge and express regret for his conduct and the disrepute and dishonor he has brought to the Maryland General Assembly.

Procedural Background

The joint committee, pursuant to the October 19, 2016, complaint issued by a motion of a majority of the membership of the joint committee in accordance with § 5-516(a)(2) of the General Provisions Article, regarding alleged ethical improprieties on the part of Delegate Dan K. Morhaim, (Delegate Morhaim) submits this report with recommendation to the Speaker of the House of Delegates, adopted by a unanimous vote of the joint committee on this date.

In accordance with the provisions of § 2-706(1) of the State Government Article and Title 5, Subtitle 5 of the General Provisions Article, the joint committee commenced its review and proceedings in accordance with its mandate to “perform all duties assigned to it by law or by legislative rules” including review of complaints received or made.

The joint committee met in closed session on October 19, 2016, to review the preliminary facts and information compiled by co-counsel to the joint committee. The facts and information considered included documents and video of the activity that gave rise to the allegation of violations of the Maryland Public Ethics Law. The joint committee voted to issue a complaint against Delegate Morhaim and to conduct an investigation of the allegations. Co-counsel and staff proceeded to gather information relating to the allegations. On December 1, 2016, the Department of Legislative Services (DLS) retained independent counsel to assist the joint committee in its review of this matter. Over a period of several months, the independent counsel, counsel to the joint committee, and DLS staff assembled and reviewed information from the various sources, including witness testimony from current staff; former staff; members of the Maryland Medical Cannabis Commission (MMCC); representatives of Doctors Orders, a medical cannabis company with whom Delegate Morhaim had entered into a consulting agreement; telephone and meeting notes of the Ethics Counsel (following waiver of attorney/client privilege); a video of a public meeting of the MMCC; various disclosure forms; license applications submitted to MMCC by Doctors Orders; and email communications between Delegate Morhaim and various individuals.

On February 1, 2017, the joint committee met in closed session to review the alleged facts of the specific activity and the specific statutory provision of the Maryland Public Ethics Law that may have been violated as a result of the activity. To provide Delegate Morhaim with an opportunity to respond to the allegation made against him, the joint committee voted to send a letter with the enumerated allegation to Delegate Morhaim along with a request for relevant documentation or other evidence relating to the allegation. This letter was emailed and hand-delivered to Delegate Morhaim on February 3, 2017.

In its letter with the enumerated allegation, the joint committee requested that Delegate Morhaim provide a written response to the allegation and any relevant written documentation by February 10, 2017. Counsel for Delegate Morhaim submitted a timely response to the joint committee, including production of relevant documents.

On February 21, 2017, the joint committee met in closed session to interview Delegate Morhaim under oath. Delegate Morhaim was represented by counsel at the hearing. He

was interviewed by counsel to the joint committee and by members of the joint committee. The joint committee also heard testimony from Ethics Counsel, Deadra Daly. The hearing was recorded and transcribed. After the hearing, the joint committee remained in closed session to review evidence relating to the allegation and make a determination on certain issues.

On February 28, 2017, the joint committee met again in closed session to vote on the adoption of a written report.

Findings of the Joint Committee on Legislative Ethics

The joint committee, after gathering and thoroughly reviewing all available evidence relating to the activities of Delegate Morhaim in connection with Maryland Public Ethics Law, issues the following findings:

Factual Background

Delegate Dan Morhaim has been a member of the General Assembly for 23 years. For many of those years, he has been a leading and vocal advocate for the legalization of medical cannabis. Beginning in the 2002 session, he introduced and supported a number of bills to accomplish this goal, culminating in the adoption of Chapter 403 of the 2013 session, which established the Natalie LaPrade Medical Marijuana Commission, and which was subsequently renamed the Natalie LaPrade Maryland Medical Cannabis Commission (MMCC) by Chapter 251 of the 2015 session.

Since its establishment, Delegate Morhaim has been extensively involved in the workings of the MMCC and its mission; frequently commenting in writing to MMCC members and staff on matters of policy and regulation and testifying before the MMCC during their public meetings. In making these comments, and in his testimony, he always has been identified in his legislative capacity as a delegate of the General Assembly.

Natalie M. LaPrade Maryland Medical Cannabis Commission

The MMCC operates as an independent commission within the Department of Health and Mental Hygiene. The MMCC is responsible for developing regulations and procedures for the award of medical cannabis grower, processor, and dispensary licenses, as well as the regulation of the medical cannabis industry in the State. Regarding license applications, regulations adopted by the MMCC established a double-blind identification process for the review, evaluation, and ranking of medical cannabis-related license applications. Applicants were required to submit one un-redacted paper copy and one flash drive with a copy of the application for each license application during the application period from September 28, 2015, to November 6, 2015.

On November 6, 2015, the application deadline, the MMCC received 1,080 applications – more than three times the number it expected. The redacted applications on the flash drives were forwarded to the Regional Economic Studies Institute of Towson University (RESI), the third-

party vendor hired by the MMCC to review, evaluate, and rank the applications. Subject matter portions of the application were sent to various experts to perform the evaluations.

On August 5, 2016, the MMCC voted to preliminarily approve the RESI-ranked grower and processor applications. On August 8, the applicant cross reference key was un-blinded for the assistant Attorney General for the MMCC for only those applicants approved on the August 5 vote, so that MMCC staff could perform background checks. On August 15, 2016, the names of the successful applicants were revealed to the members of the MMCC and to the public. Doctors Orders was one of the successful applicants for both its grower and processor license applications.

Medical Cannabis Entities Express Interest in Delegate Morhaim

Beginning in May of 2015, Delegate Morhaim was contacted by a number of medical cannabis entities and potential licensees to consult with them in preparing their license application, and working for them if they were awarded a license. On or about May 21, 2015, he contacted the Ethics Counsel to inquire whether this type of consulting arrangement would be permitted under the Maryland Public Ethics Laws. Ethics Counsel's advice, which was set forth in her May 29, 2015 letter to Delegate Morhaim, was based on the following information provided by Delegate Morhaim:

- he would be acting in his personal capacity as a physician, and not as a member of the General Assembly;
- his potential activities would include educating doctors and other medical professionals about the clinical use of and research related to medical cannabis;
- he may also review research related to the uses of medical cannabis;
- he did not propose to represent clients before State or local government entities; and
- his name may be listed as a medical consultant in his clients' various applications and company descriptions, but his General Assembly position would not be referenced.

Based on this information, Ethics Counsel advised Delegate Morhaim that the Maryland Public Ethics Law did not prohibit the proposed consulting arrangement. The letter concluded with Ethics Counsel advising Delegate Morhaim, "[a]fter you formalize your arrangement and when future *legislative action* on medical marijuana is pending, please contact me to discuss any other disclaimer or recusal requirements." (Emphasis added). The letter also contained joint committee disclosure forms Form D, "Disclaimer of an Apparent or Presumed Conflict of Interest," pertaining to possible conflicts of interest with the delegate's legislative action, and Form F, "Disclosure of Sources of Earned Income," in the event he was hired by and receiving earned income from a medical cannabis entity. During their conversation, Delegate Morhaim did not inform Ethics Counsel that he already had been in contact with staff and members of the MMCC

providing advice with regard to proposed regulations for growing, processing, and dispensing of medical cannabis.

Consulting Agreement with Doctors Orders

During this time period, Delegate Morhaim was contacted by a lobbyist who is a principal in a lobbying firm that focuses in the health care field and who was working with one potential applicant, Doctors Orders. The lobbyist inquired as to whether Delegate Morhaim would be interested in meeting with representatives from Doctors Orders to discuss a consulting arrangement in which he would serve as their medical director, a position authorized under MMCC regulations for a licensed dispensary. Delegate Morhaim agreed to meet.

The meeting with Doctors Orders occurred on June 3, 2015. The parties discussed Delegate Morhaim's potential role to be the company's national medical director in his personal capacity as a physician on being awarded licenses in Maryland (Doctors Orders intended to submit individual applications, as required by the MMCC, for a grower, processor, and two dispensary licenses). His immediate duty for the company would be to solicit candidates to be part of a company medical advisory board.

After the meeting, Delegate Morhaim sent an email to the Doctors Orders representatives and their lobbyist that included an excerpt from Ethics Counsel's May 29 letter regarding potential employment with a medical cannabis entity noting, "[t]his is standard stuff, and basically it says that I can apply my medical skills but not represent clients before government entities."

On June 8, Delegate Morhaim spoke with a principal of Doctors Orders regarding the terms of a consulting agreement, which was executed on July 9, 2015. The consulting agreement stated that Dan Morhaim, in his personal capacity, would work exclusively for Doctors Orders, and that he would provide advice and other services in connection with not only its efforts at obtaining medical cannabis licenses in Maryland, but in other states where Doctors Orders either already was operating or was looking to do business in the future. The agreement provided that Dan Morhaim would be paid a fixed fee, which the joint committee finds to be substantial, for his work in Maryland and two other states and with a promise of additional substantial annual compensation if Doctors Orders obtained licenses in Maryland, and further compensation for licenses obtained in other states.

Joint Committee Disclosure Forms D and F

Shortly after receiving the executed consulting agreement and the initial payment pursuant to the schedule in the agreement, Delegate Morhaim contacted Ethics Counsel on July 23, 2015, to seek advice as to how to complete Forms D and F. Delegate Morhaim told Ethics Counsel that he had been retained by an applicant without identifying Doctors Orders, but he did not tell her he had been paid by, or that he had begun work for, this applicant. He also did not tell her that he was appearing before the MMCC as a delegate, or that he was communicating with members of the MMCC on matters of policy and suggesting changes to proposed regulations.

Despite having already started working for Doctors Orders, Delegate Morhaim completed Form D by stating that he “*may* do medical consulting and/or treatment” in the areas of “addiction issues” and “medical cannabis.” (Emphasis added). Ethics Counsel told the joint committee that it was her impression that Delegate Morhaim’s work for the company would not begin until or unless the company received a license, and therefore, she advised Delegate Morhaim that this language was sufficient. As indicated previously, at the time she provided this advice she had no knowledge that he was appearing before the MMCC, and if she had been aware, her advice may well have been different.

On Form F, Delegate Morhaim declared that he was receiving income from an LLC he recently had formed, Whitebridge Associates. He advised the joint committee that the LLC was created based on the advice of his personal counsel for the purposes of receiving payment and processing expenses from Doctors Orders. Ethics Counsel advised that he was not required to list the name of his consulting client, Doctors Orders, consistent with standard advice provided on this issue.

Commencement of Work for Doctors Orders

Delegate Morhaim began assisting Doctors Orders almost immediately after signing the consulting agreement. On July 19, 2015, he emailed Doctors Orders to advise them that the MMCC would be meeting on July 21 and he would be attending; a meeting that was also attended by the lobbyist working for Doctors Orders. On July 22, 2015, he emailed Doctors Orders with information regarding potential locations in Baltimore County where the company could set up a grower operation. On August 24, 2015, he traveled to Colorado to view Doctors Orders medical cannabis growing, processing, and dispensing facilities in order to better understand how the company operated and ensure it was operating in a professional and medically sound manner. On September 1, 2015, he emailed Doctors Orders to suggest they consider a sliding fee schedule for medical cannabis based on economic ability to pay. He also emailed Doctors Orders separately on September 1 with his “thoughts on [their] application process for Maryland licenses,” making suggestions for how it could be modified, including comments on the processor application, which he thought was deficient. He ended the email with the comment, “I’d appreciate the opportunity to review the application as drafting continues.” Finally, on November 1 and 4, 2015, Delegate Morhaim emailed Doctors Orders separately with comments on its dispensary application and grower application.

At the same time, Delegate Morhaim continued to interact with the MMCC as a delegate; yet, at no time during these interactions did he tell the MMCC that he had been retained by a potential license applicant. The following are a small number of examples of his interactions with the MMCC during this period of time. On July 21, 2015, Delegate Morhaim appeared before the MMCC at its meeting at the University of Maryland School of Medicine. On August 3, 2015, he emailed the Executive Director of the MMCC requesting copies of the comments to the proposed regulations submitted by MedChi, the Board of Physicians, and the Board of Pharmacy, which were provided to him by MMCC staff. On August 28, 2015, he emailed a member of the MMCC regarding the number and location of anticipated dispensary licenses. On October 21, 2015, he

emailed the MMCC with recommendations for adding two additional members to the MMCC with financial experience.

Ethics Advice on Involvement in the Application Process for Medical Cannabis-related Licenses

On October 26, 2015, Delegate Morhaim emailed Ethics Counsel seeking advice as to whether biographical information referencing his legislative position that was to be included in the Doctors Orders' license applications met ethical standards. Ethics Counsel responded by referring to Ethics Opinion #1, an opinion of the joint committee that advises that a legislator may identify their position in biographical material in a business context. Still unaware that Delegate Morhaim was interacting with the MMCC, and with a focus on his role as a legislator, she concluded by stating, “[b]ecause of your involvement with the group through the consulting organization, you should not be involved with *applications* in your *legislative capacity*.” (Emphasis added). Ethics Counsel advised the joint committee that had she known Delegate Morhaim was engaged in communications with members of the MMCC and was testifying at MMCC hearings, she would have advised him to stop because his actions could appear to or potentially violate the Maryland Public Ethics Law, particularly, the use of his prestige of office or public position for private gain.

Meeting with Former Executive Director of the MMCC

On August 28, 2015, Delegate Morhaim emailed the Executive Director of the MMCC to arrange a meeting on September 4 at a local coffee shop in Baltimore County where they both lived. Delegate Morhaim stated that at this meeting, he told the executive director that he was affiliating with an applicant, but did not name the company. The executive director, however, recalled that Delegate Morhaim said he was only “thinking about” affiliating with an applicant.

Delegate Morhaim told the joint committee that he believed he had satisfied any disclosure obligations regarding his affiliation with Doctors Orders by telling the executive director, and he left it to her to decide whether and how to communicate this information to the MMCC because, in his view, telling the members would have been inappropriate and potentially violate the anonymity of the application process. In her interview with co-counsel for the joint committee, the executive director said that she advised Delegate Morhaim that she expected him to formally advise the members of the MMCC once he had actually been engaged by the potential licensee. She did not communicate Delegate Morhaim's disclosure to the members because the affiliation had not been formalized and she “did not want to start a rumor.” She believed his affiliation was never formalized because Delegate Morhaim continued to communicate with the MMCC as a delegate, including offering public testimony. The executive director resigned from her position with the MMCC in January, 2016.

2016 Legislative Action

During the 2016 legislative session, Delegate Morhaim continued his assignment as chair of the Government Operations Subcommittee of the House Health and Government Operations Committee, the subcommittee tasked with consideration of all legislation in the House relating to

medical cannabis and the MMCC. At no time did Delegate Morhaim inform the chair of the Committee or the Speaker of the House that he had entered into a consulting agreement with a medical cannabis company that had pending license applications. The committee chair told counsel that this is information he would have wanted to know.

On January 18, 2016, Delegate Morhaim introduced one medical cannabis-related bill, House Bill 104, titled, Medical Cannabis – Written Certification – Certifying Providers. On January 23, Ethics Counsel emailed Delegate Morhaim regarding his inquiry to her as whether his relationship with Doctors Orders would require him to recuse himself from legislative action on HB 104. Ethics Counsel advised him that this legislation would not have “a direct, financial impact on the entity for whom you consult or on you” and that he had disclaimed an apparent conflict of interest with the filing of his Form D on July 23, 2015, therefore recusal was not required.

Post-application Interaction with the MMCC

Doctors Orders submitted four applications for licenses on the November, 6, 2015 deadline along with 1,000 other potential licensees. Delegate Morhaim told the joint committee, and it was confirmed by Doctors Orders, that he had little contact with Doctors Orders after the applications were submitted. During the period from November 2015 through July 2016, however, he continued to frequently and substantively engage with the MMCC. For example, on November 12, 2015, he emailed the MMCC Executive Director, asking how many doctors had signed up to be certifying physicians. On December 31, 2015, he forwarded an email from an applicant to the Executive Director, complaining about the pace of the decisions regarding the awarding of licenses. On June 11, 2016, he forwarded to the commission suggested modifications to proposed regulations. The above examples are just a small sample of the hundreds of email communications Delegate Morhaim had with staff and members of the MMCC during this time.

Medical Cannabis Processor License Issue

On May 22, 2016, the MMCC voted to limit the number of initial processor licenses to 15 citing the difficulties inherent in regulating a new and controversial industry, including a lack of staffing and financial resources. Section 13-3309 of the Health-General Article does not set a statutory limit on the number of processor licenses, but the law does cap the number of initial medical cannabis grower licenses to 15. *See* § 13-3306. Beginning on June 1, 2018, however, the MMCC is authorized by statute to issue as many medical cannabis grower licenses as necessary to meet patient demand.

On learning of the vote to limit the number of initial processor licenses, and while having an interest in a medical cannabis company with applications for a grower license and a processor license pending, Delegate Morhaim began to communicate his objections to the MMCC. He first raised this issue in an email to the new Executive Director of the MMCC, its chair, and other members of the MMCC on May 23, 2016. He followed up that email with a telephone call to the Executive Director and another set of emails on May 25 and 26, 2016, forwarding the email string with the responses of the Executive Director to various State officials in the Department of Health

and Mental Hygiene. In these communications, he stated the reasons for his objections and he proposed that the MMCC consider a new method of awarding processor licenses.

Delegate Morhaim suggested that the MMCC have no fixed number of processor licenses; instead, he proposed that the MMCC not rank processor applications in order (which may be contrary to the statutory requirement of § 13-3309(c) of the Health – General Article), but simply group processor license applications as “sufficient to operate” and “grossly deficient.” The MMCC would then allow those applicants deemed “sufficient to operate” to “choose to proceed or not.” Delegate Morhaim further advocated that “[f]or any entity that gets a grower license and that also applied for a processor license, the processor license is automatically granted, unless its processor license is found to be grossly deficient.”

On June 11, 2016, he sent a subsequent email with the same information to the Executive Director of the MMCC, Eric Sterling, an individual member of the MMCC, the Secretary of Health and Mental Hygiene, and the Deputy Secretary of Public Health Services. Finally, he testified before the MMCC at its public meeting on July 12, 2016, in Howard County on this and other issues. At no time during his testimony or in any of his other communications did he advise the MMCC that he had entered into a contract of employment with a potential licensee who had submitted a medical cannabis grower license application and a processor license application.

Both Delegate Morhaim and Doctors Orders have advised the joint committee and its counsel that Delegate Morhaim was not retained or paid to represent Doctors Orders before the MMCC, and that Doctors Orders was unaware that Delegate Morhaim had testified before the MMCC on July 12, 2016. Furthermore, both Delegate Morhaim and Doctors Orders have advised that Delegate Morhaim’s testimony on July 12, 2016, objecting to the MMCC’s decision to limit the number of processor licenses was contrary to the interests of Doctors Orders because expanding the number of potential processor licenses would potentially decrease the economic value of Doctors Orders’ investment.

The joint committee notes, however, that Delegate Morhaim was well aware that Doctors Orders was actively seeking *both* a grower license and a processor license. His testimony on July 12 pointed to the economic disadvantage to a grower applicant who might not also receive a license to process medical cannabis, and therefore it was in his financial interest (and the financial interest of Doctors Orders) to advocate for a regulatory scheme that provided the greatest opportunity for Doctors Orders to receive both types of licenses. Further, in his initial comments to Doctors Orders on September 1 2015, regarding their draft applications, Delegate Morhaim questioned the strength of their processor application, and asked to review further drafts. Finally, it is difficult to reconcile Delegate Morhaim’s argument that his testimony was knowingly inconsistent with Doctors Orders’ position on this issue with the fact that, by his own admission, he had had little to no contact with anyone from Doctors Orders after their applications were submitted on November 6, 2015, some eight months earlier.

Public Revelation of Interest in Doctors Orders

The public, and the joint committee, first became aware of Delegate Morhaim's relationship with Doctors Orders when an article was published by the *Washington Post* on July 16, 2016, revealing his interest with Doctors Orders and questioning his July 12 public comments before the MMCC. The publication of this and subsequent articles from various news outlets prompted Delegate Morhaim to write a letter to the chairs of the joint committee on August 17, 2016, explaining his relationship with Doctors Orders and stating his belief that he acted appropriately based on the advice of Ethics Counsel. In his letter (and in his testimony before the joint committee on February 21, 2017), Delegate Morhaim stated that he refrained from advising the MMCC of his affiliation with Doctors Orders in order to maintain the integrity of the MMCC's double-blind identification system that required the redaction of specified names of applicants in their license applications. He also acknowledged, however, that, "[i]n retrospect, I wish I had made reference to my consultant role when I spoke in public before the Commission," and, [g]oing forward, to avoid even the slightest appearance of impropriety, I will not have any communications with the Commission or its staff concerning the medical cannabis issue in the future," and "I will not take any additional legislative actions concerning the medical cannabis issue."

During his testimony before the joint committee on February 21, Delegate Morhaim reiterated his belief that he had complied with all ethics laws and standards based on the advice he received from Ethics Counsel, and that he did not act with any intent to use the prestige of his office or public position for personal financial gain. Regardless, he apologized to the joint committee, and expressed deep regret that his actions have tarnished the public perception of the legislature. Delegate Morhaim also confirmed his intent not to have anything to do with medical cannabis in his legislative position, and further, that he would disassociate himself from working with Doctors Orders when legally permissible. On February 22, 2017, Delegate Morhaim filed Form E with the joint committee, formally recusing himself from voting on any medical cannabis-related legislation.

Findings of the Joint Committee on Legislative Ethics

The joint committee, after gathering and thoroughly reviewing all available evidence relating to various activities of Delegate Morhaim in connection with the Maryland Public Ethics Law, makes the following findings:

Disclosure and Disclaimer Provisions

The joint committee publishes six forms to facilitate the legally required disclosures and disclaimers of legislators under the Maryland Public Ethics Law:

- Form A: Disclosure of Interest: Representation Before a State or Local Agency (required by § 5-514(b)(1)(i) of the General Provisions Article for representing a person for

compensation before a State or local government agency, except for judicial or quasi-judicial proceedings);

- Form B: Disclosure of Interest: Financial Relationship with the State or a Local Government (required by § 5-514(b)(1)(i), (ii), (iv), and (v) for:
 1. representing a State or local government agency for compensation;
 2. a contractual relationship with the State or a local government in the State; and
 3. conducting a transaction with the State or a local government in the State for monetary compensation);
- Form C: Disclosure of Interest: Interest in Business Entity Regulated by a State Agency (required under § 5-514(b)(1)(iii) if the legislator, legislator's spouse, or dependent children have a certain financial interest in a business' stock or shares in a business entity);
- Form D: Disclaimer of an Apparent or Presumed Conflict of Interest (required under §-5-512 for disclaiming the appearance of or presumption of a conflict of interest *in legislative action*) (emphasis added);
- Form E: Statement of Recusal from Voting and other Legislative Action (required under § 5-513 for being disqualified from participation in legislative action or choosing to be excused); and
- Form F: Disclosure of Sources of Earned Income (required under § 5-514(b)(1)(vi)). A legislator is also required to file an annual financial disclosure statement with the State Ethics Commission and the joint committee under Title 5, Subtitle 6 of the General Provisions Article.

As previously stated, Delegate Morhaim filed a Form D and a Form F with the Joint Committee on July 23, 2015. He also filed his annual financial disclosure statement with the State Ethics Commission and the joint committee on April 1, 2016, in which he disclosed his income from Whitebridge Associates, LLC.

Finding

The joint committee thoroughly reviewed each statutory provision of the Maryland Public Ethics Law that provides the basis for required legislator disclosure, disclaimer, or recusal as set forth above. While the joint committee has concerns about the wording of Delegate Morhaim's Form D (filed on July 23, 2015) given the actual circumstances of his consulting agreement on the date of filing, the Joint Committee finds that:

- Delegate Morhaim properly disclosed his earned income from Doctors Orders through the consulting firm, Whitebridge Associates, on his July 23, 2015, Form F and financial

disclosure statement filed on April 1, 2016, and that he was not required to report the name of the firm's client consistent with ethical standards;

- Delegate Morhaim was not required to file a Form A because the evidence shows that he was not retained by or paid by Doctors Orders to represent the company before the MMCC, a State agency;
- Delegate Morhaim was not required to file a Form C because the evidence shows that he did not have the requisite financial interest in Doctors Orders, an entity that was seeking licensure from the MMCC, a State entity, but was not yet regulated;
- Delegate Morhaim's Form D filed on July 23, 2015, was sufficient for the purposes of disclaiming the appearance of or a presumed conflict of interest regarding his *legislative action* relating to House Bill 104 of 2016 because of his consulting relationship with Doctors Orders; and
- there is no legally required disclosure under the Maryland Public Ethics Law for his appearance as a delegate before the MMCC, *an executive agency*. The joint committee Form D disclaims a legislator's appearance of or presumed conflict of interest *only in legislative action* as defined in § 5-101(v) of the General Provisions Article, which does not include participation or involvement in matters before an executive agency.

Use of Prestige of Office or Public Position for Private Gain or that of Another

The joint committee alleged that Delegate Morhaim's actions relating to his advocating to the MMCC as a delegate for a change in the method of awarding processor licenses in emails and public testimony as previously described, gave rise to a reasonable belief that his conduct may have violated § 5-506(a) of the General Provisions Article, which prohibits an official from intentionally using the prestige of the official's office or public position for the official's private gain or that of another, except for the performance of usual and customary constituent services without additional compensation.

Finding 1

After a review of the available evidence and his written and oral statements to the joint committee, the joint committee finds that Delegate Morhaim used his public position as delegate to advocate to the MMCC that it change its method of awarding processor licenses to a method that could have resulted in a direct private gain to his client, Doctors Orders, and to himself.

Use of Public Position

The evidence is clear that Delegate Morhaim only acted in his official legislative role as a delegate when communicating with the MMCC on this matter. He signed his emails using his title, “Delegate Dan Morhaim.” He was introduced at the July 12, 2016 meeting of the MMCC as “Delegate Dan Morhaim,” and he prefaced his public comments at that meeting with statements about his role as the most prominent legislative leader on medical cannabis.

Official’s Private Gain or that of Another: Employer Gain

Delegate Morhaim specifically advocated that the MMCC change its method of awarding processor licenses to the members of the MMCC three separate times: in an email on May 25, 2016, in another email on June 11, 2016, and in public comments at a meeting of the MMCC on July 12, 2016. He proposed that the MMCC change the method by which it awarded processor licenses by lifting the processor license cap of 15 adopted by a vote of the MMCC on May 23, 2016, not ranking applications but grouping them according to compliance with a basic standard, and automatically granting a processor license to a successful medical cannabis grower license applicant, if the applicant’s processor license application met a basic standard.

To determine who would gain under this proposal, the joint committee applied the same analysis used to determine whether the benefit from a legislator’s legislative action is “direct and personal” to the legislator, a member of the legislator’s immediate family, or the legislator’s employer for recusal of conflicts of interest under § 5-513(a) of the General Provisions Article. Under this analysis, the joint committee finds that if the MMCC were to adopt Delegate Morhaim’s processor license proposal, only a small subset of the 1,080 total applicants would receive a direct benefit. First, 80% of all applications were for dispensary licenses; these applicants would not have been affected at all by his proposal. Of the remaining 20% of applications, only 95 applicants applied for both grower and processor licenses, including Delegate Morhaim’s client, Doctors Orders. Of those 95 applicants, only 15 medical cannabis grower applicants could be successful (due to the statutory cap in § 13-3306 of the Health – General Article) and have the opportunity to be automatically awarded a processor license under Delegate Morhaim’s proposal.

At the same time he was proposing this policy to the MMCC, Delegate Morhaim was employed by a medical cannabis company with medical cannabis grower and processor license applications pending before the MMCC. Delegate Morhaim told the joint committee that he believed that Doctors Orders medical cannabis grower license application had a high likelihood of success due to the company’s experience with its current operations in other states. Therefore, the joint committee concludes that Delegate Morhaim’s employer, Doctors Orders, could likely obtain a direct private gain under this proposal.

Official’s Private Gain or that of Another: Official’s Private Gain

The evidence shows that Doctors Orders and Delegate Morhaim in his personal capacity through his consulting company, Whitebridge Associates, executed a consulting agreement on July 9, 2015. Under this agreement, Doctors Orders agreed to pay the consultant, Delegate

Morhaim, through his consulting firm, Whitebridge Associates, an initial fixed fee for his work in Maryland and the two other states in which the company was currently operating, with a promise of additional annual compensation for his part-time position as national medical director of the company if Doctors Orders obtained licenses in Maryland. Although Delegate Morhaim advised the joint committee that he believed the initial payment he received was nominal and the compensation under the consulting agreement fell well below what medical directors for medical institutions receive, the joint committee concludes that the amount of compensation was substantial enough to influence Delegate Morhaim's judgment and actions. Further, the joint committee concludes that if the MMCC adopted Delegate Morhaim's proposed method of awarding processor licenses, it was more likely that his employer could obtain a direct gain of at least two of the medical cannabis-related licenses it applied for and Delegate Morhaim could likely obtain a direct private gain of additional annual compensation.

Finding 2

After a thorough review of the available evidence and Delegate Morhaim's written and oral statements to the joint committee, the joint committee finds that there is not sufficient evidence to support a finding that Delegate Morhaim intentionally used his public position as delegate to specifically obtain the private gain for himself or his employer, and therefore, did not violate § 5-506(a) of the General Provisions Article.

Analysis of Intent

Section 5-506(a) requires that a legislator *intentionally* use their prestige of office or public position *for* that official's private gain or that of another. The joint committee interprets this provision to require the member to have the specific intent to obtain the gain by the use of their privilege. While some evidence supports a finding of purposeful conduct for gain, more evidence mitigates the finding that Delegate Morhaim's use of his public position to advocate for the policy change was designed to benefit him financially, notwithstanding the fact that it could have this effect.

The joint committee considered evidence of Delegate Morhaim's longstanding and passionate advocacy on the issue of medical cannabis inside and outside the General Assembly, his legislative action on this issue beginning in 2002, and his extensive interactions and involvement with the MMCC beginning since its inception in 2014, on policy and administrative matters both large and small. Also considered was the testimony of Doctors Orders. The company's representative advised the joint committee that the company was "furious" with Delegate Morhaim for advocating for the policy change relating to processor licenses because this position was contrary to the company's interest. However, the value of this testimony is limited because while Delegate Morhaim's suggested policy change was contrary to Doctors Orders *competitive interests*, the company would still have received a direct benefit in the award of a license they were seeking, and Delegate Morhaim did not learn of Doctors Orders displeasure with his proposal until late July, 2016, *after* he made the statements to the MMCC. The purpose of this analysis is to discern Delegate Morhaim's intent at the time the statements were made, not those

of Doctors Orders. This testimony makes it clear to the joint committee that Delegate Morhaim did not advocate this policy at the request of Doctors Orders.

Conclusions of the Joint Committee on Legislative Ethics

After a careful and thorough consideration of the body of evidence before the joint committee, and given the totality of the circumstances, the joint committee has concluded that Delegate Morhaim's actions were improper because his actions were contrary to the principles of ethical standards of the Maryland Public Ethics Law in accordance with the intent of the law as stated in § 5-102 of the General Provisions Article.

As previously stated, the joint committee found in its analysis of § 5-506(a), that Delegate Morhaim used his public position as delegate to advocate before the MMCC with regard to changes to its proposed regulations and procedures for the award of medical cannabis-related licenses, and in particular, to advocate that it change its method of awarding processor licenses to one that could have resulted in a direct private gain of a license to his employer, Doctors Orders, and of additional substantial financial compensation to himself. The joint committee finds this conduct improper and contrary to the principles of ethical standards for several reasons.

First, despite the fact that Delegate Morhaim was advised by Ethics Counsel by email on October 26, 2015 that he "should not be involved with applications in your legislative capacity" because of his "involvement with the group through the consulting organization," he advocated a policy to the MMCC specifically involving the awarding of applications. The joint committee acknowledges that he consulted Ethics Counsel many times; however, as Delegate Morhaim himself, acknowledged, the advice given by Ethics Counsel is only as valid as the information provided to Ethics Counsel. Delegate Morhaim admitted to the joint committee that he never sought specific advice on the comments he made to the MMCC nor did he advise her that he was appearing before the MMCC after becoming affiliated with a potential license applicant. Ethics Counsel testified at the joint committee hearing on February 21, 2017, that had she been made aware that Delegate Morhaim was appearing before the MMCC, she would have advised him to "stay away," particularly from any discussion concerning the number of licenses because of his involvement with Doctors Orders.

Second, Delegate Morhaim should have disclosed to the MMCC that he had been hired by a potential license applicant when he was advocating policy and regulatory changes to the MMCC that would affect himself and his employer. Delegate Morhaim may have believed that he acted appropriately in not informing the MMCC of his consulting relationship with Doctors Orders because he did not want to impact the double-blind process for identifying potential license applicants but this belief showed poor judgment that impacted his impartiality and the independence of both the MMCC and the legislature. Delegate Morhaim simply could have notified the MMCC that he was working with *an* applicant without identifying the applicant by name, thereby preserving the confidentiality of the process and giving the MMCC what the joint committee considers necessary context in which to consider the comments and suggestions made by Delegate Morhaim. The joint committee also notes that given the double-blind system, the

members of the MMCC were never aware of the identity of the applicants and had previously committed to accept the order of rankings made by the third party vendor. The joint committee does not believe that a brief conversation over coffee with the Executive Director of MMCC is sufficient notice to the MMCC given the limited information he provided her and the confusion as to the nature of his relationship and status with Doctors Orders. Nor does the joint committee find Delegate Morhaim's position credible that "notice" to the executive director is sufficient given the fact that Delegate Morhaim believed the MMCC was without an executive director for four months after the former executive director he met with had resigned in January, 2016, and did not take any steps to notify her replacement of his relationship with Doctors Orders.

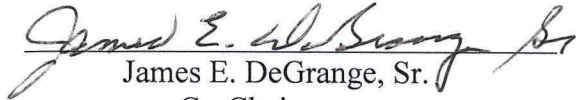
As a prominent legislative leader and long-time advocate for medical cannabis in the General Assembly, Delegate Morhaim knew he had a level of credibility, influence, and access to the MMCC that other persons, including other legislators, did not. He leveraged that influence to advocate for a policy that he should have known could have resulted in gain to himself or his employer. Delegate Morhaim was given a substantial amount of deference by the MMCC because of his role as a legislative leader and his chairmanship of the Government Operations Subcommittee of the House Health and Government Operations Committee that considered medical cannabis legislation. He had a direct line of communication to the executive director and other members of the MMCC and he used it frequently to comment on a wide variety of issues relating to medical cannabis and the MMCC. Delegate Morhaim was permitted to speak at public meetings of the MMCC when others were prohibited. He always did these things in his role as a delegate appearing to be an objective policymaker even at times when he had a conflicting personal interest. The standards embodied in the ethics law acknowledge that a legislator's influence derived from their public position is not limited to the function in which the member has decisional authority, but extends to their interaction with other governmental bodies and agencies.

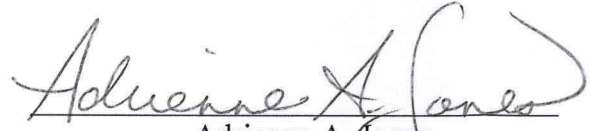
In summary, it is the opinion of the joint committee that had the MMCC been made aware of Delegate Morhaim's consulting role with a medical cannabis license applicant, it may well have impacted the weight it would have given his communications and testimony. His belief that he could keep his role as a legislator, advocating for the implementation of policy and regulations for the use of medical cannabis, separate from his position as a paid consultant for a company seeking to enter the medical cannabis business reflects poor judgment to the detriment of the broader interests of the public, and it has eroded the confidence and trust of the public and other governmental officials who work with legislators, bringing disrepute and dishonor to the General Assembly. Delegate Morhaim's failure to disclose and be transparent undermines the public's confidence in an independent legislature that it not be influenced by the potential for personal financial gain. As a part-time citizen legislature, the members must be ever vigilant that they do not cross the line between their personal interest and the interests of the citizens who they are elected to serve.

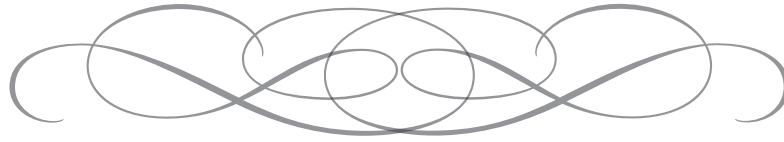
Recommendation of the Joint Committee on Legislative Ethics

The joint committee believes that Delegate Morhaim now recognizes the impact his conduct has had on himself and the General Assembly, but consistent with the mandate of the Maryland Public Ethics Law that members of the legislature adhere to certain minimum ethical standards, and the requirement that the joint committee and the General Assembly construe these requirements and its provisions liberally in accordance with § 5-102(c) of the General Provisions Article, and in recognition of the duties and authority established under Article III, § 19 of the Maryland Constitution, which provides that each House of the General Assembly, “shall be the judge of the qualifications and election of its members,” including the authority to punish or expel one of its own members, pursuant to its authority under § 5-521 of the General Provisions Article, the joint committee unanimously recommends to the Speaker of the House that he submit to the House a resolution of reprimand expressing the House of Delegate’s disapproval of Delegate Dan Morhaim’s actions as described in this Report of the joint committee on Legislative Ethics, which the committee believes is an appropriate sanction to maintain the public’s faith in their elected officials and ensure that this conduct is not repeated.

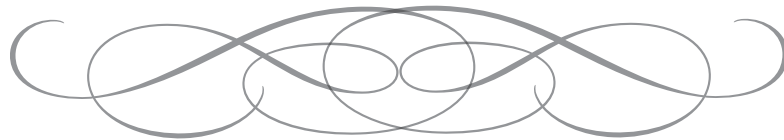
Respectfully submitted,


James E. DeGrange, Sr.
Co-Chairman


Adrienne A. Jones
Acting Co-Chairman



Report of the
Senate Budget and Taxation Committee
To the Maryland Senate



2017 SESSION



Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 150

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.

**Maryland General Assembly
Senate Budget and Taxation Committee**

2017 Session Membership Roster

Senator Edward J. Kasemeyer, Chairman
Senator Richard S. Madaleno, Jr., Vice Chairman

Capital Budget Subcommittee

Senator James E. DeGrange, Sr., Chairman
Senator Douglas J. J. Peters, Vice Chairman

Senator Ulysses Currie
Senator George C. Edwards
Senator Nancy J. King
Senator Richard S. Madaleno, Jr.
Senator Nathaniel J. McFadden

Education, Business, and Administration Subcommittee

Senator Nancy J. King, Chairman

Senator Ulysses Currie
Senator Bill Ferguson
Senator Andrew A. Serafini

Health and Human Services Subcommittee

Senator Richard S. Madaleno, Jr., Chairman

Senator Adelaide C. Eckardt
Senator Guy Guzzone
Senator Roger Manno

Public Safety, Transportation, and Environment Subcommittee

Senator James E. DeGrange, Sr., Chairman

Senator George C. Edwards
Senator Nathaniel J. McFadden
Senator Douglas J. J. Peters

Department of Legislative Services

Executive Director, Department of Legislative Services
Warren G. Deschenaux

Coordinator, Fiscal and Policy Analysis
David C. Romans

Operating Budget Managers
Simon G. Powell
David B. Juppe

Capital Budget Manager
Matthew D. Klein

Information Systems Support
Patrick S. Frank
Laura M. Vykol

Committee Report Coordinator
Jason A. Kramer

Committee Staff

Phillip S. Anthony Erika S. Schissler
Matthew J. Bennett

Budget Subcommittee Coordinators

Patrick S. Frank Kyle D. Sieferring
Andrew D. Gray Tonya D. Zimmerman
Lindsey B. Holthaus

Other Analysts

Sara J. Baker Michael C. Rubenstein
Sierra S. Boney Rebecca J. Ruff
Garret T. Halbach Jody J. Sprinkle
Rachel H. Hise Jared S. Sussman
Darica S. Lawson Kenneth B. Weaver
Steven D. McCulloch Benjamin B. Wilhelm
Jordan D. More

Support Staff

Margaret N. Burns Kamar Merritt
Katylee M. Cannon Maureen R. Merzlak
Maria S. Hartlein Brett A. Ogden
E. Cathy Kramer Nancy C. Scaggs

Department of Legislative Services

2017 Budget Assignments

Sara J. Baker

Morgan State University
University System of Maryland
Bowie State University
Coppin State University
Frostburg State University
Overview
Towson University
University of Maryland Baltimore County
University of Maryland Eastern Shore

Sierra S. Boney

Comptroller of Maryland
Department of Labor, Licensing, and Regulation
Business Regulation
Workforce Development
Maryland Commission on Civil Rights
Maryland Insurance Administration
Maryland Public Broadcasting Commission
Secretary of State
State Archives
State Treasurer

Patrick S. Frank

Department of Budget and Management
Secretary
Department of Information Technology
Maryland General Assembly
Public Debt
State Reserve Fund

Andrew D. Gray

Chesapeake Bay Overview
Department of Agriculture
Department of Natural Resources
Department of Planning
Department of the Environment
Maryland Environmental Service

Garret T. Halbach	Aid to Community Colleges Baltimore City Community College Higher Education Overview Maryland Higher Education Commission Student Financial Assistance St. Mary's College of Maryland
Lindsey B. Holthaus	Department of Health and Mental Hygiene Chronic Hospitals Developmental Disabilities Administration Office of Health Care Quality Prevention and Health Promotion Administration Public Health Administration Maryland Health Benefit Exchange
Matthew D. Klein	Board of Public Works PAYGO Capital Fiscal Briefing (PAYGO Overview)
Jason A. Kramer	Department of Housing and Community Development Maryland Department of Transportation Maryland Aviation Administration Maryland Port Administration Motor Vehicle Administration Maryland Transportation Authority
Darica S. Lawson	Board of Public Works Department of General Services Historic St. Mary's City Commission Maryland African American Museum Corporation Maryland Tax Court Office of the Deaf and Hard of Hearing
Steven D. McCulloch	Maryland Department of Transportation Debt Service Requirements Maryland Transit Administration Overview Secretary's Office State Highway Administration Washington Metropolitan Area Transit Authority

Jordan D. More	Department of Health and Mental Hygiene Administration Behavioral Health Administration Health Professionals Boards and Commissions Health Regulatory Commissions Overview Payments to Civil Divisions of the State
Simon G. Powell	Department of Health and Mental Hygiene Medical Care Programs Administration
Michael C. Rubenstein	State Retirement Agency
Rebecca J. Ruff	Department of Juvenile Services Department of Public Safety and Correctional Services Division of Correction Division of Pretrial Detention Overview Patuxent Institution Department of State Police Maryland Emergency Medical System Operations Fund Maryland Institute for Emergency Medical Services Systems
Kyle D. Sieferring	Interagency Committee on School Construction Maryland School for the Deaf Maryland State Department of Education Aid to Education Early Childhood Development Funding for Educational Organizations Headquarters
Jody J. Sprinkle	Department of Commerce Maryland Economic Development Corporation Maryland Stadium Authority Maryland Technology Development Corporation State Lottery and Gaming Control Agency

Jared S. Sussman

Department of Aging
Department of Disabilities
Department of Human Resources
Administration
Child Support Enforcement Administration
Department of Veterans Affairs
Governor's Office for Children and Interagency Fund
State Board of Elections

Laura M. Vykol

Department of Budget and Management
Personnel
Maryland Supplemental Retirement Plans
Uninsured Employers' Fund

Kenneth B. Weaver

Department of Public Safety and Correctional Services
Administration
Criminal Injuries Compensation Board
Division of Parole and Probation
Maryland Parole Commission
Police and Correctional Training Commissions
Governor's Office of Crime Control and Prevention
Military Department

Benjamin B. Wilhelm

Executive Department
Boards, Commissions, and Offices
Governor
Judiciary
Office of Administrative Hearings
Office of the Attorney General
Office of the Public Defender
Office of the State Prosecutor
State Department of Assessments and Taxation
Workers' Compensation Commission

Tonya D. Zimmerman

Department of Human Resources
Family Investment Administration
Office of Home Energy Programs
Overview
Social Services Administration
Maryland Energy Administration
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		
Payments to Civil Divisions of the State.....	A15O00	1
 Legislative and Judicial		
Judiciary	C00A	3
Maryland Tax Court.....	C85E00	13
Public Service Commission	C90G00	14
Uninsured Employers’ Fund	C96J00	15
 Executive and Administrative Control		
Board of Public Works.....	D05E	16
Maryland Energy Administration	D13A13	17
Executive Department – Boards, Commissions, and Offices	D15A05	20
Governor’s Office of Crime Control and Prevention.....	D15A0516	21
Governor’s Office for Children.....	D18A18	22
Department of Aging.....	D26A07	23
Maryland Stadium Authority	D28A03	24
State Board of Elections.....	D38I01	25
Department of Planning	D40W01	26
Maryland Institute for Emergency Medical Services Systems	D53T00	27
Department of Veterans Affairs	D55P00	28
Maryland Health Benefit Exchange	D78Y01	30
Maryland Insurance Administration	D80Z01	32
 Financial and Revenue Administration		
Comptroller of Maryland	E00A	33
State Department of Assessments and Taxation	E50C	34
State Lottery and Gaming Control Agency.....	E75D	35

	<u>Budget Code</u>	<u>Page</u>
Budgetary and Personnel Administration		
Department of Budget and Management		
Office of the Secretary	F10A	36
Personnel.....	F10A02	40
Department of Information Technology	F50	43
 Personnel Administration and Retirement		
State Retirement Agency.....	G20J01	47
 Transportation		
Department of Transportation.....	J00	49
The Secretary’s Office	J00A01	52
Debt Service Requirements.....	J00A04	56
State Highway Administration.....	J00B01	59
Maryland Transit Administration	J00H01	60
 Natural Resources		
Department of Natural Resources	K00A	61
 Agriculture		
Department of Agriculture	L00A	63
 Health and Mental Hygiene		
Department of Health and Mental Hygiene	M00	65
Administration	M00A01	66
Office of Health Care Quality.....	M00B0103	67
Health Professionals Boards and Commissions.....	M00B0104	68
Public Health Administration	M00F	69
Prevention and Health Promotion Administration.....	M00F03	70
Chronic Hospitals.....	M00I	71
Behavioral Health Administration	M00L	73
Developmental Disabilities Administration.....	M00M	75
Medical Care Programs Administration	M00Q01	78
Health Regulatory Commissions	M00R	85

	<u>Budget Code</u>	<u>Page</u>
Human Resources		
Department of Human Resources	N00	86
Administration	N00A01	87
Social Services Administration.....	N00B	89
Office of Technology for Human Services.....	N00F	91
Local Department Operations	N00G	92
Child Support Enforcement Administration.....	N00H00	103
Family Investment Administration	N00I00	104
Office of Home Energy Programs	N00I0006	105
 Labor, Licensing, and Regulation		
Department of Labor, Licensing, and Regulation.....	P00	106
 Public Safety and Correctional Services		
Department of Public Safety and Correctional Services		
Office of the Secretary	Q00A	109
Division of Correction	Q00B	111
Maryland Parole Commission.....	Q00C01	116
Division of Parole and Probation.....	Q00C02	117
Police and Correctional Training Commissions	Q00G00	118
Division of Pretrial Detention.....	Q00T04	120
 Public Education		
Maryland State Department of Education		
Headquarters	R00A01	122
Aid to Education	R00A02	125
Funding for Educational Organizations.....	R00A03	130
Children’s Cabinet Interagency Fund.....	R00A04	134
 Higher Education		
Higher Education Overview.....	HIGHED*	135
University System of Maryland	R30B00	137
Towson University.....	R30B24	138
University of Maryland Eastern Shore	R30B25	139

	<u>Budget Code</u>	<u>Page</u>
University System of Maryland Office.....	R30B36	140
Maryland Higher Education Commission.....	R62I00	141
Higher Education	R75T00	148
Baltimore City Community College	R95C00	155
 Housing and Community Development		
Department of Housing and Community Development	S00A	158
Maryland African American Museum Corporation.....	S50B01	159
 Commerce		
Department of Commerce.....	T00	160
Maryland Technology Development Corporation	T50	163
 Environment		
Department of the Environment.....	U00A	164
 Juvenile Services		
Department of Juvenile Services.....	V00A	168
 State Police		
Department of State Police	W00A	170
 Debt		
Public Debt.....	X00A00	172
 Deficiencies		
Fiscal 2017 Deficiencies		173
 Sections		
Sections		178

Senate Budget and Taxation Committee – Reductions

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed. Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2018 Budget Request						
Judiciary	\$12,229,871	\$0	\$0	\$0	\$12,229,871	6.5
Public Service Commission	0	6,231,927	0	0	6,231,927	
Uninsured Employers' Fund	0	105,900	0	0	105,900	1.0
Executive Department – Boards, Commissions, and Offices	44,456	0	0	0	44,456	
Governor's Office for Children and Interagency Fund	200,000	0	0	0	200,000	
State Board of Elections	1,032,852	0	0	0	1,032,852	
Department of Planning	179,197	0	0	0	179,197	
Maryland Health Benefit Exchange	0	250,000	0	0	250,000	
Maryland Insurance Administration	0	296,827	0	0	296,827	
Comptroller of Maryland	338,845	37,650	0	0	376,495	
State Lottery and Gaming Control Agency	0	135,613	0	0	135,613	
Department of Information Technology	3,527,000	36,000	27,000	0	3,590,000	
State Retirement Agency	0	550,000	0	0	550,000	
Maryland Department of Transportation – Secretary's Office – Pay-as-you-go	0	16,453,269	0	0	16,453,269	
Department of Agriculture	250,000	0	0	0	250,000	
Department of Health and Mental Hygiene (DHMH) – Health Professionals Boards and Commission	0	1,220,000	0	0	1,220,000	
Department of Human Resources (DHR) – Social Services Administration	519,005	206,024	207,974	0	933,003	
DHR – Family Investment Administration	11,300,000	0	0	0	11,300,000	

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed. Funds</u>	<u>Total Funds</u>	<u>Positions</u>
Maryland State Department of Education – Aid to Education	6,086,599	0	0	0	6,086,599	
University System of Maryland – Towson University	0	0	0	70,000	70,000	
Maryland Higher Education Commission (MHEC)	2,391,542	0	0	0	2,391,542	
Aid to Community Colleges	296,405	0	0	0	296,405	
MHEC – Student Financial Assistance	430,000	0	0	0	430,000	
State Support for Higher Education Institutions	70,000	0	0	0	70,000	
Department of Commerce	0	16,895,000	0	0	16,895,000	
Department of the Environment	0	5,170,000	0	0	5,170,000	
Public Debt	30,000,000	0	0	0	30,000,000	
<i>Subtotal Fiscal 2018 Regular Budget</i>	<i>\$68,895,772</i>	<i>\$47,588,210</i>	<i>\$234,974</i>	<i>\$70,000</i>	<i>\$116,788,956</i>	<i>7.5</i>
Fiscal 2018 Total Budget	\$68,895,772	\$47,588,210	\$234,974	\$70,000	\$116,788,956	7.5
Fiscal 2017 Deficiency Budget						
Governor’s Office for Children and Interagency Fund	\$100,775	\$0	\$0	\$0	\$100,775	
DHMH – Prevention and Health Promotion Administration	-7,500,000	0	0	0	-7,500,000	
DHMH – Medical Care Programs Administration	0	10,000,000	0	0	10,000,000	
<i>Subtotal Fiscal 2017 Deficiency Budget</i>	<i>-\$7,399,225</i>	<i>\$10,000,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,600,775</i>	
Total Fiscal 2017 Deficiency Budget	-\$7,399,225	\$10,000,000	\$0	\$0	\$2,600,775	
Grand Total Budget Bill	\$61,496,547	\$57,588,210	\$234,974	\$70,000	\$119,389,731	7.5

A15000
Payments to Civil Divisions of the State

Budget Amendments

A15000.01 Disparity Grants

Add the following language to the general fund appropriation:

, provided that this appropriation shall be reduced by ~~\$8,443,550~~ \$2,414,665 contingent upon the enactment of legislation ~~level funding the grants at the fiscal 2017 amount~~ modifying the formula for disparity grants.

Explanation: *This action makes two technical amendments to conform with actions taken to the Budget Reconciliation and Financing Act of 2017.*

Amendment No.

1

Add the following language to the general fund appropriation:

Further provided that \$10,000,000 of this appropriation for Baltimore City may not be distributed as a grant to Baltimore City until the Maryland State Department of Education (MSDE) certifies that Baltimore City has appropriated for fiscal 2018 an additional \$10,000,000 for the Baltimore City Public Schools (BCPS) over the fiscal 2017 Maintenance of Effort appropriation. If MSDE does not certify that Baltimore City has appropriated an additional \$10,000,000 for the school system, then the funds may not be distributed as a grant to Baltimore City, and authority is hereby granted to transfer \$10,000,000 to R00A02.01 to be provided as a grant to BCPS. If the funds are not transferred for this purpose, then it may not be expended or transferred for any other purpose and shall revert to the General Fund at the end of the fiscal year.

Explanation: This language restricts \$10 million in disparity grant funding for Baltimore City contingent on Baltimore City appropriating for fiscal 2018 an additional \$10 million for BCPS over the fiscal 2017 Maintenance of Effort (MOE) appropriation. MSDE must certify that \$10 million was appropriated as part of the city's MOE appropriation. If the funds are not provided, authority is provided to transfer \$10 million of Baltimore City's disparity grant funding to R00A02.01 to be distributed as a grant to BCPS.

Information Request	Author	Due Date
Certification of initial \$10 million MOE appropriation to BCPS	MSDE	45 days prior to the disbursement of funds

A15000

Add the following language to the general fund appropriation:

Further provided that \$6,028,886 of the appropriation made for the purpose of disparity grants shall not be expended until each of the following jurisdictions certify that it will spend the following amounts, equal to what that particular jurisdiction receives in excess of the fiscal 2017 grant, to increase local spending on public schools above the amount required to meet maintenance of effort for fiscal 2018:

<u>Baltimore City</u>	<u>946,445</u>
<u>Cecil County</u>	<u>196,240</u>
<u>Prince George’s County</u>	<u>4,245,462</u>
<u>Washington County</u>	<u>52,938</u>
<u>Wicomico County</u>	<u>587,801</u>

Further provided that on or before January 1, 2018, the Maryland State Department of Education shall submit certification to the budget committees to demonstrate that each jurisdiction has provided the appropriate increase in local spending on public schools above the amount required to meet maintenance of effort in order to have the funds released. The budget committees shall have 45 days to review and comment upon the receipt of the certification. These funds may not be transferred by budget amendment or otherwise to any other purpose, and if not expended shall revert to the General Fund.

Explanation: This language restricts funding from the disparity grants for each jurisdiction receiving an increase in fiscal 2018 until the Maryland State Department of Education (MSDE) certifies that each jurisdiction has increased local spending on public schools above the amount required to meet maintenance of effort by an amount that is equal to the fiscal 2018 increase that each jurisdiction would receive from the disparity grants. The certification shall be due by January 1, 2018.

Information Request	Author	Due Date
Certification that additional local funding has been provided to public schools	MSDE	January 1, 2018

Amendment No. **2**

C00A Judiciary

Budget Amendments

Add the following language:

Provided that \$6,257,414 in general funds for employee merit salary increases is reduced. The Chief Judge is authorized to allocate the reduction across the Judiciary.

Explanation: This action eliminates funding for merit salary increases for Judiciary employees. There is no general merit increase for State employees in the Governor's budget.

Amend the following language:

Further provided that ~~\$3,913,974~~ \$1,000,000 in general funds is reduced. The Chief Judge shall allocate this reduction across the Judiciary.

Explanation: This action eliminates ~~\$3.9 million~~ \$1 million in fiscal 2018 with the intent that the Judiciary use \$3.9 million in encumbered funds appropriated from fiscal 2012 to 2015 to fund fiscal 2018 expenses. It is the intent of the General Assembly that these previously encumbered funds not be reverted to the General Fund upon cancellation of any prior agreements to expend those funds. *The Chief Judge is authorized to allocate this reduction across the Judiciary.*

Amendment No.

3

C00A00.02 Court of Special Appeals

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Eliminate funding for 0.5 new position in the Court of Special Appeals. This position is being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	36,053	GF	0.50
Total Reductions	36,053		0.50

C00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	106.00	105.50		0.50
General Fund	12,737,667	12,701,614	36,053	
Total Funds	12,737,667	12,701,614	36,053	

C00A00.03 Circuit Court Judges

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Eliminate funding for 2 new positions in the circuit court judges. These positions are being denied due to the fiscal condition of the State and the Spending Affordability Committee’s recommendation that total State employment not be increased in fiscal 2018.	268,888 GF	2.00
 Total Reductions	 268,888	 2.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	428.00	426.00		2.00
General Fund	70,287,550	70,018,662	268,888	
Total Funds	70,287,550	70,018,662	268,888	

C00A00.04 District Court

Add the following language to the general fund appropriation:

, provided that \$8,500,000 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 \$8.5 million of the Judiciary’s general fund appropriation for the implementation of DeWolfe v. Richmond.

C00A

Add the following language to the general fund appropriation:

Further provided that \$1,500,000 of the general fund appropriation for the Appointed Attorney Program is reduced contingent upon the failure of SB 714.

Explanation: This action reduces the Appointed Attorney Program appropriation by \$1.5 million if SB 714 fails. SB 714 shifts responsibility for indigency determinations from the Office of the Public Defender (OPD) to the Judiciary. Currently, District Court commissioners make preliminary determinations as to whether arrestees are eligible for an appointed attorney at their initial appearance, and OPD later makes the final determination. These funds were included in the budget allowance for the Appointed Attorney Program but are not needed for that purpose based on an updated cost estimate.

4

Amendment No.

Reduce appropriation for the purposes indicated:	<u>Funds</u>		<u>Positions</u>
1. Eliminate funding for 1.5 new positions in the District Court. These positions are being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	70,404	GF	1.50
2. Reduce the appropriation for the Appointed Attorney Program from \$10.0 million to \$8.5 million. Actual expenditures in fiscal 2015 and 2016 were \$8.1 million and are on a similar trajectory through the first half of fiscal 2017.	1,500,000	GF	
3. Eliminate funding for 13 new full-time equivalents for District Court bailiffs. These funds are being denied due to the fiscal condition of the State.	392,557	GF	
4. Reduce funding for travel to half the requested increase. This reduction is intended to be spread across the Judiciary with the exception of the Clerks of the Circuit Court.	225,000	GF	

C00A

- | | | |
|---|--------------------------------|-------------|
| <p>5. Reduce funding for supplies. This reduction is intended to be spread across the Judiciary with the exception of the Clerks of the Circuit Court. This action is to eliminate the unjustified portion of an 11.1% increase for this class of expenditures.</p> | <p>311,757 GF</p> | |
| <p>6. Reduce funding for new and replacement office furniture. This reduction is intended to be spread across the Judiciary with the exception of the Clerks of the Circuit Court. This action is to eliminate the unjustified portion of a 29% increase in these expenditures across the Judiciary due to the fiscal condition of the State.</p> | <p>421,600 GF</p> | |
| <p>7. Reduce the appropriations for select comptroller subobjects within the District Court program for which an 8% inflation rate over the most recent actual expenditure has been applied without justification. This action reduces these appropriations to the same level as fiscal 2017.</p> | <p>454,102 GF</p> | |
| <p>Total Reductions</p> | <p>3,375,420
1,482,863</p> | <p>1.50</p> |

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1,531.00	1,529.50		1.50
General Fund	191,769,037	188,393,617 190,286,174	3,375,420 1,482,863	
Total Funds	191,769,037	188,393,617 190,286,174	3,375,420 1,482,863	

Amendment No.

5

C00A

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program and the State's efforts to comply with the DeWolfe v. Richmond decision. The committees request a report detailing the fiscal 2017 costs and utilization of the Appointed Attorney Program.

Information Request	Author	Due Date
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2017

Budget Amendments

C00A00.06 Administrative Office of the Courts

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Eliminate 1.35 new positions in the Administrative Office of the Courts. These positions are being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	69,475 GF	1.35
Total Reductions	69,475	1.35

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	237.85	236.50		1.35
General Fund	68,767,932	68,698,457	69,475	
Special Fund	17,000,000	17,000,000	0	
Federal Fund	57,485	57,485	0	
Total Funds	85,825,417	85,755,942	69,475	

C00A

Committee Narrative

Budget Practices in the Clerks of the Circuit Court: The committees are concerned that the budget process between the Clerks of the Circuit Court and the Administrative Office of the Court leads to inflated budget requests for the clerks. The committees request a report detailing the current budget review process for the Clerks of the Circuit Court and recommendations to ensure that future budget requests reflect actual needs.

Information Request	Author	Due Date
Budget practices in the Clerks of the Circuit Court	Judiciary	November 1, 2017

Budget Amendments

C00A00.07 Court Related Agencies

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Eliminate funding for 0.25 new position in the Court Related Agencies program. This position is being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	18,026 GF	0.25
 Total Reductions	 18,026	 0.25

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	17.00	16.75		0.25
General Fund	3,370,718	3,352,692	18,026	
Total Funds	3,370,718	3,352,692	18,026	

C00A

C00A00.08 State Law Library

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Eliminate 0.4 new position in the State Law Library. This position is being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	17,711 GF	0.40
 Total Reductions	 17,711	 0.40

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	17.40	17.00		0.40
General Fund	3,538,469	3,520,758	17,711	
Special Fund	9,400	9,400	0	
Total Funds	3,547,869	3,530,158	17,711	

C00A00.09 Judicial Information Systems

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Eliminate 5.5 0.5 new positions in Judicial Information Systems. These positions are being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	400,024 GF 23,190 GF	5.50 0.50
 Total Reductions	 400,024 23,190	 5.50 0.50

C00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	144.75	139.25 144.25		5.50 0.50
General Fund	43,487,993	43,087,969 43,464,803	400,024 23,190	
Special Fund	8,700,234	8,700,234	0	
Total Funds	52,188,227	51,788,203 52,165,037	400,024 23,190	

Amendment No.

6

Committee Narrative

Development of Statewide Cybersecurity Policy: The committees are concerned about cybersecurity and recognize the need for all units of State government to implement and follow robust cybersecurity policies and appreciate the Judiciary’s plan to develop and invest in such a policy and believe that the Judicial Information Systems (JIS) and the Department of Information Technology (DoIT) should consider working together to develop a unified cybersecurity policy. The committees request a joint report on the current status of the State’s cybersecurity policies and the feasibility of creating and adopting a unified cybersecurity policy for the Executive and Judicial branches.

Information Request	Authors	Due Date
Report on statewide cybersecurity policy	JIS DoIT	November 1, 2017

C00A

Budget Amendments

C00A00.10 Clerks of the Circuit Court

Amend the following language to the general fund appropriation:

, provided that this appropriation is reduced by \$4,056,251 \$3,056,251. The Chief Judge shall allocate the reduction across the Clerks of the Circuit Court program.

Explanation: This action reduces the total general fund appropriation for the Clerks of the Circuit Court and provides authority to the Chief Judge to allocate the reduction across the program. Funds of ~~\$1.0 million~~ \$2 million for the Clerks of the Circuit Court above the fiscal 2017 appropriation are not reduced, with the intent that those funds be reallocated by the Chief Judge to fund expenditures in the Administrative Office of the Courts.

Amendment No.

7

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Eliminate 10 new positions in the Clerks of the Circuit Court. These positions are being denied due to the fiscal condition of the State and the Spending Affordability Committee's recommendation that total State employment not be increased in fiscal 2018.	460,935	GF	10.00
	49,571	SF	
 Total Reductions	 510,506 0		 10.00 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1,463.00	1,453.00 1,463.00		10.00 0.00
General Fund	99,432,611	98,971,676 99,432,611	460,935 0	
Special Fund	21,240,776	21,191,205 21,240,776	49,571 0	
Total Funds	120,673,387	120,162,881 120,673,387	510,506 0	

Amendment No.

8

C00A

Committee Narrative

Defendant Contact Information and Appearance Reminders: There is growing evidence that courts can substantially reduce failure to appear (FTA) rates for criminal defendants by reminding those individuals of their scheduled appearance by telephone call or text message. The budget committees have learned that the Maryland Judiciary does not currently collect the contact information (particularly telephone numbers) of pretrial defendants and, therefore, could not implement such a reminder system. Therefore, the committees request that the Judiciary submit a report detailing any contact information it currently collects from defendants, the necessary steps to collect additional data, and the feasibility of implementing a reminder system for court appearances to reduce FTA rates.

Information Request	Author	Due Date
Defendant contact information and appearance reminders	Judiciary	August 1, 2017

C85E00
Maryland Tax Court

Committee Narrative

C85E00.01 Administration and Appeals

Report on Maryland Tax Court’s Current Hardware Systems Upgrade Schedule and Plan for Database Management System Implementation: Given Maryland Tax Court’s (MTC) role as the highest administrative level in the State and local tax-related appeals process and its ability to reduce the burden on the courts, the committees request that MTC report on its current hardware upgrade schedule, compatibility of current software with the next upgrade, and formal estimate for the cost of forward compatible software.

Information Request	Author	Due Date
MTC information technology upgrade plan	MTC	December 1, 2017

C90G00
Public Service Commission

Budget Amendments

C90G00.01 General Administration and Hearings

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Customer Investment Fund (CIF) appropriation based on the fiscal 2018 disbursement schedule. In January 2017, the Public Service Commission issued two orders that contained the disbursement schedule for all remaining CIF. The schedule includes fiscal 2018 disbursements of reallocated funds, fund interest, and available funding due to prior year undisbursed funds. The total available funding for disbursement to Baltimore City in fiscal 2018 is approximately \$7.6 million, which is less than the appropriation. This reduction brings the appropriation in line with planned fiscal 2018 disbursements and remaining CIF.	6,231,927 SF	

Total Reductions	6,231,927	0.00
------------------	-----------	------

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	62.00	62.00		0.00
Special Fund	24,859,321	18,627,394	6,231,927	
Total Funds	24,859,321	18,627,394	6,231,927	

C96J00
Uninsured Employers' Fund

Budget Amendments

C96J00.01 General Administration

Add the following language to the special fund appropriation:

, provided that PIN 092697 administrative manager senior I position shall be abolished and this appropriation reduced by \$105,900 to eliminate associated salary and fringe benefits of this position. The incumbent in this position may fill a currently authorized position.

Explanation: *This language abolishes PIN 092697 administrative manager senior I position and reduces the special fund appropriation by \$105,900 to eliminate associated salary and fringe benefits of this position. The role of this position at the Uninsured Employers' Fund is not justified.*

Amendment No.

9

Committee Narrative

Hiring Freeze Exemption: It is the intent of the budget committees that the Uninsured Employers' Fund be exempt from hiring freeze restrictions, given that the agency is entirely funded through a dedicated special fund source.

D05E
Board of Public Works

Committee Narrative

D05E01.10 Miscellaneous Grants to Private Non-Profit Groups

Continuing Operational Reporting: Adopt committee narrative requesting continuing operational reporting. In continuance of the practice that began July 2008, the committees request that the Maryland Zoological Society submit:

- audited financial statements for fiscal 2018; and
- year-to-date monthly attendance figures for the zoo for fiscal 2018 (by visitor group).

Information Request	Author	Due Date
Audited financials	Maryland Zoological Society	November 1, 2017
Attendance reports	Maryland Zoological Society	Monthly

D13A13
Maryland Energy Administration
Executive Department

Committee Narrative

D13A13.03 State Agency Loan Program – Capital Appropriation

Potential for Merging the Jane E. Lawton Conservation Loan Program and State Agency Loan Program: Since the creation of the Jane E. Lawton Conservation Loan Program (JELLP) from the merger of prior programs, the JELLP has experienced difficulties in encumbering funds. The State Agency Loan Program (SALP) has been more successful in encumbering funds and, in fiscal 2017, received requests totaling more than its appropriation. Despite the high demand, the funds planned in the 2017 Capital Improvement Program for the SALP are limited by the fund balance. The committees are interested in improving the efficiency of both programs by considering the options for merging the programs. The committees request that the Maryland Energy Administration (MEA), in conjunction with the Department of Budget and Management (DBM), review the potential for merging the programs and report on legislation that would be required and any program changes that would be necessary to complete such a merger.

Information Request	Authors	Due Date
Report on potential for merging the JELLP and the SALP	MEA DBM	December 15, 2017

Budget Amendments

D13A13.08 Renewable and Clean Energy Programs and Initiatives

Add the following language to the special fund appropriation:

provided that \$1,200,000 of this appropriation made for the purpose of the Electric Vehicle Recharging Equipment Rebate Program is contingent on the enactment of HB 406 or SB 315, which extends the electric vehicle recharging equipment rebate program beyond fiscal 2017.

Explanation: The fiscal 2018 allowance of the Renewable and Clean Energy Programs and Initiatives of the Maryland Energy Administration includes \$1.2 million to support an extended and expanded Electric Vehicle Recharging Equipment Rebate Program. Chapters 359 and 360 of 2014 established the program for fiscal 2015 through 2017. If the program is not extended by legislation, the funds are not required because the program is scheduled to terminate.

D13A13

Add the following language to the special fund appropriation:

Further provided that \$1,500,000 of this appropriation made for the purpose of the Maryland Energy Innovation Fund is contingent on the enactment of HB 410 or SB 313, which creates the Maryland Energy Innovation Institute and the Maryland Energy Innovation Fund.

Explanation: The fiscal 2018 allowance of the Renewable and Clean Energy Programs and Initiatives in the Maryland Energy Administration (MEA) includes \$1.5 million for the Maryland Energy Innovation Fund, which will support the Maryland Clean Energy Center (MCEC) and the Maryland Energy Innovation Institute. The \$1.5 million included in the fiscal 2018 MEA budget is the first year of a planned five years of transfers from the Strategic Energy Investment Fund to the Maryland Energy Innovation Fund. The Maryland Energy Innovation Institute is a planned joint collaboration between MCEC and the University of Maryland Energy Research Center. Neither the institute nor the fund currently exist. These funds are unnecessary without the enactment of legislation to create the fund and institute.

Committee Narrative

Planned Uses of the Seed Funding for the Maryland Energy Innovation Fund: SB 313/HB 410 establishes a new Maryland Energy Innovation Institute and a new Maryland Energy Innovation Fund (MEIF). The MEIF is to be used by both the institute and for administrative and operating support of the Maryland Clean Energy Center (MCEC). The legislation establishes seed funding for the MEIF through transfers from the Strategic Energy Investment Fund of \$1.5 million in each fiscal 2018 through 2022. The fiscal 2018 budget includes the first year of these transfers. Little is known about how these funds will be used and how much will be available from the funds to support MCEC. The committees request that the Maryland Energy Administration (MEA), in conjunction with MCEC and the Maryland Energy Innovation Institute, report on how seed funds in fiscal 2018 will be used and how much of the funding will be available to support MCEC.

Information Request	Authors	Due Date
Report on planned uses of the MEIF seed funding	MEA MCEC Maryland Energy Innovation Institute	September 1, 2017

D13A13

Programs for Residential or State Government Customers: To fully understand the scope of work and impact of programs offered by the Maryland Energy Administration (MEA), the committees request that MEA provide a report on recent and current programs offered by the agency impacting residential and State government customers including:

- clean energy communities low- and moderate-income grant program;
- clean energy grant program;
- Electric Vehicle Charging Equipment Rebate Program;
- energy education;
- building code programs;
- appliance rebate program;
- home performance rebate program;
- multifamily energy efficiency program;
- State agency loan program;
- State agency building energy efficiency program;
- federal advancing energy efficiency for public buildings grant; and
- alternative transportation programs.

The report should include for each program (1) a description of the performance measures collected (or planned); (2) a description of how MEA evaluates (or plans to evaluate the program); (3) program expenditures by fiscal year for fiscal 2010 to 2017 (to the extent available); (4) number of customers served by fiscal year for fiscal 2010 to 2017 (to the extent available); (5) annual energy savings by fiscal year for fiscal 2010 to 2017 (to the extent available); (6) kilowatt hours of renewable energy installed by fiscal year for fiscal 2010 to 2017 (to the extent available); and (7) program requirements.

Information Request	Author	Due Date
Programs for residential and State government customers	MEA	July 1, 2017

D15A05
Executive Department – Boards, Commissions, and Offices

Budget Amendments

D15A05.05 Governor’s Office of Community Initiatives

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for travel. These funds are being denied due to the fiscal condition of the State.	20,000 GF	
2. Reduce funding to eliminate 0.5 new contractual full-time equivalents in the Governor’s Office of Community Initiatives. This position is being denied due to the fiscal condition of the State.	24,456 GF	
 Total Reductions	 44,456	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	26.80	26.80		0.00
General Fund	2,458,459	2,414,003	44,456	
Special Fund	296,162	296,162	0	
Federal Fund	5,349,549	5,349,549	0	
Total Funds	8,104,170	8,059,714	44,456	

D15A0516
Governor's Office of Crime Control and Prevention

Committee Narrative

Implementing the Justice Reinvestment Act: Chapter 515 of 2016, the Justice Reinvestment Act (JRA), established Maryland's path to comprehensive criminal justice reform by altering provisions relating to sentencing, corrections, parole, and the supervision of offenders. The Governor's Office of Crime Control and Prevention (GOCCP) houses the Justice Reinvestment Oversight Board, which is charged with monitoring the progress and compliance with the implementation of Chapter 515. GOCCP should report to the committees with an update on the status of the JRA implementation and how the provisions taking effect on October 1, 2017, will impact the agency's fiscal 2018 outlook.

Information Request	Author	Due Date
Implementing the JRA	GOCCP	December 1, 2017

D18A18
Governor's Office for Children
Executive Department

Budget Amendments

D18A18.01 Governor's Office for Children

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. This action reduces administrative expenses by \$100,000 in general funds.	100,000 GF	
Total Reductions	100,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	16.00	16.00		0.00
General Fund	1,929,325	1,829,325	100,000	
Total Funds	1,929,325	1,829,325	100,000	

Committee Narrative

Out-of-home Placements: To facilitate evaluation of Maryland's family preservation programs in stemming the flow of children from their homes, the Governor's Office for Children (GOC), on behalf of the Children's Cabinet, is requested to prepare and submit to the budget committees a report on out-of-home placements containing data on 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. The report should also provide information on the costs associated with out-of-home placements, the reasons for new placements, and an evaluation of data derived from the application of the Maryland Family Risk Assessment. Data should also be collected concerning indicated findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of case closure. Each agency or administration that funds or places children and youth in out-of-home placements is requested to work closely with GOC and comply with any data requests necessary for production of the report.

Information Request	Author	Due Date
Report on out-of-home placements	GOC	December 15, 2017

D26A07
Department of Aging

Budget Amendments

D26A07.01 General Administration

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete 3.0 regular positions that have been vacant for an extended period (002200, 002406, and 050701), and increase turnover to 7.5%.	201,292 GF	3.00
	123,070 FF	
Total Reductions	324,362	3.00
	0	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	41.70	38.70 41.70		3.00 0.00
General Fund	2,731,999	2,530,707 2,731,999	201,292 0	
Special Fund	550,548	550,548	0	
Federal Fund	2,211,253	2,088,183 2,211,253	123,070 0	
Total Funds	5,493,800	5,169,438 5,493,800	324,362 0	

Amendment No.

10

Committee Narrative

Report on Pilot Programs: *The Maryland Department of Aging (MDOA) has indicated that it is currently piloting new programs intended to address various needs of the senior community. The department should provide a report that details ongoing and planned pilot programs. The report should detail target population, program location, partnerships, and structure of each program. The report should include goals and performance indicators for each pilot program.*

Information Request	Author	Due Date
<i>Report on pilot programs</i>	<i>MDOA</i>	<i>December 1, 2017</i>

D28A03
Maryland Stadium Authority

Committee Narrative

Maryland Stadium Authority’s Economic Development Role: The budget committees have observed that the Maryland Stadium Authority’s (MSA) role has expanded from a stadium construction and management entity to an instrument for economic development and community projects. However, there does not appear to be adequate cooperation or integration between MSA and the State’s economic development agencies. Legislation that was enacted as a result of recommendations from the Maryland Economic Development and Business Climate Commission ensured strategic alignment between the Department of Commerce (Commerce), the Maryland Economic Development Corporation (MEDCO), and the Maryland Technology Development Corporation by securing each entity a place on MEDCO. However, there was no recognition of the role MSA plays in the statewide economic and community development projects. The budget committees request that MSA and Commerce report on how MSA cooperates with the State’s economic development agencies and how MSA’s projects fit into the State’s economic development strategic plan. The report should consider ways to improve collaboration, including the expansion of MSA’s board to accommodate a State economic development representative, the expansion of MEDCO to include an MSA representative, and the establishment of a role for Commerce in the review of MSA feasibility studies. Any recommendations contained in the report should encourage collaboration while maintaining MSA’s existing financial autonomy and authority. The report should be submitted to the budget committees by December 1, 2017.

Information Request	Authors	Due Date
Report on MSA’s role in statewide economic development	MSA Commerce	December 1, 2017

D38I01
State Board of Elections

Budget Amendments

D38I01.04 Campaign Finance Fund

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. <i>Delete the appropriation into the Fair Campaign Finance Fund.</i>	1,032,852	GF
<i>Total Reductions</i>	1,032,852	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>General Fund</i>	1,032,852	0	1,032,852	
<i>Total Funds</i>	1,032,852	0	1,032,852	

Amendment No. 11

D40W01
Department of Planning

Budget Amendments

D40W01.07 Management Planning and Educational Outreach

Add the following language:

Contingent upon enactment of HB 152 or SB 172 with a provision to repeal a grant to the Maryland Humanities Council, authorization to expend reimbursable funds is reduced by \$150,000.

Explanation: The Budget Reconciliation and Financing Act (BRFA) of 2017 strikes the requirement that funding be allocated to the Maryland Humanities Council from the State Lottery Fund per Chapter 727 of 2016 (The Maryland International and Preakness Stakes Incentive Act of 2016). This action reduces the reimbursable fund appropriation if the BRFA provision is enacted.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete <i>Reduce</i> funding for the Non-Capital Grant Program. The fiscal 2018 allowance includes \$379,197 in general funds – the first such funding for the Non-Capital Grant Program since fiscal 2012. The State’s current fiscal situation does not support an increase in funding for new or reestablished initiatives.	379,197 GF 179,197 GF	
Total Reductions	379,197 179,197	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	12.00	12.00		0.00
General Fund	1,491,615	1,112,418 1,312,418	379,197 179,197	
Special Fund	3,221,675	3,221,675	0	
Federal Fund	852,662	852,662	0	
Total Funds	5,565,952	5,186,755 5,386,755	379,197 179,197	

Amendment No.

12

D53T00

Maryland Institute for Emergency Medical Services Systems

Committee Narrative

D53T00.01 General Administration

Evaluating the Impact of Emergency Department Overcrowding: Emergency department (ED) overcrowding increased significantly in fiscal 2016. This has a direct impact on emergency medical services (EMS) availability and response times, as well as patient care. Data is not currently available to evaluate the specific impact overcrowding has on Maryland patients. The budget committees direct the Maryland Institute for Emergency Medical Services Systems (MIEMSS) to work with the Health Services Cost Review Commission (HSCRC) to evaluate the impact of hospital overcrowding on EMS response times and Maryland's patient population and to develop a plan to address the overcrowding issue. The report is due to the budget committees no later than December 15, 2017.

Information Request	Authors	Due Date
Impacts of ED overcrowding	MIEMSS HSCRC	December 15, 2017

Mobile Integrated Healthcare Programs: The Maryland Institute for Emergency Medical Services Systems (MIEMSS) is part of an initiative to implement Mobile Integrated Healthcare (MIH) programs, in an effort to reduce unnecessary use of 911 and unnecessary transports to hospital emergency departments for minor medical complications. With the significant increase in hospital overcrowding in fiscal 2016, the budget committees direct MIEMSS to evaluate the impact of existing MIH programs and explore the potential for further expansion. The evaluation should include a cost-benefit analysis of the program and potential solutions to the lack of secured funding for emergency medical services' participation. The report is due to the budget committees no later than November 1, 2017.

Information Request	Author	Due Date
MIH programs	MIEMSS	November 1, 2017

D55P00
Department of Veterans Affairs

Budget Amendments

D55P00.05 Veterans Home Program

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds for the Maryland Environmental Service cost allocation. The general fund reduction can be offset by using federal funds that are included in the fiscal 2018 allowance for a Western Maryland veterans home feasibility study that is unnecessary.	150,000	GF
 Total Reductions	150,000 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	5.00	5.00		0.00
General Fund	3,348,759	3,198,759 3,348,759	150,000 0	
Special Fund	3,070,685	3,070,685	0	
Federal Fund	15,150,000	15,150,000	0	
Total Funds	21,569,444	21,419,444 21,569,444	150,000 0	

Amendment No. 13

Strike the following language:

~~provided that no portion of this appropriation made for the purpose of the Veterans Home Program may be expended for a feasibility study of a Western Maryland veterans home.~~

Explanation: Intended for a feasibility study of a Western Maryland veterans home is \$150,000 of this appropriation, which the Department of Veterans Affairs has already deemed unfeasible. The funds intended for this purpose can be used to offset the general fund costs of Maryland Environmental Service charges.

Amendment No. 14

D55P00

Committee Narrative

Charlotte Hall Veterans Home Staffing Report: The Office of Legislative Audits' (OLA) most recent fiscal compliance audit of the Maryland Department of Veterans Affairs (MDVA) identified that the department did not reduce payments to the vendor operating Charlotte Hall Veterans Home (CHVH) when required staffing was not provided. Two positions were vacant for the entire 15-month period (January 2015 through March 2016) that OLA reviewed and 1 additional position was vacant for approximately 5 months. OLA estimated that MDVA could have reduced payments by \$180,000 in this period.

There is concern that payments were made to the vendor for long-term vacant positions. MDVA should submit a report that provides historical vacancy rates at CHVH from the beginning of the current contract (October 2010) and monthly vacancy rates at CHVH for the period April 2016 through June 2017. For all positions identified as vacant for greater than 45 days, the department should provide the date that each became vacant and the date that each was filled, if applicable. All available salary information should be provided for identified vacancies and the sum of payments made to the vendor that can be attributed to identified vacancies.

The department should explain the extent to which it is possible to recover payments made to the contractor related to long-term vacancies.

Information Request	Author	Due Date
CHVH staffing report	MDVA	July 31, 2017

D78Y01
Maryland Health Benefit Exchange

Committee Narrative

D78Y01.01 Maryland Health Benefit Exchange

***Federal Enactment of Health Care Reform:** Given recent proposed federal legislation reforming the current health care system for qualified health plans, the committees request that the Maryland Health Benefit Exchange (MHBE) submit a report 60 days after the enactment of any legislation at the federal level that impacts the operation of MHBE or qualified health plans. The report should include the impact of the legislation on qualified health plans, review potential changes that need to be made to plans as a result of those changes, and also establish a timeline for the implementation of any necessary changes.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Federal enactment of health care reform</i>	<i>MHBE</i>	<i>60 days after enactment of federal legislation impacting qualified health plans</i>

Budget Amendments

D78Y01.02 Major Information Technology Development Projects

Add the following language to the special fund appropriation:

. provided that \$250,000 of this appropriation intended for the purpose of information technology for qualified health plans may not be expended. These funds may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund at the end of the year.

Explanation: This language reduces the special fund appropriation by \$250,000 for information technology enhancements for qualified health plans. These funds will revert to the General Fund at the end of the year.

D78Y01

Committee Narrative

Managed Care Organization Information Technology Project Report: The Maryland Health Benefit Exchange (MHBE) is in the process of planning and implementing a Managed Care Organization (MCO) Information Technology (IT) project that will more fully integrate MCO plans with MHBE. Specifically, Medicaid-eligible individuals will be provided with an option to select an MCO during the application process. MHBE has indicated that the project will consist of provider directory, website, and phone application components, and that the project is scheduled to be completed by September 2017 in time for the next open enrollment period.

Information Request	Author	Due Date
MCO IT project status	MHBE	August 1, 2017

D80Z01
Maryland Insurance Administration

Budget Amendments

INSURANCE ADMINISTRATION AND REGULATION

D80Z01.01 Administration and Operations

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce special funds for 2 of the new contractual positions. The Maryland Insurance Administration should reclassify current vacant positions because of vacancies higher than expected turnover.	296,827 SF	
 Total Reductions	 296,827	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	257.00	257.00		0.00
Special Fund	31,774,000	31,477,173	296,827	
Federal Fund	728,701	728,701	0	
Total Funds	32,502,701	32,205,874	296,827	

Committee Narrative

***Long-term Care Insurance:** The committees are concerned about the cost and availability of long-term care insurance and request that the Maryland Insurance Administration (MIA) report on potential inflation protection options for long-term care insurance consumers and the possible effect that the protections would have on the current market. The report should also include the feasibility of a two- or five-year moratorium on rate increases and the effect a moratorium would have on the current market.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Long-term care insurance</i>	<i>MIA</i>	<i>October 1, 2017</i>

E00A
Comptroller of Maryland

Budget Amendments

REVENUE ADMINISTRATION DIVISION

E00A04.01 Revenue Administration

Reduce appropriation for the purposes indicated:

1. Increase turnover expectancy to ~~4.15%~~ 4.4%.

<u>Funds</u>	<u>Positions</u>
170,840 GF	
338,845 GF	
18,982 SF	
37,650 SF	

Total Reductions	189,822
	376,495

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	366.60	366.60		0.00
General Fund	29,000,127	28,829,287	170,840	
		28,661,282	338,845	
Special Fund	4,761,284	4,742,302	18,982	
		4,723,634	37,650	
Total Funds	33,761,411	33,571,589	189,822	
		33,384,916	376,495	

Amendment No.

15

Committee Narrative

Processing of Tax Returns: *The committees are interested in additional information on the processing of tax returns and request that the Office of the Comptroller submit a report on the processing of tax returns including different steps for processing a return; the average time it takes for each step in return processing; the average number of returns at each step in processing during both tax season and non-peak months; and the number of returns received, reviewed, and processed within 30, 60, and 90 days for fiscal 2015, 2016, and 2017.*

Information Request	Author	Due Date
Processing of Tax Returns	Comptroller	October 1, 2017

E50C
State Department of Assessments and Taxation

Committee Narrative

E50C00.02 Real Property Valuation

Transparency in Assessments: It is the intent of the committees that the agency be transparent when assessing real property in the State. The committees are concerned about misclassifications of the type of sale (arms length or non-arms length) for certain transactions, which can have an impact on the property tax assessment – and, therefore, the property tax owed – by homeowners in the State. Specifically, it has come to the attention of the committees that assessors employ Multiple Listing Services edits to alter the classification of sales as arms length or non-arms length and that these decisions impact whether or not a sale is included as a comparable sale or not.

Therefore, the committees request that the agency submit a report answering the following questions: (1) how do assessors currently verify that manual changes of status from arms length to non-arms length classification are justified; (2) what does the agency consider an acceptable error rate for these classifications; and (3) how do the error rates vary across property values and types? The report should also identify actions that can be taken in the future to minimize these classification errors and, more generally, how the assessment process can be made more transparent to property owners and the public. The agency is instructed to review the assessment practices of other states as part of its analysis.

Information Request	Author	Due Date
Transparency in assessments	State Department of Assessments and Taxation	September 1, 2017

E75D
State Lottery and Gaming Control Agency

Budget Amendments

E75D00.01 Administration and Operations

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in contractual salaries. The increase in funds is for a new chief marketing position. This position would be more appropriately filled within a regular full-time equivalent position rather than contractually. The State Lottery and Gaming Control Agency should reclassify an existing vacancy for this position.	135,613 SF	
Total Reductions	135,613	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	162.10	162.10		0.00
Special Fund	68,984,798	68,849,185	135,613	
Total Funds	68,984,798	68,849,185	135,613	

F10A
Office of the Secretary
Department of Budget and Management

Budget Amendments

OFFICE OF THE SECRETARY

F10A01.01 Executive Direction

Amend the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of executive direction may not be expended unless the Department of Budget and Management includes in its submission of the fiscal 2019 Governor's budget books a separate volume that provides personnel and Managing for Results (MFR) data by agency. The personnel data shall be consistent with Section 7-121 of the State Finance and Procurement Article. The MFR data shall include the mission, vision, as well as key goals, objectives, and at least five performance indicators per objective. Funds restricted pending receipt of the volume of the Governor's budget book may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the volume is not included with the Governor's budget books submitted on the third Wednesday of January 2018.

Explanation: The Administration has previously provided personnel and MFR data in the annual budget books that are printed when the State budget is introduced. The fiscal 2017 and 2018 budget books did not include this data. Section 7-121 requires this personnel data and outlines how it should be formatted. This section reduces appropriations if the budget books are not consistent with State law or provides MFR data published in the budget books. This data is important to permit the budget committees to exercise oversight during the review of agency budgets each session.

Information Request	Author	Due Date
Budget book volume with personnel and MFR data	Department of Budget and Management	With the submission of the Governor's fiscal 2019 budget books

Amendment No.

16

F10A

Strike the following language:

~~Further provided that \$100,000 of this appropriation made for the purpose of executive direction may not be expended until:~~

~~(1) — The Department of Juvenile Services and the Maryland State Department of Education (MSDE) jointly develop measures that evaluate the performance of the Juvenile Services Education (JSE) program, to include but not be limited to the following measures:~~

~~(a) — average length of time to transition student records between a JSE school and a local school system;~~

~~(b) — teacher vacancy rates and length of tenure;~~

~~(c) — contacts with local school system liaisons to support student transition into the community;~~

~~(d) — students participating in postsecondary opportunities and vocational opportunities; and~~

~~(e) — the number of classroom hours canceled due to the unavailability of a teacher or substitute.~~

~~(2) — Data for the identified performance measures shall be included in MSDE's annual MFR performance measure submission beginning with the fiscal 2019 allowance submitted in January 2018.~~

~~Funds restricted pending performance indicators may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the performance indicators are not included with the Governor's budget books.~~

Explanation: ~~Concerns have been raised questioning whether MSDE is providing the appropriate level of services to students in Department of Juvenile Services (DJS) facilities, particularly to students with special education needs. This language requires DJS and MSDE to work jointly regarding progress made toward addressing the deficiencies in the provision of education services to youth in DJS facilities. It also requires the development of performance measures to evaluate how well the program is functioning, as opposed to only evaluating student performance. This requirement was originally included in Section 43 of the fiscal 2017 budget bill. The section also required a report from DJS and MSDE. The report was submitted, and the funds contingent on the report have been released by the budget committees. The Department of Budget and Management (DBM) did not include performance measures in the Managing for Results (MFR) submission. This language applies this section to DBM and requires the submission of these MFR performance indicators.~~

F10A

Information Request	Author	Due Date
MFR indicators for JSE	DBM	With the submission of the Governor's fiscal 2019 budget books

Amendment No.

17

Strike the following language:

~~Further provided that \$100,000 for the purposes of executive direction may not be expended unless the Department of Budget and Management, in Appendix A in the Maryland Budget Highlights for fiscal 2019, reflects no more than \$30,000,000 in general fund reversions for fiscal 2018. For appropriations approved in this Act that are determined to be in excess of the needs of any agency or program above the aggregate estimate of \$30,000,000 in reversions, the fiscal 2019 budget bill should include negative fiscal 2018 deficiencies. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the estimate for general fund reversions for fiscal 2018 listed in Appendix A of the Budget Highlights at the 2018 session exceed \$30,000,000.~~

Explanation: This requirement was originally included in Section 28 of the fiscal 2017 budget bill. It limits general fund revisions to \$30.0 million in unspecified agency reversions. In Appendix A of the Maryland Budget Highlights, \$125.8 million are included in addition to the \$30.0 million. The concern is that these reversions are planned and do not have the force of law. Instead listing these items as reversions, the Administration should instead include negative deficiencies. This provides a higher level of certainty that the Administration's proposed reductions are realized.

Amendment No.

18

F10A

Committee Narrative

Report That Addresses the Structural Deficit: The Administration’s long-term general fund forecast projects that the structural deficit increases steadily throughout the forecast period. By fiscal 2022, the structural deficit is expected to reach \$1.2 billion. The spending affordability process was put in place in 1982 with the goal of calibrating the growth in State spending to growth in the State’s economy. In implementing that objective, a unique method of classifying and accounting for State spending was developed and has been periodically revised as circumstance has required. In five of the last seven years, the recommendation of the committee focused on closing the sizeable structural deficit that had been generated by extraordinary fiscal issues – plummeting revenues, substantial short-term federal assistance, and extensive reliance on one-time budget balancing actions. The Spending Affordability Committee (SAC) has expressed concerns that, despite a favorable fiscal outlook at the close of the 2016 session, slower than anticipated economic growth has resulted in the downward revision of general fund revenues and a sizeable structural imbalance for fiscal 2018 and subsequent years. In its December 2016 report, SAC recommends that the Administration prepare a detailed report with specific proposals for achieving structural balance in fiscal 2019. The report should specify actions at the program level. The report should be submitted to SAC, the House Appropriations Committee, and the Senate Budget and Taxation Committee no later than July 1, 2017.

Information Request	Author	Due Date
Structural deficit report	Department of Budget and Management	July 1, 2017

F10A02
Personnel
Department of Budget and Management

Budget Amendments

OFFICE OF PERSONNEL SERVICES AND BENEFITS

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 fiscal 2017 closeout of the Employee and Retiree Health Insurance Account. This report shall include:

- (1) the closing fiscal 2017 fund balance;
- (2) the actual provider payments due in the fiscal year;
- (3) the State employee and retiree contributions;
- (4) an accounting of rebates, recoveries, and other costs; and
- (5) any closeout transactions processed after the fiscal year ended.

The report shall be submitted to the budget committees by October 1, 2017. 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 2017 closeout data for the Employee and Retiree Health Insurance Account.

