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

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2017 Vetoed Senate Bills and Messages

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 12 – *Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement.*

This bill provides for enforcement only as a secondary offense for a violation of the prohibition under certain circumstances against a person driving a vehicle on a highway with any object, material, or obstruction hanging from the rearview mirror.

House Bill 1335, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 12.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 12

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

FOR the purpose of providing for enforcement only as a secondary offense for a violation of the prohibition under certain circumstances against a person driving a vehicle on a highway with any object, material, or obstruction hanging from the rearview mirror under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1104
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

21–1104.

(a) A person may not drive a vehicle if it is so loaded or there is in the front seat so many passengers as to:

(1) Obstruct the view of the driver to the front or sides of the vehicle; or

(2) Interfere with the control of the driver over the driving mechanism of the vehicle.

(b) A passenger in a vehicle may not ride in any position where he:

(1) Interferes with the view of the driver to the front or sides of the vehicle; or

(2) Interferes with the control of the driver over the driving mechanism of the vehicle.

(c) (1) Except as provided in paragraph (2) of this subsection **AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION**, a person may not drive a vehicle on a highway with any object, material, or obstruction so located in or on the vehicle as to interfere with the clear view of the driver through the windshield.

(2) This subsection does not apply to:

(i) Required or permitted equipment of the vehicle;

(ii) Adjustable, nontransparent sun visors that are not attached to glass; or

(iii) Direction, destination, or termini signs on any passenger common carrier motor vehicle.

(3) (I) A PERSON MAY NOT DRIVE A VEHICLE ON A HIGHWAY WITH ANY OBJECT, MATERIAL, OR OBSTRUCTION HANGING FROM THE REARVIEW MIRROR THAT INTERFERES WITH THE CLEAR VIEW OF THE DRIVER THROUGH THE WINDSHIELD.

(II) A POLICE OFFICER MAY ENFORCE THIS PARAGRAPH ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER OF A MOTOR VEHICLE FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person may not drive a vehicle with any sign, poster, card, sticker, or other nontransparent material on the windshield, side wings, or side or rear windows of the vehicle.

(2) This subsection does not apply to:

(i) Materials placed on the windshield or rear window, within a 7 inch square area in the lower corner, or on the side windows of the vehicle to the rear of the driver, if the materials are placed so as not to interfere with the driver's clear view of traffic;

(ii) Direction, destination, or termini signs on any passenger common carrier motor vehicle; or

(iii) Electronic toll collection tags placed in the windshield of a vehicle in accordance with the regulations of the Maryland Transportation Authority.

(3) The Administration shall adopt regulations to exempt from the provisions of paragraph (1) of this subsection materials placed on the windshield of a vehicle in compliance with security measures required by a federal or State government agency and approved by the Administration.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 78 – *Vehicle Laws – School Crossing Guards – Authority to Direct Traffic.*

This bill authorizes a school crossing guard who meets certain qualifications to direct vehicles and pedestrians, on a highway or on school grounds, in order to assist non–school vehicles in entering and leaving school grounds.

House Bill 1301, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 78.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 78

AN ACT concerning

Vehicle Laws – School Crossing Guards – Authority to Direct Traffic

FOR the purpose of expanding the authority of school crossing guards to direct traffic by authorizing a school crossing guard who meets certain qualifications to direct vehicles and pedestrians on a highway or on school grounds in order to assist nonschool vehicles in entering and leaving school grounds; ~~providing for the application of this Act;~~ *providing for the application of this Act;* and generally relating to the authority of school crossing guards to direct traffic.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–107
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

21–107.

(a) A school crossing guard who meets the qualifications in subsection (b) of this section may stop or otherwise direct vehicles and pedestrians on a highway or on school grounds to assist:

(1) Pedestrians in the safe crossing of highways at a school crossing; **[**and**]**

(2) School vehicles in entering and leaving school grounds**; AND**

(3) ~~**EXCEPT IN BALTIMORE CITY, VEHICLES**~~ ~~**VEHICLES**~~ ***EXCEPT IN BALTIMORE CITY, VEHICLES*** **THAT ARE NOT SCHOOL VEHICLES IN ENTERING AND LEAVING SCHOOL GROUNDS**.

(b) A school crossing guard is qualified to direct traffic as described in subsection (a) of this section if the school crossing guard:

(1) Is 18 years of age or older;

(2) Is under the control of a local law enforcement agency or a county school board;

(3) Has completed training to perform any traffic direction duties to which the guard is assigned as prescribed by the law enforcement agency or county school board that has control over the school crossing guard; and

(4) Is wearing an appropriate uniform as specified by the law enforcement agency or county school board that has control over the school crossing guard.

(c) A person may not willfully disobey a lawful direction of a school crossing guard exercising the authority granted in this section.

(d) Nothing in this section prohibits a school crossing guard who does not meet the qualifications specified in subsection (b) of this section from assisting a pedestrian to cross a highway, providing the school crossing guard does not attempt to do so by directing traffic.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 98 – *Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque*.

This bill authorizes the State Highway Administration to erect an exempt highway–rail grade crossing plaque at each railroad grade crossing in the State that is no longer in use by a railroad. The design and placement of a plaque must conform to the federal Manual on Uniform Traffic Control Devices. The bill also exempts specified vehicles from stopping at a railroad grade crossing with an exempt plaque.

House Bill 534, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 98.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 98

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

FOR the purpose of authorizing the State Highway Administration to erect an exempt highway–rail grade crossing plaque at certain railroad grade crossings; specifying the design and placement of a plaque erected under this Act; exempting certain vehicles from the requirement to stop at certain railroad grade crossings if the railroad grade crossing has an exempt highway–rail grade crossing plaque; and generally relating to an exempt highway–rail grade crossing plaque at railroad grade crossings.

BY adding to
Article – Transportation
Section 8–644
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–703
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

8–644.

(A) THE ADMINISTRATION MAY ERECT AN EXEMPT HIGHWAY–RAIL GRADE CROSSING PLAQUE AT EACH RAILROAD GRADE CROSSING IN THE STATE THAT IS NO LONGER IN USE BY A RAILROAD.

(B) THE DESIGN AND PLACEMENT OF A PLAQUE ERECTED UNDER THIS SECTION SHALL BE IN ACCORDANCE WITH THE FEDERAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

21–703.

(a) Except as provided in subsection (g) of this section, this section applies to:

(1) Every motor vehicle carrying a passenger for hire;

(2) Every school vehicle carrying any passenger;

(3) Every bus that is owned or operated by a church and carrying any passenger;

(4) Every vehicle carrying as cargo a flammable liquid or an explosive; and

(5) Every vehicle carrying hazardous materials of a type and quantity requiring placarding under federal hazardous materials regulations.

(b) If the driver of any vehicle described in subsection (a) of this section approaches a railroad grade crossing, the driver shall stop within 50 feet but not less than 15 feet from the nearest rail in the crossing.

(c) If the driver of any vehicle described in subsection (a) of this section approaches a railroad grade crossing, the driver, while stopped, shall listen and look in both directions along the track for any approaching or passing railroad train and for any signals indicating the approach or passage of a railroad train.

(d) If the driver of any vehicle described in subsection (a) of this section approaches a railroad grade crossing, the driver may not proceed until he can do so safely.

(e) If the driver of any vehicle described in subsection (a) of this section approaches a railroad grade crossing, the driver may proceed only in that gear of the vehicle in which it will be unnecessary to shift gears manually while passing through the crossing.

(f) If the driver of any vehicle described in subsection (a) of this section approaches a railroad grade crossing, the driver may not shift gears manually while passing over any track of the railroad.