Information Request	Author	Due Date
Report on fiscal 2017 closeout data for the Employee and Retiree Health Insurance Account	DBM	October 1, 2017

F10A02

Amend the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of the Executive Direction program may not be expended until the Department of Budget and Management shall submits submit a report to the budget committees on employee churn. The report shall include the total number of resignations of employees with five years or less of State service for each State agency for each fiscal year from fiscal 2007 to 2016. The report shall be submitted by July 1, 2017., 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: This language restricts \$100,000 in general funds to the Executive Direction program until a report is requires the Department of Budget and Management to submitted submit a report on employee churn. The report shall include data on employees who resigned with five years or less of State service for each State agency for each fiscal year from fiscal 2007 to 2016.

Information Request	Author	Due Date
Employee churn from fiscal 2007 to 2016	Department of Budget and Management	July 1, 2017

Amendment No.

19

Committee Narrative

Employee Terminations and Demotions: The Department of Budget and Management (DBM) provides data to the Department of Legislative Services (DLS) regarding the various personnel transactions overseen by the agency in the course of its duties as the central administrator of statewide personnel, including the following: (1) terminated employees; (2) employees terminated due to failure to report for duty; and (3) demoted employees. The budget committees request that DBM identify the length of State service of the employees within these personnel transactions, and that this information be provided as aggregate data in five-year increment groupings by fiscal year for fiscal 2012 to 2017. Additionally, the budget committees request that DBM provide totals for these transactions grouped by State agencies by fiscal year for fiscal 2012 to 2017, only for agencies that have had five or more terminations and demotions in a year. DBM should submit a report with the requested information and provide the requested data in a machine-readable format to DLS by December 1, 2017. Additionally, it is the intent of the budget committees that this data be provided annually with the final fourth quarter personnel transaction data starting in fiscal 2018 and continuing thereafter.

F10A02

Information Request	Author	Due Date
Employee termination and demotion years of service and State agencies data	DBM	December 1, 2017

Workday Payroll System Implementation Update: Since the rollout of the components of the new personnel system, Workday, there have been issues involving employee payroll, particularly at the State's 24/7 facilities. The Department of Budget and Management (DBM) is in the process of investigating and resolving these payroll issues; therefore, the budget committees request that the department submit a report that provides an update on the resolution of these issues for the State's 24/7 facilities by November 1, 2017. The report should include (1) an update on progress made toward implementing and expanding timeclock systems to address unique requirements of the 24/7 facilities; (2) monthly data on the number of complaints received, resolved, and the length of time to achieve resolution in fiscal 2017; and (3) any other actions taken by DBM to resolve payroll and overtime problems resulting from the transition to the Workday personnel system.

Information Request	Author	Due Date
Update on resolution of Workday issues at 24/7 facilities	DBM	November 1, 2017

Report on the Wellness Program: The budget committees are interested in the progress of the wellness program administered by the Department of Budget and Management (DBM), including ways to encourage greater participation in the program. The budget committees request that DBM take the following the steps to determine whether additional improvements may increase participation: (1) review wellness programs nationally to evaluate successful measures to increase participation; (2) consider additional incentives for participation in the program, including programs geared toward increasing physical activity; and (3) determine new avenues to publicize the benefits of participation in the program. The budget committees request that DBM submit a report summarizing the findings and actions resulting from these steps by December 1, 2017.

Information Request	Author	Due Date
Wellness program participation improvement measures	DBM	December 1, 2017

F50
Department of Information Technology

Budget Amendments

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund

Strike the following language:

~~Further provided that \$1,200,000 of this appropriation made for the purpose of video streaming Maryland General Assembly floor sessions is contingent on the enactment of SB 253 or HB 438, authorizing video streaming of Maryland General Assembly floor sessions.~~

~~**Explanation:** This makes the appropriation for video streaming equipment contingent on legislation authorizing video streaming.~~

Amendment No. 20

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for major information technology (IT) project oversight. The fiscal 2018 allowance includes \$1,783,170 for major IT project oversight. Each year, the major IT project fund ends the year with a large fund balance, because all the funds appropriated were not spent. For example, fiscal 2016 ended with a \$45.5 million fund balance, fiscal 2015 ended with a \$32.7 million fund balance, and fiscal 2014 ended with a \$31.3 million fund balance. Furthermore, oversight funds were reduced \$803,000 in fiscal 2017 cost containment, and \$966,388 in oversight costs were canceled and redirected toward new projects in fiscal 2018. The department is authorized to move funds between projects if necessary to fund project oversight costs incurred in fiscal 2018.	1,000,000	GF

F50

2. Reduce the appropriation to the Major Information Technology Development Fund. The Governor’s allowance includes \$1,440,000 for the Maryland Department of the Environment’s (MDE) Permit Tracking System Modernization major information technology project. MDE advises that no additional funds are required for this project. 1,440,000 GF

3. *Reduce the appropriation to the Major Information Technology Development Fund. This action reduces an allowance of \$1,200,000 to \$500,000. Prior to beginning any alterations to the chambers of the Senate and the House of Delegates, projects must be approved by the Maryland Historic Trust and the State House Trust. Given the time that this approval process will take, funding for the full year will not be needed.* 700,000 GF

Total Reductions 2,440,000
3,140,000

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	28,302,775	25,862,775 25,162,775	2,440,000 3,140,000	
Special Fund	3,500,000	3,500,000	0	
Total Funds	31,802,775	29,362,775 28,662,775	2,440,000 3,140,000	

Amendment No.

21

F50

OFFICE OF INFORMATION TECHNOLOGY

F50B04.01 State Chief of Information Technology

Add the following language:

Authorization to expend reimbursable funds is reduced by \$135,000.

Explanation: Currently, 13% of positions are vacant. The department has consistently had high vacancy rates that exceeded 20% at times. Increasing the turnover rate to 6% reduces spending by \$450,000, which is \$306,000 in general funds, \$9,000 in special funds, and \$135,000 in reimbursable funds. This reduction shall be allocated across the department.

F50B04.04 Infrastructure

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover rate to 6%. Currently, 13% of positions are vacant. The department has consistently had high vacancy rates that exceeded 20% at times. Increasing the turnover rate to 6% reduces spending by \$450,000, which is \$306,000 in general funds, \$9,000 in special funds, and \$135,000 in reimbursable funds. This reduction may be allocated across the department.	306,000 GF 9,000 SF	
Total Reductions	315,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	134.00	134.00		0.00
General Fund	10,381,933	10,075,933	306,000	
Special Fund	1,894,000	1,885,000	9,000	
Total Funds	12,275,933	11,960,933	315,000	

F50

Committee Narrative

Review of Information Technology Personnel Compensation: The State should review information technology (IT) personnel policies to determine if changes can be made to bring IT personnel policies more in line with industry policies. This should include an examination of IT compensation to determine if any adjustments can be made to make State service more attractive. This should also include reviewing nonwage benefits, which include reevaluating State classifications, modifying benefits for IT professionals, allowing for more work-life balance and flexibility, offering more opportunities for training and professional growth, and offering a portfolio of more current technologies.

The State should also consider partnering with nearby higher education institutions to train more IT professionals. This could involve community colleges and nearby universities as well as training offered by federal institutions. The State could offer scholarship help or tuition reimbursement for students that agree to work for the State for a number of years.

Information Request	Authors	Due Date
Review of IT personnel compensation	Department of Information Technology Department of Budget and Management	December 1, 2017

Status of the Agile Major Information Technology Project Development Approach: Agile is a new approach, and the legislature will want to understand major information technology (IT) project spending and benefits. The Department of Information Technology (DoIT) should continue to provide clear information about the major IT projects that are being developed and funded in the Major Information Technology Development Project Fund. DoIT has prepared a draft Information Technology Project Request (ITPR). The report should include the format for the new Agile ITPR.

Information Request	Author	Due Date
Status of the Agile major IT project development approach	DoIT	January 1, 2018

G20J01
State Retirement Agency
Maryland State Retirement and Pension Systems

Budget Amendments

G20J01.01 State Retirement Agency

Add the following language to the special fund appropriation:

, provided that \$750,000 for Phase 3 of the Maryland Pension Administration System may not be expended until it is designated as a Major Information Technology Development Project by the Department of Information Technology. Notification shall be submitted to the budget committees.

Explanation: Phase 3 of the Maryland Pension Administration System is anticipated to be a \$12 million to \$15 million project to automate agency business operations and provide online functionality to system members. Given the project’s scope and cost, the Department of Legislative Services believes that it should be subject to the support and oversight provided to Major Information Technology Development Projects.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete additional funding for Phase 3 of the Maryland Pension Administration System because a clear plan design has not yet been developed. Sufficient funding remains for a business process consultant and project management services.	550,000 SF	
Total Reductions	550,000	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
Special Fund	23,416,000	22,866,000	550,000	
Total Funds	23,416,000	22,866,000	550,000	

G20J01

Committee Narrative

Report on Statutory Spending Cap: The committees are concerned that State Retirement Agency (SRA) expenditures may exceed statutory limits because the agency's long-standing calculations of the spending cap may not be consistent with statutory requirements. The agency should report to the Joint Committee on Pensions on (1) its methodology for calculating its statutory spending cap; (2) the justification for including retiree benefits and inactive compensation in that calculation; and (3) recommendations for clarifying statutory language. A report shall be submitted by November 1, 2017.

Information Request	Author	Due Date
Report on agency spending cap to the Joint Committee on Pensions	State Retirement Agency	November 1, 2017

Study on Vesting: Chapter 397 of 2011 enacted comprehensive pension reform that made changes to employee contributions, benefit multipliers, eligibility requirements, average final compensation, cost-of-living adjustments, and retiree health eligibility. Specifically, Chapter 397 increased the time period required for an employee hired on or after June 30, 2011, to vest in the employees' and teachers' pension systems and the other systems for public safety employees from 5 to 10 years.

During the 2017 session, several bills have been introduced, which purport to address recruitment and retention issues in State government. The budget committees request that the State Retirement Agency (SRA) study the impact of the 10-year vesting requirement enacted under Chapter 397. Additionally, SRA should analyze the costs and benefits of ~~returning to a 5-year vesting period~~ *reducing the current 10-year vesting period for employees hired on or after July 1, 2011*. On or before October 1, 2017, SRA shall report the results of the study to the Joint Committee on Pensions.

Information Request	Authors	Due Date
Study on vesting	State Retirement Agency	October 1, 2017

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 2017-2022 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 2017 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	With draft CTP With final CTP
Capital budget changes throughout the year	Maryland Department of Transportation	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 2018. 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, which 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 2018 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

Committee Narrative

Transportation Trust Fund Forecast Assumptions: The committees are concerned that the 3.4% average annual increase in departmental operating expenses that the Maryland Department of Transportation (MDOT) used in its fiscal 2017 through 2022 Transportation Trust Fund (TTF) forecast understates the amount of operating expenses likely to be incurred over the forecast period and, as a consequence, leads to an overestimate of the level of funding that will be available during the forecast period to support the capital program. The committees note that only three times since fiscal 2017 has the five-year average annual increase in departmental operating expenses dipped below 3.5% and those instances covered the years of the Great Recession. It is therefore the intent of the committees that the out-year estimates of departmental operating expenses that MDOT incorporates in TTF forecasts be inflated, at a minimum, by a rate equal to the five-year average annual increase in operating expenses experienced during the period ending with the most recently completed fiscal year.

J00A01
The Secretary's Office
Department of Transportation

Budget Amendments

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$4,044,334 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 expand funds for an existing grantee.

Further provided that no expenditures in excess of \$4,044,334 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

Amend the following language on the special fund appropriation:

Special Fund Appropriation, provided that these funds intended as transportation grants shall be allocated as follows:

Baltimore City	<u>5,484,423</u> <u>3,656,282</u>
County Governments	<u>27,422,115</u> <u>12,796,987</u>
Municipal Governments	<u>20,109,551</u>

Further provided that ~~\$27,422,115~~ \$12,796,987 of this appropriation to county governments and \$20,109,551 to municipal governments shall be allocated to eligible counties and municipalities as provided in Sections 8-404 and 8-405 of the Transportation Article and may be expended only in accordance with Section 8-408 of the Transportation Article.

Explanation: *This language provides transportation grants to local governments that, when added to the statute-based Highway User Revenues (HUR) distributed to local governments provides Baltimore City with total transportation aid equal to 7.9% of total HUR, counties with aid equivalent to 2.2% of total HUR, and municipalities with aid equivalent to 1.5% of total HUR.*

Amendment No.

22

Add the following language to the special fund appropriation:

Further 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 2017-2022 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 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).

J00A01

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

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce funds that are in excess of the amount needed to increase total transportation aid to Baltimore City to 7.9% of total Highway User Revenues (HUR), counties to 2.2% of total HUR, and municipalities to 1.5% of total HUR.</i>	16,453,269	SF
<i>Total Reductions</i>	16,453,269	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	15.00	15.00		0.00
<i>Special Fund</i>	83,366,089	66,912,820	16,453,269	
<i>Federal Fund</i>	13,871,000	13,871,000	0	
Total Funds	97,237,089	80,783,820	16,453,269	

Amendment No. **23**

J00A01.05 Washington Metropolitan Area Transit – Capital

Add the following language to the special fund appropriation:

, provided that \$155,922,000 of this appropriation made for the purpose of providing a grant to the Washington Metropolitan Area Transit Authority to support its capital program 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 be canceled.

Explanation: The appropriation for the grant to the Washington Metropolitan Area Transit Authority (WMATA) is approximately \$17 million more than the amount identified in the WMATA fiscal 2018 proposed budget as needed from Maryland in fiscal 2018. However, the WMATA capital program relies on the issuance of debt, repayment of which will add to the

J00A01

amount Maryland must contribute in the future. The excess funds in this appropriation may be used as an additional grant to reduce the amount of future debt service. Any funds that are not used for the WMATA capital program in fiscal 2018 will cancel at the end of the fiscal year.

J00A04
Debt Service Requirements
Department of Transportation

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 \$3,021,675,000 as of June 30, 2018. Further provided that the amount paid for debt service shall be reduced by any proceeds generated from net bond sale premiums, provided that those revenues are recognized by the department and reflected in the Transportation Trust Fund forecast. Further provided that the appropriation for debt service shall be reduced by any proceeds generated from net bond sale premiums. To achieve this reduction, the Maryland Department of Transportation (MDOT) may either use the proceeds from the net premium to reduce the size of the bond issuance and/or apply the proceeds from the net premium to eligible debt service.

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 outstanding debt as of June 30, 2016, plus projected debt to be issued during fiscal 2017 and 2018 in support of the transportation capital program.

Add the following language:

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 2017 through 2027.

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 MDOT, may not exceed \$880,930,000 as of June 30, 2018. Provided, however, that in addition to the limit 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, 2018, and the total amount by which the fiscal 2018 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.

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2018 to the total amount that is projected to be outstanding from all previous nontraditional debt issuances as of June 30, 2016. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2018 by providing notification to the budget committees regarding the reason that the additional issuances are required.

J00A04

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

J00B01
State Highway Administration
Department of Transportation

Committee Narrative

J00B01.01 State System Construction and Equipment

Bicycle and Pedestrian Infrastructure: Bicycle and pedestrian trails are an important part of Maryland’s transportation network. The annual cycle of competitive grants through which most funding is awarded allows little predictability for local governments wishing to develop this type of infrastructure. The State Highway Administration should explore methods by which multi-year awards could be made.

***Sale or Lease of Naming Rights for Rest Areas and Welcome Centers:** The State Highway Administration (SHA) in cooperation with the Department of Commerce (Commerce) is requested to study the feasibility of selling or leasing the naming rights for rest areas and welcome centers within State Highway rights-of-way for the purpose of raising funds to be used to promote tourism within the State. The study should identify the potential funds that could be raised, the additional costs that SHA would incur to implement such a plan, and any statutory or regulatory changes that would need to be made to implement such a plan. SHA and Commerce should report the findings of this study to the budget committees by December 1, 2017.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Study of potential for raising funds for tourism through the sale or lease of naming rights for rest areas and welcome centers</i>	<i>SHA Commerce</i>	<i>December 1, 2017</i>

J00H01
Maryland Transit Administration
Department of Transportation

Committee Narrative

J00H01.01 Transit Administration

Transit Growth and Development Plans: The Maryland Transit Administration (MTA) has developed a growth and development plan for the Maryland Area Regional Commuter train service that serves to inform its capital and operating planning. The committees are aware that MTA is in the process of developing similar plans for its other modes of service. MTA should provide a report to the committees by December 1, 2017, giving the status of these efforts and indicating how public input was or will be incorporated in developing these plans.

Information Request	Author	Due Date
Report on efforts to develop growth and development plans	MTA	December 1, 2017

J00H01.02 Bus Operations

Sparrows Point Transit Access: Sparrows Point is poised to become a major employment center for the Baltimore region. In order to maximize the economic benefits of this development, it is essential that adequate bus service to Sparrows Point be established so that residents from population centers in the Baltimore region, including Baltimore City and Western Baltimore County, have access to the jobs that will be created. The Maryland Transit Administration should develop routes and schedules that facilitate and support job growth at Sparrows Point.

BaltimoreLink Implementation Status Report: Full implementation of the BaltimoreLink transit initiative is scheduled for June 2017. The Maryland Transit Administration (MTA) should provide a report to the budget committees by December 31, 2017, that evaluates the first six months of operations with respect to ridership, on-time performance, and customer satisfaction. The report should also provide a status report on the capital improvements related to BaltimoreLink that have been completed and that are yet to be completed.

Information Request	Author	Due Date
Report on first six months of BaltimoreLink operations	MTA	December 31, 2017

K00A
Department of Natural Resources

Budget Amendments

MARYLAND PARK SERVICE

K00A04.01 Statewide Operations

Amend the following language to the special fund appropriation:

, provided that ~~\$500,000~~ \$100,000 of this appropriation for the Department of Natural Resources (DNR) Maryland Park Service – Statewide Operations made for the purpose of general operating expenses may not be expended until DNR submits quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports should discuss the status of developing a resource management planning team, the role of the proposed business development manager, the goals being developed for a formal long-range plan, the five-year strategic plans being developed for individual State parks, and the actual development of a Comprehensive Long Range Strategic Plan as contemplated for achievement of the National Gold Medal Award from the National Recreation and Park Association. Funding restricted for this purpose may be released quarterly in ~~\$125,000~~ \$25,000 installments upon receipt of the required quarterly reports. The budget committees shall have 45 days 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 be canceled if the reports are not submitted to the budget committees.

Explanation: This language restricts funding until the submission of quarterly reports on the status of development of a Comprehensive Long Range Strategic Plan as contemplated for achievement of the National Gold Medal Award from the National Recreation and Park Association. The 2016 Joint Chairmen’s Report included the request for a similar report, but the report did not fully capture the spirit of the request – identifying funding sources and a reasonable timeline to achieve full implementation of the plan in order to position Maryland’s parks to achieve a National Gold Medal Award from the National Recreation and Park Association.

Information Request	Author	Due Date
Quarterly reports on the status of development of a Comprehensive Long Range Strategic Plan	DNR	July 1, 2017 October 1, 2017 January 1, 2018 April 1, 2018

Amendment No.

24

K00A

NATURAL RESOURCES POLICE

K00A07.04 Field Operations

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding and positions for the aviation unit. The Natural Resources Police has a Memorandum of Understanding with the Maryland State Police for flying missions; therefore, the aviation unit is unnecessary. In addition, the aviation unit was abolished as part of cost containment and, therefore, is not a fiscally sound addition to the State's budget.	555,842 GF	2.00
 Total Reductions	555,842 0	2.00 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	237.00	235.00 237.00		2.00 0.00
General Fund	26,106,560	25,550,718 26,106,560	555,842 0	
Special Fund	6,545,745	6,545,745	0	
Federal Fund	2,025,879	2,025,879	0	
Total Funds	34,678,184	34,122,342 34,678,184	555,842 0	

Amendment No.

25

L00A
Department of Agriculture

Budget Amendments

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.13 Tobacco Transition Program

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete the \$1,000,000 in special funds for the Tobacco Transition Program that provides for agricultural easement purchases. The program's capital component is scheduled to end in fiscal 2018 in the 2017 Capital Improvement Program.	1,000,000	SF
Total Reductions	1,000,000 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	1,000,000	0 1,000,000	1,000,000 0	
Total Funds	1,000,000	0 1,000,000	1,000,000 0	

Amendment No. 26

L00A12.18 Rural Maryland Council

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the Rural Maryland Council additional funding. The Rural Maryland Council receives an additional \$2,000,000 in general funds in fiscal 2018. This action reduces the additional funding by \$1,000,000 \$250,000 due to the fiscal condition of the State.	1,000,000 250,000	GF GF
Total Reductions	1,000,000 250,000	

L00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	4,167,000	3,167,000 3,917,000	1,000,000 250,000	
Total Funds	4,167,000	3,167,000 3,917,000	1,000,000 250,000	

Amendment No.

27

M00
Department of Health and Mental Hygiene

Budget Amendments

Add the following language:

Given the long standing and persistent nature of the heroin, opioid, and fentanyl overdose crisis, it is the intent of the General Assembly that the Governor assign an individual in the Executive Branch on a permanent basis who will be designated to administer the Governor's authority to operationally address the heroin, opioid, and fentanyl overdose crisis, until such a time that the crisis can be satisfactorily controlled and eliminated.

Explanation: On March 1, 2017, the Governor issued an executive order declaring a State of Emergency pertaining to the heroin, opioid, and fentanyl overdose crisis, which lasts only 30 days until March 31, 2017. Within that executive order, an individual was to be assigned to administer the Governor's authority to take specific actions to address the crisis. This language expresses the intent of the General Assembly that this individual be assigned and allowed to administer these duties on a more permanent basis given the long standing and persistent nature of the crisis.

Amendment No. **28**

M00A01
Administration
Department of Health and Mental Hygiene

Committee Narrative

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

Loan Repayment Assistance and Scholarship Programs: The budget committees request a report from the Department of Health and Mental Hygiene (DHMH), the Department of Human Resources (DHR), and the Maryland Higher Education Commission (MHEC) on the development and feasibility of providing loan repayment assistance and/or scholarship programs to individuals who fill high vacancy positions within DHMH or DHR. This report shall outline which high vacancy position classifications would be eligible for the program, what resources are currently available to assist in filling those vacancies, and make recommendations regarding ways to increase the use of these programs, or create new ones, specifically for State employees filling these positions.

Information Request	Authors	Due Date
Loan repayment assistance and scholarship programs for State employees at DHMH and DHR	DHMH DHR MHEC	November 1, 2017

Employees at State Institutions: *The budget committees are concerned that employees in the Department of Health and Mental Hygiene (DHMH) that work with forensic patients are not classified or compensated appropriately. The Forensic Services Workgroup of 2016 recommended that these employees receive reclassifications in order to better recruit and retain these individuals. The budget committees request DHMH to submit a report on the implementation of these recommendations for employees at institutions administered by the Behavioral Health Administration and the Developmental Disabilities Administration.*

Information Request	Author	Due Date
<i>Reclassification of employees at institutions with forensic patients</i>	<i>DHMH</i>	<i>October 1, 2017</i>

M00B0103
Office of Health Care Quality
Department of Health and Mental Hygiene

Budget Amendments

REGULATORY SERVICES

M00B01.03 Office of Health Care Quality

Add the following language:

Provided that \$100,000 of the general fund appropriation in program M00A01.01 Executive Direction made for the purpose of administration may not be expended until the Department of Health and Mental Hygiene (DHMH) submits a three-year plan to the budget committees outlining how DHMH will fully staff the Office of Health Care Quality. The report should include (1) an analysis of appropriate compensation for recruitment and retention of nurse surveyors; and (2) an assessment of strategies other than salary that the federal government and other states use to retain nurse surveyors. This report shall be submitted by October 1, 2017, and the 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 will revert to the General Fund if the report is not submitted.

Explanation: The budget committees are concerned about the safety of the State's health care facilities regulated by the Office of Health Care Quality with the chronic staffing shortage that plagues the agency. The agency has had large staffing deficits for over a decade that impinge its ability to meet statutory mandates. The committees request that DHMH provide the budget committees with a three-year plan to fully staff the agency to be compliant with its statutory staffing analysis study. The plan is to include an analysis of compensation levels for nurse surveyors, and an analysis of retention strategies other than salary (such as benefits or training opportunities) for nurse surveyors.

Information Request	Author	Due Date
Three-year staffing plan for the Office of Health Care Quality	DHMH	October 1, 2017

M00B0104
Health Professionals Boards and Commissions
Department of Health and Mental Hygiene

Budget Amendments

M00B01.04 Health Professionals Boards and Commissions

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for new licensing software for the Board of Dental Examiners and the Board of Pharmacy. Should additional funding be required either for the Board of Physicians project, or after the Department of Information Technology makes a recommendation that neither board should be included in the enterprise project solution, funds may be replaced through budget amendment to the appropriate program.	1,220,000	SF
 Total Reductions	 1,220,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	126.10	126.10		0.00
General Fund	499,166	499,166	0	
Special Fund	19,738,350	18,518,350	1,220,000	
Total Funds	20,237,516	19,017,516	1,220,000	

Committee Narrative

~~**Board of Professional Counselors and Therapists Licensing Process:** The budget committees remain concerned about the time it takes for the Board of Professional Counselors and Therapists to license a new master's degree graduate. The committees request a report on how the board could improve the time it takes to complete a license for trained and qualified individuals applying for the positions of alcohol and drug counselors, mental health counselors, marriage and family therapists, and peer support specialists, including by possibly allowing applicants to submit applications prior to graduation.~~

<u>Information Request</u>	<u>Author</u>	<u>Due Date</u>
Improving the time for licensing new graduates	Board of Professional Counselors and Therapists	October 1, 2017

M00F
Public Health Administration
Department of Health and Mental Hygiene

Committee Narrative

M00F02.01 Office of Population Health Improvement

Centralized Revenue Management System: The budget committees request that the Department of Health and Mental Hygiene (DHMH) submit a report on the timeline and funding for the creation of a centralized revenue management system for the local health departments.

Information Request	Author	Due Date
Centralized revenue management system report	DHMH	December 31, 2017

M00F03
Prevention and Health Promotion Administration
Department of Health and Mental Hygiene

Budget Amendments

M00F03.04 Family Health and Chronic Disease Services

Amend the following language on the general fund appropriation:

, provided that this appropriation shall be reduced by ~~\$15,000,000~~ \$2,000,000 contingent upon the enactment of legislation reducing the operating grant for the Prince George's County Regional Medical Center.

***Explanation:** This language makes a technical correction to conform to an action in the Budget Reconciliation and Financing Act of 2017.*

Amendment No.

29

M00I
Chronic Hospitals
Department of Health and Mental Hygiene

Budget Amendments

WESTERN MARYLAND CENTER

M00I03.01 Services and Institutional Operations

Add the following language to the general fund appropriation:

, provided that \$275,000 of the general fund appropriation in program M00I03.01 Services and Institutional Operations made for the purpose of expanding the brain trauma unit may not be expended until the Department of Health and Mental Hygiene works with hospital management to submit a plan to the budget committees outlining the best use of funds and how it will fund operations of any program. This report shall be submitted by July 1, 2017, and the 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 will revert to the General Fund if the report is not submitted.

Explanation: The budget committees are concerned about the lack of agreement between hospital management and the Department of Health and Mental Hygiene (DHMH) on the best use of the funds and investing in upgrades for a deteriorating building. Additionally, there is no operational funding budgeted for any expanded or new program. The committees request that DHMH consult with hospital management and provide the budget committees with a plan for the use of funds and how it will fund operations of the program.

Information Request	Author	Due Date
Plan for Western Maryland Hospital Center program improvements	DHMH	July 1, 2017

Committee Narrative

Report on Public-private Partnership for Western Maryland Hospital Center: *The current condition of the Western Maryland Hospital Center poses health risks for both patients and staff. There is currently no plan or funding for a new building. The committees are interested in the potential for a public-private partnership for the Western Maryland Hospital Center that would allow a non-State entity to build and/or manage the hospital center. The plan should include a priority on continuing existing services focused on chronic care provided by State employees. The Secretary of Health and Mental Hygiene is requested to create a workgroup that includes representatives of any bargaining unit at the hospital center and other stakeholders and to submit a report on the potential to develop a public-private partnership.*

M001

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on public-private partnership with the Western Maryland Hospital Center</i>	<i>Department of Health and Mental Hygiene</i>	<i>October 1, 2017</i>

M00L
Behavioral Health Administration
Department of Health and Mental Hygiene

Committee Narrative

M00L01.01 Program Direction

Combining the Various Behavioral Health Authorities: Given the policy imperative to fully integrate behavioral health services in the State, the Department of Health and Mental Hygiene (DHMH) should provide a report on the feasibility, costs, and benefits of merging the core service agencies (CSA) with the local addictions authorities (LAA). This report should include information on the grants that each recipient entity receives, including how grants are divided up among administrative and treatment costs, and how the experience of those counties with merged behavioral health authorities differ from the counties where these authorities remain separate. Finally, the report should include recommendations on whether or not it would be beneficial to the oversight and efficiency of the public behavioral health system to combine CSAs and LAAs in each jurisdiction where it is not already so. This report should be submitted by November 1, 2017.

Information Request	Author	Due Date
Report on combining CSAs with LAAs in various jurisdictions	DHMH	November 1, 2017

Review of Behavioral Health Provider Accreditation Process: Given the policy imperative to fully integrate behavioral health services in the State while also ensuring that provider capacity is not compromised during the transition, the Department of Health and Mental Hygiene (DHMH) should submit a report that provides a detailed review of the behavioral health accreditation process. This report should include information on the number and characteristics of the behavioral health provider community, the current status of those providers who are accredited versus those who are not accredited, and an analysis of all small and mid-size providers to determine their progress toward accreditation and any challenges therein.

Information Request	Author	Due Date
Behavioral health accreditation process	DHMH	November 1, 2017

Limiting the Availability of Tobacco Products to Minors: The committees are interested in the success of existing strategies and the development of new strategies to enforce current laws intended to limit the availability of tobacco products to minors. The committees request the Department of Health and Mental Hygiene (DHMH) and the Office of the Comptroller

M00L

(Comptroller), in consultation with local health departments and local law enforcement agencies:

- to evaluate existing enforcement strategies intended to limit a minor's access to tobacco products and recommend new strategies as appropriate;
- to evaluate any current training and assistance offered to tobacco retailers to enforce compliance with existing law intended to limit a minor's access to tobacco and recommend ways to improve that training and assistance if considered necessary;
- to report on the number of licensed tobacco retailers and minors who have committed violations of current laws related to access to and illegal possession of tobacco products in fiscal 2015 and 2016, including any prior violations and subsequent actions taken against each violator; and
- for each action taken, the report shall note the number of violations committed by the violator.

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Limiting the availability of tobacco products to minors</i>	<i>DHMH Comptroller</i>	<i>November 1, 2017</i>

Budget Amendments

M00L01.02 Community Services

Amend the following language on the general fund appropriation:

, provided that this appropriation shall be reduced by ~~\$3,750,000~~ \$2,000,000 contingent upon the enactment of legislation reducing the required special fund appropriation for the Maryland Community Health Resources Commission. Authorization is granted to process a special fund budget amendment of ~~\$3,750,000~~ \$2,000,000 to replace the aforementioned General Fund amount.

Explanation: The language makes two technical amendments to conform with actions taken to the Budget Reconciliation and Financing Act of 2017.

Amendment No.

30

M00M
Developmental Disabilities Administration
Department of Health and Mental Hygiene

Committee Narrative

M00M01.01 Program Direction

Implementation of New Waivers: The Department of Health and Mental Hygiene (DHMH) proposes to implement two waiver programs. The community services waiver will provide funding of \$25,000 a year per individual to support nonresidential services in the community. People on the waitlist in the crisis resolution and the crisis prevention priority categories would be eligible for this funding. The family support waiver would provide funding of up to \$12,000 per family per year for children under the age of 21 and their families to secure supplemental, wraparound services to those provided by the Maryland State Department of Education. Both waivers are pending the approval of the Centers for Medicare and Medicaid Services (CMS). The budget committees request that DHMH submit a report on the status of implementing the two new capped waivers including an update on CMS approval, how many individuals are expected to receive funding by the end of the fiscal year, and if DHMH expects to use all funds budgeted for the program in fiscal 2018.

Information Request	Author	Due Date
Implementation of new waivers report	DHMH	December 31, 2017

Report on Direct Support Wages: The budget committees request that the Department of Health and Mental Hygiene (DHMH) submit a report on wages for direct support workers, including:

- the wage levels needed to ensure a quality direct support workforce in each jurisdiction, taking into account differences in local minimum wages;
- the funding needed to achieve the wage levels; and
- recommendations to ensure that direct support wages become and remain competitive on an ongoing basis.

In addition to any evaluation completed by the Developmental Disability Administration's (DDA) rate-setting consultant, DDA shall gather input from stakeholders, including the Maryland Association of Community Services, the People on the Go of Maryland, and the Arc Maryland.

M00M

Information Request	Author	Due Date
Report on direct support wages	DHMH	July 1, 2017

Budget Amendments

M00M01.02 Community Services

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$8,444,522 contingent upon the enactment of legislation reducing the mandated provider rate increase from 3.5% to 2.0% for the Developmental Disabilities Administration.~~

Explanation: This action strikes contingent language reducing the provider rate increase from 3.5% to 2.0%.

Add the following language:

, provided that if the funding for the proposed capped family supports waiver or community supports waivers cannot be utilized in fiscal 2018, the Developmental Disabilities Administration shall use the funding to provide services for individuals on the waitlist.

Explanation: This language ensures that if the Centers for Medicare and Medicaid Services fails to approve the new capped waivers, the funds will be used to provide services for individuals on the waitlist and not reverted to the General Fund.

Amendment No.

31

Add the following language to the general fund appropriation:

Further provided that \$400,000 of this appropriation intended for the transition from Community Supported Living Arrangements to Personal Supports may not be expended for that purpose and instead may be used only to provide funding for the PACT Helping Children program. Funds not spent for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund.

M00M

Explanation: This language restricts funding in order to restore funding for the PACT Helping Children program within community services.

Amendment No. **32**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the transition from community supported living arrangements to personal support. The agency has advised that this funding is not needed for this purpose.	1,785,000 GF	
	1,215,000 FF	
Total Reductions	3,000,000	
	0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	103.00	103.00		0.00
General Fund	604,746,036	602,961,036 604,746,036	1,785,000 0	
Special Fund	5,695,718	5,695,718	0	
Federal Fund	502,247,349	501,032,349 502,247,349	1,215,000 0	
Total Funds	1,112,689,103	1,109,689,103 1,112,689,103	3,000,000 0	

Amendment No. **33**

Strike the following language from the federal fund appropriation:

~~provided that this appropriation shall be reduced by \$7,011,659 contingent upon the enactment of legislation reducing the mandated provider rate increase from 3.5% to 2.0% for the Developmental Disabilities Administration.~~

Explanation: This action strikes contingent language reducing the provider rate increase from 3.5% to 2.0%.

M00Q01
Medical Care Programs Administration
Department of Health and Mental Hygiene

Budget Amendments

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 language restricts Medicaid provider reimbursements to that purpose.

Amend the following language on the general fund appropriation:

Further provided that this appropriation shall be reduced by ~~\$25,000,000~~ \$20,000,000 ~~\$25,000,000~~ contingent upon the enactment of legislation suspending the reduction in the Medicaid Deficit Assessment for fiscal year 2018 only. Authorization is hereby provided to process a special fund budget amendment up to ~~\$25,000,000~~ \$20,000,000 ~~\$25,000,000~~ from Hospital Assessments to support Medicaid provider reimbursements.

Explanation: The language makes two technical amendments to conform with actions taken to the Budget Reconciliation and Financing Act of 2017.

Amendment No.

34

Add the following language to the general fund appropriation:

Further provided that \$375,000 of this appropriation made for the purpose of a managed care rate-setting study may not be used for that purpose and instead shall be expended only for provider reimbursements. Funding not used for this restricted purpose shall revert to the General Fund.

Explanation: The language restricts funding included in the fiscal 2018 budget for a managed care rate-setting study to be used only for provider reimbursements based on estimates of significant deficiencies in the budget for those reimbursements.

M00Q01

Amend the following language to the general fund appropriation:

Further provided that \$850,000 \$750,000 of this appropriation made for provider reimbursements may not be made for that purpose and instead shall be expended only to implement an opioid risk reduction pilot program. The purpose of the program is to improve Medicaid patient safety and clinical outcomes for individuals being prescribed for long-term opioid therapy for chronic pain. In implementing the program, the State shall contract with a company for urine drug monitoring that uses clinically driven health services including complex claims review and medication management. As part of the same contract, the State shall require the successful vendor to contract with a Maryland nonprofit statewide physician organization for physician outreach and education services. It is the intent of the General Assembly that the Department of Health and Mental Hygiene apply for any waiver necessary to use federal matching funds as part of the pilot. However, if the department is unable to receive a waiver to implement the pilot program, the department should proceed using State funds only. Funding not used for this restricted purpose may not be transferred or otherwise expended and shall revert to the General Fund and/or be canceled.

Explanation: The language restricts funding for an opioid risk reduction pilot program and establishes criteria for the program. The language expresses intent that the Department of Health and Mental Hygiene seek a federal waiver to obtain federal matching funds for the program but that if no such waiver is forthcoming, it proceeds with State funds.

Amendment No.

35

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on the availability of special funds from the Cigarette Restitution Fund	5,794,096	GF
Total Reductions	5,794,096	0

M00Q01

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,733,883,238	2,728,089,142 2,733,883,238	5,794,096 0	
Special Fund	937,957,977	937,957,977	0	
Federal Fund	5,796,260,110	5,796,260,110	0	
Total Funds	9,468,101,325	9,462,307,229 9,468,101,325	5,794,096 0	

Amendment No.

36

Strike the following language:

~~provided that authorization is hereby provided to process a special fund budget amendment up to \$5,794,096 from the Cigarette Restitution Fund to support Medicaid provider reimbursements.~~

~~**Explanation:** The language authorizes the transfer of \$5.8 million from the Cigarette Restitution Fund (CRF) to support Medicaid reimbursements. This transfer is dependent on reductions to other programs supported through the CRF in the fiscal 2018 budget (\$1.0 million for the tobacco transition program and \$4.8 million for nonpublic schools).~~

Amendment No.

37

Committee Narrative

Connecting Individuals Transitioning from the Criminal Justice System to Health Care: The Department of Health and Mental Hygiene (DHMH) has been making various efforts to ensure that individuals transitioning from the criminal justice system connect to health care coverage. Since most of these individuals are likely Medicaid-eligible under current law, making these connections can offset potentially expensive subsequent medical interventions. The department’s efforts include the extension of hospital presumptive eligibility to individuals transitioning from the criminal justice system and making enrollment changes. The committees are interested in monitoring the progress of DHMH and its partner, the Department of Public Safety and Correctional Services (DPSCS).

M00Q01

Information Request	Authors	Due Date
Connecting individuals transitioning from the criminal justice system to health care	DHMH DPSCS	November 15, 2017

Efforts to Reduce Lead Poisoning and the Incidence of Asthma in Children Enrolled in Medicaid: The fiscal 2017 budget restricted funding until the Medical Care Programs Administration (Medicaid) submitted a report on ways to reduce lead poisoning in children enrolled in Medicaid. The subsequent report contained a number of recommendations including applying for a State plan amendment allowed under the Children’s Health Insurance Program to cover lead abatement work as well as improvements to reduce the incidence of asthma. The committees are interested in the implementation of the report’s recommendations and what Medicaid and its partners are able to accomplish if the State plan amendment is granted.

Information Request	Author	Due Date
Efforts to reduce lead poisoning and the incidence of asthma in children enrolled in Medicaid	Medicaid	November 15, 2017

Examination of the Integration of Behavioral and Somatic Health Services: A condition of its most recent HealthChoice waiver renewal approved by the Centers for Medicare and Medicaid Services (CMS) was the requirement that the Department of Health and Mental Hygiene (DHMH) examine its integration strategy with regard to behavioral and somatic health services and commit to an improved approach. DHMH has to commit to specifying an integration approach to CMS by January 1, 2018, and submit a concept design for integrated care by July 1, 2018, with a goal toward implementation by January 1, 2019. The committees request that DHMH submit a report summarizing the approach that it submits to CMS together with a preliminary timeline for the concept design submission.

Information Request	Author	Due Date
Examination of the integration of behavioral and somatic health services	DHMH	January 1, 2018

Hepatitis C Treatment: The emergence of breakthrough drug treatments for individuals with Hepatitis C offer the promise of high rates of cure with limited side effects. However, the cost of these therapies is significant. As a result, Medicaid has established certain criteria for

M00Q01

individuals to be eligible for the new therapies including diagnosis with chronic Hepatitis C; having liver fibrosis corresponding to a Metavir score of 2 or more; that the prescriber self-attests to having experience in treating patients with Hepatitis C; and if of childbearing age or having a partner of childbearing age, utilizing two forms of contraception. Coverage for new therapies has generated significant controversy and litigation in other states, in some cases resulting in more liberal coverage criteria.

The committees are interested in obtaining more information about the criteria used by Medicaid and request a report reviewing:

- the clinical literature to assess what is the appropriate Metavir score to begin coverage of the new therapies;
- an estimate of the number of individuals annually that would be covered if the Metavir score criteria was lowered to 1 and 0;
- the associated annual cost for covering drug therapies at a Metavir score of 1 and 0, net of drug rebates;
- the savings associated with starting treatment at an earlier Metavir score of 1 or 0; and
- the cost implications for the Department of Public Safety and Correctional Services (DPSCS) if it chooses to likewise lower the Metavir score to 1 and 0 for individuals in the State correctional system.

Information Request	Authors	Due Date
Hepatitis C treatment	Medicaid DPSCS	October 1, 2017

Opiate Dependence Treatment Medications: Effective July 1, 2016, Medicaid designated suboxone film as “nonpreferred” on the Maryland Medicaid Preferred Drug List while adding Zubsolv tablets to that same list. Both drugs are used as opiate dependence treatments. In order to continue to receive suboxone film, prior authorization was required. Medicaid’s decision was prompted by concerns raised by the Department of Public Safety and Correctional Services (DPSCS) about the smuggling of suboxone film into State correctional facilities. The committees are interested in following up on the impact of this decision and request that Medicaid and DPSCS submit a report detailing:

- addiction and mortality rates due to opiates in State prisons;

M00Q01

- data on the actual smuggling of opioids and opiate dependence treatment medications into prisons, specifically comparing fiscal 2016 and 2017 (i.e., immediately before and after the change in the Maryland Medicaid Preferred Drug List);
- the number of prior authorization requests received to continue prescribing suboxone film in fiscal 2017 and the number of those requests approved;
- an analysis of the utilization of opiate dependence treatment medications prescribed in fiscal 2016 and 2017 in order to determine any change in practice; *and*
- the relative change in pharmacy costs (on a total and per capita basis) ~~net of rebates~~ for opiate dependence treatment medications by specific medication in fiscal 2016 and 2017; *and*
- ~~any impact in costs to providers.~~

Information Request	Authors	Due Date
Opiate dependence treatment medications	Medicaid DPSCS	October 1, 2017

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language:

All appropriations provided for program M00Q01.10 Medicaid Behavioral Health 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: This language restricts Medicaid behavioral health provider reimbursements to that purpose.

Committee Narrative

Review of the Substance Use Disorder Treatment Rates: The Governor’s Heroin and Opioid Emergency Task Force recommended that the Department of Health and Mental Hygiene (DHMH) review all of the Medicaid rates for substance use disorder services and then continue to review those rates every three years. The budget committees are concerned about the follow through on this recommendation and request a report from DHMH on the adequacy of the rates

M00Q01

for substance use disorder treatment services within the Medicaid program. This report is due on November 1, 2017.

Information Request	Author	Due Date
Report on the adequacy of substance use disorder Medicaid treatment rates	DHMH	November 1, 2017

M00R
Health Regulatory Commissions
Department of Health and Mental Hygiene

Budget Amendments

M00R01.03 Maryland Community Health Resources Commission

Amend the following language on the special fund appropriation:

, provided that this appropriation shall be reduced by ~~\$3,750,000~~ \$2,000,000 contingent upon the enactment of legislation reducing the required appropriation for the Maryland Community Health Resources Commission.

***Explanation:** This language makes a technical amendment to conform with actions taken to the Budget Reconciliation and Financing Act of 2017.*

Amendment No.

38

N00
Department of Human Resources

Budget Amendments

Add the following language:

Provided that the spending in fiscal 2018 of the Temporary Assistance for Needy Families federal funds shall not exceed \$249,874,106.

Explanation: The Department of Human Resources (DHR) has run a deficit of the Temporary Assistance for Needy Families (TANF) funds since fiscal 2011. At the close of fiscal 2016, the deficit was \$20.4 million. The fiscal 2017 working appropriation and fiscal 2018 allowance should assist DHR in reducing the deficit if TANF spending is not increased during the fiscal year beyond the levels currently budgeted. The level of TANF spending included in the fiscal 2018 allowance is near the maximum that could be spent based on anticipated TANF receipts in that year. To ensure that the department does not further increase the deficit by increasing TANF spending and to ensure that the department can begin to reduce the deficit, this language restricts TANF spending to the amount included in the fiscal 2018 allowance.

N00A01
Administration
Department of Human Resources

Budget Amendments

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary

Add the following language to the general fund appropriation:

, provided that \$50,000 of the administrative appropriation may not be expended unless the Department of Human Resources includes Earned Income Tax Credit performance measures, goals, and objectives in the fiscal 2019 Managing for Results submission.

Explanation: Narrative in the 2015 Joint Chairmen’s Report requested the Department of Human Resources (DHR) to include goals, objectives, and performance measures related to the State Earned Income Tax Credit (EITC) in its fiscal 2017 Managing for Results (MFR) submission. The fiscal 2017 MFR submissions did not include measures related to the EITC. As with the fiscal 2017 submissions, the fiscal 2018 MFR submissions did not include EITC performance measures.

This language withholds a portion of DHR’s budget pending the submission of EITC performance measures in the fiscal 2019 MFR submission.

Add the following language to the general fund appropriation:

Further provided that since the Department of Human Resources (DHR) Office of the Secretary has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), and DHR failed to completely resolve, or make adequate progress toward resolving, those repeat audit findings, \$50,000 of this agency’s administrative appropriation may not be expended unless:

- (1) DHR has reported the corrective action taken with respect to all repeat findings on or before November 1, 2017; and
- (2) a report is submitted to the budget committees by OLA listing each repeat finding along with an assessment of the corrective action taken by DHR for each repeat finding. The budget committees shall have 45 days to review and comment to allow funds to be released prior to the end of fiscal 2018.

Explanation: The Joint Audit 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 such agency is to have a portion of its administrative budget withheld

N00A01

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.

If OLA reports that an agency fails to completely resolve or make adequate progress toward resolving those repeat audit findings, the Joint Audit Committee requests that \$50,000 in general funds is withheld from each agency's appropriation in the fiscal year following the OLA report until more satisfactory progress has been made toward resolution of those 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

N00A01.04 Maryland Legal Services Program

Add the following language to the general fund appropriation:

, provided that \$13,087,212 of 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 Resources 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 function of the MLSP, it remains necessary to ensure the program is adequately funded. Similar language has been adopted in the last three fiscal years.

N00B
Social Services Administration
Department of Human Resources

Committee Narrative

N00B00.04 General Administration – State

Culturally Competent Training: *The committees are interested in ensuring that local child welfare caseworkers receive training on culturally competent and affirming treatment of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) foster youth. The committees request that the Department of Human Resources (DHR) submit a report providing information on the training that has been provided or is planned, including train-the-trainer activities, on LGBTQ issues. DHR should also include information on:*

- *whether the trainings offered are mandatory or voluntary;*
- *the number and percent of local child welfare staff by jurisdiction that have received the training; and*
- *the planned timeline for all staff to receive training.*

Information Request	Author	Due Date
<i>Report on culturally competent training for local child welfare caseworkers</i>	<i>DHR</i>	<i>July 15, 2017</i>

Success of Place Matters and Families Blossom: *The Department of Human Resources (DHR) has focused on reducing the number of children in out-of-home care as part of the Place Matters Initiative and, more recently, as part of the Families Blossom Initiative. The committees are interested in the long-term impact of these changes. The committees request that DHR provide information on:*

- *the number of children that have left out-of-home placements from fiscal 2007 through 2017 (1) to reunify with the family of origin; (2) to enter a subsidized guardianship placement; (3) to enter a subsidized adoption placement; or (4) who aged out of care;*
- *the number and percent of children that left an out-of-home placement that returned to out-of-home care from fiscal 2007 through 2017 (1) after reunifying with the family of origin; (2) after entering a subsidized guardianship placement; or (3) after entering a subsidized adoption placement;*
- *the number of family preservation cases from fiscal 2007 through 2017;*

N00B

- *a description of the data that the department collects regarding the success of a family reunification, subsidized guardianship, or subsidized adoption and the years for which that data is available;*
- *a description of the data that the department collects regarding the success of family preservation services and the years for which that data is available; and*
- *a review of the success to date of the Place Matters Initiative and Families Blossom Initiative.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Information on the success of the Place Matters and Families Blossom initiatives</i>	<i>DHR</i>	<i>October 1, 2017</i>

N00F
Office of Technology for Human Services
Department of Human Resources

Committee Narrative

N00F00.02 Major Information Technology Development Projects

MD THINK Quarterly Progress Report: The Department of Human Resources (DHR) is undertaking one of the largest Information Technology Projects in the history of the State, the Maryland Total Human services Information NetworK (MD THINK). DHR should work with the Department of Information Technology (DoIT) to submit quarterly progress reports for the project. The reports should include federal fund awards that were received for the project, the status of all applications completed or in progress of being completed, an updated timeline, an updated estimate of total project costs, performance benchmarks, descriptions of any defects and solutions to defects, and a list of all partner agencies with a description of their roles in the project.

For the period ending June 30, 2017, a report should be submitted by August 15, 2017. For the period ending September 30, 2017, a report should be submitted by November 15, 2017. For the period ending December 30, 2017, a report should be submitted by February 15, 2018. For the period ending March 30, 2018, a report should be submitted by May 15, 2018.

Information Request	Authors	Due Date
MD THINK quarterly progress report	DHR DoIT	August 15, 2017 November 15, 2017 February 15, 2018 May 15, 2018

N00G
Local Department Operations
Department of Human Resources

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 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).

Amend the following language to the general fund appropriation:

Further provided that \$200,000 of this appropriation made for the purpose of a new Foster Youth Savings Program shall be restricted pending the submission of two reports to the budget committees. The first report shall be submitted by July 1, 2017, and provide a detailed implementation plan for the Foster Youth Savings Program, including (1) the match terms; (2) limitations on withdrawals of matched funds; (3) type of accounts offered; (4) how children will be enrolled in the program; and (5) the types of education and financial literacy courses required as part of the program. The second report shall be submitted by December 1, 2017, and provide information on the number of youth participating, amount of matched savings provided, ~~and~~ implementation challenges, and feasibility of opening a savings account for children receiving Social Security, Supplemental Security Income, and Veterans Administration benefits using the funds received from those benefits including describing the options for the types of accounts to be opened. The budget committees shall have 45 days to review and comment. Funding shall be released in \$100,000 increments for the submission 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.

Explanation: The fiscal 2018 allowance includes funding for a new Foster Youth Savings Program in the Department of Human Resources (DHR) Foster Care Maintenance Payments Program. The program is to serve transition-aged foster youth. The program is new and little is currently known about how the program will be implemented. The language restricts funds pending the receipt of two reports. The first report requests information on how the program will be operated. The second report provides information on the initial implementation of the program and requests the department to provide information on the feasibility of establishing accounts for children receiving federal benefits using the funds received from the benefits.

N00G

Information Request	Author	Due Date
Detailed implementation plan	DHR	July 1, 2017
Report on participation and implementation challenges in the new Foster Youth Savings Program <i>and the feasibility of creating a program for children receiving federal benefits</i>	DHR	December 1, 2017

Amendment No.

39

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for a new Foster Youth Savings Program to account for startup delays. The Department of Human Resources is still in the process of determining a number of aspects of the program including the match rate, withdrawal restrictions, and account type. Given the stage of development of the program, this reduction would account for the startup delays associated with a new program. If the department can demonstrate the need for additional funds in fiscal 2018, a deficiency appropriation could provide additional support. With this action approximately \$1.28 million <i>\$1.38 million</i> remains to begin implementation of the new program.	425,000 GF 325,000 GF	
 Total Reductions	 425,000 325,000	

N00G

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	184,520,584	184,095,584 184,195,584	425,000 325,000	
Special Fund	4,335,811	4,335,811	0	
Federal Fund	73,841,478	73,841,478	0	
Total Funds	262,697,873	262,272,873 262,372,873	425,000 325,000	

Amendment No.

40

N00G00.02 Local Family Investment Program

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on the availability of additional federal funds. The fiscal 2018 allowance includes \$27.3 million in federal funds available from the State Administrative Matching Grants for the Food Stamp Program in the Local Family Investment Program, a decrease of approximately \$9.3 million compared to the fiscal 2017 working appropriation and \$17.3 million compared to fiscal 2016. Given the declining caseloads, some reduction in federal funds receipt would be expected. However, the Department of Human Resources estimates that funds should still be received at near the level in the fiscal 2017 working appropriation. This action reduces general funds by an amount equivalent to the additional federal funds that should be available to the program. The reduction should be allocated among the programs and activities of the Local Family Investment Program. Even with this reduction, the Local Family Investment Program has sufficient funds to match the estimated federal fund spending in fiscal 2018.	9,300,000 GF	
Total Reductions	9,300,000	0.00

N00G

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1,776.18	1,776.18		0.00
General Fund	60,701,862	51,401,862	9,300,000	
Special Fund	2,426,545	2,426,545	0	
Federal Fund	99,820,448	99,820,448	0	
Total Funds	162,948,855	153,648,855	9,300,000	

Committee Narrative

Food Supplement Employment and Training Performance Measures: With the end of the waiver of the time limit for the able-bodied adults without dependents (ABAWD), the performance of the Food Supplement Employment and Training (FSET) program has increased in importance. In fiscal 2018, \$1.2 million is available for jurisdictions including those in which the ABAWD time limit is in effect and an additional \$201,125 is available for two community-based organizations to operate an FSET program. The committees are interested in understanding more about the effectiveness of these programs, particularly for ABAWD participants. The committees request that the Department of Human Resources (DHR) provide information on:

- a description of the programs offered;
- performance in each of the national performance measures for the FSET program for federal fiscal 2017, including both the total population and ABAWD population;
- performance in the State option measures identified in the State plan for program components serving 100 or more individuals for federal fiscal 2017, including both the total population and ABAWD population;
- the number of individuals determined ineligible for benefits due to the ABAWD time limit; and
- the number of individuals that regained eligibility after complying with or showing an exemption from the ABAWD time limit.

Information Request	Author	Due Date
Report of FSET performance measures	DHR	November 1, 2017

N00G

Budget Amendments

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 local child welfare services 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 \$100,000 of this appropriation made for the purpose of the Local Child Welfare Services Program may not be expended until the Department of Human Resources submits a report to the Senate Budget and Taxation Committee, the Senate Judicial Proceedings Committee, the House Appropriations Committee, and the House Judiciary Committee on the plans of each local department of social services (LDSS) for partnering to provide and promote affordable housing and employment opportunities for former foster youth. The submission shall include the plans for each LDSS. Each LDSS plan shall:

- (1) describe any existing efforts to address the housing and employment needs of former foster youth (after their Child in Need of Assistance or Guardianship case has closed), including how the Family Unification Program vouchers are used to support youth aging out of foster care;
- (2) propose new strategies, including ways to partner with private and public sector employers and workforce development entities including the local workforce investment boards, to provide job opportunities for former foster youth;
- (3) provide and take into account projections of the number of youth expected to exit foster care at age 21 each year for the next four years; and
- (4) propose potential partnerships with the Department of Housing and Community Development, local public housing authorities, and community-based organizations to support the placement of former foster youth (once the child leaves the child welfare system) into safe, stable, and affordable housing.

The report shall be submitted by June 1, 2018, 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

N00G

budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: Chapter 685 of 2015 requires the juvenile courts to review, as part of a permanency planning or review hearing for a child who is at least age 18, to make a finding as to whether LDSS has made reasonable efforts to enroll the child in health insurance that will continue after the child is emancipated; screen the child for eligibility for public assistance and assist the child with applications for public benefits before the child is emancipated; work with appropriate individuals to establish a plan for stable housing that is expected to remain available for at least 12 months after emancipation; and work with appropriate individuals to engage the child in education, training, and employment activities. Chapter 685 required the Department of Human Resources (DHR) to submit a report on the LDSS plans related to housing and employment activities; however, the report did not address programs available after emancipation. This language restricts funding until DHR submits a report on plans of LDSS related to housing and employment for transitioning youth and emancipated youth.

Information Request	Author	Due Date
Report on housing and employment needs of transitioning and emancipated foster youth	DHR	June 1, 2018

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for step increases provided as part of the Montgomery County block grant. The reduction should be allocated among the programs in which the block grant is budgeted. The Department of Human Resources indicates that although it annually budgets for step increases as part of its calculation of the Montgomery County block grant, these funds are not provided if State employees do not receive a step increase. The fiscal 2018 budget does not include funds for State employee step increases. As a result, the funds budgeted for this purpose will not be required.	194,005 GF 207,974 FF	
2. Delete funds for grants received by various local departments of social services (LDSS) from the Governor’s Office of Crime Control and Prevention (GOCCP). These grant funds are applied for, and received directly, by LDSS from GOCCP, but are budgeted as special funds in the Department of Human	206,024 SF	

N00G

Resources (DHR). However, to avoid double counting the spending of the grant dollars in the State budget, these special funds should be deleted. DHR should process a reimbursable fund budget amendment to authorize the spending of these funds.

Total Reductions	608,003	0.00
------------------	---------	------

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	2,138.00	2,138.00		0.00
General Fund	174,909,261	174,715,256	194,005	
Special Fund	1,535,099	1,329,075	206,024	
Federal Fund	59,913,060	59,705,086	207,974	
Total Funds	236,357,420	235,749,417	608,003	

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 Resources (DHR), on November 15, 2017, report to the committees on the annual average number of cases and filled positions assigned, by jurisdiction, for the following caseload types using 12 months of data through August 2017:

- intake screening;
- child protective investigation;
- consolidated home services;
- interagency family preservation services;
- services to families with children – intake;
- foster care;
- kinship care;

N00G

- family foster homes – recruitment/new applications;
- family foster home – ongoing and licensing;
- adoption;
- interstate compact for the placement of children; and
- caseworker supervisors.

Information Request	Author	Due Date
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types	DHR	November 15, 2017

Review of Services Available to Parents with Disabilities: The Department of Human Resources (DHR) does not remove children from their home solely due to a parent’s disability. Caseworkers work with parents to assess the services needed for a child to remain in the home or to be reunified with their parents if the child has been placed in out-of-home care. DHR has funding for some types of services, such as in-home aide services. The Title IV-E Waiver presents an opportunity to support additional family preservation and post-reunification services including services specific to parents with disabilities. However, the committee is concerned about whether adequate resources exist in communities to address the needs of parents with disabilities, including both physical and developmental disabilities, such as alternate styles of parenting courses that address different learning styles or needs. Therefore, the committees request DHR, in consultation with the Maryland Department of Disabilities (MDOD), submit a report (1) identifying services available in the community to address family preservation or post-reunification needs for parents with disabilities; (2) identifying gaps in services and options for addressing the gaps; and (3) reviewing best practices in providing family preservation and post-reunification services to parents with disabilities.

Information Request	Authors	Due Date
Report on services available to parents with disabilities	DHR MDOD	November 15, 2017

N00G

Budget Amendments

N00G00.08 Assistance Payments

Add the following language to the general fund appropriation:

, provided that \$4,000,000 of this appropriation made for the purpose of the Temporary Disability Assistance Program (TDAP) may be used only to increase the TDAP benefit by \$20 per month per recipient. 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 funds in the TDAP to be used to increase the benefit by \$20 per month per recipient. The current benefit is \$185 and has been at that level for more than 10 years. If the funds are not used to increase the monthly benefit, the funds will revert to the General Fund.

Amendment No.

41

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds in the Assistance Payments Program due to favorable caseload trends in the Temporary Cash Assistance Program and Temporary Disability Assistance Program. This reduction leaves sufficient surplus funds to cover the anticipated shortfall in the Food Supplement Program Supplemental Benefit program.	6,000,000	GF
	2,000,000	GF
Total Reductions	6,000,000	
	2,000,000	

N00G

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	67,312,926	61,312,926 65,312,926	6,000,000 2,000,000	
Special Fund	12,494,062	12,494,062	0	
Federal Fund	1,196,363,204	1,196,363,204	0	
Total Funds	1,276,170,192	1,270,170,192 1,274,170,192	6,000,000 2,000,000	

Amendment No.

42

Committee Narrative

Feasibility of Creating a Benefit for the Purchase of Diapers: The committees are concerned about the cost of purchasing diapers for low-income households. The committees are interested in the feasibility of creating a State supplemental benefit for the purchase of diapers. The committees request that the Department of Human Resources (DHR), in conjunction with the Department of Health and Mental Hygiene (DHMH) and the Maryland State Department of Education (MSDE), submit a report discussing the feasibility of creating this type of benefit. The report should discuss options for implementing the benefit including:

- the appropriate benefit size;
- the appropriate agency to administer the benefit;
- the appropriate method of administering the benefit, such as through either the Supplemental Nutrition Assistance Program or the soon to be implemented Women, Infants, and Children electronic benefit transfer cards;
- the appropriate eligibility criteria, including if the benefit should be provided to a subset of recipients of a current public benefit; and
- a review of options proposed in other states or federally in order to create similar benefits.

Information Request	Authors	Due Date
Feasibility and options for creating a benefit for the purchase of diapers	DHR DHMH MSDE	December 1, 2017

N00G

~~**Temporary Disability Assistance Payments Program:** The committees are concerned that a monthly benefit of \$185 for the Temporary Disability Assistance Program is insufficient to meet the needs of program recipients. The benefit has not been increased in at least 10 years. It is the intent of the budget committees that the Department of Human Resources evaluate the adequacy of the current benefit and consider increasing the monthly benefit in fiscal 2019.~~

N00H00
Child Support Enforcement Administration
Department of Human Resources

Committee Narrative

N00H00.08 Support Enforcement – State

Baltimore Child Support Office Enhancements Report: The Department of Human Resources (DHR) is implementing enhancements to the Baltimore City Office of Child Support Enforcement (office) in its current Request for Proposal, as identified in a recent cost-benefit analysis. DHR should provide a report that details all modifications and enhancements to the office. The report should include any additional performance goals and incentives that are required of the contractor and any additional budgetary impacts that result from the modifications and enhancements.

Information Request	Author	Due Date
Report on enhancements to Baltimore City Office of Child Support Enforcement	DHR	December 1, 2017

N00I00
Family Investment Administration
Department of Human Resources

Committee Narrative

N00I00.04 Director's Office

Changes to the Temporary Assistance for Needy Families Program: The most recent re-authorization for the Temporary Assistance for Needy Families (TANF) program ended in federal fiscal 2010. Since that time, TANF has operated under a series of extensions. The current extension ends April 28, 2017. In recent sessions of Congress, bills have been introduced or discussed to re-authorize or make changes to the program. These bills would have modified work participation requirements and made changes to rules related to TANF and Maintenance of Effort (MOE) spending. The committees are concerned about the potential impact of any changes to TANF or contained as part of any re-authorization of TANF. The committees request that the Department of Human Resources (DHR) provide notification of any federal changes to TANF that the State must adopt as a condition of accepting TANF or that the State chooses to adopt that would impact TANF-related benefits (eligibility, benefit levels, or types of benefits provided), work participation requirements, work participation calculations, State spending including spending of TANF or MOE, or changes to the type of spending that counts toward MOE.

Information Request	Author	Due Date
Notification of changes to TANF	DHR	Within 30 days of federal changes

N00I0006
Office of Home Energy Programs
Department of Human Resources

Committee Narrative

N00I00.06 Office of Home Energy Programs

Energy Assistance Application Processing Times: The committees are interested in continuing to monitor the progress of local administering agencies (LAA) of the Office of Home Energy Programs in improving energy assistance application processing timeliness. Although progress is evident, some LAAs have experienced worsening performance. The committees request that the Department of Human Resources (DHR) provide by LAA (1) the number of applications received; (2) the average number of days to process applications; (3) the number and percent of applications processed within 30 days, 55 days, and longer than 60 days; and (4) the date of the data.

Information Request	Author	Due Date
Application processing times	DHR	December 20, 2017
Application processing times	DHR	June 30, 2018

Implementation of the Supplemental Targeted Energy Program: In fiscal 2018, the Department of Human Resources (DHR) Office of Home Energy Programs plans to introduce a new Supplemental Targeted Energy Program (STEP). Under the STEP, participating households will receive an additional benefit if the recipients undertake certain activities related to energy education, self-sufficiency, and service coordination. The committees are interested in understanding the impact of this change. The committees, therefore, request that DHR submit two reports on program implementation. The first report should include information on the process for identifying administering agencies for the new benefits and how those administering agencies coordinate with the existing local administering agencies for the regular energy assistance programs (if it is not the same entity) and any challenges experienced during program implementation. The second report should provide information on (1) the number of individuals who participate in the program; (2) the number of those participating who earn each type of incentive; and (3) the dollar value of incentives earned (both cumulative and on average).

Information Request	Author	Due Date
Report on administration and implementation challenges of the STEP	DHR	December 15, 2017
Report on STEP participation	DHR	June 30, 2018

P00
Department of Labor, Licensing, and Regulation

Budget Amendments

OFFICE OF THE SECRETARY

P00A01.01 Executive Direction

Strike the following language:

~~provided that \$250,000 of this appropriation made for the purpose of the Employment Advancement Right Now program may not be expended until the Department of Labor, Licensing, and Regulation submits a report to the budget committees and the House Economic Matters Committee on the demographics and performance of each partnership. The report shall include how many students are enrolled with each partnership, their demographic information, county of residence, educational attainment, and if the participant has received employment or wage promotion in the partnership industry. The report shall be submitted by September 1, 2017, and the committees shall have 45 days to review and comment. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the committees.~~

~~**Explanation:** This report should provide the information necessary to adequately assess the performance of the program Employment Advancement Right Now (EARN) using quantitative data. This data includes the demographics of enrolled students including their county of residence and educational attainment and should outline the progression of enrolled participants by program. The report should provide a clear synopsis of participant success by partnership using transparent data to outline success or challenges of the partnership.~~

Information Request	Author	Due Date
Report on the performance of the EARN partnerships	Department of Labor, Licensing, and Regulation	September 1, 2017

Amendment No. **43**

Add the following language to the general fund appropriation:

Further provided that \$500,000 of this appropriation made for the purpose of Executive Direction may not be expended until the Department of Labor, Licensing, and Regulation submits two reports to the budget committees on the work of the Employment Standards and Safety Inspection. The Employment Standards shall provide a report including (1) a current organizational chart outlining the current staff, vacant positions, the hierarchy of

P00

the department, and the Spanish-speaking employees; (2) the number of complaints received by the unit broken down by complaint type including, minimum wage, overtime violations, and wage misclassification, the county they were filed in, and the language the complaint was filed in; (3) the time it takes to process a complaint from intake to complaint closure; (4) the number of complaints that result in investigations and enforcement actions against the company; (5) the number and percent of written complaints that, after filing, are resolved without investigation and any explanation for each decision not to investigate; (6) the criteria for initiating an investigation; (7) an explanation of requirement for complainants to provide a written letter to their employer for unpaid wages; and (8) the outreach activities of the unit including the number and location of outreach events for fiscal 2012 to 2017.

The Maryland Occupational Safety and Health Administration shall provide a report including (1) a current organizational chart outlining the current staff, vacant positions, the hierarchy of the department, and the Spanish-speaking employees; (2) the actions that have been or will be taken to attract new employees and improve retention; (3) the metric used to determine the optimum number of health and safety inspectors; (4) the total number of full-time equivalents dedicated to the Voluntary Protection Program and the number of Voluntary Protection Program site visits conducted; (5) a detailed explanation for the decrease in the number of inspections opened and investigated; (6) a detailed explanation for failing to meet the annual enforcement goals described in the Federal Annual Monitoring and Evaluation Reports and what actions the agency is taking or plans to take to improve performance in order to meet these goals; (7) a detailed explanation for the decline in annual inspections and what actions have been or will be taken to address known or foreseeable challenges to performing inspection and enforcement responsibilities; (8) the procedures used to gather, review, and utilize enforcement data, including geographic location and demographic data, to plan enforcement activities for scheduling and prioritizing programmed inspections, including written documentation of the site-specific targeting program; and (9) the procedures for reviewing and adopting federal Occupational Safety and Health Act directives and standards notices and a list of all directives and standards notices received, noting the date received, the action taken, and, if rejected, a reason for the rejection for fiscal 2012 to 2017.

These reports shall be submitted by October 1, 2017, and annually thereafter; and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of these reports may be released in the amount of \$250,000 for each report received but 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.

Explanation: The language restricts \$500,000 pending the receipt of two separate reports on the staffing, processes, and enforcement measures taken in the Employment Standards Service and Maryland Occupational Safety and Health (MOSH) departments in the Department of Labor, Licensing, and Regulation (DLLR).

P00

Information Request	Author	Due Date
Report on employment standards and a report on MOSH	DLLR	October 1, 2017

Committee Narrative

Low-literacy Students in Maryland: The Department of Labor, Licensing, and Regulation (DLLR) should submit a report to the committees on the role that adult literacy plays in workforce development, and the strategies DLLR will use to address the specific needs of unemployed or underemployed low-literacy students.

Information Request	Author	Due Date
Report on strategies to address unemployment for low-literacy students	DLLR	October 1, 2017

Q00A
Office of the Secretary
Department of Public Safety and Correctional Services

Committee Narrative

Next Generation 9-1-1: The Emergency Number Systems Board (ENSB) Technology Committee has developed a series of requirements for Next Generation 9-1-1 (NG 9-1-1), specifically for an emergency services Internet-protocol network and call routing. ENSB reviewed those requirements and decided that it was in the State’s best interest to contract with a consultant to assist with the Request for Proposal (RFP) process. The RFP will locate an organization to conduct the NG 9-1-1 rollout. Once this process is complete, the contractor and the Department of Public Safety and Correctional Services (DPSCS) will determine what services are needed and the associated costs. The department should provide an update to the budget committees on the status of the contractor, the progress made, as well as associated costs, a timeline, and funding sources and options by June 30, 2018.

Information Request	Author	Due Date
NG 9-1-1	DPSCS	June 30, 2018

Medicaid Enrollment: The Affordable Care Act’s Medicaid expansion enables states to enroll former inmates into the program. To assist with the enrollment efforts, the department submitted a Request for Proposals and will retain a contractor due to start on July 1, 2017. The department should submit a progress report to the budget committees on how the Medicaid enrollment efforts have improved, the number of former inmates enrolled, and any other pertinent cost data and performance measures. The report is due to the budget committees by November 1, 2017.

Information Request	Author	Due Date
Medicaid enrollment	Department of Public Safety and Correctional Services	November 1, 2017

Facial Recognition: The Maryland Image Repository System is facial recognition software that allows law enforcement officers to compare images of unidentified individuals to images from State motor vehicle records and mugshots. The software has drawn criticism over privacy concerns. The Department of Public Safety and Correctional Services (DPSCS) should report on the following items by December 1, 2017:

- the audit and review process for the software, its use, and user involvement;
- the facial recognition system and process;

Q00A

- the cost of maintaining the system;
- the number of authorized user logins per year since fiscal 2015;
- the number of users authorized to access the system;
- how user access is determined;
- all DPSCS written policies, procedures, and regulations related to the Maryland Image Repository System;
- the steps taken to create an oversight process and standards for the system that, to the extent possible, includes the new Maryland Police Training and Standards Commission; and
- the steps taken to protect citizen privacy.

Information Request	Author	Due Date
Facial recognition	DPSCS	December 1, 2017

Q00B
Division of Correction
Department of Public Safety and Correctional Services

Committee Narrative

Q00A03.01 Maryland Correctional Enterprises

Maryland Correctional Enterprises Revolving Loan Fund: Concern has been raised regarding the inability to ascertain an accurate fund balance for the Maryland Correctional Enterprises (MCE) Revolving Loan Fund. ~~In conjunction with the Fiscal 2017 Closeout Audit, the~~ ~~The~~ budget committees direct ~~the Office of Legislative Audits (OLA) to conduct a financial audit of MCE to submit the fiscal 2017 audited financial statements for the fund in order to~~ ascertain the appropriate end-of-year balance for fiscal 2017.

Additionally, the committees request that the financial statements included for MCE in the annual submission of the Governor’s budget books should include an estimated end-of-year fund balance for the current fiscal year and a projected balance for the budget year being considered.

Information Request	Authors	Due Date
MCE Revolving Loan Fund audited <i>financial statements</i>	OLA MCE	January December 1, 2018
MCE Revolving Loan Fund end-of-year balances	MCE	With the annual budget book submission

Budget Amendments

DIVISION OF CORRECTION – HEADQUARTERS

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 (DPSCS), in consultation with the Department of Budget and Management, submits a report to the budget committees providing the following information:

- (1) fiscal 2015, 2016, and 2017 data on the number of employees, delineated by category (correctional officer, parole and probation agent, or administrative), leaving DPSCS employment within 6, 12, and 24 months of hire;

Q00B

- (2) fiscal 2015, 2016, and 2017 data on the number of employees, delineated by category (correctional officer, parole and probation agent, or administrative), leaving DPSCS employment by reason for the separation;
- (3) the amount of nonvoluntary overtime hours worked by DPSCS employees between May 2017 and October 2017;
- (4) the distribution of overtime hours worked and amount earned among DPSCS correctional employees in fiscal 2015, 2016, and 2017; and
- (5) a detailed plan for reducing the number of vacancies throughout the department, particularly among correctional officer and administrative staff. The plan should include an evaluation and fiscal estimate of solutions addressing compensation, improvements in employee wellness, the potential for utilizing part-time or retired staff, potential operating efficiencies designed to lessen staffing needs, using civilian positions in lieu of uniformed personnel, and relaxation of hiring standards.

The report shall be submitted by ~~November 1, 2017~~ *January 1, 2018*, and 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 to the budget committees.

Explanation: DPSCS is facing a staffing crisis. As of January 1, 2017, the departmentwide vacancy rate was 15.3%. The majority of the vacancies occur within the correctional and administrative staff, which have January 2017 vacancy rates of 13.9% and 20.3%, respectively. DPSCS is implementing a variety of strategies to improve recruitment; however, further analysis of the staffing issue and potential solutions is warranted. This language restricts funds until DPSCS provides a variety of staffing data that is currently not available but would prove useful in conducting a comprehensive evaluation of the department's ongoing staffing struggles. Additionally, the language requires DPSCS to develop a detailed plan for addressing the nearly 1,300 vacant positions that remain following the elimination of 400 vacancies in the fiscal 2018 budget. The report must be submitted to the budget committees no later than ~~November 1, 2017~~ *January 1, 2018*.

Information Request	Author	Due Date
DPSCS staffing data and vacancy reduction plan	DPSCS	November 1, 2017 <i>January 1, 2018</i>

Amendment No.

44

Q00B

Committee Narrative

Improvements in Hiring: *The budget committees are concerned with the severe staffing shortages in the State's correctional facilities. In testimony provided to the budget committees on the Fiscal 2018 Operating Budget, the Department of Public Safety and Correctional Services (DPSCS) noted several strategies being pursued to increase the pool of applicants for correctional staff positions. The committees request that DPSCS provide an update on how those strategies have impacted hiring and whether the current staffing situation has improved. The report should be submitted to the budget committees no later than October 31, 2017.*

Information Request	Author	Due Date
<i>Improvements in hiring</i>	<i>DPSCS</i>	<i>October 31, 2017</i>

Polygraph Testing Requirement for Correctional Staff: *The budget committees are concerned with the severe staffing shortages among the correctional staff within the Department of Public Safety and Correctional Services (DPSCS) and the impact of the polygraph testing requirement on the available applicant pool. In spite of high overtime usage and an agreement that additional custodial positions are needed, only 63 correctional officers were hired in calendar 2016 – less than 3% of total applicants for the position.*

The budget committees request that DPSCS review its use of polygraph tests in the correctional officer hiring process and submit a report on the findings no later than October 1, 2017. The review should address the following:

- *the current polygraph policies and procedures used by DPSCS;*
- *whether national standards exist and how they compare to those used by DPSCS;*
- *the standards and type of test used by other state or local correctional departments;*
- *a comparison of pass rates for DPSCS applicants to other state and local correctional applicants; and*
- *an analysis of changes that could be made to allow for an improved hiring ratio.*

Information Request	Author	Due Date
<i>Polygraph testing requirement</i>	<i>DPSCS</i>	<i>October 1, 2017</i>

Q00B

Committee Narrative

DIVISION OF CORRECTION – WEST REGION

Q00R02.01 Maryland Correctional Institution – Hagerstown

Downsizing the Maryland Correctional Institution – Hagerstown: Due to reductions in the inmate population, the Department of Public Safety and Correctional Services (DPSCS) is able to implement a partial closure of the Maryland Correctional Institution – Hagerstown (MCI-H). In association with the planned downsizing, the fiscal 2018 budget is reduced by 400 vacant positions and \$16.9 million. The budget committees are interested in receiving detail regarding the exact positions being abolished, the redistribution of the inmate population, and the impact on the remaining bed capacity. DPSCS should submit the report to the budget committees no later than October 1, 2017.

Information Request	Author	Due Date
MCI-H downsizing	DPSCS	October 1, 2017

DIVISION OF CORRECTION – EAST REGION

Q00S02.03 Maryland Correctional Institution for Women

Services for Female Offenders: The Maryland Correctional Institution for Women, located in Anne Arundel County, is the only State-operated correctional facility for female inmates. The budget committees would like to better understand the level of services provided to these female offenders and, therefore, request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by August 15, 2017, on the following:

- the availability of gynecological services in comparison to the size and needs of the population at the facility;
- the availability of pre-release services and job opportunities for female offenders and whether the closure of the Baltimore Pre-release Unit for Women in Baltimore City has impacted these services;
- the policies for allowing contact visits with family and children; and
- the potential transportation options and access for families and others wanting to visit offenders at the Jessup facility.

Q00B

Information Request	Author	Due Date
Services for female offenders	DPSCS	August 15, 2017

Q00C01
Maryland Parole Commission
Department of Public Safety and Correctional Services

Committee Narrative

Implementing the Justice Reinvestment Act: Chapter 515 of 2016, the Justice Reinvestment Act (JRA), established Maryland’s path to comprehensive criminal justice reform by altering provisions relating to sentencing, corrections, parole, and the supervision of offenders. The Maryland Parole Commission (MPC) is responsible for several initiatives under the Act, regarding statewide parole policy and reform. The budget committees request that MPC provide a progress report on the status of the JRA implementation, including an update on which provisions set to begin in October 2017 have in fact started, performance data, and costs/needs related to implementation by December 1, 2017.

Information Request	Author	Due Date
Implementing the JRA	MPC	December 1, 2017

Q00C02
Division of Parole and Probation
Department of Public Safety and Correctional Services

Committee Narrative

Q00C02.01 General Administration

Enhanced Kiosk Reporting System: In an effort to be more resourceful with existing technology and equipment and to enhance the kiosk functionality, the Division of Parole and Probation (DPP), in collaboration with the Information Technology and Communications Division, developed an offender check-in system to work in conjunction with the existing kiosk equipment and software. The enhanced version, currently operating in 21 counties, utilizes a web-based check-in system for offenders, which replaces the need for paper sign-in logs. The budget committees request that DPP submit a report on the enhanced kiosk system, efficiencies gained, performance measures including updated offender reporting data, and efforts to make the new system the primary mode of reporting for low/moderate-risk offenders.

Information Request	Author	Due Date
Enhanced kiosk reporting system	DPP	December 1, 2017

Ignition Interlock Program: Parole and probation agents report that enforcement of the State’s Ignition Interlock Program is challenging because of the inability to prove that the defendant was the actual driver at the time of an offense, because defendants can claim that another individual used the vehicle when the violation occurred. The budget committees request that the Division of Parole and Probation (DPP) submit a report that includes the following items by October 1, 2017:

- the expressed policies or rules regarding the use and enforcement of the State’s Ignition Interlock Program;
- the number of Ignition Interlock violation cases that are pursued by DPP annually, the outcomes of these cases, and the frequency of these cases; and
- a cost-benefit analysis in conjunction with the Motor Vehicle Administration that studies the feasibility of purchasing dashboard cameras for Ignition Interlock devices, which can provide proof of the driver’s identity.

Information Request	Author	Due Date
Report on the Ignition Interlock Program	DPP	October 1, 2017

Q00G00
Police and Correctional Training Commissions
Department of Public Safety and Correctional Services

Budget Amendments

Q00G00.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of departmental operations may not be expended until the Police and Correctional Training Commissions (PCTC) submits the following information to the budget committees:

- (1) PCTC's plan to comply with the finalized U.S. Department of Justice consent decree with the Baltimore Police Department and with the consent decree's specific mentions of PCTC involvement and/or oversight regarding regulations, notification, police training, and overall reform efforts;
- (2) PCTC's policies or rules for making a determination as to whether Maryland police departments' training programs or procedures are subject to approval;
- (3) PCTC's specific plan regarding PCTC approval of the official Baltimore Police Department Training Plan mentioned in the consent decree;
- (4) all written policies regarding PCTC oversight of police firearms regulations and standards; and
- (5) PCTC's policies or rules regarding when local jurisdictions' police departments are required to notify PCTC in the event of officer misconduct and officer resignations while misconduct or disciplinary charges are pending.

The report shall be submitted to the budget committees no later than July 1, 2017, 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: A U.S. Department of Justice (DOJ) investigation of the Baltimore Police Department (BPD) conducted in the wake of the death of Freddie Gray and the subsequent civil unrest, revealed that BPD has systemic deficiencies in policies, training, supervision, and accountability structures. As a result, DOJ entered into a consent decree with BPD that allows for new police training and procedures. In addition, the consent decree mentions that new BPD practices could be, in some cases, subject to what is already routine PCTC oversight.

Q00G00

The consent decree specifically mentions PCTC and its possible involvement in the following three areas: (1) BPD will track officers' qualifications and require that officers successfully qualify in accordance with the PCTC firearm regulations and standards; (2) BPD must establish a robust training program that may be subject to approval and/or may be conducted by PCTC; and (3) BPD will provide the required notice to PCTC when an officer resigns while a misconduct investigation or disciplinary charges are pending. This language restricts funds pending the receipt of information regarding PCTC involvement with the consent decree, specific policies mentioned in the consent decree, and PCTC's plan to provide assistance to BPD, based on the finalized consent decree.

Information Request	Author	Due Date
Report on PCTC involvement in the DOJ consent decree with BPD	PCTC	July 1, 2017

Committee Narrative

Maryland Police Training and Standards Commission: Chapter 519 of 2016 requires the implementation of several policy changes resulting from the Public Safety and Policing Workgroup. The provision with the largest impact on the Police and Correctional Training Commissions (PCTC) is the reconstitution of the Police Training Commission as an independent Maryland Police Training and Standards Commission. PCTC should report to the budget committees on their progress toward forming the new commission, including any associated costs, implementation challenges, and progress made to procure new database software and conduct a needs assessment for a Scenario-based Learning program. The report is due to the budget committees no later than December 1, 2017.

Information Request	Author	Due Date
Maryland Police Training and Standards Commission	PCTC	December 1, 2017

Q00T04
Division of Pretrial Detention
Department of Public Safety and Correctional Services

Budget Amendments

Q00T04.09 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation shall be restricted until the Department of Public Safety and Correctional Services (DPSCS) conducts a new post-by-post security staffing analysis for each of its custodial facilities in order to identify the actual number of regular positions needed to safely and securely staff the State’s correctional institutions. DPSCS shall provide a written report to the budget committees no later than December 1, 2017, with biannual submissions thereafter, summarizing the results of the analysis and explaining the need for any staffing changes resulting from the staffing analysis or changes in policy that require the use of additional positions. To the extent possible, the analysis should discuss ways the department is generating operating efficiencies in lieu of the need for additional positions. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This action requires DPSCS to regularly conduct a post-by-post security staffing analysis and submit a summary report to the budget committees no later than December 1, 2017, explaining the need for any changes in staffing. Providing proper staffing can have an impact on the amount of overtime used by the custodial agencies. Since fiscal 2010, DPSCS has identified the need for positions beyond its existing authorization; however, recent changes to the facility complement and declines in the offender population have made analysis of the staffing need convoluted. Conducting regular staffing assessments should assist the department and the General Assembly in monitoring the staffing and overtime situation in the State’s correctional and detention facilities. This language is modified from prior years to additionally request that the department address the potential for offsetting staffing needs by identifying alternative operating efficiencies.

Information Request	Author	Due Date
Post-by-post staffing analysis	DPSCS	December 1, 2017

Q00T04

Committee Narrative

Evaluation of the Cell Phone Managed Access System: A managed access system was implemented at the Metropolitan Transition Center in April 2013 to alleviate the considerable staff resources dedicated to cell phone confiscations. The system was expanded to include the Baltimore City Detention Center the following year. In fiscal 2018, the Department of Public Safety and Correctional Services (DPSCS) made a decision to move away from expanding its cell phone managed access system, primarily because of the cost. Maintenance for the system averages \$300,000 annually. DPSCS has indicated the availability of less costly, more portable technology to assist with cell phone interdiction. Given the annual expense of operating the existing managed access system, the budget committees request that DPSCS conduct a performance evaluation of the technology, including a cost-benefit analysis, to determine whether use of the system should continue, despite the availability of less costly technology. The report should be submitted to the budget committees by October 30, 2017.

Information Request	Author	Due Date
Managed access system evaluation	DPSCS	October 30, 2017

R00A01
Headquarters
State Department of Education

Committee Narrative

R00A01.01 Office of the State Superintendent

Improving Gender and Racial Diversity: The budget committees are concerned with limited gender and racial diversity among teachers and principals in the State. The committees request that the Maryland State Department of Education (MSDE) submit a report detailing the continued efforts to increase diversity in hiring and in promotion for education professionals statewide. The report should provide the most recent demographic breakdown of teachers and principals by race, ethnicity, and gender for Maryland’s local education agencies (LEA), in addition to providing the same demographic breakdown for new teacher and principal hires for LEAs in calendar 2016 and 2017. The report should also identify specific strategies, goals, and recommendations for legislation to increase diversification among Maryland’s education professionals. The report shall be submitted by December 1, 2017, to the budget committees.

Information Request	Author	Due Date
Report on diversity in hiring and promotion	MSDE	December 1, 2017

Literacy in Maryland: The budget committees are concerned with the literacy gap existing in Maryland, particularly for children from age 3 to grade 3 who may need intervention due to them having low literacy. Therefore, the Maryland State Department of Education (MSDE) should study the need for an evidence-based early literacy intervention model that would provide targeted support for Maryland children from age 3 to grade 3 who are at risk of grade 3 reading failure. The study could include a focus on the following:

- leveraging dollars from AmeriCorps with State and school board dollars for programs that target the literacy gap in Maryland, modeled on the successful program in Minnesota; and
- closing the literacy gap in an efficient and effective way.

MSDE shall report to the budget committees on findings from their study by December 1, 2017. The report shall include recommendations for implementing an early literacy intervention model. These recommendations may draw on best practices from other states.

Information Request	Author	Due Date
Report on an early literacy intervention model	MSDE	December 1, 2017

R00A01

R00A01.04 Division of Accountability and Assessment

~~**School Start Times and Student Outcomes:** The budget committees continue to be concerned about how school start times affect student outcomes for middle and high school students. Therefore, the Maryland State Department of Education (MSDE) shall conduct a study examining the relationship between start times and student outcomes for schools as measured by the following:~~

- ~~● achievement, determined by Partnership for Assessment of Readiness for College and Careers, Maryland School Assessment, and Advanced Placement scores;~~
- ~~● attendance, determined by chronic absenteeism, both per Maryland (15 days or more) and federal (20 days or more) definitions;~~
- ~~● school safety, determined by number of disciplinary actions and bullying incidents; and~~
- ~~● graduation rates, determined by the four year graduation rate as defined by the National Center of Education Statistics and MSDE.~~

~~The measures should be disaggregated and reported for all students, by race/ethnicity, free and reduced price lunch qualification, English language learners, and disability over the past five years. By December 1, 2017, MSDE shall submit a report to the budget committees that details significant trends and findings from its study that it has found up to that point in time.~~

Information Request	Author	Due Date
Report on school start times and outcomes	MSDE	December 1, 2017

R00A01.13 Division of Special Education/Early Intervention Services

Research-based Instructional Best Practices: The budget committees continue to be concerned about whether students who require specialized intervention services and students who have individualized education programs are receiving support necessary to allow them to improve their academic performance. Therefore, the Maryland State Department of Education (MSDE) shall submit to the budget committees a report on the steps it has taken, and will continue to take, in order to assure the use of research-based best instructional practices in general education and special education for these populations. The report should include a plan for dissemination of the instructional practices, teacher training, and monitoring for students. The report shall be submitted to the budget committees no later than November 15, 2017.

R00A01

Information Request	Author	Due Date
Report on best instructional practices	MSDE	November 15, 2017

R00A02
Aid to Education
State Department of 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 the funds from program R00A.02 Aid to Education to any other budgetary unit. The budget committees shall have 45 days 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

R00A02.01 State Share of Foundation Program

Baltimore City Public Schools Savings: The budget committees direct Baltimore City and Baltimore City Public Schools (BCPS) to convene a joint task force to determine arrangements between the two that will result in savings, including but not exclusive to retiree and current employee health care arrangements for BCPS employees. The joint task force shall report to the committees by December 15, 2017, on what arrangements have been finalized and will be implemented by Baltimore City and BCPS.

Information Request	Authors	Due Date
Report on arrangements for savings between Baltimore City and BCPS	Baltimore City BCPS	December 15, 2017

R00A02

Budget Amendments

R00A02.07 Students With Disabilities

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funding for the Nonpublic Placement Program due to a declining enrollment in the program, carrying forward savings from the anticipated reversion for the program in fiscal 2017. This can help address the State’s out-year structural shortfall.	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	445,543,707	440,543,707	5,000,000	
Total Funds	445,543,707	440,543,707	5,000,000	

R00A02.13 Innovative Programs

Amend the following language to the general fund appropriation:

General Fund Appropriation, provided that this appropriation shall be reduced by ~~\$7,500,000~~ \$2,500,000 ~~\$7,000,000~~ contingent upon the enactment of legislation repealing the mandate that funding be provided for the Public Schools Opportunities Enhancement Program.

Explanation: This action restores ~~\$5 million~~ \$500,000 in general funds for the Public Schools Opportunities Enhancement Program based on actions in the Budget Reconciliation and Financing Act of 2017.

Amendment No. 45

Add the following language to the general fund appropriation:

Further provided that funds for new Pathways in Technology Early College High (P-TECH) schools during the 2017-2018 school year may be used only for one P-TECH school for Allegany County Public Schools; one P-TECH school serving Queen Anne’s County, Talbot County, and Caroline County Public Schools; and two P-TECH schools for Prince George’s County Public Schools.

R00A02

Explanation: This language specifies that funding used to operate new P-TECH schools during the 2017-2018 school year may only be used for one school in Allegany County, one school serving the Upper Eastern Shore, and two schools for Prince George's County.

Strike the following language:

~~Further provided that \$300,000 of this appropriation made for the purpose of providing funding for the Next Generation Scholars Program may not be expended for that purpose but instead may be used only to support the Bard High School Early College Baltimore. 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 adds language that specifies that \$300,000 in general funds not be expended for the Next Generation Scholars Program and instead may only be spent on the Bard High School Early College Baltimore, an early college high school that allows students to earn an associate's degree or credential alongside a high school diploma in four years. If the Governor chooses to not spend the funds for this restricted purpose, then the funds shall revert to the General Fund.~~

Amendment No. **46**

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of innovative schools may not be expended for that purpose, but instead may only be used, contingent on enactment of SB 908 and provided that no funding is included in a supplemental budget, for the Maryland Education Development Collaborative. 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 adds language that specifies that \$250,000 in general funds may not be expended for innovative schools and instead may only be spent on the Maryland Education Development Collaborative contingent on the enactment of legislation establishing the collaborative. If the contingent legislation is not enacted or the Governor chooses not to spend the funds for this restricted purpose, then the funds shall revert to the General Fund.*

Amendment No. **47**

R00A02

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete new funding for an unspecified purpose under current law provided in the budget for innovative schools.	1,000,000 750,000	GF GF
2. Delete new funding provided for a Linking Youth to New eXperiences School in Frederick County, as funding for the school is not mandated. This can only help address the State's out-year structural shortfall.	336,599	GF
3. Reduce general funding for planning grants for new Pathways in Technology Early College High Schools.	600,000	GF
 Total Reductions	 1,936,599 1,086,599	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	22,933,599	20,997,000 21,847,000	1,936,599 1,086,599	
Federal Fund	2,272,509	2,272,509	0	
Total Funds	25,206,108	23,269,509 24,119,509	1,936,599 1,086,599	

Amendment No.

48

Committee Narrative

Funding for School-based Health Centers: The committees continue to be concerned about when and how funding for school-based health centers will be awarded. Therefore, the Maryland State Department of Education (MSDE) shall report to the budget committees on the status and timeliness of the award of school-based health center funds for fiscal 2018 no later than August 1, 2017.

Information Request	Author	Due Date
Report on funds for school-based health centers	MSDE	August 1, 2017

R00A02

Budget Amendments

R00A02.55 Teacher Development

Amend the following language to the general fund appropriation:

General Fund Appropriation, provided that this appropriation shall be reduced by ~~\$5,000,000~~ \$2,900,000 contingent upon the enactment of legislation repealing the mandate that funding be provided for the Teacher Induction, Retention, and Advancement Pilot Program.

Explanation: This action restores \$2.1 million in general funds for the Teacher Induction, Retention Advancement Pilot Program based on actions in the Budget Reconciliation and Financing Act of 2017.

Amend the following language to the general fund appropriation:

Further provided that this appropriation shall be reduced by ~~\$1,900,000~~ \$950,000 contingent upon the enactment of legislation repealing the stipend for specific Anne Arundel County Public School teachers.

Explanation: *This action restores \$950,000 in general funds for stipends for specific Anne Arundel County Public School teachers based on actions in the Budget Reconciliation and Financing Act of 2017.*

Amendment No.

49

R00A03
Funding for Educational Organizations
State Department of Education

Committee Narrative

FUNDING FOR EDUCATIONAL ORGANIZATIONS

R00A03.02 Blind Industries and Services of Maryland

~~**Managing for Results Submission:** In the annual Managing for Results (MFR) submissions, Blind Industries and Services of Maryland (BISM) reports measures on hours of training provided in blindness skills to adult and senior citizens who are blind or low vision. There is some concern that the current MFR goal for BISM of at least 45,540 hours provided annually is too low to evaluate BISM's performance. BISM should include a more ambitious goal in its MFR submission for the 2018 session that is more in line with its performance in recent years.~~

Budget Amendments

R00A03.04 Aid to Non-Public Schools

Amend the following language to the special fund appropriation:

, 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 IID, 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 the 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-priced lunch program receive \$155 per student. Similar language was included in the fiscal 2017 budget.

Add the following language to the special fund appropriation:

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 on the basis of race, color, national origin, or sexual orientation. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or

R00A03

moral teachings. However, all participating schools must agree that they will not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. The sole legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program.

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. It also specifies that a participating school may not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Violating the provisions makes a school ineligible for participating in the Aid to Non-Public Schools Program. Similar language was included in the fiscal 2017 budget.

R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language to the special fund appropriation:

~~Further provided that up to \$150,000 of the appropriation may be used by MSDE to cover the reasonable costs of administering the BOOST Program~~

Further provided that MSDE shall submit a report to the budget committees by December 15, 2017, 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 in accordance with federal and State law by nonpublic schools participating in the BOOST Program, as well as student performance on those assessments;
- (5) in the aggregate, for each BOOST Program scholarship awarded (1) the nonpublic school and grade level attended by the student; (2) the school attended in the 2016-2017 school year by the student; and (3) if the student attended the same nonpublic school in the 2016-2017 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2016-2017 school year and will receive in the 2017-2018 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;

R00A03

- (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; and
- (12) the number of students who received BOOST Program scholarships for the 2016-2017 school year who are attending public school for the 2017-2018 school year, as well as their reasons for returning to public schools.

Explanation: This language requires the Maryland State Department of Education (MSDE) to report on the distribution of the Broadening Options and Opportunities for Students Today (BOOST) Program scholarships, information on the students receiving BOOST Program scholarships, teacher certifications for nonpublic schools participating in the BOOST Program, and assessments being administered in nonpublic schools participating in the BOOST Program. 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. Finally, this language deletes language designating BOOST Program funding for administration, as this funding has already been included in the MSDE Headquarters budget, and is therefore unnecessary.

Information Request	Author	Due Date
BOOST Program Report	MSDE	December 15, 2017

	<u>Funds</u>	<u>Positions</u>
Reduce appropriation for the purposes indicated:		
1. Reduce Cigarette Restitution Funding for the Broadening Options and Opportunities for Students Today (BOOST) Program to provide BOOST Program scholarships only to students who attended public schools during the 2015-2016 school year.	4,794,096	SF
Total Reductions	4,794,096	
	0	

R00A03

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	6,850,000	2,055,904 6,850,000	4,794,096 0	
Total Funds	6,850,000	2,055,904 6,850,000	4,794,096 0	

Amendment No.

50

R00A04
Children's Cabinet Interagency Fund
State Department of Education

Budget Amendments

R00A04.01 Children's Cabinet Interagency Fund

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce appropriation intended for training and technical assistance. The reduction still allows for a 31% increase over planned fiscal 2017 spending.	100,000	GF
Total Reductions	100,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	18,655,376	18,555,376	100,000	
Total Funds	18,655,376	18,555,376	100,000	

HIGHED*

Higher Education Overview

Committee Narrative

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 2017 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 2017 financial aid categories by EFC	MHEC	June 30, 2018

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.

Information Request	Authors	Due Date
Annual report on faculty workload	USM MSU SMCM	December 15, 2017

HIGHED*

Report on Revised Comparable Funding Peers: Funding guidelines are used to assess how Maryland’s institutions are funded relative to comparable “peer” institutions in Maryland competitor states. Comparable institutions as outlined in the Commission to Develop the Maryland Model for Funding Higher Education report defines peers as those institutions of similar academic scope, comparable size, similar student profile, and same Carnegie classification. However, in the most recent update of peer institutions, peers were selected based only on their Carnegie classification resulting in five University System of Maryland (USM) institutions having the same peer institutions. As a result, the funding guidelines do not allow for an accurate comparison of how Maryland funds its institutions compared to those in competitor states. Therefore, the committees request that the Maryland Higher Education Commission (MHEC), in consultation with USM, Morgan State University, the Department of Legislative Services, and the Department of Budget and Management, revise the funding peer institutions for each public four-year institution to include only those institutions in competitor states with comparable attributes to the “home” Maryland institution. Peers for the University of Maryland, College Park and the University of Maryland, Baltimore should be those institutions comparable to the University of Maryland campuses. The report should be submitted to the budget committees by September 15, 2017.

Information Request	Author	Due Date
Report on revised comparable funding peers	MHEC	September 15, 2017

R30B00
University System of Maryland

Budget Amendments

Amend the following language:

Provided that University System of Maryland institutions that have a positive State-supported fund balance shall not be required to transfer State-supported funds to the fund balance as determined by the University System of Maryland Office or the Board of Regents. ~~Any transfers of State-supported funds to the fund balance shall be at the discretion of the institution's President.~~ It shall be at the discretion of an institution's President whether to transfer State-supported funds to the fund balance or to use the funds to support other institutional priorities.

Explanation: This language stipulates that those University System of Maryland (USM) institutions that have a positive balance in their State-supported fund balance are not required to transfer State-supported funds to the fund balance as required by the USM Office or the Board of Regents. ~~Furthermore any transfers of State-supported funds to the fund balance will be at the discretion of the institution's President.~~ *Furthermore, an institution's President may transfer State-supported funds or use the funds to support other institutional priorities.*

Amendment No.

51

R30B24
Towson University
University System of Maryland

Budget Amendments

R30B24.00 Towson University

Add the following language to the unrestricted fund appropriation:

Further provided that \$70,000 of this appropriation made for the purpose of maintaining Hidden Waters shall be reduced. It is the intent of the General Assembly that the University System of Maryland Foundation assume full responsibility for the costs of maintaining Hidden Waters.

Explanation: This language reduces Towson University (TU) unrestricted (general fund) funds by \$70,000. These funds are related to maintaining Hidden Waters, the Chancellor's residence in Baltimore County. A fiscal 2017 budget amendment transferred the general funds from the University of Maryland, Baltimore to TU for ground maintenance, operations, and utilities of the residence. Since it is owned by the University System of Maryland Foundation, it is their responsibility to maintain the property.

R30B25
University of Maryland Eastern Shore
University System of Maryland

Budget Amendments

R30B25.00 University of Maryland Eastern Shore

Add the following language to the unrestricted fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the University of Maryland Eastern Shore submits a report by November 10, 2017, to the budget committees on the actual fiscal 2017 revenues and expenditures by program areas and the fiscal 2018 revenues and expenditures by program areas based on the fall 2017 enrollment. The budget committees shall have 45 days to review and comment on the report. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language restricts \$0.1 million of the current unrestricted (general fund) appropriation until the University of Maryland Eastern Shore (UMES) submits a report by November 10, 2017, to the budget committees on the actual fiscal 2017 revenues and expenditures by program area and the fiscal 2018 revenues and expenditures by program area based on the fall 2017 enrollment.

Information Request	Author	Due Date
Fiscal 2017 and 2018 revenues and expenditures	UMES	November 10, 2017

R30B36
University System of Maryland Office
University System of Maryland

Budget Amendments

Amend the following language:

Provided that State-supported positions at the University System of Maryland Office shall not exceed 87.66 full-time equivalent (FTE) positions. Further provided the number of executive management positions shall not exceed 12.80 FTE positions.

Explanation: This language freezes the total number of State-supported positions at the University System of Maryland Office at 87.66 full-time equivalents *and further freezes the number of executive management positions including Chancellor, Vice Chancellors, Senior Vice Chancellors and Associate Vice Chancellors to 12.80 FTEs. This addresses the budget committee concerns about the growth in executive management positions.*

Amendment No.

52

R62I00
Maryland Higher Education Commission

Budget Amendments

Add the following language:

It is the intent of the General Assembly that the Maryland Higher Education Commission use its Need-Based Student Financial Assistance Fund’s fund balance to provide for an increase of at least 2% in initial awarding of State support for total need-based student financial assistance in fiscal 2018 so that State support matches the expected increase in tuition at public four-year institutions.

Explanation: It is the intent of the General Assembly that State support for need-based student financial assistance should grow commensurate with the expected increase in tuition at public four-year institutions. The Maryland Higher Education Commission can use the fund balance from the Need-Based Student Financial Assistance Fund to augment the fiscal 2018 allowance to achieve this goal. This would require a transfer of approximately \$0.6 million.

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

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$6,574,208 contingent upon the enactment of legislation to level fund the grant to private colleges and universities at the fiscal 2017 amount.~~

Explanation: This language is not necessary for the General Assembly to reduce the appropriation.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding to the Sellinger program to provide for more funding than is specified by the Budget Reconciliation and Financing Act of 2017 for fiscal 2018.	4,574,208	GF
	2,391,542	GF
Total Reductions	4,574,208	2,391,542

R62I00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	53,391,542	48,817,334	4,574,208	
		51,000,000	2,391,542	
Total Funds	53,391,542	48,817,334	4,574,208	
		51,000,000	2,391,542	

Amendment No.

53

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

Add the following language to the general fund appropriation:

, provided that the appropriation made herein for local community colleges be reduced by \$296,405.

Explanation: This \$0.3 million reduction in general funds for local community colleges corrects for an overstatement of enrollment in the fiscal 2018 allowance.

Strike the following language:

~~Further provided that \$3,000,000 of this appropriation shall be distributed only in proportion to the number of resident credit seeking full-time equivalent students enrolled at each eligible institution during fiscal 2016, as determined by the Maryland Higher Education Commission (MHEC). To be eligible for grant funding, institutions must not increase fall 2017 tuition by more than 2%.~~

~~Further provided that \$1,000,000 of this appropriation shall be distributed only in proportion to the number of resident credit seeking full-time equivalent students enrolled at each eligible institution during fiscal 2016, as determined by MHEC. Eligible institutions shall include Carroll Community College, Cecil College, Chesapeake College, and Wor-Wic Community College.~~

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

R62I00

~~**Explanation:** There is a new, one-time \$4 million grant for community colleges in fiscal 2018. This language directs the MHEC to distribute \$3 million to all community colleges who do not increase tuition by more than 2% based on each institution's resident credit seeking full-time equivalent enrollment. The remaining \$1 million shall be distributed in the same manner, but only to the four community colleges specified in language.~~

54

Amendment No.

Add the following language to the general fund appropriation:

Further provided that \$4,000,000 of this appropriation made herein for the one-time supplemental grant for community colleges shall be used only for that purpose. A community college is eligible to receive a portion of funding from this grant if it raises tuition by no more than 2% for the 2017-2018 academic year. Total grant funding is to be distributed among eligible institutions, as determined by the Maryland Higher Education Commission (MHEC), in proportion to each institution's share of Cade formula-eligible enrollments in fiscal 2016, also as determined by MHEC. If found eligible, Baltimore City Community College (BCCC) (R95C00) may receive funding from this grant through a budget amendment. Funding from the one-time grant shall not be incorporated into the Cade formula or in BCCC's funding formula when calculating State support in fiscal 2019. Funds restricted for this specific purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund.

Explanation: There is a new, one-time \$4 million grant for community colleges in fiscal 2018. The Maryland Association of Community Colleges has indicated all 16 of Maryland's community colleges have met the requirement of not raising tuition by more than 2% in fall 2017 in order to be eligible for this grant funding. This language requires MHEC to determine that institutions have done so and then directs how funding should be distributed by college. This language allows for transferring a portion of funding to Baltimore City Community College, which is budgeted under a separate program code, if that institution is determined to be eligible. Funding is one-time only and shall not be included in any funding formulas for community colleges in fiscal 2019.

55

Amendment No.

R62I00

R62I00.07 Educational Grants

Add the following language to the general fund appropriation:

, provided it is the intent of the General Assembly that the Office for Civil Rights Enhancement Fund be moved from the Maryland Higher Education Commission to the base budgets of the Historically Black Colleges and Universities beginning in fiscal 2019.

Explanation: This language expresses intent that Enhancement Funds for Historically Black Colleges and Universities be moved from the grants budget of the Maryland Higher Education Commission to the base budget of the institutions themselves beginning in fiscal 2019.

R62I00.10 Educational Excellence Awards

Add the following language:

Provided that funds appropriated for Educational Excellence Awards may not be transferred to any other program or purpose.

Explanation: The language restricts funds for Educational Excellence Awards to that purpose. The annual program carries a waiting list in excess of 10,000 students. By statute, unspent funds will be deposited in the Need-Based Student Financial Assistance Fund.

R62I00.15 Delegate Scholarships

Strike the following language:

~~, provided that \$303,620 of this appropriation made for the purpose of Delegate Scholarships may not be expended for that purpose and instead may only be transferred by budget amendment to Educational Excellence Awards (R62I00.10) to be used for need-based student financial aid. 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: ~~In the fiscal 2018 allowance, there is approximately \$0.3 million more than necessary to allow the Delegate Scholarships program to grow with the expected increase in tuition at public four-year institutions. This language restricts \$0.3 million in funding for Delegate Scholarships so that it may only be transferred by budget amendment to the Educational Excellence Awards program to make additional need-based financial aid awards.~~

Amendment No.

56

R62I00

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce general funds for Delegate Scholarships to level fund the program in fiscal 2018.</i>	430,000	GF
<i>Total Reductions</i>	430,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>General Fund</i>	6,749,000	6,319,000	430,000	
<i>Total Funds</i>	6,749,000	6,319,000	430,000	

Amendment No. 57

Committee Narrative

Report on Noncredit Student Data from Fiscal 2016: The Maryland Higher Education Commission (MHEC) has informed the budget committees that it is piloting a new data collection effort regarding completion in noncredit workforce training programs in fiscal 2016. The committees request MHEC summarize the data that is received and explain how MHEC and Maryland Longitudinal Data System are working together to determine the effectiveness of noncredit sequences in meeting the State’s workforce needs.

Information Request	Author	Due Date
Report on noncredit student data from fiscal 2016	MHEC	December 1, 2017

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: The 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 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

R62I00

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.

In addition, the committees request that MHEC, in collaboration with the Governor's Prekindergarten-20 Council, convene a biennial Summit on Completion that provides a forum for representatives of all segments of education (including K-12), economic and workforce development, and other stakeholders to share best practices on college completion that are underway in Maryland and hear from experts on best practices in other states that may be replicated in Maryland. A summary of the summit should be included in the annual report on best practices and progress toward the 55% goal.

Information Request	Author	Due Date
Report on best practices and progress toward the 55% completion goal	MHEC	December 15, 2017, and annually thereafter

Report on State Financial Aid Application Deadline: The Maryland Higher Education Commission (MHEC) currently requires students to submit a Free Application for Federal Student Aid (FAFSA) by March 1 of each year to be considered for a State need-based financial aid award. The budget committees are concerned that some students with high financial need are excluded from consideration of State need-based financial aid awards because they may not make a decision to enroll in higher education until after March 1. MHEC should study the impact of extending the FAFSA deadline and report on the financial need of students who file FAFSAs near the deadline and beyond the deadline and also analyze the effect any deadline change would have on the student waitlist for State need-based financial aid awards. MHEC should consider deadlines used in other states for similar need-based financial aid programs.

Information Request	Author	Due Date
Report on State Financial Aid Application Deadline	MHEC	December 1, 2017

Revised Report on Student Success at Historically Black Colleges and Universities: The Maryland Higher Education Commission (MHEC) has reported that it is interested in revising the annual Access and Success funding report that reviews cohort outcomes at historically black colleges and universities (HBCU). The budget committees concur and also request that MHEC include in its new report how the annual Office for Civil Rights HBCU Enhancement Funding is used to improve student success. The report should discuss changes in the methodology for evaluating the use of funds and how the HBCUs are progressing in improving student outcomes. MHEC should explore ways to make the new annual report more useful to HBCUs and other organizations and institutions in the P-20 continuum. The report is due by December 1, 2017.

R62I00

Information Request	Author	Due Date
Revised report on best practices for student success and accountability at HBCUs	MHEC	December 1, 2017

R75T00 Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation may not be expended until the University of Maryland Eastern Shore submits a report by November 10, 2017, to the budget committees on the actual fiscal 2017 revenues and expenditures by program areas and the fiscal 2018 revenues and expenditures by program areas based on the fall 2017 enrollment. The budget committees shall have 45 days to review and comment on the report. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language restricts \$0.1 million of the general fund appropriation until the University of Maryland Eastern Shore (UMES) submits a report by November 1, 2017, to the budget committees on the actual fiscal 2017 revenues and expenditures by program area and the fiscal 2018 revenues and expenditures by program area based on the fall 2017 enrollment.

Information Request	Author	Due Date
Fiscal 2017 and 2018 revenues and expenditures	UMES	November 10, 2017

Add the following language to the general fund appropriation:

Further provided that \$70,000 of this appropriation made for the purpose of Towson University to maintain Hidden Waters shall be reduced. It is the intent of the General Assembly that the University System of Maryland Foundation assume full responsibility for the costs of maintaining Hidden Waters.

Explanation: This language reduces the Towson University (TU) general fund by \$70,000. These funds are related to maintaining Hidden Waters, the Chancellor's residence in Baltimore County. A fiscal 2017 budget amendment transferred the general funds from the University of Maryland, Baltimore to TU for ground maintenance, operations, and utilities of the residence. Since it is owned by the University System of Maryland Foundation it is their responsibility to maintain the property.

R75T00

Strike the following language:

~~Further provided that this appropriation made for the purpose of Baltimore City Community College be reduced by \$750,000.~~

~~**Explanation:** This action holds Baltimore City Community College harmless to the working fiscal 2017 level of State support through the funding formula.~~

Amendment No.

58

Add the following language to the general fund appropriation:

Further provided that, contingent on the enactment of HB 1595 or SB 1127, \$150,000 of this appropriation made for the purpose of Baltimore City Community College (BCCC) may be expended only on costs related to the implementation of HB 1595 or SB 1127.

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 \$150,000 at Baltimore City Community College to purposes related to implementing HB 1595 or SB 1127.

Amendment No.

59

Add the following language to the general fund appropriation:

Further provided that \$600,000 of this appropriation made for the purpose of BCCC may not be expended for that purpose but instead may only be transferred to the University System of Maryland Office (R30B36) for the following purposes:

- (1) \$450,000 to the Universities at Shady Grove to support new academic programming related to the new Biomedical Sciences and Engineering Education Facility; and
- (2) \$150,000 to the University System of Maryland at Hagerstown to support new academic programming.

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

R75T00

Explanation: This language restricts \$600,000 to increase State support for two regional higher education centers operated by the University System of Maryland for specified purposes.

Amendment No.

60

Add the following language to the general fund appropriation:

Further provided that, contingent upon the failure of enactment of HB 1595 and SB 1127, \$1,000,000 of this appropriation made for the purpose of operations at Baltimore City Community College (BCCC) may not be expended until the Board of Trustees of BCCC submits a draft implementation plan to the budget committees on the institution's follow-up to the comprehensive report from the Schaefer Center. The Board of Trustees shall consult with the President in developing the implementation plan. The draft implementation plan is due by February 1, 2018, and the final implementation plan is due by June 30, 2018.

The implementation plan shall explain how BCCC is:

- (1) strategically focusing core offerings of BCCC on the needs of students at BCCC and the workforce of Baltimore City, including review and, if needed, elimination of programs;
- (2) making workforce development and job placement top educational priorities of BCCC;
- (3) improving student pathways to success, including remedial education, attainment of a degree or a postsecondary certificate, and transfer to a four-year institution of higher education;
- (4) improving student pathways to success with the Baltimore City Public School System, institutions of higher education, and employers;
- (5) aligning the budget of BCCC with realistic enrollment projections;
- (6) engaging in a comprehensive review of all positions, faculty, and staff at BCCC;
- (7) establishing strong relationships with key stakeholders, including:
 - (a) the Mayor of Baltimore City;
 - (b) the Mayor's Office of Employment Development;
 - (c) the Baltimore City Public School System;
 - (d) institutions of higher education located in Baltimore City;

R75T00

- (e) State agencies, including the Department of Labor, Licensing, and Regulation;
 - (f) private employers; and
 - (g) business and community organizations.
- (8) rebuilding and marketing the brand of BCCC;
- (9) addressing the information technology and infrastructure needs of BCCC, including whether oversight by the Department of Information Technology is advisable;
- (10) developing or selling all unused or underutilized real estate holdings, including the Inner Harbor site; and
- (11) identifying any barriers in State or local laws or regulations that impede the ability of BCCC to operate efficiently and effectively, including procurement and capital construction projects.

The budget committees shall have 45 days to review and comment from the date of receipt of the draft implementation plan. Funds restricted pending receipt of the draft implementation plan may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the draft implementation plan is not submitted to the budget committees.

Explanation: BCCC has previously submitted a response to the Schaefer Center's comprehensive report on BCCC's operations and management in which it agreed with most of the findings and recommendations. The budget committees request an implementation plan wherein BCCC will identify how is implementing the recommendations of the Schaefer Center that BCCC previously agreed with and how the institution is being held accountable for meeting those recommendations. State support of \$1 million is restricted pending receipt of a draft implementation plan, which is due February 1, 2018. The final implementation plan is due June 30, 2018. It is the intent of the budget committees that fiscal 2019 State support for BCCC shall be restricted if the final implementation plan is not received by June 30, 2018.

Information Request	Author	Due Date
Draft Implementation Plan	BCCC	February 2, 2018
Final Implementation Plan	BCCC	June 30, 2018

R75T00

Committee Narrative

Fund Balance Workgroup: The budget committees are concerned about the University System of Maryland's (USM) growing fund balance and the pressure on institutions to transfer funds to the fund balance. The committees are also concerned about the lack of transparency regarding the uses of and transfer to the fund balance made by institutions during the fiscal year. Between fiscal 2011 and 2016, transfers to the fund balance consistently exceeded the allowance, ranging from \$0.3 million in fiscal 2014 to \$61.9 million in fiscal 2012. This resulted in the fund balance growing 34.2%, or \$254.1 million, to \$997.1 million by fiscal 2016, and it is projected to increase to \$1.1 billion by fiscal 2018. While USM needs a fund balance not only to maintain its credit rating but to help fund various capital projects at institutions that otherwise may not have funding to proceed, there needs to be a better understanding on the function of the fund balance and other resources used by the credit rating agencies when evaluating USM's rating, such as plant funds and endowments. To that end, the budget committees shall convene a workgroup to examine various aspects of the fund balance and resources that credit rating agencies take into account when evaluating USM's rating. The workgroup will:

- review policies and procedures regarding the transfer to, and use of, fund balance and plant funds;
- identify the role of the Board of Regents (BOR) in approving fund balance and plant fund activity and in setting the appropriate fund balance level;
- *examine ways to increase and improve transparency of how decisions are made in determining the amount to be budgeted for transfer to the fund balance and plant fund;*
- determine the *appropriate* oversight role of the State;
- identify the role of an institution's president in determining transfers to fund balance and access to funds;
- identify and evaluate, by institution, transactional level data for each transfer and use of funds transferred from and to the fund balance and plant fund in fiscal 2016 and 2017 and planned activity in fiscal 2018 with transfers for related purposes under \$100,000 being reported as one transaction;
- review the process and procedures for internal or intra-institutional loans;
- identify and evaluate, by institution, current internal or intra-institutional loans including purpose, loan amount, and repayment schedule;

R75T00

- examine the use of fund balance or alternative methods to match private endowment contributions for institutional facilities;
- identify past trends in uses of, and transfers to, the fund balance by institution; and
- identify the balance between fiscal discipline and the use of available revenues to support institutional priorities.

The workgroup will recommend changes to policies and procedures, including legislation that may be needed to implement any recommendations. The workgroup will be comprised of two members from the Senate Budget and Taxation Committee and two members from the House Appropriations Committee; a member of BOR; the Chancellor; a USM president; the Secretary, or designee, of the Department of Budget and Management; and State Treasurer, or designee. A report and recommendations should be submitted by December 1, 2017.

Information Request	Author	Due Date
Fund balance workgroup report	Fund balance workgroup	December 1, 2017

Report on Contractual Employees: *Higher education institutions comprise over half of all contractual employees in State government. These employees are typically eligible for basic leave and are not entitled to participate in State or optional retirement programs. Contractual employees who work more than 30 hours per week, or 130 hours a month, receive a 75% State subsidy for medical and prescription coverage offered by the State. Those working less than 30 hours per week have access to health insurance. In general, contractual employees are expected to be temporary. To ensure this, the University System of Maryland's (USM) policy requires contingent or contractual employees who have been continuously employed at the same institution for three years to be converted to regular positions. In addition, each institution reports annually to USM Office on the use of contingent or contractual employees. The budget committees are interested in the use of contractual employees and, therefore, request a report from USM, Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and Baltimore City Community College (BCCC) on the number of contractual employees and the number of years they have been in the position, job titles, policy for converting contractual employees to regular positions, and a five-year plan to convert contractual employees with a goal to limit contractual employees to short-term jobs.*

R75T00

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on contractual employees</i>	<i>USM MSU SMCM BCCC</i>	<i>October 1, 2017</i>

R95C00
Baltimore City Community College

Budget Amendments

R95C00.00 Baltimore City Community College

Strike the following language:

~~provided that this appropriation made for the purpose of Baltimore City Community College be reduced by \$750,000.~~

~~**Explanation:** This action holds Baltimore City Community College harmless to the working fiscal 2017 level of State support through the funding formula.~~

Amendment No. **61**

Add the following language to the unrestricted fund appropriation:

provided that, contingent on the enactment of HB 1595 or SB 1127, \$150,000 of this appropriation made for the purpose of Baltimore City Community College (BCCC) may only be expended on costs related to the implementation of HB 1595 or SB 1127.

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 \$150,000 at Baltimore City Community College to purposes related to implementing HB 1595 or SB 1127.

Amendment No. **62**

Add the following language to the unrestricted fund appropriation:

Further provided that \$600,000 of this appropriation made for the purpose of BCCC may not be expended for that purpose but instead may only be transferred to the University System of Maryland Office (R30B36) for the following purposes:

- (1) \$450,000 to the Universities at Shady Grove to support new academic programming related to the new Biomedical Sciences and Engineering Education Facility; and
- (2) \$150,000 to the University System of Maryland at Hagerstown to support new academic programming.

R95C00

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

Explanation: *This language restricts \$600,000 to increase State support for two regional higher education centers operated by the University System of Maryland for specified purposes.*

Amendment No.

63

Add the following language to the unrestricted fund appropriation:

Further provided that, contingent upon the failure of enactment of HB 1595 and SB 1127, \$1,000,000 of this appropriation made for the purpose of operations at Baltimore City Community College (BCCC) may not be expended until the Board of Trustees of BCCC submits a draft implementation plan to the budget committees on the institution's follow-up to the comprehensive report from the Schaefer Center. The Board of Trustees shall consult with the President in developing the implementation plan. The draft implementation plan is due by February 1, 2018, and the final implementation plan is due by June 30, 2018.

The implementation plan shall explain how BCCC is:

- (1) strategically focusing core offerings of BCCC on the needs of students at BCCC and the workforce of Baltimore City, including review and, if needed, elimination of programs;
- (2) making workforce development and job placement top educational priorities of BCCC;
- (3) improving student pathways to success, including remedial education, attainment of a degree or a postsecondary certificate, and transfer to a four-year institution of higher education;
- (4) improving student pathways to success with the Baltimore City Public School System, institutions of higher education, and employers;
- (5) aligning the budget of BCCC with realistic enrollment projections;
- (6) engaging in a comprehensive review of all positions, faculty, and staff at BCCC;
- (7) establishing strong relationships with key stakeholders, including:
 - (a) the Mayor of Baltimore City;
 - (b) the Mayor's Office of Employment Development;
 - (c) the Baltimore City Public School System;

R95C00

- (d) institutions of higher education located in Baltimore City;
 - (e) State agencies, including the Department of Labor, Licensing, and Regulation;
 - (f) private employers; and
 - (g) business and community organizations.
- (8) rebuilding and marketing the brand of BCCC;
- (9) addressing the information technology and infrastructure needs of BCCC, including whether oversight by the Department of Information Technology is advisable;
- (10) developing or selling all unused or underutilized real estate holdings, including the Inner Harbor site; and
- (11) identifying any barriers in State or local laws or regulations that impede the ability of BCCC to operate efficiently and effectively, including procurement and capital construction projects.

The budget committees shall have 45 days to review and comment from the date of receipt of the draft implementation plan. Funds restricted pending receipt of the draft implementation plan may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the draft implementation plan is not submitted to the budget committees.

Explanation: BCCC has previously submitted a response to the Schaefer Center's comprehensive report on BCCC's operations and management in which it agreed with most of the findings and recommendations. The budget committees request an implementation plan wherein BCCC will identify how it is implementing the recommendations of the Schaefer Center that BCCC previously agreed with and how the institution is being held accountable for meeting those recommendations. State support of \$1 million is restricted pending receipt of a draft implementation plan, which is due February 1, 2018. The final implementation plan is due June 30, 2018. It is the intent of the budget committees that fiscal 2019 State support for BCCC shall be restricted if the final implementation plan is not received by June 30, 2018.

Information Request	Author	Due Date
Draft Implementation Plan	BCCC	February 1, 2018
Final Implementation Plan	BCCC	June 30, 2018

S00A
Department of Housing and Community Development

Budget Amendments

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Amend the following language to the general fund appropriation:

Further provided that this appropriation shall be reduced by \$5,000,000 contingent upon the enactment of legislation ~~repealing~~altering the mandate for the Seed Community Development Anchor Institution Fund.

Explanation: This action amends contingent language regarding the Seed Community Development Anchor Institution Fund consistent with a change in the Budget Reconciliation and Financing Act of 2017.

Add the following language to the special fund appropriation:

, provided that \$1,250,000 of this appropriation made for the purposes of providing grants and loans to small businesses in designated neighborhood revitalization areas may be used only for the purpose of providing a subordinated loan or equity investment in the Maryland Targeted Communities Investment Fund, to be sponsored by the Maryland Economic Development Corporation. The Secretary of Housing and Community Development is authorized to transfer up to \$1,250,000 in special funds in total by budget amendment to S00A24.02 Neighborhood Revitalization – Capital Appropriation from any of the following programs: S00A25.07 Rental Housing Programs – Capital Appropriation, S00A25.08 Homeownership Programs – Capital Appropriation, or S00A25.09 Special Loan Program – Capital Appropriation.

Further provided that it is the intent of the General Assembly that the Department of Housing and Community Development receive a general fund appropriation of \$1,250,000 in fiscal 2019 and 2020 for the purpose of providing subordinated loans or equity investments in the Maryland Targeted Communities Investment Fund.

Explanation: This language restricts \$1,250,000 in special funds in the Department of Housing and Community Development to be used only for subordinated loans or equity investments in the Maryland Targeted Communities Investment Fund in fiscal 2018 and expresses legislative intent that this program be funded at \$1,250,000 in general funds in fiscal 2019 and 2020.

Amendment No.

64

S50B01
Maryland African American Museum Corporation

Committee Narrative

S50B01.01 General Administration

Report on Maryland African American Museum Corporation’s Performance, Staffing Levels, Board Members, and Financials: The Maryland African American Museum Corporation (MAAMC) by definition is not a State agency and does not participate in the State’s Managing for Results program. There are no current performance measures that report the condition of the museum. Funding provided by the State has been historically flat despite its inability to meet the match requirement. Because of this, the State is currently providing more than 50% of the corporation’s operating expenses, which is inconsistent with what is stated in the Memorandum of Understanding. The committees request that MAAMC and the Department of Budget and Management (DBM) submit the most recent audited financial statements, attendance, board composition, and staffing levels with the annual budget submission.

Information Request	Authors	Due Date
Audited financials, attendance report, board members (current and vacancies), and staffing levels	MAAMC DBM	With the annual budget submission

T00
Department of Commerce

Budget Amendments

OFFICE OF THE SECRETARY

T00A00.02 Office of Policy and Research

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds under the Office of Biohealth. The department relinquished \$400,000 in general funds in fiscal 2017 after failing to transfer funds as directed under restrictive budget bill language. However, funds remained in the fiscal 2018 allowance. This action would lower general funds by the same amount, reflecting the lower fiscal 2017 appropriation.	400,000	GF
 Total Reductions	400,000 0	

<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	1,337,315	937,315 <i>1,337,315</i>	400,000 0	
Special Fund	261,590	261,590	0	
Federal Fund	21,024	21,024	0	
Total Funds	1,619,929	1,219,929 <i>1,619,929</i>	400,000 0	

Amendment No.

65

T00

DIVISION OF BUSINESS AND ENTERPRISE DEVELOPMENT

T00F00.15 Small, Minority, and Women-Owned Business Investment Account

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase funds under the Small, Minority, and Women-Owned Business Account. This leaves \$13.7 million in special funds for this program.	3,768,689 SF 16,895,000 SF	
 Total Reductions	 3,768,689 16,895,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	16,895,000	13,126,311	3,768,689	
		0	16,895,000	
Total Funds	16,895,000	13,126,311	3,768,689	
		0	16,895,000	

Amendment No.

66

T00F00.19 Cybersecurity Investment Incentive Tax Credit Program

Add the following language to the general fund appropriation:

, provided that this appropriation shall be contingent on the enactment of SB 318 or HB 378.

Explanation: The legislation was introduced in order to increase the activity under the Cybersecurity Investment Incentive Tax Credit Program. As currently structured, the tax credit has been significantly underutilized.

T00

T00F00.23 Maryland Economic Development Assistance Authority and Fund

Strike the following language:

~~provided that \$5,050,000 of this appropriation shall be contingent on the enactment of HB 161.~~

~~**Explanation:** This language would make a portion of the increased general fund allowance under the Maryland Economic Development Assistance Authority and Fund be contingent on a bill that restructures the program to expand allowable uses of, and broadens the limits on financial assistance from, the program.~~

Amendment No.

67

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in Maryland Economic Development Assistance Authority and Fund by half. This leaves \$18.8 million in general funds and \$6.2 million in special funds for business incentives under the program.	5,000,000	GF
 Total Reductions	5,000,000 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	23,873,234	18,873,234 23,873,234	5,000,000 0	
Special Fund	6,176,766	6,176,766	0	
Total Funds	30,050,000	25,050,000 30,050,000	5,000,000 0	

Amendment No.

68

Maryland Technology Development Corporation

Committee Narrative

Report on Nonbudgeted Funds: The Department of Legislative Services (DLS), the Department of Budget and Management (DBM), and the Maryland Technology Development Corporation (TEDCO) should examine the most appropriate and transparent means for providing annual information on TEDCO’s nonbudgeted funds. The agencies should consider reporting requirements that do not compromise TEDCO’s status as a quasi-public agency, but best inform the budgetary decisions required for State funding levels. The agencies should recommend a reporting approach that will be reflected in TEDCO’s fiscal 2019 budget submission.

Information Request	Authors	Due Date
Report on TEDCO nonbudgeted funds	DLS DBM TEDCO	With the submission of TEDCO’s fiscal 2019 budget request

Maryland Venture Fund Annual Report: The statutory requirements for the Maryland Venture Fund’s (MVF) annual report are limited to information on the InvestMaryland Program. However, this encompasses only a portion of the funds housed within the MVF. The budget committees are concerned that the most complete information be available and transparent in order to make informed budgetary and policy decisions. The annual report should include complete investment, fair market value, and return on investment data on all funds housed within the MVF; including funds related to the InvestMaryland Program, the legacy Enterprise Fund, federal funds under the State Small Business Credit Initiative, and other any funds credited to the MVF.

Information Request	Author	Due Date
Reported on detailed investment information on the MVF	Maryland Technology Development Corporation	With the submission of the annual report each year beginning with the fiscal 2017 report

U00A
Department of the Environment

Budget Amendments

Add the following language:

Provided that no funding for information technology (IT) development projects may be spent in the budget of the Maryland Department of the Environment (MDE) until notification is provided to the Department of Information Technology (DoIT) and the budget committees. Upon notification, DoIT will determine if an IT project is a Major IT Development Project (MITDP) consistent with Section 3A-301 (f) of the State Finance and Procurement Article. If DoIT determines that a project is a MITDP, the project shall be consistent with MDE's Master Plan as required by Section 3A-307 of the State Finance and Procurement Article. For all major IT projects, MDE shall prepare an Information Technology Project Request (ITPR) consistent with Section 3A-308 of the State Finance and Procurement Article. The ITPR shall include a project description; business need or justification; the scope and complexity of the project; benefits; major risks; possible alternatives; and funding plan by year, fund source, and specific fund type.

Explanation: The General Assembly is concerned that MDE has not provided adequate information to the budget committees and DoIT about IT projects. This action restricts funding for IT projects until notification is provided to the budget committees and DoIT determines if a project is a MITDP as defined in State law. If a project is a MITDP, the project must be consistent with MDE's Master Plan and MDE must prepare an ITPR.

Information Request	Author	Due Date
Report on IT development projects	MDE	As needed

OPERATIONAL SERVICES ADMINISTRATION

U00A02.02 Operational Services Administration

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete funding for double-budgeted Maryland Energy Administration (MEA) rent. MEA includes the same amount of special fund appropriation in its budget. The Maryland Department of the Environment is authorized to process a reimbursable fund budget amendment in order to process the MEA rent payment.	170,000 SF	
Total Reductions	170,000	0.00

U00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	46.00	46.00		0.00
General Fund	5,152,229	5,152,229	0	
Special Fund	2,824,179	2,654,179	170,000	
Federal Fund	1,449,771	1,449,771	0	
Total Funds	9,426,179	9,256,179	170,000	

Committee Narrative

WATER MANAGEMENT ADMINISTRATION

U00A04.01 Water Management Administration

***Report on Compliance and Enforcement Inspections and Positions:** To better understand the current status of enforcement and compliance activities within the Maryland Department of the Environment (MDE) and the Maryland Department of Agriculture (MDA), the budget committees request a report on the enforcement and compliance activities within the two agencies. The report shall be written by MDE and MDA and shall include the following:*

- *an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments should provide information on the delegation of authority to other entities and assess the impact of the role that technology has played on compliance and enforcement responsibilities;*
- *a list of all inspection activities conducted by MDE's Water Management Administration, Land Management Administration, Air and Radiation Management Administration, and MDA's Office of Resource Conservation; and*
- *the number of regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for the fiscal 2011 through 2017 actuals, the fiscal 2018 current and fiscal 2019 estimated positions, and a plan for filling vacant enforcement and compliance positions in fiscal 2018.*

The report shall be submitted by November 15, 2017.

U00A

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on compliance and enforcement inspections and positions</i>	<i>MDE MDA</i>	<i>November 15, 2017</i>

Budget Amendments

AIR AND RADIATION MANAGEMENT ADMINISTRATION

U00A07.01 Air and Radiation Management Administration

Strike the following language:

~~It is the intent of the General Assembly that the Maryland Department of the Environment purchase, install, and maintain air quality monitoring equipment in close proximity to the Brandon Shores Electric Generation Station and the H. A. Wagner Electric Generation Station in Anne Arundel County.~~

~~**Explanation:** The General Assembly is concerned about sulfur dioxide levels in the Curtis Bay Pasadena Area. Therefore, the General Assembly expresses its intent that the air quality be monitored in that area.~~

Amendment No.

69

COORDINATING OFFICES

U00A10.01 Coordinating Offices

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation for the Maryland Department of the Environment (MDE) Coordinating Offices made for the purpose of general operating expenses may not be expended until MDE submits quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports should discuss all information technology (IT) project activities undertaken by MDE 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, and an assessment of the cost of the project with respect to estimated project costs. Funding restricted for this purpose may be released quarterly in \$125,000 installments upon receipt of the required quarterly reports. The budget committees shall have 45 days to review and comment upon

U00A

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 MDE has not provided adequate information to the budget committees and the Department of Information Technology about Major Information Technology Development projects. This action requires that MDE update the budget committees on all its IT development projects quarterly.

Information Request	Author	Due Date
Quarterly reports on IT development projects	MDE	July 1, 2017 October 1, 2017 January 1, 2018 April 1, 2018

U00A10.03 Bay Restoration Fund Debt Service

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for Bay Restoration Fund revenue bond debt service. The current revenue bond issuance schedule and prior issuance debt service schedule require only \$33,000,000 in the fiscal 2018 special fund appropriation.	5,000,000	SF
 Total Reductions	 5,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	38,000,000	33,000,000	5,000,000	
Total Funds	38,000,000	33,000,000	5,000,000	

V00A
Department of Juvenile Services

Budget Amendments

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support

Add the following language to the general fund appropriation:

, provided that because the Department of Juvenile Services (DJS) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$50,000 of this agency's administrative appropriation may not be expended unless:

- (1) DJS has taken corrective action with respect to all repeat audit findings on or before November 1, 2017; 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 2018.

Explanation: The Joint Audit 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 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

V00A

Committee Narrative

- **Use of Mechanical Restraints and Strip Searches:** In response to concerns from the General Assembly, the Department of Juvenile Services (DJS) has agreed to implement a number of the recommendations made by the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System. The budget committees request that DJS provide the following information by December 1, 2017:
- an update on the progress made in implementing those recommendations;
- data on the use of strip searches pertaining to the circumstances, frequency, and outcomes for searches conducted in fiscal 2017;
- data on the number of times that youth are transported in mechanical restraints from a staff secure placement, while being released on an earned home pass, or released back to the community; and
- an evaluation of the potential for creating a nonsecure transportation, including both the fiscal and operational impact.

Information Request	Author	Due Date
Use of restraints and strip searches	DJS	December 1, 2017

W00A
Department of State Police

Budget Amendments

MARYLAND STATE POLICE

W00A01.02 Field Operations Bureau

Strike the following language:

~~provided that \$1,000,000 of this appropriation made for the purpose of funding a new trooper class may not be expended for that purpose but instead may be used only to fund the civilianization of a minimum of 50 positions currently filled by troopers, as identified in the Office of Legislative Audits' December 2016 Workforce Civilianization 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.~~

~~Further provided that \$400,000 of this appropriation made for the purpose of funding a new trooper class may not be expended until the Department of State Police (DSP) submits a report to the budget committees demonstrating that at least 50 positions currently filled by troopers have been reclassified as civilian positions by May 15, 2018. The report shall be submitted to the budget committees by May 25, 2018, and the budget committees shall have 35 days to review and comment. To the extent that positions are not successfully reclassified or the report is not submitted by the requested date, the restricted funds shall revert to the General Fund.~~

~~Further provided that the remaining \$1,000,000 of this appropriation made for the purpose of funding a new trooper class shall be deleted in recognition of anticipated personnel savings generated from filling the positions with less costly civilian staff.~~

~~It is the intent of the budget committees, given that DSP is currently in the process of evaluating the appropriate size of its workforce, that the civilianization of the 50 positions be achieved via attrition. As sworn position vacancies occur, troopers in administrative positions eligible for civilianization should be transferred into those newly vacant sworn positions and the administrative positions should be reclassified as civilian. This provides the department with less costly administrative staff and deployment of experienced officers in the field, while delaying the determination of whether the department needs additional sworn personnel resources until its staffing study is complete.~~

Explanation: A December 2016 analysis by the Office of Legislative Audits (OLA) determined that 127 administrative and support positions currently filled by sworn troopers could be filled by civilians. This change to civilian employees would result in total salary and fringe benefit savings of approximately \$10.8 million. The fiscal 2018 allowance for the Department of State Police (DSP) includes \$4.8 million to fund two new trooper classes, each with a target goal of 50 graduates. This language directs the department to utilize funding for one of the trooper classes to civilianize 50 of the positions identified in the OLA report, thus allowing 50 veteran

W00A

~~officers to be deployed to the field, as opposed to 50 new recruits. The language specifies legislative intent that the civilianization occur through attrition of existing sworn positions, in order to avoid the need to provide additional resources until DSP has completed its staffing evaluation that is currently underway. Funds are restricted for the sole purpose of funding the reclassifications and pending receipt of a report demonstrating that at least 50 positions have been civilianized by May 15, 2018. Additionally, the language deletes \$1.0 million of the appropriation for the new trooper class in recognition of the anticipated personnel savings achieved from hiring less costly civilian staff.~~

Information Request	Author	Due Date
Civilianization status report	DSP	May 25, 2018

Amendment No.

70

**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 general fund appropriation to the Public Debt. On March 8, 2017, the State sold \$1,141 million in general obligation (GO) bonds, including \$575 million in tax-exempt bonds, \$100 million in taxable bonds, and \$466 million in refunding bonds. As a result of the bond sale, fiscal 2018 GO bond debt service costs are \$7 million less than budgeted. The refunding added another \$23 million to the Annuity Bond Fund's beginning fiscal 2018 fund balance. Taken together, the fiscal 2018 general fund appropriation can be reduced by \$30 million. This will require a special fund budget amendment in fiscal 2018 to fully fund debt service. The Administration is authorized to transfer the fund balance by budget amendment to support GO bond debt service.	30,000,000	GF
Total Reductions	30,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	263,000,000	233,000,000	30,000,000	
Special Fund	975,867,184	975,867,184	0	
Federal Fund	11,539,169	11,539,169	0	
Total Funds	1,250,406,353	1,220,406,353	30,000,000	

A15000
Payments to Civil Division of the State

Fiscal 2017 Deficiency

A15000.04 Teacher Retirement Administrative Fee Assistance

Add the following language to the general fund appropriation:

, provided that this appropriation may only be distributed in accordance with HB 1109 or SB 1001, contingent upon the enactment of HB 1109 or SB 1001.

Explanation: This language requires the fiscal 2017 deficiency appropriation to be distributed to local school boards to partially offset the increase in normal cost retirement payments in fiscal 2017. The General Assembly restricted funds for this purpose in the fiscal 2017 budget bill but the funds were not released by the Governor.

**D18A18
Governor's Office for Children**

Fiscal 2017 Deficiency

D18A18.01 Governor's Office for Children

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete a deficiency appropriation intended for personnel costs.	100,775	GF
 Total Reductions	 100,775	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	100,775	0	100,775	
Total Funds	100,775	0	100,775	

M00F03
Prevention and Health Promotion Administration
Department of Health and Mental Hygiene

Fiscal 2017 Deficiency

M00F03.04 Family Health and Chronic Disease Services

Strike the following language from the general fund appropriation:

~~PREVENTION AND HEALTH PROMOTION ADMINISTRATION~~

~~M00F03.04 Family Health and Chronic Disease Services~~

~~To become available immediately upon passage of this budget to reduce the appropriation for fiscal 2017 to reflect the restructured grant payments for the proposed Prince George's County Regional Medical Center.~~

~~General Fund Appropriation.....7,500,000~~

Explanation: This action strikes the negative deficiency appropriation for the Prince George's County Regional Medical Center, restoring fiscal 2017 funding to the level of \$15,000,000.

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Restore funding for Prince George's Hospital System in fiscal 2017.	-7,500,000	GF
 Total Reductions	 -7,500,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	-7,500,000	0	-7,500,000	
Total Funds	-7,500,000	0	-7,500,000	

M00Q01
Medical Care Programs Administration
Department of Health and Mental Hygiene

Fiscal 2017 Deficiency

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.03 Medical Care Provider Reimbursements

Amend the following language to the general fund appropriation:

~~provided that \$375,000 of this appropriation made for the purpose of a managed care rate-setting study may not be used for that purpose and instead shall be expended only for provider reimbursements. Funding not used for this restricted purpose shall revert to the General Fund.~~

provided that \$375,000 of this appropriation made for the purpose of a managed care rate-setting study shall be limited to a review of potential improvements of the current rate-setting system used in Maryland and a review of innovations from other states in managed care payment systems similar to that in Maryland. The review should include potential recommendations. Any recommendations should serve to strengthen the current system but not at the cost of diminution of quality or access to care. The review may not include any consideration of the implementation of a competitive bidding process. Further provided that the Medical Care Programs Administration shall submit a summary of the study and any recommendations to the budget committees by November 15, 2017. Funding not used for this restricted purpose shall revert to the General Fund.

Explanation: The language restricts funding included in a fiscal 2017 deficiency appropriation for a managed care rate-setting study to be used only for provider reimbursements based on estimates of significant deficiencies in the budget for those reimbursements.

The fiscal 2018 budget includes a fiscal 2017 deficiency of \$750,000 (\$375,000 in both general and federal funds) for a review of the managed care rate-setting process. The language restricts the funding to a review of potential improvements that can be made within the current managed care framework, adds a reporting requirement, and precludes any consideration of implementing a competitive bidding process as numerous past studies have concluded that such a process would not be beneficial.

Information Request	Author	Due Date
Review of managed care rate-setting process	Medical Care Programs Administration	November 15, 2017

Amendment No.

71

M00Q01

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete special fund support derived from the Uncompensated Care Fund. Under current law, the Uncompensated Care Fund cannot be used to support Medicaid expenditures.	10,000,000	SF
 Total Reductions	 10,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	82,061,705	82,061,705	0	
Special Fund	37,900,000	27,900,000	10,000,000	
Federal Fund	681,538,295	681,538,295	0	
Total Funds	801,500,000	791,500,000	10,000,000	

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 list limited to the appropriations restricted in this Act, to be placed in contingency reserve a schedule of allotments, if any. 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) The Secretary is authorized 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 determination 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 reserve to only those items restricted by the General Assembly.

Amend the following section:

Section 17 Using Funds for Their Intended Purpose

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 2017 and 2018. 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 of the Annotated Code of Maryland.

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 amendment pertaining to restricted objects of expenditure 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.

Sections

Amend the following section:

Section 19 Pension Sweeper Reduction

SECTION 19. AND BE IT FURTHER ENACTED, That for fiscal 2018 funding for retirement shall be reduced by ~~\$54,527,621~~\$55,769,368 in Executive Branch, Legislative Branch, and Judicial Branch agencies to reduce the retirement reinvestment contribution contingent upon the enactment of legislation reducing the amount of the retirement reinvestment contribution. Funding for this purpose shall be reduced in Comptroller Object 0161 (Employees' Retirement), Comptroller Object 0163 (Teachers' Retirement), Comptroller Object 0165 (State Police Retirement), Comptroller Object 0166 (Judges' Retirement), and Comptroller Object 0169 (Law Enforcement Officers' Retirement) within Executive Branch, Legislative Branch, and Judicial Branch agencies in fiscal 2018 by the following amounts in accordance with a schedule determined by the Governor:

	Agency	General Funds
<u>B75</u>	<u>General Assembly of Maryland</u>	<u>268,111</u>
<u>C00</u>	<u>Judiciary</u>	<u>918,366</u>
C80	Office of the Public Defender	324,895
C81	Office of the Attorney General	61,818
C82	State Prosecutor	4,372
C85	Maryland Tax Court	2,030
D05	Board of Public Works (BPW)	3,563
D10	Executive Department – Governor	34,357
D11	Office of the Deaf and Hard of Hearing	1,167
D12	Department of Disabilities	5,578
D15	Boards and Commissions	29,179
D16	Secretary of State	7,317
D17	Historic St. Mary's City Commission	7,031
D18	Governor's Office for Children	6,836
D25	BPW Interagency Committee for School Construction	7,225
D26	Department of Aging	7,073
D27	Maryland Commission on Civil Rights	8,598
D38	State Board of Elections	13,369
D40	Department of Planning	39,094
D50	Military Department	25,705
D55	Department of Veterans Affairs	14,214
D60	Maryland State Archives	15,819
E00	Comptroller of Maryland	242,629
E20	State Treasurer's Office	10,737
E50	Department of Assessments and Taxation	81,843
E75	State Lottery and Gaming Control Agency	35,199
E80	Property Tax Assessment Appeals Board	2,092
F10	Department of Budget and Management	61,362

Sections

F50	Department of Information Technology	66,566
H00	Department of General Services	137,150
K00	Department of Natural Resources	280,976
L00	Department of Agriculture	71,847
M00	Department of Health and Mental Hygiene	1,428,551
N00	Department of Human Resources	872,106
P00	Department of Labor, Licensing, and Regulation	93,058
Q00	Department of Public Safety and Correctional Services	2,818,166
R00	Maryland State Department of Education – HQ	158,379
R00	Maryland State Department of Education – Aid	36,146,626
R15	Maryland Public Broadcasting Commission	21,074
R62	Maryland Higher Education Commission	11,684
R62	Maryland Higher Education Commission – Aid	1,546,848
R75	Support for State Operated Institutions of Higher Education	2,402,274
R99	Maryland School for the Deaf	92,625
T00	Department of Commerce	60,312
U00	Department of the Environment	91,096
V00	Department of Juvenile Services	549,480
W00	Department of State Police	911,603
	 Total General Funds	 48,813,523
		<u>50,000,000</u>

	Agency	Special Funds
<u>C00</u>	<u>Judiciary</u>	<u>55,270</u>
C80	Office of the Public Defender	549
C81	Office of the Attorney General	22,229
C90	Public Service Commission	53,580
C91	Office of the People’s Counsel	8,057
C94	Subsequent Injury Fund	7,125
C96	Uninsured Employers Fund	4,696
C98	Workers’ Compensation Commission	30,760
D12	Department of Disabilities	345
D13	Maryland Energy Administration	9,693
D15	Boards and Commissions	212
D16	Secretary of State	1,264
D17	Historic St. Mary’s City Commission	944
D26	Department of Aging	1,640
D38	State Board of Elections	1,348
D40	Department of Planning	2,405
D53	Maryland Institute for Emergency Medical Services Systems	34,565
D55	Department of Veterans Affairs	1,986
D60	Maryland State Archives	5,056
D78	Maryland Health Benefit Exchange	15,965
D80	Maryland Insurance Administration	91,776

Sections

D90	Canal Place Preservation and Development Authority	809
E00	Comptroller of Maryland	54,212
E20	State Treasurer's Office	1,300
E50	Department of Assessments and Taxation	82,654
E75	State Lottery and Gaming Control Agency	53,483
F10	Department of Budget and Management	31,536
F50	Department of Information Technology	1,949
G20	State Retirement Agency	48,359
G50	Teachers and State Employees Supplemental Retirement Plans	4,519
H00	Department of General Services	4,739
J00	Department of Transportation	1,952,439
K00	Department of Natural Resources	211,378
L00	Department of Agriculture	25,171
M00	Department of Health and Mental Hygiene	148,993
N00	Department of Human Resources	20,096
P00	Department of Labor, Licensing, and Regulation	85,925
Q00	Department of Public Safety and Correctional Services	81,261
R00	Maryland State Department of Education	10,539
R15	Maryland Public Broadcasting Commission	29,013
R62	Maryland Higher Education Commission	1,511
S00	Department of Housing and Community Development	98,923
T00	Department of Commerce	19,530
U00	Department of the Environment	139,905
W00	Department of State Police	232,750
	 Total Special Funds	 3,635,189
		<u>3,690,459</u>

	Agency	Federal Funds
C81	Office of the Attorney General	10,917
C90	Public Service Commission	1,721
D12	Department of Disabilities	3,702
D13	Maryland Energy Administration	1,977
D15	Boards and Commissions	6,943
D26	Department of Aging	4,137
D27	Maryland Commission on Civil Rights	1,747
D40	Department of Planning	2,957
D50	Military Department	57,541
D55	Department of Veterans Affairs	2,268
D78	Maryland Health Benefit Exchange	12,430
D80	Maryland Insurance Administration	506
H00	Department of General Services	2,222
J00	Department of Transportation	108,920
K00	Department of Natural Resources	30,523
L00	Department of Agriculture	3,312

Sections

M00	Department of Health and Mental Hygiene	286,443
N00	Department of Human Resources	803,409
P00	Department of Labor, Licensing, and Regulation	283,526
Q00	Department of Public Safety and Correctional Services	57,525
R00	Maryland State Department of Education	280,369
R62	Maryland Higher Education Commission	740
R99	Maryland School for the Deaf	1,485
S00	Department of Housing and Community Development	27,455
T00	Department of Commerce	1,606
U00	Department of the Environment	76,730
V00	Department of Juvenile Services	7,798
	Total Federal Funds	2,078,909
		Current
		Unrestricted
		Funds
	Agency	
R13	Morgan State University	226,825
R30	University System of Maryland	2,175,449
	Total Current Unrestricted Funds	2,402,274
	Less: General Funds in Higher Education	2,402,274
	Net Current Unrestricted Funds	– 0 –

Explanation: The Administration cannot reduce the legislature or Judiciary’s budgets. This action applies the retirement reinvestment contingent reduction to those budgets.

Add the following section:

Section 20 Executive Long-term Forecast

SECTION 20. 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 four years thereafter. Expenditures shall be reported at such agency, program or unit 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.

Sections

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 the submission of the Governor’s fiscal 2019 budget books

Add the following section:

Section 21 Across-the-board Reductions and Higher Education

SECTION 21. 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 22 Chesapeake Employers’ Insurance Company Fund Accounts

SECTION 22. 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 payment of claims, current expenses, and funded liability for incurred losses by the State.

Sections

Information Request	Author	Due Date
Report on status of ledger control account	CEIC	Monthly beginning on July 1, 2017

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.

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 2019 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.

Sections

- (2) For fiscal 2018, 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 Resources 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.

Add the following section:

Section 25 Indirect Costs Report

SECTION 25. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) shall provide an annual report on indirect costs to the General Assembly in January 2018 as an appendix in the Governor's fiscal 2019 budget books. The report must detail by agency for the actual fiscal 2017 budget the amount of statewide indirect cost recovery received, the amount of statewide indirect cost recovery transferred to the General Fund, and the amount of indirect cost recovery retained for use by each agency. In addition, the report must list the most recently available federally approved statewide and internal agency cost-recovery rates. As part of the normal fiscal/compliance audit performed for each agency, the Office of Legislative Audits shall assess available information on the timeliness, completeness, and deposit history of indirect cost recoveries by State agencies. Further provided that for fiscal 2018, excluding the Maryland Department of Transportation, the amount of revenue received by each agency from any federal source for statewide cost recovery shall be transferred only to the General Fund and may not be retained in any clearing account or by any other means, nor may DBM or any other agency or entity approve exemptions to permit any agency to retain any portion of federal statewide cost recoveries.

Sections

Explanation: This is annual language that requires a report on indirect costs and disallows waivers of statewide cost recovery.

Information Request	Author	Due Date
Annual report on indirect costs	DBM	With the submission of the Governor's fiscal 2019 budget books

Amend the following section:

Section 26 Reporting on Budget Data and Organizational Charts

SECTION 26. 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 2019 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 2018 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2017 spending, the fiscal 2018 working appropriation, and the fiscal 2019 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 2017 spending, the fiscal 2018 working appropriation, and the fiscal 2019 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 counts of contractual full-time equivalents in the budget books. For the purpose of this count, contractual full-time equivalents 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 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.

Sections

Further provided that for each across-the-board reduction to appropriations or positions in the fiscal 2019 budget bill affecting fiscal 2018 or 2019, 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, for the purposes of developing Appendix A in the Maryland Budget Highlights for fiscal 2019, the Governor may not reflect more than \$30,000,000 in general fund reversions for fiscal 2018. For appropriations approved in this Act that are determined to be in excess of the needs of any agency or program above the aggregate estimate of \$30,000,000 in reversions, the fiscal 2019 budget bill should include negative deficiencies.

Explanation: This annual language provides for consistent reporting of fiscal 2017, 2018, and 2019 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. ~~It further requires that appropriations in fiscal 2018 that are deemed to be in excess of agency needs beyond the \$30 million assumed in the budget be withdrawn by deficiency appropriation.~~

Information Request	Author	Due Date
Agency organizational charts	DBM	With submission of the fiscal 2019 budget

Amendment No.

72

Add the following section:

Section 27 Interagency Agreements

SECTION 27. AND BE IT FURTHER ENACTED, That on or before August 1, 2017, 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 2017 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;

Sections

- (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;
- (5) a description of the nature of the goods and services to be provided;
- (6) the total number of personnel, both full-time 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 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 expenditure 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, 2017, 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 2017.

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 2018 without prior approval of the Secretary of Budget and Management.

Explanation: The language requires all State agencies and public institutions of higher education 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

Sections

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 between State agencies and public institutions of higher education. The language requires that DBM submit a consolidated report on all agreements by December 1, 2017, to the budget committees and the Department of Legislative Services. 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 2018 without prior approval of the Secretary of Budget and Management.

Information Request	Author	Due Date
Consolidated report on interagency agreements	DBM	December 1, 2017

Add the following section:

Section 28 Budget Amendments

SECTION 28. 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 Control and Prevention 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.
- (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 the Legislative Policy Committee have 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

Sections

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 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.

Sections

- (8) Further provided that the fiscal 2018 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2018 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 2019 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.

Add the following section:

Section 29 Maintenance of Accounting Systems

SECTION 29. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health and Mental Hygiene shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2017 in program M00Q01.03 Medical Care Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the periodic reports 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 2017 to program R00A02.07 Students With Disabilities for nonpublic placements have been disbursed for services provided in that fiscal year and to prepare periodic reports as required under this section for that program.
- (3) The Secretary of Human Resources shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2017 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail on average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the periodic reports required under this section for that program.
- (4) For the programs specified, reports must indicate total appropriations for fiscal 2017 and total disbursements for services provided during that fiscal year up through the last

Sections

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 on November 1, 2017; March 1, 2018; and June 1, 2018.
- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2017 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 Department of Health and Mental Hygiene (DHMH), the Maryland State Department of Education (MSDE), and the Department of Human Resources (DHR).

Information Request	Authors	Due Date
Report on appropriations and disbursements in M00Q01.03, R00A02.07, and N00G00.01	DHMH DHR MSDE	November 1, 2017 March 1, 2018 June 1, 2018

Amend the following section:

Section 30 Secretary's or Acting Secretary's Nomination and Salary

SECTION 30. AND BE IT FURTHER ENACTED, That no funds in this budget may be expended to pay the salary of a Secretary or an Acting Secretary of any department whose nomination as Secretary has been rejected by the Senate or an Acting Secretary who was serving in that capacity prior to the 2017 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2017 session unless the Acting Secretary is appointed under Article II, Section 11 of the Maryland Constitution prior to July 1, 2017.

Further provided that no funds in this budget may be expended to pay the salary of a Secretary or Acting Secretary of any department who was a recess appointment in 2016 and whose nomination as Secretary has been rejected by the Executive Nominations Committee, and whose nomination was withdrawn before the full Senate acted.

Sections

Explanation: This language ensures that the intentions of the General Assembly are reflected in the payment of executive salaries.

Amendment No.

73

Add the following section:

Section 31 The “Rule of 100”

SECTION 31. 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, 2017, 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 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 (FTEs) 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 two 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

Sections

- (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, 2018, the status of positions created with non-State funding sources during fiscal 2014 through 2018 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 for exceptions to the limit.

Information Request	Author	Due Date
Certification of the status of positions created with the non-State funding sources during fiscal 2014 through 2017	Department of Budget and Management	June 30, 2018

Add the following section:

Section 32 Annual Report on Authorized Positions

SECTION 32. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2017, 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 2017 and on the first day of fiscal 2018. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2017 and 2018, 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 (DBM) shall also prepare a report during fiscal 2018 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 2019 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

Sections

(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 2018 Governor's budget books shall also be provided.

Explanation: This is annual language providing reporting requirements for regular positions and contractual full-time equivalents.

Information Request	Author	Due Date
Total number of FTEs on June 30 and July 1, 2017	DBM	July 14, 2017
Report on the creation, transfer, or abolition of regular positions	DBM	As needed

Add the following section:

Section 33 Annual Executive Pay Plan Report

SECTION 33. AND BE IT FURTHER ENACTED, That the Department of Budget and Management and the Maryland Department of Transportation are required to submit to the Department of Legislative Services (DLS) Office of Policy Analysis:

- (1) a report in Excel format listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 15, 2017; October 15, 2017; January 15, 2018; and April 15, 2018; and
- (2) detail on any lump-sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat-rate employees on the EPP shall be included in these reports. Each position in the report shall be assigned a unique identifier that describes the program to which the position is assigned for budget purposes and corresponds to the manner of identification of positions within the budget data provided annually to the DLS Office of Policy Analysis.

Explanation: Legislation adopted during the 2000 session altered the structure of the EPP to give the Governor flexibility to compensate executives at appropriate levels within broad salary bands established for their positions, without reference to a rigid schedule of steps, and through other compensation methods such as a flat rate salary. These reports fulfill a requirement for documentation of any specific recruitment, retention, or other issues that warrant a pay increase.

Sections

Information Request	Authors	Due Date
Report on all EPP positions	Department of Budget and Management Maryland Department of Transportation	July 15, 2017; October 15, 2017; January 15, 2018; and April 15 2018

Add the following section:

Section 34 Positions Abolished in the Budget

SECTION 34. 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 35 Annual Report on Health Insurance Receipts and Spending

SECTION 35. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2019 Governor's budget books an accounting of the fiscal 2017 actual, fiscal 2018 working appropriation, and fiscal 2019 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, employees, and retirees, as well as prescription rebates or recoveries, or audit recoveries, and other miscellaneous recoveries;
- (2) 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; and
- (3) any balance remaining and held in reserve for future provider payments.

Sections

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.

Information Request	Author	Due Date
Accounting of the employee and retiree health plan revenues and expenditures	Department of Budget and Management	With submission of the Governor's fiscal 2019 budget books

Add the following section:

Section 36 Historical and Projected Chesapeake Bay Restoration Spending

SECTION 36. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Department of Planning, the Department of Natural Resources, the Maryland Department of Agriculture, the Maryland Department of the Environment, and the Department of Budget and Management provide a report to the budget committees by December 1, 2017, 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 should include:

- (1) fiscal 2017 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reduction; 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 2018 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 2017 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;

Sections

- (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; and
- (5) an analysis by the University of Maryland Environmental Finance Center 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 being used for Chesapeake Bay restoration purposes.

Explanation: This language expresses the intent that 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) provide a report by December 1, 2017, 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 and an analysis of how cost-effective the State funding sources are being used.

Information Request	Authors	Due Date
Historical and projected Chesapeake Bay restoration spending	MDP DNR MDA MDE DBM	December 1, 2017

Add the following section:

Section 37 Chesapeake Bay Restoration Spending

SECTION 37. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management, the Department of Natural Resources, and the Maryland Department of the Environment 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 2017 actual, fiscal 2018 working appropriation, and fiscal 2019 allowance to be included

Sections

as an appendix in the fiscal 2019 budget volumes and submitted electronically in disaggregated form to DLS.

Explanation: This language expresses the intent that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide, at the time of the fiscal 2019 budget submission, information on Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration.

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 2019 State budget submission

Add the following section:

Section 38 Regional Greenhouse Gas Initiative Revenues and Expenditures

SECTION 38. AND BE IT FURTHER ENACTED, That the Department of Budget and Management shall provide an annual report on the revenue from the Regional Greenhouse Gas Initiative (RGGI) carbon dioxide emission allowance auctions and set-aside allowances to the General Assembly in conjunction with the submission of the fiscal 2019 budget and annually thereafter as an appendix to the Governor's budget books. This report shall include information for the actual fiscal 2017 budget, fiscal 2018 working appropriation, and fiscal 2019 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:

- (1) the number of auctions;
- (2) the number of allowances sold;
- (3) the allowance price for both current and future (if offered) control period allowances sold in each auction; and
- (4) anticipated revenue from set-aside allowances.

Sections

The report shall also include detail on the amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required allocation:

- (1) energy assistance;
- (2) energy efficiency and conservation programs, low- and moderate-income sector;
- (3) energy efficiency and conservation programs, all other sectors;
- (4) renewable and clean energy programs and initiatives, education, climate change, and resiliency programs;
- (5) administrative expenditures;
- (6) dues owed to the RGGI, Inc.; and
- (7) transfers or diversions of revenue made to other funds.

The report should also provide detail on the fund balance for each SEIF subaccount for the fiscal 2017 actual, fiscal 2018 working appropriation, and fiscal 2019 allowance.

Explanation: This language requires the Department of Budget and Management (DBM) to include as an appendix in the Governor's budget books for fiscal 2019 with detail on the revenue assumptions for RGGI auctions budgeted in each fiscal year as well as how those revenues are distributed to various agencies. This information increases transparency, differentiates funding from the SEIF that is available from sources other than RGGI auctions, and allows for analysis of whether the allocation of RGGI auction revenue meets statutory requirements. This language differs slightly from that included in prior years by asking for fund balance information on each SEIF subaccount, which generally reflects the RGGI allocations but also includes other funds held in the SEIF. The report does not require the SEIF balances to account for only RGGI-related fund balances within allocations.

Information Request	Author	Due Date
Report on revenue assumptions and use of RGGI auction revenue	DBM	With submission of the Governor's fiscal 2019 budget books and annually thereafter

Sections

Add the following section:

Section 39 Submission of the Uniform Crime Report

SECTION 39. 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, 2016 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 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 necessary crime data on a timely basis from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Control and Prevention (GOCCP). GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's State Aid for Police Protection (SAPP) grant for fiscal 2018 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received on a timely basis 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 2015 UCR was not submitted until February 2017. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2016 UCR. The language also specifies that GOCCP, 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 GOCCP must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data on a timely basis and the amount of SAPP funding that was withheld from each jurisdiction.

Information Request	Author	Due Date
2016 UCR	DSP	45 days prior to the expenditure of funds

Sections

Add the following section:

Section 40 Increase Turnover Expectancy at the Department of Information Technology

SECTION 40. AND BE IT FURTHER ENACTED, That the reimbursable fund appropriation in the Department of Information Technology, Infrastructure (F50B04.04) shall be reduced by \$135,000. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction under this section shall equal at least the amount indicated for the funds listed:

<u>Fund</u>	<u>Amount</u>
General	\$81,000
Special	\$27,000
Federal	\$27,000

Explanation: Currently, 13% of positions are vacant. The department has consistently had high vacancy rates that exceeded 20% at times. Increasing the turnover rate to 6% reduces reimbursable fund spending by \$135,000. This reduction shall be distributed across State agencies.

Amend the following section:

Section 41 Repayment of Catastrophic Event Account *and Small, Minority, and Women-Owned Business Account*

SECTION 41. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation for the Department of Budget and Management (DBM) Executive Direction program F10A01.01 and \$100,000 for the special fund appropriation for the Department of Housing and Community Development (DHCD) Office of the Secretary program S00A20.01 made for the purpose of operations may not be expended until DBM, in consultation with DHCD, submits a report to the budget committees on the balance of outstanding loans and current and proposed repayment for loans made by the DHCD's Neighborhood BusinessWorks program for the purposes of Ellicott City flood recovery efforts. It is the intent of the budget committees that DHCD repay the Catastrophic Event Account for \$2,500,000 transferred from the account to DHCD, and that DHCD repay the Small, Minority, and Women-Owned Business Account for \$2,312,500 transferred from the account to DHCD. The report shall be submitted by January 1, 2018, 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 or be canceled if the report is not submitted to the budget committees.

Sections

Explanation: In September 2016, \$2.5 million was transferred from the Catastrophic Event Account, and \$2.5 million was transferred from the Small, Minority, and Women-Owned Business Account into the DHCD Neighborhood BusinessWorks program to provide loans to businesses in Ellicott City. 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 deposited into the Catastrophic Event Account. The department 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 1, 2018.

Information Request	Authors	Due Date
Report on Catastrophic Event Account and Small, Minority, and Women-Owned Business Account repayment	DBM DHCD	January 1, 2018

74

Amendment No.

Add the following section:

Section 42 Placement Determinations for Children with Complex Medical Needs

SECTION 42. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation within the Department of Human Resources (DHR), \$100,000 of the general fund appropriation within the Department of Health and Mental Hygiene (DHMH), and \$100,000 of the general fund appropriation within the Maryland State Department of Education (MSDE) may not be expended until DHR, DHMH, and MSDE submit a report to the Senate Budget and Taxation Committee, the Senate Finance Committee, the House Appropriations Committee, and the House Health and Government Operations Committee detailing:

- (1) The processes in place to ensure coordination between DHMH, MSDE, DHR, and the hospitals serving children in Maryland to find appropriate community placements for children and adolescents with mental illness, developmental disabilities, or complex medical needs.
- (2) The processes in place to ensure coordination between DHMH, MSDE, DHR, and the hospitals serving children in Maryland to find out-of-home placements for children and adolescents with mental illness, developmental disabilities, or complex medical needs.

Sections

- (3) The availability by jurisdiction of the following resources for children and adolescents with mental illness, developmental disabilities, or complex medical needs:
- (a) dedicated child and adolescent inpatient psychiatric beds in acute general and specialty hospitals;
 - (b) therapeutic foster care;
 - (c) residential treatment center services;
 - (d) transportation assistance; and
 - (e) any other community-based treatment service designed to meet the needs of children and adolescents with severe mental illness, developmental disabilities, or complex medical needs.
- (4) Recommendations, based on an analysis of the data, to improve community placement processes for children and adolescents with severe mental illness, developmental disabilities, or complex medical needs including availability of treatment options based on the payer, that will facilitate increased community-based care and decrease inpatient lengths of stay beyond what is medically necessary.

The report shall be submitted by November 15, 2017, 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 if the report is not submitted.

Explanation: This language restricts funds until DHR and DHMH submit a joint report on the existing coordination between the agencies, MSDE, and hospitals serving Maryland children to determine appropriate community or out-of-home placements for children with mental illness, developmental disabilities, or complex medical needs. The language also requires a review of available resources for children with mental illness, developmental disabilities, or complex medical needs. The report is also to include recommendations to improve community placements that will decrease inpatient lengths of stay.

Information Request	Authors	Due Date
Report on placement determinations for children with complex medical needs	DHR DHMH MSDE	November 15, 2017

Sections

Amend the following section:

Section 43 Out-of-state Placement Determinations and Monitoring

SECTION 43. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation within the Department of Human Resources (DHR), ~~and~~ \$100,000 of the general fund appropriation within the Maryland State Department of Education (MSDE), and \$100,000 of the general fund appropriation within the Governor's Office for Children (GOC) may not be expended until DHR, ~~and~~ MSDE, and GOC submit a report to the budget committees detailing:

- (1) the processes in place to determine whether to place children in out-of-state placements when in-state resources cannot meet the needs of the child;
- (2) the processes in place to determine in which out-of-state facilities children are placed;
- (3) the frequency of the review of the out-of-state placement to determine whether or not the needs of the child can be met through an in-state provider;
- (4) the current processes in place between DHR and MSDE to ensure that the out-of-state facilities in which children are placed are compliant with the Individuals with Disabilities Education Act;
- (5) the current processes for monitoring children in out-of-state placements and any plans to alter these monitoring practices to ensure the safety of children in out-of-state placements; and
- (6) the resources that would be necessary (both funding and number and type of placements) to move all children in out-of-state placements to in-state placements.

The report shall be submitted by August 15, 2017, 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 if the report is not submitted.

Explanation: This language restricts funds until DHR, ~~and~~ MSDE, and GOC submit a joint report that outlines the processes for determinations to place children in out-of-state facilities and in which facilities children are placed, including ongoing monitoring and frequency of reviews to determine whether the child should be returned to a placement in-state. The report is to also include information on the processes in place to ensure that the facilities in which children are placed are compliant with the Individuals with Disabilities Education Act. Finally, the report must identify the resources that would be necessary to move all children to in-state placements.

Sections

Information Request	Authors	Due Date
Report on out-of-state placements	DHR MSDE GOC	August 15, 2017

Amendment No.

75

Strike the following language:

~~Section 44 Enforcement and Inspection Position Strength Assessment and Vacant Position Filling~~

~~Section 44. 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, 2017; October 1, 2017; January 1, 2018; and April 1, 2018; 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 should:
 - ~~(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 MDE’s Water Management Administration, Land Management Administration, Air and Radiation Management Administration, and MDA’s Office of Resource Conservation; and~~

Sections

~~(4) — the number of:~~

~~(a) — regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for the fiscal 2011 through 2017 actuals; and~~

~~(b) — the fiscal 2018 current and fiscal 2019 estimated appropriations.~~

~~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. The budget committees shall have 45 days to review and comment on the submitted quarterly reports. 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 a report from MDE and MDA on compliance and enforcement inspections and positions and then further restricts the funding for filling vacant compliance and enforcement positions. The 2016 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration. The submitted report was not responsive to the request because the agencies were unable to evaluate the requested information in the context of Chesapeake Bay restoration.~~

Information Request	Authors	Due Date
Enforcement and inspection position strength assessment and vacant position filling	MDA MDE	July 1, 2017 October 1, 2017 January 1, 2018 April 1, 2018

Amendment No.

76

Add the following section:

Section 45 Change in Federal Fund Grants Reporting

SECTION 45. AND BE IT FURTHER ENACTED, That the budget committees are concerned about potential reductions in federal fund grants appropriated to State agencies in the fiscal 2018 budget. The budget committees request the Department of Budget and Management to submit a report in conjunction with the fiscal 2019 budget, which identifies reductions in federal grants which are 10% or more below what the State expected to receive in fiscal 2018. The report should identify the specific federal grant program by Catalog of Federal Domestic Assistance

Sections

number and title, the State agency and program(s) affected by the federal reduction, the impact of the loss of federal grant aid, and whether State funds will be used to replace the lost federal grant aid.

Explanation: This language requires the Department of Budget and Management (DBM) to submit a report to the budget committees in conjunction with the fiscal 2019 budget, which identifies any federal grant which supports spending in the fiscal 2018 budget that has been reduced by 10% or more since the budget was enacted.

Information Request	Author	Due Date
Changes in federal fund grants supporting the fiscal 2018 budget	DBM	In conjunction with the fiscal 2019 budget

Add the following section:

Section 46 Report on Increasing Veteran-owned Small Business Enterprise Participation

SECTION 46. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Maryland Department of Veterans Affairs (MDVA) and \$100,000 of the general fund appropriation in the Governor's Office of Minority Affairs (GOMA) may not be expended until:

- (1) MDVA and GOMA jointly submit a report to the budget committees including:
 - (a) methods to increase veteran-owned small business enterprise participation in State procurement and ensure compliance with the State's 1% purchasing goal;
 - (b) barriers to veteran-owned small business enterprise participation that hinder compliance with the State's 1% purchasing goal, including the requirement in Section 14-601 of the State Finance and Procurement Article for verification by the Center for Veterans Enterprise of the United States Department of Veterans Affairs;
 - (c) a comparison of the current Veteran-owned Small Business Enterprise Participation Program to similar programs in the federal government and other state governments, focusing on ease of access by interested firms, and methods of verification, certification, and fraud protection;
 - (d) a comparison of the current Veteran-owned Small Business Enterprise Participation Program to similar programs in Maryland, such as the Small

Sections

Business Reserve Program and the Minority Business Enterprise Participation Program, focusing on ease of access by interested firms, and methods of verification, certification, and fraud prevention; and

- (e) specific recommendations for legislative and regulatory changes to increase compliance with the State's 1% purchasing goal for veteran-owned small business enterprise participation in State procurement.

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 purpose and shall revert to the General Fund if the report is not submitted to the committees.

Explanation: This section restricts funding for GOMA and MDVA pending receipt of a joint report on participation of veteran-owned small businesses in State contracting and the effectiveness of the Veteran-owned Small Business Enterprise Participation Program. The section also requires the agencies to submit recommendations to boost participation in State procurement by veteran-owned small businesses.

Information Request	Authors	Due Date
Report on increasing veteran-owned small business enterprise participation	MDVA GOMA	December 31, 2017

Add the following section:

Section 47 State Center

SECTION 47. AND BE IT FURTHER ENACTED, That no funding in this budget may be expended to move State employees from 201 and 301 West Preston Street (State Center) to any other location until the Department of General Services (DGS) has submitted to the budget committees:

- (1) a qualitative and quantitative analysis of the need and the intended benefits of any relocation plan, including a budgetary impact statement; and
- (2) any lease agreement that would go to the Board of Public Works for approval that would result in relocating State employees from 201 and 301 West Preston Street (State Center) that outlines the terms and conditions of the lease.

The budget committees shall have 45 days to review and comment on any report submitted by DGS in compliance with this section.

Sections

Explanation: The committees are concerned that State employees may be moved from 201 and 301 West Preston Street (State Center) without consideration for the impact it will have on State employees or the impact on the State budget. This language requires DGS to provide written notification, including an analysis of the benefits and costs of any proposed move of State employees from State Center, and a copy of any lease that would move State employees from State Center.

Information Request	Author	Due Date
Relocation of employees from State Center	DGS	As needed

HOUSE BILL 150

B1

7lr0199

By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 18, 2017

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2017

CHAPTER _____

Budget Bill

(Fiscal Year 2018)

1
2
3 AN ACT for the purpose of making the proposed appropriations contained in the State
4 Budget for the fiscal year ending June 30, 2018, in accordance with Article III,
5 Section 52 of the Maryland Constitution; and generally relating to appropriations
6 and budgetary provisions made pursuant to that section.

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8 That subject to the provisions hereinafter set forth and subject to the Public General Laws
9 of Maryland relating to the Budget procedure, the several amounts hereinafter specified,
10 or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby
11 appropriated and authorized to be disbursed for the several purposes specified for the fiscal
12 year beginning July 1, 2017, and ending June 30, 2018, as hereinafter indicated.

13 PAYMENTS TO CIVIL DIVISIONS OF THE STATE

14 A15000.01 Disparity Grants

15 General Fund Appropriation, provided that
16 this appropriation shall be reduced by
17 ~~\$8,443,550~~ \$2,414,665 contingent upon the
18 enactment of legislation ~~level-funding the~~
19 ~~grants at the fiscal 2017 amount~~ *modifying*
20 *the formula for disparity grants.*

1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Further provided that \$10,000,000 of this
 2 appropriation for Baltimore City may not
 3 be distributed as a grant to Baltimore City
 4 until the Maryland State Department of
 5 Education (MSDE) certifies that Baltimore
 6 City has appropriated for fiscal 2018 an
 7 additional \$10,000,000 for the Baltimore
 8 City Public Schools (BCPS) over the fiscal
 9 2017 Maintenance of Effort appropriation.
 10 If MSDE does not certify that Baltimore
 11 City has appropriated an additional
 12 \$10,000,000 for the school system, then the
 13 funds may not be distributed as a grant to
 14 Baltimore City, and authority is hereby
 15 granted to transfer \$10,000,000 to
 16 R00A02.01 to be provided as a grant to
 17 BCPS. If the funds are not transferred for
 18 this purpose, then it may not be expended
 19 or transferred for any other purpose and
 20 shall revert to the General Fund at the end
 21 of the fiscal year.

22 Further provided that \$6,028,886 of the
 23 appropriation made for the purpose of
 24 disparity grants shall not be expended until
 25 each of the following jurisdictions certify
 26 that it will spend the following amounts,
 27 equal to what that particular jurisdiction
 28 receives in excess of the fiscal 2017 grant, to
 29 increase local spending on public schools
 30 above the amount required to meet
 31 maintenance of effort for fiscal 2018:

32	<u>Baltimore City</u>	<u>946,445</u>
33	<u>Cecil County</u>	<u>196,240</u>
34	<u>Prince George’s County</u>	<u>4,245,462</u>
35	<u>Washington County</u>	<u>52,938</u>
36	<u>Wicomico County</u>	<u>587,801</u>

37 Further provided that on or before January 1,
 38 2018, the Maryland State Department of
 39 Education shall submit certification to the
 40 budget committees to demonstrate that each
 41 jurisdiction has provided the appropriate
 42 increase in local spending on public schools
 43 above the amount required to meet
 44 maintenance of effort in order to have the



1 funds released. The budget committees
 2 shall have 45 days to review and comment
 3 upon the receipt of the certification. These
 4 funds may not be transferred by budget
 5 amendment or otherwise to any other
 6 purpose, and if not expended shall revert to
 7 the General Fund 141,239,736

8 A15O00.02 Teacher Retirement Supplemental
 9 Grants
 10 General Fund Appropriation 27,658,661

11 A15O00.03 Miscellaneous Grants
 12 Special Fund Appropriation 1,040,803

SUMMARY

14 Total General Fund Appropriation 168,898,397
 15 Total Special Fund Appropriation 1,040,803

16
 17 Total Appropriation 169,939,200
 18

GENERAL ASSEMBLY OF MARYLAND

19
 20 B75A01.01 Senate
 21 General Fund Appropriation 13,381,411

22 B75A01.02 House of Delegates
 23 General Fund Appropriation 25,258,604

24 B75A01.03 General Legislative Expenses
 25 General Fund Appropriation 1,028,412

DEPARTMENT OF LEGISLATIVE SERVICES

26
 27 B75A01.04 Office of the Executive Director
 28 General Fund Appropriation 11,676,730

29 B75A01.05 Office of Legislative Audits
 30 General Fund Appropriation 14,367,809

31 B75A01.06 Office of Legislative Information
 32 Systems
 33 General Fund Appropriation 6,233,778

HOUSE BILL 150

1	B75A01.07 Office of Policy Analysis	
2	General Fund Appropriation	18,605,930

3	SUMMARY	
---	---------	--

4	Total General Fund Appropriation	90,552,674
5		90,552,674

JUDICIARY

1
2 Provided that \$6,257,414 in general funds for
3 employee merit salary increases is reduced.
4 The Chief Judge is authorized to allocate
5 the reduction across the Judiciary.

6 Further provided that ~~\$3,913,974~~ \$1,000,000
7 in general funds is reduced. The Chief
8 Judge shall allocate this reduction across
9 the Judiciary.

10	C00A00.01 Court of Appeals	
11	General Fund Appropriation	11,778,805
12	C00A00.02 Court of Special Appeals	
13	General Fund Appropriation	12,737,667
14		<u>12,701,614</u>
15	C00A00.03 Circuit Court Judges	
16	General Fund Appropriation	70,287,550
17		<u>70,018,662</u>

18 Funds are appropriated in other agency
19 budgets to pay for services provided by this
20 program. Authorization is hereby granted
21 to use these receipts as special funds for
22 operating expenses in this program.

23 C00A00.04 District Court
24 General Fund Appropriation, provided that
25 \$8,500,000 of the general fund
26 appropriation may be expended only for the
27 purpose of providing attorneys for required
28 representation at initial appearances
29 before District Court commissioners
30 consistent with the holding of the Court of
31 Appeals in DeWolfe v. Richmond. Any
32 funds not expended for this purpose shall
33 revert to the General Fund.

34 Further provided that \$1,500,000 of the
35 general fund appropriation for the
36 Appointed Attorney Program is reduced
37 contingent upon the failure of SB 714

	191,769,037
	188,303,617
	<u>190,286,174</u>

3

4

5

1	Funds are appropriated in other agency		
2	budgets to pay for services provided by this		
3	program. Authorization is hereby granted		
4	to use these receipts as special funds for		
5	operating expenses in this program.		
6	C00A00.06 Administrative Office of the Courts		
7	General Fund Appropriation	68,767,932	
8		<u>68,698,457</u>	
9	Special Fund Appropriation	17,000,000	
10	Federal Fund Appropriation	57,485	85,825,417
11			<u>85,755,942</u>
12		<hr/>	
13	C00A00.07 Court Related Agencies		
14	General Fund Appropriation		3,370,718
15			<u>3,352,692</u>
16	C00A00.08 State Law Library		
17	General Fund Appropriation	3,538,469	
18		<u>3,520,758</u>	
19	Special Fund Appropriation	9,400	3,547,869
20			<u>3,530,158</u>
21		<hr/>	
22	C00A00.09 Judicial Information Systems		
23	General Fund Appropriation	43,487,993	
24		<u>43,087,969</u>	
25		<u>43,464,803</u>	
26	Special Fund Appropriation	8,700,234	52,188,227
27			<u>51,788,203</u>
28			<u>52,165,037</u>
29		<hr/>	
30	C00A00.10 Clerks of the Circuit Court		
31	General Fund Appropriation, provided that		
32	<u>this appropriation is reduced by \$4,056,251</u>		
33	<u>\$3,056,251. The Chief Judge shall allocate</u>		
34	<u>the reduction across the Clerks of the</u>		
35	<u>Circuit Court program</u>	99,432,611	
36		<u>98,971,676</u>	
37		<u>99,432,611</u>	
38	Special Fund Appropriation	<u>21,240,776</u>	120,673,387
39		<u>21,191,205</u>	<u>120,162,881</u>
40		<u>21,240,776</u>	<u>120,673,387</u>
41		<hr/>	

6

7

8

1 Funds are appropriated in other agency
2 budgets to pay for services provided by this
3 program. Authorization is hereby granted
4 to use these receipts as special funds for
5 operating expenses in this program.

6	C00A00.12 Major Information Technology	
7	Development Projects	
8	Special Fund Appropriation	19,433,053

9 SUMMARY

10	Total General Fund Appropriation	503,254,576
11	Total Special Fund Appropriation	66,383,463
12	Total Federal Fund Appropriation	57,485
13		<hr/>
14	Total Appropriation	569,695,524
15		<hr/> <hr/>

16 OFFICE OF THE PUBLIC DEFENDER

17	C80B00.01 General Administration	
18	General Fund Appropriation	7,339,270
19	C80B00.02 District Operations	
20	General Fund Appropriation	89,028,640
21	Special Fund Appropriation	263,762
22		<hr/>
23		89,292,402

23 Funds are appropriated in other agency
24 budgets to pay for services provided by this
25 program. Authorization is hereby granted
26 to use these receipts as special funds for
27 operating expenses in this program.

28	C80B00.03 Appellate and Inmate Services	
29	General Fund Appropriation	6,601,079

30	C80B00.04 Involuntary Institutionalization	
31	Services	
32	General Fund Appropriation	1,442,046

33 SUMMARY

34	Total General Fund Appropriation	104,411,035
----	--	-------------

HOUSE BILL 150

1	Total Special Fund Appropriation		263,762
2			<hr/>
3	Total Appropriation		104,674,797
4			<hr/> <hr/>
5	OFFICE OF THE ATTORNEY GENERAL		
6	C81C00.01 Legal Counsel and Advice		
7	General Fund Appropriation	5,287,171	
8	Special Fund Appropriation	1,823,953	7,111,124
9		<hr/>	
10	Funds are appropriated in other agency		
11	budgets to pay for services provided by this		
12	program. Authorization is hereby granted		
13	to use these receipts as special funds for		
14	operating expenses in this program.		
15	C81C00.04 Securities Division		
16	General Fund Appropriation		2,772,040
17	C81C00.05 Consumer Protection Division		
18	Special Fund Appropriation		6,024,695
19	Funds are appropriated in other agency		
20	budgets to pay for services provided by this		
21	program. Authorization is hereby granted		
22	to use these receipts as special funds for		
23	operating expenses in this program.		
24	C81C00.06 Antitrust Division		
25	General Fund Appropriation		912,044
26	C81C00.09 Medicaid Fraud Control Unit		
27	General Fund Appropriation	1,184,909	
28	Federal Fund Appropriation	3,553,963	4,738,872
29		<hr/>	
30	C81C00.10 People's Insurance Counsel Division		
31	Special Fund Appropriation		601,954
32	C81C00.12 Juvenile Justice Monitoring Program		
33	General Fund Appropriation		609,878
34	C81C00.14 Civil Litigation Division		
35	General Fund Appropriation	2,593,554	

HOUSE BILL 150

1	Special Fund Appropriation	485,429	3,078,983
2		<hr/>	

3 Funds are appropriated in other agency
4 budgets to pay for services provided by this
5 program. Authorization is hereby granted
6 to use these receipts as special funds for
7 operating expenses in this program.

8	C81C00.15 Criminal Appeals Division		
9	General Fund Appropriation		2,941,336

10	C81C00.16 Criminal Investigation Division		
11	General Fund Appropriation		1,839,753

12 Funds are appropriated in other agency
13 budgets to pay for services provided by this
14 program. Authorization is hereby granted
15 to use these receipts as special funds for
16 operating expenses in this program.

17	C81C00.17 Educational Affairs Division		
18	General Fund Appropriation		362,470

19	C81C00.18 Correctional Litigation Division		
20	General Fund Appropriation		340,705

21 Funds are appropriated in other agency
22 budgets to pay for services provided by this
23 program. Authorization is hereby granted
24 to use these receipts as special funds for
25 operating expenses in this program.

26 C81C00.20 Contract Litigation Division

27 Funds are appropriated in other agency
28 budgets to pay for services provided by this
29 program. Authorization is hereby granted
30 to use these receipts as special funds for
31 operating expenses in this program.