(g) (1) This section does not apply to the vehicles described in subsection (a)(1), (4), and (5) of this section, at any railroad grade crossing in a business district or residential district.

(2) This section does not apply to school buses and church buses, as described in subsection (a)(2) and (3) of this section, at locations within Baltimore City

where complying with the provision of this section would conflict with the existing traffic signal indications.

(3) THIS SECTION DOES NOT APPLY TO THE VEHICLES DESCRIBED IN SUBSECTION (A) OF THIS SECTION, AT ANY RAILROAD GRADE CROSSING WITH AN EXEMPT HIGHWAY–RAIL GRADE CROSSING PLAQUE.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 107 – *Carroll County – Huckster, Hawker, or Peddler License – Repeal*.

This bill repeals provisions of law that relate to the licensing and regulation of hucksters, hawkers, or peddlers selling fruits or vegetables in Carroll County.

House Bill 218, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 107.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 107

AN ACT concerning

Carroll County – Huckster, Hawker, or Peddler License – Repeal

FOR the purpose of repealing certain provisions of law that relate to licenses issued to hucksters, hawkers, or peddlers selling fruits or vegetables in Carroll County.

BY repealing

The Public Local Laws of Carroll County
Section 6–101
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

[6–101.

(a) No huckster, hawker or peddler shall sell or offer for sale any fruits or vegetables in Carroll County until the huckster, hawker or peddler shall have first taken out a license for that purpose in accordance with the provisions of this section; provided, however, that this section shall not apply to the farmers or growers selling their own fruits or vegetables.

(b) For every such license, the Clerk of the Circuit Court of Carroll County shall be paid fifteen dollars per annum. The receipts from the licenses shall be paid to the County Treasurer for the use of the county. Any person violating the provisions of this section shall, upon conviction, be fined not less than twenty–five dollars nor more than one hundred dollars, to be recovered as other fines are recovered.**]**

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 109 – *Procurement – Prohibitions on Participation*.

This bill establishes that existing provisions that preclude participation in State procurements, under certain circumstances, apply for at least two years – following the issuance of the first relevant invitation for bids (IFB) or request for proposals (RFP) – until two years from the date of issuance or the awarding of a contract/reissuance. The

prohibitions do not apply to a subsequent IFB or RFP for which the specifications are reused after the initial prohibition is no longer applicable. The bill also clarifies that the existing prohibitions apply to a person that employs the individual during the period of assistance.

House Bill 283, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 109.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 109

AN ACT concerning

Procurement – Prohibitions on Participation

FOR the purpose of providing that certain prohibitions on participation in procurement apply only for a certain period of time following the issuance of an invitation for bids or a request for proposals; providing that certain prohibitions on participation in procurement do not apply to certain invitations for bids or requests for proposals; and generally relating to the prohibitions on participation in procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–212.1
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 Finance and Procurement

13–212.1.

(a) **[**An**]** **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AN** individual who assists an executive unit in the drafting of specifications, an invitation for bids, a request for proposals for a procurement, or the selection or award made in response to an invitation for bids or a request for proposals, or a person that employs the individual **DURING THE PERIOD OF ASSISTANCE**, may not:

(1) submit a bid or proposal for that procurement; or

(2) assist or represent another person, directly or indirectly, who is submitting a bid or proposal for that procurement.

(b) For purposes of subsection (a) of this section, assisting in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement does not include:

(1) providing descriptive literature, such as catalogue sheets, brochures, technical data sheets, or standard specification "samples", whether requested by an executive unit or provided unsolicited;

(2) submitting written or oral comments on a specification prepared by an executive unit or on a solicitation for a bid or proposal when comments are solicited from two or more persons as part of a request for information or a prebid or preproposal process;

(3) providing specifications for a sole source procurement made in accordance with § 13–107 of this article;

(4) providing architectural and engineering services for:

(i) programming, master planning, or other project planning services; or

(ii) the design of a construction project if:

1. the design services do not involve lead or prime design responsibilities or construction phase responsibilities on behalf of the State; and

2. A. the anticipated value of the procurement contract at the time of advertisement is at least $2,500,000 and not more than $100,000,000; or

B. regardless of the amount of the procurement contract, the payment to the individual or person for the design services does not exceed $500,000; or

(5) for a procurement of health, human, social, or educational services, comments solicited from two or more persons as part of a request for information, including written or oral comments on a draft specification, an invitation for bids, or a request for proposals.

(c) A unit that receives comments as described in subsection (b)(2) and (5) of this section shall retain:

(1) any written comments; and

(2) a record of any oral comments.

(D) (1) THE PROHIBITIONS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION APPLY FROM THE DATE OF ISSUANCE OF THE FIRST INVITATION FOR

BIDS OR REQUEST FOR PROPOSALS FOR WHICH THE SPECIFICATIONS WERE INITIALLY DRAFTED UNTIL THE LATER OF:

(I) 2 YEARS FROM THE DATE OF ISSUANCE; OR

(II) THE SELECTION OR AWARD OF A PROCUREMENT CONTRACT IN RESPONSE TO THE ISSUANCE OF THE INVITATION FOR BIDS OR REQUEST FOR PROPOSALS OR A REISSUANCE OF THE INVITATION FOR BIDS OR REQUEST FOR PROPOSALS FOR WHICH THE SPECIFICATIONS WERE INITIALLY DRAFTED.

(2) THE PROHIBITIONS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION DO NOT APPLY TO A SUBSEQUENT INVITATION FOR BIDS OR REQUEST FOR PROPOSALS FOR WHICH THE SPECIFICATIONS ARE REUSED AFTER THE INITIAL PROHIBITION IS NO LONGER APPLICABLE IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 138 – *Income Tax Credit – Security Clearances – Employer Costs – Extension*.

This bill extends through 2021 the number of taxable years for which an individual or corporation may claim a credit against the State income tax for certain costs incurred to obtain federal security clearances, to rent certain spaces, and to construct or renovate certain sensitive compartmented information facilities in the State.

House Bill 873, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 138.

Sincerely,

Lawrence J. Hogan, Jr.

Governor

Senate Bill 138

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs – Extension

FOR the purpose of extending the number of taxable years for which an individual or corporation may claim a credit against the State income tax for certain costs incurred to obtain federal security clearances, to rent certain spaces, and to construct or renovate certain sensitive compartmented information facilities in the State; making certain stylistic changes; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–732
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 – Tax – General

10–732.

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

(2) "Costs" means the costs to an individual or corporation for:

(i) security clearance administrative expenses incurred with regard to an employee in the State including, but not limited to:

1. processing application requests for clearances for employees in the State;

2. maintaining, upgrading, or installing computer systems in the State required to obtain federal security clearances; and

3. training employees in the State to administer the application process; and

(ii) construction and equipment costs incurred to construct or renovate a sensitive compartmented information facility ("SCIF") located in the State as required by the federal government.

(3) "Department" means the Department of Commerce.

(4) "Secretary" means the Secretary of Commerce.

(5) "Small business" has the meaning stated in § 7–218 of this article.

(b) **(1)** Subject to the limitations of this section, for a taxable year beginning after December 31, 2012, but before January 1, **[**2017**] 2022**, an individual or a corporation may claim credits against the State income tax for:

[(1)**] (I)** security clearance administrative expenses, not to exceed $200,000;

[(2)**] (II)** expenses incurred for rental payments owed during the first year of a rental agreement for spaces leased in the State if the individual or corporation is a small business that performs security–based contracting, not to exceed $200,000; and

[(3) (i)**] (III) [**Subject to subparagraph (ii) of this paragraph**] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**, construction and equipment costs incurred to construct or renovate a single SCIF in an amount equal to the lesser of 50% of the costs or $200,000.

[(ii)**] (2)** The total amount of construction and equipment costs incurred to construct or renovate multiple SCIFs for which an individual or a corporation is eligible to claim as a credit against the State income tax is $500,000.

(c) (1) By September 15 of the calendar year following the end of the taxable year in which the costs 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) (i) The total amount of credits approved by the Department under subsection (b) of this section may not exceed $2,000,000 for any calendar year.

(ii) If the total amount of credits applied for by all individuals and corporations under subsection (b) of this section exceeds the maximum specified under subparagraph (i) of this paragraph, the Department shall approve a credit under subsection (b) of this section for each applicant in an amount equal to the product of multiplying the credit applied for by the applicant times a fraction:

1. the numerator of which is the maximum specified under subparagraph (i) of this paragraph; and

2. 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.

(3) By December 15 of the calendar year following the end of the taxable year in which the costs 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 this section.

(4) 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 costs were incurred; and

(ii) attach a copy of the Department's certification of the approved credit amount to the amended income tax return.

(d) If the credit allowed for any taxable year under this section exceeds the total tax otherwise due, an individual or corporation may apply the excess as a credit against the State income tax for succeeding taxable years until the full amount of the excess is used.

(e) The Department, in consultation with the Comptroller, shall adopt regulations to carry out the provisions of this section.

(f) In accordance with § 2.5–109 of the Economic Development Article, the Department shall submit a report on the number of credits certified in the previous calendar year.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 145 – *Education – Statewide Kindergarten Assessment – Completion*.

This bill alters the date by which the Kindergarten Readiness Assessment (KRA) must be completed when a local board of education, or a principal and teacher who are in mutual agreement, decide to assess all students entering kindergarten in a school year.

House Bill 654, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 145.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 145

AN ACT concerning

Education – Statewide Kindergarten Assessment – Completion

FOR the purpose of altering the date by which a certain statewide kindergarten assessment must be completed; and generally relating to the completion date of the statewide kindergarten assessment.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–210
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

7–210.

(a) Except as provided in subsection (b) of this section, a statewide kindergarten assessment that is administered with the purpose of measuring school readiness:

(1) Shall be limited to a representative sample, as determined by the Department of kindergarten students from within each local school system in the State; and

(2) May include an evaluation of:

(i) Language and literacy skills;

(ii) Academic knowledge in mathematics, science, and social studies;

(iii) Physical development; and

(iv) Social development.

(b) A principal and a teacher who are in mutual agreement, or a county board, may administer a statewide kindergarten assessment with the purpose of measuring school readiness if:

(1) The assessment is completed on or before **[**October 1**]** **OCTOBER 10**; and

(2) The aggregate results are returned within 45 days after administration of the assessment.

(c) (1) Except as provided in paragraph (2) of this subsection, a statewide kindergarten assessment may not be administered to an enrolled prekindergarten student.

(2) A statewide kindergarten assessment may be administered to an enrolled prekindergarten student by a school psychologist or other school–based professional who intends to use the results in order to identify a disability.

(d) The Department shall 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 Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 166 – *Baltimore City – Civilian Review Board*.

This bill alters the time limit for filing a complaint for excessive force with the Baltimore City Civilian Review Board. This bill also repeals the requirement for a complaint to be

witnessed by a notary public, and requires that the complaint be signed and sworn to, under the penalty of perjury, by the complainant.

House Bill 1037, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 166.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 166

AN ACT concerning

Baltimore City – Civilian Review Board

FOR the purpose of ~~altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing~~ modifying ~~certain time limits on filing a complaint~~ *a certain time limit on the filing of a certain complaint* with the Baltimore City Civilian Review Board; *repealing a requirement that a certain complaint be witnessed by a notary public; requiring a certain complaint to be sworn to, under penalty of perjury, by the complainant;* ~~authorizing the Board to review an incomplete complaint; authorizing a complainant to request that a complaint be confidential; providing that a certain report, under certain circumstances, remains subject to a certain review and certain recommendations by the Board; repealing a certain period of time within which the Board is required to submit a certain statement to the head of a certain law enforcement unit; repealing certain references to the Secretary of the Board;~~ making a certain stylistic ~~and technical changes; altering certain definitions~~ change; and generally relating to the Baltimore City Civilian Review Board.

~~BY repealing and reenacting, with amendments,~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–41~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~
~~(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)~~

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–42(a)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–43(b)~~, 16–44(c) through (e), and 16–48(a)~~ and 16–44(b) and (c)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

~~BY repealing~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–44(b)~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, without amendments,~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–45~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, with amendments,~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–46~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~
~~(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)~~

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

Article 4 – Baltimore City

~~16–41.~~

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

~~(b) **(1)** "Abusive language" means **[**the use of remarks intended to be demeaning, humiliating, mocking, insulting, or belittling that may or may not be based on the actual or perceived race, color, religion, sex, national origin, sexual orientation, or gender identity of an individual**]** **HARSH, VIOLENT, PROFANE, OR DEROGATORY LANGUAGE THAT WOULD DEMEAN THE DIGNITY OF AN INDIVIDUAL.**~~

~~**(2) "ABUSIVE LANGUAGE" INCLUDES PROFANITY AND RACIAL, ETHNIC, OR SEXIST SLURS.**~~

~~(c) (1) "Excessive force" means the use of greater physical force than reasonably necessary to repel an attacker or terminate resistance.~~

~~(2) "Excessive force" does not include force that is reasonably necessary to effect a lawful purpose.~~

~~(d) "False arrest" means an arrest made without legal justification.~~

~~(e) "False imprisonment" means the intentional restriction without legal justification of the freedom of movement of a person who is aware of the restriction and who does not consent.~~

~~(f) (1) "Harassment" means:~~

~~(i) repeated or unwarranted conduct that is intended to be overtly demeaning, humiliating, mocking, insulting, or belittling;~~ **[**~~or~~**]**

~~(ii) any conduct that is intended to cause unnecessary physical discomfort or injury~~**[**~~.~~**]; OR**

~~**(III) UNWARRANTED THREATS OR UNWARRANTED DEMANDS.**~~

~~(2) "Harassment" does not include conduct that is reasonably necessary to effect a lawful purpose.~~

~~(g) "Law enforcement unit" means:~~

~~(1) the Police Department of Baltimore City;~~

~~(2) the Baltimore City School Police;~~

~~(3) the Housing Authority of Baltimore City Police;~~

~~(4) the Baltimore City Sheriff's Department;~~

~~(5) the Baltimore City Watershed Police Force;~~

~~(6) the police force of the Baltimore City Community College; or~~

~~(7) the police force of Morgan State University.~~

~~(h) "Police officer" means a member of a law enforcement unit authorized to make arrests.~~

16–42.

(a) The Civilian Review Board of Baltimore City is established to provide a permanent, statutory agency in Baltimore City through which:

(1) complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers of a law enforcement unit shall be processed, investigated under § 16–46 of this subheading, and evaluated; and

(2) policies of a law enforcement unit may be reviewed.

16–43.

(b) At its first meeting each year, the Board shall elect a **[**Chairman**]** **CHAIR** and Secretary.

16–44.

[(b) ~~(1) Except as provided in paragraph (2) of this subsection, a~~ **A** complaint shall be made within 1 year of the action giving rise to the complaint.