32	C81C00.21 Mortgage Foreclosure Settlement		
33	Program		
34	Special Fund Appropriation		507,520

35 SUMMARY

HOUSE BILL 150

1	Total General Fund Appropriation		18,843,860
2	Total Special Fund Appropriation		9,443,551
3	Total Federal Fund Appropriation		3,553,963
4			<hr/>
5	Total Appropriation		31,841,374
6			<hr/> <hr/>
7	OFFICE OF THE STATE PROSECUTOR		
8	C82D00.01 General Administration		
9	General Fund Appropriation		1,483,361
10			<hr/> <hr/>
11	MARYLAND TAX COURT		
12	C85E00.01 Administration and Appeals		
13	General Fund Appropriation		628,302
14			<hr/> <hr/>
15	PUBLIC SERVICE COMMISSION		
16	C90G00.01 General Administration and Hearings		
17	Special Fund Appropriation		24,850,321
18			<u>18,627,394</u>
19	C90G00.02 Telecommunications, Gas, and Water		
20	Division		
21	Special Fund Appropriation		536,910
22	C90G00.03 Engineering Investigations		
23	Special Fund Appropriation	1,469,092	
24	Federal Fund Appropriation	560,912	2,030,004
25			<hr/>
26	C90G00.04 Accounting Investigations		
27	Special Fund Appropriation		693,833
28	C90G00.05 Common Carrier Investigations		
29	Special Fund Appropriation		1,884,234
30	C90G00.06 Washington Metropolitan Area Transit		
31	Commission		
32	Special Fund Appropriation		415,117
33	C90G00.07 Electricity Division		
34	Special Fund Appropriation		555,979

1	C90G00.08 Public Utility Law Judge	
2	Special Fund Appropriation	956,202
3	C90G00.09 Staff Counsel	
4	Special Fund Appropriation	1,106,960
5	C90G00.10 Energy Analysis and Planning Division	
6	Special Fund Appropriation	757,636

SUMMARY

8	Total Special Fund Appropriation	27,003,357
9	Total Federal Fund Appropriation	560,912
10		<hr/>
11	Total Appropriation	27,564,269
12		<hr/> <hr/>

OFFICE OF THE PEOPLE’S COUNSEL

14	C91H00.01 General Administration	
15	Special Fund Appropriation	4,068,831
16		<hr/> <hr/>

SUBSEQUENT INJURY FUND

18	C94I00.01 General Administration	
19	Special Fund Appropriation	2,354,242
20		<hr/> <hr/>

UNINSURED EMPLOYERS’ FUND

22	C96J00.01 General Administration	
23	Special Fund Appropriation, <i>provided that</i>	
24	<u><i>PIN 092697 administrative manager senior</i></u>	
25	<u><i>I position shall be abolished and this</i></u>	
26	<u><i>appropriation reduced by \$105,900 to</i></u>	
27	<u><i>eliminate associated salary and fringe</i></u>	
28	<u><i>benefits of this position. The incumbent in</i></u>	
29	<u><i>this position may fill a currently authorized</i></u>	
30	<u><i>position</i></u>	1,699,513
31		<hr/> <hr/>

WORKERS’ COMPENSATION COMMISSION

33	C98F00.01 General Administration	
----	----------------------------------	--

HOUSE BILL 150

1	Special Fund Appropriation	14,720,894
2	C98F00.02 Major Information Technology	
3	Development Projects	
4	Special Fund Appropriation	1,575,000
5	SUMMARY	
6	Total Special Fund Appropriation	16,295,894
7		<u><u>16,295,894</u></u>

BOARD OF PUBLIC WORKS

1		
2	D05E01.01 Administration Office	
3	General Fund Appropriation	940,196

4	D05E01.02 Contingent Fund	
5	To the Board of Public Works to be used by the	
6	Board in its judgment (1) for	
7	supplementing appropriations made in the	
8	budget for fiscal 2018 when the regular	
9	appropriations are insufficient for the	
10	operating expenses of the government	
11	beyond those that are contemplated at the	
12	time of the appropriation of the budget for	
13	this fiscal year, or (2) for any other	
14	contingencies that might arise within the	
15	State or other governmental agencies	
16	during the fiscal year or any other purposes	
17	provided by law, when adequate provision	
18	for such contingencies or purposes has not	
19	been made in this budget.	
20	General Fund Appropriation	500,000

21	D05E01.05 Wetlands Administration	
22	General Fund Appropriation	229,215

23	D05E01.10 Miscellaneous Grants to Private	
24	Non-Profit Groups	
25	General Fund Appropriation	6,021,136

26	To provide annual grants to private groups	
27	and sponsors that have statewide	
28	implications and merit State support.	
29	Council of State Governments	166,927
30	Historic Annapolis Foundation	789,000
31	Maryland Zoo in Baltimore	4,815,209
32	Western Maryland Scenic Railroad	250,000

SUMMARY

34	Total General Fund Appropriation	7,690,547
----	--	-----------



EXECUTIVE DEPARTMENT – GOVERNOR

37	D10A01.01 General Executive Direction and	
38	Control	

HOUSE BILL 150

1	General Fund Appropriation	11,348,501	
2	Special Fund Appropriation	36,000	11,384,501
3		<hr/>	<hr/> <hr/>

4 Funds are appropriated in other agency
 5 budgets to pay for services provided by this
 6 program. Authorization is hereby granted
 7 to use these receipts as special funds for
 8 operating expenses in this program.

9 **OFFICE OF THE DEAF AND HARD OF HEARING**

10	D11A04.01 Executive Direction		
11	General Fund Appropriation		401,976
12			<hr/> <hr/>

13 **DEPARTMENT OF DISABILITIES**

14	D12A02.01 General Administration		
15	General Fund Appropriation	3,405,531	
16	Special Fund Appropriation	323,137	
17	Federal Fund Appropriation	8,836,227	12,564,895
18		<hr/>	<hr/> <hr/>

19 Funds are appropriated in other agency
 20 budgets to pay for services provided by this
 21 program. Authorization is hereby granted
 22 to use these receipts as special funds for
 23 operating expenses in this program.

24 **MARYLAND ENERGY ADMINISTRATION**

25	D13A13.01 General Administration		
26	Special Fund Appropriation	4,497,060	
27	Federal Fund Appropriation	737,385	5,234,445
28		<hr/>	

29 Funds are appropriated in other agency
 30 budgets to pay for services provided by this
 31 program. Authorization is hereby granted
 32 to use these receipts as special funds for
 33 operating expenses in this program.

34	D13A13.02 The Jane E. Lawton Conservation Loan		
35	Program – Capital Appropriation		
36	Special Fund Appropriation		850,000

HOUSE BILL 150

1	D13A13.03 State Agency Loan Program – Capital		
2	Appropriation		
3	Special Fund Appropriation		1,700,000
4	D13A13.06 Energy Efficiency and Conservation		
5	Programs, Low and Moderate Income		
6	Residential Sector		
7	Special Fund Appropriation		7,000,000
8	D13A13.07 Energy Efficiency and Conservation		
9	Programs, All Other Sectors		
10	Special Fund Appropriation	7,785,000	
11	Federal Fund Appropriation	2,500	7,787,500
12			

13 D13A13.08 Renewable and Clean Energy

14 Programs and Initiatives

15 Special Fund Appropriation, provided that

16 \$1,200,000 of this appropriation made for

17 the purpose of the Electric Vehicle

18 Recharging Equipment Rebate Program is

19 contingent on the enactment of HB 406 or

20 SB 315, which extends the electric vehicle

21 recharging equipment rebate program

22 beyond fiscal 2017.

23 Further provided that \$1,500,000 of this

24 appropriation made for the purpose of the

25 Maryland Energy Innovation Fund is

26 contingent on the enactment of HB 410 or

27 SB 313, which creates the Maryland

28 Energy Innovation Institute and the

29 Maryland Energy Innovation Fund 35,000,000

30 style="text-align: center;">SUMMARY

31	Total Special Fund Appropriation		56,832,060
32	Total Federal Fund Appropriation		739,885
33			
34	Total Appropriation		57,571,945
35			

36 style="text-align: center;">BOARDS, COMMISSIONS, AND OFFICES

37 D15A05.01 Survey Commissions

38 General Fund Appropriation 130,000

1	D15A05.03 Office of Minority Affairs		
2	General Fund Appropriation		1,396,271
3	D15A05.05 Governor's Office of Community		
4	Initiatives		
5	General Fund Appropriation	2,458,450	
6		<u>2,414,003</u>	
7	Special Fund Appropriation	296,162	
8	Federal Fund Appropriation	5,349,549	8,104,170
9			<u>8,059,714</u>
10		<hr/>	
11	Funds are appropriated in other agency		
12	budgets to pay for services provided by this		
13	program. Authorization is hereby granted		
14	to use these receipts as special funds for		
15	operating expenses in this program.		
16	D15A05.06 State Ethics Commission		
17	General Fund Appropriation	947,324	
18	Special Fund Appropriation	309,824	1,257,148
19		<hr/>	
20	D15A05.07 Health Care Alternative Dispute		
21	Resolution Office		
22	General Fund Appropriation	386,813	
23	Special Fund Appropriation	32,929	419,742
24		<hr/>	
25	D15A05.16 Governor's Office of Crime Control and		
26	Prevention		
27	General Fund Appropriation, provided that		
28	this appropriation shall be reduced by		
29	\$465,142 contingent upon the enactment of		
30	legislation reducing the required		
31	appropriation for State Aid for Police		
32	Protection to level fund aid at the fiscal		
33	2017 amount	106,748,918	
34	Special Fund Appropriation	2,240,823	
35	Federal Fund Appropriation	49,067,086	158,056,827
36		<hr/>	
37	Funds are appropriated in other agency		
38	budgets to pay for services provided by this		
39	program. Authorization is hereby granted		
40	to use these receipts as special funds for		

1 operating expenses in this program.

2	D15A05.20 State Commission on Criminal		
3	Sentencing Policy		
4	General Fund Appropriation		499,535
5	D15A05.22 Governor's Grants Office		
6	General Fund Appropriation	378,656	
7	Special Fund Appropriation	49,652	428,308
8		<hr/>	

9 Funds are appropriated in other agency
10 budgets to pay for services provided by this
11 program. Authorization is hereby granted
12 to use these receipts as special funds for
13 operating expenses in this program.

14	D15A05.23 State Labor Relations Board		
15	General Fund Appropriation		340,469

16 Funds are appropriated in other agency
17 budgets to pay for services provided by this
18 program. Authorization is hereby granted
19 to use these receipts as special funds for
20 operating expenses in this program.

21	D15A05.24 Contract Appeals Resolution		
22	General Fund Appropriation		705,001

23 SUMMARY

24	Total General Fund Appropriation		113,946,990
25	Total Special Fund Appropriation		2,929,390
26	Total Federal Fund Appropriation		54,416,635
27			<hr/>
28	Total Appropriation		171,293,015
29			<hr/> <hr/>

30 SECRETARY OF STATE

31	D16A06.01 Office of the Secretary of State		
32	General Fund Appropriation	1,971,685	
33	Special Fund Appropriation	884,623	2,856,308
34		<hr/>	<hr/> <hr/>

35 Funds are appropriated in other agency

HOUSE BILL 150

1 budgets to pay for services provided by this
 2 program. Authorization is hereby granted
 3 to use these receipts as special funds for
 4 operating expenses in this program.

5 HISTORIC ST. MARY'S CITY COMMISSION

6	D17B01.51 Administration		
7	General Fund Appropriation	2,667,518	
8	Special Fund Appropriation	837,171	3,504,689
9		<hr/>	<hr/> <hr/>

10 GOVERNOR'S OFFICE FOR CHILDREN

11	D18A18.01 Governor's Office for Children		
12	General Fund Appropriation		1,929,325
13			<u>1,829,325</u>

14 Funds are appropriated in other agency
 15 budgets to pay for services provided by this
 16 program. Authorization is hereby granted
 17 to use these receipts as special funds for
 18 operating expenses in this program.

19 BOARD OF PUBLIC WORKS – INTERAGENCY COMMITTEE
 20 ON SCHOOL CONSTRUCTION

21	D25E03.01 General Administration		
22	General Fund Appropriation		2,076,902

23 DEPARTMENT OF AGING

24	D26A07.01 General Administration		
25	General Fund Appropriation	2,731,999	
26		<u>2,530,707</u>	
27		<u>2,731,999</u>	
28	Special Fund Appropriation	550,548	
29	Federal Fund Appropriation	2,211,253	5,493,800
30		<u>2,088,183</u>	<u>5,160,438</u>
31		<u>2,211,253</u>	<u>5,493,800</u>
32		<hr/>	

33 Funds are appropriated in other agency
 34 budgets to pay for services provided by this
 35 program. Authorization is hereby granted
 36 to use these receipts as special funds for
 37 operating expenses in this program.

1	D26A07.02 Senior Citizens Activities Centers		
2	Operating Fund		
3	General Fund Appropriation		764,003
4	D26A07.03 Community Services		
5	General Fund Appropriation	19,894,653	
6	Federal Fund Appropriation	27,348,210	47,242,863
7		<hr/>	

8 Funds are appropriated in other agency
 9 budgets to pay for services provided by this
 10 program. Authorization is hereby granted
 11 to use these receipts as special funds for
 12 operating expenses in this program.

13 SUMMARY

14	Total General Fund Appropriation		23,390,655
15	Total Special Fund Appropriation		550,548
16	Total Federal Fund Appropriation		29,559,463
17			<hr/>
18	Total Appropriation		53,500,666
19			<hr/> <hr/>

20 MARYLAND COMMISSION ON CIVIL RIGHTS

21	D27L00.01 General Administration		
22	General Fund Appropriation	2,574,501	
23	Federal Fund Appropriation	685,714	3,260,215
24		<hr/>	<hr/> <hr/>

25 MARYLAND STADIUM AUTHORITY

26	D28A03.02 Maryland Stadium Facilities Fund		
27	Special Fund Appropriation		20,000,000
28	D28A03.55 Baltimore Convention Center		
29	General Fund Appropriation		6,692,678
30	D28A03.58 Ocean City Convention Center		
31	General Fund Appropriation		1,577,090
32	D28A03.59 Montgomery County Conference		
33	Center		
34	General Fund Appropriation		1,555,250

1 D28A03.60 Hippodrome Performing Arts Center
 2 General Fund Appropriation 1,393,768

3 D28A03.63 Office of Sports Marketing

4 Funds are appropriated in other agency
 5 budgets to pay for services provided by this
 6 program. Authorization is hereby granted
 7 to use these receipts as special funds for
 8 operating expenses in this program.

9 D28A03.66 Baltimore City Public Schools
 10 Construction Financing Fund
 11 Special Fund Appropriation 20,000,000

12 D28A03.68 Baltimore City CORE

13 Funds are appropriated in other agency
 14 budgets to pay for services provided by this
 15 program. Authorization is hereby granted
 16 to use these receipts as special funds for
 17 operating expenses in this program.

18 SUMMARY

19 Total General Fund Appropriation 11,218,786
 20 Total Special Fund Appropriation 40,000,000
 21

 22 Total Appropriation 51,218,786
 23

24 STATE BOARD OF ELECTIONS

25 D38I01.01 General Administration
 26 General Fund Appropriation 4,483,555
 27 Special Fund Appropriation 109,106 4,592,661
 28

29 D38I01.02 Help America Vote Act
 30 General Fund Appropriation 3,017,331
 31 Special Fund Appropriation 7,477,695
 32 Federal Fund Appropriation 85,000 10,580,026
 33

34 D38I01.03 Major Information Technology

1	Development Projects	
2	Special Fund Appropriation	4,455,521
3	D38I01.04 Campaign Finance Fund	
4	General Fund Appropriation	1,032,852
5		<u>0</u>



SUMMARY

7	Total General Fund Appropriation	7,500,886
8	Total Special Fund Appropriation	12,042,322
9	Total Federal Fund Appropriation	85,000
10		<hr/>
11	Total Appropriation	19,628,208
12		<hr/> <hr/>

DEPARTMENT OF PLANNING

14	D40W01.01 Operations Division	
15	General Fund Appropriation	2,878,189
16	D40W01.02 State Clearinghouse	
17	General Fund Appropriation	528,626
18	D40W01.03 Planning Data and Research	
19	General Fund Appropriation	2,270,494

20 Funds are appropriated in other agency
 21 budgets to pay for services provided by this
 22 program. Authorization is hereby granted
 23 to use these receipts as special funds for
 24 operating expenses in this program.

25	D40W01.04 Planning Coordination	
26	General Fund Appropriation	1,924,186
27	Federal Fund Appropriation	50,709
28		<hr/>
		1,974,895

29 Funds are appropriated in other agency
 30 budgets to pay for services provided by this
 31 program. Authorization is hereby granted
 32 to use these receipts as special funds for
 33 operating expenses in this program.

34 D40W01.07 Management Planning and
 35 Educational Outreach

1	<u>Contingent upon enactment of HB 152 or SB</u>		
2	<u>172 with a provision to repeal a grant to the</u>		
3	<u>Maryland Humanities Council,</u>		
4	<u>authorization to expend reimbursable</u>		
5	<u>funds is reduced by \$150,000.</u>		
6	General Fund Appropriation	1,491,615	
7		1,112,418	
8		<u>1,312,418</u>	
9	Special Fund Appropriation	3,221,675	
10	Federal Fund Appropriation	852,662	5,565,952
11			5,186,755
12			<u>5,386,755</u>
13		<hr/>	
14	Funds are appropriated in other agency		
15	budgets to pay for services provided by this		
16	program. Authorization is hereby granted		
17	to use these receipts as special funds for		
18	operating expenses in this program.		
19	D40W01.08 Museum Services		
20	General Fund Appropriation	2,239,267	
21	Special Fund Appropriation	628,659	
22	Federal Fund Appropriation	84,678	2,952,604
23		<hr/>	
24	Funds are appropriated in other agency		
25	budgets to pay for services provided by this		
26	program. Authorization is hereby granted		
27	to use these receipts as special funds for		
28	operating expenses in this program.		
29	D40W01.09 Research Survey and Registration		
30	General Fund Appropriation	915,755	
31	Special Fund Appropriation	117,525	
32	Federal Fund Appropriation	332,117	1,365,397
33		<hr/>	
34	Funds are appropriated in other agency		
35	budgets to pay for services provided by this		
36	program. Authorization is hereby granted		
37	to use these receipts as special funds for		
38	operating expenses in this program.		
39	D40W01.10 Preservation Services		

HOUSE BILL 150

1	General Fund Appropriation	757,176	
2	Special Fund Appropriation	396,258	
3	Federal Fund Appropriation	267,614	1,421,048
4			
5	D40W01.11 Historic Preservation – Capital		
6	Appropriation		
7	Special Fund Appropriation		300,000
8	D40W01.12 Sustainable Communities Tax Credit		
9	General Fund Appropriation		9,000,000
10	SUMMARY		
11	Total General Fund Appropriation		21,826,111
12	Total Special Fund Appropriation		4,664,117
13	Total Federal Fund Appropriation		1,587,780
14			
15	Total Appropriation		28,078,008
16			
17	MILITARY DEPARTMENT		
18	MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE		
19	D50H01.01 Administrative Headquarters		
20	General Fund Appropriation	2,514,588	
21	Special Fund Appropriation	39,976	
22	Federal Fund Appropriation	390,478	2,945,042
23			
24	D50H01.02 Air Operations and Maintenance		
25	General Fund Appropriation	765,629	
26	Federal Fund Appropriation	4,029,275	4,794,904
27			
28	D50H01.03 Army Operations and Maintenance		
29	General Fund Appropriation	4,004,360	
30	Special Fund Appropriation	121,991	
31	Federal Fund Appropriation	9,340,169	13,466,520
32			
33	D50H01.04 Capital Appropriation		
34	Federal Fund Appropriation		35,574,000
35	D50H01.05 State Operations		

HOUSE BILL 150

1	General Fund Appropriation	3,042,292	
2	Federal Fund Appropriation	3,386,072	6,428,364
3		<hr/>	
4	D50H01.06 Maryland Emergency Management		
5	Agency		
6	General Fund Appropriation	2,037,921	
7	Special Fund Appropriation	18,125,000	
8	Federal Fund Appropriation	34,766,091	54,929,012
9		<hr/>	

10 SUMMARY

11	Total General Fund Appropriation		12,364,790
12	Total Special Fund Appropriation		18,286,967
13	Total Federal Fund Appropriation		87,486,085
14			<hr/>
15	Total Appropriation		118,137,842
16			<hr/> <hr/>

17 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

18	D53T00.01 General Administration		
19	Special Fund Appropriation	16,274,405	
20	Federal Fund Appropriation	2,444,280	18,718,685
21		<hr/>	<hr/> <hr/>

22 Funds are appropriated in other agency
 23 budgets to pay for services provided by this
 24 program. Authorization is hereby granted
 25 to use these receipts as special funds for
 26 operating expenses in this program.

27	D53T00.02 Maryland Information Technology		
28	Development Projects		
29	Special Fund Appropriation		8,650,000

30 SUMMARY

31	Total Special Fund Appropriation		24,924,405
32	Total Federal Fund Appropriation		2,444,280
33			<hr/>
34	Total Appropriation		27,368,685
35			<hr/> <hr/>

DEPARTMENT OF VETERANS AFFAIRS

1			
2	D55P00.01 Service Program		
3	General Fund Appropriation		1,557,833
4	D55P00.02 Cemetery Program		
5	General Fund Appropriation	1,893,232	
6	Special Fund Appropriation	687,706	
7	Federal Fund Appropriation	1,588,420	4,169,358
8		<hr/>	
9	D55P00.03 Memorials and Monuments Program		
10	General Fund Appropriation		407,082
11	D55P00.04 Cemetery Program – Capital		
12	Appropriation		
13	Federal Fund Appropriation		7,720,000
14	D55P00.05 Veterans Home Program		
15	General Fund Appropriation	3,348,759	
16		3,198,759	
17		<u>3,348,759</u>	
18	Special Fund Appropriation	3,070,685	
19	Federal Fund Appropriation, provided that no		
20	portion of this appropriation made for the		
21	purpose of the Veterans Home Program		
22	may be expended for a feasibility study of a		
23	Western Maryland veterans home	15,150,000	21,569,444
24			21,410,444
25			<u>21,569,444</u>
26		<hr/>	
27	D55P00.08 Executive Direction		
28	General Fund Appropriation		861,741
29	D55P00.11 Outreach and Advocacy		
30	General Fund Appropriation		215,419
31			
32	Total General Fund Appropriation		8,284,066
33	Total Special Fund Appropriation		3,758,391
34	Total Federal Fund Appropriation		24,458,420
35			<hr/>
36	Total Appropriation		36,500,877
37			<hr/> <hr/>

13

14

13 cont

STATE ARCHIVES

1			
2	D60A10.01 Archives		
3	General Fund Appropriation	4,977,543	
4	Special Fund Appropriation	3,574,454	8,551,997
5		<hr/>	
6	D60A10.02 Artistic Property		
7	General Fund Appropriation	490,952	
8	Special Fund Appropriation	36,987	527,939
9		<hr/>	

SUMMARY

11	Total General Fund Appropriation		5,468,495
12	Total Special Fund Appropriation		3,611,441
13			<hr/>
14	Total Appropriation		9,079,936
15			<hr/> <hr/>

MARYLAND HEALTH BENEFIT EXCHANGE

17	D78Y01.01 Maryland Health Benefit Exchange		
18	Special Fund Appropriation	24,924,841	
19	Federal Fund Appropriation	26,947,514	51,872,355
20		<hr/>	
21	D78Y01.02 Major Information Technology		
22	Development Projects		
23	Special Fund Appropriation, <u>provided that</u>		
24	<u>\$250,000 of this appropriation intended for</u>		
25	<u>the purpose of information technology for</u>		
26	<u>qualified health plans may not be</u>		
27	<u>expended. These funds may not be</u>		
28	<u>transferred by budget amendment or</u>		
29	<u>otherwise to any other purpose and shall</u>		
30	<u>revert to the General Fund at the end of the</u>		
31	<u>year</u>	10,075,159	
32	Federal Fund Appropriation	20,525,845	30,601,004
33		<hr/>	
34	D78Y01.03 Reinsurance Program		
35	Special Fund Appropriation		21,300,000

SUMMARY

1	Total Special Fund Appropriation		56,300,000
2	Total Federal Fund Appropriation		47,473,359
3			<hr/>
4	Total Appropriation		103,773,359
5			<hr/> <hr/>

MARYLAND INSURANCE ADMINISTRATION

INSURANCE ADMINISTRATION AND REGULATION

8	D80Z01.01 Administration and Operations		
9	Special Fund Appropriation	31,774,000	
10		31,477,173	
11	Federal Fund Appropriation	728,701	32,502,701
12			32,205,874
13		<hr/>	

14	D80Z01.02 Major Information Technology		
15	Development Projects		
16	Special Fund Appropriation		355,000

SUMMARY

18	Total Special Fund Appropriation		31,832,173
19	Total Federal Fund Appropriation		728,701
20			<hr/>
21	Total Appropriation		32,560,874
22			<hr/> <hr/>

CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY

24	D90U00.01 General Administration		
25	General Fund Appropriation	191,553	
26	Special Fund Appropriation	571,093	762,646
27		<hr/>	<hr/> <hr/>

OFFICE OF ADMINISTRATIVE HEARINGS

29	D99A11.01 General Administration		
30	Special Fund Appropriation		52,000
31			<hr/> <hr/>

32 Funds are appropriated in other agency
 33 budgets to pay for services provided by this

1 program. Authorization is hereby granted
2 to use these receipts as special funds for
3 operating expenses in this program.

1 COMPTROLLER OF MARYLAND

2 OFFICE OF THE COMPTROLLER

3	E00A01.01 Executive Direction		
4	General Fund Appropriation	3,766,665	
5	Special Fund Appropriation	657,403	4,424,068
6		<hr/>	
7	E00A01.02 Financial and Support Services		
8	General Fund Appropriation	2,711,247	
9	Special Fund Appropriation	469,438	3,180,685
10		<hr/>	

11 Funds are appropriated in other agency
 12 budgets to pay for services provided by this
 13 program. Authorization is hereby granted
 14 to use these receipts as special funds for
 15 operating expenses in this program.

16 SUMMARY

17	Total General Fund Appropriation		6,477,912
18	Total Special Fund Appropriation		1,126,841
19			<hr/>
20	Total Appropriation		7,604,753
21			<hr/> <hr/>

22 GENERAL ACCOUNTING DIVISION

23	E00A02.01 Accounting Control and Reporting		
24	General Fund Appropriation		5,706,006
25			<hr/> <hr/>

26 BUREAU OF REVENUE ESTIMATES

27	E00A03.01 Estimating of Revenues		
28	General Fund Appropriation		1,425,625
29			<hr/> <hr/>

30 REVENUE ADMINISTRATION DIVISION

31	E00A04.01 Revenue Administration		
32	General Fund Appropriation	29,000,127	
33		28,820,287	
34		<u>28,661,282</u>	

1	Special Fund Appropriation	4,761,284	33,761,411
2		4,742,302	33,571,589
3		<u>4,723,634</u>	<u>33,384,916</u>
4		_____	=====

5 COMPLIANCE DIVISION

6	E00A05.01 Compliance Administration		
7	General Fund Appropriation	25,810,406	
8	Special Fund Appropriation.....	11,062,810	36,873,216
9		_____	=====

10 FIELD ENFORCEMENT DIVISION

11	E00A06.01 Field Enforcement Administration		
12	General Fund Appropriation	3,314,031	
13	Special Fund Appropriation	3,574,887	6,888,918
14		_____	=====

15 CENTRAL PAYROLL BUREAU

16	E00A09.01 Payroll Management		
17	General Fund Appropriation	2,562,157	
18	Special Fund Appropriation	171,888	2,734,045
19		_____	=====

20 Funds are appropriated in other agency
 21 budgets to pay for services provided by this
 22 program. Authorization is hereby granted
 23 to use these receipts as special funds for
 24 operating expenses in this program.

25 INFORMATION TECHNOLOGY DIVISION

26 E00A10.01 Annapolis Data Center Operations

27 Funds are appropriated in other agency
 28 budgets to pay for services provided by this
 29 program. Authorization is hereby granted
 30 to use these receipts as special funds for
 31 operating expenses in this program.

32	E00A10.02 Comptroller IT Services		
33	General Fund Appropriation	21,588,904	
34	Special Fund Appropriation	3,676,395	25,265,299
35		_____	=====

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

STATE TREASURER'S OFFICE

TREASURY MANAGEMENT

E20B01.01 Treasury Management

General Fund Appropriation	5,187,456	
Special Fund Appropriation	647,253	5,834,709

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

E20B01.02 Major Information Technology

Development Projects		
Special Fund Appropriation		108,375

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

SUMMARY

Total General Fund Appropriation	5,187,456
Total Special Fund Appropriation	755,628

Total Appropriation	5,943,084
---------------------------	-----------

INSURANCE PROTECTION

E20B02.01 Insurance Management

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted

1 to use these receipts as special funds for
 2 operating expenses in this program.

3 E20B02.02 Insurance Coverage

4 Funds are appropriated in other agency
 5 budgets to pay for services provided by this
 6 program. Authorization is hereby granted
 7 to use these receipts as special funds for
 8 operating expenses in this program.

9 BOND SALE EXPENSES

10 E20B03.01 Bond Sale Expenses

11	General Fund Appropriation	50,000	
12	Special Fund Appropriation	1,455,000	1,505,000
13		<hr/>	<hr/> <hr/>

14 STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

15 E50C00.01 Office of the Director

16	General Fund Appropriation, provided that		
17	this appropriation shall be reduced by		
18	\$2,124,135 contingent upon the enactment		
19	of legislation that increases the local share		
20	to 70% of the cost of the Office of the		
21	Director program. Authorization is granted		
22	to process a special fund budget		
23	amendment of \$2,124,135 to replace the		
24	mentioned General Fund amount.....	2,878,453	
25	Special Fund Appropriation	156,025	3,034,478
26		<hr/>	

27 E50C00.02 Real Property Valuation

28	General Fund Appropriation, provided that		
29	this appropriation shall be reduced by		
30	\$7,097,754 contingent upon the enactment		
31	of legislation that increases the local share		
32	to 70% of the cost of the Real Property		
33	Valuation program. Authorization is		
34	granted to process a special fund budget		
35	amendment of \$7,097,754 to replace the		
36	mentioned General Fund amount	17,744,925	
37	Special Fund Appropriation	17,743,846	35,488,771
38		<hr/>	

39 E50C00.04 Office of Information Technology

1	General Fund Appropriation, provided that		
2	this appropriation shall be reduced by		
3	\$946,759 contingent upon the enactment of		
4	legislation that increases the local share to		
5	70% of the cost of the Office of Information		
6	Technology program. Authorization is		
7	granted to process a special fund budget		
8	amendment of \$946,759 to replace the		
9	aforementioned General Fund amount	2,366,892	
10	Special Fund Appropriation	2,366,903	4,733,795
11		<hr/>	
12	E50C00.05 Business Property Valuation		
13	General Fund Appropriation, provided that		
14	this appropriation shall be reduced by		
15	\$694,059 contingent upon the enactment of		
16	legislation that increases the local share to		
17	70% of the cost of the Business Property		
18	Valuation program. Authorization is		
19	granted to process a special fund budget		
20	amendment of \$694,059 to replace the		
21	aforementioned General Fund amount	1,735,341	
22	Special Fund Appropriation	1,734,956	3,470,297
23		<hr/>	
24	E50C00.06 Tax Credit Payments		
25	General Fund Appropriation		87,514,587
26	E50C00.08 Property Tax Credit Programs		
27	General Fund Appropriation	1,912,328	
28	Special Fund Appropriation	853,268	2,765,596
29		<hr/>	
30	E50C00.10 Charter Unit		
31	General Fund Appropriation	74,773	
32	Special Fund Appropriation	5,583,305	5,658,078
33		<hr/>	
34	SUMMARY		
35	Total General Fund Appropriation		114,227,299
36	Total Special Fund Appropriation		28,438,303
37			<hr/>
38	Total Appropriation		142,665,602
39			<hr/> <hr/>

HOUSE BILL 150

MARYLAND LOTTERY AND GAMING CONTROL AGENCY

E75D00.01 Administration and Operations		
Special Fund Appropriation		68,984,798
		<u>68,849,185</u>
E75D00.02 Video Lottery Terminal and Gaming Operations		
General Fund Appropriation	20,083,420	
Special Fund Appropriation	11,857,000	31,940,420
		<hr/>

SUMMARY

Total General Fund Appropriation		20,083,420
Total Special Fund Appropriation		80,706,185
		<hr/>
Total Appropriation		100,789,605
		<hr/> <hr/>

PROPERTY TAX ASSESSMENT APPEALS BOARDS

E80E00.01 Property Tax Assessment Appeals Boards		
General Fund Appropriation		1,051,429
		<hr/> <hr/>

DEPARTMENT OF BUDGET AND MANAGEMENT

OFFICE OF THE SECRETARY

F10A01.01 Executive Direction

General Fund Appropriation, provided that \$100,000 of this appropriation made for the purpose of executive direction may not be expended unless the Department of Budget and Management includes in its submission of the fiscal 2019 Governor's budget books a separate volume that provides personnel and Managing for Results (MFR) data by agency. The personnel data shall be consistent with Section 7-121 of the State Finance and Procurement Article. The MFR data shall include the mission, vision, as well as key goals, objectives, and ~~at least five~~ performance indicators ~~per objective~~. Funds restricted pending receipt of the volume of the Governor's budget book may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the volume is not included with the Governor's budget books submitted on the third Wednesday of January 2018.

~~Further provided that \$100,000 of this appropriation made for the purpose of executive direction may not be expended until:~~

~~(1) The Department of Juvenile Services and the Maryland State Department of Education (MSDE) jointly develop measures that evaluate the performance of the Juvenile Services Education (JSE) program, to include but not be limited to the following measures:~~

~~(a) average length of time to transition student records between a JSE school and a local school system;~~

16

17

1 ~~(b) teacher vacancy rates and~~
2 ~~length of tenure;~~

3 ~~(c) contacts with local school~~
4 ~~system liaisons to support~~
5 ~~student transition into the~~
6 ~~community;~~

7 ~~(d) students participating in~~
8 ~~postsecondary opportunities~~
9 ~~and vocational opportunities;~~
10 ~~and~~

11 ~~(e) the number of classroom~~
12 ~~hours canceled due to the~~
13 ~~unavailability of a teacher or~~
14 ~~substitute.~~

15 ~~(2) Data for the identified performance~~
16 ~~measures shall be included in~~
17 ~~MSDE's annual MFR performance~~
18 ~~measure submission beginning~~
19 ~~with the fiscal 2019 allowance~~
20 ~~submitted in January 2018.~~

21 ~~Funds restricted pending performance~~
22 ~~indicators may not be transferred by~~
23 ~~budget amendment or otherwise to any~~
24 ~~other purpose and shall revert to the~~
25 ~~General Fund if the performance indicators~~
26 ~~are not included with the Governor's~~
27 ~~budget books.~~

28 ~~Further provided that \$100,000 for the~~
29 ~~purposes of executive direction may not be~~
30 ~~expended unless the Department of Budget~~
31 ~~and Management, in Appendix A in the~~
32 ~~Maryland Budget Highlights for fiscal~~
33 ~~2019, reflects no more than \$30,000,000 in~~
34 ~~general fund reversions for fiscal 2018. For~~
35 ~~appropriations approved in this Act that~~
36 ~~are determined to be in excess of the needs~~
37 ~~of any agency or program above the~~
38 ~~aggregate estimate of \$30,000,000 in~~
39 ~~reversions, the fiscal 2019 budget bill~~
40 ~~should include negative fiscal 2018~~

~~deficiencies. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the estimate for general fund reversions for fiscal 2018 listed in Appendix A of the Budget Highlights at the 2018 session exceed \$30,000,000~~ 2,234,595

Funds are appropriated in other agency budgets and funds will be transferred from the Employees' and Retirees' Health Insurance Non-Budgeted Fund Accounts to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A01.02 Division of Finance and Administration
General Fund Appropriation 1,166,478

F10A01.03 Central Collection Unit
Special Fund Appropriation 16,014,892

F10A01.04 Division of Procurement Policy and Administration
General Fund Appropriation 2,134,685

SUMMARY

Total General Fund Appropriation 5,535,758
Total Special Fund Appropriation 16,014,892

Total Appropriation 21,550,650

OFFICE OF PERSONNEL SERVICES AND BENEFITS

F10A02.01 Executive Direction
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 fiscal 2017 closeout of the Employee and Retiree Health Insurance Account. This report shall include:

- 1 (1) the closing fiscal 2017 fund balance;
- 2 (2) the actual provider payments due
3 in the fiscal year;
- 4 (3) the State employee and retiree
5 contributions;
- 6 (4) an accounting of rebates,
7 recoveries, and other costs; and
- 8 (5) any closeout transactions processed
9 after the fiscal year ended.

10 The report shall be submitted to the budget
11 committees by October 1, 2017. The budget
12 committees shall have 45 days to review
13 and comment following the receipt of the
14 report. Funds not expended for this
15 restricted purpose may not be transferred
16 by budget amendment or otherwise to any
17 other purpose and shall revert to the
18 General Fund.

19 Further provided that \$100,000 of this
20 appropriation made for the purpose of the
21 Executive Direction program may not be
22 expended until the Department of Budget
23 and Management shall submit a
24 report to the budget committees on
25 employee churn. The report shall include
26 the total number of resignations of
27 employees with five years or less of State
28 service for each State agency for each fiscal
29 year from fiscal 2007 to 2016. The report
30 shall be submitted by July 1, 2017, and the
31 budget committees shall have 45 days to
32 review and comment. Funds restricted
33 pending the receipt of a report may not be
34 transferred by budget amendment or
35 otherwise to any other purpose and shall
36 revert to the General Fund if the report is
37 not submitted to the budget committees

1,811,610

38 F10A02.02 Division of Employee Benefits

1 Funds will be transferred from the Employees’
 2 and Retirees’ Health Insurance
 3 Non–Budgeted Fund Accounts to pay for
 4 administration services provided by this
 5 program. Authorization is hereby granted
 6 to use these receipts as special funds for
 7 operating expenses in this program.

8 F10A02.04 Division of Personnel Services
 9 General Fund Appropriation 2,903,378

10 Funds are appropriated in other agency
 11 budgets to pay for services provided by this
 12 program. Authorization is hereby granted
 13 to use these receipts as special funds for
 14 operating expenses in this program.

15 F10A02.06 Division of Classification and Salary
 16 General Fund Appropriation 2,271,596

17 Funds are appropriated in other agency
 18 budgets to pay for services provided by this
 19 program. Authorization is hereby granted
 20 to use these receipts as special funds for
 21 operating expenses in this program.

22 F10A02.07 Division of Recruitment and
 23 Examination
 24 General Fund Appropriation 1,333,099

25 F10A02.08 Statewide Expenses
 26 General Fund Appropriation, provided that
 27 funds appropriated for State Law
 28 Enforcement Officers Labor Alliance
 29 Bargaining agreement provisions may be
 30 transferred to programs of other State
 31 agencies 3,000,000

32 Special Fund Appropriation, provided that
 33 funds appropriated for State Law
 34 Enforcement Officers Labor Alliance
 35 Bargaining agreement provisions may be
 36 transferred to programs of other State
 37 agencies 516,438

38 Federal Fund Appropriation, provided that
 39 funds appropriated may be transferred to
 40 programs of other State agencies 5,837 3,522,275
 41

SUMMARY

2	Total General Fund Appropriation	11,319,683
3	Total Special Fund Appropriation	516,438
4	Total Federal Fund Appropriation	5,837
5		<hr/>
6	Total Appropriation	11,841,958
7		<hr/> <hr/>

OFFICE OF BUDGET ANALYSIS

9	F10A05.01 Budget Analysis and Formulation	
10	General Fund Appropriation	2,914,961
11		<hr/> <hr/>

12 Funds are appropriated in other agency
13 budgets to pay for services provided by this
14 program. Authorization is hereby granted
15 to use these receipts as special funds for
16 operating expenses in this program.

OFFICE OF CAPITAL BUDGETING

18	F10A06.01 Capital Budget Analysis and	
19	Formulation	
20	General Fund Appropriation	1,323,928
21		<hr/> <hr/>

DEPARTMENT OF INFORMATION TECHNOLOGY

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

24	F50A01.01 Major Information Technology	
25	Development Project Fund	
26	General Fund Appropriation, provided that	
27	funds appropriated herein for Major	
28	Information Technology Development	
29	projects may be transferred to programs of	
30	the respective financial agencies.	

31 ~~Further provided that \$1,200,000 of this~~
32 ~~appropriation made for the purpose of~~
33 ~~video streaming Maryland General~~
34 ~~Assembly floor sessions is contingent on~~
35 ~~the enactment of SB 253 or HB 438.~~

20
cont

21

1	authorizing video streaming of Maryland		
2	General Assembly floor sessions	28,302,775	
3		25,862,775	
4		<u>25,162,775</u>	
5	Special Fund Appropriation, provided that		
6	funds appropriated herein for Major		
7	Information Technology Development		
8	projects may be transferred to programs of		
9	the respective financial agencies	3,500,000	31,802,775
10			<u>29,362,775</u>
11			<u>28,662,775</u>
12		<hr/>	<hr/> <hr/>

OFFICE OF INFORMATION TECHNOLOGY

13			
14	F50B04.01 State Chief of Information Technology		
15	General Fund Appropriation		3,098,382

16 Funds are appropriated in other agency
17 budgets to pay for services provided by this
18 program. Authorization is hereby granted
19 to use these receipts as special funds for
20 operating expenses in this program.
21 Authorization to expend reimbursable
22 funds is reduced by \$135,000.

23	F50B04.02 Security		
24	General Fund Appropriation		3,809,677

25 Funds are appropriated in other agency
26 budgets to pay for services provided by this
27 program. Authorization is hereby granted
28 to use these receipts as special funds for
29 operating expenses in this program.

30	F50B04.03 Application Systems Management		
31	General Fund Appropriation		11,312,994

32 Funds are appropriated in other agency
33 budgets to pay for services provided by this
34 program. Authorization is hereby granted
35 to use these receipts as special funds for
36 operating expenses in this program.

37	F50B04.04 Infrastructure		
38	General Fund Appropriation	10,381,933	
39		<u>10,075,933</u>	

HOUSE BILL 150

1	Special Fund Appropriation	1,894,000	12,275,933
2		<u>1,885,000</u>	<u>11,960,933</u>
3		<hr/>	

4 Funds are appropriated in other agency
 5 budgets to pay for services provided by this
 6 program. Authorization is hereby granted
 7 to use these receipts as special funds for
 8 operating expenses in this program.

9	F50B04.05 Chief of Staff		
10	General Fund Appropriation		1,489,695

11 Funds are appropriated in other agency
 12 budgets to pay for services provided by this
 13 program. Authorization is hereby granted
 14 to use these receipts as special funds for
 15 operating expenses in this program.

16	F50B04.06 Major Information Technology		
17	Development Projects		
18	Special Fund Appropriation		1,606,008

19 Funds are appropriated in other agency
 20 budgets to pay for services provided by this
 21 program. Authorization is hereby granted
 22 to use these receipts as special funds for
 23 operating expenses in this program.

24	F50B04.07 Radio		
25	General Fund Appropriation		35,000

26 Funds are appropriated in other agency
 27 budgets to pay for services provided by this
 28 program. Authorization is hereby granted
 29 to use these receipts as special funds for
 30 operating expenses in this program.

31	F50B04.09 Telecommunications Access of		
32	Maryland		
33	Special Fund Appropriation		4,096,625

34 **SUMMARY**

35	Total General Fund Appropriation		29,821,681
36	Total Special Fund Appropriation		7,587,633
37		<hr/>	

1
2

Total Appropriation

37,409,314

=====

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

STATE RETIREMENT AGENCY

G20J01.01 State Retirement Agency

Special Fund Appropriation, provided that \$750,000 for Phase 3 of the Maryland Pension Administration System may not be expended until it is designated as a Major Information Technology Development Project by the Department of Information Technology. Notification shall be submitted to the budget committees

~~23,416,000~~

22,866,000

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

G50L00.01 Maryland Supplemental Retirement Plan Board and Staff Special Fund Appropriation

1,773,790

DEPARTMENT OF GENERAL SERVICES

OFFICE OF THE SECRETARY

3	H00A01.01 Executive Direction		
4	General Fund Appropriation		1,561,481
5	H00A01.02 Administration		
6	General Fund Appropriation		2,275,523

SUMMARY

8	Total General Fund Appropriation		3,837,004
9			<u><u>3,837,004</u></u>

OFFICE OF FACILITIES SECURITY

11	H00B01.01 Facilities Security		
12	General Fund Appropriation	9,096,177	
13	Special Fund Appropriation	59,224	
14	Federal Fund Appropriation	301,867	9,457,268
15		<u>9,457,268</u>	<u><u>9,457,268</u></u>

16 Funds are appropriated in other agency
 17 budgets to pay for services provided by this
 18 program. Authorization is hereby granted
 19 to use these receipts as special funds for
 20 operating expenses in this program.

OFFICE OF FACILITIES OPERATION AND MAINTENANCE

22	H00C01.01 Facilities Operation and Maintenance		
23	General Fund Appropriation	32,148,316	
24	Special Fund Appropriation	396,701	
25	Federal Fund Appropriation	1,034,041	33,579,058
26		<u>33,579,058</u>	

27 Funds are appropriated in other agency
 28 budgets to pay for services provided by this
 29 program. Authorization is hereby granted
 30 to use these receipts as special funds for
 31 operating expenses in this program.

H00C01.04 Saratoga State Center

33 Funds are appropriated in other agency
 34 budgets to pay for services provided by this

HOUSE BILL 150

1 program. Authorization is hereby granted
 2 to use these receipts as special funds for
 3 operating expenses in this program.

4 H00C01.05 Reimbursable Lease Management
 5 General Fund Appropriation 1,540

6 Funds are appropriated in other agency
 7 budgets to pay for services provided by this
 8 program. Authorization is hereby granted
 9 to use these receipts as special funds for
 10 operating expenses in this program.

11 H00C01.07 Parking Facilities
 12 General Fund Appropriation 1,671,054

13 **SUMMARY**

14 Total General Fund Appropriation 33,820,910
 15 Total Special Fund Appropriation 396,701
 16 Total Federal Fund Appropriation 1,034,041
 17

 18 Total Appropriation 35,251,652
 19

20 **OFFICE OF PROCUREMENT AND LOGISTICS**

21 H00D01.01 Procurement and Logistics
 22 General Fund Appropriation 3,924,633
 23 Special Fund Appropriation 2,150,041 6,074,674
 24

25 Funds are appropriated in other agency
 26 budgets to pay for services provided by this
 27 program. Authorization is hereby granted
 28 to use these receipts as special funds for
 29 operating expenses in this program.

30 **OFFICE OF REAL ESTATE**

31 H00E01.01 Real Estate Management
 32 General Fund Appropriation 1,633,113
 33 Special Fund Appropriation 350,320 1,983,433
 34

35 Funds are appropriated in other agency

1 budgets to pay for services provided by this
2 program. Authorization is hereby granted
3 to use these receipts as special funds for
4 operating expenses in this program.

5 OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

6 H00G01.01 Facilities Planning, Design and
7 Construction

8 General Fund Appropriation, provided that
9 the amount appropriated herein for
10 Maryland Environmental Service critical
11 maintenance projects shall be transferred
12 to the appropriate State facility effective
13 July 1, 2017

15,198,183

14 Special Fund Appropriation

1,000,000

16,198,183

16 Funds are appropriated in other agency
17 budgets to pay for services provided by this
18 program. Authorization is hereby granted
19 to use these receipts as special funds for
20 operating expenses in this program.

DEPARTMENT OF TRANSPORTATION

1
2 Provided that it is the intent of the General
3 Assembly that projects and funding levels
4 appropriated for capital projects, as well as
5 total estimated project costs within the
6 Consolidated Transportation Program,
7 shall be expended in accordance with the
8 plan approved during the legislative
9 session. The department shall prepare a
10 report to notify the budget committees of
11 the proposed changes in the event that the
12 department modifies the program to:

13 (1) add a new project to the
14 construction program or
15 development and evaluation
16 program meeting the definition of a
17 “major project” under Section
18 2-103.1 of the Transportation
19 Article that was not previously
20 contained within a plan reviewed in
21 a prior year by the General
22 Assembly and will result in the
23 need to expend funds in the current
24 budget year; or

25 (2) change the scope of a project in the
26 construction program or
27 development and evaluation
28 program meeting the definition of a
29 “major project” under Section
30 2-103.1 of the Transportation
31 Article that will result in an
32 increase of more than 10% or
33 \$1,000,000, whichever is greater, in
34 the total project costs as reviewed
35 by the General Assembly during a
36 prior session.

37 For each change, the report shall identify the
38 project title, justification for adding the
39 new project or modifying the scope of the
40 existing project, current year funding
41 levels, and the total project cost as
42 approved by the General Assembly during
43 the prior session compared with the

1 proposed current year funding and total
 2 project cost estimate resulting from the
 3 project addition or change in scope.

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

14 The Maryland Department of Transportation
 15 (MDOT) may not expend funds on any job
 16 or position of employment approved in this
 17 budget in excess of 9,057.5 positions and
 18 122.2 contractual full-time equivalent
 19 (FTE) positions paid through special
 20 payments payroll (defined as the quotient
 21 of the sum of the hours worked by all such
 22 employees in the fiscal year divided by
 23 2,080 hours) of the total authorized amount
 24 established in the budget for MDOT at any
 25 one time during fiscal 2018. The level of
 26 contractual FTE positions may be exceeded
 27 only if MDOT notifies the budget
 28 committees of the need and justification for
 29 additional contractual personnel due to:

30 (1) business growth at the Helen
 31 Delich Bentley Port of Baltimore or
 32 Baltimore/Washington
 33 International Thurgood Marshall
 34 Airport, which demands additional
 35 personnel; or

36 (2) emergency needs that must be met,
 37 such as transit security or highway
 38 maintenance.

39 The Secretary shall use the authority under
 40 Sections 2-101 and 2-102 of the
 41 Transportation Article to implement this
 42 provision. However, any authorized job or

1 position to be filled above the regular
 2 position ceiling approved by the Board of
 3 Public Works shall count against the Rule
 4 of 100 imposed by the General Assembly.
 5 The establishment of new jobs or positions
 6 of employment not authorized in the fiscal
 7 2018 budget shall be subject to Section
 8 7-236 of the State Finance and
 9 Procurement Article and the Rule of 100.

10 THE SECRETARY'S OFFICE

11 J00A01.01 Executive Direction

12	Special Fund Appropriation	29,943,905
----	----------------------------------	------------

13 J00A01.02 Operating Grants-In-Aid

14 Special Fund Appropriation, provided that no
 15 more than \$4,044,334 of this appropriation
 16 may be expended for operating
 17 grants-in-aid, except for:

18 (1) any additional special funds
 19 necessary to match unanticipated
 20 federal fund attainments; or

21 (2) any proposed increase either to
 22 provide funds for a new grantee or
 23 to expand funds for an existing
 24 grantee.

25 Further provided that no expenditures in
 26 excess of \$4,044,334 may occur unless the
 27 department provides notification to the
 28 budget committees to justify the need for
 29 additional expenditures due to either item
 30 (1) or (2) above, and the committees provide
 31 review and comment or 45 days elapse from
 32 the date such notification is provided to the
 33 committees

34	Federal Fund Appropriation	4,044,334	8,887,215	12,931,549
----	----------------------------------	-----------	-----------	------------

36 J00A01.03 Facilities and Capital Equipment

37 Special Fund Appropriation, provided that
 38 these funds intended as transportation
 39 grants shall be allocated as follows:

1	Baltimore City	5,484,423	
2		<u>3,656,282</u>	
3	County Governments.....	27,422,115	
4		<u>12,796,987</u>	
5	Municipal Governments	20,109,551	

6 Further provided that ~~\$27,422,115~~
7 \$12,796,987 of this appropriation to county
8 governments and \$20,109,551 to municipal
9 governments shall be allocated to eligible
10 counties and municipalities as provided in
11 Sections 8-404 and 8-405 of the
12 Transportation Article and may be
13 expended only in accordance with Section
14 8-408 of the Transportation Article.

15 Further provided that no funds may be
16 expended by the Secretary’s Office for any
17 system preservation or minor project with
18 a total project cost in excess of \$500,000
19 that is not currently included in the fiscal
20 2017-2022 Consolidated Transportation
21 Program except as outlined below:

22 (1) the Secretary shall notify the
23 budget committees of any proposed
24 system preservation or minor
25 project with a total project cost in
26 excess of \$500,000, including the
27 need and justification for the
28 project and its total cost; and

29 (2) the budget committees shall have
30 45 days to review and comment on
31 the proposed system preservation
32 or minor project

32		83,366,089	
33		<u>66,912,820</u>	
34	Federal Fund Appropriation	13,871,000	97,237,089
35			<u>80,783,820</u>
36		<hr/>	

37	J00A01.04 Washington Metropolitan Area		
38	Transit – Operating		
39	Special Fund Appropriation		365,284,953
40	J00A01.05 Washington Metropolitan Area		
41	Transit – Capital		

1 Special Fund Appropriation, provided that
 2 \$155,922,000 of this appropriation made
 3 for the purpose of providing a grant to the
 4 Washington Metropolitan Area Transit
 5 Authority to support its capital program
 6 may be expended only for that purpose.
 7 Funds not expended for this restricted
 8 purpose may not be transferred by budget
 9 amendment or otherwise to any other
 10 purpose and shall be canceled 155,922,000

11 J00A01.07 Office of Transportation Technology
 12 Services
 13 Special Fund Appropriation 45,817,796

14 J00A01.08 Major Information Technology
 15 Development Projects
 16 Special Fund Appropriation 6,574,237

SUMMARY

18 Total Special Fund Appropriation 674,500,045
 19 Total Federal Fund Appropriation 22,758,215

21 Total Appropriation 697,258,260

DEBT SERVICE REQUIREMENTS

24 Consolidated Transportation Bonds may be
 25 issued in any amount provided that the
 26 aggregate outstanding and unpaid balance
 27 of these bonds and bonds of prior issues
 28 may not exceed \$3,021,675,000 as of June
 29 30, 2018. Further provided that the
 30 amount paid for debt service shall be
 31 reduced by any proceeds generated from
 32 net bond sale premiums, provided that
 33 those revenues are recognized by the
 34 department and reflected in the
 35 Transportation Trust Fund forecast.
 36 Further provided that the appropriation for
 37 debt service shall be reduced by any
 38 proceeds generated from net bond sale
 39 premiums. To achieve this reduction, the
 40 Maryland Department of Transportation

1 (MDOT) may either use the proceeds from
 2 the net premium to reduce the size of the
 3 bond issuance and/or apply the proceeds
 4 from the net premium to eligible debt
 5 service.

6 MDOT shall submit with its annual
 7 September and January financial forecasts
 8 information on:

9 (1) anticipated and actual
 10 nontraditional debt outstanding as
 11 of June 30 of each year; and

12 (2) anticipated and actual debt service
 13 payments for each outstanding
 14 nontraditional debt issuance from
 15 fiscal 2017 through 2027.

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

27 The total aggregate outstanding and unpaid
 28 principal balance of nontraditional debt,
 29 defined as any debt instrument that is not
 30 a Consolidated Transportation Bond or a
 31 Grant Anticipation Revenue Vehicle bond
 32 issued by MDOT, may not exceed
 33 \$880,930,000 as of June 30, 2018.
 34 Provided, however, that in addition to the
 35 limit established under this provision,
 36 MDOT may increase the aggregate
 37 outstanding unpaid and principal balance
 38 of nontraditional debt so long as:

39 (1) MDOT provides notice to the
 40 Senate Budget and Taxation
 41 Committee and the House

1 Appropriations Committee stating
 2 the specific reason for the
 3 additional issuance and providing
 4 specific information regarding the
 5 proposed issuance, including
 6 information specifying the total
 7 amount of nontraditional debt that
 8 would be outstanding on June 30,
 9 2018, and the total amount by
 10 which the fiscal 2018 debt service
 11 payment for all nontraditional debt
 12 would increase following the
 13 additional issuance; and

14 (2) the Senate Budget and Taxation
 15 Committee and the House
 16 Appropriations Committee have 45
 17 days to review and comment on the
 18 proposed additional issuance before
 19 the publication of a preliminary
 20 official statement. The Senate
 21 Budget and Taxation Committee
 22 and the House Appropriations
 23 Committee may hold a public
 24 hearing to discuss the proposed
 25 increase and shall signal their
 26 intent to hold a hearing within 45
 27 days of receiving notice from
 28 MDOT.

29	J00A04.01 Debt Service Requirements		
30	Special Fund Appropriation		328,755,010
31			<hr/> <hr/>

STATE HIGHWAY ADMINISTRATION

33	J00B01.01 State System Construction and		
34	Equipment		
35	Special Fund Appropriation	879,416,000	
36	Federal Fund Appropriation	567,248,000	1,446,664,000
37		<hr/>	

38	J00B01.02 State System Maintenance		
39	Special Fund Appropriation	255,241,531	
40	Federal Fund Appropriation	11,971,503	267,213,034
41		<hr/>	

HOUSE BILL 150

1	J00B01.03 County and Municipality Capital Funds		
2	Special Fund Appropriation	4,850,000	
3	Federal Fund Appropriation	72,350,000	77,200,000
4		<hr/>	
5	J00B01.04 Highway Safety Operating Program		
6	Special Fund Appropriation	7,858,944	
7	Federal Fund Appropriation	3,250,242	11,109,186
8		<hr/>	
9	J00B01.05 County and Municipality Funds		
10	Special Fund Appropriation		175,501,536
11	J00B01.08 Major Information Technology		
12	Development Projects		
13	Special Fund Appropriation	1,590,000	
14	Federal Fund Appropriation	3,484,000	5,074,000
15		<hr/>	

SUMMARY

17	Total Special Fund Appropriation		1,324,458,011
18	Total Federal Fund Appropriation		658,303,745
19			<hr/>
20	Total Appropriation		1,982,761,756
21			<hr/> <hr/>

MARYLAND PORT ADMINISTRATION

23	J00D00.01 Port Operations		
24	Special Fund Appropriation	51,518,710	
25	Federal Fund Appropriation	119,430	51,638,140
26		<hr/>	
27	J00D00.02 Port Facilities and Capital Equipment		
28	Special Fund Appropriation	95,186,000	
29	Federal Fund Appropriation	3,394,000	98,580,000
30		<hr/>	

SUMMARY

32	Total Special Fund Appropriation		146,704,710
33	Total Federal Fund Appropriation		3,513,430
34			<hr/>
35	Total Appropriation		150,218,140

MOTOR VEHICLE ADMINISTRATION

J00E00.01 Motor Vehicle Operations

Special Fund Appropriation	191,398,166	
Federal Fund Appropriation	178,911	191,577,077

J00E00.03 Facilities and Capital Equipment

Special Fund Appropriation		18,023,988
----------------------------------	--	------------

J00E00.04 Maryland Highway Safety Office

Special Fund Appropriation	2,323,643	
Federal Fund Appropriation	12,999,536	15,323,179

J00E00.08 Major Information Technology

Development Projects		
Special Fund Appropriation		4,389,000

SUMMARY

Total Special Fund Appropriation		216,134,797
Total Federal Fund Appropriation		13,178,447

Total Appropriation		229,313,244
---------------------------	--	-------------

MARYLAND TRANSIT ADMINISTRATION

J00H01.01 Transit Administration

Special Fund Appropriation	87,471,758	
Federal Fund Appropriation	252,500	87,724,258

J00H01.02 Bus Operations

Special Fund Appropriation	412,457,524	
Federal Fund Appropriation	16,865,835	429,323,359

J00H01.04 Rail Operations

Special Fund Appropriation	200,756,517	
Federal Fund Appropriation	21,838,067	222,594,584

1	J00H01.05 Facilities and Capital Equipment		
2	Special Fund Appropriation	264,777,000	
3	Federal Fund Appropriation	356,051,000	620,828,000
4		<hr/>	
5	J00H01.06 Statewide Programs Operations		
6	Special Fund Appropriation	68,187,707	
7	Federal Fund Appropriation	20,544,262	88,731,969
8		<hr/>	
9	J00H01.08 Major Information Technology		
10	Development Projects		
11	Special Fund Appropriation		13,450,000
12			
	SUMMARY		
13	Total Special Fund Appropriation		1,047,100,506
14	Total Federal Fund Appropriation		415,551,664
15			<hr/>
16	Total Appropriation		1,462,652,170
17			<hr/> <hr/>

MARYLAND AVIATION ADMINISTRATION

19	J00I00.02 Airport Operations		
20	Special Fund Appropriation	193,870,949	
21	Federal Fund Appropriation	645,500	194,516,449
22		<hr/>	
23	J00I00.03 Airport Facilities and Capital		
24	Equipment		
25	Special Fund Appropriation	101,087,000	
26	Federal Fund Appropriation	5,517,000	106,604,000
27		<hr/>	
28			
	SUMMARY		
29	Total Special Fund Appropriation		294,957,949
30	Total Federal Fund Appropriation		6,162,500
31			<hr/>
32	Total Appropriation		301,120,449
33			<hr/> <hr/>

HOUSE BILL 150

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE SECRETARY

3	K00A01.01 Secretariat		
4	General Fund Appropriation	1,217,112	
5	Special Fund Appropriation	1,617,947	
6	Federal Fund Appropriation	100,600	2,935,659
7			<hr/>
8	K00A01.02 Office of the Attorney General		
9	General Fund Appropriation	725,723	
10	Special Fund Appropriation	1,102,198	1,827,921
11			<hr/>
12	K00A01.03 Finance and Administrative Services		
13	General Fund Appropriation	3,936,897	
14	Special Fund Appropriation	3,494,069	
15	Federal Fund Appropriation	151,507	7,582,473
16			<hr/>
17	K00A01.04 Human Resource Service		
18	General Fund Appropriation	1,057,019	
19	Special Fund Appropriation	544,944	
20	Federal Fund Appropriation	41,400	1,643,363
21			<hr/>
22	K00A01.05 Information Technology Service		
23	General Fund Appropriation	272,742	
24	Special Fund Appropriation	1,795,808	
25	Federal Fund Appropriation	114,600	2,183,150
26			<hr/>
27	K00A01.06 Office of Communications		
28	General Fund Appropriation	582,836	
29	Special Fund Appropriation	508,816	1,091,652
30			<hr/>
31			
32	Total General Fund Appropriation		7,792,329
33	Total Special Fund Appropriation		9,063,782
34	Total Federal Fund Appropriation		408,107
35			<hr/>
36	Total Appropriation		17,264,218
37			<hr/> <hr/>

FOREST SERVICE

K00A02.09 Forest Service

General Fund Appropriation	1,983,218	
Special Fund Appropriation	7,760,089	
Federal Fund Appropriation	1,905,360	11,648,667

Funds are appropriated in other units of the Department of Natural Resources budget and other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

General Fund Appropriation	85,000	
Special Fund Appropriation	5,216,196	
Federal Fund Appropriation	5,883,631	11,184,827

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

MARYLAND PARK SERVICE

K00A04.01 Statewide Operations

Special Fund Appropriation, provided that ~~\$500,000~~ \$100,000 of this appropriation for the Department of Natural Resources (DNR) Maryland Park Service – Statewide Operations made for the purpose of general operating expenses may not be expended until DNR submits quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports should discuss the status of developing a resource management planning team, the role of the proposed business development manager, the goals being developed for a formal

1 Funds are appropriated in other agency
2 budgets to pay for services provided by this
3 program. Authorization is hereby granted
4 to use these receipts as special funds for
5 operating expenses in this program.

6 K00A05.10 Outdoor Recreation Land Loan

7 Special Fund Appropriation, provided that of
8 the Special Fund allowance, \$69,187,387
9 represents that share of Program Open
10 Space revenues available for State projects
11 and \$37,213,279 represents that share of
12 Program Open Space revenues available
13 for local programs. These amounts may be
14 used for any State projects or local share
15 authorized in Chapter 403, Laws of
16 Maryland, 1969 as amended, or in Chapter
17 81, Laws of Maryland, 1984; Chapter 106,
18 Laws of Maryland, 1985; Chapter 109,
19 Laws of Maryland, 1986; Chapter 121,
20 Laws of Maryland, 1987; Chapter 10, Laws
21 of Maryland, 1988; Chapter 14, Laws of
22 Maryland, 1989; Chapter 409, Laws of
23 Maryland, 1990; Chapter 3, Laws of
24 Maryland, 1991; Chapter 4, 1st Special
25 Session, Laws of Maryland, 1992; Chapter
26 204, Laws of Maryland, 1993; Chapter 8,
27 Laws of Maryland, 1994; Chapter 7, Laws
28 of Maryland, 1995; Chapter 13, Laws of
29 Maryland, 1996; Chapter 3, Laws of
30 Maryland, 1997; Chapter 109, Laws of
31 Maryland, 1998; Chapter 118, Laws of
32 Maryland, 1999; Chapter 204, Laws of
33 Maryland, 2000; Chapter 102, Laws of
34 Maryland, 2001; Chapter 290, Laws of
35 Maryland, 2002; Chapter 204, Laws of
36 Maryland, 2003; Chapter 432, Laws of
37 Maryland, 2004; Chapter 445, Laws of
38 Maryland, 2005; Chapter 46, Laws of
39 Maryland, 2006; Chapter 488, Laws of
40 Maryland, 2007; Chapter 336, Laws of
41 Maryland, 2008; Chapter 485, Laws of
42 Maryland, 2009; Chapter 483, Laws of
43 Maryland, 2010; Chapter 396, Laws of
44 Maryland, 2011; Chapter 444, Laws of
45 Maryland, 2012; Chapter 424, Laws of

HOUSE BILL 150

1	Maryland, 2013; Chapter 463, Laws of		
2	Maryland, 2014; Chapter 495, Laws of		
3	Maryland, 2015; Chapter 27, Laws of		
4	Maryland, 2016; and for any of the		
5	following State and local projects.....	106,400,666	
6	Allowance, Local Projects	\$37,213,279	
7	Land Acquisitions	\$27,415,962	
8	Department of Natural Resources Capital		
9	Improvements:		
10	Natural Resource		
11	Development Fund	\$11,797,000	
12	Ocean City Beach		
13	Maintenance	\$1,000,000	
14	Critical Maintenance		
15	Program	\$6,000,000	
16			
17	Subtotal	\$18,797,000	
18	Heritage Conservation Fund	\$4,060,700	
19	Rural Legacy	\$18,913,725	
20	Allowance, State Projects	\$69,187,387	
21	Federal Fund Appropriation	3,000,000	109,400,666
22			

SUMMARY

24	Total General Fund Appropriation	200,166	
25	Total Special Fund Appropriation	111,427,006	
26	Total Federal Fund Appropriation	3,000,000	
27			
28	Total Appropriation	114,627,172	
29			

LICENSING AND REGISTRATION SERVICE

31	K00A06.01 Licensing and Registration Service		
32	Special Fund Appropriation	3,820,491	
33			

NATURAL RESOURCES POLICE

1	K00A07.01 General Direction		
2	General Fund Appropriation	9,101,890	
3	Special Fund Appropriation	868,719	
4	Federal Fund Appropriation	4,217,242	14,187,851
5		<hr/>	
6	K00A07.04 Field Operations		
7	General Fund Appropriation	26,106,560	
8		25,550,718	
9		<u>26,106,560</u>	
10	Special Fund Appropriation	6,545,745	
11	Federal Fund Appropriation	2,025,879	34,678,184
12			34,122,342
13			<u>34,678,184</u>
14		<hr/>	

SUMMARY

16	Total General Fund Appropriation		35,208,450
17	Total Special Fund Appropriation		7,414,464
18	Total Federal Fund Appropriation		6,243,121
19			<hr/>
20	Total Appropriation		48,866,035
21			<hr/> <hr/>

ENGINEERING AND CONSTRUCTION

23	K00A09.01 General Direction		
24	General Fund Appropriation	1,137,892	
25	Special Fund Appropriation	3,969,758	5,107,650
26		<hr/>	

27 Funds are appropriated in other units of the
 28 Department of Natural Resources budget
 29 and other agency budgets to pay for
 30 services provided by this program.
 31 Authorization is hereby granted to use
 32 these receipts as special funds for
 33 operating expenses in this program.

34	K00A09.06 Ocean City Maintenance		
35	Special Fund Appropriation		1,000,000

SUMMARY

37	Total General Fund Appropriation		1,137,892
----	--	--	-----------

HOUSE BILL 150

1	Total Special Fund Appropriation		4,969,758
2			<hr/>

3	Total Appropriation		6,107,650
4			<hr/> <hr/>

CRITICAL AREA COMMISSION

6	K00A10.01 Critical Area Commission		
7	General Fund Appropriation		2,003,313
8			<hr/> <hr/>

RESOURCE ASSESSMENT SERVICE

10	K00A12.05 Power Plant Assessment Program		
11	General Fund Appropriation	486,333	
12	Special Fund Appropriation	5,850,899	6,337,232
13			<hr/>

14	K00A12.06 Monitoring and Ecosystem Assessment		
15	General Fund Appropriation	2,623,523	
16	Special Fund Appropriation	2,640,554	
17	Federal Fund Appropriation	1,822,282	7,086,359
18			<hr/>

19 Funds are appropriated in other units of the
20 Department of Natural Resources budget
21 and in other agency budgets to pay for
22 services provided by this program.
23 Authorization is hereby granted to use
24 these receipts as special funds for
25 operating expenses in this program.

26	K00A12.07 Maryland Geological Survey		
27	General Fund Appropriation	1,404,742	
28	Special Fund Appropriation	398,131	
29	Federal Fund Appropriation	220,557	2,023,430
30			<hr/>

31 Funds are appropriated in other units of the
32 Department of Natural Resources budget
33 and in other agency budgets to pay for
34 services provided by this program.
35 Authorization is hereby granted to use
36 these receipts as special funds for
37 operating expenses in this program.

SUMMARY

1			
2	Total General Fund Appropriation		4,514,598
3	Total Special Fund Appropriation		8,889,584
4	Total Federal Fund Appropriation		2,042,839
5			<hr/>
6	Total Appropriation		15,447,021
7			<hr/> <hr/>

MARYLAND ENVIRONMENTAL TRUST

8			
9	K00A13.01 Maryland Environmental Trust		
10	General Fund Appropriation		604,783

11 Funds are appropriated in other units of the
 12 Department of Natural Resources budget
 13 and in other agency budgets to pay for
 14 services provided by this program.
 15 Authorization is hereby granted to use
 16 these receipts as special funds for
 17 operating expenses in this program.

CHESAPEAKE AND COASTAL SERVICE

18			
19	K00A14.01 Waterway Capital		
20	Special Fund Appropriation.....	10,500,000	
21	Federal Fund Appropriation	900,000	11,400,000
22		<hr/>	
23	K00A14.02 Chesapeake and Coastal Service		
24	General Fund Appropriation	1,870,045	
25	Special Fund Appropriation.....	56,561,518	
26	Federal Fund Appropriation	9,301,627	67,733,190
27		<hr/>	<hr/> <hr/>

28 Funds are appropriated in other units of the
 29 Department of Natural Resources budget
 30 and in other agency budgets to pay for
 31 services provided by this program.
 32 Authorization is hereby granted to use
 33 these receipts as special funds for
 34 operating expenses in this program.

SUMMARY

35			
36	Total General Fund Appropriation		1,870,045

HOUSE BILL 150

1	Total Special Fund Appropriation		67,061,518
2	Total Federal Fund Appropriation		10,201,627
3			<hr/>
4	Total Appropriation		79,133,190
5			<hr/> <hr/>

FISHING AND BOATING SERVICES

7	K00A17.01 Fishing and Boating Services		
8	General Fund Appropriation	6,441,283	
9	Special Fund Appropriation	15,306,923	
10	Federal Fund Appropriation	4,896,798	26,645,004
11		<hr/>	<hr/> <hr/>

12 Funds are appropriated in other agency
13 budgets to pay for services provided by this
14 program. Authorization is hereby granted
15 to use these receipts as special funds for
16 operating expenses in this program.

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

3	L00A11.01 Executive Direction		
4	General Fund Appropriation		1,709,806
5	L00A11.02 Administrative Services		
6	General Fund Appropriation		1,899,918

7 Funds are appropriated in other agency
 8 budgets to pay for services provided by this
 9 program. Authorization is hereby granted
 10 to use these receipts as special funds for
 11 operating expenses in this program.

12	L00A11.03 Central Services		
13	General Fund Appropriation	1,246,671	
14	Federal Fund Appropriation	280,000	1,526,671

16 Funds are appropriated in other units of the
 17 Department of Agriculture budget to pay
 18 for services provided by this program.
 19 Authorization is hereby granted to use
 20 these receipts as special funds for
 21 operating expenses in this program.

22	L00A11.04 Maryland Agricultural Commission		
23	General Fund Appropriation		96,980

24	L00A11.05 Maryland Agricultural Land		
25	Preservation Foundation		
26	Special Fund Appropriation		1,573,648

27	L00A11.11 Capital Appropriation		
28	Special Fund Appropriation.....		32,923,775

SUMMARY

30	Total General Fund Appropriation		4,953,375
31	Total Special Fund Appropriation		34,497,423
32	Total Federal Fund Appropriation		280,000
33			<hr/>
34	Total Appropriation		39,730,798
35			<hr/> <hr/>

1	OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES		
2	L00A12.01 Office of the Assistant Secretary		
3	General Fund Appropriation		212,215
4	L00A12.02 Weights and Measures		
5	General Fund Appropriation	362,740	
6	Special Fund Appropriation	1,713,250	2,075,990
7		<hr/>	
8	L00A12.03 Food Quality Assurance		
9	General Fund Appropriation	168,138	
10	Special Fund Appropriation	1,784,527	
11	Federal Fund Appropriation	163,000	2,115,665
12		<hr/>	
13	L00A12.04 Maryland Agricultural Statistics		
14	Services		
15	General Fund Appropriation		20,727
16	L00A12.05 Animal Health		
17	General Fund Appropriation	2,148,281	
18	Special Fund Appropriation	459,029	
19	Federal Fund Appropriation	440,557	3,047,867
20		<hr/>	
21	L00A12.07 State Board of Veterinary Medical		
22	Examiners		
23	Special Fund Appropriation		709,763
24	L00A12.08 Maryland Horse Industry Board		
25	Special Fund Appropriation		309,113
26	L00A12.10 Marketing and Agriculture		
27	Development		
28	General Fund Appropriation	735,630	
29	Special Fund Appropriation	6,055,472	
30	Federal Fund Appropriation	1,368,895	8,159,997
31		<hr/>	
32	Funds are appropriated in other agency		
33	budgets to pay for services provided by this		
34	program. Authorization is hereby granted		
35	to use these receipts as special funds for		
36	operating expenses in this program.		

1	L00A12.11 Maryland Agricultural Fair Board		
2	Special Fund Appropriation		1,460,000
3	L00A12.13 Tobacco Transition Program		
4	Special Fund Appropriation	1,000,000	
5		<u>0</u>	
6			<u>1,000,000</u>
7	L00A12.18 Rural Maryland Council		
8	General Fund Appropriation	4,167,000	
9		<u>3,167,000</u>	
10			<u>3,917,000</u>
11	L00A12.19 Maryland Agricultural Education and		
12	Rural Development Assistance Fund		
13	General Fund Appropriation		167,000
14	L00A12.20 Maryland Agricultural and		
15	Resource-Based Industry Development		
16	Corporation		
17	General Fund Appropriation, provided that		
18	this appropriation shall be reduced by		
19	\$2,500,000 contingent upon the enactment		
20	of legislation providing funding over two		
21	years for the Next Generation Farmland		
22	Acquisition Program		7,875,000

26

27

SUMMARY

24	Total General Fund Appropriation		15,606,731
25	Total Special Fund Appropriation		13,491,154
26	Total Federal Fund Appropriation		1,972,452
27			<hr/>
28	Total Appropriation		31,070,337
29			<hr/> <hr/>

OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT

31	L00A14.01 Office of the Assistant Secretary		
32	General Fund Appropriation		77,460
33	L00A14.02 Forest Pest Management		
34	General Fund Appropriation	962,664	
35	Special Fund Appropriation.....	101,114	
36	Federal Fund Appropriation	355,246	1,419,024
37			<hr/>

1	L00A14.03 Mosquito Control		
2	General Fund Appropriation	1,007,061	
3	Special Fund Appropriation	1,698,241	2,705,302
4		<hr/>	
5	Funds are appropriated in other agency		
6	budgets to pay for services provided by this		
7	program. Authorization is hereby granted		
8	to use these receipts as special funds for		
9	operating expenses in this program.		
10	L00A14.04 Pesticide Regulation		
11	Special Fund Appropriation	758,950	
12	Federal Fund Appropriation	363,181	1,122,131
13		<hr/>	
14	L00A14.05 Plant Protection and Weed		
15	Management		
16	General Fund Appropriation	926,387	
17	Special Fund Appropriation	228,121	
18	Federal Fund Appropriation	236,029	1,390,537
19		<hr/>	
20	Funds are appropriated in other agency		
21	budgets to pay for services provided by this		
22	program. Authorization is hereby granted		
23	to use these receipts as special funds for		
24	operating expenses in this program.		
25	L00A14.06 Turf and Seed		
26	General Fund Appropriation	830,624	
27	Special Fund Appropriation	275,689	1,106,313
28		<hr/>	
29	L00A14.09 State Chemist		
30	Special Fund Appropriation	3,156,892	
31	Federal Fund Appropriation	98,611	3,255,503
32		<hr/>	
33	SUMMARY		
34	Total General Fund Appropriation		3,804,196
35	Total Special Fund Appropriation		6,219,007
36	Total Federal Fund Appropriation		1,053,067
37			<hr/>

1	Total Appropriation		11,076,270
2			<u><u>11,076,270</u></u>

3 OFFICE OF RESOURCE CONSERVATION

4	L00A15.01 Office of the Assistant Secretary		
5	General Fund Appropriation		211,122

6	L00A15.02 Program Planning and Development		
7	General Fund Appropriation	450,230	
8	Special Fund Appropriation	249,937	
9	Federal Fund Appropriation	137,000	837,167
10		<u>137,000</u>	

11 Funds are appropriated in other agency
12 budgets to pay for services provided by this
13 program. Authorization is hereby granted
14 to use these receipts as special funds for
15 operating expenses in this program.

16	L00A15.03 Resource Conservation Operations		
17	General Fund Appropriation		7,481,663

18 Funds are appropriated in other agency
19 budgets to pay for services provided by this
20 program. Authorization is hereby granted
21 to use these receipts as special funds for
22 operating expenses in this program.

23	L00A15.04 Resource Conservation Grants		
24	General Fund Appropriation	751,843	
25	Special Fund Appropriation	14,163,003	14,914,846
26		<u>14,163,003</u>	

27 Funds are appropriated in other agency
28 budgets to pay for services provided by this
29 program. Authorization is hereby granted
30 to use these receipts as special funds for
31 operating expenses in this program.

32	L00A15.06 Nutrient Management		
33	General Fund Appropriation	1,453,651	
34	Special Fund Appropriation	93,315	1,546,966
35		<u>93,315</u>	

36 Funds are appropriated in other agency
37 budgets to pay for services provided by this

HOUSE BILL 150

1 program. Authorization is hereby granted
 2 to use these receipts as special funds for
 3 operating expenses in this program.

4	L00A15.07 Watershed Implementation		
5	General Fund Appropriation	385,295	
6	Federal Fund Appropriation	161,000	546,295
7		<hr/>	

8 Funds are appropriated in other agency
 9 budgets to pay for services provided by this
 10 program. Authorization is hereby granted
 11 to use these receipts as special funds for
 12 operating expenses in this program.

SUMMARY

14	Total General Fund Appropriation		10,733,804
15	Total Special Fund Appropriation		14,506,255
16	Total Federal Fund Appropriation		298,000
17			<hr/>
18	Total Appropriation		25,538,059
19			<hr/> <hr/>

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Given the long standing and persistent nature of the heroin, opioid, and fentanyl overdose crisis, it is the intent of the General Assembly that the Governor assign an individual in the Executive Branch on a permanent basis who will be designated to administer the Governor's authority to operationally address the heroin, opioid, and fentanyl overdose crisis, until such a time that the crisis can be satisfactorily controlled and eliminated.

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

General Fund Appropriation	10,244,487	
Federal Fund Appropriation	2,255,610	12,500,097

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00A01.02 Operations

General Fund Appropriation	13,359,659	
Federal Fund Appropriation	13,851,038	27,210,697

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00A01.08 Major Information Technology

Development Projects		
Special Fund Appropriation		1,409,463

SUMMARY

Total General Fund Appropriation		23,604,146
Total Special Fund Appropriation		1,409,463
Total Federal Fund Appropriation		16,106,648

		41,120,257
--	--	------------

REGULATORY SERVICES

Provided that \$100,000 of the general fund appropriation in program M00A01.01 Executive Direction made for the purpose of administration may not be expended until the Department of Health and Mental Hygiene (DHMH) submits a three-year plan to the budget committees outlining how DHMH will fully staff the Office of Health Care Quality. The report should include (1) an analysis of appropriate compensation for recruitment and retention of nurse surveyors; and (2) an assessment of strategies other than salary that the federal government and other states use to retain nurse surveyors. This report shall be submitted by October 1, 2017, and the 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 will revert to the General Fund if the report is not submitted.

28	M00B01.03 Office of Health Care Quality		
29	General Fund Appropriation	12,777,607	
30	Special Fund Appropriation	535,871	
31	Federal Fund Appropriation	6,588,649	19,902,127
32			

33	M00B01.04 Health Professionals Boards and		
34	Commissions		
35	General Fund Appropriation	499,166	
36	Special Fund Appropriation	19,738,350	20,237,516
37		<u>18,518,350</u>	<u>19,017,516</u>
38			

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted

1 to use these receipts as special funds for
 2 operating expenses in this program.

3 M00B01.05 Board of Nursing
 4 Special Fund Appropriation 8,903,529

5 Funds are appropriated in other agency
 6 budgets to pay for services provided by this
 7 program. Authorization is hereby granted
 8 to use these receipts as special funds for
 9 operating expenses in this program.

10 M00B01.06 Maryland Board of Physicians
 11 Special Fund Appropriation 10,091,088

12 SUMMARY

13 Total General Fund Appropriation 13,276,773
 14 Total Special Fund Appropriation 38,048,838
 15 Total Federal Fund Appropriation 6,588,649

16
 17 Total Appropriation 57,914,260
 18

19 DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

20 M00F01.01 Executive Direction
 21 General Fund Appropriation 6,968,966
 22 Special Fund Appropriation 364,820
 23 Federal Fund Appropriation 910,053 8,243,839
 24

25 Funds are appropriated in other agency
 26 budgets to pay for services provided by this
 27 program. Authorization is hereby granted
 28 to use these receipts as special funds for
 29 operating expenses in this program.

30 OFFICE OF POPULATION HEALTH IMPROVEMENT

31 M00F02.01 Office of Population Health
 32 Improvement
 33 General Fund Appropriation 1,389,009
 34 Federal Fund Appropriation 1,564,521 2,953,530
 35

M00F02.07 Core Public Health Services

General Fund Appropriation, provided that this appropriation shall be reduced by \$747,276 contingent upon the enactment of legislation reducing the required appropriation for Core Public Health Services to level fund aid at the fiscal 2017 level	50,235,750	
Federal Fund Appropriation	4,493,000	54,728,750

SUMMARY

Total General Fund Appropriation		51,624,759
Total Federal Fund Appropriation		6,057,521
Total Appropriation		57,682,280

PREVENTION AND HEALTH PROMOTION ADMINISTRATION

M00F03.01 Infectious Disease and Environmental Health Services

General Fund Appropriation	15,852,024	
Special Fund Appropriation	62,750,897	
Federal Fund Appropriation	63,947,368	142,550,289

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00F03.04 Family Health and Chronic Disease Services

General Fund Appropriation, provided that this appropriation shall be reduced by \$15,000,000 <u>\$2,000,000</u> contingent upon the enactment of legislation reducing the operating grant for the Prince George's County Regional Medical Center	51,410,693	
Special Fund Appropriation	49,272,287	
Federal Fund Appropriation	151,358,529	252,041,509

SUMMARY

2	Total General Fund Appropriation	67,262,717	
3	Total Special Fund Appropriation	112,023,184	
4	Total Federal Fund Appropriation	215,305,897	
5			<hr/>
6	Total Appropriation	394,591,798	<hr/> <hr/>

OFFICE OF THE CHIEF MEDICAL EXAMINER

9	M00F05.01 Post Mortem Examining Services		
10	General Fund Appropriation		12,797,698
11			<hr/> <hr/>

12 Funds are appropriated in other agency
 13 budgets to pay for services provided by this
 14 program. Authorization is hereby granted
 15 to use these receipts as special funds for
 16 operating expenses in this program.

OFFICE OF PREPAREDNESS AND RESPONSE

18	M00F06.01 Office of Preparedness and Response		
19	General Fund Appropriation	366,600	
20	Federal Fund Appropriation	16,358,096	16,724,696
21		<hr/>	<hr/> <hr/>

22 Funds are appropriated in other agency
 23 budgets to pay for services provided by this
 24 program. Authorization is hereby granted
 25 to use these receipts as special funds for
 26 operating expenses in this program.

WESTERN MARYLAND CENTER

28 M00I03.01 Services and Institutional Operations
 29 General Fund Appropriation, provided that
 30 \$275,000 of the general fund appropriation
 31 in program M00I03.01 Services and
 32 Institutional Operations made for the
 33 purpose of expanding the brain trauma
 34 unit may not be expended until the
 35 Department of Health and Mental Hygiene
 36 works with hospital management to submit
 37 a plan to the budget committees outlining

HOUSE BILL 150

1	<u>the best use of funds and how it will fund</u>		
2	<u>operations of any program. This report</u>		
3	<u>shall be submitted by July 1, 2017, and the</u>		
4	<u>committees shall have 45 days to review</u>		
5	<u>and comment. Funds restricted pending</u>		
6	<u>the receipt of the report may not be</u>		
7	<u>transferred by budget amendment or</u>		
8	<u>otherwise to any other purpose and will</u>		
9	<u>revert to the General Fund if the report is</u>		
10	<u>not submitted</u>	23,411,432	
11	Special Fund Appropriation	301,168	23,712,600
12		<hr/>	<hr/> <hr/>

13 Funds are appropriated in other agency
 14 budgets to pay for services provided by this
 15 program. Authorization is hereby granted
 16 to use these receipts as special funds for
 17 operating expenses in this program.

DEER'S HEAD CENTER

19	M00I04.01 Services and Institutional Operations		
20	General Fund Appropriation	21,038,844	
21	Special Fund Appropriation	2,800,365	23,839,209
22		<hr/>	<hr/> <hr/>

LABORATORIES ADMINISTRATION

24	M00J02.01 Laboratory Services		
25	General Fund Appropriation	35,307,657	
26	Special Fund Appropriation	7,133,257	
27	Federal Fund Appropriation	3,843,265	46,284,179
28		<hr/>	<hr/> <hr/>

29 Funds are appropriated in other agency
 30 budgets to pay for services provided by this
 31 program. Authorization is hereby granted
 32 to use these receipts as special funds for
 33 operating expenses in this program.

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH

35	M00K01.01 Executive Direction		
36	General Fund Appropriation		2,091,475
37			<hr/> <hr/>

BEHAVIORAL HEALTH ADMINISTRATION

1	M00L01.01 Program Direction		
2	General Fund Appropriation	15,674,260	
3	Special Fund Appropriation	308,894	
4	Federal Fund Appropriation	6,387,053	22,370,207
5		<hr/>	

6 Funds are appropriated in other agency
7 budgets to pay for services provided by this
8 program. Authorization is hereby granted
9 to use these receipts as special funds for
10 operating expenses in this program.

11 M00L01.02 Community Services
12 General Fund Appropriation, provided that
13 this appropriation shall be reduced by
14 ~~\$3,750,000~~ \$2,000,000 contingent upon the
15 enactment of legislation reducing the
16 required special fund appropriation for the
17 Maryland Community Health Resources
18 Commission. Authorization is granted to
19 process a special fund budget amendment
20 of ~~\$3,750,000~~ \$2,000,000 to replace the
21 aforementioned General Fund amount.

22	Further provided that this appropriation shall		
23	be reduced by \$1,086,000 contingent upon		
24	legislative authorization to use Senior		
25	Prescription Drug Assistance Program		
26	revenue for the Community Services		
27	Program. Authorization is granted to		
28	process a special fund budget amendment		
29	of \$1,086,000 to replace the		
30	aforementioned General Fund amount.....	166,355,401	
31	Special Fund Appropriation	28,803,926	
32	Federal Fund Appropriation	67,522,660	262,681,987
33		<hr/>	

34 Funds are appropriated in other agency
35 budgets to pay for services provided by this
36 program. Authorization is hereby granted
37 to use these receipts as special funds for
38 operating expenses in this program.

39	M00L01.03 Community Services for Medicaid State		
40	Fund Recipients		
41	General Fund Appropriation		73,652,748

SUMMARY

2	Total General Fund Appropriation		255,682,409
3	Total Special Fund Appropriation		29,112,820
4	Total Federal Fund Appropriation		73,909,713
5			<hr/>
6	Total Appropriation		358,704,942
7			<hr/> <hr/>

THOMAS B. FINAN HOSPITAL CENTER

9	M00L04.01 Thomas B. Finan Hospital Center		
10	General Fund Appropriation	19,527,237	
11	Special Fund Appropriation	1,431,542	20,958,779
12		<hr/>	<hr/> <hr/>

REGIONAL INSTITUTE FOR CHILDREN
AND ADOLESCENTS – BALTIMORE

15	M00L05.01 Regional Institute for Children and		
16	Adolescents – Baltimore		
17	General Fund Appropriation	12,270,113	
18	Special Fund Appropriation	2,227,364	
19	Federal Fund Appropriation	78,478	14,575,955
20		<hr/>	<hr/> <hr/>

EASTERN SHORE HOSPITAL CENTER

22	M00L07.01 Eastern Shore Hospital Center		
23	General Fund Appropriation	20,105,202	
24	Special Fund Appropriation	8,576	20,113,778
25		<hr/>	<hr/> <hr/>

SPRINGFIELD HOSPITAL CENTER

27	M00L08.01 Springfield Hospital Center		
28	General Fund Appropriation	74,232,729	
29	Special Fund Appropriation	134,336	74,367,065
30		<hr/>	<hr/> <hr/>

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

1 SPRING GROVE HOSPITAL CENTER

2 M00L09.01 Spring Grove Hospital Center

3	General Fund Appropriation	82,033,543	
4	Special Fund Appropriation	2,843,772	
5	Federal Fund Appropriation	20,332	84,897,647
6		<hr/>	<hr/> <hr/>

7 Funds are appropriated in other agency
8 budgets to pay for services provided by this
9 program. Authorization is hereby granted
10 to use these receipts as special funds for
11 operating expenses in this program.

12 CLIFTON T. PERKINS HOSPITAL CENTER

13 M00L10.01 Clifton T. Perkins Hospital Center

14	General Fund Appropriation	67,188,989	
15	Special Fund Appropriation	90,070	67,279,059
16		<hr/>	<hr/> <hr/>

17 Funds are appropriated in other agency
18 budgets to pay for services provided by this
19 program. Authorization is hereby granted
20 to use these receipts as special funds for
21 operating expenses in this program.

22 JOHN L. GILDNER REGIONAL INSTITUTE FOR
23 CHILDREN AND ADOLESCENTS

24 M00L11.01 John L. Gildner Regional Institute for
25 Children and Adolescents

26	General Fund Appropriation	11,370,394	
27	Special Fund Appropriation	133,248	
28	Federal Fund Appropriation	50,218	11,553,860
29		<hr/>	<hr/> <hr/>

30 Funds are appropriated in other agency
31 budgets to pay for services provided by this
32 program. Authorization is hereby granted
33 to use these receipts as special funds for
34 operating expenses in this program.

35 BEHAVIORAL HEALTH ADMINISTRATION FACILITY MAINTENANCE

36 M00L15.01 Behavioral Health Administration

1	Facility Maintenance		
2	General Fund Appropriation	795,204	
3	Special Fund Appropriation	533,281	1,328,485
4		<hr/>	<hr/> <hr/>

5 Funds are appropriated in other agency
6 budgets to pay for services provided by this
7 program. Authorization is hereby granted
8 to use these receipts as special funds for
9 operating expenses in this program.

10 DEVELOPMENTAL DISABILITIES ADMINISTRATION

11 M00M01.01 Program Direction

12	General Fund Appropriation	5,135,984	
13	Federal Fund Appropriation	3,606,659	8,742,643
14		<hr/>	

15 M00M01.02 Community Services

16 General Fund Appropriation, ~~provided that~~
17 ~~this appropriation shall be reduced by~~
18 ~~\$8,444,522 contingent upon the enactment~~
19 ~~of legislation reducing the mandated~~
20 ~~provider rate increase from 3.5% to 2.0%~~
21 ~~for the Developmental Disabilities~~
22 ~~Administration, provided that if the~~
23 ~~funding for the proposed capped family~~
24 ~~supports waiver or community supports~~
25 ~~waivers cannot be utilized in fiscal 2018,~~
26 ~~the Developmental Disabilities~~
27 ~~Administration shall use the funding to~~
28 ~~provide services for individuals on the~~
29 ~~waitlist.~~

30 Further provided that \$400,000 of this
31 appropriation intended for the transition
32 from Community Supported Living
33 Arrangements to Personal Supports may
34 not be expended for that purpose and
35 instead may be used only to provide funding
36 for the PACT Helping Children program.
37 Funds not spent for this restricted purpose
38 may not be transferred by budget
39 amendment or otherwise to any other
40 purpose and if not expended for this
41 purpose shall revert to the General Fund ...

~~604,746,036~~
~~602,961,036~~

31

32

33

1		<u>604,746,036</u>	
2	Special Fund Appropriation	5,695,718	
3	Federal Fund Appropriation, provided that		
4	this appropriation shall be reduced by		
5	\$7,011,659 contingent upon the enactment		
6	of legislation reducing the mandated		
7	provider rate increase from 3.5% to 2.0%		
8	for the Developmental Disabilities		
9	Administration	<u>502,247,349</u>	<u>1,112,689,103</u>
10		<u>501,032,349</u>	<u>1,109,689,103</u>
11		<u>502,247,349</u>	<u>1,112,689,103</u>
12		<hr/>	

SUMMARY

14	Total General Fund Appropriation		609,882,020
15	Total Special Fund Appropriation		5,695,718
16	Total Federal Fund Appropriation		505,854,008
17			<hr/>
18	Total Appropriation		1,121,431,746
19			<hr/> <hr/>

HOLLY CENTER

21	M00M05.01 Holly Center		
22	General Fund Appropriation	17,383,696	
23	Special Fund Appropriation	84,003	17,467,699
24		<hr/>	<hr/> <hr/>

25 Funds are appropriated in other agency
 26 budgets to pay for services provided by this
 27 program. Authorization is hereby granted
 28 to use these receipts as special funds for
 29 operating expenses in this program.

DEVELOPMENTAL DISABILITIES ADMINISTRATION COURT INVOLVED SERVICE DELIVERY SYSTEM

32	M00M06.01 Secure Evaluation and Therapeutic		
33	Treatment (Sett) Program		
34	General Fund Appropriation		9,177,810
35			<hr/> <hr/>

POTOMAC CENTER

37 M00M07.01 Potomac Center

1	General Fund Appropriation	13,667,916	
2	Special Fund Appropriation	5,000	13,672,916
3		<hr/>	<hr/> <hr/>

4 DEVELOPMENTAL DISABILITIES ADMINISTRATION FACILITY MAINTENANCE

5	M00M15.01 Developmental Disabilities		
6	Administration Facility Maintenance		
7	General Fund Appropriation		1,258,864
8			<hr/> <hr/>

9 MEDICAL CARE PROGRAMS ADMINISTRATION

10	M00Q01.01 Deputy Secretary for Health Care		
11	Financing		
12	General Fund Appropriation	1,508,463	
13	Federal Fund Appropriation	1,898,551	3,407,014
14		<hr/>	

15	M00Q01.02 Office of Systems, Operations and		
16	Pharmacy		
17	General Fund Appropriation	7,509,438	
18	Federal Fund Appropriation	16,212,234	23,721,672
19		<hr/>	

20 Funds are appropriated in other agency
 21 budgets to pay for services provided by this
 22 program. Authorization is hereby granted
 23 to use these receipts as special funds for
 24 operating expenses in this program.

25 M00Q01.03 Medical Care Provider
 26 Reimbursements

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

33 General Fund Appropriation, provided that no
 34 part of this General Fund appropriation
 35 may be paid to any physician or surgeon or
 36 any hospital, clinic, or other medical
 37 facility for or in connection with the
 38 performance of any abortion, except upon

1 certification by a physician or surgeon,
 2 based upon his or her professional
 3 judgment that the procedure is necessary,
 4 provided one of the following conditions
 5 exists: where continuation of the
 6 pregnancy is likely to result in the death of
 7 the woman; or where the woman is a victim
 8 of rape, sexual offense, or incest that has
 9 been reported to a law enforcement agency
 10 or a public health or social agency; or where
 11 it can be ascertained by the physician with
 12 a reasonable degree of medical certainty
 13 that the fetus is affected by genetic defect
 14 or serious deformity or abnormality; or
 15 where it can be ascertained by the
 16 physician with a reasonable degree of
 17 medical certainty that termination of
 18 pregnancy is medically necessary because
 19 there is substantial risk that continuation
 20 of the pregnancy could have a serious and
 21 adverse effect on the woman's present or
 22 future physical health; or before an
 23 abortion can be performed on the grounds
 24 of mental health there must be certification
 25 in writing by the physician or surgeon that
 26 in his or her professional judgment there
 27 exists medical evidence that continuation
 28 of the pregnancy is creating a serious effect
 29 on the woman's present mental health and
 30 if carried to term there is a substantial risk
 31 of a serious or long lasting effect on the
 32 woman's future mental health.

33 Further provided that this appropriation shall
 34 be reduced by ~~\$25,000,000~~ ~~\$20,000,000~~
 35 \$25,000,000 contingent upon the
 36 enactment of legislation suspending the
 37 reduction in the Medicaid Deficit
 38 Assessment for fiscal year 2018 only.
 39 Authorization is hereby provided to process
 40 a special fund budget amendment up to
 41 ~~\$25,000,000~~ ~~\$20,000,000~~ \$25,000,000 from
 42 Hospital Assessments to support Medicaid
 43 provider reimbursements.

44 Further provided that \$375,000 of this
 45 appropriation made for the purpose of a

1 managed care rate-setting study may not
 2 be used for that purpose and instead shall
 3 be expended only for provider
 4 reimbursements. Funding not used for this
 5 restricted purpose shall revert to the
 6 General Fund.

7 Further provided that ~~\$850,000~~ \$750,000 of
 8 this appropriation made for provider
 9 reimbursements may not be made for that
 10 purpose and instead shall be expended only
 11 to implement an opioid risk reduction pilot
 12 program. The purpose of the program is to
 13 improve Medicaid patient safety and
 14 clinical outcomes for individuals being
 15 prescribed for long-term opioid therapy for
 16 chronic pain. In implementing the
 17 program, the State shall contract with a
 18 company for urine drug monitoring that
 19 uses clinically driven health services
 20 including complex claims review and
 21 medication management. As part of the
 22 same contract, the State shall require the
 23 successful vendor to contract with a
 24 Maryland nonprofit statewide physician
 25 organization for physician outreach and
 26 education services. It is the intent of the
 27 General Assembly that the Department of
 28 Health and Mental Hygiene apply for any
 29 waiver necessary to use federal matching
 30 funds as part of the pilot. However, if the
 31 department is unable to receive a waiver to
 32 implement the pilot program, the
 33 department should proceed using State
 34 funds only. Funding not used for this
 35 restricted purpose may not be transferred
 36 or otherwise expended and shall revert to
 37 the General Fund and/or be canceled

~~2,733,883,238~~
2,728,080,142
2,733,883,238

40 Special Fund Appropriation, ~~provided that~~
 41 authorization is hereby provided to process
 42 a special fund budget amendment up to
 43 \$5,794,096 from the Cigarette Restitution
 44 Fund to support Medicaid provider
 45 reimbursements

937,957,977
 5,796,260,110 ~~9,468,101,325~~

35

36

37

36
cont

~~9,462,307,229~~
9,468,101,325

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

M00Q01.04 Office of Health Services

General Fund Appropriation	11,989,660	
Special Fund Appropriation	1,900,000	
Federal Fund Appropriation	36,173,188	50,062,848

M00Q01.05 Office of Finance

General Fund Appropriation	1,487,033	
Federal Fund Appropriation	1,706,394	3,193,427

M00Q01.06 Kidney Disease Treatment Services

General Fund Appropriation	5,107,618	
Special Fund Appropriation	301,812	5,409,430

M00Q01.07 Maryland Children’s Health Program

General Fund Appropriation, provided that no part of this General Fund appropriation may be paid to any physician or surgeon or any hospital, clinic, or other medical facility for or in connection with the performance of any abortion, except upon certification by a physician or surgeon, based upon his or her professional judgment that the procedure is necessary, provided one of the following conditions exists: where continuation of the pregnancy is likely to result in the death of the woman; or where the woman is a victim of rape, sexual offense, or incest that has been reported to a law enforcement agency or a public health or social agency; or where it can be ascertained by the physician with a reasonable degree of medical certainty that the fetus is affected by genetic defect or serious deformity or abnormality; or

1	where it can be ascertained by the		
2	physician with a reasonable degree of		
3	medical certainty that termination of		
4	pregnancy is medically necessary because		
5	there is substantial risk that continuation		
6	of the pregnancy could have a serious and		
7	adverse effect on the woman's present or		
8	future physical health; or before an		
9	abortion can be performed on the grounds		
10	of mental health there must be certification		
11	in writing by the physician or surgeon that		
12	in his or her professional judgment there		
13	exists medical evidence that continuation		
14	of the pregnancy is creating a serious effect		
15	on the woman's present mental health and		
16	if carried to term there is a substantial risk		
17	of a serious or long lasting effect on the		
18	woman's future mental health	32,878,231	
19	Special Fund Appropriation	1,524,556	
20	Federal Fund Appropriation	241,107,027	275,509,814
21		<hr/>	
22	M00Q01.08 Major Information Technology		
23	Development Projects		
24	Federal Fund Appropriation		37,804,409
25	M00Q01.09 Office of Eligibility Services		
26	General Fund Appropriation	4,653,639	
27	Federal Fund Appropriation	8,545,529	13,199,168
28		<hr/>	
29	M00Q01.10 Medicaid Behavioral Health Provider		
30	Reimbursements		
31	<u>All appropriations provided for program</u>		
32	<u>M00Q01.10 Medicaid Behavioral Health</u>		
33	<u>Provider Reimbursements are to be used</u>		
34	<u>for the purposes herein appropriated, and</u>		
35	<u>there shall be no budgetary transfer to any</u>		
36	<u>other program or purpose.</u>		
37	General Fund Appropriation	422,345,824	
38	Special Fund Appropriation	11,114,687	
39	Federal Fund Appropriation	881,762,550	1,315,223,061
40		<hr/>	<hr/>
41	M00Q01.11 Senior Prescription Drug Assistance		

1	Program	
2	Special Fund Appropriation	18,052,491

SUMMARY

4	Total General Fund Appropriation	3,221,363,144
5	Total Special Fund Appropriation	970,851,523
6	Total Federal Fund Appropriation	7,021,469,992

8	Total Appropriation	11,213,684,659
---	---------------------------	----------------

HEALTH REGULATORY COMMISSIONS

11	M00R01.01 Maryland Health Care Commission	
12	Special Fund Appropriation	55,919,104

13	M00R01.02 Health Services Cost Review	
14	Commission	
15	Special Fund Appropriation	140,080,920

16	M00R01.03 Maryland Community Health	
17	Resources Commission	
18	Special Fund Appropriation, provided that	
19	this appropriation shall be reduced by	
20	\$3,750,000 <u>\$2,000,000</u> contingent upon the	
21	enactment of legislation reducing the	
22	required appropriation for the Maryland	
23	Community Health Resources Commission	7,882,343

SUMMARY

25	Total Special Fund Appropriation	203,882,367
----	--	-------------

27	Total Appropriation	203,882,367
----	---------------------------	-------------

DEPARTMENT OF HUMAN RESOURCES

Provided that the spending in fiscal 2018 of the Temporary Assistance for Needy Families federal funds shall not exceed \$249,874,106.

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary

General Fund Appropriation, provided that \$50,000 of the administrative appropriation may not be expended unless the Department of Human Resources includes Earned Income Tax Credit performance measures, goals, and objectives in the fiscal 2019 Managing for Results submission.

Further provided that since the Department of Human Resources (DHR) Office of the Secretary has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), and DHR failed to completely resolve, or make adequate progress toward resolving, those repeat audit findings, \$50,000 of this agency's administrative appropriation may not be expended unless:

(1) DHR has reported the corrective action taken with respect to all repeat findings on or before November 1, 2017; and

(2) a report is submitted to the budget committees by OLA listing each repeat finding along with an assessment of the corrective action taken by DHR for each repeat finding. The budget committees shall have 45 days to review and comment to allow funds to be released prior to the end of fiscal 2018

	7,769,756	
Federal Fund Appropriation	7,174,815	14,944,571

1			
2	N00A01.02 Citizen’s Review Board for Children		
3	General Fund Appropriation	755,408	
4	Federal Fund Appropriation	64,964	820,372
5			
6	N00A01.03 Maryland Commission for Women		
7	General Fund Appropriation		136,018
8	N00A01.04 Maryland Legal Services Program		
9	General Fund Appropriation, <u>provided that</u>		
10	<u>\$13,087,212 of this appropriation made for</u>		
11	<u>the purpose of the Maryland Legal Services</u>		
12	<u>Program may be expended only for that</u>		
13	<u>purpose. Funds not used for this restricted</u>		
14	<u>purpose may not be transferred by budget</u>		
15	<u>amendment or otherwise to any other</u>		
16	<u>purpose and shall revert to the General</u>		
17	<u>Fund</u>		13,087,212

SUMMARY

19	Total General Fund Appropriation		21,748,394
20	Total Federal Fund Appropriation		7,239,779
21			
22	Total Appropriation		28,988,173
23			

SOCIAL SERVICES ADMINISTRATION

25	N00B00.04 General Administration – State		
26	General Fund Appropriation	10,345,056	
27	Federal Fund Appropriation	17,522,721	27,867,777
28			

OPERATIONS OFFICE

30	N00E01.01 Division of Budget, Finance, and		
31	Personnel		
32	General Fund Appropriation	10,693,916	
33	Federal Fund Appropriation	9,190,745	19,884,661
34			
35	N00E01.02 Division of Administrative Services		
36	General Fund Appropriation	4,520,740	

HOUSE BILL 150

1	Federal Fund Appropriation	5,890,961	10,411,701
2			

3 SUMMARY

4	Total General Fund Appropriation		15,214,656
5	Total Federal Fund Appropriation		15,081,706
6			
7	Total Appropriation		30,296,362
8			

9 OFFICE OF TECHNOLOGY FOR HUMAN SERVICES

10	N00F00.02 Major Information Technology		
11	Development Projects		
12	Federal Fund Appropriation		65,927,799
13	N00F00.04 General Administration		
14	General Fund Appropriation	32,108,817	
15	Special Fund Appropriation	1,440,063	
16	Federal Fund Appropriation	36,118,630	69,667,510
17			

18 SUMMARY

19	Total General Fund Appropriation		32,108,817
20	Total Special Fund Appropriation		1,440,063
21	Total Federal Fund Appropriation		102,046,429
22			
23	Total Appropriation		135,595,309
24			

25 LOCAL DEPARTMENT OPERATIONS

26 N00G00.01 Foster Care Maintenance Payments
 27 General Fund Appropriation, provided that
 28 funds appropriated herein may be used to
 29 develop a broad range of services to assist
 30 in returning children with special needs
 31 from out-of-state placements, to prevent
 32 unnecessary residential or institutional
 33 placements within Maryland, and to work
 34 with local jurisdictions in these regards.
 35 Policy decisions regarding the
 36 expenditures of such funds shall be made

1 jointly by the Executive Director of the
2 Governor's Office for Children, the
3 Secretaries of Health and Mental Hygiene,
4 Human Resources, Juvenile Services,
5 Budget and Management, and the State
6 Superintendent of Education.

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

13 Further provided that \$200,000 of this
14 appropriation made for the purpose of a
15 new Foster Youth Savings Program shall
16 be restricted pending the submission of two
17 reports to the budget committees. The first
18 report shall be submitted by July 1, 2017,
19 and provide a detailed implementation
20 plan for the Foster Youth Savings
21 Program, including (1) the match terms; (2)
22 limitations on withdrawals of matched
23 funds; (3) type of accounts offered; (4) how
24 children will be enrolled in the program;
25 and (5) the types of education and financial
26 literacy courses required as part of the
27 program. The second report shall be
28 submitted by December 1, 2017, and
29 provide information on the number of
30 youth participating, amount of matched
31 savings provided, ~~and~~ implementation
32 challenges, and feasibility of opening a
33 savings account for children receiving
34 Social Security, Supplemental Security
35 Income, and Veterans Administration
36 benefits using the funds received from those
37 benefits including describing the options for
38 the types of accounts to be opened. The
39 budget committees shall have 45 days to
40 review and comment. Funding shall be
41 released in \$100,000 increments for the
42 submission of each report. Funds restricted
43 pending the receipt of the reports may not
44 be transferred by budget amendment or
45 otherwise to any other purpose and shall

1	<u>revert to the General Fund if the reports</u>		
2	<u>are not submitted</u>	184,520,584	
3		184,095,584	
4		<u>184,195,584</u>	
5	Special Fund Appropriation	4,335,811	
6	Federal Fund Appropriation	73,841,478	262,697,873
7			262,272,873
8			<u>262,372,873</u>
9		<hr/>	

10	N00G00.02 Local Family Investment Program		
11	General Fund Appropriation	60,701,862	
12		<u>51,401,862</u>	
13	Special Fund Appropriation	2,426,545	
14	Federal Fund Appropriation	99,820,448	162,948,855
15			<u>153,648,855</u>
16		<hr/>	

17 N00G00.03 Child Welfare Services

18 General Fund Appropriation, provided that

19 these funds are to be used only for the

20 purposes herein appropriated, and there

21 shall be no budgetary transfer to any other

22 program or purpose except that funds may

23 be transferred to program N00G00.01

24 Foster Care Maintenance Payments.

25 Funds not expended or transferred shall

26 revert to the General Fund.

27 Further provided that \$100,000 of this

28 appropriation made for the purpose of the

29 Local Child Welfare Services Program may

30 not be expended until the Department of

31 Human Resources submits a report to the

32 Senate Budget and Taxation Committee,

33 the Senate Judicial Proceedings

34 Committee, the House Appropriations

35 Committee, and the House Judiciary

36 Committee on the plans of each local

37 department of social services (LDSS) for

38 partnering to provide and promote

39 affordable housing and employment

40 opportunities for former foster youth. The

41 submission shall include the plans for each

42 LDSS. Each LDSS plan shall:

- 43 (1) describe any existing efforts to

address the housing and employment needs of former foster youth (after their Child in Need of Assistance or Guardianship case has closed), including how the Family Unification Program vouchers are used to support youth aging out of foster care;

(2) propose new strategies, including ways to partner with private and public sector employers and workforce development entities including the local workforce investment boards, to provide job opportunities for former foster youth;

(3) provide and take into account projections of the number of youth expected to exit foster care at age 21 each year for the next four years; and

(4) propose potential partnerships with the Department of Housing and Community Development, local public housing authorities, and community-based organizations to support the placement of former foster youth (once the child leaves the child welfare system) into safe, stable, and affordable housing.

The report shall be submitted by June 1, 2018, 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

	174,909,261	
	<u>174,715,256</u>	
Special Fund Appropriation	1,535,000	
	<u>1,329,075</u>	
Federal Fund Appropriation	59,013,060	236,357,420
	<u>59,705,086</u>	<u>235,749,417</u>

1			
2	N00G00.04 Adult Services		
3	General Fund Appropriation	10,174,986	
4	Special Fund Appropriation	1,262,594	
5	Federal Fund Appropriation	35,465,900	46,903,480
6			
7	N00G00.05 General Administration		
8	General Fund Appropriation	27,376,735	
9	Special Fund Appropriation	2,982,891	
10	Federal Fund Appropriation	14,408,786	44,768,412
11			
12	N00G00.06 Local Child Support Enforcement		
13	Administration		
14	General Fund Appropriation	16,795,284	
15	Special Fund Appropriation	589,169	
16	Federal Fund Appropriation	32,713,794	50,098,247
17			
18	N00G00.08 Assistance Payments		
19	General Fund Appropriation, <i>provided that</i>		
20	<i>\$4,000,000 of this appropriation made for</i>		
21	<i>the purpose of the Temporary Disability</i>		
22	<i>Assistance Program (TDAP) may be used</i>		
23	<i>only to increase the TDAP benefit by \$20 per</i>		
24	<i>month per recipient. Funds not expended</i>		
25	<i>for this restricted purpose may not be</i>		
26	<i>transferred by budget amendment or</i>		
27	<i>otherwise to any other purpose and shall</i>		
28	<i>revert to the General Fund</i>	67,312,926	
29		61,312,926	
30		<u>65,312,926</u>	
31	Special Fund Appropriation	12,494,062	
32	Federal Fund Appropriation	1,196,363,204	1,276,170,192
33			1,270,170,192
34			<u>1,274,170,192</u>
35			
36	N00G00.10 Work Opportunities		
37	Federal Fund Appropriation		31,650,929
38			
	SUMMARY		
39	Total General Fund Appropriation		529,972,633
40	Total Special Fund Appropriation		25,420,147

41

42

HOUSE BILL 150

1	Total Federal Fund Appropriation		1,543,969,625
2			<hr/>

3	Total Appropriation		2,099,362,405
4			<hr/> <hr/>

CHILD SUPPORT ENFORCEMENT ADMINISTRATION

N00H00.08 Support Enforcement – State

7	General Fund Appropriation	2,482,413	
8	Special Fund Appropriation	9,940,464	
9	Federal Fund Appropriation	29,653,542	42,076,419
10		<hr/>	<hr/> <hr/>

FAMILY INVESTMENT ADMINISTRATION

N00I00.04 Director’s Office

13	General Fund Appropriation	10,369,218	
14	Special Fund Appropriation	366,144	
15	Federal Fund Appropriation	25,830,725	36,566,087
16		<hr/>	

N00I00.05 Maryland Office for Refugees and Asylees

19	Federal Fund Appropriation		14,643,916
----	----------------------------------	--	------------

N00I00.06 Office of Home Energy Programs

21	Special Fund Appropriation	73,217,314	
22	Federal Fund Appropriation	70,871,477	144,088,791
23		<hr/>	

N00I00.07 Office of Grants Management

25	General Fund Appropriation	11,492,868	
26	Federal Fund Appropriation	1,129,085	12,621,953
27		<hr/>	

SUMMARY

29	Total General Fund Appropriation		21,862,086
30	Total Special Fund Appropriation		73,583,458
31	Total Federal Fund Appropriation		112,475,203
32			<hr/>

33	Total Appropriation		207,920,747
34			<hr/> <hr/>

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

OFFICE OF THE SECRETARY

P00A01.01 Executive Direction

~~General Fund Appropriation, provided that \$250,000 of this appropriation made for the purpose of the Employment Advancement Right Now program may not be expended until the Department of Labor, Licensing, and Regulation submits a report to the budget committees and the House Economic Matters Committee on the demographics and performance of each partnership. The report shall include how many students are enrolled with each partnership, their demographic information, county of residence, educational attainment, and if the participant has received employment or wage promotion in the partnership industry. The report shall be submitted by September 1, 2017, and the committees shall have 45 days to review and comment. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the committees.~~

Further provided that \$500,000 of this appropriation made for the purpose of Executive Direction may not be expended until the Department of Labor, Licensing, and Regulation submits two reports to the budget committees on the work of the Employment Standards and Safety Inspection. The Employment Standards shall provide a report including (1) a current organizational chart outlining the current staff, vacant positions, the hierarchy of the department, and the Spanish-speaking employees; (2) the number of complaints received by the unit broken down by complaint type including, minimum wage, overtime violations, and

1 wage misclassification, the county they
2 were filed in, and the language the
3 complaint was filed in; (3) the time it takes
4 to process a complaint from intake to
5 complaint closure; (4) the number of
6 complaints that result in investigations
7 and enforcement actions against the
8 company; (5) the number and percent of
9 written complaints that, after filing, are
10 resolved without investigation and any
11 explanation for each decision not to
12 investigate; (6) the criteria for initiating an
13 investigation; (7) an explanation of
14 requirement for complainants to provide a
15 written letter to their employer for unpaid
16 wages; and (8) the outreach activities of the
17 unit including the number and location of
18 outreach events for fiscal 2012 to 2017.

19 The Maryland Occupational Safety and
20 Health Administration shall provide a
21 report including (1) a current
22 organizational chart outlining the current
23 staff, vacant positions, the hierarchy of the
24 department, and the Spanish-speaking
25 employees; (2) the actions that have been
26 or will be taken to attract new employees
27 and improve retention; (3) the metric used
28 to determine the optimum number of
29 health and safety inspectors; (4) the total
30 number of full-time equivalents dedicated
31 to the Voluntary Protection Program and
32 the number of Voluntary Protection
33 Program site visits conducted; (5) a
34 detailed explanation for the decrease in the
35 number of inspections opened and
36 investigated; (6) a detailed explanation for
37 failing to meet the annual enforcement
38 goals described in the Federal Annual
39 Monitoring and Evaluation Reports and
40 what actions the agency is taking or plans
41 to take to improve performance in order to
42 meet these goals; (7) a detailed explanation
43 for the decline in annual inspections and
44 what actions have been or will be taken to
45 address known or foreseeable challenges to
46 performing inspection and enforcement

1 responsibilities; (8) the procedures used to
 2 gather, review, and utilize enforcement
 3 data, including geographic location and
 4 demographic data, to plan enforcement
 5 activities for scheduling and prioritizing
 6 programmed inspections, including written
 7 documentation of the site-specific
 8 targeting program; and (9) the procedures
 9 for reviewing and adopting federal
 10 Occupational Safety and Health Act
 11 directives and standards notices and a list
 12 of all directives and standards notices
 13 received, noting the date received, the
 14 action taken, and, if rejected, a reason for
 15 the rejection for fiscal 2012 to 2017.

16 These reports shall be submitted by October 1,
 17 2017, and annually thereafter; and the
 18 budget committees shall have 45 days to
 19 review and comment. Funds restricted
 20 pending the receipt of these reports may be
 21 released in the amount of \$250,000 for each
 22 report received but may not be transferred
 23 by budget amendment or otherwise to any
 24 other purpose and shall revert to the
 25 General Fund if the reports are not
 26 submitted

26	7,983,942	
27	Special Fund Appropriation	1,493,672
28	Federal Fund Appropriation	1,190,461
29		10,668,075

30	P00A01.02 Program Analysis and Audit	
31	General Fund Appropriation	58,722
32	Special Fund Appropriation	73,910
33	Federal Fund Appropriation	272,105
34		404,737

35	P00A01.05 Legal Services	
36	General Fund Appropriation	1,494,682
37	Special Fund Appropriation	1,546,984
38	Federal Fund Appropriation	1,298,188
39		4,339,854

40	P00A01.08 Office of Fair Practices	
41	General Fund Appropriation	55,443
42	Special Fund Appropriation	62,569
43	Federal Fund Appropriation	230,394
		348,406

1			
2	P00A01.09 Governor’s Workforce Development		
3	Board		
4	General Fund Appropriation, provided that		
5	this appropriation shall be reduced by		
6	\$250,000 contingent upon the enactment of		
7	legislation repealing the mandate that		
8	funding be provided for the Maryland		
9	Center for Construction Education and		
10	Innovation		309,238

11 Funds are appropriated in other agency
12 budgets to pay for services provided by this
13 program. Authorization is hereby granted
14 to use these receipts as special funds for
15 operating expenses in this program.

16	P00A01.11 Board of Appeals		
17	Special Fund Appropriation	57,660	
18	Federal Fund Appropriation	1,308,856	1,366,516
19			

20	P00A01.12 Lower Appeals		
21	Special Fund Appropriation	60,329	
22	Federal Fund Appropriation	6,061,836	6,122,165
23			

24 SUMMARY

25	Total General Fund Appropriation		9,902,027
26	Total Special Fund Appropriation		3,295,124
27	Total Federal Fund Appropriation		10,361,840
28			
29	Total Appropriation		23,558,991
30			

31 DIVISION OF ADMINISTRATION

32	P00B01.03 Office of Budget and Fiscal Services		
33	General Fund Appropriation	1,061,372	
34	Special Fund Appropriation	1,053,506	
35	Federal Fund Appropriation	3,337,865	5,452,743
36			

37 P00B01.04 Office of General Services

HOUSE BILL 150

1	General Fund Appropriation	776,025	
2	Special Fund Appropriation	952,462	
3	Federal Fund Appropriation	3,318,286	5,046,773
4		<hr/>	

5 Funds are appropriated in other agency
 6 budgets to pay for services provided by this
 7 program. Authorization is hereby granted
 8 to use these receipts as special funds for
 9 operating expenses in this program.

10	P00B01.05 Office of Information Technology		
11	General Fund Appropriation	459,659	
12	Special Fund Appropriation	1,435,390	
13	Federal Fund Appropriation	3,875,270	5,770,319
14		<hr/>	

15	P00B01.06 Office of Human Resources		
16	General Fund Appropriation	304,018	
17	Special Fund Appropriation	353,264	
18	Federal Fund Appropriation	1,307,574	1,964,856
19		<hr/>	

20 SUMMARY

21	Total General Fund Appropriation		2,601,074
22	Total Special Fund Appropriation		3,794,622
23	Total Federal Fund Appropriation		11,838,995
24			<hr/>
25	Total Appropriation		18,234,691
26			<hr/> <hr/>

27 DIVISION OF FINANCIAL REGULATION

28	P00C01.02 Financial Regulation		
29	General Fund Appropriation	1,321,367	
30	Special Fund Appropriation	9,454,200	10,775,567
31		<hr/>	<hr/> <hr/>

32 DIVISION OF LABOR AND INDUSTRY

33	P00D01.01 General Administration		
34	General Fund Appropriation	99,424	
35	Special Fund Appropriation	671,788	
36	Federal Fund Appropriation	331,069	1,102,281
37		<hr/>	

1	P00D01.02 Employment Standards		
2	General Fund Appropriation	959,899	
3	Special Fund Appropriation	799,440	1,759,339
4		<hr/>	
5	P00D01.03 Railroad Safety and Health		
6	Special Fund Appropriation		393,000
7	P00D01.05 Safety Inspection		
8	Special Fund Appropriation		5,482,133
9	P00D01.07 Prevailing Wage		
10	General Fund Appropriation		873,121
11	P00D01.08 Occupational Safety and Health		
12	Administration		
13	Special Fund Appropriation	4,463,914	
14	Federal Fund Appropriation	4,984,600	9,448,514
15		<hr/>	
16	SUMMARY		
17	Total General Fund Appropriation		1,932,444
18	Total Special Fund Appropriation		11,810,275
19	Total Federal Fund Appropriation		5,315,669
20			<hr/>
21	Total Appropriation		19,058,388
22			<hr/> <hr/>

DIVISION OF RACING

24	P00E01.02 Maryland Racing Commission		
25	General Fund Appropriation, provided that		
26	this appropriation shall be reduced by		
27	\$475,221 contingent upon the enactment of		
28	legislation to authorize the use of Purse		
29	Dedication Account funds for		
30	administrative costs in the Maryland		
31	Racing Commission program.		
32	Authorization is granted to process a		
33	special fund budget amendment of		
34	\$475,221 to replace the aforementioned		
35	General Fund amount	475,221	
36	Special Fund Appropriation, provided that		
37	this appropriation shall be reduced by		

HOUSE BILL 150

1 \$1,000,000 contingent upon the enactment
 2 of legislation repealing the revenue
 3 transfer from the State Lottery Fund.
 4 Authorization is granted to process a
 5 special fund budget amendment of
 6 \$500,000 69,233,000 69,708,221
 7

8 P00E01.03 Racetrack Operation
 9 General Fund Appropriation, provided that
 10 this appropriation shall be reduced by
 11 \$2,030,157 contingent upon the enactment
 12 of legislation to authorize the use of Purse
 13 Dedication Account funds for
 14 administrative costs in the Racetrack
 15 Operation program. Authorization is
 16 granted to process a special fund budget
 17 amendment of \$2,030,157 to replace the
 18 aforementioned General Fund amount 2,030,157
 19 Special Fund Appropriation 600,000 2,630,157
 20

21 P00E01.05 Maryland Facility Redevelopment
 22 Program
 23 Special Fund Appropriation 11,066,000

24 P00E01.06 Share of Video Lottery Terminal
 25 Revenue for Local Impact Grants
 26 Special Fund Appropriation..... 93,956,051

27 SUMMARY
 28 Total General Fund Appropriation 2,505,378
 29 Total Special Fund Appropriation 174,855,051
 30
 31 Total Appropriation 177,360,429
 32

33 DIVISION OF OCCUPATIONAL AND
 34 PROFESSIONAL LICENSING

35 P00F01.01 Occupational and Professional
 36 Licensing
 37 General Fund Appropriation 3,064,517
 38 Special Fund Appropriation 6,449,603 9,514,120
 39

1 Funds are appropriated in other agency
 2 budgets to pay for services provided by this
 3 program. Authorization is hereby granted
 4 to use these receipts as special funds for
 5 operating expenses in this program.

6 DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

7 P00G01.07 Workforce Development

8	General Fund Appropriation	2,615,474	
9	Special Fund Appropriation	1,581,019	
10	Federal Fund Appropriation	65,039,352	69,235,845

11

12 Funds are appropriated in other agency
 13 budgets to pay for services provided by this
 14 program. Authorization is hereby granted
 15 to use these receipts as special funds for
 16 operating expenses in this program.

17 P00G01.12 Adult Education and Literacy Program

18	General Fund Appropriation	946,562	
19	Special Fund Appropriation	28,127	
20	Federal Fund Appropriation	2,256,094	3,230,783

21

22 P00G01.13 Adult Corrections Program

23	General Fund Appropriation		15,135,280
----	----------------------------------	--	------------

24 Funds are appropriated in other agency
 25 budgets to pay for services provided by this
 26 program. Authorization is hereby granted
 27 to use these receipts as special funds for
 28 operating expenses in this program.

29 P00G01.14 Aid to Education

30	General Fund Appropriation	8,011,986	
31	Federal Fund Appropriation	8,200,000	16,211,986

32

33 SUMMARY

34	Total General Fund Appropriation		26,709,302
35	Total Special Fund Appropriation		1,609,146
36	Total Federal Fund Appropriation		75,495,446

37

1	Total Appropriation		103,813,894
2			<u><u> </u></u>
3	DIVISION OF UNEMPLOYMENT INSURANCE		
4	P00H01.01 Office of Unemployment Insurance		
5	Special Fund Appropriation	14,042,507	
6	Federal Fund Appropriation	55,102,982	69,145,489
7		<u> </u>	
8	P00H01.02 Major Information Technology		
9	Development Projects		
10	Special Fund Appropriation	750,000	
11	Federal Fund Appropriation	20,826,659	21,576,659
12		<u> </u>	
13	SUMMARY		
14	Total Special Fund Appropriation		14,792,507
15	Total Federal Fund Appropriation		75,929,641
16			<u> </u>
17	Total Appropriation		90,722,148
18			<u><u> </u></u>

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

Provided that 400 vacant positions are abolished and general funds of \$16,900,000 are reduced in the Department of Public Safety and Correctional Services due to the downsizing of the Maryland Correctional Institution – Hagerstown.

OFFICE OF THE SECRETARY

Q00A01.01 General Administration
General Fund Appropriation 35,996,554

Q00A01.02 Information Technology and
Communications Division
General Fund Appropriation 26,701,883
Special Fund Appropriation 6,200,000
Federal Fund Appropriation 1,300,000
34,201,883

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A01.03 Intelligence and Investigative Division
General Fund Appropriation 9,457,311

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

Q00A01.04 9-1-1 Emergency Number Systems
Special Fund Appropriation 56,896,133

Q00A01.06 Division of Capital Construction and
Facilities Maintenance
General Fund Appropriation 4,375,412

Q00A01.07 Major Information Technology
Development Projects
Special Fund Appropriation 1,000,000

SUMMARY

1			
2	Total General Fund Appropriation		76,531,160
3	Total Special Fund Appropriation		64,096,133
4	Total Federal Fund Appropriation		1,300,000
5			<hr/>
6	Total Appropriation		141,927,293
7			<hr/> <hr/>

DEPUTY SECRETARY FOR OPERATIONS

8			
9	Q00A02.01 Administrative Services		
10	General Fund Appropriation		10,048,974
11	Q00A02.03 Field Support Services		
12	General Fund Appropriation	5,020,437	
13	Special Fund Appropriation	25,000	5,045,437
14			<hr/>

15 Funds are appropriated in other agency
 16 budgets to pay for services provided by this
 17 program. Authorization is hereby granted
 18 to use these receipts as special funds for
 19 operating expenses in this program.

20	Q00A02.04 Security Operations		
21	General Fund Appropriation		34,778,523
22	Q00A02.05 Central Home Detention Unit		
23	General Fund Appropriation	7,874,993	
24	Special Fund Appropriation	65,000	7,939,993
25			<hr/>

SUMMARY

26			
27	Total General Fund Appropriation		57,722,927
28	Total Special Fund Appropriation		90,000
29			<hr/>
30	Total Appropriation		57,812,927
31			<hr/> <hr/>

MARYLAND CORRECTIONAL ENTERPRISES

32 Q00A03.01 Maryland Correctional Enterprises

1 Special Fund Appropriation 59,258,838

3 DIVISION OF CORRECTION – HEADQUARTERS

4 Q00B01.01 General Administration

5 General Fund Appropriation, provided that
6 \$100,000 of this appropriation may not be
7 expended until the Department of Public
8 Safety and Correctional Services (DPSCS),
9 in consultation with the Department of
10 Budget and Management, submits a report
11 to the budget committees providing the
12 following information:

13 (1) fiscal 2015, 2016, and 2017 data on
14 the number of employees,
15 delineated by category (correctional
16 officer, parole and probation agent,
17 or administrative), leaving DPSCS
18 employment within 6, 12, and 24
19 months of hire;

20 (2) fiscal 2015, 2016, and 2017 data on
21 the number of employees,
22 delineated by category (correctional
23 officer, parole and probation agent,
24 or administrative), leaving DPSCS
25 employment by reason for the
26 separation;

27 (3) the amount of nonvoluntary
28 overtime hours worked by DPSCS
29 employees between May 2017 and
30 October 2017;

31 (4) the distribution of overtime hours
32 worked and amount earned among
33 DPSCS correctional employees in
34 fiscal 2015, 2016, and 2017; and

35 (5) a detailed plan for reducing the
36 number of vacancies throughout
37 the department, particularly
38 among correctional officer and
39 administrative staff. The plan
40 should include an evaluation and

1 fiscal estimate of solutions
 2 addressing compensation,
 3 improvements in employee
 4 wellness, the potential for utilizing
 5 part-time or retired staff, potential
 6 operating efficiencies designed to
 7 lessen staffing needs, using civilian
 8 positions in lieu of uniformed
 9 personnel, and relaxation of hiring
 10 standards.

11 The report shall be submitted by ~~November 1,~~
 12 ~~2017~~ January 1, 2018, and the budget
 13 committees shall have 45 days to review
 14 and comment. Funds restricted pending
 15 receipt of a report may not be transferred
 16 by budget amendment or otherwise to any
 17 other purpose and shall revert to the
 18 General Fund if the report is not submitted
 19 to the budget committees 15,287,002
 20 _____

44

21 MARYLAND PAROLE COMMISSION

22 Q00C01.01 General Administration and Hearings
 23 General Fund Appropriation 6,152,714
 24 _____

25 DIVISION OF PAROLE AND PROBATION

26 Q00C02.01 Division of Parole and Probation –
 27 Support Services
 28 General Fund Appropriation 17,564,902
 29 Special Fund Appropriation 60,000 17,624,902
 30 _____ _____

31 Funds are appropriated in other agency
 32 budgets to pay for services provided by this
 33 program. Authorization is hereby granted
 34 to use these receipts as special funds for
 35 operating expenses in this program.

36 PATUXENT INSTITUTION

37 Q00D00.01 Patuxent Institution
 38 General Fund Appropriation 52,240,006
 39 Special Fund Appropriation 70,700 52,310,706

1
 2 Funds are appropriated in other agency
 3 budgets to pay for services provided by this
 4 program. Authorization is hereby granted
 5 to use these receipts as special funds for
 6 operating expenses in this program.

7 INMATE GRIEVANCE OFFICE

8 Q00E00.01 General Administration
 9 Special Fund Appropriation 1,245,741
 10

11 POLICE AND CORRECTIONAL TRAINING COMMISSIONS

12 Q00G00.01 General Administration
 13 General Fund Appropriation, provided that
 14 \$100,000 of this appropriation made for the
 15 purpose of departmental operations may
 16 not be expended until the Police and
 17 Correctional Training Commissions
 18 (PCTC) submits the following information
 19 to the budget committees:

20 (1) PCTC's plan to comply with the
 21 finalized U.S. Department of
 22 Justice consent decree with the
 23 Baltimore Police Department and
 24 with the consent decree's specific
 25 mentions of PCTC involvement
 26 and/or oversight regarding
 27 regulations, notification, police
 28 training, and overall reform efforts;

29 (2) PCTC's policies or rules for making
 30 a determination as to whether
 31 Maryland police departments'
 32 training programs or procedures
 33 are subject to approval;

34 (3) PCTC's specific plan regarding
 35 PCTC approval of the official
 36 Baltimore Police Department
 37 Training Plan mentioned in the
 38 consent decree;

1 (4) all written policies regarding PCTC
2 oversight of police firearms
3 regulations and standards; and

4 (5) PCTC's policies or rules regarding
5 when local jurisdictions' police
6 departments are required to notify
7 PCTC in the event of officer
8 misconduct and officer resignations
9 while misconduct or disciplinary
10 charges are pending.

11 The report shall be submitted to the budget
12 committees no later than July 1, 2017, and
13 the budget committees shall have 45 days
14 from the date of receipt of the report to
15 review and comment. Funds restricted
16 pending the receipt of a report may not be
17 transferred by budget amendment or
18 otherwise to any other purpose and shall
19 revert to the General Fund if the report is
20 not submitted to the budget committees ...

21	Special Fund Appropriation	7,619,230	
22	Federal Fund Appropriation	393,000	
23		99,920	8,112,150

24 Funds are appropriated in other agency
25 budgets to pay for services provided by this
26 program. Authorization is hereby granted
27 to use these receipts as special funds for
28 operating expenses in this program.

29 CRIMINAL INJURIES COMPENSATION BOARD

30	Q00K00.01 Administration and Awards		
31	Special Fund Appropriation	3,271,991	
32	Federal Fund Appropriation	1,900,000	5,171,991
33			

34 Funds are appropriated in other agency
35 budgets to pay for services provided by this
36 program. Authorization is hereby granted
37 to use these receipts as special funds for
38 operating expenses in this program.

39 MARYLAND COMMISSION ON CORRECTIONAL STANDARDS

1	Q00N00.01 General Administration		
2	General Fund Appropriation		588,648

=====

DIVISION OF CORRECTION – WEST REGION

5	Q00R02.01 Maryland Correctional Institution –		
6	Hagerstown		
7	General Fund Appropriation	74,820,549	
8	Special Fund Appropriation	154,100	74,974,649

10 Funds are appropriated in other agency
11 budgets to pay for services provided by this
12 program. Authorization is hereby granted
13 to use these receipts as special funds for
14 operating expenses in this program.

15	Q00R02.02 Maryland Correctional Training Center		
16	General Fund Appropriation	76,400,359	
17	Special Fund Appropriation	406,600	76,806,959

19 Funds are appropriated in other agency
20 budgets to pay for services provided by this
21 program. Authorization is hereby granted
22 to use these receipts as special funds for
23 operating expenses in this program.

24	Q00R02.03 Roxbury Correctional Institution		
25	General Fund Appropriation	56,041,094	
26	Special Fund Appropriation	149,400	56,190,494

28 Funds are appropriated in other agency
29 budgets to pay for services provided by this
30 program. Authorization is hereby granted
31 to use these receipts as special funds for
32 operating expenses in this program.

33	Q00R02.04 Western Correctional Institution		
34	General Fund Appropriation	60,202,919	
35	Special Fund Appropriation	137,800	60,340,719

37 Funds are appropriated in other agency
38 budgets to pay for services provided by this

1 program. Authorization is hereby granted
 2 to use these receipts as special funds for
 3 operating expenses in this program.

4	Q00R02.05 North Branch Correctional Institution		
5	General Fund Appropriation	63,514,809	
6	Special Fund Appropriation	110,400	63,625,209
7		<hr/>	

8 SUMMARY

9	Total General Fund Appropriation		330,979,730
10	Total Special Fund Appropriation		958,300
11			<hr/>
12	Total Appropriation		331,938,030
13			<hr/> <hr/>

14 DIVISION OF PAROLE AND PROBATION – WEST REGION

15	Q00R03.01 Division of Parole and Probation –		
16	West Region		
17	General Fund Appropriation	19,155,357	
18	Special Fund Appropriation	2,801,596	21,956,953
19		<hr/>	<hr/> <hr/>

20 DIVISION OF CORRECTION – EAST REGION

21	Q00S02.01 Jessup Correctional Institution		
22	General Fund Appropriation	74,918,036	
23	Special Fund Appropriation	148,500	75,066,536
24		<hr/>	

25 Funds are appropriated in other agency
 26 budgets to pay for services provided by this
 27 program. Authorization is hereby granted
 28 to use these receipts as special funds for
 29 operating expenses in this program.

30	Q00S02.02 Maryland Correctional Institution –		
31	Jessup		
32	General Fund Appropriation	42,128,663	
33	Special Fund Appropriation	89,200	42,217,863
34		<hr/>	

35 Funds are appropriated in other agency
 36 budgets to pay for services provided by this

1 program. Authorization is hereby granted
 2 to use these receipts as special funds for
 3 operating expenses in this program.

4 Q00S02.03 Maryland Correctional Institution for
 5 Women

6	General Fund Appropriation	39,789,624	
7	Special Fund Appropriation	128,500	39,918,124

9 Funds are appropriated in other agency
 10 budgets to pay for services provided by this
 11 program. Authorization is hereby granted
 12 to use these receipts as special funds for
 13 operating expenses in this program.

14 Q00S02.04 Brockbridge Correctional Facility

15	General Fund Appropriation	25,585,161	
16	Special Fund Appropriation	53,500	25,638,661

18 Q00S02.06 Southern Maryland Pre-Release Unit

19	General Fund Appropriation	5,594,928	
20	Special Fund Appropriation	151,600	5,746,528

22 Funds are appropriated in other agency
 23 budgets to pay for services provided by this
 24 program. Authorization is hereby granted
 25 to use these receipts as special funds for
 26 operating expenses in this program.

27 Q00S02.07 Eastern Pre-Release Unit

28	General Fund Appropriation	5,722,402	
29	Special Fund Appropriation	129,600	5,852,002

31 Funds are appropriated in other agency
 32 budgets to pay for services provided by this
 33 program. Authorization is hereby granted
 34 to use these receipts as special funds for
 35 operating expenses in this program.

36 Q00S02.08 Eastern Correctional Institution

37	General Fund Appropriation	115,884,887	
38	Special Fund Appropriation	462,800	
39	Federal Fund Appropriation	1,240,000	117,587,687

1
 2 Funds are appropriated in other agency
 3 budgets to pay for services provided by this
 4 program. Authorization is hereby granted
 5 to use these receipts as special funds for
 6 operating expenses in this program.

7	Q00S02.09 Dorsey Run Correctional Facility		
8	General Fund Appropriation	33,780,588	
9	Special Fund Appropriation	141,400	33,921,988
10		<hr/>	

11 Funds are appropriated in other agency
 12 budgets to pay for services provided by this
 13 program. Authorization is hereby granted
 14 to use these receipts as special funds for
 15 operating expenses in this program.

16	Q00S02.10 Central Maryland Correctional Facility		
17	General Fund Appropriation	16,172,211	
18	Special Fund Appropriation	42,000	16,214,211
19		<hr/>	

20 Funds are appropriated in other agency
 21 budgets to pay for services provided by this
 22 program. Authorization is hereby granted
 23 to use these receipts as special funds for
 24 operating expenses in this program.

25 SUMMARY

26	Total General Fund Appropriation		359,576,500
27	Total Special Fund Appropriation		1,347,100
28	Total Federal Fund Appropriation		1,240,000
29			<hr/>
30	Total Appropriation		362,163,600
31			<hr/> <hr/>

32 DIVISION OF PAROLE AND PROBATION – EAST REGION

33	Q00S03.01 Division of Parole and Probation – East		
34	Region		
35	General Fund Appropriation	26,463,603	
36	Special Fund Appropriation	2,171,466	28,635,069
37		<hr/>	<hr/> <hr/>

DIVISION OF PAROLE AND PROBATION – CENTRAL REGION

2	Q00T03.01 Division of Parole and Probation –		
3	Central Region		
4	General Fund Appropriation	40,047,649	
5	Special Fund Appropriation	1,624,819	41,672,468

7	Q00T03.02 Pretrial Release Services		
8	General Fund Appropriation		6,293,309

SUMMARY

10	Total General Fund Appropriation		46,340,958
11	Total Special Fund Appropriation		1,624,819
13	Total Appropriation		47,965,777

DIVISION OF PRETRIAL DETENTION

16	Q00T04.01 Chesapeake Detention Facility		
17	Special Fund Appropriation	38,600	
18	Federal Fund Appropriation	25,893,537	25,932,137

20	Q00T04.04 Baltimore Central Booking and Intake		
21	Center		
22	General Fund Appropriation	62,103,896	
23	Special Fund Appropriation	81,300	62,185,196

25	Q00T04.05 Baltimore Pretrial Complex		
26	General Fund Appropriation	73,965,523	
27	Special Fund Appropriation	451,400	
28	Federal Fund Appropriation	5,000	74,421,923

30	Q00T04.06 Maryland Reception, Diagnostic and		
31	Classification Center		
32	General Fund Appropriation	37,591,214	
33	Special Fund Appropriation	49,300	
34	Federal Fund Appropriation	5,000	37,645,514

1	Q00T04.07 Baltimore City Correctional Center		
2	General Fund Appropriation	14,585,249	
3	Special Fund Appropriation	102,000	14,687,249
4		<hr/>	
5	Funds are appropriated in other agency		
6	budgets to pay for services provided by this		
7	program. Authorization is hereby granted		
8	to use these receipts as special funds for		
9	operating expenses in this program.		
10	Q00T04.08 Metropolitan Transition Center		
11	General Fund Appropriation	39,639,861	
12	Special Fund Appropriation	321,796	39,961,657
13		<hr/>	
14	Q00T04.09 General Administration		
15	General Fund Appropriation, <u>provided that</u>		
16	<u>\$100,000 of this appropriation shall be</u>		
17	<u>restricted until the Department of Public</u>		
18	<u>Safety and Correctional Services (DPSCS)</u>		
19	<u>conducts a new post-by-post security</u>		
20	<u>staffing analysis for each of its custodial</u>		
21	<u>facilities in order to identify the actual</u>		
22	<u>number of regular positions needed to</u>		
23	<u>safely and securely staff the State's</u>		
24	<u>correctional institutions. DPSCS shall</u>		
25	<u>provide a written report to the budget</u>		
26	<u>committees no later than December 1,</u>		
27	<u>2017, with biannual submissions</u>		
28	<u>thereafter, summarizing the results of the</u>		
29	<u>analysis and explaining the need for any</u>		
30	<u>staffing changes resulting from the staffing</u>		
31	<u>analysis or changes in policy that require</u>		
32	<u>the use of additional positions. To the</u>		
33	<u>extent possible, the analysis should discuss</u>		
34	<u>ways the department is generating</u>		
35	<u>operating efficiencies in lieu of the need for</u>		
36	<u>additional positions. The budget</u>		
37	<u>committees shall have 45 days to review</u>		
38	<u>and comment following receipt of the</u>		
39	<u>report. Funds restricted pending receipt of</u>		
40	<u>a report may not be transferred by budget</u>		
41	<u>amendment or otherwise and shall revert</u>		
42	<u>to the General Fund if the report is not</u>		
43	<u>submitted to the budget committees</u>		1,653,215

SUMMARY

1
2
3
4
5
6
7

Total General Fund Appropriation	229,538,958
Total Special Fund Appropriation	1,044,396
Total Federal Fund Appropriation	25,903,537
	<hr/>
Total Appropriation	256,486,891
	<hr/> <hr/>

STATE DEPARTMENT OF EDUCATION

HEADQUARTERS

R00A01.01 Office of the State Superintendent

4	General Fund Appropriation	9,062,212	
5	Special Fund Appropriation	1,340,927	
6	Federal Fund Appropriation	1,512,252	11,915,391

R00A01.02 Division of Business Services

9	General Fund Appropriation	847,067	
10	Special Fund Appropriation	240,812	
11	Federal Fund Appropriation	10,201,635	11,289,514

R00A01.03 Division of Academic Policy and
Innovation

15	General Fund Appropriation	1,006,240	
16	Federal Fund Appropriation	74,760	1,081,000

R00A01.04 Division of Accountability and
Assessment

20	General Fund Appropriation	38,599,710	
21	Special Fund Appropriation	486,300	
22	Federal Fund Appropriation	9,774,329	48,860,339

24 Funds are appropriated in other agency
25 budgets to pay for services provided by this
26 program. Authorization is hereby granted
27 to use these receipts as special funds for
28 operating expenses in this program.

R00A01.05 Office of Information Technology

30	General Fund Appropriation	3,849,853	
31	Special Fund Appropriation	140,824	
32	Federal Fund Appropriation	3,222,685	7,213,362

R00A01.07 Office of School and Community

35	Nutrition Programs		
36	General Fund Appropriation	255,773	
37	Special Fund Appropriation	24,601	
38	Federal Fund Appropriation	11,839,652	12,120,026

1	R00A01.10 Division of Early Childhood		
2	Development		
3	General Fund Appropriation	12,684,400	
4	Federal Fund Appropriation	44,358,676	57,043,076
5		<hr/>	
6	R00A01.11 Division of Curriculum, Assessment,		
7	and Accountability		
8	General Fund Appropriation	1,889,138	
9	Special Fund Appropriation	2,076,870	
10	Federal Fund Appropriation	2,558,466	6,524,474
11		<hr/>	
12	Funds are appropriated in other agency		
13	budgets to pay for services provided by this		
14	program. Authorization is hereby granted		
15	to use these receipts as special funds for		
16	operating expenses in this program.		
17	R00A01.12 Division of Student, Family and School		
18	Support		
19	General Fund Appropriation	1,681,942	
20	Federal Fund Appropriation	4,718,193	6,400,135
21		<hr/>	
22	R00A01.13 Division of Special Education/Early		
23	Intervention Services		
24	General Fund Appropriation	563,777	
25	Special Fund Appropriation	1,189,355	
26	Federal Fund Appropriation	12,266,693	14,019,825
27		<hr/>	
28	R00A01.14 Division of Career and College		
29	Readiness		
30	General Fund Appropriation	1,119,898	
31	Federal Fund Appropriation	2,671,668	3,791,566
32		<hr/>	
33	R00A01.15 Juvenile Services Education Program		
34	General Fund Appropriation	16,655,465	
35	Federal Fund Appropriation	1,014,626	17,670,091
36		<hr/>	
37	Funds are appropriated in other agency		
38	budgets to pay for services provided by this		
39	program. Authorization is hereby granted		

1	to use these receipts as special funds for		
2	operating expenses in this program.		
3	R00A01.17 Division of Library Development and		
4	Services		
5	General Fund Appropriation	3,098,913	
6	Federal Fund Appropriation	1,530,770	4,629,683
7		<hr/>	
8	R00A01.18 Division of Certification and		
9	Accreditation		
10	General Fund Appropriation	2,380,880	
11	Special Fund Appropriation	313,979	
12	Federal Fund Appropriation	163,662	2,858,521
13		<hr/>	
14	R00A01.20 Division of Rehabilitation Services –		
15	Headquarters		
16	General Fund Appropriation	1,462,292	
17	Special Fund Appropriation	105,258	
18	Federal Fund Appropriation	9,893,471	11,461,021
19		<hr/>	
20	R00A01.21 Division of Rehabilitation Services –		
21	Client Services		
22	General Fund Appropriation	10,602,433	
23	Federal Fund Appropriation	34,171,872	44,774,305
24		<hr/>	
25	R00A01.22 Division of Rehabilitation Services –		
26	Workforce and Technology Center		
27	General Fund Appropriation	1,606,504	
28	Federal Fund Appropriation	8,103,475	9,709,979
29		<hr/>	
30	R00A01.23 Division of Rehabilitation Services –		
31	Disability Determination Services		
32	Federal Fund Appropriation		46,396,360
33	R00A01.24 Division of Rehabilitation Services –		
34	Blindness and Vision Services		
35	General Fund Appropriation	1,491,829	
36	Special Fund Appropriation	3,365,379	
37	Federal Fund Appropriation	4,676,451	9,533,659
38		<hr/>	

1	Total General Fund Appropriation		108,858,326
2	Total Special Fund Appropriation		9,284,305
3	Total Federal Fund Appropriation		209,149,696
4			<hr/>
5	Total Appropriation		327,292,327
6			<hr/> <hr/>

AID TO EDUCATION

8 Provided that the Maryland State Department
 9 of Education shall notify the budget
 10 committees of any intent to transfer the
 11 funds from program R00A.02 Aid to
 12 Education to any other budgetary unit. The
 13 budget committees shall have 45 days to
 14 review and comment on the planned
 15 transfer prior to its effect.

16	R00A02.01 State Share of Foundation Program		
17	General Fund Appropriation	2,693,209,534	
18	Special Fund Appropriation	546,675,313	3,239,884,847
19			<hr/>
20	R00A02.02 Compensatory Education		
21	General Fund Appropriation		1,306,296,887
22	R00A02.03 Aid for Local Employee Fringe Benefits		
23	General Fund Appropriation		790,939,826
24	R00A02.04 Children at Risk		
25	General Fund Appropriation	10,372,414	
26	Special Fund Appropriation	4,896,000	
27	Federal Fund Appropriation	22,393,628	37,662,042
28			<hr/>
29	R00A02.05 Formula Programs for Specific		
30	Populations		
31	General Fund Appropriation		2,200,000
32	R00A02.06 Maryland Prekindergarten Expansion		
33	Program Financing Fund		
34	General Fund Appropriation	7,972,000	
35	Federal Fund Appropriation	16,000,000	23,972,000
36			<hr/>

1 R00A02.07 Students With Disabilities
 2 General Fund Appropriation 445,543,707
 3 440,543,707

4 To provide funds as follows:
 5 Formula284,864,947
 6 Non-Public Placement
 7 Program123,617,896
 8 Infants and Toddlers Program ...10,389,104
 9 Autism Waiver21,671,760

10 Provided that funds appropriated for
 11 nonpublic placements may be used to
 12 develop a broad range of services to assist
 13 in returning children with special needs
 14 from out-of-state placements to Maryland;
 15 to prevent out-of-state placements of
 16 children with special needs; to prevent
 17 unnecessary separate day school,
 18 residential or institutional placements
 19 within Maryland; and to work with local
 20 jurisdictions in these regards. Policy
 21 decisions regarding the expenditures of
 22 such funds shall be made jointly by the
 23 Executive Director of the Governor’s Office
 24 for Children and the Secretaries of Health
 25 and Mental Hygiene, Human Resources,
 26 Juvenile Services, Budget and
 27 Management, and the State
 28 Superintendent of Education.

29 R00A02.08 Assistance to State for Educating
 30 Students With Disabilities
 31 Federal Fund Appropriation 212,861,789

32 R00A02.09 Gifted and Talented
 33 Federal Fund Appropriation 800,000

34 R00A02.12 Educationally Deprived Children
 35 Federal Fund Appropriation 243,871,885

36 R00A02.13 Innovative Programs
 37 General Fund Appropriation, provided that
 38 this appropriation shall be reduced by
 39 ~~\$7,500,000~~ ~~\$2,500,000~~ \$7,000,000
 40 contingent upon the enactment of
 41 legislation repealing the mandate that

1 funding be provided for the Public Schools
2 Opportunities Enhancement Program.

3 Further provided that this appropriation shall
4 be reduced by \$5,000,000 contingent upon
5 the enactment of legislation repealing the
6 mandate that funding be provided for the
7 Next Generation Scholars Program.

8 Further provided that this appropriation shall
9 be reduced by \$250,000 contingent upon
10 the enactment of legislation repealing the
11 mandate that funding be provided for the
12 Robotics Program.

13 Further provided that funds for new Pathways
14 in Technology Early College High
15 (P-TECH) schools during the 2017-2018
16 school year may be used only for one
17 P-TECH school for Allegany County Public
18 Schools; one P-TECH school serving Queen
19 Anne’s County, Talbot County, and
20 Caroline County Public Schools; and two
21 P-TECH schools for Prince George’s
22 County Public Schools.

23 ~~Further provided that \$300,000 of this~~
24 ~~appropriation made for the purpose of~~
25 ~~providing funding for the Next Generation~~
26 ~~Scholars Program may not be expended for~~
27 ~~that purpose but instead may be used only~~
28 ~~to support the Bard High School Early~~
29 ~~College Baltimore. Funds not expended for~~
30 ~~this restricted purpose may not be~~
31 ~~transferred by budget amendment or~~
32 ~~otherwise to any other purpose and shall~~
33 ~~revert to the General Fund.~~

34 Further provided that \$250,000 of this
35 appropriation made for the purpose of
36 innovative schools may not be expended for
37 that purpose, but instead may only be used,
38 contingent on enactment of SB 908 and
39 provided that no funding is included in a
40 supplemental budget, for the Maryland
41 Education Development Collaborative.
42 Funds not expended for this restricted

46

47

purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund

~~22,033,500~~

~~20,997,000~~

21,847,000

Federal Fund Appropriation

2,272,509

~~25,206,108~~

~~23,269,500~~

24,119,509

10

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

R00A02.15 Language Assistance

Federal Fund Appropriation

10,500,000

R00A02.18 Career and Technology Education

Federal Fund Appropriation

13,677,310

R00A02.24 Limited English Proficient

General Fund Appropriation

248,707,292

R00A02.25 Guaranteed Tax Base

General Fund Appropriation

50,249,443

R00A02.27 Food Services Program

General Fund Appropriation

11,236,664

Federal Fund Appropriation

428,597,659

439,834,323

R00A02.31 Public Libraries

General Fund Appropriation, provided that this appropriation shall be reduced by \$3,000,000 contingent upon the enactment of legislation repealing the mandate that funding be provided to expand hours of operation at branches of the Enoch Pratt Free Library

40,697,196

Federal Fund Appropriation

1,050,000

41,747,196

R00A02.32 State Library Network

General Fund Appropriation

17,707,258

1	R00A02.39 Transportation		
2	General Fund Appropriation		276,250,611
3	R00A02.52 Science and Mathematics Education		
4	Initiative		
5	Federal Fund Appropriation		1,543,100
6	R00A02.55 Teacher Development		
7	General Fund Appropriation, provided that		
8	this appropriation shall be reduced by		
9	\$5,000,000 <u>\$2,900,000</u> contingent upon the		
10	enactment of legislation repealing the		
11	mandate that funding be provided for the		
12	Teacher Induction, Retention, and		
13	Advancement Pilot Program.		
14	Further provided that this appropriation shall		
15	be reduced by \$1,900,000 <u>\$950,000</u>		
16	contingent upon the enactment of		
17	legislation repealing the stipend for specific		
18	Anne Arundel County Public School		
19	teachers.		
20	Further provided that this appropriation shall		
21	be reduced by \$1,100,000 contingent upon		
22	the enactment of legislation reducing the		
23	mandated stipend for teachers who hold a		
24	certificate issued by the National Board for		
25	Professional Teaching Standards.....	12,200,000	
26	Special Fund Appropriation	300,000	
27	Federal Fund Appropriation	31,499,522	43,999,522
28		<hr/>	
29	R00A02.57 Transitional Education Funding		
30	Program		
31	General Fund Appropriation	10,575,000	
32	Special Fund Appropriation	1,320,000	11,895,000
33		<hr/>	
34	R00A02.58 Head Start		
35	General Fund Appropriation		1,800,000
36	R00A02.59 Child Care Subsidy Program		
37	General Fund Appropriation	43,547,835	
38	Federal Fund Appropriation	57,216,238	100,764,073
39		<hr/>	

SUMMARY

1		
2	Total General Fund Appropriation	5,986,352,667
3	Total Special Fund Appropriation	553,191,313
4	Total Federal Fund Appropriation	1,042,283,640
5		<hr/>
6	Total Appropriation	7,581,827,620
7		<hr/> <hr/>

FUNDING FOR EDUCATIONAL ORGANIZATIONS

9	R00A03.01 Maryland School for the Blind	
10	General Fund Appropriation	23,018,459
11	R00A03.02 Blind Industries and Services of	
12	Maryland	
13	General Fund Appropriation	531,115
14	R00A03.03 Other Institutions	
15	General Fund Appropriation	6,266,446
16	Alice Ferguson Foundation	79,378
17	Alliance of Southern Prince	
18	George's Communities, Inc.	31,752
19	American Visionary Art	
20	Museum	15,040
21	Arts Excel – Baltimore	
22	Symphony Orchestra	63,503
23	B&O Railroad Museum	60,161
24	Baltimore Museum of Industry	80,214
25	Best Buddies International	
26	(MD Program)	158,756
27	Calvert Marine Museum	50,000
28	Chesapeake Bay Foundation	416,945
29	Chesapeake Bay Maritime	
30	Museum	20,053
31	Citizenship Law–Related	
32	Education	29,244
33	College Bound	35,930
34	The Dyslexia Tutoring	
35	Program, Inc.	35,930
36	Echo Hill Outdoor School	53,476
37	Imagination Stage	238,136
38	Jewish Museum of Maryland	12,533
39	Junior Achievement of Central	

1	Maryland	40,106
2	Living Classrooms Foundation	304,145
3	Maryland Academy of Sciences	873,169
4	Maryland Historical Society	119,484
5	Maryland Humanities Council	41,777
6	Maryland Leadership	
7	Workshops	43,450
8	Maryland Mathematics,	
9	Engineering and Science	
10	Achievement	76,035
11	Maryland Zoo in Baltimore –	
12	Education Component	812,171
13	National Aquarium in	
14	Baltimore	474,601
15	National Great Blacks in Wax	
16	Museum	40,106
17	National Museum of Ceramic	
18	Art and Glass	20,053
19	Northbay Adventure	927,558
20	Olney Theatre	139,539
21	Outward Bound	127,006
22	Port Discovery	111,130
23	Salisbury Zoological Park	17,546
24	Sotterley Foundation	12,533
25	South Baltimore Learning	
26	Center	40,106
27	State Mentoring Resource	
28	Center	76,036
29	Sultana Projects	20,053
30	Super Kids Camp	391,043
31	The Village Learning Place,	
32	Inc.	43,450
33	Walters Art Museum	15,875
34	Ward Museum	33,423
35	Young Audiences of Maryland	85,000

36 R00A03.04 Aid to Non–Public Schools
 37 Special Fund Appropriation, provided that
 38 this appropriation shall be for the purchase
 39 of textbooks or computer hardware and
 40 software and other electronically delivered
 41 learning materials as permitted under
 42 Title IID, Section 2416(b)(4), (6), and (7) of
 43 the No Child Left Behind Act for loan to
 44 students in eligible nonpublic schools with
 45 a maximum distribution of \$65 per eligible
 46 nonpublic school student for participating

1 schools, except that at schools where ~~at~~
 2 ~~least 20%~~ from 20% to 40% of the students
 3 are eligible for the free or reduced-price
 4 lunch program there shall be a distribution
 5 of \$95 per student, and at schools where
 6 more than 40% of the students are eligible
 7 for the free or reduced-price lunch program
 8 there shall be a distribution of \$155 per
 9 student. To be eligible to participate, a
 10 nonpublic school shall:

- 11 (1) Hold a certificate of approval from
 12 or be registered with the State
 13 Board of Education;
- 14 (2) Not charge more tuition to a
 15 participating student than the
 16 statewide average per pupil
 17 expenditure by the local education
 18 agencies, as calculated by the
 19 department, with appropriate
 20 exceptions for special education
 21 students as determined by the
 22 department; and
- 23 (3) Comply with Title VI of the Civil
 24 Rights Act of 1964, as amended.

25 The department shall establish a process to
 26 ensure that the local education agencies
 27 are effectively and promptly working with
 28 the nonpublic schools to assure that the
 29 nonpublic schools have appropriate access
 30 to federal funds for which they are eligible.

31 Further provided that the Maryland State
 32 Department of Education shall:

- 33 (1) Assure that the process for
 34 textbook, computer hardware, and
 35 computer software acquisition uses
 36 a list of qualified textbook,
 37 computer hardware, and computer
 38 software vendors and of qualified
 39 textbooks, computer hardware, and
 40 computer software; uses textbooks,
 41 computer hardware, and computer

1 software that are secular in
 2 character and acceptable for use in
 3 any public elementary or secondary
 4 school in Maryland; and

5 (2) Receive requisitions for textbooks,
 6 computer hardware, and computer
 7 software to be purchased from the
 8 eligible and participating schools,
 9 and forward the approved
 10 requisitions and payments to the
 11 qualified textbook, computer
 12 hardware, or computer software
 13 vendor who will send the textbooks,
 14 computer hardware, or computer
 15 software directly to the eligible
 16 school, which will:

17 (i) Report shipment receipt to
 18 the department;

19 (ii) Provide assurance that the
 20 savings on the cost of the
 21 textbooks, computer
 22 hardware, or computer
 23 software will be dedicated to
 24 reducing the cost of
 25 textbooks, computer
 26 hardware, or computer
 27 software for students; and

28 (iii) Since the textbooks,
 29 computer hardware, or
 30 computer software shall
 31 remain property of the State,
 32 maintain appropriate
 33 shipment receipt records for
 34 audit purposes.

35 Further provided that a nonpublic school
 36 participating in the Aid to Non-Public
 37 Schools Program R00A03.04 shall certify
 38 compliance with Title 20, Subtitle 6 of the
 39 State Government Article. A nonpublic
 40 school participating in the program may
 41 not discriminate in student admissions on
 42 the basis of race, color, national origin, or

1 sexual orientation. Nothing herein shall
 2 require any school or institution to adopt
 3 any rule, regulation, or policy that conflicts
 4 with its religious or moral teachings.
 5 However, all participating schools must
 6 agree that they will not discriminate in
 7 student admissions on the basis of race,
 8 color, national origin, or sexual orientation.
 9 The sole legal remedy for violation of these
 10 provisions is ineligibility for participating
 11 in the Aid to Non-Public Schools Program..

6,040,000

12 R00A03.05 Broadening Options and Opportunities
 13 for Students Today

14 Special Fund Appropriation, provided that
 15 this appropriation shall be for a
 16 Broadening Options and Opportunities for
 17 Students Today (BOOST) Program that
 18 provides scholarships for students who are
 19 eligible for the free or reduced-price lunch
 20 program to attend eligible nonpublic
 21 schools. The Maryland State Department
 22 of Education (MSDE) shall administer the
 23 grant program in accordance with the
 24 following guidelines:

25 (1) To be eligible to participate in the
 26 BOOST Program, a nonpublic
 27 school must:

28 (a) participate in Program
 29 R00A03.04 Aid to
 30 Non-Public Schools Program
 31 for textbooks and computer
 32 hardware and software
 33 administered by MSDE;

34 (b) provide more than only
 35 prekindergarten and
 36 kindergarten programs;

37 (c) administer assessments to
 38 all students in accordance
 39 with federal and State law;
 40 and

41 (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 on the basis of race, color, national origin, or sexual orientation. 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 based on race, color, national origin, or sexual orientation. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program 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.

(3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income

1 expressed as a percent of the most
2 recent federal poverty levels.

3 (4) MSDE shall submit the ranked list
4 of applicants to the BOOST
5 Advisory Board.

6 (5) There is a BOOST Advisory Board
7 that shall be appointed as follows: 2
8 members appointed by the
9 Governor, 2 members appointed by
10 the President of the Senate, 2
11 members appointed by the Speaker
12 of the House of Delegates, and 1
13 member jointly appointed by the
14 President and the Speaker to serve
15 as the chair. A member of the
16 BOOST Advisory Board may not be
17 an elected official and may not have
18 any financial interest in an eligible
19 nonpublic school.

20 (6) The BOOST Advisory Board shall
21 review and certify the ranked list of
22 applicants and shall determine the
23 scholarship award amounts.

24 (7) MSDE shall make scholarship
25 awards to eligible students as
26 determined by the BOOST Advisory
27 Board.

28 (8) The amount of a scholarship award
29 may not exceed the lesser of:

30 (a) the statewide average per
31 pupil expenditure by local
32 education agencies, as
33 calculated by MSDE; or

34 (b) the tuition of the nonpublic
35 school.

36 ~~Further provided that up to \$150,000 of the~~
37 ~~appropriation may be used by MSDE to~~
38 ~~cover the reasonable costs of administering~~
39 ~~the BOOST Program.~~

1 Further provided that MSDE shall submit a
 2 report to the budget committees by
 3 December 15, 2017, that includes the
 4 following:

5 (1) the number of students receiving
 6 BOOST Program scholarships;

7 (2) the amount of the BOOST Program
 8 scholarships received;

9 (3) the number of certified and
 10 noncertified teachers in core subject
 11 areas for each nonpublic school
 12 participating in the BOOST
 13 Program;

14 (4) the _____ assessments _____ being
 15 administered in accordance with
 16 federal and State law by nonpublic
 17 schools participating in the BOOST
 18 Program, as well as student
 19 performance on those assessments;

20 (5) in the aggregate, for each BOOST
 21 Program scholarship awarded (1)
 22 the nonpublic school and grade
 23 level attended by the student; (2)
 24 the school attended in the
 25 2016–2017 school year by the
 26 student; and (3) if the student
 27 attended the same nonpublic school
 28 in the 2016–2017 school year,
 29 whether, what type, and how much
 30 nonpublic scholarship aid the
 31 student received in the
 32 2016–2017 school year and will
 33 receive in the 2017–2018 school
 34 year;

35 (6) the average household income of
 36 students receiving BOOST
 37 Program scholarships;

38 (7) the racial breakdown of students
 39 receiving BOOST Program

1 scholarships:

2 (8) the number of students designated
3 as English language learners
4 receiving BOOST Program
5 scholarships;

6 (9) the number of special education
7 students receiving BOOST
8 Program scholarships;

9 (10) the county in which students
10 receiving BOOST Program
11 scholarships reside;

12 (11) the number of students who were
13 offered BOOST Program
14 scholarships but declined them, as
15 well as their reasons for declining
16 the scholarships and the
17 breakdown of students attending
18 public and nonpublic schools for
19 students who declined scholarships;
20 and

21 (12) the number of students who
22 received BOOST Program
23 scholarships for the
24 2016–2017 school year who are
25 attending public school for the
26 2017–2018 school year, as well as
27 their reasons for returning to public
28 schools

~~6,850,000~~
~~2,055,904~~
6,850,000

50

31 SUMMARY

32	Total General Fund Appropriation	29,816,020
33	Total Special Fund Appropriation	12,890,000
34		<hr/>
35	Total Appropriation	42,706,020
36		<hr/> <hr/>

37 CHILDREN’S CABINET INTERAGENCY FUND

1	R00A04.01 Children’s Cabinet Interagency Fund		
2	General Fund Appropriation		<u>18,655,376</u>
3			<u>18,555,376</u>
4			=====

MARYLAND LONGITUDINAL DATA SYSTEM CENTER

6	R00A05.01 Maryland Longitudinal Data System		
7	Center		
8	General Fund Appropriation	2,082,434	
9	Federal Fund Appropriation	786,789	2,869,223
10		-----	=====

MORGAN STATE UNIVERSITY

12	R13M00.00 Morgan State University		
13	Current Unrestricted Appropriation	195,178,820	
14	Current Restricted Appropriation	53,518,625	248,697,445
15		-----	=====

ST. MARY’S COLLEGE OF MARYLAND

17	R14D00.00 St. Mary’s College of Maryland		
18	Current Unrestricted Appropriation	67,384,673	
19	Current Restricted Appropriation	5,300,000	72,684,673
20		-----	=====

MARYLAND PUBLIC BROADCASTING COMMISSION

22	R15P00.01 Executive Direction and Control		
23	Special Fund Appropriation		843,960

24	R15P00.02 Administration and Support Services		
25	General Fund Appropriation	8,029,971	
26	Special Fund Appropriation	1,203,315	
27	Federal Fund Appropriation	3,000,000	12,233,286
28		-----	

29	R15P00.03 Broadcasting		
30	General Fund Appropriation	17,950	
31	Special Fund Appropriation	11,303,982	
32	Federal Fund Appropriation	350,000	11,671,932
33		-----	

34	R15P00.04 Content Enterprises		
35	Special Fund Appropriation	6,221,345	
36	Federal Fund Appropriation	496,284	6,717,629

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SUMMARY

Total General Fund Appropriation	8,047,921	
Total Special Fund Appropriation	19,572,602	
Total Federal Fund Appropriation	3,846,284	
		<hr/>
Total Appropriation	31,466,807	<hr/> <hr/>

UNIVERSITY SYSTEM OF MARYLAND

Provided that University System of Maryland institutions that have a positive State-supported fund balance shall not be required to transfer State-supported funds to the fund balance as determined by the University System of Maryland Office or the Board of Regents. ~~Any transfers of State-supported funds to the fund balance shall be at the discretion of the institution's President.~~ It shall be at the discretion of an institution's President whether to transfer State-supported funds to the fund balance or to use the funds to support other institutional priorities.

51

UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS

R30B21.00 University of Maryland, Baltimore Campus		
Current Unrestricted Appropriation	641,693,692	
Current Restricted Appropriation	483,411,770	1,125,105,462
	<hr/>	<hr/> <hr/>

UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS

R30B22.00 University of Maryland, College Park Campus		
Current Unrestricted Appropriation	1,607,424,921	
Current Restricted Appropriation	484,020,330	2,091,445,251
	<hr/>	<hr/> <hr/>

BOWIE STATE UNIVERSITY

1	R30B23.00 Bowie State University		
2	Current Unrestricted Appropriation	103,182,388	
3	Current Restricted Appropriation	23,000,000	126,182,388
4		<hr/>	<hr/>

TOWSON UNIVERSITY

6	R30B24.00 Towson University		
7	Current Unrestricted Appropriation, provided		
8	that this appropriation shall be reduced by		
9	\$500,000 contingent upon the enactment of		
10	legislation repealing the requirement that		
11	additional funding be provided to increase		
12	funding guideline attainment.		
13	<u>Further provided that \$70,000 of this</u>		
14	<u>appropriation made for the purpose of</u>		
15	<u>maintaining Hidden Waters shall be</u>		
16	<u>reduced. It is the intent of the General</u>		
17	<u>Assembly that the University System of</u>		
18	<u>Maryland Foundation assume full</u>		
19	<u>responsibility for the costs of maintaining</u>		
20	<u>Hidden Waters</u>	450,375,135	
21	Current Restricted Appropriation	50,112,331	500,487,466
22		<hr/>	<hr/>

UNIVERSITY OF MARYLAND EASTERN SHORE

24	R30B25.00 University of Maryland Eastern Shore		
25	Current Unrestricted Appropriation, provided		
26	<u>that \$100,000 of this appropriation may not</u>		
27	<u>be expended until the University of</u>		
28	<u>Maryland Eastern Shore submits a report</u>		
29	<u>by November 10, 2017, to the budget</u>		
30	<u>committees on the actual fiscal 2017</u>		
31	<u>revenues and expenditures by program</u>		
32	<u>areas and the fiscal 2018 revenues and</u>		
33	<u>expenditures by program areas based on</u>		
34	<u>the fall 2017 enrollment. The budget</u>		
35	<u>committees shall have 45 days to review</u>		
36	<u>and comment on the report. Funds</u>		
37	<u>restricted pending receipt of a report may</u>		
38	<u>not be transferred by budget amendment or</u>		
39	<u>otherwise to any other purpose and shall</u>		
40	<u>revert to the General Fund if the report is</u>		
41	<u>not submitted to the budget committees</u> ...	106,063,293	
42	Current Restricted Appropriation	33,390,279	139,453,572

FROSTBURG STATE UNIVERSITY

3	R30B26.00 Frostburg State University		
4	Current Unrestricted Appropriation	108,253,035	
5	Current Restricted Appropriation	13,281,000	121,534,035

COPPIN STATE UNIVERSITY

8	R30B27.00 Coppin State University		
9	Current Unrestricted Appropriation	75,113,213	
10	Current Restricted Appropriation	18,000,000	93,113,213

UNIVERSITY OF BALTIMORE

13	R30B28.00 University of Baltimore		
14	Current Unrestricted Appropriation	115,350,740	
15	Current Restricted Appropriation	23,872,426	139,223,166

SALISBURY UNIVERSITY

18	R30B29.00 Salisbury University		
19	Current Unrestricted Appropriation	193,301,594	
20	Current Restricted Appropriation	13,000,000	206,301,594

UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE

23	R30B30.00 University of Maryland University		
24	College		
25	Current Unrestricted Appropriation	368,718,633	
26	Current Restricted Appropriation	42,274,732	410,993,365

UNIVERSITY OF MARYLAND BALTIMORE COUNTY

29	R30B31.00 University of Maryland Baltimore		
30	County		
31	Current Unrestricted Appropriation, provided		
32	that this appropriation shall be reduced by		
33	\$3,500,000 contingent upon the enactment		
34	of legislation repealing the requirement		
35	that additional funding be provided to		

1	increase funding guideline attainment	355,908,128	
2	Current Restricted Appropriation	92,883,636	448,791,764
3		<hr/>	<hr/> <hr/>

4 UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE

5	R30B34.00 University of Maryland Center for		
6	Environmental Science		
7	Current Unrestricted Appropriation	30,013,982	
8	Current Restricted Appropriation	18,203,113	48,217,095
9		<hr/>	<hr/> <hr/>

10 UNIVERSITY SYSTEM OF MARYLAND OFFICE

11 Provided that State-supported positions at
 12 the University System of Maryland Office
 13 shall not exceed 87.66 full-time equivalent
 14 (FTE) positions. Further provided the
 15 number of executive management positions
 16 shall not exceed 12.80 FTE positions.

17	R30B36.00 University System of Maryland Office		
18	Current Unrestricted Appropriation	32,480,032	
19	Current Restricted Appropriation	3,000,000	35,480,032
20		<hr/>	<hr/> <hr/>

21 MARYLAND HIGHER EDUCATION COMMISSION

22 It is the intent of the General Assembly that
 23 the Maryland Higher Education
 24 Commission use its Need-Based Student
 25 Financial Assistance Fund's fund balance
 26 to provide for an increase of at least 2% in
 27 initial awarding of State support for total
 28 need-based student financial assistance in
 29 fiscal 2018 so that State support matches
 30 the expected increase in tuition at public
 31 four-year institutions.

32	R62I00.01 General Administration		
33	General Fund Appropriation	5,572,435	
34	Special Fund Appropriation	978,974	
35	Federal Fund Appropriation	480,614	7,032,023
36		<hr/>	<hr/> <hr/>

37 Funds are appropriated in other agency
 38 budgets to pay for services provided by this

1 program. Authorization is hereby granted
2 to use these receipts as special funds for
3 operating expenses in this program.

4 R62I00.02 College Prep/Intervention Program
5 General Fund Appropriation 750,000

6 R62I00.03 Joseph A. Sellinger Formula for Aid to
7 Non-Public Institutions of Higher Education
8 General Fund Appropriation, ~~provided that~~
9 ~~this appropriation shall be reduced by~~
10 ~~\$6,574,208 contingent upon the enactment~~
11 ~~of legislation to level fund the grant to~~
12 ~~private colleges and universities at the~~
13 ~~fiscal 2017 amount~~ ~~53,391,542~~
14 ~~48,817,334~~
15 51,000,000

53

16 R62I00.05 The Senator John A. Cade Funding
17 Formula for the Distribution of Funds to
18 Community Colleges
19 General Fund Appropriation, provided that
20 the appropriation made herein for local
21 community colleges be reduced by
22 \$296,405.

23 ~~Further provided that \$3,000,000 of this~~
24 ~~appropriation shall be distributed only in~~
25 ~~proportion to the number of resident~~
26 ~~credit seeking full time equivalent~~
27 ~~students enrolled at each eligible~~
28 ~~institution during fiscal 2016, as~~
29 ~~determined by the Maryland Higher~~
30 ~~Education Commission (MHEC). To be~~
31 ~~eligible for grant funding, institutions must~~
32 ~~not increase fall 2017 tuition by more than~~
33 ~~2%.~~

54

34 ~~Further provided that \$1,000,000 of this~~
35 ~~appropriation shall be distributed only in~~
36 ~~proportion to the number of resident~~
37 ~~credit seeking full time equivalent~~
38 ~~students enrolled at each eligible~~
39 ~~institution during fiscal 2016, as~~
40 ~~determined by MHEC. Eligible institutions~~
41 ~~shall include Carroll Community College,~~
42 ~~Cecil College, Chesapeake College, and~~

~~Wor-Wie Community College.~~

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

Further provided that \$4,000,000 of this appropriation made herein for the one-time supplemental grant for community colleges shall be used only for that purpose. A community college is eligible to receive a portion of funding from this grant if it raises tuition by no more than 2% for the 2017-2018 academic year. Total grant funding is to be distributed among eligible institutions, as determined by the Maryland Higher Education Commission (MHEC), in proportion to each institution's share of Cade formula-eligible enrollments in fiscal 2016, also as determined by MHEC. If found eligible, Baltimore City Community College (BCCC) (R95C00) may receive funding from this grant through a budget amendment. Funding from the one-time grant shall not be incorporated into the Cade formula or in BCCC's funding formula when calculating State support in fiscal 2019. Funds restricted for this specific purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund....

256,061,611

R62I00.06 Aid to Community Colleges – Fringe Benefits
 General Fund Appropriation

63,491,619

R62I00.07 Educational Grants

General Fund Appropriation
 Federal Fund Appropriation

13,316,547
 1,030,000

14,346,547

To provide Education Grants to various State, Local and Private Entities

1	Complete College Maryland	250,000	
2	Improving Teacher Quality	500,000	
3	OCR Enhancement Fund, <u>provided</u>		
4	<u>it is the intent of the General</u>		
5	<u>Assembly that the Office for</u>		
6	<u>Civil Rights Enhancement Fund</u>		
7	<u>be moved from the Maryland</u>		
8	<u>Higher Education Commission</u>		
9	<u>to the base budgets of the</u>		
10	<u>Historically Black Colleges and</u>		
11	<u>Universities beginning in fiscal</u>		
12	<u>2019</u>	4,900,000	
13	Regional Higher Education		
14	Centers	2,412,047	
15	College Access Challenge Grant		
16	Program	500,000	
17	Washington Center for Internships		
18	and Academic Seminars	175,000	
19	UMB-WellMobile	285,000	
20	John R. Justice Grant.....	30,000	
21	Colleges Savings Plan Match	5,000,000	
22	Colleges Savings Plan Match		
23	Administrative Grant.....	100,000	
24	Achieving a Better Life Experience		
25	Grant.....	194,500	
26	R62I00.09 2 + 2 Transfer Scholarship Program		
27	Special Fund Appropriation		200,000
28	R62I00.10 Educational Excellence Awards		
29	<u>Provided that funds appropriated for</u>		
30	<u>Educational Excellence Awards may not be</u>		
31	<u>transferred to any other program or</u>		
32	<u>purpose.</u>		
33	General Fund Appropriation		82,764,420
34	R62I00.12 Senatorial Scholarships		
35	General Fund Appropriation		6,486,000
36	R62I00.14 Edward T. and Mary A. Conroy		
37	Memorial Scholarship Program		
38	General Fund Appropriation		570,474
39	R62I00.15 Delegate Scholarships		
40	General Fund Appropriation, provided that		

56
cont

1 ~~\$303,620 of this appropriation made for the~~
 2 ~~purpose of Delegate Scholarships may not~~
 3 ~~be expended for that purpose and instead~~
 4 ~~may only be transferred by budget~~
 5 ~~amendment to Educational Excellence~~
 6 ~~Awards (R62I00.10) to be used for~~
 7 ~~need-based student financial aid. Funds~~
 8 ~~not used for this restricted purpose may not~~
 9 ~~be transferred by budget amendment or~~
 10 ~~otherwise to any other purpose and shall~~
 11 ~~revert to the General Fund~~

~~6,749,000~~
6,319,000

57

13	R62I00.16 Charles W. Riley Firefighter and		
14	Ambulance and Rescue Squad Member		
15	Scholarship Program		
16	Special Fund Appropriation		358,000
17	R62I00.17 Graduate and Professional Scholarship		
18	Program		
19	General Fund Appropriation		1,174,473
20	R62I00.21 Jack F. Tolbert Memorial Student Grant		
21	Program		
22	General Fund Appropriation		200,000
23	R62I00.26 Janet L. Hoffman Loan Assistance		
24	Repayment Program		
25	General Fund Appropriation	1,305,000	
26	Special Fund Appropriation	75,000	1,380,000
27		<hr/>	
28	R62I00.27 Maryland Loan Assistance Repayment		
29	Program for Foster Care Recipients		
30	General Fund Appropriation		100,000
31	R62I00.28 Maryland Loan Assistance Repayment		
32	Program for Physicians and Physician		
33	Assistants		
34	Special Fund Appropriation		1,032,282

35 Funds are appropriated in other agency
 36 budgets to pay for services provided by this
 37 program. Authorization is hereby granted
 38 to use these receipts as special funds for
 39 operating expenses in this program.

1	R62I00.33 Part–Time Grant Program		
2	General Fund Appropriation		5,087,780
3	R62I00.36 Workforce Shortage Student Assistance		
4	Grants		
5	General Fund Appropriation		1,229,853
6	R62I00.37 Veterans of the Afghanistan and Iraq		
7	Conflicts Scholarship		
8	General Fund Appropriation		750,000
9	R62I00.38 Nurse Support Program II		
10	General Fund Appropriation	75,220	
11	Special Fund Appropriation	20,086,045	
12	Federal Fund Appropriation	4,565	20,165,830
13		<hr/>	

14 Funds are appropriated in other agency
 15 budgets to pay for services provided by this
 16 program. Authorization is hereby granted
 17 to use these receipts as special funds for
 18 operating expenses in this program.

19	R62I00.39 Health Personnel Shortage Incentive		
20	Grant Program		
21	Special Fund Appropriation		750,000
22	R62I00.43 Maryland Higher Education Outreach		
23	and College Access Pilot Program		
24	General Fund Appropriation		250,000

25 SUMMARY

26	Total General Fund Appropriation		496,504,432
27	Total Special Fund Appropriation		23,480,301
28	Total Federal Fund Appropriation		1,515,179
29			<hr/>
30	Total Appropriation		521,499,912
31			<hr/> <hr/>

32 HIGHER EDUCATION

33 R75T00.01 Support for State Operated Institutions
 34 of Higher Education

35 The following amounts constitute the General

1 Fund appropriation for the State operated
 2 institutions of higher education. The State
 3 Comptroller is hereby authorized to
 4 transfer these amounts to the accounts of
 5 the programs indicated below in four equal
 6 allotments; said allotments to be made on
 7 July 1 and October 1 of 2017 and January
 8 1 and April 1 of 2018. Neither this
 9 appropriation nor the amounts herein
 10 enumerated constitute a lump sum
 11 appropriation as contemplated by Sections
 12 7-207 and 7-233 of the State Finance and
 13 Procurement Article of the Code.

14	Program	Title
15	R30B21	University of Maryland,
16		Baltimore Campus.....224,723,409
17	R30B22	University of Maryland,
18		College Park Campus492,553,284
19	R30B23	Bowie State University ...42,420,788
20	R30B24	Towson University115,710,735
21	R30B25	University of Maryland
22		Eastern Shore38,975,934
23	R30B26	Frostburg State
24		University40,358,631
25	R30B27	Coppin State
26		University44,825,372
27	R30B28	University of Baltimore ...36,097,171
28	R30B29	Salisbury University52,821,342
29	R30B30	University of Maryland
30		University College41,808,697
31	R30B31	University of Maryland
32		Baltimore County118,662,324
33	R30B34	University of Maryland
34		Center for Environmental
35		Science.....21,837,603
36	R30B36	University System of
37		Maryland Office25,182,319
38		
39	Subtotal University System	
40		of Maryland1,295,977,609
41	R95C00	Baltimore City
42		Community College.....40,602,171
43	R14D00	St. Mary's College
44		of Maryland.....22,415,114
45	R13M00	Morgan State

1 University.....91,601,482

2 _____

3 General Fund Appropriation, provided that
4 this appropriation shall be reduced by
5 \$4,000,000 contingent on enactment of
6 legislation repealing the requirement that
7 additional funding be provided to increase
8 funding guideline attainment.

9 Further provided that \$100,000 of this
10 appropriation may not be expended until
11 the University of Maryland Eastern Shore
12 submits a report by November 10, 2017, to
13 the budget committees on the actual fiscal
14 2017 revenues and expenditures by
15 program areas and the fiscal 2018 revenues
16 and expenditures by program areas based
17 on the fall 2017 enrollment. The budget
18 committees shall have 45 days to review
19 and comment on the report. Funds
20 restricted pending receipt of a report may
21 not be transferred by budget amendment or
22 otherwise to any other purpose and shall
23 revert to the General Fund if the report is
24 not submitted to the budget committees.

25 Further provided that \$70,000 of this
26 appropriation made for the purpose of
27 Towson University to maintain Hidden
28 Waters shall be reduced. It is the intent of
29 the General Assembly that the University
30 System of Maryland Foundation assume
31 full responsibility for the costs of
32 maintaining Hidden Waters.

33 ~~Further provided that this appropriation~~
34 ~~made for the purpose of Baltimore City~~
35 ~~Community College be reduced by~~
36 ~~\$750,000.~~

37 Further provided that, contingent on the
38 enactment of HB 1595 or SB 1127, \$150,000
39 of this appropriation made for the purpose
40 of Baltimore City Community College
41 (BCCC) may be expended only on costs
42 related to the implementation of HB 1595 or
43 SB 1127.

58

59

59
cont

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

60

6 Further provided that \$600,000 of this
7 appropriation made for the purpose of
8 BCCC may not be expended for that purpose
9 but instead may only be transferred to the
10 University System of Maryland Office
11 (R30B36) for the following purposes:

12 (1) \$450,000 to the Universities at
13 Shady Grove to support new
14 academic programming related to
15 the new Biomedical Sciences and
16 Engineering Education Facility;
17 and

18 (2) \$150,000 to the University System
19 of Maryland at Hagerstown to
20 support new academic
21 programming.

22 Funds not expended for these restricted
23 purposes may not be transferred by budget
24 amendment or otherwise to any other
25 purpose and shall revert to the General
26 Fund.

27 Further provided that, contingent upon the
28 failure of enactment of HB 1595 and SB
29 1127, \$1,000,000 of this appropriation
30 made for the purpose of operations at
31 Baltimore City Community College
32 (BCCC) may not be expended until the
33 Board of Trustees of BCCC submits a draft
34 implementation plan to the budget
35 committees on the institution's follow-up
36 to the comprehensive report from the
37 Schaefer Center. The Board of Trustees
38 shall consult with the President in
39 developing the implementation plan. The
40 draft implementation plan is due by
41 February 1, 2018, and the final

1 implementation plan is due by June 30,
2 2018.

3 The implementation plan shall explain how
4 BCCC is:

- 5 (1) strategically focusing core offerings
6 of BCCC on the needs of students at
7 BCCC and the workforce of
8 Baltimore City, including review
9 and, if needed, elimination of
10 programs;
- 11 (2) making workforce development and
12 job placement top educational
13 priorities of BCCC;
- 14 (3) improving student pathways to
15 success, including remedial
16 education, attainment of a degree
17 or a postsecondary certificate, and
18 transfer to a four-year institution
19 of higher education;
- 20 (4) improving student pathways to
21 success with the Baltimore City
22 Public School System, institutions
23 of higher education, and employers;
- 24 (5) aligning the budget of BCCC with
25 realistic enrollment projections;
- 26 (6) engaging in a comprehensive
27 review of all positions, faculty, and
28 staff at BCCC;
- 29 (7) establishing strong relationships
30 with key stakeholders, including:
- 31 (a) the Mayor of Baltimore City;
- 32 (b) the Mayor's Office of
33 Employment Development;
- 34 (c) the Baltimore City Public
35 School System;

1 (d) institutions of higher
2 education located in
3 Baltimore City;

4 (e) State agencies, including the
5 Department of Labor,
6 Licensing, and Regulation;

7 (f) private employers; and

8 (g) business and community
9 organizations.