~~(2) A complaint for excessive force shall be made within 90 days of the alleged act of excessive force.~~**]**

[(c)**]** ~~**(B)**~~ (1) **[**(i) The complaint shall be reduced to writing on a form authorized by the Board, signed by the complainant, and witnessed by a notary public.

(ii) In addition to the requirements of subparagraph (i) of this paragraph, a complaint for excessive force shall be sworn to by the complainant**]** **THE COMPLAINT SHALL BE REDUCED TO WRITING ON A FORM AUTHORIZED BY THE BOARD AND SIGNED AND SWORN TO, UNDER PENALTY OF PERJURY, BY THE COMPLAINANT**.

(2) The ~~**FORM FOR THE**~~ complaint ~~**THAT IS AUTHORIZED BY THE BOARD**~~ shall include ~~**REQUESTS FOR THE FOLLOWING INFORMATION**~~:

(i) the name of the complainant;

(ii) if known, the name of the police officer allegedly involved;

(iii) the date, time, and place of the alleged misconduct;

(iv) the circumstances of the alleged misconduct; and

(v) an explanation of the alleged misconduct that is deemed to be wrongful.

~~**(3) THE BOARD MAY REVIEW AN INCOMPLETE COMPLAINT.**~~

~~(4) A COMPLAINANT MAY REQUEST THAT THE COMPLAINT BE KEPT CONFIDENTIAL.~~

~~[(d)] (C) (1) One copy of the completed form shall be retained by the recipient of the complaint and a copy given to the complainant.~~

~~(2) [A] EXCEPT FOR COMPLAINTS REQUESTED TO BE CONFIDENTIAL UNDER SUBSECTION (B)(4) OF THIS SECTION, A copy shall be sent within 48 hours to the Internal Investigative Division and [the Secretary of] the Board.~~

~~(3) A COPY OF A COMPLAINT THAT IS REQUESTED TO BE CONFIDENTIAL UNDER SUBSECTION (B)(4) OF THIS SECTION:~~

~~(I) SHALL BE SENT WITHIN 48 HOURS TO THE BOARD; AND~~

~~(II) MAY NOT BE SENT TO THE INTERNAL INVESTIGATIVE DIVISION UNTIL AFTER THE BOARD SENDS ITS FINAL RECOMMENDATION TO THE HEAD OF THE APPROPRIATE LAW ENFORCEMENT UNIT.~~

~~(4) A RECIPIENT OF A COMPLAINT THAT IS REQUESTED TO BE CONFIDENTIAL MAY NOT DISCLOSE THE INFORMATION IN THE COMPLAINT.~~

~~[(e)] (D) The [Secretary of the] Board shall assign a consecutive number to each complaint, and within 48 hours, shall send a copy to each member of the Board. The [Secretary] BOARD shall also maintain on file a record of each complaint.~~

~~16–45.~~

~~(a) The Internal Investigative Division shall make a comprehensive investigation of each complaint and submit its Internal Investigative Division Report relating to the incident alleged to the Board within 90 days from the date of the complaint.~~

~~(b) For good cause shown, the Board may extend the time allowed to complete the report required under subsection (a) of this section.~~

~~16–46.~~

~~(a) (1) The Board shall review all complaints alleging police misconduct described in § 16–42(a)(1) of this subheading.~~

~~(2) The Board may investigate, simultaneously with the Internal Investigative Division, each complaint it deems appropriate and report its findings to the Internal Investigative Division.~~

~~**(3) THE BOARD SHALL INVESTIGATE INDEPENDENTLY A COMPLAINT THAT IS REQUESTED TO BE KEPT CONFIDENTIAL UNDER § 16–44(B)(4) OF THIS SUBTITLE.**~~

~~(b) (1) The Board may issue a subpoena, signed by the **[**Chairman**] CHAIR** of the Board, to compel:~~

~~(i) the attendance and testimony of a witness other than the accused officer; and~~

~~(ii) the production of any book, record, or other document.~~

~~(2) If a person fails to comply with a subpoena issued under this subsection, on petition of the Board, a court of competent jurisdiction may compel compliance with the subpoena.~~

~~(3) A police officer may submit a witness list to the Board 10 days or more before the Board takes testimony.~~

~~(4) The **[**Chairman or the Secretary of the Board**] CHAIR OR THE CHAIR'S DESIGNEE** may administer oaths in connection with any proceeding of the Board.~~

~~(5) The police officer or the police officer's representative shall have the right to question witnesses who testify about the complaint.~~

~~(6) All witness testimony shall be recorded.~~

~~(c) (1) The Board shall review the Internal Investigative Division's Report.~~

~~**(2) IF THE INTERNAL INVESTIGATIVE DIVISION INVESTIGATES AN EXCESSIVE FORCE INCIDENT WHERE THERE HAS NOT BEEN A FORMAL COMPLAINT FILED BY A CIVILIAN, THE INTERNAL INVESTIGATIVE DIVISION'S REPORT REMAINS SUBJECT TO REVIEW AND RECOMMENDATION BY THE CIVILIAN REVIEW BOARD IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.**~~

~~**[**(2)**] (3)** On review of the Internal Investigative Division Report and the Board's investigative report, if any, of each case, the Board shall recommend to the head of the appropriate law enforcement unit one of the following actions:~~

~~(i) sustain the complaint and may recommend the appropriate disciplinary action against the police officer;~~

~~(ii) not sustain the complaint;~~

~~(iii) exonerate the police officer;~~

~~(iv) find that the complaint is unfounded; or~~

~~(v) require further investigation by the Internal Investigative Division.~~

~~(d) The Board shall submit a statement of its findings and recommendations to the head of the appropriate law enforcement unit **[**within 30 days of receipt of the Internal Investigative Division Report**]**.~~

~~16–48.~~

~~(a) The head of the appropriate law enforcement unit has final decision–making responsibility for the appropriate disciplinary action in each case, but the head of the law enforcement unit may not take final action until after reviewing the recommendation of the Board under **[**§ 16–46(c)(2)**] § 16–46(C)(3)** of this subheading.~~

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 195 – *State Board of Physicians – Medical Professional Liability Insurance Coverage – Verification, Publication, and Notification Requirements (Janet's Law).*

This bill requires that the public practitioner profile for each licensed physician in the State be maintained by the State Board of Physicians, including information regarding medical professional liability insurance, and requires certain physicians to provide the State Board of Physicians with verification or documentation of information within 25 business days upon request of the Board. This bill also requires each licensed physician practicing medicine in the State to notify a patient in writing if the physician does not carry professional liability insurance coverage, or if the physician's coverage has lapsed for any period of time and has not been renewed.

House Bill 957, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 195.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 195

AN ACT concerning

~~Physicians – Licensure – Liability Coverage~~
State Board of Physicians – Medical Professional Liability Insurance Coverage – ~~Publication~~ *Verification, Publication, and Notification Requirements*
(Janet's Law)

FOR the purpose of ~~requiring licensed physicians to maintain certain minimum amounts of professional liability insurance or attest to certain coverage as a condition of licensure and comply with certain regulations; requiring a licensed physician to notify the State Board of Physicians of the cancellation of the insurance or coverage within a certain time period; requiring a physician to provide the Board with certain verification or documentation on a certain application and at any other time on request of the Board; authorizing the Board to adopt certain regulations; authorizing the Board to take certain actions if verification or other documentation of insurance or coverage is not provided as required by certain provisions of this Act; authorizing the Board to conduct certain audits for certain purposes; providing for the construction of certain provisions of this Act; making conforming changes; and generally relating to physicians and liability coverage~~ requiring *a certain physician to provide the State Board of Physicians with certain verification or documentation within a certain number of days after the physician receives a certain request from the Board; requiring* the public individual profile of certain licensees of the ~~State~~ Board ~~of Physicians~~ to include *certain* information *as* reported ~~by the licensee~~ to the Board, *including information* regarding whether the licensee maintains medical professional liability insurance; *requiring certain licensees practicing medicine in the State to notify patients in writing of certain information relating to medical professional liability insurance coverage; requiring the notification to be provided at certain visits and as part of certain informed consents and signed by a patient at certain times; requiring a licensee to retain the notification as part of certain records and, under certain circumstances, to post certain information in a certain location at the licensee's place of practice; requiring the Board to develop certain language for a certain required notification;* and generally relating to ~~the publication of medical professional liability insurance coverage information~~ *physicians and liability coverage*.