10 (8) rebuilding and marketing the
11 brand of BCCC;

12 (9) addressing the information
13 technology and infrastructure
14 needs of BCCC, including whether
15 oversight by the Department of
16 Information Technology is
17 advisable;

18 (10) developing or selling all unused or
19 underutilized real estate holdings,
20 including the Inner Harbor site;
21 and

22 (11) identifying any barriers in State or
23 local laws or regulations that
24 impede the ability of BCCC to
25 operate efficiently and effectively,
26 including procurement and capital
27 construction projects.

28 The budget committees shall have 45 days to
29 review and comment from the date of
30 receipt of the draft implementation plan.
31 Funds restricted pending receipt of the
32 draft implementation plan may not be
33 transferred by budget amendment or
34 otherwise to any other purpose and shall
35 revert to the General Fund if the draft
36 implementation plan is not submitted to
37 the budget committees

1,450,596,376

38 The following amounts constitute an estimate

1 of Special Fund revenues derived from the
 2 Higher Education Investment Fund and
 3 the Maryland Emergency Medical System
 4 Operations Fund. These revenues support
 5 the Special Fund appropriation for the
 6 State operated institutions of higher
 7 education. The State Comptroller is hereby
 8 authorized to transfer these amounts to the
 9 accounts of the programs indicated below
 10 in four allotments; said allotments to be
 11 made on July 1 and October 1 of 2017 and
 12 January 1 and April 1 of 2018. To the
 13 extent revenue attainment is lower than
 14 estimated, the State Comptroller shall
 15 adjust the transfers at year's end. Neither
 16 this appropriation nor the amounts herein
 17 enumerated constitute a lump sum
 18 appropriation as contemplated by Sections
 19 7-207 and 7-233 of the State Finance and
 20 Procurement Article of the Code.

21	Program	Title
22	R30B21	University of Maryland,
23		Baltimore Campus.....9,938,814
24	R30B22	University of Maryland,
25		College Park Campus30,971,631
26	R30B23	Bowie State University1,905,009
27	R30B24	Towson University5,138,140
28	R30B25	University of Maryland
29		Eastern Shore1,754,837
30	R30B26	Frostburg State
31		University1,802,558
32	R30B27	Coppin State
33		University2,027,085
34	R30B28	University of Baltimore1,620,810
35	R30B29	Salisbury University2,344,443
36	R30B30	University of Maryland
37		University College1,801,130
38	R30B31	University of Maryland
39		Baltimore County5,290,000
40	R30B34	University of Maryland
41		Center for Environmental
42		Science.....993,260
43	R30B36	University System of
44		Maryland Office1,143,817
45		<hr/>
46		Subtotal University System

1	of Maryland	66,731,534	
2	R14D00 St. Mary's College		
3	of Maryland	2,549,840	
4	R13M00 Morgan State		
5	University.....	2,234,810	
6			
7	Special Fund Appropriation, provided that		
8	\$8,795,184 of this appropriation shall be		
9	used by the University of Maryland,		
10	College Park (R30B22) for no other purpose		
11	than to support the Maryland Fire and		
12	Rescue Institute as provided in Section		
13	13-955 of the Transportation Article	71,516,184	1,522,112,560
14		<hr/>	<hr/> <hr/>

BALTIMORE CITY COMMUNITY COLLEGE

R95C00.00 Baltimore City Community College

Current Unrestricted Appropriation, ~~provided that this appropriation made for the purpose of Baltimore City Community College be reduced by \$750,000, provided that, contingent on the enactment of HB 1595 or SB 1127, \$150,000 of this appropriation made for the purpose of Baltimore City Community College (BCCC) may only be expended on costs related to the implementation of HB 1595 or SB 1127.~~

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 \$600,000 of this appropriation made for the purpose of BCCC may not be expended for that purpose but instead may only be transferred to the University System of Maryland Office (R30B36) for the following purposes:

- (1) \$450,000 to the Universities at Shady Grove to support new academic programming related to the new Biomedical Sciences and

61

62

63

1 Engineering Education Facility;
2 and

3 (2) \$150,000 to the University System
4 of Maryland at Hagerstown to
5 support new academic
6 programming.

7 Funds not expended for these restricted
8 purposes may not be transferred by budget
9 amendment or otherwise to any other
10 purpose and shall revert to the General
11 Fund.

12 Further provided that, contingent upon the
13 failure of enactment of HB 1595 and SB
14 1127, \$1,000,000 of this appropriation
15 made for the purpose of operations at
16 Baltimore City Community College
17 (BCCC) may not be expended until the
18 Board of Trustees of BCCC submits a draft
19 implementation plan to the budget
20 committees on the institution's follow-up
21 to the comprehensive report from the
22 Schaefer Center. The Board of Trustees
23 shall consult with the President in
24 developing the implementation plan. The
25 draft implementation plan is due by
26 February 1, 2018, and the final
27 implementation plan is due by June 30,
28 2018.

29 The implementation plan shall explain how
30 BCCC is:

31 (1) strategically focusing core offerings
32 of BCCC on the needs of students at
33 BCCC and the workforce of
34 Baltimore City, including review
35 and, if needed, elimination of
36 programs;

37 (2) making workforce development and
38 job placement top educational
39 priorities of BCCC;

40 (3) improving student pathways to

- 1 success, including remedial
2 education, attainment of a degree
3 or a postsecondary certificate, and
4 transfer to a four-year institution
5 of higher education;
- 6 (4) improving student pathways to
7 success with the Baltimore City
8 Public School System, institutions
9 of higher education, and employers;
- 10 (5) aligning the budget of BCCC with
11 realistic enrollment projections;
- 12 (6) engaging in a comprehensive
13 review of all positions, faculty, and
14 staff at BCCC;
- 15 (7) establishing strong relationships
16 with key stakeholders, including:
- 17 (a) the Mayor of Baltimore City;
- 18 (b) the Mayor's Office of
19 Employment Development;
- 20 (c) the Baltimore City Public
21 School System;
- 22 (d) institutions of higher
23 education located in
24 Baltimore City;
- 25 (e) State agencies, including the
26 Department of Labor,
27 Licensing, and Regulation;
- 28 (f) private employers; and
- 29 (g) business and community
30 organizations.
- 31 (8) rebuilding and marketing the
32 brand of BCCC;
- 33 (9) addressing the information
34 technology and infrastructure

1 needs of BCCC, including whether
 2 oversight by the Department of
 3 Information Technology is
 4 advisable;

5 (10) developing or selling all unused or
 6 underutilized real estate holdings,
 7 including the Inner Harbor site;
 8 and

9 (11) identifying any barriers in State or
 10 local laws or regulations that
 11 impede the ability of BCCC to
 12 operate efficiently and effectively,
 13 including procurement and capital
 14 construction projects.

15 The budget committees shall have 45 days to
 16 review and comment from the date of
 17 receipt of the draft implementation plan.
 18 Funds restricted pending receipt of the
 19 draft implementation plan may not be
 20 transferred by budget amendment or
 21 otherwise to any other purpose and shall
 22 revert to the General Fund if the draft
 23 implementation plan is not submitted to
 24 the budget committees 65,411,070
 25 Current Restricted Appropriation 20,335,961 85,747,031
 26 _____

27 MARYLAND SCHOOL FOR THE DEAF

28 R99E01.00 Services and Institutional Operations
 29 General Fund Appropriation 31,567,621
 30 Special Fund Appropriation 304,143
 31 Federal Fund Appropriation 584,099 32,455,863
 32 _____

33 Funds are appropriated in other agency
 34 budgets to pay for services provided by this
 35 program. Authorization is hereby granted
 36 to use these receipts as special funds for
 37 operating expenses in this program.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

OFFICE OF THE SECRETARY

S00A20.01 Office of the Secretary			
Special Fund Appropriation	2,958,849		
Federal Fund Appropriation	1,339,866		4,298,715
		<hr/>	
S00A20.03 Office of Management Services			
Special Fund Appropriation	2,750,396		
Federal Fund Appropriation	1,572,815		4,323,211
		<hr/>	

SUMMARY

Total Special Fund Appropriation			5,709,245
Total Federal Fund Appropriation			2,912,681
			<hr/>
Total Appropriation			8,621,926
			<hr/> <hr/>

DIVISION OF CREDIT ASSURANCE

S00A22.01 Maryland Housing Fund			
Special Fund Appropriation			488,591
S00A22.02 Asset Management			
Special Fund Appropriation			6,412,604
S00A22.03 Maryland Building Codes			
Special Fund Appropriation			822,831

SUMMARY

Total Special Fund Appropriation			7,724,026
			<hr/> <hr/>

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.01 Neighborhood Revitalization			
General Fund Appropriation	4,546,000		
Special Fund Appropriation	11,951,070		
Federal Fund Appropriation	12,514,237		29,011,307
		<hr/>	

1 S00A24.02 Neighborhood Revitalization – Capital
 2 Appropriation
 3 General Fund Appropriation, provided that
 4 this appropriation shall be reduced by
 5 \$25,625,000 contingent upon the
 6 enactment of legislation to authorize the
 7 use of General Obligation Bonds to fund
 8 Project C.O.R.E. (Creating Opportunities
 9 for Renewal and Enterprise).

10 Further provided that this appropriation shall
 11 be reduced by \$12,000,000 contingent upon
 12 the enactment of legislation altering the
 13 mandate for the Baltimore Regional
 14 Neighborhoods Initiative.

15 Further provided that this appropriation shall
 16 be reduced by \$5,000,000 contingent upon
 17 the enactment of legislation ~~repealing~~
 18 altering the mandate for the Seed
 19 Community Development Anchor
 20 Institution Fund

42,625,000

21 Special Fund Appropriation, *provided that*
 22 *\$1,250,000 of this appropriation made for*
 23 *the purposes of providing grants and loans*
 24 *to small businesses in designated*
 25 *neighborhood revitalization areas may be*
 26 *used only for the purpose of providing a*
 27 *subordinated loan or equity investment in*
 28 *the Maryland Targeted Communities*
 29 *Investment Fund, to be sponsored by the*
 30 *Maryland Economic Development*
 31 *Corporation. The Secretary of Housing and*
 32 *Community Development is authorized to*
 33 *transfer up to \$1,250,000 in special funds*
 34 *in total by budget amendment to S00A24.02*
 35 *Neighborhood Revitalization – Capital*
 36 *Appropriation from any of the following*
 37 *programs: S00A25.07 Rental Housing*
 38 *Programs – Capital Appropriation,*
 39 *S00A25.08 Homeownership Programs –*
 40 *Capital Appropriation, or S00A25.09*
 41 *Special Loan Program – Capital*
 42 *Appropriation.*

43 *Further provided that it is the intent of the*
 44 *General Assembly that the Department of*

1	<u>Housing and Community Development</u>		
2	<u>receive a general fund appropriation of</u>		
3	<u>\$1,250,000 in fiscal 2019 and 2020 for the</u>		
4	<u>purpose of providing subordinated loans or</u>		
5	<u>equity investments in the Maryland</u>		
6	<u>Targeted Communities Investment Fund ...</u>	1,900,000	
7	Federal Fund Appropriation	9,000,000	53,525,000
8		<hr/>	

9	SUMMARY		
10	Total General Fund Appropriation		47,171,000
11	Total Special Fund Appropriation		13,851,070
12	Total Federal Fund Appropriation		21,514,237
13			<hr/>
14	Total Appropriation		82,536,307
15			<hr/> <hr/>

16	DIVISION OF DEVELOPMENT FINANCE		
17	S00A25.01 Administration		
18	Special Fund Appropriation		4,350,165
19	S00A25.02 Housing Development Program		
20	Special Fund Appropriation	4,396,197	
21	Federal Fund Appropriation	300,000	4,696,197
22		<hr/>	
23	S00A25.03 Single Family Housing		
24	Special Fund Appropriation	6,216,086	
25	Federal Fund Appropriation	934,079	7,150,165
26		<hr/>	
27	S00A25.04 Housing and Building Energy Programs		
28	Special Fund Appropriation	22,863,561	
29	Federal Fund Appropriation	6,111,923	28,975,484
30		<hr/>	

31 Funds are appropriated in other agency
 32 budgets to pay for services provided by this
 33 program. Authorization is hereby granted
 34 to use these receipts as special funds for
 35 operating expenses in this program.

36	S00A25.05 Rental Services Programs		
37	Special Fund Appropriation	50,000	

HOUSE BILL 150

1	Federal Fund Appropriation	254,138,260	254,188,260
2		<hr/>	
3	Funds are appropriated in other agency		
4	budgets to pay for services provided by this		
5	program. Authorization is hereby granted		
6	to use these receipts as special funds for		
7	operating expenses in this program.		
8	S00A25.07 Rental Housing Programs – Capital		
9	Appropriation		
10	Special Fund Appropriation	15,500,000	
11	Federal Fund Appropriation	4,500,000	20,000,000
12		<hr/>	
13	S00A25.08 Homeownership Programs – Capital		
14	Appropriation		
15	Special Fund Appropriation		1,500,000
16	S00A25.09 Special Loans Program – Capital		
17	Appropriation		
18	Special Fund Appropriation	2,800,000	
19	Federal Fund Appropriation	2,000,000	4,800,000
20		<hr/>	
21	S00A25.13 Transitional Housing – Capital		
22	Appropriation		
23	General Fund Appropriation, provided that		
24	this appropriation shall be reduced by		
25	\$3,000,000 contingent upon the enactment		
26	of legislation to authorize the use of		
27	General Obligation Bonds for the Shelter		
28	and Transitional Housing Facilities Grant		
29	Program		3,000,000
30	S00A25.14 Maryland BRAC Preservation Loan		
31	Fund – Capital Appropriation		
32	Special Fund Appropriation		3,000,000
33	S00A25.15 Housing and Building Energy Programs		
34	– Capital Appropriation		
35	Special Fund Appropriation	9,850,000	
36	Federal Fund Appropriation	700,000	10,550,000
37		<hr/>	

SUMMARY

HOUSE BILL 150

161

1	Total General Fund Appropriation		3,000,000
2	Total Special Fund Appropriation		70,526,009
3	Total Federal Fund Appropriation		268,684,262
4			<hr/>
5	Total Appropriation		342,210,271
6			<hr/> <hr/>

DIVISION OF INFORMATION TECHNOLOGY

8	S00A26.01 Information Technology		
9	Special Fund Appropriation	2,043,394	
10	Federal Fund Appropriation	1,579,394	3,622,788
11		<hr/>	<hr/> <hr/>
12	S00A26.02 Major Information Technology		
13	Development Projects		
14	Special Fund Appropriation		1,050,000

SUMMARY

16	Total Special Fund Appropriation		3,093,394
17	Total Federal Fund Appropriation		1,579,394
18			<hr/>
19	Total Appropriation		4,672,788
20			<hr/> <hr/>

DIVISION OF FINANCE AND ADMINISTRATION

22	S00A27.01 Finance and Administration		
23	Special Fund Appropriation	9,404,669	
24	Federal Fund Appropriation	1,176,878	10,581,547
25		<hr/>	<hr/> <hr/>

MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION

27	S50B01.01 General Administration		
28	General Fund Appropriation		1,959,000
29			<hr/> <hr/>

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

3	T00A00.01 Office of the Secretary		
4	General Fund Appropriation	1,442,446	
5	Special Fund Appropriation	120,387	
6	Federal Fund Appropriation	32,005	1,594,838
7		<hr/>	
8	T00A00.02 Office of Policy and Research		
9	General Fund Appropriation	1,337,315	
10		937,315	
11		<u>1,337,315</u>	
12	Special Fund Appropriation	261,590	
13	Federal Fund Appropriation	21,024	1,610,920
14			<u>1,210,920</u>
15			<u>1,619,929</u>
16		<hr/>	
17	T00A00.03 Office of the Attorney General		
18	General Fund Appropriation	91,664	
19	Special Fund Appropriation	1,406,016	
20	Federal Fund Appropriation	8,564	1,506,244
21		<hr/>	
22	T00A00.06 Division of Marketing and		
23	Communications		
24	General Fund Appropriation	1,816,379	
25	Special Fund Appropriation	647,582	2,463,961
26		<hr/>	
27	T00A00.07 Office of International Investment and		
28	Trade		
29	General Fund Appropriation	2,580,256	
30	Special Fund Appropriation	100,000	
31	Federal Fund Appropriation	50,000	2,730,256
32		<hr/>	
33	T00A00.08 Division of Administration and		
34	Technology		
35	General Fund Appropriation	3,319,446	
36	Special Fund Appropriation	606,261	
37	Federal Fund Appropriation	120,096	4,045,803
38		<hr/>	
39	T00A00.09 Office of Military and Federal Affairs		

HOUSE BILL 150

163

1	General Fund Appropriation	928,153	
2	Special Fund Appropriation	162,294	
3	Federal Fund Appropriation	815,001	1,905,448
4			
5	T00A00.10 Maryland Marketing Partnership		
6	General Fund Appropriation		1,000,000
7	SUMMARY		
8	Total General Fund Appropriation		12,515,659
9	Total Special Fund Appropriation		3,304,130
10	Total Federal Fund Appropriation		1,046,690
11			
12	Total Appropriation		16,866,479
13			
14	DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT		
15	T00F00.01 Managing Director of Business and		
16	Industry Sector Development		
17	General Fund Appropriation	323,017	
18	Special Fund Appropriation	123,916	446,933
19			
20	T00F00.02 Office of BioHealth		
21	General Fund Appropriation		1,337,657
22	T00F00.03 Maryland Small Business Development		
23	Financing Authority		
24	Special Fund Appropriation		1,827,716
25	T00F00.04 Office of Business Development		
26	General Fund Appropriation	3,796,614	
27	Special Fund Appropriation	686,490	4,483,104
28			
29	T00F00.05 Office of Strategic Industries and		
30	Entrepreneurship		
31	General Fund Appropriation	1,336,639	
32	Special Fund Appropriation	278,817	1,615,456
33			
34	T00F00.06 Office of Cybersecurity and Aerospace		
35	General Fund Appropriation		1,468,616

1	T00F00.07 Partnership for Workforce Quality		
2	General Fund Appropriation	1,000,000	
3	Special Fund Appropriation	50,000	1,050,000
4		<hr/>	
5	T00F00.08 Office of Finance Programs		
6	Special Fund Appropriation		3,800,927
7	T00F00.09 Maryland Small Business Development		
8	Financing Authority – Business Assistance		
9	General Fund Appropriation	1,500,000	
10	Special Fund Appropriation	4,755,000	6,255,000
11		<hr/>	
12	T00F00.11 Maryland Not–For–Profit Development		
13	Fund		
14	Special Fund Appropriation		130,000
15	T00F00.12 Maryland Biotechnology Investment		
16	Tax Credit Reserve Fund		
17	General Fund Appropriation		12,000,000
18	T00F00.15 Small, Minority, and Women–Owned		
19	Business Investment Account		
20	Special Fund Appropriation		16,895,000
21			13,126,311
22			<u>0</u>
23	T00F00.16 Economic Development Opportunity		
24	Fund		
25	Special Fund Appropriation		5,000,000
26	T00F00.18 Military Personnel and		
27	Service–Disabled Veteran Loan Program		
28	General Fund Appropriation	300,000	
29	Special Fund Appropriation	200,000	500,000
30		<hr/>	
31	T00F00.19 Cybersecurity Investment Incentive		
32	Tax Credit Program		
33	General Fund Appropriation, <u>provided that</u>		
34	<u>this appropriation shall be contingent on</u>		
35	<u>the enactment of SB 318 or HB 378</u>		2,000,000
36	T00F00.20 Maryland E–Nnovation Initiative		
37	Special Fund Appropriation		8,500,000

1	T00F00.21 Maryland Economic Adjustment Fund		
2	Special Fund Appropriation		200,000
3	T00F00.23 Maryland Economic Development		
4	Assistance Authority and Fund		
5	General Fund Appropriation, provided that		
6	\$5,050,000 of this appropriation shall be		
7	contingent on the enactment of HB 161	<u>23,873,234</u>	
8		<u>18,873,234</u>	
9		<u>23,873,234</u>	
10	Special Fund Appropriation	6,176,766	30,050,000
11			<u>25,050,000</u>
12			<u>30,050,000</u>

67

68

SUMMARY

15	Total General Fund Appropriation		48,935,777
16	Total Special Fund Appropriation		31,729,632
17			<hr/>
18	Total Appropriation		80,665,409
19			<hr/> <hr/>

DIVISION OF TOURISM, FILM AND THE ARTS

21	T00G00.01 Office of the Assistant Secretary		
22	General Fund Appropriation		749,886
23	T00G00.02 Office of Tourism Development		
24	General Fund Appropriation		3,606,917
25	T00G00.03 Maryland Tourism Development Board		
26	General Fund Appropriation	8,250,000	
27	Special Fund Appropriation	300,000	8,550,000
28		<hr/>	
29	T00G00.05 Maryland State Arts Council		
30	General Fund Appropriation	18,088,564	
31	Special Fund Appropriation	2,300,000	
32	Federal Fund Appropriation	616,340	21,004,904
33		<hr/>	
34	T00G00.06 Film Production Rebate Program		
35	General Fund Appropriation		5,000,000

SUMMARY

1	Total General Fund Appropriation	35,695,367
2	Total Special Fund Appropriation	2,600,000
3	Total Federal Fund Appropriation	616,340
4		<hr/>
5	Total Appropriation	38,911,707
6		<hr/> <hr/>
7	MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION	
8	T50T01.01 Technology Development, Transfer and	
9	Commercialization	
10	General Fund Appropriation	4,574,480
11	T50T01.03 Maryland Stem Cell Research Fund	
12	General Fund Appropriation	8,200,000
13	T50T01.04 Maryland Innovation Initiative	
14	General Fund Appropriation	4,800,000
15	T50T01.05 Cybersecurity Investment Fund	
16	General Fund Appropriation	900,000
17	T50T01.06 Enterprise Investment Fund	
18	Administration	
19	Special Fund Appropriation	1,347,580
20	T50T01.07 Capital – Enterprise Investment Fund	
21	Special Fund Appropriation	6,000,000
22	SUMMARY	
23	Total General Fund Appropriation	18,474,480
24	Total Special Fund Appropriation	7,347,580
25		<hr/>
26	Total Appropriation	25,822,060
27		<hr/> <hr/>

DEPARTMENT OF THE ENVIRONMENT

1
2 Provided that no funding for information
3 technology (IT) development projects may
4 be spent in the budget of the Maryland
5 Department of the Environment (MDE)
6 until notification is provided to the
7 Department of Information Technology
8 (DoIT) and the budget committees. Upon
9 notification, DoIT will determine if an IT
10 project is a Major IT Development Project
11 (MITDP) consistent with Section 3A-301(f)
12 of the State Finance and Procurement
13 Article. If DoIT determines that a project is
14 a MITDP, the project shall be consistent
15 with MDE's Master Plan as required by
16 Section 3A-307 of the State Finance and
17 Procurement Article. For all major IT
18 projects, MDE shall prepare an
19 Information Technology Project Request
20 (ITPR) consistent with Section 3A-308 of
21 the State Finance and Procurement
22 Article. The ITPR shall include a project
23 description; business need or justification;
24 the scope and complexity of the project;
25 benefits; major risks; possible alternatives;
26 and funding plan by year, fund source, and
27 specific fund type.

OFFICE OF THE SECRETARY

28			
29	U00A01.01 Office of the Secretary		
30	General Fund Appropriation	940,793	
31	Special Fund Appropriation	670,312	
32	Federal Fund Appropriation	770,342	2,381,447
33		<hr/>	
34	U00A01.03 Capital Appropriation – Water Quality		
35	Revolving Loan Fund		
36	Special Fund Appropriation	91,222,000	
37	Federal Fund Appropriation	32,315,000	123,537,000
38		<hr/>	

39 Funds are appropriated in other units of the
40 Department of the Environment to pay for
41 services provided by this program.
42 Authorization is hereby granted to use

1	these receipts as special funds for		
2	operating expenses in this program.		
3	U00A01.04 Capital Appropriation – Hazardous		
4	Substance Clean-Up Program		
5	General Fund Appropriation		500,000
6	U00A01.05 Capital Appropriation – Drinking		
7	Water Revolving Loan Fund		
8	Special Fund Appropriation	12,879,000	
9	Federal Fund Appropriation	10,299,000	23,178,000
10		<hr/>	
11	Funds are appropriated in other units of the		
12	Department of the Environment to pay for		
13	services provided by this program.		
14	Authorization is hereby granted to use		
15	these receipts as special funds for		
16	operating expenses in this program.		
17	U00A01.11 Capital Appropriation – Bay		
18	Restoration Fund – Wastewater		
19	Special Fund Appropriation		60,000,000
20	U00A01.12 Capital Appropriation – Bay		
21	Restoration Fund – Septic Systems		
22	Special Fund Appropriation		15,000,000
23	U00A01.14 Capital Appropriation – Energy –		
24	Water Infrastructure Program		
25	Special Fund Appropriation		8,000,000
26	SUMMARY		
27	Total General Fund Appropriation		1,440,793
28	Total Special Fund Appropriation		187,771,312
29	Total Federal Fund Appropriation		43,384,342
30			<hr/>
31	Total Appropriation		232,596,447
32			<hr/> <hr/>

33 OPERATIONAL SERVICES ADMINISTRATION

34	U00A02.02 Operational Services Administration		
35	General Fund Appropriation	5,152,229	
36	Special Fund Appropriation	2,824,179	

1		<u>2,654,179</u>	
2	Federal Fund Appropriation	1,449,771	9,426,179
3			<u>9,256,179</u>
4			

WATER MANAGEMENT ADMINISTRATION

6	U00A04.01 Water Management Administration		
7	General Fund Appropriation	12,497,421	
8	Special Fund Appropriation	9,671,740	
9	Federal Fund Appropriation	7,783,042	29,952,203
10			

11 Funds are appropriated in other agency
 12 budgets to pay for services provided by this
 13 program. Authorization is hereby granted
 14 to use these receipts as special funds for
 15 operating expenses in this program.

SCIENCE SERVICES ADMINISTRATION

17	U00A05.01 Science Services Administration		
18	General Fund Appropriation	4,737,160	
19	Special Fund Appropriation	1,099,873	
20	Federal Fund Appropriation	6,491,163	12,328,196
21			

22 Funds are appropriated in other agency
 23 budgets to pay for services provided by this
 24 program. Authorization is hereby granted
 25 to use these receipts as special funds for
 26 operating expenses in this program.

LAND MANAGEMENT ADMINISTRATION

28	U00A06.01 Land Management Administration		
29	General Fund Appropriation	2,365,376	
30	Special Fund Appropriation	20,761,273	
31	Federal Fund Appropriation	9,274,219	32,400,868
32			

33 Funds are appropriated in other agency
 34 budgets to pay for services provided by this
 35 program. Authorization is hereby granted
 36 to use these receipts as special funds for
 37 operating expenses in this program.

AIR AND RADIATION MANAGEMENT ADMINISTRATION

U00A07.01 Air and Radiation Management Administration

~~It is the intent of the General Assembly that the Maryland Department of the Environment purchase, install, and maintain air quality monitoring equipment in close proximity to the Brandon Shores Electric Generation Station and the H. A. Wagner Electric Generation Station in Anne Arundel County.~~

General Fund Appropriation	1,201,044	
Special Fund Appropriation	13,212,179	
Federal Fund Appropriation	3,534,169	17,947,392

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

COORDINATING OFFICES

U00A10.01 Coordinating Offices

General Fund Appropriation, provided that \$500,000 of this appropriation for the Maryland Department of the Environment (MDE) Coordinating Offices made for the purpose of general operating expenses may not be expended until MDE submits quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports should discuss all information technology (IT) project activities undertaken by MDE 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, and an assessment of the cost of the project with respect to estimated

1	<u>project costs. Funding restricted for this</u>		
2	<u>purpose may be released quarterly in</u>		
3	<u>\$125,000 installments upon receipt of the</u>		
4	<u>required quarterly reports. The budget</u>		
5	<u>committees shall have 45 days to review</u>		
6	<u>and comment upon receipt of each report.</u>		
7	<u>Funds restricted pending the receipt of the</u>		
8	<u>reports may not be transferred by budget</u>		
9	<u>amendment or otherwise to any other</u>		
10	<u>purpose and shall revert to the General</u>		
11	<u>Fund if the reports are not submitted to the</u>		
12	<u>budget committees</u>	2,650,159	
13	Special Fund Appropriation	17,531,019	
14	Federal Fund Appropriation	2,359,397	22,540,575
15		<hr/>	

16 Funds are appropriated in other agency
 17 budgets to pay for services provided by this
 18 program. Authorization is hereby granted
 19 to use these receipts as special funds for
 20 operating expenses in this program.

21	U00A10.03 Bay Restoration Fund Debt Service		
22	Special Fund Appropriation		38,000,000
23			<u>33,000,000</u>

24 SUMMARY

25	Total General Fund Appropriation	2,650,159	
26	Total Special Fund Appropriation	50,531,019	
27	Total Federal Fund Appropriation	2,359,397	
28		<hr/>	
29	Total Appropriation		<u>55,540,575</u>
30			<hr/> <hr/>

DEPARTMENT OF JUVENILE SERVICES

OFFICE OF THE SECRETARY

3	V00D01.01 Office of the Secretary		
4	General Fund Appropriation		4,103,726

DEPARTMENTAL SUPPORT

6	V00D02.01 Departmental Support		
7	General Fund Appropriation, <u>provided that</u>		
8	<u>because the Department of Juvenile</u>		
9	<u>Services (DJS) has had four or more repeat</u>		
10	<u>findings in the most recent fiscal</u>		
11	<u>compliance audit issued by the Office of</u>		
12	<u>Legislative Audits (OLA), \$50,000 of this</u>		
13	<u>agency's administrative appropriation may</u>		
14	<u>not be expended unless:</u>		

15	(1) <u>DJS has taken corrective action</u>		
16	<u>with respect to all repeat audit</u>		
17	<u>findings on or before November 1,</u>		
18	<u>2017; and</u>		

19	(2) <u>a report is submitted to the budget</u>		
20	<u>committees by OLA listing each</u>		
21	<u>repeat audit finding along with a</u>		
22	<u>determination that each repeat</u>		
23	<u>finding was corrected. The budget</u>		
24	<u>committees shall have 45 days to</u>		
25	<u>review and comment to allow for</u>		
26	<u>funds to be released prior to the end</u>		
27	<u>of fiscal 2018</u>	25,097,401	

28	Federal Fund Appropriation	218,870	25,316,271
----	----------------------------------	---------	------------

RESIDENTIAL AND COMMUNITY OPERATIONS

31	V00E01.01 Residential and Community		
32	Operations		
33	General Fund Appropriation	4,636,256	
34	Special Fund Appropriation	18,999	
35	Federal Fund Appropriation	582,765	5,238,020

37 Funds are appropriated in other agency
38 budgets to pay for services provided by this

1 program. Authorization is hereby granted
2 to use these receipts as special funds for
3 operating expenses in this program.

4 BALTIMORE CITY REGION

5	V00G01.01 Baltimore City Region Operations		
6	General Fund Appropriation	56,686,347	
7	Special Fund Appropriation	781,586	
8	Federal Fund Appropriation	729,706	58,197,639
9		<hr/>	<hr/> <hr/>

10 CENTRAL REGION

11	V00H01.01 Central Region Operations		
12	General Fund Appropriation	35,639,568	
13	Special Fund Appropriation	371,663	
14	Federal Fund Appropriation	381,335	36,392,566
15		<hr/>	<hr/> <hr/>

16 WESTERN REGION

17	V00I01.01 Western Region Operations		
18	General Fund Appropriation	48,081,850	
19	Special Fund Appropriation	933,780	
20	Federal Fund Appropriation	1,386,204	50,401,834
21		<hr/>	<hr/> <hr/>

22 EASTERN SHORE REGION

23	V00J01.01 Eastern Shore Region Operations		
24	General Fund Appropriation	20,926,101	
25	Special Fund Appropriation	241,160	
26	Federal Fund Appropriation	336,684	21,503,945
27		<hr/>	<hr/> <hr/>

28 SOUTHERN REGION

29	V00K01.01 Southern Region Operations		
30	General Fund Appropriation	23,182,872	
31	Special Fund Appropriation	264,726	
32	Federal Fund Appropriation	362,447	23,810,045
33		<hr/>	<hr/> <hr/>

34 METRO REGION

35 V00L01.01 Metro Region Operations

HOUSE BILL 150

1	General Fund Appropriation	55,102,081	
2	Special Fund Appropriation	627,021	
3	Federal Fund Appropriation	830,907	56,560,009
4		<hr/>	<hr/> <hr/>

DEPARTMENT OF STATE POLICE

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent

General Fund Appropriation 24,012,270

W00A01.02 Field Operations Bureau

General Fund Appropriation, ~~provided that \$1,000,000 of this appropriation made for the purpose of funding a new trooper class may not be expended for that purpose but instead may be used only to fund the civilianization of a minimum of 50 positions currently filled by troopers, as identified in the Office of Legislative Audits' December 2016 Workforce Civilianization 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.~~

~~Further provided that \$400,000 of this appropriation made for the purpose of funding a new trooper class may not be expended until the Department of State Police (DSP) submits a report to the budget committees demonstrating that at least 50 positions currently filled by troopers have been reclassified as civilian positions by May 15, 2018. The report shall be submitted to the budget committees by May 25, 2018, and the budget committees shall have 35 days to review and comment. To the extent that positions are not successfully reclassified or the report is not submitted by the requested date, the restricted funds shall revert to the General Fund.~~

~~Further provided that the remaining \$1,000,000 of this appropriation made for the purpose of funding a new trooper class shall be deleted in recognition of anticipated personnel savings generated from filling the positions with less costly~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

~~civilian staff.~~

~~It is the intent of the budget committees, given that DSP is currently in the process of evaluating the appropriate size of its workforce, that the civilianization of the 50 positions be achieved via attrition. As sworn position vacancies occur, troopers in administrative positions eligible for civilianization should be transferred into those newly vacant sworn positions and the administrative positions should be reclassified as civilian. This provides the department with less costly administrative staff and deployment of experienced officers in the field, while delaying the determination of whether the department needs additional sworn personnel resources until its staffing study is complete~~

	124,812,544	
Special Fund Appropriation	65,463,936	190,276,480

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

W00A01.03 Criminal Investigation Bureau

General Fund Appropriation	61,231,333	
Federal Fund Appropriation	1,426,450	62,657,783

W00A01.04 Support Services Bureau

General Fund Appropriation	61,289,404	
Special Fund Appropriation	32,298,177	
Federal Fund Appropriation	5,500,000	99,087,581

Funds are appropriated in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

W00A01.08 Vehicle Theft Prevention Council

1 Special Fund Appropriation 1,983,140

2 SUMMARY

3 Total General Fund Appropriation 271,345,551

4 Total Special Fund Appropriation 99,745,253

5 Total Federal Fund Appropriation 6,926,450

6

7 Total Appropriation 378,017,254

8

9 FIRE PREVENTION COMMISSION AND FIRE MARSHAL

10 W00A02.01 Fire Prevention Services

11 General Fund Appropriation 9,297,449

12

13 Funds are appropriated in other agency
14 budgets to pay for services provided by this
15 program. Authorization is hereby granted
16 to use these receipts as special funds for
17 operating expenses in this program.

PUBLIC DEBT

1
2
3
4
5
6
7
8
9

X00A00.01 Redemption and Interest on State			
Bonds			
General Fund Appropriation	263,000,000	<u>233,000,000</u>	
Special Fund Appropriation	975,867,184		
Federal Fund Appropriation	11,539,169		1,250,406,353
			<u>1,220,406,353</u>
		<hr/>	<hr/> <hr/>

1 STATE RESERVE FUND

2	Y01A01.01 Revenue Stabilization Account	
3	General Fund Appropriation, provided that	
4	this appropriation is reduced by	
5	\$40,000,000 contingent upon the	
6	enactment of legislation to maintain the	
7	fund balance at 5% of projected fiscal 2018	
8	General Fund revenues	50,000,000
9		<u><u>50,000,000</u></u>

PAYMENTS TO CIVIL DIVISIONS OF THE STATE

FY 2017 Deficiency Appropriation

PAYMENTS TO CIVIL DIVISIONS OF THE STATE

A15O00.04 Teacher Retirement Administrative Fee Assistance

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide local jurisdictions with assistance in paying their fiscal 2017 State Retirement Agency administrative fees.

General Fund Appropriation, provided that this appropriation may only be distributed in accordance with HB 1109 or SB 1001, contingent upon the enactment of HB 1109 or SB 1001

19,695,182

OFFICE OF THE PUBLIC DEFENDER

FY 2017 Deficiency Appropriation

C80B00.02 District Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds to cover case-related and operating expenses incurred in fiscal 2016 that exceeded the fiscal 2016 appropriation.

General Fund Appropriation

5,324,448

OFFICE OF THE ATTORNEY GENERAL

FY 2017 Deficiency Appropriation

C81C00.01 Legal Counsel and Advice

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for additional legal support with the agency's Tobacco Legal Services unit.

Special Fund Appropriation

600,000

DEPARTMENT OF DISABILITIES

FY 2017 Deficiency Appropriation

D12A02.01 General Administration

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds to purchase temporary ramps that will be used by Marylanders to help access their homes.

Special Fund Appropriation 30,000

MARYLAND ENERGY ADMINISTRATION

FY 2017 Deficiency Appropriation

D13A13.03 State Agency Loan Program – Capital Appropriation

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for facilitating execution of new Energy Performance Contracts.

Special Fund Appropriation 1,000,000

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

FY 2017 Deficiency Appropriation

D15A05.05 Governor’s Office of Community Initiatives

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for the Governor’s Office on Service and Volunteerism to host the Regional National Service Training Conference, as well as provide training and technical assistance to national service networks in Maryland.

Federal Fund Appropriation 292,174

D15A05.22 Governor’s Grants Office

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017

HOUSE BILL 150

1 to provide funds to cover conference related expenses.

2 Special Fund Appropriation 20,000

3 20,000

4 SECRETARY OF STATE

5 FY 2017 Deficiency Appropriation

6 D16A06.04 Charity Enforcement and Protection

7 To become available immediately upon passage of this
8 budget to supplement the appropriation for fiscal 2017
9 to provide funds for increased contractual costs.

10 Special Fund Appropriation 113,662

11 113,662

12 HISTORIC ST. MARY'S CITY COMMISSION

13 FY 2017 Deficiency Appropriation

14 D17B01.51 Administration

15 To become available immediately upon passage of this
16 budget to supplement the appropriation for fiscal 2017
17 to provide funds for covering expenses already incurred
18 during the relocation of artifacts to Anne Arundel Hall.

19 General Fund Appropriation 48,142

20 48,142

21 GOVERNOR'S OFFICE FOR CHILDREN

22 FY 2017 Deficiency Appropriation

23 D18A18.01 Governor's Office for Children

24 To become available immediately upon passage of this
25 budget to supplement the appropriation for fiscal 2017
26 to provide funds for increased personnel costs.

27 General Fund Appropriation ~~100,775~~

28 0

29 0

30 DEPARTMENT OF AGING

31 FY 2017 Deficiency Appropriation

1 To become available immediately upon passage of this
 2 budget to reduce the appropriation for fiscal 2017 to
 3 bring funds in line with fiscal 2016 actual expenditures
 4 for natural gas and propane.

5 General Fund Appropriation -75,000
 6

7 CANAL PLACE PRESERVATION AND
 8 DEVELOPMENT AUTHORITY

9 FY 2017 Deficiency Appropriation

10 D90U00.01 General Administration

11 To become available immediately upon passage of this
 12 budget to supplement the appropriation for fiscal 2017
 13 to provide funds for obtaining a replacement heating
 14 and cooling system for the Western Maryland Railway
 15 Station Building.

16 General Fund Appropriation 257,024
 17

18 STATE TREASURER'S OFFICE

19 FY 2017 Deficiency Appropriation

20 BOND SALE EXPENSES

21 E20B03.01 Bond Sale Expenses

22 To become available immediately upon passage of this
 23 budget to supplement the appropriation for fiscal 2017
 24 to provide funds for obtaining advice regarding the
 25 State's refunding policies.

26 General Fund Appropriation 30,000
 27

28 MARYLAND LOTTERY AND GAMING CONTROL
 29 AGENCY

30 FY 2017 Deficiency Appropriation

31 E75D00.02 Video Lottery Terminal and Gaming Operations

32 To become available immediately upon passage of this
 33 budget to supplement the appropriation for fiscal 2017
 34 to provide funds to accommodate increased gaming

1 central system operator fees due to the opening of the
2 MGM National Harbor casino.

3 General Fund Appropriation 120,000
4 _____

5 DEPARTMENT OF INFORMATION TECHNOLOGY

6 FY 2017 Deficiency Appropriation

7 OFFICE OF INFORMATION TECHNOLOGY

8 F50B04.01 State Chief of Information Technology
9 To become available immediately upon passage of this
10 budget to supplement the appropriation for fiscal 2017
11 to provide funds for fiscal 2016 Enterprise Initiative
12 expenses carried over to fiscal 2017.

13 General Fund Appropriation 1,285,785
14 _____

15 F50B04.03 Application Systems Management
16 To become available immediately upon passage of this
17 budget to supplement the appropriation for fiscal 2017
18 to provide funds for Geographical Information Systems
19 (GIS) license costs.

20 General Fund Appropriation 536,242
21 _____

22 F50B04.04 Infrastructure
23 To become available immediately upon passage of this
24 budget to supplement the appropriation for fiscal 2017
25 to provide funds for software licenses for agencies
26 supported through the Enterprise Initiative.

27 General Fund Appropriation 1,184,000
28 _____

29 DEPARTMENT OF GENERAL SERVICES

30 FY 2017 Deficiency Appropriation

31 OFFICE OF FACILITIES OPERATION AND
32 MAINTENANCE

33 H00C01.01 Facilities Operation and Maintenance

1 To become available immediately upon passage of this
 2 budget to supplement the appropriation for fiscal 2017
 3 to provide funds to support maintenance and security
 4 services for the Crownsville Complex.

5	General Fund Appropriation	885,800
6		<hr/> <hr/>

7 OFFICE OF PROCUREMENT AND LOGISTICS

8 H00D01.01 Office of Procurement and Logistics
 9 To become available immediately upon passage of this
 10 budget to supplement the appropriation for fiscal 2017
 11 to provide funds to cover the loss of special fund revenue
 12 tied to a contract.

13	General Fund Appropriation	400,000
14		<hr/> <hr/>

15 DEPARTMENT OF NATURAL RESOURCES

16 FY 2017 Deficiency Appropriation

17 FOREST SERVICE

18 K00A02.09 Forest Service
 19 To become available immediately upon passage of this
 20 budget to supplement the appropriation for fiscal 2017
 21 to provide funds for county payments for timber and
 22 nontimber sales, two replacement tractors, and
 23 replacement of a failing water well at Ayton Tree
 24 Nursery.

25	Special Fund Appropriation	441,000
26		<hr/> <hr/>

27 NATURAL RESOURCES POLICE

28 K00A07.01 General Direction
 29 To become available immediately upon passage of this
 30 budget to supplement the appropriation for fiscal 2017
 31 to provide funds for Homeland Security operations.
 32 Funding will support purchases related to maritime law
 33 enforcement, tactical operators courses, and one
 34 patrol/response vessel.

35	Federal Fund Appropriation	520,450
----	----------------------------------	---------

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

K00A07.04 Field Operations

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for equipment replacement funded by High Intensity Drug Trafficking (HIDTA) agreements with the Department of Justice, and collective bargaining agreement obligations.

General Fund Appropriation	246,977
Federal Fund Appropriation	526,000
	<hr/>
	772,977
	<hr/> <hr/>

CHESAPEAKE AND COASTAL SERVICE

K00A14.02 Chesapeake and Coastal Service

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for innovative economic development approaches to oyster restoration and to implement various federally funded projects related to the Chesapeake and Atlantic Coastal Bays.

Special Fund Appropriation	500,000
Federal Fund Appropriation	513,796
	<hr/>
	1,013,796
	<hr/> <hr/>

FISHING AND BOATING SERVICES

K00A17.01 Fishing and Boating Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds for estuarine finfish ecological and habitat investigations and sport fish restoration activities.

Federal Fund Appropriation	355,000
	<hr/> <hr/>

DEPARTMENT OF AGRICULTURE

FY 2017 Deficiency Appropriation

OFFICE OF PLANT INDUSTRIES AND PEST
MANAGEMENT

L00A14.01 Office of the Assistant Secretary
To become available immediately upon passage of this
budget to reduce the appropriation for fiscal 2017 to
recognize fiscal 2017 salary savings.

General Fund Appropriation -70,000

OFFICE OF RESOURCE CONSERVATION

L00A15.04 Resource Conservation Grants
To become available immediately upon passage of this
budget to supplement the appropriation for fiscal 2017
to provide funds to implement the Maryland
Agricultural Cost-Share program.

General Fund Appropriation 1,100,000

DEPARTMENT OF HEALTH AND MENTAL
HYGIENE

FY 2017 Deficiency Appropriation

~~PREVENTION AND HEALTH PROMOTION
ADMINISTRATION~~

~~M00F03.04 Family Health and Chronic Disease Services
To become available immediately upon passage of this
budget to reduce the appropriation for fiscal 2017 to
reflect the restructured grant payments for the
proposed Prince George's County Regional Medical
Center.~~

~~General Fund Appropriation -7,500,000~~
0

OFFICE OF THE CHIEF MEDICAL EXAMINER

M00F05.01 Post Mortem Examining Services
To become available immediately upon passage of this
budget to supplement the appropriation for fiscal 2017

to provide funds to upgrade salaries for State medical examiners in order to meet recruitment, retention and national accreditation requirements.

General Fund Appropriation 401,614

BEHAVIORAL HEALTH ADMINISTRATION

M00L01.02 Community Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds to augment the State’s effort to address the heroin and opioid epidemic.

General Fund Appropriation 2,000,000

M00L01.03 Community Services for Medicaid State Fund Recipients

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to provide funds to cover the cost of inpatient psychiatric services for the Medicaid-eligible population.

General Fund Appropriation 7,000,000

CLIFTON T. PERKINS HOSPITAL CENTER

M00L10.01 Clifton T. Perkins Hospital Center

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017 to establish a new 20-bed unit in the facility’s North Wing.

General Fund Appropriation 500,000

BEHAVIORAL HEALTH ADMINISTRATION FACILITY MAINTENANCE

M00L15.01 Behavioral Health Administration Facility Maintenance

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2017

1 to provide funds for fuel, utilities, security services, and
2 other operational costs at Crownsville Hospital Center.

3	General Fund Appropriation	471,397
4	Special Fund Appropriation	122,003
5		<hr/>
6		593,400
7		<hr/> <hr/>

8 MEDICAL CARE PROGRAMS ADMINISTRATION

9 M00Q01.03 Medical Care Provider Reimbursements
10 To become available immediately upon passage of this
11 budget to supplement the appropriation for fiscal 2017
12 to provide funds for medical provider reimbursements
13 and contractual services.

14 General Fund Appropriation, ~~provided that \$375,000 of~~
15 ~~this appropriation made for the purpose of a~~
16 ~~managed care rate setting study may not be used~~
17 ~~for that purpose and instead shall be expended only~~
18 ~~for provider reimbursements. Funding not used for~~
19 ~~this restricted purpose shall revert to the General~~
20 ~~Fund, provided that \$375,000 of this appropriation~~
21 ~~made for the purpose of a managed care rate-setting~~
22 ~~study shall be limited to a review of potential~~
23 ~~improvements of the current rate-setting system used~~
24 ~~in Maryland and a review of innovations from other~~
25 ~~states in managed care payment systems similar to~~
26 ~~that in Maryland. The review should include~~
27 ~~potential recommendations. Any recommendations~~
28 ~~should serve to strengthen the current system but not~~
29 ~~at the cost of diminution of quality or access to care.~~
30 ~~The review may not include any consideration of the~~
31 ~~implementation of a competitive bidding process.~~
32 ~~Further provided that the Medical Care Programs~~
33 ~~Administration shall submit a summary of the study~~
34 ~~and any recommendations to the budget committees~~
35 ~~by November 15, 2017. Funding not used for this~~
36 ~~restricted purpose shall revert to the General Fund ...~~

36		82,061,705
37	Special Fund Appropriation	27,900,000
38		27,900,000
39	Federal Fund Appropriation	681,538,295
40		<hr/>
41		801,500,000
42		791,500,000
43		<hr/> <hr/>

1 M00Q01.10 Medicaid Behavioral Health Provider
2 Reimbursements

3 To become available immediately upon passage of this
4 budget to supplement the appropriation for fiscal 2017
5 to provide funds for medical provider reimbursements
6 and contractual services.

7	General Fund Appropriation	8,000,000
8	Federal Fund Appropriation	155,600,000
9		<hr/>
10		163,600,000
11		<hr/> <hr/>

12 DEPARTMENT OF HUMAN RESOURCES

13 FY 2017 Deficiency Appropriation

14 OFFICE OF THE SECRETARY

15 N00A01.01 Office of the Secretary

16 To become available immediately upon passage of this
17 budget to supplement the appropriation for fiscal 2017
18 to provide funds for legal costs as approved by the Board
19 of Public Works on January 4, 2017.

20	General Fund Appropriation	1,400,000
21		<hr/> <hr/>

22 LOCAL DEPARTMENT OPERATIONS

23 N00G00.02 Local Family Investment Program

24 To become available immediately upon passage of this
25 budget to adjust the appropriation for fiscal 2017 to
26 provide funds to correct federal fund attainment
27 assumptions.

28	General Fund Appropriation	7,300,000
29	Federal Fund Appropriation	-7,300,000
30		<hr/>
31		0
32		<hr/> <hr/>

33 N00G00.03 Child Welfare Services

34 To become available immediately upon passage of this
35 budget to adjust the appropriation for fiscal 2017 to
36 provide funds to correct federal fund attainment

1	assumptions.	
2	General Fund Appropriation	15,700,000
3	Federal Fund Appropriation	-15,700,000
4		<hr/>
5		0
6		<hr/> <hr/>

7 DEPARTMENT OF LABOR, LICENSING AND
8 REGULATION

9 FY 2017 Deficiency Appropriation

10 DIVISION OF WORKFORCE DEVELOPMENT AND
11 ADULT LEARNING

12 P00G01.07 Workforce Development

13 To become available immediately upon passage of this
14 budget to supplement the appropriation for fiscal 2017
15 to provide funds for the Senior Community Service
16 Employment Program.

17	General Fund Appropriation	132,312
18		<hr/> <hr/>

19 OFFICE OF UNEMPLOYMENT INSURANCE

20 P00H01.01 Office of Unemployment Insurance

21 To become available immediately upon passage of this
22 budget to adjust the appropriation for fiscal 2017 to
23 address a decrease in federal fund attainment.

24	Special Fund Appropriation	1,500,000
25	Federal Fund Appropriation	-1,500,000
26		<hr/>
27		0
28		<hr/> <hr/>

29 DEPARTMENT OF PUBLIC SAFETY AND
30 CORRECTIONAL SERVICES

31 FY 2017 Deficiency Appropriation

32 OFFICE OF THE SECRETARY

33 Q00A01.02 Information Technology and Communications
34 Division

0

=====

3 R00A02.03 Aid for Local Employee Fringe Benefits

4 To become available immediately upon passage of this
5 budget to supplement the appropriation for fiscal 2017
6 to fund anticipated expenditures for Montgomery
7 County Optional Library Retirement.

8 General Fund Appropriation 230,000

=====

10 R00A02.07 Students with Disabilities

11 To become available immediately upon passage of this
12 budget to supplement the appropriation for fiscal 2017
13 to fund a shortfall in the Autism Waiver program.

14 General Fund Appropriation 378,350

=====

16 UNIVERSITY SYSTEM OF MARYLAND

17 FY 2017 Deficiency Appropriation

18 UNIVERSITY SYSTEM OF MARYLAND OFFICE

19 R30B36.06 Institutional Support

20 To become available immediately upon passage of this
21 budget to adjust the appropriation for fiscal 2017 to
22 recognize the revised corporate income tax revenue
23 projections for fiscal 2017.

24 Current Unrestricted Fund Appropriation 4,054,000

=====

26 MARYLAND HIGHER EDUCATION COMMISSION

27 FY 2017 Deficiency Appropriation

28 R62I00.01 General Administration

29 To become available immediately upon passage of this
30 budget to supplement the appropriation for fiscal 2017
31 to provide funds to pay for legal services.

32 General Fund Appropriation 1,000,000

=====

1 R62I00.10 Educational Excellence Awards
 2 To become available immediately upon passage of this
 3 budget to supplement the appropriation for fiscal 2017
 4 to fund Educational Excellence Awards.

5 Special Fund Appropriation 3,100,000
 6 3,100,000

7 SUPPORT FOR STATE OPERATED INSTITUTIONS
 8 OF HIGHER EDUCATION

9 FY 2017 Deficiency Appropriation

10 R75T00.01 Support for State Operated Institutions of
 11 Higher Education
 12 To become available immediately upon passage of this
 13 budget to supplement the appropriation for fiscal 2017
 14 due to revised corporate income tax revenue projections
 15 for fiscal 2017.

16 General Fund Appropriation 4,683,437
 17 Special Fund Appropriation -4,683,437
 18 0
 19
 20

21 R75T00.01 Support for State Operated Institutions of
 22 Higher Education
 23 To become available immediately upon passage of this
 24 budget to adjust the appropriation for fiscal 2017 to
 25 restore the November 2, 2016 Board of Public Works
 26 general fund reduction due to revised corporate income
 27 tax revenue projections for fiscal 2017.

28 General Fund Appropriation 4,054,000
 29 4,054,000

30 DEPARTMENT OF HOUSING AND COMMUNITY
 31 DEVELOPMENT

32 FY 2017 Deficiency Appropriation

33 DIVISION OF DEVELOPMENT FINANCE

34 S00A25.05 Rental Services Programs
 35 To become available immediately upon passage of this
 36 budget to supplement the appropriation for fiscal 2017

1 To become available immediately upon passage of this
 2 budget to reduce the fiscal 2017 appropriation to align
 3 with previous year expenditures and recognize salary
 4 savings.

5	General Fund Appropriation	-44,806
6		<u><u> </u></u>

7 BALTIMORE CITY REGION

8 V00G01.01 Baltimore City Region Operations
 9 To become available immediately upon passage of this
 10 budget to reduce the fiscal 2017 appropriation to align
 11 with previous year expenditures and recognize salary
 12 savings.

13	General Fund Appropriation	-470,355
14		<u><u> </u></u>

15 CENTRAL REGION

16 V00H01.01 Central Region Operations
 17 To become available immediately upon passage of this
 18 budget to reduce the fiscal 2017 appropriation to align
 19 with previous year expenditures and recognize salary
 20 savings.

21	General Fund Appropriation	-313,031
22		<u><u> </u></u>

23 WESTERN REGION

24 V00I01.01 Western Region Operations
 25 To become available immediately upon passage of this
 26 budget to reduce the fiscal 2017 appropriation to align
 27 with previous year expenditures and recognize salary
 28 savings.

29	General Fund Appropriation	-353,266
30		<u><u> </u></u>

31 EASTERN SHORE REGION

32 V00J01.01 Eastern Shore Region Operations
 33 To become available immediately upon passage of this
 34 budget to reduce the fiscal 2017 appropriation to align
 35 with previous year expenditures and recognize salary

1	savings.	
2	General Fund Appropriation	-232,244
3		<hr/> <hr/>
4	SOUTHERN REGION	
5	V00K01.01 Southern Region Operations	
6	To become available immediately upon passage of this	
7	budget to reduce the fiscal 2017 appropriation to align	
8	with previous year expenditures and recognize salary	
9	savings.	
10	General Fund Appropriation	-432,192
11		<hr/> <hr/>
12	METRO REGION	
13	V00L01.01 Metro Region Operations	
14	To become available immediately upon passage of this	
15	budget to reduce the fiscal 2017 appropriation to align	
16	with previous year expenditures and recognize salary	
17	savings.	
18	General Fund Appropriation	-957,320
19		<hr/> <hr/>
20	PUBLIC DEBT	
21	FY 2017 Deficiency Appropriation	
22	X00A00.01 Redemption and Interest on State Bonds	
23	To become available immediately upon passage of this	
24	budget to supplement the appropriation for fiscal 2017	
25	to provide funds for debt service payments.	
26	Special Fund Appropriation	3,966,876
27		<hr/> <hr/>
28	STATE RESERVE FUND	
29	FY 2017 Deficiency Appropriation	
30	Y01A03.01 Economic Development Opportunities Program	
31	Account	
32	To become available immediately upon passage of this	
33	budget to supplement the appropriation for fiscal 2017	

1 to provide funds for the agreement with Marriott
2 International, Inc.

3 General Fund Appropriation 20,000,000
4 20,000,000

1 SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the
2 provisions of these appropriations the Secretary of Budget and Management is authorized:

3 (a) To allot all or any portion of the funds herein appropriated to the various
4 departments, boards, commissions, officers, schools and institutions by monthly, quarterly
5 or seasonal periods and by objects of expense ~~and may place any funds appropriated but~~
6 ~~not allotted in contingency reserve available for subsequent allotment. Upon the~~
7 ~~Secretary's own initiative or upon the request of the head of any State agency, the Secretary~~
8 ~~may authorize a change in the amount of funds so allotted.~~

9 The Secretary shall, before the beginning of the fiscal year, file with the Comptroller
10 of the Treasury a list limited to the appropriations restricted in this Act, to be placed in
11 contingency reserve ~~a schedule of allotments, if any.~~ The Comptroller shall not authorize
12 any expenditure or obligation in excess of the allotment made and any expenditure so made
13 shall be illegal.

14 ~~(b) To allot all or any portion of funds coming into the hands of any department,~~
15 ~~board, commission, officer, school and institution of the State, from sources not estimated~~
16 ~~or calculated upon in the budget.~~

17 ~~(e)~~ (b) The Secretary is authorized to ~~To~~ fix the number and classes of positions,
18 including temporary and permanent positions, or person years of authorized employment
19 for each agency, unit, or program thereof, not inconsistent with the Public General Laws in
20 regard to classification of positions. The Secretary shall make such determination before
21 the beginning of the fiscal year and shall base them on the positions or person years of
22 employment authorized in the budget as amended by approved budgetary position actions.
23 No payment for salaries or wages nor any request for or certification of personnel shall be
24 made except in accordance with the Secretary's determinations. At any time during the
25 fiscal year the Secretary may amend the number and classes of positions or person years of
26 employment previously fixed by the Secretary; the Secretary may delegate all or part of
27 this authority. The governing boards of public institutions of higher education shall have
28 the authority to transfer positions between programs and campuses under each
29 institutional board's jurisdiction without the approval of the Secretary, as provided in
30 Section 15-105 of the Education Article.

31 ~~(d)~~ (c) To prescribe procedures and forms for carrying out the above provisions.

32 SECTION 3. AND BE IT FURTHER ENACTED, That in accordance with Section
33 7-109 of the State Finance and Procurement Article of the Annotated Code of Maryland, it
34 is the intention of the General Assembly to include herein a listing of nonclassified flat rate
35 or per diem positions by unit of State government, job classification, the number in each
36 job classification and the amount proposed for each classification. The Chief Judge of the
37 Court of Appeals may make adjustments to positions contained in the Judicial portion of
38 this section (including judges) that are impacted by changes in salary plans or by salary
39 actions in the executive agencies.

JUDICIARY

1			
2	Chief Judge, Court of Appeals	1	195,433
3	Judge, Court of Appeals (@ 176,433)	6	1,058,598
4	Chief Judge, Court of Special Appeals	1	166,633
5	Judge, Court of Special Appeals (@ 163,633)	14	2,290,862
6	Judge, Circuit Court (@ 154,433)	173	26,716,909
7	Chief Judge, District Court of Maryland	1	163,633
8	Judge, District Court (@ 141,333)	117	16,535,961
9	Judiciary Clerk of Court A (@ 108,600)	7	760,200
10	Judiciary Clerk of Court B (@ 111,600)	6	669,600
11	Judiciary Clerk of Court C (@ 112,750)	6	676,500
12	Judiciary Clerk of Court D (@ 114,500)	5	572,500

OFFICE OF THE PUBLIC DEFENDER

13			
14	Public Defender	1	154,433

OFFICE OF THE ATTORNEY GENERAL

15			
16	Attorney General	1	149,500

OFFICE OF THE STATE PROSECUTOR

17			
18	State Prosecutor	1	154,433

MARYLAND TAX COURT

19			
20	Chief Judge, Tax Court	1	43,413
21	Judge, Tax Court (@ 37,170)	4	148,680

PUBLIC SERVICE COMMISSION

22			
23	Commissioner (@ 139,364)	4	557,456

WORKERS' COMPENSATION COMMISSION

24			
25	Chairman	1	143,033
26	Commissioner (@ 141,333)	9	1,271,997

HOUSE BILL 150

1	EXECUTIVE DEPARTMENT – GOVERNOR		
2	Governor	1	180,000
3	Lieutenant Governor	1	149,500
4	EXECUTIVE DEPARTMENT – BOARDS,		
5	COMMISSIONS AND OFFICES		
6	Chairman	1	124,811
7	Member (@ 112,572)	2	225,144
8	SECRETARY OF STATE		
9	Secretary of State	1	105,500
10	MARYLAND INSTITUTE FOR EMERGENCY		
11	MEDICAL SERVICES SYSTEMS		
12	EMS Executive Director	1	255,225
13	OFFICE OF THE COMPTROLLER		
14	Comptroller	1	149,500
15	STATE TREASURER'S OFFICE		
16	Treasurer	1	149,500
17	STATE LOTTERY AND GAMING CONTROL AGENCY		
18	Lottery and Gaming Commissioner (@ 18,000)	7	126,000
19	DEPARTMENT OF BUDGET AND MANAGEMENT		
20	Office of the Secretary		
21	Director, Governmental Efficiency	1	156,574
22	MARYLAND STATE RETIREMENT AND PENSION SYSTEMS		
23	State Retirement Administrator	1	142,097
24	MARYLAND DEPARTMENT OF TRANSPORTATION		
25	State Highway Administration		
26	State Highway Administrator	1	163,000

1	Maryland Port Administration		
2	Executive Director	1	289,221
3	Deputy Executive Director, Development and		
4	Administration	1	172,264
5	Director, Operations	1	157,295
6	Director, Marketing	1	143,457
7	CFO and Treasurer (MIT)	1	133,300
8	Director, Maritime Commercial Management	1	140,630
9	General Manager Intermodal Trade Development	1	116,255
10	Director, Security	1	100,303
11	Deputy Director, Harbor Development	1	125,676
12	BCO Trade Development Executive	1	98,940
13	General Manager, Cruise MD Marketing	1	98,982
14	Maryland Transit Administration		
15	Maryland Transit Administrator	1	215,200
16	Senior Deputy Administrator, Transit Operations	1	163,200
17	Executive Director of Safety and Risk Management	1	139,265
18	Executive Project Director, New Starts	1	150,032
19	Executive Project Director, New Starts	1	124,454
20	MTA Police Chief	1	129,355
21	Maryland Aviation Administration		
22	Executive Director	1	294,304
23	Chief Engineer	1	151,356
24	Chief Administrative Officer	1	148,250
25	Chief Financial Officer	1	165,565
26	Director, Planning and Environmental Services	1	134,486
27	Director, Commercial Management	1	135,000
28	Director, Marketing, Communications and Customer		
29	Service	1	130,570
30	Director, Regional Aviation Assistance	1	110,313
31	Chief Operating Officer	1	168,655
32	Director of Engineering and Construction	1	137,971
33	Director of Martin State Airport	1	117,176
34	Director of Maintenance and Utilities	1	127,500
35	DEPARTMENT OF HEALTH AND MENTAL HYGIENE		
36	Office of the Chief Medical Examiner		
37	Resident Forensic Pathologist (@ 57,115)	3	171,345

1 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

2 Deputy Secretary for Operations

3 Coordinator, Correctional Education 1 109,954

4 Maryland Parole Commission

5 Chairman 1 106,452

6 Member (@ 94,214) 9 847,926

7 PUBLIC EDUCATION

8 State Department of Education – Headquarters

9 State Superintendent of Schools 1 236,000

10 MARYLAND SCHOOL FOR THE DEAF

11 MSD Non-Faculty Manager III 1 106,026

12 MSD Non-Faculty Manager I 1 89,126

13 SECTION 4. AND BE IT FURTHER ENACTED, That if any person holding an office
 14 of profit within the meaning of Article 35 of the Declaration of Rights, Constitution of
 15 Maryland, is appointed to or otherwise becomes the holder of a second office within the
 16 meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, then no
 17 compensation or other emolument, except expenses incurred in connection with attendance
 18 at hearings, meetings, field trips, and working sessions, shall be paid from any funds
 19 appropriated by this bill to that person for any services in connection with the second office.

20 SECTION 5. AND BE IT FURTHER ENACTED, That amounts received pursuant
 21 to Sections 2–201 and 7–217 of the State Finance and Procurement Article may be
 22 expended by approved budget amendment.

23 SECTION 6. AND BE IT FURTHER ENACTED, That funds appropriated by this
 24 bill may be transferred among programs in accordance with the procedure provided in
 25 Sections 7–205 through 7–212, inclusive, of the State Finance and Procurement Article.

26 SECTION 7. AND BE IT FURTHER ENACTED, That, except as otherwise provided,
 27 amounts received from sources estimated or calculated upon in the budget in excess of the
 28 estimates for any special or federal fund appropriations listed in this bill may be made
 29 available by approved budget amendment.

30 SECTION 8. AND BE IT FURTHER ENACTED, That authorization is hereby
 31 granted to transfer by budget amendment General Fund amounts for the operations of
 32 State office buildings and facilities to the budgets of the various agencies and departments
 33 occupying the buildings.

1 SECTION 9. AND BE IT FURTHER ENACTED, That \$10,535,100 is appropriated
2 in the various agency budgets for tort claims (including motor vehicles) under the
3 provisions of the State Government Article, Title 12, Subtitle 1, the Maryland Tort Claims
4 Act (MTCA). These funds are to be transferred to the State Insurance Trust Fund; these
5 funds, together with funds appropriated in prior budgets for tort claims but unexpended,
6 are the only funds available to make payments under the provisions of the MTCA.

7 (A) Tort claims for incidents or occurrences occurring after October 1, 1999, paid
8 from the State Insurance Trust Fund, are limited hereby and by State Treasurer's
9 regulations to payments of no more than \$200,000 to a single claimant for injuries
10 arising from a single incident or occurrence.

11 (B) Tort claims for incidents or occurrences occurring after July 1, 1996, and
12 before October 1, 1999, paid from the State Insurance Trust Fund, are limited hereby
13 and by State Treasurer's regulations to payments of no more than \$100,000 to a
14 single claimant for injuries arising from a single incident or occurrence.

15 (C) Tort claims for incidents or occurrences resulting in death on or after July 1,
16 1994, and before July 1, 1996, paid from the State Insurance Trust Fund, are limited
17 hereby and by State Treasurer's regulations to payments of no more than \$75,000 to
18 a single claimant. All other tort claims occurring on or after July 1, 1994, and before
19 July 1, 1996, paid from the State Insurance Trust Fund, are limited hereby and by
20 State Treasurer's regulations to payments of no more than \$50,000 to a single
21 claimant for injuries arising from a single incident or occurrence.

22 (D) Tort claims for incidents or occurrences occurring prior to July 1, 1994, paid
23 from the State Insurance Trust Fund, are limited hereby and by State Treasurer's
24 regulations to payments of no more than \$50,000 to a single claimant for injuries
25 arising from a single incident or occurrence.

26 SECTION 10. AND BE IT FURTHER ENACTED, That authorization is hereby
27 granted to transfer by budget amendment General Fund amounts, budgeted to the various
28 State agency programs and subprograms which comprise the indirect cost pools under the
29 Statewide Indirect Cost Plan, from the State agencies providing such services to the State
30 agencies receiving the services. It is further authorized that receipts by the State agencies
31 providing such services from charges for the indirect services may be used as special funds
32 for operating expenses of the indirect cost pools.

33 SECTION 11. AND BE IT FURTHER ENACTED, That certain funds appropriated
34 to the various State agency programs and subprograms in Comptroller Object 0882
35 (In-State Services – Computer Usage – ADC Only) shall be utilized to pay for services
36 provided by the Comptroller of the Treasury, Data Processing Division, Computer Center
37 Operations (E00A10.01) consistent with the reimbursement schedule provided for in the
38 supporting budget documents. The expenditure or transfer of these funds for other purposes
39 requires the prior approval of the Secretary of Budget and Management. Notwithstanding
40 any other provision of law, the Secretary of Budget and Management may transfer amounts

1 appropriated in Comptroller Object 0882 between State departments and agencies by
2 approved budget amendment in fiscal 2018.

3 SECTION 12. AND BE IT FURTHER ENACTED, That, pursuant to Section 8–102
4 of the State Personnel and Pensions Article, the salary schedule for the executive pay plan
5 during fiscal 2018 shall be as set forth below. Adjustments to the salary schedule may be
6 made during the fiscal year in accordance with the provisions of Sections 8–108 and 8–109
7 of the State Personnel and Pensions Article. Notwithstanding the inclusion of salaries for
8 positions which are determined by agencies with independent salary setting authority in
9 the salary schedule set forth below, such salaries may be adjusted during the fiscal year in
10 accordance with such salary setting authority.

11 Fiscal 2018
12 Executive Salary Schedule

13		Scale	Minimum	Maximum
14	EPP 0001	9904	79,953	106,604
15	EPP 0002	9905	85,902	114,600
16	EPP 0003	9906	92,333	123,236
17	EPP 0004	9907	99,275	132,569
18	EPP 0005	9908	106,773	142,646
19	EPP 0006	9909	114,874	153,532
20	EPP 0007	9910	123,618	165,281
21	EPP 0008	9911	133,069	177,977
22	EPP 0009	9991	153,027	256,866

23 Classification Title Scale

24 OFFICE OF THE PUBLIC DEFENDER

25 Deputy Public Defender 9909
26 Executive VI 9906

27 OFFICE OF THE ATTORNEY GENERAL

28 Deputy Attorney General 9909
29 Deputy Attorney General 9909
30 Senior Executive Associate Attorney General 9908
31 Senior Executive Associate Attorney General 9908
32 Senior Executive Associate Attorney General 9908

33 PUBLIC SERVICE COMMISSION

34 Chair 9991

35 OFFICE OF THE PEOPLE'S COUNSEL

1	People’s Counsel	9906
2	SUBSEQUENT INJURY FUND	
3	Executive Director	9906
4	UNINSURED EMPLOYERS’ FUND	
5	Executive Director	9906
6	EXECUTIVE DEPARTMENT – GOVERNOR	
7	Executive Senior	9991
8	Executive Aide XI	9911
9	Executive Aide XI	9911
10	Executive Aide X	9910
11	Executive Aide X	9910
12	Executive Aide X	9910
13	Executive Aide X	9910
14	Executive Aide IX	9909
15	Executive Aide IX	9909
16	Executive Aide IX	9909
17	Executive Aide IX	9909
18	Executive Aide VIII	9908
19	Executive VIII	9908
20	DEPARTMENT OF DISABILITIES	
21	Secretary	9909
22	Deputy Secretary	9906
23	MARYLAND ENERGY ADMINISTRATION	
24	Executive Aide VIII	9908
25	EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES	
26	Executive Aide IX	9909
27	Executive Aide VIII	9908
28	Executive Aide VIII	9908
29	GOVERNOR’S OFFICE FOR CHILDREN	
30	Executive Aide VIII	9908
31	INTERAGENCY COMMITTEE FOR SCHOOL CONSTRUCTION	

1	Executive VII	9907
2	DEPARTMENT OF AGING	
3	Secretary	9909
4	Deputy Secretary	9906
5	MARYLAND COMMISSION ON CIVIL RIGHTS	
6	Executive Director	9906
7	Deputy Director	9904
8	STATE BOARD OF ELECTIONS	
9	State Administrator of Elections	9907
10	DEPARTMENT OF PLANNING	
11	Secretary	9909
12	Deputy Director	9906
13	Executive V	9905
14	MILITARY DEPARTMENT	
15	Military Department Operations and Maintenance	
16	The Adjutant General	9909
17	Executive IX	9909
18	Executive VII	9907
19	Executive VII	9907
20	DEPARTMENT OF VETERANS AFFAIRS	
21	Secretary	9905
22	STATE ARCHIVES	
23	State Archivist	9907
24	MARYLAND HEALTH BENEFIT EXCHANGE	
25	Executive Senior	9991
26	Health Benefit Exchange Executive XI	9911
27	Health Benefit Exchange Executive XI	9911
28	Health Benefit Exchange Executive X	9910
29	Executive Aide IX	9909
30	Executive Aide VIII	9908

1 MARYLAND INSURANCE ADMINISTRATION

2 Maryland Insurance Commissioner 9911
 3 Maryland Deputy Insurance Commissioner 9908

4 OFFICE OF ADMINISTRATIVE HEARINGS

5 Chief Administrative Law Judge 9908

6 COMPTROLLER OF MARYLAND

7 Office of the Comptroller

8 Chief Deputy Comptroller 9910
 9 Executive Aide X 9910

10 General Accounting Division

11 Assistant State Comptroller VII 9907

12 Bureau of Revenue Estimates

13 Assistant State Comptroller VII 9907

14 Revenue Administration Division

15 Assistant State Comptroller VII 9907

16 Compliance Division

17 Assistant State Comptroller VII 9907

18 Field Enforcement Division

19 Assistant State Comptroller VI 9906

20 Central Payroll Bureau

21 Assistant State Comptroller VI 9906

22 Information Technology Division

23 Assistant State Comptroller VII 9907

24 STATE TREASURER'S OFFICE

1	Chief Deputy Treasurer	9909
2	Executive VIII	9908
3	Executive VIII	9908
4	Executive VI	9906
5	Executive V	9905
6	Executive V	9905
7	Executive V	9905
8	Executive V	9905
9	Executive IV	9904
10	STATE DEPARTMENT OF ASSESSMENTS AND TAXATION	
11	Director	9908
12	Deputy Director	9906
13	Executive V	9905
14	MARYLAND LOTTERY AND GAMING CONTROL AGENCY	
15	Director	9911
16	Executive VIII	9908
17	Executive VII	9907
18	Executive VII	9907
19	Executive VII	9907
20	Executive VII	9907
21	DEPARTMENT OF BUDGET AND MANAGEMENT	
22	Office of the Secretary	
23	Secretary	9911
24	Deputy Secretary	9909
25	Office of Personnel Services and Benefits	
26	Executive VIII	9908
27	Office of Budget Analysis	
28	Executive VIII	9908
29	Office of Capital Budgeting	
30	Executive VII	9907
31	DEPARTMENT OF INFORMATION TECHNOLOGY	
32	Secretary	9911

1	Deputy Secretary	9909
2	Executive IX	9909
3	Executive VIII	9908

4 MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

5	Executive Director	9909
---	--------------------	------

6 TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

7	Executive VII	9907
---	---------------	------

8 DEPARTMENT OF GENERAL SERVICES

9 Office of the Secretary

10	Secretary	9909
11	Executive VII	9907

12 Office of Facilities Operation and
13 Maintenance

14	Executive V	9905
----	-------------	------

15 Office of Procurement and Logistics

16	Executive V	9905
----	-------------	------

17 Office of Real Estate

18	Executive V	9905
----	-------------	------

19 Office of Facilities Planning, Design
20 and Construction

21	Executive VI	9906
22	Executive VI	9906
23	Executive V	9905

24 DEPARTMENT OF NATURAL RESOURCES

25 Office of the Secretary

26	Secretary	9910
27	Deputy Secretary	9908
28	Executive VI	9906
29	Executive VI	9906

1 Critical Area Commission

2 Chairman 9906

3 DEPARTMENT OF AGRICULTURE

4 Office of the Secretary

5 Secretary 9909

6 Deputy Secretary 9907

7 Executive V 9905

8 Office of Marketing, Animal Industries and Consumer Services

9 Executive V 9905

10 Office of Plant Industries and Pest Management

11 Executive V 9905

12 Office of Resource Conservation

13 Executive V 9905

14 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

15 Office of the Secretary

16 Secretary 9911

17 Deputy Secretary 9908

18 Executive VII 9907

19 Executive V 9905

20 Office of the Chief Medical Examiner

21 Chief Medical Examiner Post Mortem 9991

22 Laboratories Administration

23 Executive VI 9906

24 Deputy Secretary for Behavioral Health

25 Executive V 9905

26 Behavioral Health Administration

1	Executive V	9905
2	Developmental Disabilities Administration	
3	Executive VII	9907
4	Medical Care Programs Administration	
5	Deputy Secretary	9910
6	Executive VI	9906
7	Executive VI	9906
8	Executive VI	9906

9	Health Regulatory Commissions	
10	Executive VIII	9908

11 DEPARTMENT OF HUMAN RESOURCES

12	Office of the Secretary	
13	Secretary	9911
14	Deputy Secretary	9908
15	Deputy Secretary	9908
16	Deputy Secretary	9908

17	Social Services Administration	
18	Executive VI	9906
19	Child Support Enforcement Administration	
20	Executive Director	9906

21	Family Investment Administration	
22	Executive VI	9906

23 DEPARTMENT OF LABOR, LICENSING AND REGULATION

24	Office of the Secretary	
25	Secretary	9910
26	Deputy Secretary	9908

27	Division of Labor and Industry	
----	--------------------------------	--

1	Executive VI	9906
2	Division of Occupational and Professional Licensing	
3	Executive VI	9906
4	Division of Workforce Development and Adult Learning	
5	Executive VII	9907
6	Division of Unemployment Insurance	
7	Executive VI	9906
8	DEPARTMENT OF PUBLIC SAFETY AND	
9	CORRECTIONAL SERVICES	
10	Office of the Secretary	
11	Secretary	9911
12	Deputy Secretary	9908
13	Executive VII	9907
14	Executive VII	9907
15	Deputy Secretary for Operations	
16	Deputy Secretary	9908
17	Division of Correction – Headquarters	
18	Commissioner of Correction	9907
19	Division of Parole and Probation	
20	Director, Division of Parole and Probation	9907
21	Division of Pretrial Detention	
22	Commissioner	9907
23	PUBLIC EDUCATION	
24	State Department of Education – Headquarters	
25	Deputy State Superintendent of Schools	9909
26	Deputy State Superintendent of Schools	9909

1	Deputy State Superintendent of Schools	9909
2	Executive VII	9907
3	Assistant State Superintendent	9906
4	Assistant State Superintendent	9906
5	Assistant State Superintendent	9906
6	Assistant State Superintendent	9906
7	Assistant State Superintendent	9906
8	Assistant State Superintendent	9906
9	Assistant State Superintendent	9906
10	Assistant State Superintendent	9906
11	Assistant State Superintendent	9906
12	Maryland Longitudinal Data System Center	
13	Executive VI	9906
14	Maryland Higher Education Commission	
15	Secretary	9910
16	Assistant Secretary	9907
17	Maryland School for the Deaf	
18	Superintendent	9907
19	DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT	
20	Office of the Secretary	
21	Secretary	9910
22	Deputy Secretary	9908
23	Executive VIII	9908
24	Division of Credit Assurance	
25	Executive VI	9906
26	Division of Neighborhood Revitalization	
27	Executive VI	9906
28	Division of Development Finance	
29	Executive VI	9906
30	DEPARTMENT OF COMMERCE	

HOUSE BILL 150

1	Office of the Secretary	
2	Secretary	9911
3	Deputy Secretary	9909
4	Division of Business and Industry Sector Development	
5	Executive VIII	9908
6	Division of Tourism, Film and the Arts	
7	Executive VIII	9908
8	DEPARTMENT OF THE ENVIRONMENT	
9	Office of the Secretary	
10	Secretary	9910
11	Deputy Secretary	9908
12	Executive VIII	9908
13	Water Management Administration	
14	Executive VI	9906
15	Land Management Administration	
16	Executive VI	9906
17	Air and Radiation Management Administration	
18	Executive VI	9906
19	DEPARTMENT OF JUVENILE SERVICES	
20	Office of the Secretary	
21	Secretary	9911
22	Departmental Support	
23	Deputy Secretary	9908
24	Residential and Community Operations	
25	Deputy Secretary	9908
26	Assistant Secretary	9905

DEPARTMENT OF STATE POLICE

Maryland State Police

3	Superintendent	9911
4	Executive VIII	9908
5	Deputy Secretary	9907

SECTION 13. AND BE IT FURTHER ENACTED, That pursuant to Section 2–103.4(h) of the Transportation Article of the Annotated Code of Maryland, the salary schedule for the Department of Transportation executive pay plan during fiscal 2018 shall be as set forth below. Adjustments to the salary schedule may be made during the fiscal year in accordance with the provisions of Section 2–103.4(h) of the Transportation Article. Notwithstanding the inclusion of salaries for positions that are determined by agencies with independent salary setting authority in the salary schedule set forth below, such salaries may be adjusted during the fiscal year in accordance with such salary setting authority.

Fiscal 2018
Executive Salary Schedule

	Scale	Minimum	Maximum
18	ES 4	79,953	106,604
19	ES 5	85,902	114,600
20	ES 6	92,333	123,236
21	ES 7	99,275	132,569
22	ES 8	106,773	142,646
23	ES 9	114,874	153,532
24	ES 10	123,618	165,281
25	ES 11	133,069	177,977
26	ES 91	153,027	256,866

DEPARTMENT OF TRANSPORTATION

The Secretary’s Office

29	Secretary	9911
30	Deputy Secretary	9909
31	Deputy Secretary	9909

Motor Vehicle Administration

33	Motor Vehicle Administrator	9909
----	-----------------------------	------

SECTION 14. AND BE IT FURTHER ENACTED, That if a person is placed by the Departments of Health and Mental Hygiene, Human Resources, or Juvenile Services or the

1 State Department of Education in a facility or program that becomes eligible for Medical
 2 Assistance Program (Medicaid) participation, and the Medical Assistance Program makes
 3 payment for such services, general funds equal to the general funds paid by the Medical
 4 Assistance Program to such a facility or program may be transferred from the previously
 5 mentioned departments to the Medical Assistance Program. Further, should the facility or
 6 program become eligible subsequent to payment to the facility or program by any of the
 7 previously mentioned departments, and the Medical Assistance Program makes
 8 subsequent additional payments to the facility or program for the same services, any
 9 recoveries of overpayment, whether paid in this or prior fiscal years, shall become available
 10 to the Medical Assistance Program for provider reimbursement purposes.

11 SECTION 15. AND BE IT FURTHER ENACTED, That all funds appropriated to the
 12 various State departments and agencies in Comptroller Object 0831 (Office of
 13 Administrative Hearings) to conduct administrative hearings by the Office of
 14 Administrative Hearings are to be transferred to the Office of Administrative Hearings
 15 (D99A11.01) on July 1, 2017, and may not be expended for any other purpose.

16 SECTION 16. AND BE IT FURTHER ENACTED, That funds budgeted in the State
 17 Department of Education and the Departments of Health and Mental Hygiene, Human
 18 Resources, and Juvenile Services may be transferred by budget amendment to the
 19 Children's Cabinet Interagency Fund (R00A04.01). Funds transferred would represent
 20 costs associated with local partnership agreements approved by the Children's Cabinet
 21 Interagency Fund.

22 SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the
 23 various State agency programs and subprograms in Comptroller Objects 0152 (Health
 24 Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation),
 25 0217 (Health Insurance), 0305 (DBM Paid Telecommunications), 0322 (Capital Lease
 26 Telecommunications), 0839 (HR Shared Services), 0874 (Office of Attorney General
 27 Administrative Fee), 0876 (DoIT IT Services Allocation), 0894 (State Personnel System
 28 Allocation), 0897 (Enterprise Budget System Allocation), and 1303 (rent paid to DGS) are
 29 to be utilized for their intended purposes only. ~~The expenditure or transfer of these funds~~
 30 ~~for other purposes requires the prior approval of the Secretary of Budget and Management.~~
 31 Notwithstanding any other provision of law, the Secretary of Budget and Management may
 32 transfer amounts appropriated in Comptroller Objects 0152, 0154, 0217, 0305, 0322, and
 33 0876 between State departments and agencies by approved budget amendment in fiscal
 34 2017 and fiscal 2018. All funds budgeted in or transferred to Comptroller Objects 0152 and
 35 0154, and any funds restricted in this budget for use in the employee and retiree health
 36 insurance program that are unspent shall be credited to the fund as established in
 37 accordance with Section 2-516 of the State Personnel and Pensions Article of the Annotated
 38 Code of Maryland.

39 Further provided that each agency that receives funding in this budget in any of the
 40 restricted Comptroller Objects listed within this section shall establish within the State's
 41 accounting system a structure of accounts to separately identify for each restricted
 42 Comptroller Object, by fund source, the legislative appropriation, monthly transactions,
 43 and final expenditures. It is the intent of the General Assembly that an accounting detail

1 be established so that the Office of Legislative Audits may review the disposition of funds
 2 appropriated for each restricted Comptroller Object as part of each closeout audit to ensure
 3 that funds are used only for the purposes for which they are restricted and that unspent
 4 funds are reverted or canceled.

5 SECTION 18. AND BE IT FURTHER ENACTED, That all funds appropriated to the
 6 various State departments and agencies in Comptroller Object 0875 (Retirement
 7 Administrative Fee) to support the Maryland State Retirement agency operations are to be
 8 transferred to the Maryland State Retirement agency (G20J01.01) on July 1, 2017, and
 9 may not be expended for any other purpose.

10 SECTION 19. AND BE IT FURTHER ENACTED, That for fiscal 2018 funding for
 11 retirement shall be reduced by ~~\$54,527,621~~ \$55,769,368 in Executive Branch, Legislative
 12 Branch, and Judicial Branch agencies to reduce the retirement reinvestment contribution
 13 contingent upon the enactment of legislation reducing the amount of the retirement
 14 reinvestment contribution. Funding for this purpose shall be reduced in Comptroller Object
 15 0161 (Employees’ Retirement), Comptroller Object 0163 (Teachers’ Retirement),
 16 Comptroller Object 0165 – (State Police Retirement), Comptroller Object 0166 (Judges’
 17 Retirement), and Comptroller Object 0169 (Law Enforcement Officers’ Retirement) within
 18 Executive Branch, Legislative Branch, and Judicial Branch agencies in fiscal 2018 by the
 19 following amounts in accordance with a schedule determined by the Governor:

20	Agency	General Funds
21	<u>B75</u> <u>General Assembly of Maryland</u>	<u>268,111</u>
22	<u>C00</u> <u>Judiciary</u>	<u>918,366</u>
23	C80 Office of the Public Defender	324,895
24	C81 Office of the Attorney General	61,818
25	C82 State Prosecutor	4,372
26	C85 Maryland Tax Court	2,030
27	D05 Board of Public Works (BPW)	3,563
28	D10 Executive Department – Governor	34,357
29	D11 Office of the Deaf and Hard of Hearing	1,167
30	D12 Department of Disabilities	5,578
31	D15 Boards and Commissions	29,179
32	D16 Secretary of State	7,317
33	D17 Historic St. Mary’s City Commission	7,031
34	D18 Governor’s Office for Children	6,836
35	D25 BPW Interagency Committee for School Construction	7,225
36	D26 Department of Aging	7,073
37	D27 Maryland Commission on Civil Rights	8,598
38	D38 State Board of Elections	13,369
39	D40 Department of Planning	39,094
40	D50 Military Department	25,705
41	D55 Department of Veterans Affairs	14,214
42	D60 Maryland State Archives	15,819
43	E00 Comptroller of Maryland	242,629
44	E20 State Treasurer’s Office	10,737

1	E50	Department of Assessments and Taxation	81,843
2	E75	State Lottery and Gaming Control Agency	35,199
3	E80	Property Tax Assessment Appeals Board	2,092
4	F10	Department of Budget and Management	61,362
5	F50	Department of Information Technology	66,566
6	H00	Department of General Services	137,150
7	K00	Department of Natural Resources	280,976
8	L00	Department of Agriculture	71,847
9	M00	Department of Health and Mental Hygiene	1,428,551
10	N00	Department of Human Resources	872,106
11	P00	Department of Labor, Licensing and Regulation	93,058
12	Q00	Department of Public Safety and Correctional Services	2,818,166
13	R00	State Department of Education – HQ	158,379
14	R00	State Department of Education – Aid	36,146,626
15	R15	Maryland Public Broadcasting Commission	21,074
16	R62	Maryland Higher Education Commission	11,684
17	R62	Maryland Higher Education Commission – Aid	1,546,848
18	R75	Support for State Operated Institutions of Higher	
19		Education	2,402,274
20	R99	Maryland School for the Deaf	92,625
21	T00	Department of Commerce	60,312
22	U00	Department of the Environment	91,096
23	V00	Department of Juvenile Services	549,480
24	W00	Department of State Police	911,603
25			
26		Total General Funds	<u>48,813,523</u>
27			<u>50,000,000</u>
28			
29		Agency	Special Funds
30	<u>C00</u>	<u>Judiciary</u>	<u>55,270</u>
31	C80	Office of the Public Defender	549
32	C81	Office of the Attorney General	22,229
33	C90	Public Service Commission	53,580
34	C91	Office of the People’s Counsel	8,057
35	C94	Subsequent Injury Fund	7,125
36	C96	Uninsured Employers Fund	4,696
37	C98	Workers’ Compensation Commission	30,760
38	D12	Department of Disabilities	345
39	D13	Maryland Energy Administration	9,693
40	D15	Boards and Commissions	212
41	D16	Secretary of State	1,264
42	D17	Historic St. Mary’s City Commission	944
43	D26	Department of Aging	1,640
44	D38	State Board of Elections	1,348
45	D40	Department of Planning	2,405
46	D53	Maryland Institute for Emergency Medical Services	

1	Systems	34,565
2	D55 Department of Veterans Affairs	1,986
3	D60 Maryland State Archives	5,056
4	D78 Maryland Health Benefit Exchange	15,965
5	D80 Maryland Insurance Administration	91,776
6	D90 Canal Place Preservation and Development Authority	809
7	E00 Comptroller of Maryland	54,212
8	E20 State Treasurer's Office	1,300
9	E50 Department of Assessments and Taxation	82,654
10	E75 State Lottery and Gaming Control Agency	53,483
11	F10 Department of Budget and Management	31,536
12	F50 Department of Information Technology	1,949
13	G20 State Retirement Agency	48,359
14	G50 Teachers and State Employees Supplemental Retirement	
15	Plans	4,519
16	H00 Department of General Services	4,739
17	J00 Department of Transportation	1,952,439
18	K00 Department of Natural Resources	211,378
19	L00 Department of Agriculture	25,171
20	M00 Department of Health and Mental Hygiene	148,993
21	N00 Department of Human Resources	20,096
22	P00 Department of Labor, Licensing and Regulation	85,925
23	Q00 Department of Public Safety and Correctional Services	81,261
24	R00 State Department of Education	10,539
25	R15 Maryland Public Broadcasting Commission	29,013
26	R62 Maryland Higher Education Commission	1,511
27	S00 Department of Housing and Community Development	98,923
28	T00 Department of Commerce	19,530
29	U00 Department of the Environment	139,905
30	W00 Department of State Police	232,750
31		
32	Total Special Funds	<u>3,635,189</u>
33		<u>3,690,459</u>
34		
35	Agency	Federal Funds
36	C81 Office of the Attorney General	10,917
37	C90 Public Service Commission	1,721
38	D12 Department of Disabilities	3,702
39	D13 Maryland Energy Administration	1,977
40	D15 Boards and Commissions	6,943
41	D26 Department of Aging	4,137
42	D27 Maryland Commission on Civil Rights	1,747
43	D40 Department of Planning	2,957
44	D50 Military Department	57,541
45	D55 Department of Veterans Affairs	2,268
46	D78 Maryland Health Benefit Exchange	12,430

1	D80	Maryland Insurance Administration	506
2	H00	Department of General Services	2,222
3	J00	Department of Transportation	108,920
4	K00	Department of Natural Resources	30,523
5	L00	Department of Agriculture	3,312
6	M00	Department of Health and Mental Hygiene	286,443
7	N00	Department of Human Resources	803,409
8	P00	Department of Labor, Licensing and Regulation	283,526
9	Q00	Department of Public Safety and Correctional Services	57,525
10	R00	State Department of Education	280,369
11	R62	Maryland Higher Education Commission	740
12	R99	Maryland School for the Deaf	1,485
13	S00	Department of Housing and Community Development	27,455
14	T00	Department of Commerce	1,606
15	U00	Department of the Environment	76,730
16	V00	Department of Juvenile Services	7,798
17			
18		Total Federal Funds	2,078,909
19			
20			Current
21			Unrestricted
22		Agency	Funds
23	R13	Morgan State University	226,825
24	R30	University System of Maryland	2,175,449
25			
26		Total Current Unrestricted Funds	2,402,274
27		Less: General Funds in Higher Education	2,402,274
28			
29		Net Current Unrestricted Funds	- 0 -
30			

31 SECTION 20. AND BE IT FURTHER ENACTED, That the Governor's budget books
32 shall include a forecast of the impact of the Executive budget proposal on the long-term
33 fiscal condition of the General Fund, the Transportation Trust Fund, and higher education
34 Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues,
35 expenditures, and fund balances in each account for the fiscal year last completed, the
36 current year, the budget year, and four years thereafter. Expenditures shall be reported at
37 such agency, program or unit levels, or categories as may be determined appropriate after
38 consultation with the Department of Legislative Services. A statement of major
39 assumptions underlying the forecast shall also be provided, including but not limited to
40 general salary increases, inflation, and growth of caseloads in significant program areas.

41 SECTION 21. AND BE IT FURTHER ENACTED, That all across-the-board
42 reductions applied to the Executive Branch, unless otherwise stated, shall apply to current
43 unrestricted and general funds in the University System of Maryland, St. Mary's College
44 of Maryland, Morgan State University, and Baltimore City Community College.

1 SECTION 22. AND BE IT FURTHER ENACTED, That the General Accounting
2 Division of the Comptroller of Maryland shall establish a subsidiary ledger control account
3 to debit all State agency funds budgeted under subobject 0175 (Workers' Compensation)
4 and to credit all payments disbursed to the Chesapeake Employers' Insurance Company
5 (CEIC) via transmittal. The control account shall also record all funds withdrawn from
6 CEIC and returned to the State and subsequently transferred to the General Fund. CEIC
7 shall submit monthly reports to the Department of Legislative Services concerning the
8 status of the account.

9 SECTION 23. AND BE IT FURTHER ENACTED, That the Governor's budget books
10 shall include a summary statement of federal revenues by major federal program sources
11 supporting the federal appropriations made therein along with the major assumptions
12 underpinning the federal fund estimates. The Department of Budget and Management
13 (DBM) shall exercise due diligence in reporting this data and ensure that they are updated
14 as appropriate to reflect ongoing congressional action on the federal budget. In addition,
15 DBM shall provide to the Department of Legislative Services (DLS) data for the actual,
16 current, and budget years listing the components of each federal fund appropriation by
17 Catalog of Federal Domestic Assistance number or equivalent detail for programs not in
18 the catalog. Data shall be provided in an electronic format subject to the concurrence of
19 DLS.

20 SECTION 24. AND BE IT FURTHER ENACTED, That in the expenditure of federal
21 funds appropriated in this budget or subsequent to the enactment of this budget by the
22 budget amendment process:

23 (1) State agencies shall administer these federal funds in a manner that
24 recognizes that federal funds are taxpayer dollars that require prudent fiscal management,
25 careful application to the purposes for which they are directed, and strict attention to
26 budgetary and accounting procedures established for the administration of all public funds.

27 (2) For fiscal 2018, except with respect to capital appropriations, to the
28 extent consistent with federal requirements:

29 (a) when expenditures or encumbrances may be charged to either
30 State or federal fund sources, federal funds shall be charged before State funds are charged
31 except that this policy does not apply to the Department of Human Resources with respect
32 to federal funds to be carried forward into future years for child welfare or welfare reform
33 activities;

34 (b) when additional federal funds are sought or otherwise become
35 available in the course of the fiscal year, agencies shall consider, in consultation with the
36 Department of Budget and Management (DBM), whether opportunities exist to use these
37 federal revenues to support existing operations rather than to expand programs or
38 establish new ones; and

39 (c) DBM shall take appropriate actions to effectively establish the

1 provisions of this section as policies of the State with respect to the administration of
2 federal funds by executive agencies.

3 SECTION 25. AND BE IT FURTHER ENACTED, That the Department of Budget
4 and Management (DBM) shall provide an annual report on indirect costs to the General
5 Assembly in January 2018 as an appendix in the Governor's fiscal 2019 budget books. The
6 report must detail by agency for the actual fiscal 2017 budget the amount of statewide
7 indirect cost recovery received, the amount of statewide indirect cost recovery transferred
8 to the General Fund, and the amount of indirect cost recovery retained for use by each
9 agency. In addition, the report must list the most recently available federally approved
10 statewide and internal agency cost-recovery rates. As part of the normal fiscal/compliance
11 audit performed for each agency, the Office of Legislative Audits shall assess available
12 information on the timeliness, completeness, and deposit history of indirect cost recoveries
13 by State agencies. Further provided that for fiscal 2018, excluding the Maryland
14 Department of Transportation, the amount of revenue received by each agency from any
15 federal source for statewide cost recovery shall be transferred only to the General Fund and
16 may not be retained in any clearing account or by any other means, nor may DBM or any
17 other agency or entity approve exemptions to permit any agency to retain any portion of
18 federal statewide cost recoveries.

19 SECTION 26. AND BE IT FURTHER ENACTED, That it is the intent of the General
20 Assembly that all State departments, agencies, bureaus, commissions, boards, and other
21 organizational units included in the State budget, including the Judiciary, shall prepare
22 and submit items for the fiscal 2019 budget detailed by Comptroller subobject classification
23 in accordance with instructions promulgated by the Comptroller of Maryland. The
24 presentation of budget data in the Governor's budget books shall include object, fund, and
25 personnel data in the manner provided for in fiscal 2018 except as indicated elsewhere in
26 this Act; however, this may not preclude the placement of additional information into the
27 budget books. For actual fiscal 2017 spending, the fiscal 2018 working appropriation, and
28 the fiscal 2019 allowance, the budget detail shall be available from the Department of
29 Budget and Management (DBM) automated data system at the subobject level by subobject
30 codes and classifications for all agencies. To the extent possible, except for public higher
31 education institutions, subobject expenditures shall be designated by fund for actual fiscal
32 2017 spending, the fiscal 2018 working appropriation, and the fiscal 2019 allowance. The
33 agencies shall exercise due diligence in reporting this data and ensuring correspondence
34 between reported position and expenditure data for the actual, current, and budget fiscal
35 years. This data shall be made available on request and in a format subject to the
36 concurrence of the Department of Legislative Services (DLS). Further, the expenditure of
37 appropriations shall be reported and accounted for by the subobject classification in
38 accordance with the instructions promulgated by the Comptroller of Maryland.

39 Further provided that due diligence shall be taken to accurately report full-time
40 equivalent counts of contractual full-time equivalents in the budget books. For the purpose
41 of this count, contractual full-time equivalents are defined as those individuals having an
42 employee-employer relationship with the State. This count shall include those individuals
43 in higher education institutions who meet this definition but are paid with additional
44 assistance funds.

1 Further provided that DBM shall provide to DLS the allowance for each department,
 2 unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or
 3 Adobe PDF format that depicts the allocation of personnel across operational and
 4 administrative activities of the entity.

5 Further provided that for each across-the-board reduction to appropriations or
 6 positions in the fiscal 2019 budget bill affecting fiscal 2018 or 2019, DBM shall allocate the
 7 reduction for each agency in a level of detail not less than the three-digit R*Stars financial
 8 agency code and by each fund type.

9 ~~Further provided that, for the purposes of developing Appendix A in the Maryland~~
 10 ~~Budget Highlights for fiscal 2019, the Governor may not reflect more than \$30,000,000 in~~
 11 ~~general fund reversions for fiscal 2018. For appropriations approved in this Act that are~~
 12 ~~determined to be in excess of the needs of any agency or program above the aggregate~~
 13 ~~estimate of \$30,000,000 in reversions, the fiscal 2019 budget bill should include negative~~
 14 ~~deficiencies.~~

15 SECTION 27. AND BE IT FURTHER ENACTED, That on or before August 1, 2017,
 16 each State agency and each public institution of higher education shall report to the
 17 Department of Budget and Management (DBM) any agreements in place for any part of
 18 fiscal 2017 between State agencies and any public institution of higher education involving
 19 potential expenditures in excess of \$100,000 over the term of the agreement. Further
 20 provided that DBM shall provide direction and guidance to all State agencies and public
 21 institutions of higher education as to the procedures and specific elements of data to be
 22 reported with respect to these interagency agreements, to include at a minimum:

23 (1) a common code for each interagency agreement that specifically
 24 identifies each agreement and the fiscal year in which the agreement began;

25 (2) the starting date for each agreement;

26 (3) the ending date for each agreement;

27 (4) a total potential expenditure, or not-to-exceed dollar amount, for the
 28 services to be rendered over the term of the agreement by any public institution of higher
 29 education to any State agency;

30 (5) a description of the nature of the goods and services to be provided;

31 (6) the total number of personnel, both full-time and part-time, associated
 32 with the agreement;

33 (7) contact information for the agency and the public institution of higher
 34 education for the person(s) having direct oversight or knowledge of the agreement;

35 (8) total indirect cost recovery or facilities and administrative (F&A)

1 expenditures authorized for the agreement;

2 (9) the indirect cost recovery or F&A rate for the agreement and brief
3 description of how the rate was determined;

4 (10) actual expenditures for the most recently closed fiscal year;

5 (11) actual base expenditures that the indirect cost recovery or F&A rate
6 may be applied against the most recently closed fiscal year;

7 (12) actual expenditures for indirect cost recovery or F&A for the most
8 recently closed fiscal year; and

9 (13) total authorized expenditure for any subaward(s) or subcontract(s)
10 being used as part of the agreement and a brief description of the type of award or contract.

11 Further provided that DBM shall submit a consolidated report to the budget
12 committees and the Department of Legislative Services by December 1, 2017, that contains
13 information on all agreements between State agencies and any public institution of higher
14 education involving potential expenditures in excess of \$100,000 that were in effect at any
15 time during fiscal 2017.

16 Further provided that no new higher education interagency agreement with State
17 agencies with a projected value in excess of \$500,000 may be entered into during fiscal 2018
18 without prior approval of the Secretary of Budget and Management.

19 SECTION 28. AND BE IT FURTHER ENACTED, That any budget amendment to
20 increase the total amount of special, federal, or higher education (current restricted and
21 current unrestricted) fund appropriations, or to make reimbursable fund transfers from the
22 Governor's Office of Crime Control and Prevention or the Maryland Emergency
23 Management Agency, made in Section 1 of this Act shall be subject to the following
24 restrictions:

25 (1) This section may not apply to budget amendments for the sole purpose
26 of:

27 (a) appropriating funds available as a result of the award of federal
28 disaster assistance; and

29 (b) transferring funds from the State Reserve Fund – Economic
30 Development Opportunities Account for projects approved by the Legislative Policy
31 Committee.

32 (2) Budget amendments increasing total appropriations in any fund
33 account by \$100,000 or more may not be approved by the Governor until:

34 (a) that amendment has been submitted to the Department of

1 Legislative Services (DLS); and

2 (b) the budget committees or the Legislative Policy Committee have
3 considered the amendment or 45 days have elapsed from the date of submission of the
4 amendment. Each amendment submitted to DLS shall include a statement of the amount,
5 sources of funds and purposes of the amendment, and a summary of the impact on regular
6 position or contractual full-time equivalent payroll requirements.

7 (3) Unless permitted by the budget bill or the accompanying supporting
8 documentation or by any other authorizing legislation, and notwithstanding the provisions
9 of Section 3-216 of the Transportation Article, a budget amendment may not:

10 (a) restore funds for items or purposes specifically denied by the
11 General Assembly;

12 (b) fund a capital project not authorized by the General Assembly
13 provided, however, that subject to provisions of the Transportation Article, projects of the
14 Maryland Department of Transportation (MDOT) shall be restricted as provided in Section
15 1 of this Act;

16 (c) increase the scope of a capital project by an amount 7.5% or more
17 over the approved estimate or 5.0% or more over the net square footage of the approved
18 project until the amendment has been submitted to DLS, and the budget committees have
19 considered and offered comment to the Governor or 45 days have elapsed from the date of
20 submission of the amendment. This provision does not apply to MDOT; and

21 (d) provide for the additional appropriation of special, federal, or
22 higher education funds of more than \$100,000 for the reclassification of a position or
23 positions.

24 (4) A budget may not be amended to increase a federal fund appropriation
25 by \$100,000 or more unless documentation evidencing the increase in funds is provided
26 with the amendment and fund availability is certified by the Secretary of Budget and
27 Management.

28 (5) No expenditure or contractual obligation of funds authorized by a
29 proposed budget amendment may be made prior to approval of that amendment by the
30 Governor.

31 (6) Notwithstanding the provisions of this section, any federal, special, or
32 higher education fund appropriation may be increased by budget amendment upon a
33 declaration by the Board of Public Works that the amendment is essential to maintaining
34 public safety, health, or welfare, including protecting the environment or the economic
35 welfare of the State.

36 (7) Budget amendments for new major information technology projects, as
37 defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article,

1 must include an Information Technology Project Request, as defined in Section 3A-308 of
2 the State Finance and Procurement Article.

3 (8) Further provided that the fiscal 2018 appropriation detail as shown in
4 the Governor's budget books submitted to the General Assembly in January 2018 and the
5 supporting electronic detail may not include appropriations for budget amendments that
6 have not been signed by the Governor, exclusive of the MDOT pay-as-you-go capital
7 program.

8 (9) Further provided that it is the policy of the State to recognize and
9 appropriate additional special, higher education, and federal revenues in the budget bill as
10 approved by the General Assembly. Further provided that for the fiscal 2019 allowance, the
11 Department of Budget and Management shall continue policies and procedures to minimize
12 reliance on budget amendments for appropriations that could be included in a deficiency
13 appropriation.

14 SECTION 29. AND BE IT FURTHER ENACTED, That:

15 (1) The Secretary of Health and Mental Hygiene shall maintain the
16 accounting systems necessary to determine the extent to which funds appropriated for
17 fiscal 2017 in program M00Q01.03 Medical Care Provider Reimbursements have been
18 disbursed for services provided in that fiscal year and shall prepare and submit the periodic
19 reports required under this section for that program.

20 (2) The State Superintendent of Schools shall maintain the accounting
21 systems necessary to determine the extent to which funds appropriated for fiscal 2017 to
22 program R00A02.07 Students With Disabilities for nonpublic placements have been
23 disbursed for services provided in that fiscal year and to prepare periodic reports as
24 required under this section for that program.

25 (3) The Secretary of Human Resources shall maintain the accounting
26 systems necessary to determine the extent to which funds appropriated for fiscal 2017 in
27 program N00G00.01 Foster Care Maintenance Payments have been disbursed for services
28 provided in that fiscal year, including detail on average monthly caseload, average monthly
29 cost per case, and the total expended for each foster care program, and to prepare the
30 periodic reports required under this section for that program.

31 (4) For the programs specified, reports must indicate total appropriations
32 for fiscal 2017 and total disbursements for services provided during that fiscal year up
33 through the last day of the second month preceding the date on which the report is to be
34 submitted and a comparison to data applicable to those periods in the preceding fiscal year.

35 (5) Reports shall be submitted to the budget committees, the Department
36 of Legislative Services, the Department of Budget and Management, and the Comptroller
37 on November 1, 2017; March 1, 2018; and June 1, 2018.

38 (6) It is the intent of the General Assembly that general funds appropriated

1 for fiscal 2017 to the programs specified that have not been disbursed within a reasonable
2 period, not to exceed 12 months from the end of the fiscal year, shall revert.

3 SECTION 30. AND BE IT FURTHER ENACTED, That no funds in this budget may
4 be expended to pay the salary of a Secretary or an Acting Secretary of any department
5 whose nomination as Secretary has been rejected by the Senate or an Acting Secretary who
6 was serving in that capacity prior to the 2017 session whose nomination for the Secretary
7 position was not put forward and approved by the Senate during the 2017 session unless
8 the Acting Secretary is appointed under Article II, Section 11 of the Maryland Constitution
9 prior to July 1, 2017.

10 *Further provided that no funds in this budget may be expended to pay the salary of a*
11 *Secretary or Acting Secretary of any department who was a recess appointment in 2016 and*
12 *whose nomination as Secretary has been rejected by the Executive Nominations Committee,*
13 *and whose nomination was withdrawn before the full Senate acted.*

14 SECTION 31. AND BE IT FURTHER ENACTED, That the Board of Public Works
15 (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of
16 the State Finance and Procurement Article, may authorize during the fiscal year no more
17 than 100 positions in excess of the total number of authorized State positions on July 1, 2017,
18 as determined by the Secretary of Budget and Management. Provided, however, that if the
19 imposition of this ceiling causes undue hardship in any department, agency, board, or
20 commission, additional positions may be created for that affected unit to the extent that an
21 equal number of positions authorized by the General Assembly for the fiscal year are
22 abolished in that unit or in other units of State government. It is further provided that the
23 limit of 100 does not apply to any position that may be created in conformance with specific
24 manpower statutes that may be enacted by the State or federal government nor to any
25 positions created to implement block grant actions or to implement a program reflecting
26 fundamental changes in federal/State relationships. Notwithstanding anything contained in
27 this section, BPW may authorize additional positions to meet public emergencies resulting
28 from an act of God and violent acts of man that are necessary to protect the health and safety
29 of the people of Maryland.

30 BPW may authorize the creation of additional positions within the Executive Branch
31 provided that 1.25 contractual full-time equivalents (FTEs) are abolished for each regular
32 position authorized and that there be no increase in agency funds in the current budget
33 and the next two subsequent budgets as the result of this action. It is the intent of the
34 General Assembly that priority is given to converting individuals that have been in
35 contractual FTEs for at least two years. Any position created by this method may not be
36 counted within the limitation of 100 under this section.

37 The numerical limitation on the creation of positions by BPW established in this
38 section may not apply to positions entirely supported by funds from federal or other
39 non-State sources so long as both the appointing authority for the position and the
40 Secretary of Budget and Management certify for each position created under this exception
41 that:

1 (1) funds are available from non-State sources for each position
 2 established under this exception; and

3 (2) any positions created will be abolished in the event that non-State
 4 funds are no longer available.

5 The Secretary of Budget and Management shall certify and report to the General
 6 Assembly by June 30, 2018, the status of positions created with non-State funding sources
 7 during fiscal 2014 through 2018 under this provision as remaining, authorized, or abolished
 8 due to the discontinuation of funds.

9 SECTION 32. AND BE IT FURTHER ENACTED, That immediately following the
 10 close of fiscal 2017, the Secretary of Budget and Management shall determine the total
 11 number of full-time equivalent (FTE) positions that are authorized as of the last day of
 12 fiscal 2017 and on the first day of fiscal 2018. Authorized positions shall include all
 13 positions authorized by the General Assembly in the personnel detail of the budgets for
 14 fiscal 2017 and 2018, including nonbudgetary programs, the Maryland Transportation
 15 Authority, the University System of Maryland self-supported activities, and the Maryland
 16 Correctional Enterprises.

17 The Department of Budget and Management (DBM) shall also prepare a report
 18 during fiscal 2018 for the budget committees upon creation of regular FTE positions
 19 through Board of Public Works action and upon transfer or abolition of positions. This
 20 report shall also be provided as an appendix in the fiscal 2019 Governor's budget books. It
 21 shall note, at the program level:

22 (1) where regular FTE positions have been abolished;

23 (2) where regular FTE positions have been created;

24 (3) from where and to where regular FTE positions have been transferred;

25 and

26 (4) where any other adjustments have been made.

27 Provision of contractual FTE information in the same fashion as reported in the
 28 appendices of the fiscal 2018 Governor's budget books shall also be provided.

29 SECTION 33. AND BE IT FURTHER ENACTED, That the Department of Budget
 30 and Management and the Maryland Department of Transportation are required to submit
 31 to the Department of Legislative Services (DLS) Office of Policy Analysis:

32 (1) a report in Excel format listing the grade, salary, title, and incumbent
 33 of each position in the Executive Pay Plan (EPP) as of July 15, 2017; October 15, 2017;
 34 January 15, 2018; and April 15, 2018; and

35 (2) detail on any lump-sum increases given to employees paid on the EPP

1 subsequent to the previous quarterly report.

2 Flat-rate employees on the EPP shall be included in these reports. Each position in
3 the report shall be assigned a unique identifier that describes the program to which the
4 position is assigned for budget purposes and corresponds to the manner of identification of
5 positions within the budget data provided annually to the DLS Office of Policy Analysis.

6 SECTION 34. AND BE IT FURTHER ENACTED, That no position identification
7 number assigned to a position abolished in this budget may be reassigned to a job or
8 function different from that to which it was assigned when the budget was submitted to the
9 General Assembly. Incumbents in positions abolished may continue State employment in
10 another position.

11 SECTION 35. AND BE IT FURTHER ENACTED, That the Secretary of Budget and
12 Management shall include as an appendix in the fiscal 2019 Governor's budget books an
13 accounting of the fiscal 2017 actual, fiscal 2018 working appropriation, and fiscal 2019
14 estimated revenues and expenditures associated with the employees' and retirees' health
15 plan. The data in this report should be consistent with the budget data submitted to the
16 Department of Legislative Services. This accounting shall include:

17 (1) any health plan receipts received from State agencies, employees, and
18 retirees, as well as prescription rebates or recoveries, or audit recoveries, and other
19 miscellaneous recoveries;

20 (2) any premium, capitated, or claims expenditures paid on behalf of State
21 employees and retirees for any health, mental health, dental, or prescription plan, as well
22 as any administrative costs not covered by these plans; and

23 (3) any balance remaining and held in reserve for future provider
24 payments.

25 SECTION 36. AND BE IT FURTHER ENACTED, That it is the intent of the General
26 Assembly that the Maryland Department of Planning, the Department of Natural
27 Resources, the Maryland Department of Agriculture, the Maryland Department of the
28 Environment, and the Department of Budget and Management provide a report to the
29 budget committees by December 1, 2017, on Chesapeake Bay restoration spending. The
30 report shall be drafted subject to the concurrence of the Department of Legislative Services
31 (DLS) in terms of both electronic format to be used and data to be included. The report
32 should include:

33 (1) fiscal 2017 annual spending by fund, fund source, program, and State
34 government agency; associated nutrient and sediment reduction; and the impact on living
35 resources and ambient water quality criteria for dissolved oxygen, water clarity, and
36 "chlorophyll a" for the Chesapeake Bay and its tidal tributaries to be submitted
37 electronically in disaggregated form to DLS;

38 (2) projected fiscal 2018 to 2025 annual spending by fund, fund source,

1 program, and State government agency; associated nutrient and sediment reductions; and
2 the impact on living resources and ambient water quality criteria for dissolved oxygen,
3 water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be
4 submitted electronically in disaggregated form to DLS;

5 (3) an overall framework discussing the needed regulations, revenues,
6 laws, and administrative actions and their impacts on individuals, organizations,
7 governments, and businesses by year from fiscal 2017 to 2025 in order to reach the calendar
8 2025 requirement of having all best management practices in place to meet water quality
9 standards for restoring the Chesapeake Bay to be both written in narrative form and
10 tabulated in spreadsheet form that is submitted electronically in disaggregated form to
11 DLS;

12 (4) an analysis of the various options for financing Chesapeake Bay
13 restoration including public–private partnerships, a regional financing authority, nutrient
14 trading, technological developments, and any other policy innovations that would improve
15 the effectiveness of Maryland and other states’ efforts toward Chesapeake Bay restoration;
16 and

17 (5) an analysis by the University of Maryland Environmental Finance
18 Center on how cost–effective the existing State funding sources – such as the Bay
19 Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water
20 Quality Revolving Loan Fund among others – are being used for Chesapeake Bay
21 restoration purposes.

22 SECTION 37. AND BE IT FURTHER ENACTED, That it is the intent of the General
23 Assembly that the Department of Budget and Management, the Department of Natural
24 Resources, and the Maryland Department of the Environment provide a report on
25 Chesapeake Bay restoration spending. The report shall be drafted subject to the
26 concurrence of the Department of Legislative Services (DLS) in terms of both electronic
27 format to be used and data to be included. The scope of the report is as follows: Chesapeake
28 Bay restoration operating and capital expenditures by agency, fund type, and particular
29 fund source based on programs that have over 50% of their activities directly related to
30 Chesapeake Bay restoration for the fiscal 2017 actual, fiscal 2018 working appropriation,
31 and fiscal 2019 allowance to be included as an appendix in the fiscal 2019 budget volumes
32 and submitted electronically in disaggregated form to DLS.

33 SECTION 38. AND BE IT FURTHER ENACTED, That the Department of Budget
34 and Management shall provide an annual report on the revenue from the Regional
35 Greenhouse Gas Initiative (RGGI) carbon dioxide emission allowance auctions and
36 set–aside allowances to the General Assembly in conjunction with the submission of the
37 fiscal 2019 budget and annually thereafter as an appendix to the Governor’s budget books.
38 This report shall include information for the actual fiscal 2017 budget, fiscal 2018 working
39 appropriation, and fiscal 2019 allowance. The report shall detail revenue assumptions used
40 to calculate the available Strategic Energy Investment Fund (SEIF) from RGGI auctions
41 for each fiscal year including:

- 1 (1) the number of auctions;
 2 (2) the number of allowances sold;
 3 (3) the allowance price for both current and future (if offered) control period
 4 allowances sold in each auction; and
 5 (4) anticipated revenue from set-aside allowances.

6 The report shall also include detail on the amount of the SEIF from RGGI auction
 7 revenue available to each agency that receives funding through each required allocation:

- 8 (1) energy assistance;
 9 (2) energy efficiency and conservation programs, low- and
 10 moderate-income sector;
 11 (3) energy efficiency and conservation programs, all other sectors;
 12 (4) renewable and clean energy programs and initiatives, education,
 13 climate change, and resiliency programs;
 14 (5) administrative expenditures;
 15 (6) dues owed to the RGGI, Inc.; and
 16 (7) transfers or diversions of revenue made to other funds.

17 The report should also provide detail on the fund balance for each SEIF subaccount
 18 for the fiscal 2017 actual, fiscal 2018 working appropriation, and fiscal 2019 allowance.

19 SECTION 39. AND BE IT FURTHER ENACTED, That \$1,000,000 of the general
 20 fund appropriation within the Department of State Police (DSP) may not be expended until
 21 DSP submits the Crime in Maryland, 2016 Uniform Crime Report (UCR) to the budget
 22 committees. The budget committees shall have 45 days to review and comment following
 23 receipt of the report. Funds restricted pending the receipt of the report may not be
 24 transferred by budget amendment or otherwise to any other purpose and shall revert to the
 25 General Fund if the report is not submitted to the budget committees.

26 Further, provided that, if DSP encounters difficulty obtaining necessary crime data
 27 on a timely basis from local jurisdictions who provide the data for inclusion in the UCR,
 28 DSP shall notify the Governor's Office of Crime Control and Prevention (GOCCP). GOCCP
 29 shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's
 30 State Aid for Police Protection (SAPP) grant for fiscal 2018 upon receipt of notification from
 31 DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its
 32 crime data to DSP. DSP and GOCCP shall submit a report to the budget committees
 33 indicating any jurisdiction from which crime data was not received on a timely basis and

1 the amount of SAPP funding withheld from each jurisdiction.

2 SECTION 40. AND BE IT FURTHER ENACTED, That the reimbursable fund
 3 appropriation in the Department of Information Technology, Infrastructure (F50B04.04)
 4 shall be reduced by \$135,000. The Governor shall develop a schedule for allocating this
 5 reimbursable fund reduction across State agencies. The reduction under this section shall
 6 equal at least the amount indicated for the funds listed:

	<u>Fund</u>	<u>Amount</u>
7	<u>General</u>	<u>\$81,000</u>
8	<u>Special</u>	<u>\$27,000</u>
9	<u>Federal</u>	<u>\$27,000</u>
10		

11 SECTION 41. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund
 12 appropriation for the Department of Budget and Management (DBM) Executive Direction
 13 program F10A01.01 and \$100,000 for the special fund appropriation for the Department of
 14 Housing and Community Development (DHCD) Office of the Secretary program S00A20.01
 15 made for the purpose of operations may not be expended until DBM, in consultation with
 16 DHCD, submits a report to the budget committees on the balance of outstanding loans and
 17 current and proposed repayment for loans made by the DHCD's Neighborhood
 18 BusinessWorks program for the purposes of Ellicott City flood recovery efforts. It is the
 19 intent of the budget committees that DHCD repay the Catastrophic Event Account for
 20 \$2,500,000 transferred from the account to DHCD, and that DHCD repay the Small,
 21 Minority, and Women-Owned Business Account for \$2,312,500 transferred from the account
 22 to DHCD. The report shall be submitted by January 1, 2018, and the budget committees
 23 shall have 45 days to review and comment. Funds restricted pending the receipt of a report
 24 may not be transferred by budget amendment or otherwise to any other purpose and shall
 25 revert to the General Fund or be canceled if the report is not submitted to the budget
 26 committees.

27 SECTION 42. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund
 28 appropriation within the Department of Human Resources (DHR), \$100,000 of the general
 29 fund appropriation within the Department of Health and Mental Hygiene (DHMH), and
 30 \$100,000 of the general fund appropriation within the Maryland State Department of
 31 Education (MSDE) may not be expended until DHR, DHMH, and MSDE submit a report
 32 to the Senate Budget and Taxation Committee, the Senate Finance Committee, the House
 33 Appropriations Committee, and the House Health and Government Operations Committee
 34 detailing:

35 (1) The processes in place to ensure coordination between DHMH, MSDE,
 36 DHR, and the hospitals serving children in Maryland to find appropriate community
 37 placements for children and adolescents with mental illness, developmental disabilities, or
 38 complex medical needs.

39 (2) The processes in place to ensure coordination between DHMH, MSDE,
 40 DHR, and the hospitals serving children in Maryland to find out-of-home placements for
 41 children and adolescents with mental illness, developmental disabilities, or complex

1 medical needs.

2 (3) The availability by jurisdiction of the following resources for children
 3 and adolescents with mental illness, developmental disabilities, or complex medical needs:

4 (a) dedicated child and adolescent inpatient psychiatric beds in
 5 acute general and specialty hospitals;

6 (b) therapeutic foster care;

7 (c) residential treatment center services;

8 (d) transportation assistance; and

9 (e) any other community-based treatment service designed to meet
 10 the needs of children and adolescents with severe mental illness, developmental
 11 disabilities, or complex medical needs.

12 (4) Recommendations, based on an analysis of the data, to improve
 13 community placement processes for children and adolescents with severe mental illness,
 14 developmental disabilities, or complex medical needs including availability of treatment
 15 options based on the payer, that will facilitate increased community-based care and
 16 decrease inpatient lengths of stay beyond what is medically necessary.

17 The report shall be submitted by November 15, 2017, and the budget committees
 18 shall have 45 days to review and comment. Funds restricted pending the receipt of the
 19 report may not be transferred by budget amendment or otherwise to any other purpose and
 20 shall revert to the General Fund if the report is not submitted.

21 SECTION 43. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund
 22 appropriation within the Department of Human Resources (DHR), ~~and~~ \$100,000 of the
 23 general fund appropriation within the Maryland State Department of Education (MSDE),
 24 and \$100,000 of the general fund appropriation within the Governor's Office for Children
 25 (GOC) may not be expended until DHR, ~~and~~ MSDE, and GOC submit a report to the budget
 26 committees detailing:

27 (1) the processes in place to determine whether to place children in
 28 out-of-state placements when in-state resources cannot meet the needs of the child;

29 (2) the processes in place to determine in which out-of-state facilities
 30 children are placed;

31 (3) the frequency of the review of the out-of-state placement to determine
 32 whether or not the needs of the child can be met through an in-state provider;

33 (4) the current processes in place between DHR and MSDE to ensure that
 34 the out-of-state facilities in which children are placed are compliant with the Individuals

1 with Disabilities Education Act;

2 (5) the current processes for monitoring children in out-of-state
 3 placements and any plans to alter these monitoring practices to ensure the safety of
 4 children in out-of-state placements; and

5 (6) the resources that would be necessary (both funding and number and
 6 type of placements) to move all children in out-of-state placements to in-state placements.

7 The report shall be submitted by August 15, 2017, and the budget committees shall
 8 have 45 days to review and comment. Funds restricted pending the receipt of the report
 9 may not be transferred by budget amendment or otherwise to any other purpose and shall
 10 revert to the General Fund if the report is not submitted.

11 ~~SECTION 44. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund~~
 12 ~~appropriation in the Maryland Department of the Environment (MDE) and \$200,000 of the~~
 13 ~~general fund appropriation in the Maryland Department of Agriculture (MDA) made for~~
 14 ~~the purpose of general operating expenses may be expended only for the purpose of filling~~
 15 ~~vacant compliance and enforcement positions, provided, however, that no funds may be~~
 16 ~~expended until MDE and MDA jointly prepare and submit quarterly reports on July 1,~~
 17 ~~2017; October 1, 2017; January 1, 2018; and April 1, 2018; which shall include:~~

18 ~~(1) an evaluation of the adequacy of Maryland's current authorized~~
 19 ~~compliance and enforcement positions in the departments. In completing the assessment,~~
 20 ~~the departments should:~~

21 ~~(a) provide information on the delegation of authority to other~~
 22 ~~entities; and~~

23 ~~(b) assess the impact of the role that technology has played on~~
 24 ~~compliance and enforcement responsibilities;~~

25 ~~(2) a comparison of the size, roles, and responsibilities of the departments'~~
 26 ~~compliance and enforcement positions to neighboring or similar states;~~

27 ~~(3) a list of all inspection activities conducted by MDE's Water~~
 28 ~~Management Administration, Land Management Administration, Air and Radiation~~
 29 ~~Management Administration, and MDA's Office of Resource Conservation; and~~

30 ~~(4) the number of:~~

31 ~~(a) regular positions and contractual full-time equivalents~~
 32 ~~associated with the inspections, including the number of vacancies for the fiscal 2011~~
 33 ~~through 2017 actuals; and~~

34 ~~(b) the fiscal 2018 current and fiscal 2019 estimated appropriations;~~

~~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. The budget committees shall have 45 days to review and comment on the submitted quarterly reports. 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.~~

SECTION 45. AND BE IT FURTHER ENACTED, That the budget committees are concerned about potential reductions in federal fund grants appropriated to State agencies in the fiscal 2018 budget. The budget committees request the Department of Budget and Management to submit a report in conjunction with the fiscal 2019 budget, which identifies reductions in federal grants which are 10% or more below what the State expected to receive in fiscal 2018. The report should identify the specific federal grant program by Catalog of Federal Domestic Assistance number and title, the State agency and program(s) affected by the federal reduction, the impact of the loss of federal grant aid, and whether State funds will be used to replace the lost federal grant aid.

SECTION 46. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Maryland Department of Veterans Affairs (MDVA) and \$100,000 of the general fund appropriation in the Governor's Office of Minority Affairs (GOMA) may not be expended until:

(1) MDVA and GOMA jointly submit a report to the budget committees including:

(a) methods to increase veteran-owned small business enterprise participation in State procurement and ensure compliance with the State's 1% purchasing goal;

(b) barriers to veteran-owned small business enterprise participation that hinder compliance with the State's 1% purchasing goal, including the requirement in Section 14-601 of the State Finance and Procurement Article for verification by the Center for Veterans Enterprise of the United States Department of Veterans Affairs;

(c) a comparison of the current Veteran-owned Small Business Enterprise Participation Program to similar programs in the federal government and other state governments, focusing on ease of access by interested firms, and methods of verification, certification, and fraud protection;

(d) a comparison of the current Veteran-owned Small Business Enterprise Participation Program to similar programs in Maryland, such as the Small Business Reserve Program and the Minority Business Enterprise Participation Program, focusing on ease of access by interested firms, and methods of verification, certification, and fraud prevention; and

1 (e) specific recommendations for legislative and regulatory changes
2 to increase compliance with the State's 1% purchasing goal for veteran-owned small
3 business enterprise participation in State procurement.

4 The budget committees shall have 45 days to review and comment following the
5 receipt of the report. Funds restricted pending the receipt of the report may not be
6 transferred by budget amendment or otherwise to any purpose and shall revert to the
7 General Fund if the report is not submitted to the committees.

8 SECTION 47. AND BE IT FURTHER ENACTED, That no funding in this budget
9 may be expended to move State employees from 201 and 301 West Preston Street (State
10 Center) to any other location until the Department of General Services (DGS) has
11 submitted to the budget committees:

12 (1) a qualitative and quantitative analysis of the need and the intended
13 benefits of any relocation plan, including a budgetary impact statement; and

14 (2) any lease agreement that would go to the Board of Public Works for
15 approval that would result in relocating State employees from 201 and 301 West Preston
16 Street (State Center) that outlines the terms and conditions of the lease.

17 The budget committees shall have 45 days to review and comment on any report
18 submitted by DGS in compliance with this section.

19 SECTION ~~20~~ 48. AND BE IT FURTHER ENACTED, That numerals of this bill
20 showing subtotals and totals are informative only and are not actual appropriations. The
21 actual appropriations are in the numerals for individual items of appropriation. It is the
22 legislative intent that in subsequent printings of the bill the numerals in subtotals and
23 totals shall be administratively corrected or adjusted for continuing purposes of
24 information, in order to be in arithmetic accord with the numerals in the individual items.

25 SECTION ~~21~~ 49. AND BE IT FURTHER ENACTED, That pursuant to the
26 provisions of Article III, Section 52(5a) of the Maryland Constitution, the following total of
27 all proposed appropriations and the total of all estimated revenues available to pay the
28 appropriations for the 2018 fiscal year are submitted.

BUDGET SUMMARY (\$)

Fiscal Year 2017

1			
2			
3	General Fund Balance, June 30, 2016		
4	available for 2017 Operations		384,503,037
5	2017 Estimated Revenues (all funds)		42,558,758,469
6	Reimbursement from reserve for Tax Credits		29,475,000
7	Transfer from Revenue Stabilization Account		170,000,000
8	2017 Appropriations as amended (all funds)	42,181,670,666	
9	2017 Deficiencies (all funds)	1,048,401,647	
10	Specific Reversions	(125,788,821)	
11	Estimated Agency General Fund Reversions	(30,000,000)	
12			
13	Subtotal Appropriations (all funds)		43,074,283,492
14			
15	2017 General Funds Reserved for 2018 Operations		68,453,014
16			
17	2017 General Funds Reserved for 2018 Operations		68,453,014
18	2018 Estimated Revenues (all funds)		43,589,320,427
19	Reimbursement from reserve for Tax Credits		25,423,014
20	Transfer from other funds		2,500,000
21	2018 Appropriations (all funds)	43,842,001,303	
22	Budget Bill Reductions	(269,293,063)	
23	Specific Reversions	(1,186,477)	
24	Estimated Agency General Fund Reversions	(30,000,000)	
25			
26	Subtotal Appropriations (all funds)		43,541,521,763
27			
28	2018 General Fund Unappropriated Balance		144,174,692

Senate Budget and Taxation Committee

Summary Report on

House Bill 150 – the Budget Bill

**House Bill 152 – the Budget Reconciliation and
Financing Act**

Maryland General Assembly

Annapolis, Maryland

March 20, 2017

Contents

	<u>Page</u>
Fiscal 2018 Budget – Budget Bill (HB 150) and the Budget Reconciliation and Financing Act (HB 152) As Amended by the Senate Budget and Taxation Committee	1
Budget Summary – Fiscal 2017 and 2018.....	3
Proposed Budget Reductions – House Bill 150 – Fiscal 2018 Budget and Fiscal 2017 Deficiency Appropriations.....	4
Budget Restorations and Priorities	7
Senate Budget and Taxation Committee – Status as of March 16, 2017	8
Spending Affordability Analysis – Senate Budget and Taxation Committee – Fiscal 2018	9
State Expenditures – General Funds.....	10
State Expenditures – State Funds.....	11
State Expenditures – All Funds	12
Fiscal Note – Summary of the Budget Bill – House Bill 150	13
General Fund Revenues – 2017 Session Legislation – Fiscal 2017 and 2018	14
General Fund Transfers Contingent on the Budget Reconciliation and Financing Act of 2017 (HB 152).....	15
General Fund Reductions Contingent on the Budget Reconciliation and Financing Act of 2017 (HB 152).....	16
Senate Budget and Taxation Committee Action on the Budget Reconciliation and Financing Act of 2017 (HB 152)	17
General Fund Budget Outlook – Fiscal 2017-2022	23

Fiscal 2018 Budget Budget Bill (HB 150) and the Budget Reconciliation and Financing Act (HB 152) As Amended by the Senate Budget and Taxation Committee

Achieves Structural Balance: Ongoing general fund revenues exceed ongoing expenditures by \$27.0 million in fiscal 2018. This structural balance far surpasses the Spending Affordability Committee (SAC) goal of reducing the shortfall by 50.0% in fiscal 2018.

Preserves Reserves: Nearly \$1.0 billion in cash resources are preserved including \$860.3 million in the Rainy Day Fund and \$112.7 million in the General Fund. This general fund balance exceeds the \$100.0 million goal set by SAC.

Constrains Growth in State Spending and Positions: Total general fund spending declines \$12.2 million, or 0.1%. Excluding appropriations to reserve funds, general fund appropriations increase by a modest 0.8%. State positions decline by 450 compared to fiscal 2017.

Maintains the State's Commitment to Public Schools: Under the committee's budget proposal, State support for public schools will be almost \$6.4 billion. Direct aid to local school systems will increase an estimated \$65.7 million, or 1.2%. The spending plan fully funds Thornton formulas and creates adequate fund balance to allow the Governor to fund grants to school systems experiencing declining enrollment and/or providing full-day pre-kindergarten to their four-year olds.

Restores Funds for Legislative Priorities: More than \$69.8 million of reductions proposed by the Administration through negative deficiencies and the Budget Reconciliation and Financing Act are restored reflecting legislative priorities. Restorations preserve \$28.4 million for local governments almost half of which supports public education and libraries and \$28.9 million for providers of health care services to vulnerable populations.

Continues to Provide Vital Health Care Services: Medicaid funding totals \$10.0 billion allowing the State to provide coverage to almost 1.4 million of our residents. Expenditures grow by about \$151.0 million to support enrollment and provider rate increases. The budget includes a \$6.6 million increase in dedicated funding responding to the opioid epidemic.

Provides Sufficient Funds to Cap Higher Education Tuition Increases at 2.0%: State support for Maryland's public four-year colleges and universities grows by \$32.3 million allowing undergraduate tuition rates to increase a modest 2.0%. Community colleges limiting tuition growth to 2.0% will share \$4.0 million in incentive payments.

Funds Rate Increases for Providers Serving Children and Vulnerable Populations: A 3.5% rate increase is funded for providers serving the developmentally disabled. Rate increases of 2.0% are funded for most other health and human service providers.

Budget Summary
Fiscal 2017 and 2018
(\$ in Millions)

General Fund

	<u>Admin.</u>	<u>House</u>	<u>SBT</u>
<u>Fiscal 2017</u>			
Ending Balance Before Legislative Action	-\$114.5	-\$114.5	-\$114.5
Revenues – BRE March Revision	-35.3	-35.3	-35.3
Revenues – Legislation	13.0	18.0	18.5
Fund Transfers – Legislation	170.0	202.5	202.5
BRE Write-down of Education Trust Fund Revenue ⁽¹⁾	-7.9	-7.9	-7.9
Expenditure Reductions – Deficiencies and Reversions ⁽²⁾	0.0	-7.4	-7.4
Expenditure Reductions – Contingent on BRFA	0.0	2.4	2.4
Adjusted Ending Balance	\$25.2	\$57.7	\$58.2
<u>Fiscal 2018</u>			
Revenues – BRE Estimate	\$17,180.3	\$17,180.3	\$17,180.3
Revenues – BRE March Revision	2.3	2.3	2.3
Other Revenues	25.5	25.7	25.7
Revenues – Legislation	1.0	10.6	0.0
Fund Transfers – Legislation	2.5	0.0	0.0
Total Revenues and Balance	\$17,236.8	\$17,276.6	\$17,266.5
Expenditures – Allowance	\$17,382.6	\$17,382.6	\$17,382.6
BRE Write-down of Education Trust Fund Revenue ⁽¹⁾	24.6	24.6	24.6
Expenditure Reductions – Contingent on Legislation	-247.8	-170.7	-184.3
Expenditure Reductions ⁽²⁾	-1.2	-97.2	-69.1
Total Expenditures	\$17,158.2	\$17,139.3	\$17,153.8
Ending Balance (Revenues Less Expenditures)	\$78.6	\$137.3	\$112.7

Cash Position

General Fund Balance	\$78.6	\$137.3	\$112.7
Rainy Day Fund Balance – June 30, 2018	860.3	860.3	860.3
Total	\$938.9	\$997.6	\$973.0
Cash and Rainy Day Fund Over 5%	\$79.8	\$138.4	\$113.9

BRE: Board of Revenue Estimates
BRFA: Budget Reconciliation and Financing Act
SBT: Senate Budget and Taxation Committee

⁽¹⁾ Assumes that the Supplemental Budget will provide general funds to replace the Education Trust Fund revenues supporting mandated K-12 education aid.

⁽²⁾ Expenditure reductions include assumed reversions.

**Proposed Budget Reductions
House Bill 150
Fiscal 2018 Budget and Fiscal 2017 Deficiency Appropriations
(\$ in Millions)**

General Funds

	<u>House</u>	<u>SBT</u>
<u>Local Aid</u>		
C Reduce Funds for Teacher Stipends and Induction, Retention, and Advancement Pilot Program	\$4.0	\$5.0
Savings from Declining Enrollment in Non-Public Education Placements	5.0	5.0
C Reduce Funds for Public School Opportunities Program	2.5	7.0
C Reduce Funds for Disparity Grants		2.4
Reduce Unspecified Innovative School Grants	1.0	0.8
C Level Fund Local Health Grant	0.7	0.7
Reduce Funds for Planning Grants for P-TECH Schools	0.6	0.0
C Level Fund Police Aid	0.5	0.5
No Funds for Linking Youth to New Experiences School	0.3	0.3
C No Funding for Robotics Grant		0.3
Total	\$14.6	\$21.9
<u>Medicaid</u>		
C Defer Phase-down of Medicaid Deficit Assessment	\$20.0	\$25.0
Swap Available Cigarette Restitution Funds for General Funds	5.8	0.0
C Fund Mental Health Services with Senior Prescription Drug Revenues	1.1	1.1
Total	\$26.9	\$26.1
<u>Higher Education</u>		
Reduce Aid for Private Higher Education Institutions	\$4.6	\$2.4
Level Fund Baltimore City Community College	0.8	0.0
Correct Error in Calculation of Community College Funding	0.3	0.3
Level Funding for Delegate Scholarships		0.4
No State Funding for Upkeep of Chancellor's Home	0.1	0.1
Total	\$5.7	\$3.2
<u>Reserves/Pensions/Debt</u>		
C Reduce Supplemental Payment to Pension System to \$75 Million	\$50.0	\$50.0
C Reduce Appropriation to Rainy Day Fund	40.0	40.0
Lower Debt Service Costs and Use of Bond Premiums to Cover Costs	30.0	30.0
	\$120.0	\$120.0

House **SBT**

State Agencies

Fund Administrative Costs at DHR with Available Federal Funds	\$9.3	\$9.3
Judiciary – Reduce Operating Costs	8.1	6.0
Judiciary – Employee Increments	6.3	6.3
Judiciary – Reduce Growth in Support for Clerks of Circuit Court and 20 New Pins	4.5	0.0
Savings from Declining Temporary Disability Assistance Program Caseload	6.0	2.0
Reduce General Funds for MEDAAF to \$18.9 Million; a \$5.4 Million Increase over Fiscal 2017	5.0	0.0
C Fund Behavioral Health Services for Uninsured with Special Funds	3.8	2.0
C Reduce Funding for Next Generation Farmland Acquisition Program	2.5	2.5
C Defer Portion of Grant to Prince George’s County Regional Medical Center to Fiscal 2019		2.0
Delete Excess Funds for Personal Supports for the Developmentally Disabled	1.8	0.0
C <i>Unspent Funds for Utilization Review – DHMH</i>	1.5	1.5
No Funds for New Major IT Project for Department of Environment	1.4	1.4
C <i>Fund Swap in Department of General Services</i>	1.0	1.0
No State Support for Fair Campaign Finance Fund	0.0	1.0
Reduce Funds for Rural Maryland Council	1.0	0.3
Savings from Civilianization Efforts at Maryland State Police	1.0	0.0
Reduce Funds for Oversight of Major IT Projects Due to Availability of Fund Balance	1.0	1.0
Reduce Funding for Video Streaming of House and Senate Floor Sessions	0.0	0.7
Employee Vacancy Savings for Comptroller’s Office and DoIT	0.6	0.7
No Funding to Reconstitute the Department of Natural Resources Aviation Unit	0.6	0.0
Reduce Funds for Foster Youth Savings Program to Account for Startup Delays	0.4	0.3
Reduce Funds for Office of BioHealth	0.4	0.0
No Funding for Department of Planning to Re-establish Non-capital Grant Program	0.4	0.2
C No Funds for Center for Construction Education and Innovation	0.0	0.3
Abolish Three Long-term Vacancies at the Department of Aging	0.2	0.0
Correct Budgeting Error in the Department of Human Resources	0.2	0.2
Reduce Operating Costs for Boards, Commissions, and Offices; Veterans; and Board of Elections	0.2	0.0
<i>No Deficiency Appropriation for the Governor’s Office for Children Personnel Costs</i>	0.1	0.1
Administrative Efficiencies in the Governor’s Office for Children	0.1	0.1
Reduce Funding for Training and Technical Assistance for Local Management Boards	0.1	0.1
Total	\$57.3	\$38.9
<u>Pay-as-you-go</u>		
C Fund Strategic Demolition and Smart Growth Impact Fund with Bonds	\$25.6	\$25.6
C Fund Baltimore Regional Neighborhood Initiative with Bonds	12.0	12.0
C Fund Seed Anchor Institution Program with Bonds	5.0	5.0
C Fund Shelter and Transitional Housing with Bonds	3.0	3.0
Total	\$45.6	\$45.6
Total General Funds	\$270.1	\$255.7

Special Funds

	<u>House</u>	<u>SBT</u>
<i>No Use of Uncompensated Care Fund for Medicaid</i>	\$10.0	\$10.0
Reduce Transportation Grants to Local Governments	0.0	16.5
Align PSC Spending from Customer Investment Fund with Available Dollars	6.2	6.2
Align Bay Restoration Debt Service Expenditures with Expected Costs	5.0	5.0
Fund BOOST Program at Fiscal 2017 Level	4.8	0.0
Level Fund Small, Minority, and Women-Owned Business Account	3.8	16.9
C Reduce Funds for Community Health Resources Commission Grants	3.8	2.0
C Reduce Supplemental Payment to Pension System	3.6	3.6
Delay Purchase of Licensing Software for Health Boards	1.2	1.2
No Lottery Revenues for Maryland International, Sports Marketing, and Humanities		
C Council	1.0	0.0
Reduce Funding for IT Project at State Retirement Agency	0.6	0.6
No New Contractual Positions for Maryland Insurance Administration	0.3	0.3
Defer IT Enhancements for Health Benefit Exchange	0.3	0.3
Correct Budgeting Error in Department of Human Resources	0.2	0.2
Reduce Double Budgeted Funds in Department of the Environment	0.2	0.2
C <i>Reduce Fiscal 2017 Administrative Costs for DHCD</i>	<i>0.2</i>	<i>0.2</i>
Abolish 1 Position at the Uninsured Employers' Fund		0.1
Reduce State Lottery Operating Costs	0.1	0.1
Reduce Operating Cost for Clerks of the Circuit Court, Comptroller, and DoIT	0.1	0.0
Total	\$41.3	\$63.4
 <u>Pay-as-you-go Capital</u>		
No Funding for Tobacco Transition Program	\$1.0	0.0
Total	\$1.0	\$0.0
 Total Special Fund Reductions to Governor's Proposed Budget	 \$42.3	 \$63.4

BOOST: Broadening Options and Opportunities for Students Today
DHCD: Department of Housing and Community Development
DHMH: Department of Health and Mental Hygiene
DHR: Department of Human Resources
DoIT: Department of Information Technology
IT: information technology
MEDAAF: Maryland Economic Development Assistance and Authority Fund
PSC: Public Service Commission
P-TECH: Pathways in Technology Early College High
SBT: Senate Budget and Taxation Committee

C: These Items Are Contingent on Passage of the Budget Reconciliation and Financing Act (HB 152).

Note: Fiscal 2017 deficiency reductions in italics.

Budget Restorations and Priorities (\$ in Millions)

Administration General Fund Reductions Rejected or Modified by Budget and Tax

<u>Administration Proposal</u>	<u>Admin.</u>	<u>SBT</u>	<u>Diff.</u>
Payments to Prince George's Regional Medical Center*	\$22.5	\$2.0	\$20.5
SDAT Increase Local Cost Share to 70%	8.7	0.0	8.7
Cap Rate increase for DDA Providers at 2%	8.4	0.0	8.4
Level Fund Disparity Grant	8.4	2.5	6.0
Repeal Mandate for Teacher Stipend and Retention Grants	8.0	5.0	3.1
Repeal Public School Opportunities Mandate	7.5	7.0	0.5
Level Fund Aid to Private Colleges and Universities	6.6	2.4	4.2
Repeal Next Generation Scholars Mandate	5.0	0.0	5.0
Repeal Funding Guideline Attainment Mandate for USM	4.0	0.0	4.0
Reduce Funds for Community Health Resources Commission Grants	3.8	2.0	1.8
Repeal Mandate for Expanded Hours at Enoch Pratt Library	3.0	0.0	3.0
Fund Racing Commission from Purse Dedication Account	2.5	0.0	2.5
SDAT Include Executive Direction in Local Cost Share	2.1	0.0	2.1
Total Reductions	\$116.1	\$46.3	\$69.8

Budgeted Funds Restricted for Priorities Not Funded by Governor

Opioid Risk Reduction Program	\$0.8
Temporary Disability Assistance Program – \$20 Per Month Grant Increase	4.0
Education Development Collaborative	0.3
PACT Helping Children Program	0.4
USM – Shady Grove	0.5
USM – Hagerstown	0.2
Total Funding for Priorities Not Funded by Governor	\$6.0

DDA: Developmental Disabilities Administration

SBT: Senate Budget and Taxation Committee

SDAT: State Department of Assessments and Taxation

USM: University System of Maryland

*Includes \$7.5 million negative deficiency appropriation for fiscal 2017.

Senate Budget and Taxation Committee
Status as of March 16, 2017

	<u>FY 2017</u>	<u>FY 2018</u>
Starting General Fund Balance	\$384,503,037	\$58,227,412
Revenues		
BRE Estimated Revenues – December 2016	\$16,621,336,283	\$17,180,332,788
BRE Revenue Revision – March 2017	-35,319,546	2,278,991
Budget Reconciliation Legislation – Revenues	18,500,000	0
Budget Reconciliation Legislation – Transfers	202,500,000	0
Additional Revenues	32,693,000	25,658,397
Subtotal Revenues	\$16,839,709,737	\$17,208,270,176
Subtotal Available Revenues	\$17,224,212,774	\$17,266,497,588
Appropriations		
General Fund Appropriations	\$17,235,607,256	\$17,412,637,677
Deficiencies	163,534,492	24,560,106
Board of Public Works Withdrawn Appropriations	-82,338,790	0
Legislative Reductions/Contingent Legislation	4,971,225	-253,183,855
Estimated Agency Reversions	-155,788,821	-30,250,000
Subtotal Appropriations	\$17,165,985,362	\$17,153,763,928
Closing General Fund Balance	\$58,227,412	\$112,733,660

BRE: Board of Revenue Estimates

Spending Affordability Analysis
 Senate Budget and Taxation Committee
 Fiscal 2018
 (\$ in Millions)

Target		
Estimated Structural Gap (December 2016)		\$377
Target Reduction		\$189
Revenues		
Other One-time Items	\$17,208	
Subtotal	-1	\$17,207
Spending		
Rainy Day Fund	\$17,154	
Medicaid Cigarette Restitution Fund Funding	-10	
Hospital Deficit Assessment	16	
Other Ongoing Spending	25	
Pay-as-you-go Capital	6	
	-10	
Subtotal		\$17,181
Amount Reduced from Structural Shortfall		\$404
Surplus/(Deficit)		\$27

State Expenditures – General Funds (\$ in Millions)

<u>Category</u>	SBT		SBT		SBT	
	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2018</u>	<u>FY 2018</u>	<u>FY 2017 to FY 2018</u>	<u>% Change</u>
	<u>Work. Approp.</u>	<u>Allowance</u>	<u>Reductions</u>	<u>Appropriation</u>	<u>\$ Change</u>	
Debt Service	\$283.0	\$263.0	\$30.0	\$233.0	-\$50.0	-17.7%
County/Municipal	\$285.6	\$298.1	\$28.5	\$269.6	-\$16.0	-5.6%
Community Colleges	315.2	319.6	1.8	317.7	2.5	0.8%
Education/Libraries	5,922.2	5,935.2	29.9	5,905.4	-16.8	-0.3%
Health	49.5	51.8	0.7	51.1	1.6	3.2%
Aid to Local Governments	\$6,572.5	\$6,604.7	\$61.0	\$6,543.8	-\$28.8	-0.4%
Foster Care Payments	\$177.8	\$184.5	\$0.3	\$184.2	\$6.4	3.6%
Assistance Payments	64.5	67.3	2.0	65.3	0.8	1.3%
Medical Assistance	2,995.7	3,194.2	25.0	3,169.2	173.5	5.8%
Property Tax Credits	82.3	87.5	0.0	87.5	5.2	6.3%
Entitlements	\$3,320.3	\$3,533.6	\$27.3	\$3,506.2	\$185.9	5.6%
Health	\$1,369.2	\$1,427.6	\$6.8	\$1,420.9	\$51.7	3.8%
Human Resources	406.6	393.7	10.4	383.4	-23.3	-5.7%
Children's Cabinet Interagency Fund	16.6	18.7	0.1	18.6	2.0	11.7%
Juvenile Services	272.4	273.5	0.5	272.9	0.5	0.2%
Public Safety/Police	1,523.0	1,509.5	3.7	1,505.7	-17.2	-1.1%
Higher Education	1,422.2	1,450.6	2.5	1,448.1	26.0	1.8%
Other Education	414.3	441.4	3.1	438.3	24.1	5.8%
Agriculture/Natural Res./Environment	119.6	126.5	3.2	123.3	3.7	3.1%
Other Executive Agencies	709.3	694.7	6.9	687.8	-21.5	-3.0%
Judiciary	481.7	505.2	13.1	492.0	10.3	2.1%
Legislative	89.2	90.6	0.3	90.3	1.1	1.3%
State Agencies	\$6,824.0	\$6,931.8	\$50.6	\$6,881.3	\$57.3	0.8%
Total Operating	\$16,999.8	\$17,333.1	\$168.9	\$17,164.3	\$164.4	1.0%
Capital ⁽¹⁾	\$40.8	\$29.5	\$20.0	\$9.5	-\$31.3	-76.7%
Subtotal	\$17,040.6	\$17,362.6	\$188.9	\$17,173.8	\$133.2	0.8%
Reserve Funds	\$155.4	\$50.0	\$40.0	\$10.0	-\$145.4	-93.6%
Appropriations	\$17,196.0	\$17,412.6	\$228.9	\$17,183.8	-\$12.2	-0.1%
Reversions	-\$30.0	-\$30.0	\$0.0	-\$30.0	\$0.0	0.0%
Grand Total	\$17,166.0	\$17,382.6	\$228.9	\$17,153.8	-\$12.2	-0.1%

SBT: Senate Budget and Taxation Committee

⁽¹⁾ Includes the Sustainable Communities Tax Credit Reserve Fund.

Note: The fiscal 2017 working appropriation includes \$155.6 million in deficiencies, \$125.8 million in targeted reversions, and Senate Budget and Taxation Committee cuts to the deficiencies including \$2.4 million that is contingent on the Budget Reconciliation and Financing Act of 2017 (BRFA), HB 152). Fiscal 2017 also reflects \$7.9 million in additional general fund aid to education funding to offset a reduction in the gaming revenue estimate. The fiscal 2018 Senate Budget and Taxation Committee cuts of \$228.9 million include \$184.3 million in reductions contingent on the BRFA and the addition of \$24.6 million in general fund aid to education to offset a reduction in the gaming revenue estimate.

State Expenditures – State Funds (\$ in Millions)

<u>Category</u>	SBT	FY 2018	SBT	FY 2017-2018	<u>% Change</u>
	<u>Work. Approp.</u>	<u>Allowance</u>	<u>Reductions + SF Add-backs</u>	<u>Appropriation</u>	
Debt Service	\$1,489.5	\$1,567.6	\$6.8	\$1,560.8	\$71.3 4.8%
County/Municipal	\$627.7	\$712.2	\$28.5	\$683.7	\$56.0 8.9%
Community Colleges	315.2	319.6	1.8	317.7	2.5 0.8%
Education/Libraries	6,396.8	6,481.9	54.4	6,427.5	30.7 0.5%
Health	49.5	51.8	0.7	51.1	1.6 3.2%
Aid to Local Governments	\$7,389.2	\$7,565.5	\$85.5	\$7,480.0	\$90.8 1.2%
Foster Care Payments	\$180.0	\$188.9	\$0.3	\$188.5	\$8.5 4.7%
Assistance Payments	77.8	79.8	2.0	77.8	0.0 0.0%
Medical Assistance	3,970.4	4,163.2	0.0	4,163.2	192.8 4.9%
Property Tax Credits	82.3	87.5	0.0	87.5	5.2 6.3%
Entitlements	\$4,310.5	\$4,519.3	\$2.3	\$4,517.0	\$206.5 4.8%
Health	\$1,887.3	\$1,895.3	\$7.3	\$1,888.0	\$0.7 0.0%
Human Resources	504.7	487.5	10.6	476.9	-27.8 -5.5%
Children's Cabinet Interagency Fund	16.6	18.7	0.1	18.6	2.0 11.7%
Juvenile Services	276.2	276.7	0.5	276.1	-0.1 0.0%
Public Safety/Police	1,747.7	1,731.4	4.0	1,727.3	-20.4 -1.2%
Higher Education	5,782.8	5,893.5	2.5	5,891.0	108.2 1.9%
Other Education	484.3	513.5	3.1	510.4	26.1 5.4%
Transportation	1,811.2	1,909.1	1.4	1,907.7	96.5 5.3%
Agriculture/Natural Res./Environment	400.2	423.4	8.7	414.6	14.4 3.6%
Other Executive Agencies	1,419.5	1,408.4	32.0	1,376.4	-43.1 -3.0%
Judiciary	541.0	571.6	13.2	558.4	17.4 3.2%
Legislative	89.2	90.6	0.3	90.3	1.1 1.3%
State Agencies	\$14,960.7	\$15,219.4	\$83.8	\$15,135.7	\$175.0 1.2%
Total Operating	\$28,149.9	\$28,871.9	\$178.4	\$28,693.5	\$543.6 1.9%
Capital ⁽¹⁾	\$1,919.2	\$1,940.7	\$37.0	\$1,903.7	-\$15.4 -0.8%
– Transportation	1,554.5	1,575.6	17.0	1,558.6	4.1 0.3%
– Environment	210.3	187.6	0.0	187.6	-22.7 -10.8%
– Other	154.3	177.5	20.0	157.5	3.2 2.1%
Subtotal	\$30,069.1	\$30,812.7	\$215.4	\$30,597.2	\$528.1 1.8%
Reserve Funds	\$155.4	\$50.0	\$40.0	\$10.0	-\$145.4 -93.6%
Appropriations	\$30,224.5	\$30,862.7	\$255.4	\$30,607.2	\$382.8 1.3%
Reversions	-\$30.0	-\$30.0	\$0.0	-\$30.0	\$0.0 0.0%
Grand Total	\$30,194.5	\$30,832.7	\$255.4	\$30,577.2	\$382.8 1.3%

SBT: Senate Budget and Taxation Committee

⁽¹⁾ Includes the Sustainable Communities Tax Credit Reserve Fund.

Note: The fiscal 2017 working appropriation reflects deficiencies of \$229.5 million, \$125.8 million in targeted reversions, Senate Budget and Taxation Committee reductions to the deficiencies including \$2.6 million contingent on the Budget Reconciliation and Financing Act (BRFA), HB 152), and \$968,000 in additional special fund spending due to funding swaps. The fiscal 2018 Senate Budget and Taxation Committee cuts of \$255.4 million include \$188.0 million in reductions contingent on the BRFA and \$49.3 million in additional special fund spending due to funding swaps.

State Expenditures – All Funds (\$ in Millions)

<u>Category</u>	SBT	SBT	SBT	SBT	SBT	SBT
	<u>FY 2017</u> <u>Work. Approp.</u>	<u>FY 2018</u> <u>Allowance</u>	<u>Reductions +</u> <u>SF Add-backs</u>	<u>FY 2018</u> <u>Appropriation</u>	<u>FY 2017-2018</u> <u>\$ Change</u>	<u>FY 2017-2018</u> <u>% Change</u>
Debt Service	\$1,501.1	\$1,579.2	\$6.8	\$1,572.3	\$71.3	4.7%
County/Municipal	\$715.2	\$784.6	\$28.5	\$756.1	\$40.9	5.7%
Community Colleges	315.2	319.6	1.8	317.7	2.5	0.8%
Education/Libraries	7,333.5	7,475.2	54.4	7,420.7	87.2	1.2%
Health	54.0	56.3	0.7	55.6	1.6	3.0%
Aid to Local Governments	\$8,417.9	\$8,635.6	\$85.5	\$8,550.1	\$132.2	1.6%
Foster Care Payments	\$262.3	\$262.7	\$0.3	\$262.4	\$0.1	0.0%
Assistance Payments	1,333.4	1,276.2	2.0	1,274.2	-59.2	-4.4%
Medical Assistance	10,836.9	11,082.3	0.0	11,082.3	245.4	2.3%
Property Tax Credits	82.3	87.5	0.0	87.5	5.2	6.3%
Entitlements	\$12,514.9	\$12,708.7	\$2.3	\$12,706.4	\$191.4	1.5%
Health	\$2,863.0	\$2,885.7	\$7.6	\$2,878.1	\$15.2	0.5%
Human Resources	986.6	1,045.5	11.6	1,033.9	47.3	4.8%
Children's Cabinet Interagency Fund	16.6	18.7	0.1	18.6	2.0	11.7%
Juvenile Services	281.1	281.5	0.6	281.0	-0.1	0.0%
Public Safety/Police	1,790.3	1,768.7	4.1	1,764.6	-25.7	-1.4%
Higher Education	5,782.8	5,893.5	2.5	5,891.0	108.2	1.9%
Other Education	738.5	788.9	3.4	785.4	47.0	6.4%
Transportation	1,908.4	2,006.6	1.4	2,005.2	96.8	5.1%
Agriculture/Natural Res./Environment	469.4	489.6	8.9	480.7	11.4	2.4%
Other Executive Agencies	2,033.3	2,031.4	32.4	1,999.0	-34.3	-1.7%
Judiciary	542.1	571.6	13.2	558.4	16.3	3.0%
Legislative	89.2	90.6	0.3	90.3	1.1	1.3%
State Agencies	\$17,501.1	\$17,872.2	\$86.0	\$17,786.2	\$285.2	1.6%
Total Operating	\$39,935.0	\$40,795.7	\$180.7	\$40,615.0	\$680.0	1.7%
Capital ⁽¹⁾	\$3,008.6	\$2,996.3	\$37.1	\$2,959.2	-\$49.4	-1.6%
- Transportation	2,570.8	2,525.2	17.1	2,508.1	-62.7	-2.4%
- Environment	254.6	230.2	0.0	230.2	-24.4	-9.6%
- Other	183.2	240.9	20.0	220.9	37.7	20.6%
Subtotal	\$42,943.6	\$43,792.0	\$217.8	\$43,574.2	\$630.6	1.5%
Reserve Funds	\$155.4	\$50.0	\$40.0	\$10.0	-\$145.4	-93.6%
Appropriations	\$43,099.0	\$43,842.0	\$257.8	\$43,584.2	\$485.3	1.1%
Reversions	-\$30.0	-\$30.0	\$0.0	-\$30.0	\$0.0	0.0%
Grand Total	\$43,069.0	\$43,812.0	\$257.8	\$43,554.2	\$485.3	1.1%

SBT: Senate Budget and Taxation Committee

⁽¹⁾ Includes the Sustainable Communities Tax Credit Reserve Fund.

Note: The fiscal 2017 working appropriation reflects deficiencies of \$1,044.3 million, \$125.8 million in targeted reversions, Senate Budget and Taxation Committee reductions to the deficiencies including \$3.7 million contingent on the Budget Reconciliation and Financing Act (BRFA), HB 152), and \$968,000 in additional special fund spending due to funding swaps. The fiscal 2018 Senate Budget and Taxation Committee cuts of \$257.8 million include \$190.1 million in reductions contingent on the BRFA and \$49.3 million in additional special fund spending due to funding swaps.

Fiscal Note

Summary of the Budget Bill – House Bill 150

	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Education Funds</u>	<u>Total Funds</u>
Governor's Allowance					
Fiscal 2017 Budget	\$17,153,079,306	\$8,755,242,228	\$12,875,570,384	\$4,290,391,574	\$43,074,283,492 ⁽¹⁾
Fiscal 2018 Budget	17,382,387,677	9,078,690,271	12,979,328,363	4,371,344,992	43,811,751,303 ⁽²⁾
Additional General Fund Spending to Offset Lower Education Trust Fund Revenue⁽³⁾					
Fiscal 2017 Deficiencies	\$7,934,831	-\$7,934,831	\$0	\$0	\$0
Fiscal 2018 Budget	24,560,106	-24,560,106	0	0	0
Subtotal	\$32,494,937	-\$32,494,937	\$0	\$0	\$0
Budget Reconciliation and Financing Act of 2017					
Fiscal 2017 Deficiencies	-\$2,428,000	\$780,500	-\$1,040,000	\$0	-\$2,687,500
Fiscal 2018 Contingent Reductions	-184,288,083	22,395,541	-2,078,909	0	-163,971,451
Subtotal	-\$186,716,083	\$23,176,041	-\$3,118,909	\$0	-\$166,658,951
Senate Budget and Taxation Committee Reductions					
Fiscal 2017 Deficiencies	\$7,399,225	-\$10,000,000	\$0	\$0	-\$2,600,775
Fiscal 2018 Budget	-68,895,772	-24,401,339 ⁽⁴⁾	-234,974	0	-93,532,085
Total Reductions	-\$61,496,547	-\$34,401,339	-\$234,974	\$0	-\$96,132,860
Appropriations					
Fiscal 2017 Budget	\$17,165,985,362	\$8,738,087,897	\$12,874,530,384	\$4,290,391,574	\$43,068,995,217
Fiscal 2018 Budget	17,153,763,928	9,052,124,367	12,977,014,480	4,371,344,992	43,554,247,767
Change	-\$12,221,434	\$314,036,470	\$102,484,096	\$80,953,418	\$485,252,550

⁽¹⁾ Reflects \$1.048 billion in proposed deficiencies, including \$155.6 million in general funds, \$73.9 million in special funds, \$814.8 million in federal funds, and \$4.1 million in current unrestricted funds. Reversion assumptions total \$155.8 million in general funds, including \$30.0 million in unspecified reversions and \$125.8 million in targeted reversions.

⁽²⁾ Reversion assumptions total \$30.3 million in general funds, including \$30.0 million in unspecified reversions and \$0.3 million in targeted reversions. Across-the-board reductions total \$16.9 million reflecting a reduction across the Department of Public Safety and Correctional Services.

⁽³⁾ March 2017 write-downs of revenue into the Education Trust Fund will require additional general fund expenditures for education aid. Funding shown is the assumed level of additional expenditures.

⁽⁴⁾ Special Fund reductions assume \$23.2 million in additional bond premium support for debt service payments.

**General Fund Revenues
2017 Session Legislation
Fiscal 2017 and 2018
(\$ in Millions)**

Budget Reconciliation and Financing Act (HB 152)

	<u>Admin.</u>	<u>House</u>	<u>SBT</u>
<u>Fiscal 2017 Revenues</u>			
Lottery Revenue from Repeal of Chapter 727 of 2016	\$1.0	\$1.0	\$0.5
Volkswagen Settlement	12.0	12.0	12.0
Moody's Settlement		5.0	6.0
Total Fiscal 2017 Revenues	\$13.0	\$18.0	\$18.5
 <u>Fiscal 2018 Revenues</u>			
Lottery Revenue from Repeal of Chapter 727 of 2016	\$1.0	\$1.0	\$0.0
Reduce Lottery Agent Commission from 5.5% to 5.0%		9.6	0.0
Total Fiscal 2018 Revenues	\$1.0	\$10.6	\$0.0

SBT: Senate Budget and Taxation Committee

**General Fund Transfers
Contingent on the Budget Reconciliation and Financing
Act of 2017 (HB 152)
(\$ in Millions)**

	Admin. <u>Plan</u>	<u>House</u>	<u>SBT</u>
<u>Transfers – Fiscal 2017</u>			
Rainy Day Fund	\$170.0	\$170.0	\$170.0
University System of Maryland Fund Balance		30.0	30.0
Maryland Correctional Enterprises		2.5	2.5
Total Transfers	\$170.0	\$202.5	\$202.5
 <u>Transfers – Fiscal 2018</u>			
Maryland Correctional Enterprises	\$2.5	\$0.0	\$0.0
Total Transfers	\$2.5	\$0.0	\$0.0

SBT: Senate Budget and Taxation Committee

**General Fund Reductions
Contingent on the Budget Reconciliation and Financing
Act of 2017 (HB 152)
(\$ in Millions)**

	<u>House</u>	<u>SBT</u>
Contingent Reductions – Fiscal 2017		
Fund Swap in Department of General Services	\$1.0	\$1.0
Unspent Funds for DDA Utilization Review	1.5	1.5
Total Reductions	\$2.4	\$2.4
Contingent Reductions – Fiscal 2018		
Reduce Supplemental Payment to Pension System to \$75 Million	\$50.0	\$50.0
Reduce Appropriation to Rainy Day Fund	40.0	40.0
Fund Strategic Demolition and Smart Growth Impact Fund with Bonds	25.6	25.6
Slow Phase-down of Medicaid Deficit Assessment on Hospitals	20.0	25.0
Restructure Payments to Prince George’s Regional Medical Center	0.0	2.0
Fund Baltimore Regional Neighborhood Initiative with Bonds	12.0	12.0
Fund Seed Anchor Institution Program with Bonds	5.0	5.0
Reduce Teacher Induction, Retention, and Advancement Pilot and Amount of Teacher Stipends	4.0	5.0
Fund Behavioral Health Services for Uninsured with Special Funds	3.8	2.0
Fund Shelter and Transitional Housing Grant with Bonds	3.0	3.0
Phase-in Funding for Public School Opportunities	2.5	7.0
Reduce Funding for Disparity Grant	0.0	2.4
Phase-in Next Generation Farmland Funding	2.5	2.5
Fund Mental Health Services with Senior Prescription Drug Revenues	1.1	1.1
Level Fund Local Health Grant	0.7	0.7
Level Fund Police Aid	0.5	0.5
No Funds for Robotics Grants	0.0	0.3
No Funds for Center for Construction Education and Innovation	0.0	0.3
Total Reductions	\$170.7	\$184.3

DDA: Developmental Disabilities Administration
SBT: Senate Budget and Taxation Committee

Senate Budget and Taxation Committee Action on the Budget Reconciliation and Financing Act of 2017 (HB 152)

The Budget Reconciliation and Financing Act of 2017, as amended¹ by the Senate Budget and Taxation Committee, accomplishes the following for the General Fund:

Fiscal 2017 Fund Transfers	\$202.5 million
Fiscal 2017 Revenues	18.5 million
Fiscal 2017 Expenditure Reductions	2.4 million
Fiscal 2018 Expenditure Reductions	184.3 million
Total Budgetary Action	\$407.7 million

Amend. No.

Restores the provisions of Chapter 727 of 2016 that established the mandated funding, from lottery revenues, for the Maryland International thoroughbred race, a grant to the Maryland Humanities Council of Maryland, a youth and amateur sports grant program, and a bonus award program for Maryland-bred horses (pages 8-10 and 38-39).

2

Strikes the provision that authorizes, rather than requires, funding for the Maryland International thoroughbred race from the thoroughbred share of the Purse Dedication Account (page 10).

2 Cont.

Adds a provision that clarifies that \$1.0 million of the revenue from the admissions and amusement tax from certain electronic bingo machines be allocated to the Maryland State Arts Council and the remainder to the Special Fund for the Preservation of Cultural Arts and clarifies that the additional funds be included in the calculation of mandated increase in general funds for the program. The provision would sunset after fiscal 2021 (pages 10, 40-41, and 46-47).

3

Reduces the fiscal 2018 mandated appropriation for the Teacher Induction, Retention, and Advancement Pilot Program to \$2.1 million from \$5.0 million. Restores the full mandate beginning in fiscal 2019 (pages 10-11).

Reduces the mandated funding for teacher stipends in fiscal 2018, but modifies the provision to restore the full mandated funding beginning in fiscal 2019 (pages 11-12).

¹ Provisions added or amended in whole or in part, except by a technical amendment, are noted in *italics*.

Adopts a provision to reduce the mandated funding in fiscal 2018 for stipends for certain teachers in Anne Arundel County (page 13).

4

Adopts a provision to repeal the general fund mandate for the Robotics Grant Program under the Maryland State Department of Education (pages 13-14).

5

Modifies the fiscal 2018 mandated appropriation for the Public School Opportunities Enhancement Program to \$0.5 million from the House position of \$5 million. Concurs to restore the full mandate of \$7.5 million beginning in fiscal 2019 (page 14).

6

Strikes the provision that would reduce funding for the Joseph A. Sellinger Program to the fiscal 2017 cost containment level (pages 14-15).

Strikes the provision that repeals the general fund mandate for the Next Generation Scholars of Maryland Program (pages 15-16).

Strikes the provision that repeals the general fund mandate to enable the Enoch Pratt Free Library to increase its operating hours (pages 16-17).

Reduces the mandated funding level for locals under the Core Public Health Services program to the fiscal 2017 level (pages 17-18).

Strikes a provision that reduces the mandated provider rate increase under the Developmental Disabilities Administration from 3.5% to 2.0% in fiscal 2018 (page 18).

Allows the use of excess funds from the Senior Prescription Drug Assistance Program for mental health services for the uninsured but modifies the provision so that it applies to fiscal 2018 only (pages 18-19).

Modifies a provision to permanently allow the Department of Health and Mental Hygiene to charge the Maryland Health Care Commission and the Health Services Cost Review Commission a higher indirect cost rate and to increase the commissions' caps to \$16.0 million (pages 19-21).

7

Concurs with the use of the Community Health Resources Commission Fund for mental health services for the uninsured in fiscal 2018 only but modifies the provision so that a reduced amount of funding may be used for that purpose (page 22).

8

Adopts a provision that reduces the mandated funding in fiscal 2018 for an operating grant to the Prince George's Regional Medical Center but increases support for the grant in fiscal 2019 through 2028 (pages 22-24 and 46).

9

Strikes a provision that repeals the mandated funding for the Shelter and Transitional Housing Facilities Grant Program and instead retains the mandate but authorizes the use of general obligation bond funds to meet the mandate in fiscal 2018 through 2022 (pages 24-25).

Allows the mandated funding for the Strategic Demolition and Smart Growth Impact Fund to be provided in the capital budget through proceeds of general obligation bonds for fiscal 2018 and 2019 (page 25).

Strikes a provision that repeals the mandated funding for the Seed Community Development Anchor Institution Fund and instead retains the mandate but authorizes the use of general obligation bond funds to meet the mandate (page 25).

Strikes a provision that reduces the fiscal 2018 mandate and repeals the mandated out-year funding for the Baltimore Regional Neighborhood Initiative and instead retains the full mandate but authorizes the use of general obligation bond funds to meet the mandate in fiscal 2018 through 2022 (pages 25-26).

Adopts a provision that repeals the mandated funding of \$250,000 for the Maryland Center for Construction Education and Innovation (page 26).

10

Modifies a provision to reduce the minimum grant amount from 67.5% to 63.75% of the disparity grant calculation provided in fiscal 2018 and 2019 only for counties with a tax rate of at least 3.2% and concurs with striking a provision that would fund the disparity grant at the fiscal 2017 cost containment level in fiscal 2018 (pages 26-27).

11

Concurs with a provision that specifies that the requirement to budget 100.0% of the Maryland Park Service's own-sourced revenues is based on the actual revenues from two fiscal years preceding the proposed fiscal year (page 28).

Reduces the mandated funding level for the State Aid for Police Protection program to the fiscal 2017 level (page 28).

Expands legislative review of any programmatic change that results in a federal block grant by broadening the definition of a block grant (page 29).

Establishes a staggered triennial review cycle and annual reporting requirement related to interagency agreements that have been in place for three or more years and have actual expenditures that exceed \$750,000 (pages 30-31).

Rejects a provision that requires the Department of Budget and Management to publish personnel and agency performance data in the annual printed budget books but adopts a provision that allows the department to provide the information on its website only (pages 31-33).

12

Repeals the mandate, for fiscal 2018 only, for an appropriation to the State Retirement and Pension System equal to one-half of the amount by which the unappropriated general fund surplus exceeds \$10.0 million in the preceding fiscal year (pages 37-38).

Rejects a provision that reduces the sales commissions paid to State lottery retailers from 5.5% to 5.0% (page 38).

13

Concurs with striking a provision to fund the expenses of the Division of Racing from the Purse Dedication Account in lieu of general funds and also strikes a provision authorizing the Purse Dedication Account to fund the Maryland International thoroughbred race. Adds a provision to reduce excess lottery funds in fiscal 2017 for a horse racing special fund (pages 39-40).

2
Cont.

Allocates a portion of the admissions and amusement tax revenue accruing to the Special Fund for the Preservation of the Cultural Arts to a grant for the Arts Council of Anne Arundel County beginning in fiscal 2019 (pages 41-42).

Strikes a provision to increase the local share of the costs of certain activities of the State Department of Assessments and Taxation from 50.0% to 70.0% and to 90.0% in fiscal 2019 and thereafter. Also strikes the provision that would add the costs of the Office of the Director to the cost-share arrangement (page 42).

Reduces the mandated funding level under the Maryland Resource-Based Industry Development Corporation's Next Generation Farmland Acquisition Program by \$2.5 million in fiscal 2018 and extends funding of \$2.5 million to fiscal 2019 (page 43).

Adds a provision that, for years beyond the budget request year, prohibits the inclusion of transportation grants to local governments in the Consolidated Transportation Program and the withholding or reserving of funds in the Transportation Trust Fund forecast for capital transportation grants to local governments (pages 43-44).

14

Establishes the Comptroller of Maryland as the administering agency for the Maryland Emergency Medical System Operations Fund (pages 44-45).

Modifies the reduction to the Medicaid Deficit Assessment to \$25.0 million in fiscal 2018 (pages 45-46).

15

Strikes the provision that repeals the requirement that at least \$4.0 million be included in the allowance for the University System of Maryland Office to increase the estimated funding guideline attainment for institutions with the lowest estimated funding guideline attainment in fiscal 2016 (page 46).

Authorizes the transfer of \$2.5 million from the Maryland Correctional Enterprises Revolving Loan Fund to the General Fund in fiscal 2017 (page 47).

Limits growth in fiscal 2018 rates paid to providers with rates set by the Interagency Rates Committee to no more than 2.0% over the rates in effect for fiscal 2017 (page 47).

Authorizes the transfer of \$170.0 million from the Revenue Stabilization Account in fiscal 2017 (page 47).

Reduces the fiscal 2018 funding to the Revenue Stabilization Account by \$40.0 million (page 47).

Strikes a provision to allow the use of up to \$1.0 million in the Housing Counseling and Foreclosure Mediation Fund for the Department of Housing and Community Development's operating expenses in fiscal 2018 (page 47).

Allows the Maryland Department of the Environment to use up to \$60.0 million of revenue bond proceeds and funds in the Bay Restoration Fund for Biological Nutrient Removal upgrades of wastewater treatment plants (page 47).

Authorizes the transfer of \$3.0 million from the Jane E. Lawton Conservation Fund to the State Agency Loan Program Fund in fiscal 2017 (page 47).

Authorizes the transfer of \$30.0 million from the University System of Maryland fund balance to the General Fund in fiscal 2017 (page 47).

Reverts \$1.46 million in general funds in fiscal 2017 under the Developmental Disabilities Administration for utilization review audit contracts (page 48).

Withdraws a fiscal 2017 special fund appropriation of \$187,500 under the Department of Housing and Community Development and returns the funds to the Small, Minority, and Women-Owned Business Account within the Department of Commerce (page 48).

Requires the Department of Human Resources to use savings in the Assistance Payments Program in fiscal 2017 to reduce the Temporary Assistance for Needy Families deficit (page 48).

Requires a \$968,000 reduction in unexpended fiscal 2017 general funds under the Department of General Services and authorizes a fiscal 2017 special fund budget amendment of \$968,000 from eMaryland Marketplace fees that were recorded as deferred revenue at the close of fiscal 2016 (page 48).

Modifies a provision to increase the transfer of funds from the Small, Minority, and Women-Owned Business Account to the Education Trust Fund in fiscal 2018 (page 48).

16

Strikes provisions that authorize the transfer of funds attributable to the admission and amusement tax revenue that accrues to the Special Fund for the Preservation of Cultural Arts to a grant for the Maryland Humanities Council in fiscal 2018 and 2019 (page 48).

17

Requires the Comptroller of Maryland to transfer up to \$12.0 million from the Consumer Protection Recoveries Fund to the General Fund if the Office of the Attorney General does not transfer \$12.0 million of the recovery from the Volkswagen Clean Diesel settlement (page 49).

Modifies a provision to require the Comptroller of Maryland to transfer up to \$12.0 million of the recovery from the Moody's Corporation settlement from the Office of the Attorney General's Consumer Protection Recoveries fund to the General Fund (page 49).

18

Strikes a provision that caps the growth of any mandated appropriation to not more than the projected general fund revenue growth, less 1.0%; excepting specified mandates related to K-12 education funding, Reserve Fund requirements, and debt service requirements (page 49).

Modifies a provision that extends legislative review, for two years, to program changes that would make it harder to qualify for benefits, expand beneficiary cost sharing, or impose limitations on benefits in relation to Medicaid and the Supplemental Nutrition Assistance Program by adding a provision on stakeholder input (page 50).

19

Concurs with a provision that requires \$4.6 million in excess Baltimore City contributions to the Baltimore City Public School Construction Financing Fund to be credited to Baltimore City Public Schools to provide a portion of its required contribution in fiscal 2018 instead of the Comptroller intercepting State education aid and adds a provision expressing the intent that this provision would only apply in fiscal 2018 (pages 50-51).

20

Concurs with a provision that requires a report on the Baltimore City Public School System structural deficit in fiscal 2018, 2019, and 2020 but modifies the provision so that the report be submitted quarterly (page 51).

21

Adds a provision to instruct the Secretary of Transportation, in coordination with the Montgomery and Prince George's counties' departments of transportation, to engage with their counterparts in Virginia and Washington, DC for the purpose of revisiting the Washington Metropolitan Area Transit Authority (WMATA) compact to ensure the viability of WMATA (pages 51-52).

22

Technical Amendment:

- *Purpose and function paragraphs and renumbering.*

1

General Fund Budget Outlook Fiscal 2017-2022 (\$ in Millions)

	2017 Work. App.	2018 Allowance	2019 Est.	2020 Est.	2021 Est.	2022 Est.	2018-22 Average Annual Change
Revenues							
Opening Fund Balance	\$385	\$58	\$113	\$0	\$0	\$0	
Transfer	203	0	42	37	36	33	
One-time Revenues/Legislation	65	1	0	0	0	0	
Subtotal One-time Revenue	\$652	\$59	\$155	\$37	\$36	\$33	
Ongoing Revenues	\$16,572	\$17,207	\$17,735	\$18,366	\$19,042	\$19,769	
Revenue Adjustments – Legislation	0	0	0	0	0	0	
Subtotal Ongoing Revenue	\$16,572	\$17,207	\$17,735	\$18,366	\$19,042	\$19,769	3.5%
Total Revenues and Fund Balance	\$17,224	\$17,266	\$17,889	\$18,403	\$19,078	\$19,802	3.5%
Ongoing Spending							
Operating Spending	\$17,378	\$17,840	\$18,918	\$19,844	\$20,877	\$21,756	
Education Trust Fund ⁽¹⁾	-459	-522	-529	-537	-545	-553	
Ongoing (Reductions)/Additions	5	-137	-29	-30	-30	-30	
Subtotal Ongoing Spending	\$16,925	\$17,181	\$18,361	\$19,277	\$20,302	\$21,173	5.4%
One-time Spending							
Pay-as-you-go Capital	\$62	\$55	\$108	\$80	\$80	\$61	
One-time Reductions	-19	-116	-20	-20	-20	-20	
Legislation/One-time Adjustments/ Swaps	43	-16	0	0	0	0	
Appropriation to Reserve Fund	155	50	74	50	83	83	
Subtotal One-time Spending	\$241	-\$27	\$163	\$110	\$143	\$124	
Total Spending	\$17,166	\$17,154	\$18,523	\$19,387	\$20,445	\$21,297	5.6%
Ending Balance	\$58	\$113	-\$634	-\$984	-\$1,368	-\$1,495	
Rainy Day Fund Balance	\$831	\$860	\$886	\$918	\$952	\$989	
Balance over 5% of GF Revenues	2	0	0	0	0	0.2	
As % of GF Revenues	5.01%	5.00%	5.00%	5.00%	5.00%	5.00%	
Structural Balance	-\$353	\$27	-\$626	-\$911	-\$1,261	-\$1,404	

GF: General Fund

⁽¹⁾ Education Trust Fund is supported by revenues from video lottery terminals and table games.

SENATE BUDGET & TAXATION COMMITTEE

Exhibit H
COMMITTEE REPRINT TO

HOUSE BILL 152

B1

71r0192
CF SB 172

By: The Speaker (By Request – Administration)

Introduced and read first time: January 18, 2017

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2017

CHAPTER _____

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2017**

3 FOR the purpose of authorizing or altering the distribution of certain revenue; altering or
4 repealing certain required appropriations; authorizing the use of certain funds for
5 certain purposes; ~~altering the Special Fund from which the Maryland International~~
6 ~~thoroughbred race purse and a related bonus award program shall be funded;~~
7 ~~repealing a requirement that the Comptroller pay certain amounts from a certain~~
8 ~~Special Fund for certain purposes; repealing a requirement that the State Racing~~
9 ~~Commission establish a certain bonus award program; repealing a requirement that~~
10 ~~the purse for a certain horse race be funded by a certain Special Fund; reducing the~~
11 ~~maximum amount of certain teacher stipends for a certain fiscal year; providing a~~
12 ~~certain amount of aid to certain institutions of higher education in accordance with~~
13 ~~a certain action by the Board of Public Works; providing a certain amount of funding~~
14 ~~for certain local health services and certain income tax disparity grants in~~
15 ~~accordance with a certain action by the Board of Public Works; altering a certain rate~~
16 ~~increase for community service providers; repealing a certain condition on the use of~~
17 ~~certain funds; altering a certain condition on the use of certain funds; funds for a~~
18 ~~certain fiscal year; prohibiting certain excess funds from being used for certain~~
19 ~~purposes after a certain fiscal year; altering a certain condition on the use of certain~~
20 ~~funds for a certain fiscal year; repealing the use of certain funds for certain projects~~
21 ~~or initiatives after a certain fiscal year; altering the amount the Department of~~
22 ~~Health and Mental Hygiene is authorized to charge the Maryland Health Care~~
23 ~~Commission for a certain fiscal year; and altering the maximum amount of certain~~
24 ~~fees assessed by the Commission; altering the amount the Department of Health and~~

①

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Mental Hygiene is authorized to charge the State Health Services Cost Review
 2 Commission for a certain fiscal year; and altering the maximum amount of certain
 3 fees assessed by the Commission; clarifying the sources from which certain funds may
 4 be appropriated; ~~requiring the State Racing Commission to pay certain expenses~~
 5 ~~from a certain account; requiring the State Racing Commission to establish a certain~~
 6 ~~bonus award program; altering a certain reimbursement by each county and~~
 7 ~~Baltimore City to the State for certain costs incurred by the State Department of~~
 8 ~~Assessments and Taxation;~~ requiring the Department of Budget and Management
 9 to review certain interagency agreements at certain intervals; requiring the
 10 Department of Budget and Management to make certain determinations in the
 11 review of certain interagency agreements; requiring the Department of Budget and
 12 Management to establish a certain cycle to review certain interagency agreements;
 13 requiring the Department of Budget and Management to report certain information
 14 and certain findings on or before a certain date each year to certain committees of
 15 the General Assembly and the Department of Legislative Services; altering certain
 16 provisions of law relating to budget books; requiring the Governor to provide a
 17 certain number of copies of the budget books to members of the General Assembly
 18 and the Department of Legislative Services; requiring certain information in the
 19 ~~budget books~~ *personnel detail and strategic plan information* to be provided in a
 20 certain format on the Department of Budget and Management's Web site at a certain
 21 time; requiring the Department of Budget and Management to archive certain
 22 information in a certain format on a certain Web site; ~~altering the regular~~
 23 ~~commissions of a State lottery sales agent; authorizing the State Racing Commission~~
 24 ~~to provide, from the amount provided for certain purses, up to a certain amount each~~
 25 ~~year to a purse for a certain horse race;~~ *prohibiting the Consolidated Transportation*
 26 *Program from including certain capital transportation grants beyond a certain period*
 27 *except as authorized by law; requiring a certain financial forecast for a certain period*
 28 *to maximize the use of certain funds; prohibiting a certain financial forecast for a*
 29 *certain period from withholding or reserving certain funds for a certain purpose*
 30 *except as authorized by law;* requiring the Comptroller to administer the Maryland
 31 Emergency Medical System Operations Fund; establishing a certain budgeted
 32 Medicaid Deficit Assessment amount in a certain fiscal year; *clarifying that certain*
 33 *funds distributed to the Maryland State Arts Council from certain revenue*
 34 *distributed from the State admissions and amusement tax on electronic bingo and*
 35 *electronic tip jars are in addition to a certain base amount for purposes of a certain*
 36 *calculation;* authorizing the transfer of certain funds; limiting certain rate increases;
 37 ~~limiting increases in certain mandated spending under certain circumstances;~~
 38 authorizing the Department of General Services to process a certain budget
 39 amendment in a certain amount for a certain fiscal year from certain fees that were
 40 recorded as a deferred revenue at the close of a certain fiscal year; prohibiting certain
 41 eligibility and benefits rules in place on a certain date for certain programs from
 42 being altered unless certain conditions are met; *requiring the Department of Health*
 43 *and Mental Hygiene and the Department of Human Resources to establish a certain*
 44 *group of stakeholders to collaborate on changes to, or redesign of, certain programs*
 45 *under certain circumstances; stating the intent of the General Assembly that certain*
 46 *actions may not be taken after a certain fiscal year;* prohibiting the Comptroller from
 47 withholding a certain amount for a certain fiscal year to be deposited into a certain

①

1 fund and instead requiring the amount to be credited to a certain fund to satisfy a
 2 certain portion of a certain required payment; requiring the Baltimore City Public
 3 School System to report certain information to the Governor and certain committees
 4 of the General Assembly on or before certain dates; requiring the State Secretary of
 5 Transportation to engage certain entities and seek agreement on certain matters;
 6 requiring the Secretary to report to and consult with, at least a certain number of
 7 times a year, the chairs of certain committees; making the provisions of this Act
 8 severable; requiring the publisher of the Annotated Code of Maryland, in
 9 consultation with the Department of Legislative Services, to correct cross-references
 10 and terminology in the Code that are rendered incorrect by this Act; defining certain
 11 terms a certain term; altering a certain definition; stating certain findings of the
 12 General Assembly; repealing a certain contingency provision; extending the
 13 termination date of a certain provision of law; providing for the termination of certain
 14 provisions of this Act; making stylistic changes; and generally relating to the
 15 financing of State and local government.