BY adding to
Article – Health Occupations
Section 14–312.1 and 14–508
Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~14–205(b)(1), 14–309, 14–316(c), 14–317, and 14–404(a)(41) and (42)~~ 14–411.1(b)(6)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

~~BY adding to~~
~~Article – Health Occupations~~
~~Section 14–312.1 and 14–404(a)(43) and (44)~~
~~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

~~14–205.~~

~~(b) (1) In addition to the powers set forth elsewhere in this title, the Board may:~~

~~(i) Adopt regulations to regulate the performance of acupuncture, but only to the extent authorized by § 14–504 of this title;~~

~~(ii) After consulting with the State Board of Pharmacy, adopt rules and regulations regarding the dispensing of prescription drugs by a licensed physician;~~

~~(iii) Subject to the Administrative Procedure Act, deny a license to an applicant or, if an applicant has failed to renew the applicant's license, refuse to renew or reinstate an applicant's license for:~~

~~1. Any of the reasons that are grounds for action under § 14–404 of this title; **[**or**]**~~

~~2. Failure to submit to a criminal history records check in accordance with § 14–308.1 of this title;~~

~~**3. FAILURE TO PROVIDE THE BOARD WITH VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS TITLE; OR**~~

~~**4. PROVIDING THE BOARD WITH FALSE VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS TITLE;**~~

~~(iv) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, conduct an unannounced inspection of the office of a physician or acupuncturist, other than an office of a physician or acupuncturist in a hospital, related institution, freestanding medical facility, or a freestanding birthing center, to determine compliance at that office with the Centers for Disease Control and Prevention's guidelines on universal precautions; and~~

~~(v) Contract with others for the purchase of administrative and examination services to carry out the provisions of this title.~~

~~14–309.~~

~~(a) To apply for a license, an applicant shall:~~

~~(1) Submit to a criminal history records check in accordance with § 14–308.1 of this subtitle;~~

~~**(2) PROVIDE THE BOARD WITH VERIFICATION OR OTHER DOCUMENTATION THAT THE APPLICANT MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS SUBTITLE;**~~

~~**[**(2)**] (3)** Submit an application to the Board on the form that the Board requires; and~~

~~**[**(3)**] (4)** Pay to the Board the application fee set by the Board.~~

~~(b) The Board may not release a list of applicants for licensure.~~

~~**14–312.1.**~~

~~**(A) THIS SECTION MAY NOT BE CONSTRUED TO APPLY TO, OR TO PREVENT THE RENDERING OF, EMERGENCY MEDICAL SERVICES BY A LICENSED PHYSICIAN IN ACCORDANCE WITH § 5–603 OF THE COURTS ARTICLE.**~~

~~**(B) EACH LICENSED PHYSICIAN SHALL:**~~

~~**(1) (I) MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE IN THE AMOUNTS OF:**~~

~~**1. $500,000 PER OCCURRENCE OR CLAIM; AND**~~

~~2. $1,500,000 PER ANNUAL AGGREGATE; OR~~

~~(II) ATTEST THAT THE LICENSED PHYSICIAN IS COVERED BY:~~

~~1. THE FEDERAL TORT CLAIMS ACT OR THE MARYLAND TORT CLAIMS ACT; OR~~

~~2. MEDICAL PROFESSIONAL LIABILITY INSURANCE PROVIDED BY THE LICENSED PHYSICIAN'S EMPLOYER IN THE AMOUNTS SPECIFIED IN ITEM (I) OF THIS ITEM;~~

~~(2) HAVE INSURANCE OR COVERAGE DESCRIBED IN ITEM (1)(I) OF THIS SUBSECTION THAT IS APPROPRIATE FOR THE INDIVIDUAL PHYSICIAN'S CIRCUMSTANCES; AND~~

~~(3) COMPLY WITH ANY REGULATIONS ADOPTED BY THE BOARD UNDER SUBSECTION (E) OF THIS SECTION.~~

~~(C) IF THE INSURANCE OR COVERAGE REQUIRED BY SUBSECTION (B) OF THIS SECTION IS CANCELED, THE LICENSED PHYSICIAN SHALL GIVE THE BOARD NOTICE OF THE CANCELLATION AT LEAST 10 BUSINESS DAYS BEFORE THE EFFECTIVE DATE OF THE CANCELLATION.~~

~~(D) (1) A PHYSICIAN SHALL PROVIDE THE BOARD WITH VERIFICATION OR OTHER DOCUMENTATION APPROVED BY THE BOARD THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY SUBSECTION (B) OF THIS SECTION:~~

~~(I) ON THE PHYSICIAN'S APPLICATION FOR:~~

~~1. AN INITIAL LICENSE UNDER § 14–309 OF THIS SUBTITLE; AND~~

~~2. RENEWAL OR REINSTATEMENT OF A LICENSE UNDER § 14–316 OR § 14–317 OF THIS SUBTITLE; AND~~

~~(II) AT ANY OTHER TIME ON REQUEST OF THE BOARD.~~

~~(2) IF A PHYSICIAN FAILS TO SUBMIT VERIFICATION OR DOCUMENTATION AS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION OR FAILS TO MAINTAIN THE INSURANCE OR COVERAGE REQUIRED BY SUBSECTION (B) OF THIS SECTION:~~

~~(I) THE BOARD SHALL PROVIDE THE PHYSICIAN WITH NOTICE; AND~~

~~(II) THE PHYSICIAN SHALL BE SUBJECT TO:~~

~~1. DENIAL OF LICENSURE BY THE BOARD UNDER § 14–205(B)(1)(III) OF THIS TITLE; OR~~

~~2. DISCIPLINE BY A DISCIPLINARY PANEL UNDER § 14–404 OF THIS TITLE.~~

~~(3) IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE BOARD, THE BOARD MAY ENFORCE THIS SUBSECTION BY RANDOMLY AUDITING A PORTION OF LICENSED PHYSICIANS TO DETERMINE COMPLIANCE WITH SUBSECTION (B) OF THIS SECTION.~~

~~(4) IN ADDITION TO ANY OTHER AVAILABLE PENALTY, AN APPLICANT FOR AN INITIAL LICENSE OR FOR RENEWAL OR REINSTATEMENT OF A LICENSE WHO PROVIDES FALSE VERIFICATION OR DOCUMENTATION OF INSURANCE OR COVERAGE SHALL BE SUBJECT TO:~~

~~(I) DENIAL OF LICENSURE BY THE BOARD UNDER § 14–205(B)(1)(III) OF THIS TITLE; OR~~

~~(II) DISCIPLINE BY A DISCIPLINARY PANEL UNDER § 14–404 OF THIS TITLE.~~

~~(E) THE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.~~

~~14–316.~~

~~(c) Before the license expires, the licensee periodically may renew it for an additional term, if the licensee:~~

~~(1) Otherwise is entitled to be licensed;~~

~~(2) PROVIDES THE BOARD WITH VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS SUBTITLE;~~

~~[(2)] (3) Pays to the Board a renewal fee set by the Board; and~~

~~[(3)] (4) Submits to the Board:~~

~~(i) A renewal application on the form that the Board requires; and~~

~~(ii) Satisfactory evidence of compliance with any continuing education requirements set under this section for license renewal.~~

~~14–317.~~

~~The Board shall reinstate the license of a physician who has failed to renew the license for any reason if the physician:~~

~~(1) Meets the renewal requirements of § 14–316 of this subtitle;~~

~~**(2) PROVIDES THE BOARD WITH VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS SUBTITLE;**~~

~~**[**(2)**] (3)** Pays to the Board a reinstatement fee set by the Board; and~~

~~**[**(3)**] (4)** Submits to the Board satisfactory evidence of compliance with the qualifications and requirements established under this title for license reinstatements.~~

~~14–404.~~

~~(a) Subject to the hearing provisions of § 14–405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:~~

~~(41) Performs a cosmetic surgical procedure in an office or a facility that is not:~~

~~(i) Accredited by:~~

~~1. The American Association for Accreditation of Ambulatory Surgical Facilities;~~

~~2. The Accreditation Association for Ambulatory Health Care; or~~

~~3. The Joint Commission on the Accreditation of Healthcare Organizations; or~~

~~(ii) Certified to participate in the Medicare program, as enacted by Title XVIII of the Social Security Act; **[**or**]**~~

~~(42) Fails to submit to a criminal history records check under § 14–308.1 of this title;~~

~~(43) FAILS TO:~~

~~(I) MAINTAIN THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS TITLE; OR~~

~~(II) PROVIDE THE BOARD WITH VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS TITLE; OR~~

~~(44) PROVIDES THE BOARD WITH FALSE VERIFICATION OR DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE OR COVERAGE REQUIRED BY § 14–312.1 OF THIS TITLE.~~

14–312.1.

ON REQUEST OF THE BOARD, A PHYSICIAN WHO REPORTS TO THE BOARD THAT THE PHYSICIAN MAINTAINS MEDICAL PROFESSIONAL LIABILITY INSURANCE FOR PURPOSES OF THE PUBLIC INDIVIDUAL PROFILE MAINTAINED BY THE BOARD UNDER § 14–411.1(B) OF THIS TITLE SHALL PROVIDE THE BOARD WITH VERIFICATION OR OTHER DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE WITHIN 25 BUSINESS DAYS AFTER THE PHYSICIAN RECEIVES A REQUEST FROM THE BOARD.

14–411.1.

(b) The Board shall create and maintain a public individual profile on each licensee that includes the following information:

(6) ~~Medical~~ ***AS REPORTED TO THE BOARD BY THE LICENSEE,*** education and practice information about the licensee including:

(i) The name of any medical school that the licensee attended and the date on which the licensee graduated from the school;

(ii) A description of any internship and residency training;

(iii) A description of any specialty board certification by a recognized board of the American Board of Medical Specialties or the American Osteopathic Association;

(iv) The name of any hospital where the licensee has medical privileges ~~as reported to the Board under § 14–413 of this subtitle~~;

(v) The location of the licensee's primary practice setting; **[**and**]**

(vi) Whether the licensee participates in the Maryland Medical Assistance Program**; AND**

(VII) WHETHER THE LICENSEE MAINTAINS MEDICAL PROFESSIONAL LIABILITY INSURANCE ~~**AS REPORTED BY THE LICENSEE TO THE BOARD**~~.

14–508.

(A) EACH LICENSEE PRACTICING MEDICINE IN THE STATE SHALL NOTIFY A PATIENT IN WRITING IF:

(1) THE LICENSEE DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

(2) THE LICENSEE'S MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE'S COVERAGE HAS NOT BEEN RENEWED.

(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER SUBSECTION (A) OF THIS SECTION MUST BE:

(1) PROVIDED:

(I) AT THE FIRST VISIT BY THE PATIENT DURING ANY PERIOD IN WHICH THE LICENSEE DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE, UNLESS THE VISIT IS FOR THE PURPOSE OF RECEIVING INCIDENTAL MEDICAL CARE THAT WILL BE RENDERED FREE OF CHARGE; AND

(II) AS PART OF EACH INFORMED CONSENT OBTAINED BEFORE ANY PROCEDURE OR OPERATION DISCUSSED OR OFFERED FOR THE PATIENT'S CONSIDERATION IS PERFORMED;

(2) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S VISIT OR THE INFORMED CONSENT IS SIGNED; AND

(3) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE'S PATIENT RECORDS.

(C) EACH LICENSEE PRACTICING MEDICINE IN THE STATE WHO DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PLACE OF PRACTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall develop appropriate language for the notification required under § 14–508 of the Health Occupations Article as enacted by Section 1 of this Act.

SECTION ~~2.~~ *3.* AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 209 – *Frederick County – Beer and Wine Licenses – Barbershops*.

This bill establishes a barbershop beer and wine license in Frederick County. It requires a licensee to be a holder of a barbershop permit, and authorizes the licensee to provide up to five ounces of beer and wine by the glass for on–premises consumption by a certain customer when a certain service is provided, or a certain fund–raising event is held. This bill also prohibits the license from being transferred to another location, specifies the hours that the license privilege may be exercised, specifies an annual license fee of $100, and provides that an establishment for which the license is issued is subject to alcohol awareness training requirements.

House Bill 179, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 209.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 209

AN ACT concerning

Frederick County – Beer and Wine Licenses – Barbershops

FOR the purpose of establishing in Frederick County a barbershop beer and wine license; requiring a recipient of the license to be a holder of a barbershop permit; authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain service is provided or a certain fund–raising event is held; prohibiting the license from being transferred to another location; specifying the hours that the license privilege may be exercised; specifying an annual license fee; providing that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 20–1001.2
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

20–102.

This title applies only in Frederick County.

20–1001.2.

(A) THERE IS A BARBERSHOP BEER AND WINE LICENSE.

(B) THE BOARD MAY ISSUE THE LICENSE TO A HOLDER OF A BARBERSHOP PERMIT UNDER § 4–501 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO PROVIDE NO MORE THAN 5 OUNCES OF BEER OR WINE BY THE GLASS FOR ON–PREMISES CONSUMPTION BY A BARBERSHOP CUSTOMER:

(1) WHEN THE CUSTOMER IS PROVIDED A SERVICE DESCRIBED IN § 4–101(L) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR

(2) WHILE THE CUSTOMER IS ATTENDING A FUND–RAISING EVENT AT THE BARBERSHOP FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS, IF REQUIRED, HAS ISSUED A PERMIT.

(D) THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.

(E) THE LICENSE HOLDER MAY PROVIDE BEER AND WINE FOR ON–PREMISES CONSUMPTION DURING NORMAL BUSINESS HOURS BUT NOT LATER THAN 9 P.M.

(F) THE ESTABLISHMENT FOR WHICH A BARBERSHOP LICENSE IS ISSUED IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 4–505 OF THIS ARTICLE, SUBJECT TO § 20–1903 OF THIS TITLE.

(G) THE ANNUAL LICENSE FEE IS $100.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 232 – *Education – Pregnant and Parenting Students – Attendance Policy*.

This bill requires each county board of education to develop an attendance policy for pregnant and parenting students, which shall be published on the county board's web site. At a minimum, the attendance policy will provide for a number of lawful absences due to pregnancy or parenting needs, as well as authorize the completion and submission of make–up work.