16 ~~BY repealing and reenacting, with amendments,~~
 17 ~~Article – Business Regulation~~
 18 ~~Section 11-402, 11-403, and 11-522.1(b)~~
 19 ~~Annotated Code of Maryland~~
 20 ~~(2015 Replacement Volume and 2016 Supplement)~~

21 BY repealing and reenacting, with amendments,
 22 Article – Economic Development
 23 Section 4-512(a) and 4-801(f)
 24 Annotated Code of Maryland
 25 (2008 Volume and 2016 Supplement)

26 BY repealing and reenacting, without amendments,
 27 Article – Economic Development
 28 Section 4-801(a)
 29 Annotated Code of Maryland
 30 (2008 Volume and 2016 Supplement)

31 BY repealing and reenacting, without amendments,
 32 Article – Education
 33 Section 6-117.1(a)(1) and (3), ~~7-123(a)(1), 7-123(a)(1), 7-1702(a), and~~
 34 ~~18-303.1(a)(1) and (3)~~ and 7-1702(a)
 35 Annotated Code of Maryland
 36 (2014 Replacement Volume and 2016 Supplement)

37 BY repealing
 38 Article – Education
 39 Section 6-117.1(e)(1), ~~7-123(c), 7-123(e), 7-1704, and 18-303.1(g)~~ and 7-1704
 40 Annotated Code of Maryland
 41 (2014 Replacement Volume and 2016 Supplement)

1 BY adding to
 2 Article – Education
 3 Section 6–117.1(e)(1), ~~7–123(c), 7–123(e), 7–1704, 17–104(a)(5), and 18–303.1(g) and~~
 4 7–1704
 5 Annotated Code of Maryland
 6 (2014 Replacement Volume and 2016 Supplement)

7 BY repealing and reenacting, with amendments,
 8 Article – Education
 9 Section 6–306(b) ~~and (c) and (e), 17–104(a)(1), 18–303.1(h), and 23–402(a)~~
 10 Annotated Code of Maryland
 11 (2014 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, without amendments,
 13 Article – Health – General
 14 Section 2–302(a), 15–1004(a), 19–101, 19–201(b), 19–213(a) and (b), and 19–2201(a)
 15 and (e)(1)
 16 Annotated Code of Maryland
 17 (2015 Replacement Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,
 19 Article – Health – General
 20 Section 2–302(b)(2) and (3), ~~7–307(d)(2), 15–1004(f), 19–111(c), 19–208(b), 19–213(c),~~
 21 and 19–2201(e)(2)
 22 Annotated Code of Maryland
 23 (2015 Replacement Volume and 2016 Supplement)

24 BY adding to
 25 Article – Health – General
 26 Section 2–302(b)(4) and (5)
 27 Annotated Code of Maryland
 28 (2015 Replacement Volume and 2016 Supplement)

29 ~~BY repealing and reenacting, with amendments,~~
 30 ~~Article – Health – General~~
 31 ~~Section 19–2401(a)(1)~~
 32 ~~Annotated Code of Maryland~~
 33 ~~(2015 Replacement Volume and 2016 Supplement)~~
 34 ~~(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)~~

35 BY repealing and reenacting, with amendments,
 36 Article – Health – General
 37 Section 19–2401
 38 Annotated Code of Maryland
 39 (2015 Replacement Volume and 2016 Supplement)
 40 (As enacted by Chapter 13 of the Acts of the General Assembly of 2016)

①

1 BY repealing and reenacting, with amendments,
 2 Article – Housing and Community Development
 3 Section 4–216, 4–508(j), ~~and 4–509(j)~~ 4–509(j), and 6–510(j)
 4 Annotated Code of Maryland
 5 (2006 Volume and 2016 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article – Housing and Community Development
 8 Section 4–508(a), 4–509(a)(1) and (4), and 6–510(a)
 9 Annotated Code of Maryland
 10 (2006 Volume and 2016 Supplement)

11 ~~BY repealing~~
 12 ~~Article – Housing and Community Development~~
 13 ~~Section 6–510(j)~~
 14 ~~Annotated Code of Maryland~~
 15 ~~(2006 Volume and 2016 Supplement)~~

16 ~~BY adding to~~
 17 ~~Article – Housing and Community Development~~
 18 ~~Section 6–510(j)~~
 19 ~~Annotated Code of Maryland~~
 20 ~~(2006 Volume and 2016 Supplement)~~



21 ~~BY repealing and reenacting, without amendments,~~
 22 ~~Article – Labor and Employment~~
 23 ~~Section 11–1302(a)~~
 24 ~~Annotated Code of Maryland~~
 25 ~~(2016 Replacement Volume)~~

26 ~~BY repealing and reenacting, with amendments,~~
 27 ~~Article – Labor and Employment~~
 28 ~~Section 11–1302(e)~~
 29 ~~Annotated Code of Maryland~~
 30 ~~(2016 Replacement Volume)~~

31 BY repealing and reenacting, without amendments,
 32 Article – Labor and Employment
 33 Section 11–1302(a)
 34 Annotated Code of Maryland
 35 (2016 Replacement Volume)

36 BY repealing and reenacting, with amendments,
 37 Article – Labor and Employment
 38 Section 11–1302(e)
 39 Annotated Code of Maryland
 40 (2016 Replacement Volume)

1 ~~BY repealing and reenacting, with amendments,~~
 2 ~~Article – Local Government~~
 3 ~~Section 16–501(e)~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2013 Volume and 2016 Supplement)~~

6 BY repealing and reenacting, with amendments,
 7 Article – Local Government
 8 Section 16–501(e)
 9 Annotated Code of Maryland
 10 (2013 Volume and 2016 Supplement)

11 BY repealing and reenacting, with amendments,
 12 Article – Natural Resources
 13 Section 5–212(g)(3)
 14 Annotated Code of Maryland
 15 (2012 Replacement Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
 17 Article – Public Safety
 18 Section 4–506(a)
 19 Annotated Code of Maryland
 20 (2011 Replacement Volume and 2016 Supplement)

①

21 BY repealing and reenacting, with amendments,
 22 Article – State Finance and Procurement
 23 Section 2–202; 7–115, 7–118, 7–121, and 7–122 to be under the amended part “Part
 24 III. Supporting Materials”; and 7–311(j)
 25 Annotated Code of Maryland
 26 (2015 Replacement Volume and 2016 Supplement)

27 BY adding to
 28 Article – State Finance and Procurement
 29 Section 3–207 and 7–116
 30 Annotated Code of Maryland
 31 (2015 Replacement Volume and 2016 Supplement)

32 BY repealing
 33 Article – State Finance and Procurement
 34 Section 7–116, 7–117, 7–119, and 7–120
 35 Annotated Code of Maryland
 36 (2015 Replacement Volume and 2016 Supplement)

37 BY repealing and reenacting, with amendments,
 38 Article – State Government
 39 Section ~~9–120(b) and 9–1A–28(e) 9–117(a)(1), 9–120(b), and 9–1A–28(f) 9–120(b)~~

1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2016 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Tax – General
5 Section 2–202
6 Annotated Code of Maryland
7 (2016 Replacement Volume)

8 BY repealing and reenacting, with amendments,
9 Article – Tax – Property
10 Section ~~2–106(b)~~ and 13–209(g)(1)(i)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2016 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 2–103.1(c)(1)(i)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2016 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 2–103.1(c)(9)
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2016 Supplement)

①

23 BY repealing and reenacting, with amendments,
24 Article – Transportation
25 Section 2–103.1(m)(2) and 13–955
26 Annotated Code of Maryland
27 (2012 Replacement Volume and 2016 Supplement)

28 BY repealing and reenacting, with amendments,
29 Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter
30 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of
31 the General Assembly of 2014, and Chapter 489 of the Acts of the General
32 Assembly of 2015
33 Section 16(c)

34 ~~BY repealing and reenacting, with amendments,~~
35 ~~Chapter 25 of the Acts of the General Assembly of 2016~~
36 ~~Section 4~~

37 BY repealing
38 Chapter 13 of the Acts of the General Assembly of 2016
39 Section 3

1

1 BY repealing and reenacting, with amendments,
2 Chapter 13 of the Acts of the General Assembly of 2016
3 Section 5

4 BY repealing and reenacting, with amendments,
5 Chapter 145 of the Acts of the General Assembly of 2016
6 Section 2

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8 That the Laws of Maryland read as follows:

9 ~~Article Business Regulation~~

10 ~~11-402.~~

11 ~~The Special Fund consists of:~~

- 12 (1) ~~the State share of daily licensee fees;~~
- 13 (2) ~~pari-mutuel taxes;~~
- 14 (3) ~~the impact aid under § 11-812 of this title;~~
- 15 (4) ~~money from uncashed pari-mutuel tickets that are from bets made into~~
16 ~~the betting pools of licensees; AND~~
- 17 (5) ~~any permit fees under §§ 11-820 and 11-832 of this title]; and~~
- 18 (6) ~~subject to § 11-403(a)(9) and (b) of this subtitle, money from the State~~
19 ~~Lottery Fund distributed under § 9-120(b) of the State Government Article].~~

2

20 ~~11-403.~~

21 (a) ~~The Comptroller shall pay from the Special Fund an annual grant of:~~

- 22 (1) ~~\$825,000 to the Maryland Agricultural Fair Board to promote State and~~
23 ~~county agricultural fairs and exhibits;~~
- 24 (2) ~~\$100,000 to Prince George's County to replace money formerly received~~
25 ~~from the admissions and amusement tax;~~
- 26 (3) ~~\$40,000 to the Great Frederick Fair to support exhibition harness~~
27 ~~racing with money for construction and maintenance of new stalls, track maintenance, and~~
28 ~~purses;~~
- 29 (4) ~~\$50 to the City of Bowie for each day that the training facilities are open~~

1 ~~at the Bowie Race Course Training Center;~~

2 (5) ~~\$75,000 to the Maryland Agricultural Education Foundation, Inc., to~~
3 ~~promote and enhance statewide agricultural education;~~

4 (6) ~~an amount not to exceed \$30,000 in fiscal year 1998 and \$20,000 in each~~
5 ~~fiscal year thereafter to the Great Pocomoke Fair, Inc. to support exhibition harness racing~~
6 ~~with money for construction and maintenance of new stalls, track maintenance, and purses;~~

7 (7) ~~\$500,000 to the Maryland Million, Ltd. to support and promote the~~
8 ~~running of Maryland Million races; AND~~

9 (8) ~~\$350,000 to the Maryland Standardbred Race Fund for the Sire Stakes~~
10 ~~Program]; and~~

11 (9) ~~beginning July 1, 2017, from the money distributed under § 9-120(b) of~~
12 ~~the State Government Article:~~

13 (i) ~~\$500,000 to a purse for the Maryland International thoroughbred~~
14 ~~race under § 11-522.1 of this title;~~

15 (ii) ~~\$350,000 to the Maryland Office of Sports Marketing in the~~
16 ~~Maryland Stadium Authority for incentive grants for youth and amateur sporting events;~~
17 ~~and~~

18 (iii) ~~\$150,000 to the Maryland Humanities Council for Maryland~~
19 ~~History Day and other programming];~~

20 (b) ~~[(1) In fiscal year 2017, the Comptroller shall pay, from the money~~
21 ~~distributed to the Special Fund, \$500,000 to the Maryland Racing Commission to be used,~~
22 ~~in a manner determined by the Maryland Racing Commission, for a bonus award program~~
23 ~~for Maryland-bred or Maryland-sired horses running in the Preakness Stakes.~~

24 (2) ~~The Maryland Racing Commission shall consult with representatives of~~
25 ~~the thoroughbred racing industry prior to establishing the rules and criteria for the bonus~~
26 ~~award program.~~

27 (3) ~~If, under the rules of the bonus award program, funds remain in the~~
28 ~~program after the Preakness Stakes is conducted on one or more occasions, remaining funds~~
29 ~~shall carry over to the next fiscal year and may not revert to the General Fund.~~

30 (c) ~~If the Maryland State Fair remains at the Timonium Fair Grounds, the~~
31 ~~Comptroller shall pay from the Special Fund an annual grant of:~~

32 (1) ~~\$500,000 to the Maryland State Fair and Agricultural Society, Inc., to:~~

33 (i) ~~promote and enhance the Maryland State Fair; and~~

2
cont.

1 (ii) ~~maintain and develop youth programs, with premium money~~
2 ~~provided to organizations, such as 4-H Clubs and the Future Farmers of America, for~~
3 ~~recognition and awards; and~~

4 (2) ~~\$50,000 to Baltimore County to replace the money formerly received by~~
5 ~~the county under this subtitle.~~

6 ~~11-522.1.~~

2
Cont.

7 (b) ~~The purse for the Maryland International shall MAY be funded by [the Special~~
8 ~~Fund established under § 11-402 of this title] THE FUNDS ALLOCATED TO THE~~
9 ~~THOROUGHBRED INDUSTRY IN THE PURSE DEDICATION ACCOUNT ESTABLISHED~~
10 ~~UNDER § 9-1A-28 9-1A-28(C)(1) OF THE STATE GOVERNMENT ARTICLE.~~

11 Article – Economic Development

12 4-512.

13 (a) The Council is entitled to:

14 (1) revenue distributed under [§ 2-202(a)(1)(ii)2] § 2-202(A)(1)(II) 1A of
15 the Tax – General Article; and

16 (2) funding in accordance with the State budget.

3

17 4-801.

18 (a) In this section, “Fund” means the Special Fund for Preservation of Cultural
19 Arts in Maryland.

20 (f) The Fund consists of:

21 (1) revenue distributed to the Fund under [§ 2-202(a)(1)(ii)1] §
22 2-202(A)(1)(II) 1B AND 2 of the Tax – General Article; and

23 (2) any other money from any other source accepted for the benefit of the
24 Fund.

25 Article – Education

26 6-117.1.

27 (a) (1) In this section the following words have the meanings indicated.

28 (3) “Program” means the Teacher Induction, Retention, and Advancement

1 Pilot Program.

2 (e) [(1) The Governor annually shall include an appropriation of \$5,000,000 in
3 the State budget for the Department to administer the Pilot Program.]

4 (1) (I) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN
5 THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,100,000 TO THE PROGRAM.

6 (II) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR
7 THEREAFTER, THE GOVERNOR ~~MAY~~ SHALL INCLUDE IN THE ANNUAL BUDGET BILL
8 AN APPROPRIATION OF \$5,000,000 TO THE PROGRAM.

9 6-306.

10 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor
11 ~~shall~~ ~~MAY~~ include in each year's operating budget funding for the stipends and bonuses
12 provided in this subsection.

13 (2) A classroom teacher or other nonadministrative school-based employee
14 in a public school identified by the State Board as having comprehensive needs who holds
15 a standard professional certificate or an advanced professional certificate who is employed
16 by a county board and who holds a certificate issued by the National Board for Professional
17 Teaching Standards ~~shall~~ ~~MAY~~ receive a stipend from the State in an amount equal to
18 the county grant for national certification, up to a maximum of ~~[\$4,000]~~:

19 (I) FOR FISCAL YEAR 2018, \$2,000 per qualified individual; AND

20 (II) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR
21 THEREAFTER, \$4,000 PER QUALIFIED INDIVIDUAL.

22 (3) A classroom teacher or other nonadministrative school-based employee
23 in a school not identified by the State Board as having comprehensive needs who holds a
24 standard professional certificate or an advanced professional certificate who is employed
25 by a county board and who holds a certificate issued by the National Board for Professional
26 Teaching Standards ~~shall~~ ~~MAY~~ receive a stipend from the State in an amount equal to
27 the county grant for national certification, up to a maximum of \$1,000 per qualified
28 individual.

29 (4) To the maximum extent practicable, each public school shall utilize
30 teachers who have obtained National Board Certification in leadership roles within the
31 school.

32 (5) (i) 1. The State Board shall establish a program to support
33 locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for highly
34 effective classroom teachers and principals to work in public schools that are:

- 1 A. In improvement, corrective action, or restructuring;
- 2 B. Categorized by the local school system as a Title I school;
- 3 or
- 4 C. In the highest 25% of schools in the State based on a
- 5 ranking of the percentage of students who receive free and reduced priced meals.

6 2. The program established under subsubparagraph 1 of this

7 subparagraph may include financial incentives, leadership changes, or other incentives.

8 (ii) 1. The State Board shall adopt guidelines to implement this

9 paragraph.

10 2. Nothing in this paragraph shall be construed to prohibit a

11 local school system from employing more stringent standards than the guidelines adopted

12 under this subparagraph.

13 (e) (1) ~~This subsection applies only in Anne Arundel County.~~

14 (2) ~~In this subsection, "county grant for teaching in an economically~~

15 ~~disadvantaged school" means an annual grant distributed to a teacher who teaches in an~~

16 ~~economically disadvantaged school established:~~

17 (i) ~~Outside of the collective bargaining process; or~~

18 (ii) ~~As part of a collective bargaining agreement with the local~~

19 ~~employee representative.~~

20 (3) ~~[For fiscal years 2017 through 2019, the Governor shall include in the~~

21 ~~State operating budget funding for the stipends provided in this subsection.] **FOR FISCAL**~~

22 ~~**YEAR 2019, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN**~~

23 ~~**APPROPRIATION FOR THE STIPENDS.**~~

24 (4) ~~A classroom teacher shall receive a stipend from the State in an amount~~

25 ~~equal to the county grant for teaching in an economically disadvantaged school, up to a~~

26 ~~maximum of \$1,500 if the teacher:~~

27 (i) ~~Teaches in a public middle or high school in which at least 30%~~

28 ~~of the students as a percentage of full-time equivalent students as defined in § 5-202 of~~

29 ~~this article qualify for free and reduced price meals under the National School Lunch~~

30 ~~Program;~~

31 (ii) ~~Holds a standard or advanced professional certificate; and~~

32 (iii) ~~Is employed by the county board.~~

1 (c) (1) This subsection applies only in Anne Arundel County.

2 (2) In this subsection, "county grant for teaching in an economically
3 disadvantaged school" means an annual grant distributed to a teacher who teaches in an
4 economically disadvantaged school established:

5 (i) Outside of the collective bargaining process; or

6 (ii) As part of a collective bargaining agreement with the local
7 employee representative.

8 (3) For fiscal years 2017 through 2019, the Governor shall include in the
9 State operating budget funding for the stipends provided in this subsection.

10 (4) (I) **[A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
11 **PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal**
12 **to the county grant for teaching in an economically disadvantaged school, up to a maximum**
13 **of \$1,500 if the teacher:**

14 [(i)] 1. Teaches in a public middle or high school in which at least
15 30% of the students as a percentage of full-time equivalent students as defined in § 5-202 of
16 this article qualify for free and reduced price meals under the National School Lunch
17 Program;

18 [(ii)] 2. Holds a standard or advanced professional certificate; and

19 [(iii)] 3. Is employed by the county board.

20 (II) **FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER**
21 **MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.**

22 ~~7-123.~~

23 (a) (1) ~~There is a Robotics Grant Program in the State.~~

24 [(c) ~~The Governor shall include in the State budget an annual appropriation of at~~
25 ~~least \$250,000 to the Program.~~]

26 (C) ~~FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE~~
27 ~~GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE~~
28 ~~PROGRAM.~~

29 ~~7-123.~~

30 (a) (1) There is a Robotics Grant Program in the State.

4

5

1 [(c) The Governor shall include in the State budget an annual appropriation of at
 2 least \$250,000 to the Program.]

3 (C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE
 4 GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE
 5 PROGRAM.

6 7-1702.

7 (a) There is a Public School Opportunities Enhancement Program.

8 [7-1704.

9 For fiscal years 2018 through 2021, the Governor shall include \$7,500,000 annually
 10 in the State budget for the Program.]

11 7-1704.

12 (A) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE
 13 ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$5,000,000~~ \$500,000 TO THE
 14 PROGRAM.

15 (B) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER YEARS
 16 2019 THROUGH 2021, THE GOVERNOR MAY SHALL INCLUDE IN THE ANNUAL
 17 BUDGET BILL AN APPROPRIATION OF \$7,500,000 TO THE PROGRAM.

18 ~~17-104.~~

19 (a) (1) ~~Except as provided in paragraphs (2), (3), [and (4)] (4), AND (5) of this~~
 20 ~~subsection, the Maryland Higher Education Commission shall compute the amount of the~~
 21 ~~annual apportionment for each institution that qualifies under this subtitle by multiplying~~
 22 ~~the number of full-time equivalent students enrolled at the institution during the fall~~
 23 ~~semester of the fiscal year preceding the fiscal year for which the aid apportionment is~~
 24 ~~made, as determined by the Maryland Higher Education Commission by:~~

25 (i) ~~In fiscal year 2009, an amount not less than 16% of the State's~~
 26 ~~General Fund per full-time equivalent student appropriation to the 4-year public~~
 27 ~~institutions of higher education in this State for the preceding fiscal year;~~

28 (ii) ~~In fiscal year 2010, an amount not less than 12.85% of the State's~~
 29 ~~General Fund per full-time equivalent student appropriation to the 4-year public~~
 30 ~~institutions of higher education in the State for the same fiscal year;~~

31 (iii) ~~In fiscal year 2011, an amount not less than 9.8% of the State's~~
 32 ~~General Fund per full-time equivalent student appropriation to the 4-year public~~
 33 ~~institutions of higher education in this State for the same fiscal year;~~

~~(iv) In fiscal year 2012, an amount not less than 9.2% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(v) In fiscal year 2014, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;~~

~~(vi) In fiscal year 2015, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;~~

~~(vii) In fiscal year 2017, an amount not less than 10.1% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(viii) [In fiscal year 2018, an amount not less than 10.5% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~(ix)] In fiscal year 2019, an amount not less than 10.8% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;~~

~~[(x)] (IX) In fiscal year 2020, an amount not less than 11.1% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year; and~~

~~[(xi)] (X) In fiscal year 2021 and each fiscal year thereafter, an amount not less than 15.5% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year.~~

~~(5) IN FISCAL YEAR 2018, THE TOTAL AMOUNT OF AID PROVIDED UNDER THIS SUBTITLE SHALL BE \$46,817,334, TO BE ALLOCATED AMONG THE INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE IN THE SAME AMOUNT AS THE ALLOCATION FOR FISCAL YEAR 2017 AFTER THE NOVEMBER 2, 2016, BOARD OF PUBLIC WORKS ACTION.~~

~~18-303.1.~~

(a) (1) ~~In this section the following words have the meanings indicated:~~

1 (3) “Program” means the Next Generation Scholars of Maryland Program.

2 ~~[(g) Except as provided in subsection (h) of this section, funds for the Program~~
3 ~~shall be as provided in the State budget.]~~

4 ~~(G) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE~~
5 ~~GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE~~
6 ~~PROGRAM.~~

7 ~~(h) [For fiscal years 2018 through 2023:~~

8 ~~(1) The Governor shall annually include \$5,000,000 in general funds in the~~
9 ~~State budget for the Program; and]~~

10 ~~[(2)] The Department shall distribute grants to nonprofit organizations that:~~

11 ~~[(i)] (1) Are selected in accordance with subsection (d) of this~~
12 ~~section; and~~

13 ~~[(ii)] (2) Will administer the Program in local school systems in~~
14 ~~which at least 50% of the students as a percentage of full-time equivalent students as~~
15 ~~defined in § 5-202 of this article are eligible to receive a free lunch under the National~~
16 ~~School Lunch Program in the 2015-2016 school year.~~

17 ~~23-402.~~

18 ~~(a) (1) The Mayor and City Council of Baltimore shall be governed by the~~
19 ~~requirements and regulations pertaining to the Enoch Pratt Free Library of Baltimore City~~
20 ~~as provided in Chapter 181 of the Acts of 1882 and any other laws applicable to the~~
21 ~~operation of public libraries.~~

22 ~~(2) The powers and duties of the Board of Trustees of the Enoch Pratt Free~~
23 ~~Library are as provided in Chapter 181 of the Acts of 1882 and the Charter and the Articles~~
24 ~~of Incorporation of the Enoch Pratt Free Library and other laws applicable to the Board of~~
25 ~~Trustees of the Enoch Pratt Free Library.~~

26 ~~(3) A State grant [shall] MAY be made available to fund the increased~~
27 ~~operating expenses for the branches of the Enoch Pratt Free Library that increase their~~
28 ~~operating hours above the hours in effect as of January 1, 2016.~~

29 ~~(4) (i) [For fiscal year 2018 through fiscal year 2022, the Governor shall~~
30 ~~include in the State operating budget \$3,000,000 in general funds] FOR FISCAL YEAR~~
31 ~~2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE~~
32 ~~ANNUAL BUDGET BILL FUNDS FOR INCREASED OPERATING EXPENSES.~~

33 ~~(H) IF FUNDS ARE PROVIDED to support the additional operating~~

1 ~~expenses for the increased hours of operation of the branches of the Enoch Pratt Free~~
 2 ~~Library, [that, in that fiscal year,] FOR THE FISCAL YEAR THAT THE FUNDS ARE~~
 3 ~~PROVIDED, THE LIBRARY will be subject to increased operating hours as provided in~~
 4 ~~paragraph (3) of this subsection.~~

5 ~~[(ii)] (III) 1. To receive any State funds under [subparagraph (i)]~~
 6 ~~SUBPARAGRAPHS (I) AND (II) of this paragraph, Baltimore City shall provide a 25%~~
 7 ~~match for each dollar of State funds granted to support the additional operating expenses~~
 8 ~~related to the increased hours of operation of the branches of the Enoch Pratt Free Library~~
 9 ~~that, in that fiscal year, will be subject to increased operating hours as provided in~~
 10 ~~paragraph (3) of this subsection.~~

11 ~~2. Baltimore City may use public and private funds to satisfy~~
 12 ~~the requirements of subsubparagraph 1 of this subparagraph.~~

13 ~~[(iii)] (IV) 1. In calculating the additional operating expenses of~~
 14 ~~the increased hours of operation, the baseline hours of operation of all branches of the~~
 15 ~~Enoch Pratt Free Library are those hours of operation in effect as of January 1, 2016.~~

16 ~~2. The Department shall establish a process to distribute the~~
 17 ~~State grant to Baltimore City or the Enoch Pratt Free Library for the additional operating~~
 18 ~~expenses related to the increased hours of operation.~~

19 Article – Health – General

20 2-302.

21 (a) The funding required in the State budget for local health services, exclusive of
 22 special fund and federal appropriations, shall be at least the amount set forth in subsection
 23 (b) of this section.

24 (b) The funding shall be:

25 (2) For fiscal years 2013 and 2014, \$37,283,484 adjusted for:

26 (i) Inflation, as measured by the Consumer Price Index (All Urban
 27 Consumers), for the second preceding fiscal year, calculated by the U.S. Department of
 28 Commerce; and

29 (ii) Population growth, as measured by the growth in the total
 30 population of the State of Maryland for the second preceding fiscal year, according to the
 31 most recent statistics available through the Department of Health and Mental Hygiene;
 32 [and]

33 (3) For fiscal [year 2015 and each subsequent fiscal year] **YEARS 2015,**
 34 **2016, AND 2017,** the amount of funding for the preceding fiscal year adjusted for:

1 (i) Inflation, as measured by the Consumer Price Index (All Urban
2 Consumers), for the second preceding fiscal year, calculated by the U.S. Department of
3 Commerce; and

4 (ii) Population growth, as measured by the growth in the total
5 population of the State for the second preceding fiscal year, according to the most recent
6 statistics available through the Department of Health and Mental Hygiene[.];

7 (4) FOR FISCAL YEAR 2018, \$49,488,474 TO BE DISTRIBUTED TO
8 EACH MUNICIPALITY OR SUBDIVISION IN THE SAME AMOUNT AS THE MUNICIPALITY
9 OR SUBDIVISION RECEIVED IN FISCAL YEAR 2017; AND

10 (5) FOR FISCAL YEAR 2019 AND EACH SUBSEQUENT FISCAL YEAR,
11 THE AMOUNT OF FUNDING FOR THE PRECEDING FISCAL YEAR ADJUSTED FOR:

12 (I) INFLATION, AS MEASURED BY THE CONSUMER PRICE
13 INDEX (ALL URBAN CONSUMERS), FOR THE SECOND PRECEDING FISCAL YEAR,
14 CALCULATED BY THE U.S. DEPARTMENT OF COMMERCE; AND

15 (II) POPULATION GROWTH, AS MEASURED BY THE GROWTH IN
16 THE TOTAL POPULATION OF THE STATE FOR THE SECOND PRECEDING FISCAL YEAR,
17 ACCORDING TO THE MOST RECENT STATISTICS AVAILABLE THROUGH THE
18 DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

19 ~~7-307.~~

20 (d) ~~(3) The Governor's proposed budget for fiscal year 2018 shall include a~~
21 ~~[3.5%] 2.0% rate increase for community service providers over the funding provided in~~
22 ~~the legislative appropriation for Object 08 Contractual Services in Program M00M01.02~~
23 ~~Community Services for fiscal year 2017.~~

24 15-1004.

25 (a) There is a Senior Prescription Drug Assistance Program Fund.

26 (f) (1) Except as provided in paragraph (2) of this subsection, the Fund may
27 be used only for the administration, operation, and activities of the Program.

28 (2) ~~Excess~~ **FOR FISCAL YEAR 2018 ONLY, EXCESS** funds not required for
29 the administration, operation, and activities of the Program[.];

30 (i) ~~May~~ **MAY** be used only to subsidize:

31 [1.] (I) The Kidney Disease Program under Title 13,

1 Subtitle 3 of this article; or

2 [2.] (II) The provision of mental health services to the
3 uninsured under Title 10, Subtitle 2 of this article[; and

4 (ii) May be expended for the purposes in item (i) of this paragraph
5 only:

6 1. Through a transfer of funds by budget amendment; and

7 2. After:

8 A. The budget amendment has been submitted to the
9 Department of Legislative Services; and

10 B. The budget committees of the General Assembly have
11 considered the budget amendment or 45 days have elapsed from the date of submission of
12 the amendment to the Department of Legislative Services].

13 19-101.

14 In this subtitle, "Commission" means the Maryland Health Care Commission.

15 19-111.

16 (c) (1) The total fees assessed by the Commission may not exceed \$12,000,000
17 \$16,000,000.



18 (2) (i) The fees assessed by the Commission shall be used exclusively to
19 cover the actual documented direct costs of fulfilling the statutory and regulatory duties of
20 the Commission in accordance with the provisions of this subtitle.

21 (ii) The costs of the Commission include the administrative costs
22 incurred by the Department on behalf of the Commission.

23 (iii) ~~1. [The] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2~~
24 ~~OF THIS SUBPARAGRAPH, THE~~ amount to be paid by the Commission to the Department
25 for administrative costs, not to exceed ~~18%~~ 30.5% of the salaries of the Commission, shall
26 be based on indirect costs or services benefiting the Commission, less overhead costs paid
27 directly by the Commission.

28 ~~2. FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY~~
29 ~~THE COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE~~
30 ~~BASED ON THE DEPARTMENT'S NEGOTIATED FEDERAL INDIRECT COST RATE.~~

31 (3) The Commission shall pay all funds collected from the fees assessed in

1 accordance with this section into the Fund.

2 (4) The fees assessed may be expended only for purposes authorized by the
3 provisions of this subtitle.

4 (5) The amount in paragraph (1) of this subsection limits only the total fees
5 the Commission may assess in a fiscal year.

6 19-201.

7 (b) “Commission” means the State Health Services Cost Review Commission.

8 19-208.

9 (b) (1) The power of the Secretary to transfer by rule, regulation, or written
10 directive, any staff, functions, or funds of units in the Department does not apply to any
11 staff, function, or funds of the Commission.

12 (2) The Secretary may assess an administrative charge on the Commission
13 to fund services provided to the Commission by the Department.

14 (3) ~~(I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS~~
15 ~~PARAGRAPH, THE~~ amount to be paid by the Commission to the Department for
16 administrative costs, not to exceed 18% 30.5% of the salaries of the Commission, shall be
17 based on indirect costs or services benefiting the Commission, less overhead costs paid
18 directly by the Commission.

19 ~~(H) FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY THE~~
20 ~~COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE BASED~~
21 ~~ON THE DEPARTMENT'S NEGOTIATED FEDERAL INDIRECT COST RATE.~~

22 19-213.

23 (a) (1) In this section the following words have the meanings indicated.

24 (2) “Facilities” means hospitals and related institutions whose rates have
25 been approved by the Commission.

26 (b) The Commission shall assess and collect user fees on facilities as defined in
27 this section.

28 (c) (1) The total fees assessed by the Commission may not exceed [\$12,000,000]
29 \$16,000,000.

30 (2) The total user fees assessed by the Commission may not exceed the
31 Special Fund appropriation for the Commission by more than 20%.

7
cont.

1 (3) The user fees assessed by the Commission shall be used exclusively to
2 cover the actual documented direct costs of fulfilling the statutory and regulatory duties of
3 the Commission in accordance with the provisions of this subtitle and any administrative
4 costs for services to the Commission provided by the Department.

5 (4) The Commission shall pay all funds collected from fees assessed in
6 accordance with this section into the Health Services Cost Review Commission Fund.

7 (5) The user fees assessed by the Commission may be expended only for
8 purposes authorized by the provisions of this subtitle.

9 (6) The amount specified in paragraph (1) of this subsection limits only the
10 total user fees the Commission may assess in a fiscal year.

11 19-2201.

12 (a) In this section, "Fund" means the Community Health Resources Commission
13 Fund.

14 (e) (1) Subject to paragraph (2) of this subsection, the Fund may be used only
15 to:

16 (i) Cover the administrative costs of the Commission;

17 (ii) Cover the actual documented direct costs of fulfilling the
18 statutory and regulatory duties of the Commission in accordance with the provisions of this
19 subtitle;

20 (iii) Provide operating grants to qualifying community health
21 resources; and

22 (iv) Provide funding for the development, support, and monitoring of
23 a unified data information system among primary and specialty care providers, hospitals,
24 and other providers of services to community health resource members.

25 (2) (i) For fiscal years 2014, 2015, and 2016, the Fund may be used for
26 any project or initiative authorized under Title 20, Subtitle 14 of this article and approved
27 by the Commission if no less than \$4,000,000 of the subsidy required under §
28 14-106(d)(2)(ii)2 of the Insurance Article is used in each fiscal year for the purposes under
29 paragraph (1) of this subsection.

30 (ii) For fiscal year 2017 [and each fiscal year thereafter], the Fund
31 may be used for any project or initiative authorized under Title 20, Subtitle 14 of this article
32 and approved by the Commission if no less than \$8,000,000 of the subsidy required under
33 § 14-106(d)(2)(ii)2 of the Insurance Article is used in each fiscal year for the purposes under
34 paragraph (1) of this subsection.

7
Cont.

1 (III) FOR FISCAL YEAR 2018 ~~AND EACH FISCAL YEAR~~
 2 ~~THEREAFTER~~, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE
 3 AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS
 4 ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN ~~\$4,000,000~~
 5 \$5,750,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE
 6 INSURANCE ARTICLE IS USED IN ~~EACH~~ THAT FISCAL YEAR FOR THE PURPOSES
 7 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

8

8 (IV) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR
 9 THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE
 10 AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS
 11 ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$8,000,000 OF THE
 12 SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS
 13 USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS
 14 SUBSECTION.

15 ~~19-2401.~~

16 (a) ~~(1) Subject to subsection (b) of this section, for the purpose of providing an~~
 17 ~~operating grant to ensure and assist in the transition of a new Prince George's County~~
 18 ~~Regional Medical System to the University of Maryland Medical System Corporation:~~

19 ~~(i) For fiscal [year 2018,] YEARS 2018, 2019, 2020, AND 2021, the~~
 20 ~~Governor shall include in the budget bill an appropriation of:~~

21 ~~1.] \$15,000,000]; or~~

22 ~~2. \$30,000,000, if a grant of \$15,000,000 is not provided in a~~
 23 ~~fiscal 2016 deficiency appropriation to the University of Maryland Medical System~~
 24 ~~Corporation on or before June 30, 2016]; AND~~

25 ~~(ii) For fiscal year [2019,] 2022, the Governor shall include in the~~
 26 ~~budget bill an appropriation of [\$15,000,000; and~~

27 ~~(iii) For fiscal years 2020 and 2021, the Governor shall include in the~~
 28 ~~budget bill an appropriation of \$5,000,000] \$2,500,000.~~

29 19-2401.

30 (a) THE GENERAL ASSEMBLY FINDS THAT:

9

31 (1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE'S COUNTY
 32 REGIONAL MEDICAL CENTER AND THE STATE'S INVESTMENT IN THE CENTER IS
 33 CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE

1 GEORGE'S HOSPITAL CENTER AND THE NEW PRINCE GEORGE'S COUNTY REGIONAL
2 MEDICAL CENTER;

3 (2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL
4 SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE
5 EXISTING PRINCE GEORGE'S HOSPITAL CENTER AND TO TRANSITION TO THE NEW
6 PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON
7 STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

8 (3) THE ABILITY TO PROTECT THE STATE'S INVESTMENT IN THE NEW
9 PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE
10 PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS
11 INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS
12 MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

13 (4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE
14 STATE'S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE
15 THE FINANCIAL VIABILITY OF THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL
16 CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR
17 THE CENTER.

9
cont.

18 (B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing
19 an operating grant to ensure and assist in the transition of a new Prince George's County
20 Regional Medical System to the University of Maryland Medical System Corporation:

21 (i) For fiscal year 2018, the Governor shall include in the budget bill
22 an appropriation of:

23 1. \$15,000,000; or

24 2. \$30,000,000, if a grant of \$15,000,000 is not provided in a
25 fiscal 2016 deficiency appropriation to the University of Maryland Medical System
26 Corporation on or before June 30, 2016] \$28,000,000;

27 (ii) For fiscal year 2019, the Governor shall include in the budget bill
28 an appropriation of [\$15,000,000] \$27,000,000; [and]

29 (iii) For fiscal years 2020 and 2021, the Governor shall include in the
30 budget bill an appropriation of [\$5,000,000] \$15,000,000; AND

31 (IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR
32 SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.

33 (2) Subject to subsection [(b)] (C) of this section, Prince George's County
34 shall provide a combination of matching funds and other financial assistance to the

1 University of Maryland Medical System Corporation that constitutes total financial
 2 assistance as follows:

3 (i) \$15,000,000 annually for fiscal year 2017 through fiscal year
 4 2019; and

5 (ii) \$5,000,000 annually for fiscal years 2020 and 2021.

6 ~~[(b)]~~ (C) The State and county funds described in subsection [(a)] (B) of this
 7 section:

8 (1) Shall be used to support the transition of the Prince George's County
 9 Regional Medical Center from operation under the Dimensions Health Care System to
 10 operation as a participating institution of the University of Maryland Medical System
 11 Corporation; and

12 (2) May be used only for:

13 (i) Providing increased access to critical health care services for the
 14 region served by the Prince George's County Regional Medical Center and improving the
 15 quality of the services provided; and

16 (ii) Facilitating cost containment measures to prevent additional
 17 operating losses for the Prince George's County Regional Medical Center and its affiliated
 18 institutions.

19 ~~[(c)]~~ (D) (1) The Governor shall include in the capital or operating budget bill
 20 the following amounts that are equal to the capital funds committed by Prince George's
 21 County to be used for the construction of the Prince George's County Regional Medical
 22 Center:

23 (i) ~~[\$67,500,000]~~ \$11,300,000 for fiscal year 2018; [and]

24 (ii) \$48,000,000 for fiscal year 2019; AND

25 (III) \$56,200,000 FOR FISCAL YEAR 2020.

26 (2) Prince George's County shall provide matching funds of \$208,000,000
 27 for the capital construction of the Prince George's County Regional Medical Center.

28 **Article – Housing and Community Development**

29 4–216.

30 For fiscal year 2018 and each fiscal year thereafter, the Governor ~~[shall]~~ **MAY** include
 31 **[at least] IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN**

9
cont.

1 APPROPRIATION OF \$3,000,000 [in the annual budget bill] FROM GENERAL FUNDS OR
 2 THE PROCEEDS FROM THE SALE OF STATE GENERAL OBLIGATION BONDS for the
 3 Shelter and Transitional Housing Facilities Grant Program.

4 4-508.

5 (a) In this section, "Fund" means the Strategic Demolition and Smart Growth
 6 Impact Fund.

7 (j) (1) For fiscal year 2018, the Governor shall include in the annual budget
 8 bill OR CAPITAL BUDGET BILL an appropriation of \$25,625,000 [to the Fund] FROM
 9 GENERAL FUNDS OR THE PROCEEDS FROM THE SALE OF STATE GENERAL
 10 OBLIGATION BONDS TO THE FUND, which shall be allocated as follows:

11 (i) \$22,125,000 for projects in Baltimore City; and

12 (ii) \$3,500,000 for projects throughout the State.

13 (2) For fiscal year 2019, the Governor shall include in the annual budget
 14 bill OR CAPITAL BUDGET BILL an appropriation of \$28,500,000 [to the Fund] FROM
 15 GENERAL FUNDS OR THE PROCEEDS FROM THE SALE OF STATE GENERAL
 16 OBLIGATION BONDS TO THE FUND, which shall be allocated as follows:

17 (i) \$25,000,000 for projects in Baltimore City; and

18 (ii) \$3,500,000 for projects throughout the State.

19 4-509.

20 (a) (1) In this section the following words have the meanings indicated.

21 (4) "Fund" means the Seed Community Development Anchor Institution
 22 Fund.

23 (j) ~~For fiscal years 2018 through 2022,] FOR FISCAL YEAR 2019 AND EACH~~
 24 ~~FISCAL YEAR THEREAFTER,~~ the Governor ~~shall] MAY~~ include in the annual budget bill
 25 OR THE CAPITAL BUDGET BILL an appropriation ~~[of \$5,000,000] to the Fund.~~

26 6-510.

27 (a) In this section, "Fund" means the Baltimore Regional Neighborhood Initiative
 28 Program Fund.

29 ~~(j) For fiscal years 2018 through 2022, the Governor shall include in the budget~~
 30 ~~bill OR THE CAPITAL BUDGET BILL an appropriation to the Fund in the amount of~~
 31 ~~\$12,000,000.]~~

~~(J) (1) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE AN APPROPRIATION IN THE CAPITAL BUDGET BILL IN THE AMOUNT OF \$3,000,000 FROM THE PROCEEDS FROM THE SALE OF STATE GENERAL OBLIGATION BONDS.~~

~~(2) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION TO THE FUND.~~

~~Article—Labor and Employment~~

~~11-1302.~~

~~(a) There is a Construction Education and Innovation Fund.~~

~~(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.~~

~~Article – Labor and Employment~~

~~11-1302.~~

~~(a) There is a Construction Education and Innovation Fund.~~

~~(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.~~

~~Article—Local Government~~

~~16-501.~~

~~(e) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.~~

~~(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (e)(3) of this section.~~

~~(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (e)(3) of this section.~~

10

1 (iii) ~~If a county or Baltimore City has a county income tax rate of at~~
2 ~~least 3.2%];~~

3 ~~1. on or before June 30, 2017], the county or Baltimore City~~
4 ~~may receive a minimum of 60% of the amount determined under subsection (c)(3) of this~~
5 ~~section]; and~~

6 ~~2. in fiscal years 2018 and 2019, the county or Baltimore City~~
7 ~~may receive a minimum of 67.5% of the amount determined under subsection (c)(3) of this~~
8 ~~section].~~

9 ~~(3) FOR FISCAL YEAR 2018, THE DISTRIBUTION PROVIDED TO ANY~~
10 ~~COUNTY OR BALTIMORE CITY UNDER THIS SECTION SHALL BE EQUAL TO THE~~
11 ~~FISCAL YEAR 2017 DISTRIBUTION AFTER THE NOVEMBER 2, 2016, BOARD OF~~
12 ~~PUBLIC WORKS ACTION.~~

13 Article – Local Government

14 16-501.

15 (e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year
16 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore
17 City under this section may not exceed the amount distributed to the county or Baltimore
18 City for fiscal year 2010.

19 (2) (i) If a county or Baltimore City has a county income tax rate of at
20 least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of
21 the amount determined under subsection (c)(3) of this section.

22 (ii) If a county or Baltimore City has a county income tax rate of at
23 least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of
24 the amount determined under subsection (c)(3) of this section.

25 (iii) If a county or Baltimore City has a county income tax rate of at
26 least 3.2%:

27 1. on or before June 30, 2017, the county or Baltimore City
28 may receive a minimum of 60% of the amount determined under subsection (c)(3) of this
29 section; and

30 2. in fiscal years 2018 and 2019, the county or Baltimore City
31 may receive a minimum of [67.5%] 63.75% of the amount determined under subsection
32 (c)(3) of this section.

33 Article – Natural Resources

11

1 5-212.

2 (g) (3) (I) From revenues described in subsection (f) of this section that are
 3 attributable to Maryland Park Service operations, less any amount of those revenues
 4 allocated for administrative costs in accordance with paragraph (1)(iii) of this subsection,
 5 the Governor shall include in the State budget an appropriation for the Maryland Park
 6 Service equal to[:

7 (i) At least 60% of the remaining revenues, for fiscal year 2016;

8 (ii) At least 80% of the remaining revenues, for fiscal year 2017; and

9 (iii) 100% of the remaining revenues, for fiscal year 2018 [and each
 10 fiscal year thereafter].

11 (II) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS
 12 SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS,
 13 LESS ANY AMOUNT OF THOSE REVENUES ALLOCATED FOR ADMINISTRATIVE COSTS
 14 IN ACCORDANCE WITH PARAGRAPH (1)(III) OF THIS SUBSECTION, AND LESS ANY
 15 PRIOR YEAR CLOSING FUND BALANCE, FOR FISCAL YEAR 2019 AND EACH FISCAL
 16 YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN
 17 APPROPRIATION FOR THE MARYLAND PARK SERVICE IN AN AMOUNT EQUAL TO
 18 100% OF THE REVENUES FROM THE SECOND PRECEDING FISCAL YEAR.

19 Article – Public Safety

20 4-506.

21 (a) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of
 22 this subsection and subject to § 4-507 of this subtitle and the limitations and requirements
 23 provided in this subtitle, each fiscal year the State shall pay to each county and each
 24 qualifying municipality, in the manner provided in this subtitle, an amount determined as
 25 provided in this section.

26 (2) Notwithstanding any other provision of this subtitle, for each of fiscal
 27 years 2015 and 2016, the total amount of the grants provided under this subtitle shall be
 28 \$67,277,067.

29 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE,
 30 FOR FISCAL YEAR 2018, THE TOTAL AMOUNT OF THE GRANTS PROVIDED UNDER
 31 THIS SUBTITLE SHALL BE \$73,714,998 AND EACH COUNTY AND EACH QUALIFYING
 32 MUNICIPALITY SHALL RECEIVE THE SAME STATE FUNDING THAT THE COUNTY OR
 33 QUALIFYING MUNICIPALITY RECEIVED IN FISCAL YEAR 2017.

34 Article – State Finance and Procurement

1 2-202.

2 (a) In this section, "block grant" means any federal grant-in-aid that:

3 (1) contains consolidated funding for 1 or more programs; [and]

4 (2) INCLUDES ANY CHANGE IN THE FINANCING OF A PROGRAM THAT
5 INCLUDES ANY KIND OF CAPPED ALLOCATIONS OR SPECIFIC SPENDING TARGETS;
6 OR

7 [(2)] (3) is designated by Congress as a block grant.

8 (b) It is the policy of the State that the General Assembly and the Governor should
9 consult before the Executive Branch of the State government adopts State policy on block
10 grants.

11 (c) (1) This section is in addition to and not in derogation of any other power
12 or duty of the General Assembly.

13 (2) This section applies to the adoption of State policy to:

14 (i) participate in a block grant;

15 (ii) set a date on which the State will accept responsibility for a block
16 grant; or

17 (iii) transfer money between block grants.

18 (d) The Governor shall send, subject to § 2-1246 of the State Government Article,
19 to the Legislative Policy Committee each proposal for the adoption of State policy on a block
20 grant.

21 (e) Within 60 days after the Legislative Policy Committee receives the proposal
22 or, if the Committee sets a shorter period, within that period, the Committee:

23 (1) may hold a public hearing on the proposal;

24 (2) may refer the proposal to another committee for review; and

25 (3) for the General Assembly, may send the Governor comments on the
26 proposal.

27 (f) The Governor may act on the proposal only after the expiration of the 60-day
28 period or any shorter period set under subsection (e) of this section.

1 3-207.

2 (A) IN THIS SECTION, "INTERAGENCY AGREEMENT" MEANS AN AGREEMENT
3 BETWEEN AN AGENCY OR UNIT OF THE EXECUTIVE BRANCH OF STATE
4 GOVERNMENT AND A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT:

5 (1) HAS BEEN IN PLACE FOR 3 YEARS OR MORE; AND

6 (2) HAS A TOTAL OF MORE THAN \$750,000 IN ACTUAL EXPENDITURES
7 IN THE LAST 3 FISCAL YEARS.

8 (B) AT LEAST ONCE EVERY 3 YEARS, THE DEPARTMENT SHALL REVIEW
9 EACH INTERAGENCY AGREEMENT TO DETERMINE:

10 (1) WHETHER THE AGREEMENT IS NECESSARY AND SHOULD
11 CONTINUE;

12 (2) WHETHER THE SERVICES CAN BE PROVIDED MORE COST
13 EFFECTIVELY BY THE AGENCY OR UNIT OR THROUGH A COMPETITIVE
14 PROCUREMENT; AND

15 (3) WHETHER THE AGREEMENT IS BEING UTILIZED DUE TO THE
16 AGENCY'S OR UNIT'S INABILITY TO RECRUIT OR RETAIN POSITIONS AND, IF SO,
17 WHETHER AN ANNUAL SALARY REVIEW SHOULD BE CONDUCTED TO ADDRESS
18 RECRUITMENT OR RETENTION ISSUES.

19 (C) THE DEPARTMENT SHALL ESTABLISH A CYCLE TO REVIEW ONE-THIRD
20 OF THE INTERAGENCY AGREEMENTS EACH YEAR.

21 (D) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ON
22 OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT A
23 SUMMARY OF THE FINDINGS OF THE REVIEW REQUIRED UNDER SUBSECTION (B) OF
24 THIS SECTION TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE
25 APPROPRIATIONS COMMITTEE, AND THE DEPARTMENT OF LEGISLATIVE
26 SERVICES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

27 (2) THE REPORT DUE ON OR BEFORE DECEMBER 1, 2017, SHALL
28 INCLUDE A REVIEW OF INTERAGENCY AGREEMENTS THAT HAVE A TOTAL OF MORE
29 THAN \$750,000 IN ACTUAL EXPENDITURES IN FISCAL YEARS 2015 THROUGH 2017.

30 (3) IN EACH REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS
31 SUBSECTION, THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION:

32 (I) THE INTERAGENCY AGREEMENTS THAT WILL CONTINUE;

1 (II) SERVICES THAT WILL BE COMPETITIVELY PROCURED;

2 (III) SERVICES THAT WILL BE PROVIDED BY THE AGENCY OR
3 UNIT AS A RESULT OF THE REVIEW;

4 (IV) SERVICES THAT HAVE BEEN OR WILL BE CANCELED AS A
5 RESULT OF THE REVIEW; AND

6 (V) ACTIONS TAKEN TO ADDRESS RECRUITMENT OR RETENTION
7 ISSUES IDENTIFIED AS A RESULT OF THE REVIEW.

8 Part III. Supporting [Documents] MATERIALS.

9 7-115.

10 (A) On submission of the budget bill to the presiding officers of the General
11 Assembly, the Governor shall [send a copy of the budget books to each member of the
12 General Assembly] PROVIDE THE SUPPORTING MATERIAL SPECIFIED IN THIS
13 SECTION.

14 (B) THE GOVERNOR SHALL PROVIDE BUDGET BOOKS THAT INCLUDE THE
15 INFORMATION REQUIRED IN SUBSECTIONS (C) AND (F) OF THIS SECTION.

12

16 (C) THE BUDGET BOOKS FOR A FISCAL YEAR SHALL:

17 (1) (I) STATE EACH SOURCE OF STATE REVENUES FOR THE YEAR,
18 FROM WHICH THE PROPOSED APPROPRIATIONS ARE TO BE PAID; AND

19 (II) STATE THE AMOUNT THAT THE GOVERNOR ESTIMATES WILL
20 BE COLLECTED FROM EACH SOURCE;

21 (2) CONTAIN A SUMMARY OF THE ANNUITY BOND ACCOUNTS OF THE
22 STATE AS OF THE END OF THE LAST FULL FISCAL YEAR; AND

23 (3) (I) INCLUDE A COPY OF THE STATEWIDE COST ALLOCATION
24 PLAN FILED WITH THE FEDERAL GOVERNMENT FOR FEDERAL REIMBURSEMENT OF
25 THE COSTS OF INDIRECT STATE SERVICES THAT BENEFIT FEDERALLY FUNDED
26 PROGRAMS; AND

27 (II) LIST, BY UNIT OF THE STATE GOVERNMENT, THE AMOUNT
28 OF REIMBURSEMENT RECEIVED UNDER THE PLAN DURING THE LAST FULL FISCAL
29 YEAR.

30 (D) THE ~~BUDGET BOOKS~~ SUPPORTING MATERIALS SHALL CONTAIN

1 PERSONNEL DETAIL IN A SECTION THAT, BY UNIT OF THE STATE GOVERNMENT, SETS
2 FORTH, FOR EACH PROGRAM OR PURPOSE OF THAT UNIT:

3 (1) THE TOTAL NUMBER OF OFFICERS AND EMPLOYEES AND THE
4 NUMBER IN EACH JOB CLASSIFICATION:

5 (I) AUTHORIZED IN THE STATE BUDGET FOR THE LAST FULL
6 FISCAL YEAR AND THE CURRENT FISCAL YEAR; AND

7 (II) REQUESTED FOR THE NEXT FISCAL YEAR;

8 (2) THE TOTAL AMOUNT FOR SALARIES OF OFFICERS AND
9 EMPLOYEES AND THE AMOUNT FOR SALARIES OF EACH JOB CLASSIFICATION:

10 (I) SPENT DURING THE LAST FULL FISCAL YEAR;

11 (II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT
12 FISCAL YEAR; AND

13 (III) REQUESTED FOR THE NEXT FISCAL YEAR; AND

14 (3) AN ITEMIZED STATEMENT OF THE EXPENDITURES FOR
15 CONTRACTUAL SERVICES, SUPPLIES AND MATERIALS, EQUIPMENT, LAND AND
16 STRUCTURES, FIXED CHARGES, AND OTHER OPERATING EXPENSES:

17 (I) MADE IN THE LAST FULL FISCAL YEAR;

18 (II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT
19 FISCAL YEAR; AND

20 (III) REQUESTED FOR THE NEXT FISCAL YEAR.

12
cont.

21 (E) THE ~~BUDGET BOOKS~~ SUPPORTING MATERIALS SHALL INCLUDE THE
22 STATESTAT OR MANAGING FOR RESULTS AGENCY STRATEGIC PLAN REQUIRED
23 UNDER THIS ARTICLE, BUT SHALL BE LIMITED TO A DESCRIPTION OF THE AGENCY'S
24 MISSION, GOALS, OBJECTIVES, AND PERFORMANCE MEASURES.

25 (F) WHENEVER A PROPOSED BUDGET EXCEEDS THE RECOMMENDATIONS
26 OF THE SPENDING AFFORDABILITY COMMITTEE, THE BUDGET BOOKS SHALL:

27 (1) INDICATE THE DEGREE TO WHICH THE PROPOSED BUDGET AND
28 RECOMMENDATIONS DIFFER; AND

29 (2) SET FORTH THE GOVERNOR'S REASONS FOR EXCEEDING THE

1 RECOMMENDATIONS.2 [7-116.3 Whenever a proposed budget exceeds the recommendations of the Spending
4 Affordability Committee, the budget books shall:5 (1) indicate the degree to which the proposed budget and recommendations
6 differ; and7 (2) set forth the Governor's reasons for exceeding the recommendations.]8 7-116.9 ~~(A) IN THIS SECTION, "MACHINE-READABLE FORMAT" MEANS A~~
10 ~~COMMA-SEPARATED VALUES FILE FORMAT.~~11 ~~(B)~~ (A) ON SUBMISSION OF THE BUDGET BILL TO THE PRESIDING
12 OFFICERS OF THE GENERAL ASSEMBLY, THE GOVERNOR SHALL PROVIDE THE
13 FOLLOWING NUMBER OF COPIES OF THE BUDGET BOOKS REQUIRED UNDER § 7-115
14 OF THIS SUBTITLE:15 (1) ONE COPY TO EACH MEMBER OF THE GENERAL ASSEMBLY; AND16 (2) 80 COPIES TO THE DEPARTMENT OF LEGISLATIVE SERVICES.17 ~~(C)~~ (B) THE INFORMATION REQUIRED UNDER ~~§ 7-115~~ § 7-115(D) AND (E)
18 OF THIS SUBTITLE SHALL BE PROVIDED IN A MACHINE-READABLE FORMAT ON THE
19 WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY
20 WITH THE PUBLICATION OF THE PROPOSED ANNUAL STATE BUDGET.21 ~~(D)~~ (C) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL
22 ARCHIVE THE INFORMATION PROVIDED IN A MACHINE-READABLE FORMAT ON THE
23 WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT BEGINNING WITH
24 THE FISCAL YEAR 2017 BUDGET.25 [7-117.26 The budget books for a fiscal year shall state:27 (1) each source of State revenues for the year, from which the proposed
28 appropriations are to be paid; and29 (2) the amount that the Governor estimates will be collected from each
30 source.]12
cont.

1 [7-118.] 7-117.

2 (a) Subject to § 2-1246 of the State Government Article, the Secretary shall
 3 provide to the General Assembly on a biennial basis by no later than February 1 of the
 4 fiscal year preceding the fiscal year the report covers, a report that contains a statement of
 5 the estimated amount by which exemptions from taxation reduce, for the year:

6 (1) State revenues; and

7 (2) revenues that the State collects for local governments.

8 (b) For each exemption, the statement shall:

9 (1) show the estimated amount by which the exemption reduces revenues;

10 (2) identify the person or the part of the population that benefits from the
 11 exemption; and

12 (3) say whether the exemption conflicts with any other State program.

13 (c) The statement shall include:

14 (1) each subtraction modification under § 10-207, § 10-208, or § 10-209 of
 15 the Tax – General Article; and

16 (2) each exemption under:

17 (i) Title 8, Subtitle 7 of the Natural Resources Article;

18 (ii) § 5-104, § 6-103, § 7-203, § 7-303, § 9-203, § 9-303, § 9-304, §
 19 10-104, § 10-211, § 10-212, § 12-104, or Title 11, Subtitle 2 of the Tax – General Article;

20 (iii) Title 7 of the Tax – Property Article; and

21 (iv) § 13-810 or § 13-903 of the Transportation Article.

22 (d) The Comptroller, the Department of Assessments and Taxation, the
 23 Department of Labor, Licensing, and Regulation, the Department of Natural Resources,
 24 the Department of Transportation, and other units of the State government shall help the
 25 Secretary of Budget and Management to prepare a draft of the statement under this
 26 section.

27 [7-119.

28 The budget books for a fiscal year shall contain a summary of the annuity bond
 29 accounts of the State as of the end of the last full fiscal year.]

1 [7-120.

2 The budget books for a fiscal year shall:

3 (1) include a copy of the statewide cost allocation plan filed with the federal
4 government for federal reimbursement of the costs of indirect State services that benefit
5 federally funded programs; and

6 (2) list, by unit of the State government, the amount of reimbursement
7 received under the plan during the last full fiscal year.]

8 [7-121.] 7-118.

9 (a) [The budget books shall contain a section that, by unit of the State
10 government, sets forth, for each program or purpose of that unit:

11 (1) the total number of officers and employees and the number in each job
12 classification:

13 (i) authorized in the State budget for the last full fiscal year and the
14 current fiscal year; and

15 (ii) requested for the next fiscal year;

16 (2) the total amount for salaries of officers and employees and the amount
17 for salaries of each job classification:

18 (i) spent during the last full fiscal year;

19 (ii) authorized in the State budget for the current fiscal year; and

20 (iii) requested for the next fiscal year;

21 (3) an itemized statement of the expenditures for contractual services,
22 supplies and materials, equipment, land and structures, fixed charges, and other operating
23 expenses:

24 (i) made in the last full fiscal year;

25 (ii) authorized in the State budget for the current fiscal year; and

26 (iii) requested for the next fiscal year; and

27 (4) the StateStat or managing for results agency strategic plan required
28 under this article that shall be limited to a description of the agency's mission, goals,
29 objectives, and performance measures.

1 **(b)]** In its annual submission of the proposed budget, the Department of Budget
 2 and Management shall provide, for informational purposes, a budget presentation that
 3 includes a description of the proposed expenditures under the Maryland Emergency
 4 Medical System Operations Fund for the:

5 (1) Maryland Institute for Emergency Medical Services Systems;

6 (2) R Adams Cowley Shock Trauma Center;

7 (3) Maryland Fire and Rescue Institute;

8 (4) Aviation Division of the Special Operations Bureau, Department of
 9 State Police; and

10 (5) grants under the Senator William H. Amoss Fire, Rescue, and
 11 Ambulance Fund.

12 **[(c)] (B)** (1) (i) In this subsection the following words have the meanings
 13 indicated.

14 (ii) “Cancer Program” means the Cancer Prevention, Education,
 15 Screening, and Treatment Program established under Title 13, Subtitle 11 of the Health –
 16 General Article.

17 (iii) “Tobacco Program” means the Tobacco Use Prevention and
 18 Cessation Program established under Title 13, Subtitle 10 of the Health – General Article.

19 (2) The budget books shall contain a budget presentation that provides an
 20 overview of the proposed expenditures for:

21 (i) the Tobacco Program, including the proposed expenditures for:

22 1. each Component of the Tobacco Program;

23 2. each program funded under each Component of the
 24 Tobacco Program; and

25 3. each Local Public Health Tobacco Grant;

26 (ii) the Cancer Program, including the proposed expenditures for:

27 1. each Component of the Cancer Program;

28 2. each program funded under each Component of the Cancer
 29 Program;

1 3. each Local Public Health Cancer Grant;

2 4. each statewide Academic Health Center Public Health
3 Grant;

4 5. each statewide Academic Health Center Cancer Research
5 Grant;

6 6. each statewide Academic Health Center Tobacco-Related
7 Diseases Research Grant; and

8 7. each statewide Academic Health Center Network Grant;
9 and

10 (iii) any other program that is funded with the Cigarette Restitution
11 Fund established under § 7-317 of this title.

12 **[7-122.] 7-119.**

13 (a) (1) For each fiscal year, General Fund capital appropriations shall be
14 budgeted in the operating budget in separate eight-digit programs.

15 (2) When multiple projects or programs are budgeted within the same
16 nontransportation eight-digit program, each distinct program and project shall be
17 budgeted in a distinct subprogram.

18 (b) (1) To the extent possible, subprograms for projects spanning multiple
19 years shall be retained to preserve funding history.

20 (2) The budget detail for prior and current fiscal years submitted with each
21 proposed budget shall be organized in the same fashion to allow comparison between fiscal
22 years.

23 7-311.

24 (j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year
25 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an
26 appropriation:

27 (i) for each of fiscal years 2017[, 2018,] and 2019, to the
28 accumulation funds of the State Retirement and Pension System an amount, up to a
29 maximum of \$50,000,000, that is equal to one-half of the amount by which the
30 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
31 exceeds \$10,000,000;

32 (ii) for fiscal year 2020:

1 1. to the accumulation funds of the State Retirement and
2 Pension System an amount, up to a maximum of \$50,000,000, that is equal to one-half of
3 the amount by which the unappropriated General Fund surplus as of June 30 of the second
4 preceding fiscal year exceeds \$10,000,000; and

5 2. to the Account equal to the amount by which the
6 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
7 exceeds \$10,000,000, less the amount of the appropriation under item 1 of this paragraph;
8 and

9 (iii) for fiscal year 2021 and each fiscal year thereafter, to the Account
10 equal to the amount by which the unappropriated General Fund surplus as of June 30 of
11 the second preceding fiscal year exceeds \$10,000,000.

12 (2) The appropriation required under this subsection for any fiscal year
13 may be reduced by the amount of any appropriation to the Account required to be included
14 for that fiscal year under subsection (e) of this section.

15 Article – State Government

16 ~~9-117.~~

17 ~~(a) (1) A licensed agent shall receive regular commissions of [5.5%] 5.0% of~~
18 ~~the licensed agent's gross receipts from ticket sales.~~

19 9-120.

20 (b) (1) By the end of the month following collection, the Comptroller shall
21 deposit or cause to be deposited:

22 (i) into the Maryland Stadium Facilities Fund established under §
23 7-312 of the State Finance and Procurement Article from the money that remains in the
24 State Lottery Fund, after the distribution under subsection (a) of this section, an amount
25 not to exceed \$20,000,000 in any fiscal year;

26 (ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10%
27 of the money that remains in the State Lottery Fund from the proceeds of sales of tickets
28 from instant ticket lottery machines by veterans' organizations under § 9-112(d) of this
29 subtitle, after the distribution under subsection (a) of this section;

30 (iii) after June 30, 2014, into the Baltimore City Public School
31 Construction Financing Fund established under § 10-656 of the Economic Development
32 Article the money that remains in the State Lottery Fund from the proceeds of all lotteries
33 after the distributions under subsection (a) of this section and items (i) and (ii) of this
34 paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding
35 and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than
36 December 1 of each fiscal year; ~~AND~~

13

2
cont.

1 (iv) ~~¶~~ after June 30, 2016, into the Racing Special Fund established
 2 under § 11-401 of the Business Regulation Article from money that remains in the State
 3 Lottery Fund after the distributions under subsection (a) of this section and items (i), (ii),
 4 and (iii) of this paragraph, an amount equal to ~~\$1,000,000 in each fiscal year; and~~
 5 \$500,000;

6 (V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE
 7 RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS
 8 REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND
 9 AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS
 10 (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN
 11 EACH FISCAL YEAR; AND

12 ~~(v)¶~~ (VI) into the General Fund of the State the money that
 13 remains in the State Lottery Fund from the proceeds of all lotteries after the distributions
 14 under subsection (a) of this section and items (i), (ii), ~~AND (iii)¶, and (iv) (IV), AND (V)¶~~ of
 15 this paragraph.

16 (2) The money paid into the General Fund under this subsection is
 17 available in the fiscal year in which the money accumulates in the State Lottery Fund.

18 ~~9-1A-28.~~

19 (c) ~~Subject to subsections (d) and (e) of this section, the State Racing Commission~~
 20 ~~shall allocate funds in the Account as follows:~~

21 ~~(1) TO PAY ALL SALARIES AND ADMINISTRATIVE EXPENSES OF THE~~
 22 ~~DIVISION OF RACING;~~

23 ~~(2) \$500,000 TO A PURSE FOR THE MARYLAND INTERNATIONAL~~
 24 ~~THOROUGHBRED RACE UNDER § 11-522.1 OF THE BUSINESS REGULATION~~
 25 ~~ARTICLE;~~

26 ~~(3) (i) FOR FISCAL YEAR 2017, \$500,000 TO ESTABLISH A BONUS~~
 27 ~~AWARD PROGRAM FOR MARYLAND-BRED OR MARYLAND-SIRED HORSES RUNNING~~
 28 ~~IN THE PREAKNESS STAKES; AND~~

29 ~~(ii) 1. THE STATE RACING COMMISSION SHALL CONSULT~~
 30 ~~WITH REPRESENTATIVES OF THE THOROUGHBRED RACING INDUSTRY BEFORE~~
 31 ~~ESTABLISHING RULES AND CRITERIA FOR THE BONUS AWARD PROGRAM; AND~~

32 ~~2. IF, UNDER THE RULES OF THE BONUS AWARD~~
 33 ~~PROGRAM, FUNDS REMAIN IN THE PROGRAM AFTER THE PREAKNESS STAKES IS~~
 34 ~~CONDUCTED ON ONE OR MORE OCCASIONS, REMAINING FUNDS SHALL CARRY OVER~~

1 ~~TO THE NEXT FISCAL YEAR AND MAY NOT REVERT TO THE GENERAL FUND; AND~~

2 ~~(4) OF THE REMAINING FUNDS:~~

3 ~~[(1)] (I) 80% to the thoroughbred industry; and~~

4 ~~[(2)] (II) 20% to the standardbred industry.~~

5 ~~(f) From the amount provided to thoroughbred purses, the State Racing~~
6 ~~Commission:~~

7 ~~(1) shall pay an annual grant of \$100,000 to Fair Hill, as defined under §~~
8 ~~11-811 of the Business Regulation Article; AND~~

9 ~~(2) MAY ALLOCATE UP TO \$500,000 EACH FISCAL YEAR TO A PURSE~~
10 ~~FOR THE MARYLAND INTERNATIONAL THOROUGHBRED RACE UNDER § 11-522.1 OF~~
11 ~~THE BUSINESS REGULATION ARTICLE.~~

12 Article - Tax - General

13 2-202.

14 (a) After making the distribution required under § 2-201 of this subtitle, within
15 20 days after the end of each quarter, the Comptroller shall distribute:

16 (1) except as provided in [subsection] SUBSECTIONS (b) AND (C) of this
17 section, from the revenue from the State admissions and amusement tax on electronic bingo
18 and electronic tip jars under § 4-102(e) of this article:

19 (i) 1. for fiscal years 2016 through 2021, the revenue
20 attributable to a tax rate of 20% to the Maryland E-Nnovation Initiative Fund under §
21 6-604 of the Economic Development Article; AND

22 2. in fiscal year 2022 and in each fiscal year thereafter, the
23 revenue attributable to a tax rate of 20% to the General Fund of the State; and

24 (ii) 1. FOR FISCAL YEARS 2019 THROUGH 2021, the revenue
25 attributable to a tax rate of 5% as follows:

26 1. to the Special Fund for Preservation of Cultural Arts in
27 Maryland, as provided in § 4-801 of the Economic Development Article, up to an aggregate
28 amount of \$1,000,000 in each fiscal year; and

29 2. A. the remainder to the Maryland State Arts Council, as
30 provided in § 4-512 of the Economic Development Article, \$1,000,000 IN EACH FISCAL
31 YEAR; and

3
cont.

1 B. THE REMAINDER TO THE SPECIAL FUND FOR
 2 PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE
 3 ECONOMIC DEVELOPMENT ARTICLE; AND

3
Cont.

4 2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR
 5 THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL
 6 FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN §
 7 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

8 (2) the remaining admissions and amusement tax revenue:

9 (i) to the Maryland Stadium Authority, county, or municipal
 10 corporation that is the source of the revenue; or

11 (ii) if the Maryland Stadium Authority and also a county or
 12 municipal corporation tax a reduced charge or free admission:

13 1. 80% of that revenue to the Authority; and

14 2. 20% to the county or municipal corporation.

15 (b) From the revenue from the State admissions and amusement tax on electronic
 16 bingo and electronic tip jars in Calvert County under § 4-102(e) of this article, the
 17 Comptroller shall distribute:

18 (1) for fiscal years 2014 through 2019, from:

19 (i) the revenue attributable to a tax rate of 1.5%:

20 1. \$50,000 to the Boys and Girls Club of the Town of North
 21 Beach; and

22 2. the remainder to the Town of North Beach;

23 (ii) the revenue attributable to a tax rate of 2.5% to the Town of
 24 Chesapeake Beach; and

25 (iii) the revenue attributable to a tax rate of 4% to the Calvert County
 26 Youth Recreational Opportunities Fund under Title 5, Subtitle 19 of the Natural Resources
 27 Article; and

28 (2) for fiscal year 2020 and each fiscal year thereafter, from:

29 (i) the revenue attributable to a tax rate of 1.5%:

1 1. \$50,000 to the Boys and Girls Club of the Town of North
2 Beach; and

3 2. the remainder to the Town of North Beach;

4 (ii) the revenue attributable to a tax rate of 2.5% to the Town of
5 Chesapeake Beach; and

6 (iii) the revenue attributable to a tax rate of 4% to the Calvert County
7 Board of Education for school renovation and renewal projects that may not be used to
8 supplant county funds for public school construction.

9 (C) FROM THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO BE
10 DISTRIBUTED TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN
11 MARYLAND OR THE MARYLAND STATE ARTS COUNCIL UNDER SUBSECTION
12 (A)(1)(II) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE, FOR FISCAL
13 YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, \$250,000 TO THE ARTS COUNCIL
14 OF ANNE ARUNDEL COUNTY.

15 Article – Tax – Property

16 ~~2-106.~~

17 (b) (1) ~~Except as provided in paragraph (2) of this subsection, each county and~~
18 ~~Baltimore City shall be responsible for reimbursing the State for the costs of administering~~
19 ~~the Department as follows:~~

20 (i) ~~[50%] 90% of the costs of real property valuation;~~

21 (ii) ~~[50%] 90% of the costs of business personal property valuation;~~
22 ~~[and]~~

23 (iii) ~~[50%] 90% of the costs of the Office of Information Technology~~
24 ~~within the Department, including any funding for departmental projects in the Major~~
25 ~~Information Technology Development Project Fund established under § 3A-309 of the State~~
26 ~~Finance and Procurement Article; AND~~

27 (iv) ~~90% OF THE COSTS OF THE OFFICE OF THE DIRECTOR.~~

28 (2) ~~[For each of fiscal years 2012 and 2013, each county and Baltimore City~~
29 ~~shall be responsible for reimbursing the State 90% instead of 50% of the costs of~~
30 ~~administering the Department described in paragraph (1) of this subsection.] FOR FISCAL~~
31 ~~YEAR 2018, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR~~
32 ~~REIMBURSING THE STATE FOR 70% OF THE COSTS OF ADMINISTERING THE~~
33 ~~DEPARTMENT AS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.~~

1 13-209.

2 (g) (1) (i) [The] FOR EACH OF FISCAL YEARS 2018 AND 2019, THE
 3 Governor shall include in the budget bill [for fiscal year 2018] a General Fund
 4 appropriation in the amount of [\$5,000,000] \$2,500,000 to the Maryland Agricultural and
 5 Resource-Based Industry Development Corporation to provide grants for the use of the
 6 Next Generation Farmland Acquisition Program authorized under § 10-523(a)(3)(ii) of the
 7 Economic Development Article.

8 Article – Transportation

9 2-103.1.

10 (c) (1) The Consolidated Transportation Program shall:

11 (i) Be revised annually; and

12 (9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED
 13 TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION
 14 GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE
 15 BUDGET REQUEST YEAR.

16 (m) (2) (i) The financial forecast supporting the Consolidated
 17 Transportation Program to be submitted to the General Assembly under paragraph (1) of
 18 this subsection shall include the following components:

19 1. A schedule of operating expenses for each specific modal
 20 administration;

21 2. A schedule of revenues, including tax and fee revenues,
 22 deductions from revenues for other agencies, Department program and fees, Motor Vehicle
 23 Administration cost recovery, deductions for highway user revenues, operating revenues by
 24 modal administration, and miscellaneous revenues; and

25 3. A summary schedule for the Transportation Trust Fund
 26 that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond
 27 premiums, any other revenues, expenditures for debt service, operating expenses, amounts
 28 available for capital expenses, bond interest rates, bond coverage ratios, total bonds
 29 outstanding, federal capital aid, and the total amount for the Transportation Capital
 30 Program.

31 (ii) The financial forecast shall include, for each of the components
 32 specified in subparagraph (i) of this paragraph:

33 1. Actual information for the last full fiscal year; and

1 (2) All funds, including charges for accident scene transports and
 2 interhospital transfers of patients, generated by an entity specified in subsection (e) of this
 3 section that is a unit of State government; and

4 (3) Revenues distributed to the Fund from the surcharges collected under
 5 § 7–301(f) of the Courts Article.

6 (d) Expenditures from the Fund shall be made pursuant to an appropriation
 7 approved by the General Assembly in the annual State budget or by the budget amendment
 8 procedure provided under § 7–209 of the State Finance and Procurement Article, provided
 9 that any budget amendment shall be submitted to and approved by the Legislative Policy
 10 Committee prior to the expenditure or obligation of funds.

11 (e) The money in the Fund shall be used solely for:

12 (1) Medically oriented functions of the Department of State Police, Special
 13 Operations Bureau, Aviation Division;

14 (2) The Maryland Institute for Emergency Medical Services Systems;

15 (3) The R Adams Cowley Shock Trauma Center at the University of
 16 Maryland Medical System;

17 (4) The Maryland Fire and Rescue Institute;

18 (5) The provision of grants under the Senator William H. Amoss Fire,
 19 Rescue, and Ambulance Fund in accordance with the provisions of Title 8, Subtitle 1 of the
 20 Public Safety Article; and

21 (6) The Volunteer Company Assistance Fund in accordance with the
 22 provisions of Title 8, Subtitle 2 of the Public Safety Article.

23 **Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013,**
 24 **Chapter 464 of the Acts of 2014, and Chapter 489 of the Acts of 2015**

25 SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other
 26 revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

27 (c) (1) For fiscal year 2015 and 2016, the Commission and the Department of
 28 Health and Mental Hygiene shall adopt policies that will provide up to \$389,825,000 in
 29 special fund revenues from hospital assessment and remittance revenue.

30 (2) [Beginning with the State budget submission for] **FOR** fiscal year 2017,
 31 the Governor shall reduce the budgeted Medicaid Deficit Assessment [annually] by
 32 \$25,000,000 over the assessment level for the prior year.

33 **(3) FOR FISCAL YEAR 2018, THE BUDGETED MEDICAID DEFICIT**

15

1 ASSESSMENT SHALL BE ~~\$364,825,000~~ \$359,825,000 ~~\$364,825,000~~.

2 (4) BEGINNING WITH THE STATE BUDGET SUBMISSION FOR FISCAL
3 YEAR 2019, THE GOVERNOR SHALL REDUCE THE BUDGETED MEDICAID DEFICIT
4 ASSESSMENT ANNUALLY BY \$25,000,000 OVER THE ASSESSMENT LEVEL FOR THE
5 PRIOR FISCAL YEAR.

6 [(3)] (5) To the extent that the Commission takes other actions that
7 reduce Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid
8 Deficit Assessment.

9 [(4)] (6) To the maximum extent possible, the Commission and the
10 Department of Health and Mental Hygiene shall adopt policies that preserve the State's
11 Medicare waiver.

12 ~~Chapter 25 of the Acts of 2016~~

13 ~~SECTION 4. AND BE IT FURTHER ENACTED, That, for each of fiscal years [2018]~~
14 ~~2019 through 2021, the Governor [shall] MAY appropriate in the annual budget [at least]~~
15 ~~an additional \$4,000,000 to the University System of Maryland Office for the purpose of~~
16 ~~increasing the estimated funding guideline attainment levels of the primarily residential~~
17 ~~institutions in the System with the lowest estimated funding guideline attainment levels~~
18 ~~in fiscal year 2016. The University System of Maryland shall allocate the funds each year~~
19 ~~in a manner that brings the primarily residential institutions with the lowest estimated~~
20 ~~funding guideline attainment levels in fiscal year 2016 as close as possible to a 64%~~
21 ~~estimated funding guideline attainment level by fiscal year 2021. The general funds~~
22 ~~distributed under this section each year are in addition to the annual appropriation for~~
23 ~~each institution, and shall be included in each institution's base budget for all fiscal years~~
24 ~~after the distribution.~~

25 Chapter 13 of the Acts of 2016

26 [SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 contingent on the University of Maryland Medical System Corporation becoming the sole
28 corporate member of Dimensions Health Care Corporation and the University of Maryland
29 Medical System Corporation assuming responsibility of the governance structure of the
30 entity.]

9 cont.

31 SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this
32 Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] 12
33 years and 1 month and, at the end of June 30, [2021] 2028, with no further action required
34 by the General Assembly, this Act shall be abrogated and of no further force and effect.

35 Chapter 145 of the Acts of 2016

36 SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the

3 cont.

1 Maryland State Arts Council in accordance with § 2-202 of the Tax – General Article as
 2 enacted in this Act shall be included in the Maryland State Arts Council's prior fiscal year
 3 appropriation **IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION**
 4 **FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED** for purposes of calculating
 5 the required appropriation under § 7-325 of the State Finance and Procurement Article.

3
Cont.

6 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 7 provision of law, on or before June 30, ~~2018~~ 2017, the Governor may transfer to the General
 8 Fund \$2,500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund
 9 established under § 3-507 of the Correctional Services Article.

10 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal year 2018, payments
 11 to providers with rates set by the Interagency Rates Committee under § 8-417 of the
 12 Education Article may not increase by more than 2% over the rates in effect on June 30,
 13 2017.

14 SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 15 provision of law, on or before June 30, 2017, the Governor may transfer to the General Fund
 16 up to \$170,000,000 from the Revenue Stabilization Account established under § 7-311 of
 17 the State Finance and Procurement Article.

18 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 19 provision of law, the fiscal year 2018 appropriation for the Revenue Stabilization Account
 20 established under § 7-311 of the State Finance and Procurement Article is reduced by
 21 \$40,000,000.

22 ~~SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other~~
 23 ~~provision of law, for fiscal year 2018 the Department of Housing and Community~~
 24 ~~Development may use up to \$1,000,000 of the funds in the Housing Counseling and~~
 25 ~~Foreclosure Mediation Fund established under § 4-507 of the Housing and Community~~
 26 ~~Development Article for administrative expenses.~~

27 SECTION ~~7~~ 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 28 provision of law, for fiscal year 2017 and 2018 combined, the Department of the
 29 Environment may use up to \$60,000,000 of revenue bond proceeds and the funds in the Bay
 30 Restoration Fund established under § 9-1605.2 of the Environment Article for biological
 31 nutrient removal upgrades of wastewater treatment plants.

32 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 33 provision of law, on or before June 30, 2017, the Governor may transfer to the State Agency
 34 Loan Program Fund \$3,000,000 of the funds in the Jane E. Lawton Conservation Fund
 35 established under § 9-20A-07 of the State Government Article.

36 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 37 provision of law, on or before June 30, 2017, the Governor may transfer to the General Fund
 38 \$30,000,000 of the funds in the accounts of the University System of Maryland.

1 SECTION 9. AND BE IT FURTHER ENACTED, That the unexpended
 2 appropriation for utilization review audit contracts, within the Department of Health and
 3 Mental Hygiene Developmental Disabilities Administration, that was included in the fiscal
 4 year 2017 operating budget (Chapter 143 of the Acts of 2016) is reduced by \$1,040,000 in
 5 federal funds and \$1,460,000 in general funds, which shall revert to the General Fund.

6 SECTION 10. AND BE IT FURTHER ENACTED, That the special fund
 7 appropriation within the Department of Housing and Community Development related to
 8 administrative fees that was included in the fiscal year 2017 operating budget (Chapter
 9 143 of the Acts of 2016) is reduced by \$187,500 and shall be transferred to the Department
 10 of Commerce to be distributed to the Small, Minority, and Women-Owned Businesses
 11 Account established under § 9-1A-35 of the State Government Article.

12 SECTION 11. AND BE IT FURTHER ENACTED, That the unexpended
 13 appropriation for the Assistance Payments Program (N00G00.08), within the Department
 14 of Human Resources, that was included in the fiscal year 2017 operating budget (Chapter
 15 143 of the Acts of 2016) shall be used by the Department of Human Resources to reduce the
 16 deficit in the federal Temporary Assistance for Needy Families grant in fiscal year 2017.

17 SECTION 12. AND BE IT FURTHER ENACTED, That:

18 (a) The unexpended appropriation for the Department of General Services that
 19 was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016)
 20 shall be reduced by \$968,000 in general funds.

21 (b) The Department of General Services is authorized to process a fiscal year 2017
 22 special fund budget amendment for \$968,000 from eMaryland Marketplace fees that were
 23 recorded as a deferred revenue at the close of fiscal year 2016.

24 SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other
 25 provision of law, on or before June 30, 2018, the Governor may transfer to the Education
 26 Trust Fund ~~\$2,561,757~~ \$15,688,068 of the fund balance in the Small, Minority, and
 27 Women-Owned Businesses Account established under § 9-1A-35 of the State Government
 28 Article.

29 ~~SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other~~
 30 ~~provision of law, on or before June 30, 2018, the Governor may transfer \$150,000 as a grant~~
 31 ~~to the Maryland Humanities Council from the revenue distributed to the Special Fund for~~
 32 ~~Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under §~~
 33 ~~2-202(a)(1)(ii) of the Tax General Article.~~

34 ~~SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other~~
 35 ~~provision of law, on or before June 30, 2019, the Governor may transfer \$150,000 as a grant~~
 36 ~~to the Maryland Humanities Council from the revenue distributed to the Special Fund for~~
 37 ~~Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under §~~
 38 ~~2-202(a)(1)(ii) of the Tax General Article.~~

1 SECTION ~~8. 16.~~ 14. AND BE IT FURTHER ENACTED, That ~~it~~:

2 (a) If the Office of the Attorney General does not transfer \$12,000,000 of the
3 recovery from the Volkswagen Clean Diesel settlement to the General Fund on or before
4 May 1, 2017, the Comptroller ~~may~~ shall transfer from the Consumer Protection Recoveries
5 to the General Fund:

6 (a) (1) ~~\$12,000,000;~~ or

7 (b) (2) the difference between the amount transferred on or before May 1,
8 2017, and \$12,000,000.

9 (b) If the Office of the Attorney General does not transfer ~~\$11,000,000~~
10 \$12,000,000 of the recovery from the Moody's Corporation settlement to the General Fund
11 on or before May 1, 2017, the Comptroller shall transfer from the Consumer Protection
12 Recoveries to the General Fund:

18

13 (1) ~~\$11,000,000~~ \$12,000,000; or

14 (2) the difference between the amount transferred on or before May 1,
15 2017, and \$11,000,000 \$12,000,000.

16 ~~SECTION 9. AND BE IT FURTHER ENACTED, That:~~

17 (a) ~~Except as provided in subsection (b) of this section, for fiscal year 2019 and~~
18 ~~each fiscal year thereafter, any appropriation that is mandated by law shall have its~~
19 ~~mandated level of spending increased by the lesser of:~~

20 (1) ~~the amount of the existing formula calculation; or~~

21 (2) ~~an amount equal to 1% less than the reported amount of General Fund~~
22 ~~revenue growth in the report submitted by the Board of Revenue Estimates to the Governor~~
23 ~~under § 6-106(b) of the State Finance and Procurement Article for December.~~

24 (b) ~~Subsection (a) of this section does not apply to:~~

25 (1) ~~funding required for State aid to public elementary and secondary~~
26 ~~education as provided under Title 5, Subtitle 2 or § 4-121, § 4-122, § 6-306, § 8-310.3, §~~
27 ~~8-317, or § 8-415 of the Education Article;~~

28 (2) ~~any appropriation required to be made to the Revenue Stabilization~~
29 ~~Account under § 7-311 of the State Finance and Procurement Article; or~~

30 (3) ~~any appropriation required for the payment of principal or interest on~~
31 ~~State debt.~~

32 SECTION 17. 15. AND BE IT FURTHER ENACTED, That:

1 (a) Except as provided in subsection (b) of this section, the eligibility and benefits
 2 rules in place on January 1, 2017, for the Medical Assistance Program and the
 3 Supplemental Nutrition Assistance Program may not be altered to:

4 (1) make it more difficult to qualify for benefits;

5 (2) expand beneficiary cost sharing to additional services; or

6 (3) impose new limitations on benefits, except for changes to provider
 7 networks and the preferred drug list.

8 (b) The eligibility and benefits rules in place on January 1, 2017, for the Medical
 9 Assistance Program and the Supplemental Nutrition Assistance Program may be altered
 10 if the changes are:

11 (1) required under federal law to qualify for the receipt of federal funds;

12 (2) included in legislation passed by the General Assembly;

13 (3) proposed in the annual State budget submitted to the General
 14 Assembly; or

15 (4) submitted in writing to the Legislative Policy Committee for a 60-day
 16 review and comment period.

17 (c) In developing any changes or redesign to the Medical Assistance Program or
 18 the Supplemental Nutrition Assistance Program, the Department of Health and Mental
 19 Hygiene and the Department of Human Resources shall establish a group of interested
 20 stakeholders to collaborate on any changes or program redesign.

21 ~~SECTION 18.~~ 16. AND BE IT FURTHER ENACTED, That, notwithstanding:

22 (a) Notwithstanding § 10-645(h)(1) of the Economic Development Article and any
 23 other provision of law, for fiscal year 2018 only:

24 (1) \$4,600,000 from the General State School Fund may not be withheld
 25 from the Baltimore City Board of School Commissioners by the State Comptroller and
 26 deposited in the Baltimore City Public School Construction Financing Fund established
 27 under § 10-656 of the Economic Development Article; and

28 (2) the Maryland Stadium Authority shall credit \$4,600,000 of the fund
 29 balance of the Baltimore City Public School Construction Facilities Fund established under
 30 § 10-657 of the Economic Development Article that represents money held in reserve for
 31 Baltimore City in accordance with Section § 10-645(i) of the Economic Development Article
 32 to the Baltimore City Public School Construction Financing Fund to satisfy a portion of the
 33 payment required by § 10-645(h)(1) of the Economic Development Article.

20 cont.

21

1 (b) It is the intent of the General Assembly that the actions taken in accordance
2 with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.

3 SECTION 17. AND BE IT FURTHER ENACTED, That, on or before November
4 1, 2017, ~~November 1, 2018,~~ and and quarterly until November 1, 2019, Baltimore City
5 Public Schools shall submit a report to the Governor and, in accordance with § 2-1246 of
6 the State Government Article, the Senate Budget and Taxation Committee and the House
7 Appropriations Committee on the status of the school system’s structural budget deficit and
8 the actions that have been taken to reduce the gap between ongoing revenues and
9 expenditures, including:

10 (1) the size and components of the structural deficit in the current year and
11 projected for the next year;

12 (2) the actions that have been taken to reduce the structural deficit
13 accompanied by the ongoing impact of the action on revenues or expenditures;

14 (3) the joint procurement of goods or services, or shared services, with the
15 City of Baltimore or other jurisdictions that have promoted efficiency and reduced costs;

16 (4) the alignment of employee personnel contributions and benefits with
17 the City of Baltimore;

18 (5) savings from the strategic implementation of the Career Pathways and
19 Achievement Units Compensation System;

20 (6) consolidation or right-sizing of underutilized school facilities, in
21 addition to the requirements of Chapter 647 of the Acts of 2013;

22 (7) administrative and operational efficiencies at the central office and
23 school levels; and

24 (8) initiatives and efforts to retain students and attract new students to
25 the school system.

26 SECTION 18. AND BE IT FURTHER ENACTED, That:

27 (a) The State Secretary of Transportation, in coordination with the Montgomery
28 County and Prince George’s County Departments of Transportation, shall engage the
29 Secretary’s counterparts in Virginia and Washington, D.C., and the appropriate officials in
30 the federal government for the purpose of revising the Washington Metropolitan Area Transit
31 Authority Compact of 1966 and implementing other reforms necessary to ensure the
32 near-term and long-term viability of the Washington Metropolitan Area Transit Authority
33 (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms
34 related to the following:

22

1 (1) the legal and organizational structure of WMATA;

2 (2) the composition and qualifications of the WMATA Board of Directors
3 and the length of terms of its members;

4 (3) labor costs and labor relations;

5 (4) measures necessary to resolve WMATA's unfunded pension liability and
6 other postemployment benefits;

7 (5) measures necessary to better ensure the safety of ridership and
8 employees, including safety in the event of a homeland security emergency in the national
9 capital area; and

10 (6) financial and operational improvements necessary to ensure that
11 WMATA's performance is at least as efficient as its closest comparable transit systems in the
12 United States.

13 (b) The Secretary shall report to and consult quarterly beginning June 30, 2017,
14 with the Chairs of the Senate Budget and Taxation Committee, House Appropriations
15 Committee, and House Environment and Transportation Committee.

16 SECTION ~~10~~ ~~20~~ 19. AND BE IT FURTHER ENACTED, That if any provision of
17 this Act or the application thereof to any person or circumstance is held invalid for any
18 reason in a court of competent jurisdiction, the invalidity does not affect other provisions
19 or any other application of this Act that can be given effect without the invalid provision or
20 application, and for this purpose the provisions of this Act are declared severable.

21 SECTION ~~11~~ ~~21~~ 20. AND BE IT FURTHER ENACTED, That the publisher of the
22 Annotated Code of Maryland, in consultation with and subject to the approval of the
23 Department of Legislative Services, shall correct, with no further action required by the
24 General Assembly, cross-references and terminology rendered incorrect by this Act or by
25 any other Act of the General Assembly of 2017 that affects provisions enacted by this Act.
26 The publisher shall adequately describe any such correction in an editor's note following
27 the section affected.

28 SECTION ~~22~~ 21. AND BE IT FURTHER ENACTED, That Section ~~17~~ 15 of this Act
29 shall take effect June 1, 2017. It shall remain effective for a period of 2 years and, at the
30 end of May 31, 2019, with no further action required by the General Assembly, Section ~~17~~
31 15 of this Act shall be abrogated and of no further force and effect.

32 SECTION ~~12~~ ~~23~~ 22. AND BE IT FURTHER ENACTED, That, except as provided
33 in Section ~~22~~ 21 of this Act, this Act shall take effect June 1, 2017.

22
Cont.