House Bill 616, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 232.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 232

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

FOR the purpose of specifying that certain absences from school are lawful absences under certain circumstances; requiring each county board of education to develop a certain attendance policy for pregnant and parenting students *that, at a minimum, excuses certain absences under certain circumstances and provides a certain number of days of excused absences for certain students under certain circumstances; authorizing certain schools to allow certain students to make up the work that the student missed in a certain time period and to choose the method by which to make up the work that the student missed; requiring each county board to publish its attendance policy for pregnant and parenting students on the county board's Web site* ~~that excuses certain absences under certain circumstances and provides a certain number of days of excused absences for certain students under certain circumstances; requiring certain schools to allow certain students to make up the work that the student missed in a certain time period and to choose the method by which to make up the work that the student missed~~; and generally relating to absences from school for pregnant and parenting students.

BY adding to
Article – Education
Section 7–301.1
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

7–301.1.

(A) A STUDENT'S ABSENCE DUE TO A STUDENT'S PREGNANCY OR PARENTING NEEDS IS A LAWFUL ABSENCE *AS PROVIDED UNDER* ~~**AS PROVIDED UNDER IF TAKEN IN ACCORDANCE WITH A POLICY ADOPTED BY A COUNTY BOARD UNDER SUBSECTION (B) OF**~~ **THIS SECTION.**

(B) EACH COUNTY BOARD SHALL DEVELOP A WRITTEN ATTENDANCE POLICY FOR PREGNANT AND PARENTING STUDENTS *THAT, AT A MINIMUM, MEETS*

THE REQUIREMENTS OF THIS SECTION ~~THAT MEETS THE REQUIREMENTS OF THIS SECTION~~.

(C) (1) THE POLICY DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION SHALL:

(I) EXCUSE ALL ABSENCES DUE TO PREGNANCY– OR PARENTING–RELATED CONDITIONS, INCLUDING ABSENCES FOR:

1. LABOR;

2. DELIVERY;

3. RECOVERY; AND

4. PRENATAL AND POSTNATAL MEDICAL APPOINTMENTS;

(II) PROVIDE AT LEAST 10 DAYS OF EXCUSED ABSENCES FOR A PARENTING STUDENT AFTER THE BIRTH OF THE STUDENT'S CHILD;

(III) EXCUSE ANY PARENTING–RELATED ABSENCES DUE TO AN ILLNESS OR A MEDICAL APPOINTMENT OF THE STUDENT'S CHILD, INCLUDING UP TO 4 DAYS OF ABSENCES PER SCHOOL YEAR FOR WHICH THE SCHOOL MAY NOT REQUIRE A NOTE FROM A PHYSICIAN; AND

(IV) EXCUSE ANY ABSENCE DUE TO A LEGAL APPOINTMENT INVOLVING THE PREGNANT OR PARENTING STUDENT THAT IS RELATED TO FAMILY LAW PROCEEDINGS, INCLUDING ADOPTION, CUSTODY, AND VISITATION.

(2) IN ADDITION TO HOME AND HOSPITAL SERVICES, THE SCHOOL MAY ALLOW THE STUDENT TO:

(I) MAKE UP THE WORK THAT THE STUDENT MISSED IN A TIME PERIOD THAT EQUALS AT LEAST AS MANY DAYS THAT THE STUDENT WAS ABSENT; AND

(II) CHOOSE ONE OF THE FOLLOWING ALTERNATIVES TO MAKE UP WORK THAT THE STUDENT MISSED:

1. RETAKE A SEMESTER;

2. PARTICIPATE IN AN ONLINE COURSE CREDIT RECOVERY PROGRAM; OR

3. ALLOW THE STUDENT 6 WEEKS TO CONTINUE AT THE SAME PACE AND FINISH AT A LATER DATE.

(3) EACH COUNTY BOARD SHALL PUBLISH ITS WRITTEN ATTENDANCE POLICY FOR PREGNANT AND PARENTING STUDENTS ON THE COUNTY BOARD'S WEB SITE.

~~(C) (1) THE POLICY DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION SHALL:~~

~~(I) EXCUSE ALL ABSENCES DUE TO PREGNANCY– OR PARENTING–RELATED CONDITIONS, INCLUDING ABSENCES FOR:~~

~~1. LABOR;~~

~~2. DELIVERY;~~

~~3. RECOVERY; AND~~

~~4. PRENATAL AND POSTNATAL MEDICAL APPOINTMENTS;~~

~~(II) EXCUSE ANY PREGNANCY–RELATED ABSENCES THAT ARE DEEMED MEDICALLY NECESSARY BY THE STUDENT'S PHYSICIAN;~~

~~(III) PROVIDE AT LEAST 10 DAYS OF EXCUSED ABSENCES FOR A PARENTING STUDENT AFTER THE BIRTH OF THE STUDENT'S CHILD;~~

~~(IV) EXCUSE ANY PARENTING–RELATED ABSENCES DUE TO AN ILLNESS OR A MEDICAL APPOINTMENT OF THE STUDENT'S CHILD, INCLUDING UP TO 4 DAYS OF ABSENCES PER SCHOOL YEAR FOR WHICH THE SCHOOL MAY NOT REQUIRE A NOTE FROM A PHYSICIAN; AND~~

~~(V) EXCUSE ANY ABSENCE DUE TO A LEGAL APPOINTMENT INVOLVING THE PREGNANT OR PARENTING STUDENT THAT IS RELATED TO FAMILY LAW PROCEEDINGS, INCLUDING ADOPTION, CUSTODY, AND VISITATION.~~

~~(2) AT THE CONCLUSION OF ANY PREGNANCY– OR PARENTING–RELATED PERIOD OF ABSENCE, THE SCHOOL SHALL ALLOW THE STUDENT TO:~~

~~(I) MAKE UP THE WORK THAT THE STUDENT MISSED IN A TIME PERIOD THAT EQUALS AT LEAST AS MANY DAYS THAT THE STUDENT WAS ABSENT; AND~~

~~(II) CHOOSE ONE OF THE FOLLOWING ALTERNATIVES TO MAKE UP WORK THAT THE STUDENT MISSED:~~

~~1. RETAKE A SEMESTER;~~

~~2. PARTICIPATE IN AN ONLINE COURSE CREDIT RECOVERY PROGRAM; OR~~

~~3. ALLOW THE STUDENT 6 WEEKS TO CONTINUE AT THE SAME PACE AND FINISH AT A LATER DATE.~~

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 233 – *Maryland Council on Advancement of School–Based Health Centers*.

This bill transfers the Maryland Council on Advancement of School–Based Health Centers from the State Department of Education to the Department of Health and Mental Hygiene. This bill requires the Maryland Community Health Resources Commission to provide staff support for the Council and authorizes the Commission to seek expert assistance in school–based health care to provide additional staffing resources to the Commission and Council. In addition, the Council is required to report certain findings and recommendations to the Commission on or before December 31 of each year.

House Bill 221, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 233.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 233

AN ACT concerning

Maryland Council on Advancement of School–Based Health Centers

FOR the purpose of transferring the Maryland Council on Advancement of School–Based Health Centers from the State Department of Education to the Department of Health and Mental Hygiene; requiring the Maryland Community Health Resources Commission to provide staff support for the Council; authorizing the Commission to seek certain assistance to provide additional staffing resources to the Commission and the Council; requiring the Council to report certain findings and recommendations to the Commission on or before a certain date each year; defining a certain term; making conforming changes; and generally relating to the Maryland Council on Advancement of School–Based Health Centers.

BY transferring
Article – Education
Section 7–4A–01 through 7–4A–05, respectively, and the subtitle "Subtitle 4A. Maryland Council on Advancement of School–Based Health Centers", respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
to be
Article – Health – General
Section 19–22A–01 through 19–22A–05, respectively, and the subtitle "Subtitle 22A. Maryland Council on Advancement of School–Based Health Centers", respectively
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–22A–01, 19–22A–02, 19–22A–03(a), and 19–22A–05
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 7–4A–01 through 7–4A–05, respectively, and the subtitle "Subtitle 4A. Maryland Council on Advancement of School–Based Health Centers" of Article – Education of the Annotated Code of Maryland be transferred to be Section(s) 19–22A–01 through 19–22A–05, respectively, and the subtitle "Subtitle 22A. Maryland Council on

Advancement of School–Based Health Centers" of Article – Health – General of the Annotated Code of Maryland.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

19–22A–01.

(A) In this subtitle**[**,**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(B) "COMMISSION" MEANS THE MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION.

(C) "Council" means the Maryland Council on Advancement of School–Based Health Centers.

19–22A–02.

(a) There is a Maryland Council on Advancement of School–Based Health Centers in the Department.

(b) The purpose of the Council is to improve the health and educational outcomes of students who receive services from school–based health centers by advancing the integration of school–based health centers into:

(1) The health care system at the State and local levels; and

(2) The educational system at the State and local levels.

(c) (1) Staff support for the Council shall be provided by the **[**Department**]** **COMMISSION**.

(2) The **[**Department**]** **COMMISSION** may seek the assistance of organizations with expertise in school–based health care or other matters within the duties of the Council provided in **[**§ 7–4A–05**]** **§ 19–22A–05** of this subtitle to provide additional staffing resources to the **[**Department**]** **COMMISSION** and the Council.

19–22A–03.

(a) The Council consists of the following 15 voting members and 6 ex officio members:

(1) One member of the Senate of Maryland, appointed by the President of the Senate, as an ex officio member;

(2) One member of the House of Delegates, appointed by the Speaker of the House, as an ex officio member;

(3) The Secretary of Health and Mental Hygiene, or a designee of the Secretary, as an ex officio member;

(4) The State Superintendent of Schools as an ex officio member;

(5) The Executive Director of the Maryland Health Benefit Exchange as an ex officio member;

(6) The Chairman of the **[**Maryland Community Health Resources**]** Commission, or a designee of the Chairman, as an ex officio member; and

(7) The following 15 members, appointed by the Governor:

(i) The President of the Maryland Assembly on School–Based Health Care, or a designee of the President;

(ii) Three representatives of school–based health centers, nominated by the Maryland Assembly on School–Based Health Care:

1. From a diverse array of sponsoring organizations; and

2. For at least one of the representatives, from a nursing background;

(iii) One representative of the Public Schools Superintendents Association of Maryland;

(iv) One representative of the Maryland Association of Boards of Education;

(v) One elementary school principal of a school that has a school–based health center;

(vi) One secondary school principal of a school that has a school–based health center;

(vii) One representative of the Maryland Hospital Association;

(viii) One representative of the Maryland Association of County Health Officers;

(ix) One representative of a federally qualified health center, nominated by the Mid–Atlantic Association of Community Health Centers;

(x) One representative of a managed care organization;

(xi) One representative of a commercial health insurance carrier;

(xii) One pediatrician, nominated by the Maryland Chapter of the American Academy of Pediatrics; and

(xiii) One parent or guardian of a student who utilizes services at a school–based health center.

19–22A–05.

(a) The Council shall develop policy recommendations to improve the health and educational outcomes of students who receive services from school–based health centers by:

(1) Supporting local community efforts to establish or expand school–based health center capacity in primary care, behavioral health, and oral health;

(2) Integrating school–based health centers into existing and emerging patient–centered models of care;

(3) Promoting the inclusion of school–based health centers in networks of managed care organizations and commercial health insurance carriers;

(4) Advancing the public health goals of State and local health officials;

(5) Promoting the inclusion of school–based health centers into networks of school health services and coordinated student service models for the range of services offered in school settings;

(6) Supporting State and local initiatives to promote student success;

(7) Reviewing and revising best practice guidelines; and

(8) Supporting the long–term sustainability of school–based health centers.

(b) The Council shall review the collection and analysis of school–based health center data collected by the **STATE** Department **OF EDUCATION** to:

(1) Make recommendations on best practices for the collection and analysis of the data; and

(2) Provide guidance on the development of findings and recommendations based on the data.

(c) The Council shall conduct other activities the Council considers appropriate to meet the purpose of the Council.

(d) On or before December 31 of each year, the Council shall report the findings and recommendations of the Council to the Department of Health and Mental Hygiene, the State Department of Education, **THE COMMISSION,** and, in accordance with § 2–1246 of the State Government Article, the General Assembly on improving the health and educational outcomes of students who receive services from school–based health centers.

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, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 234 – *St. Mary's County – Land Records – Repeal.*

This bill repeals a certain provision of law, superseded by State law, regarding the filing of a deed, mortgage, or deed of trust, for inclusion in the land records of St. Mary's County.

House Bill 404, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 234.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 234

AN ACT concerning

St. Mary's County – Land Records – Repeal

FOR the purpose of repealing a certain provision of law concerning the preparation of certain documents submitted for inclusion in the land records of St. Mary's County; and generally relating to land records in St. Mary's County.

BY repealing
The Public Local Laws of St. Mary's County
Section 73–1 and the chapter "Chapter 73. Land Records"
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 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

[Chapter 73.
Land Records**]**

[73–1.

The Clerk of the Circuit Court for St. Mary's County shall not accept for inclusion among the land records of St. Mary's County any deed, assignment, mortgage, deed of trust or other document concerning real property unless such instrument has been prepared by an attorney, duly admitted to practice before the Court of Appeals of Maryland, or by an employee of such attorney or by one (1) of the parties named in the instrument.**]**

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 246 – *Somerset County – State's Attorney – Annual Salary*.

This bill increases the annual salary of the Somerset County State's Attorney, upon the next term of office and pursuant to constitutional requirements.

House Bill 439, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 246.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 246

AN ACT concerning

Somerset County – State's Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State's Attorney for Somerset County; providing for the application of this Act; and generally relating to the salary of the State's Attorney for Somerset County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–420(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–420(b)
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

15–420.

(a) This section applies only in Somerset County.

(b) The State's Attorney's salary is **[**$98,000**] $113,066**.

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 Somerset 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 Somerset 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, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 276 – *Inheritance Tax – Exemption – Evidence of Domestic Partnership*.

This bill alters the type of documentation that must be provided as evidence of a domestic partnership in order to exempt from the State inheritance tax the value of a certain primary residence that passes to the domestic partner of a decedent.

House Bill 1104, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 276.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 276

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership

FOR the purpose of establishing that a certain affidavit ~~is not required~~ <u>or certain other proof may be provided</u> as evidence of a domestic partnership to qualify for an exemption from the inheritance tax on the receipt of an interest in certain real

property held in joint tenancy that passes from a decedent to a domestic partner; altering a certain definition; and generally relating to the inheritance tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–203(l)
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 – Tax – General

7–203.

(l) (1) (i) In this subsection the following words have the meanings indicated.

(ii) "Domestic partner" means an individual with whom another individual has established a domestic partnership.

(iii) "Domestic partnership" means a relationship between two individuals that is a domestic partnership within the meaning of § **[**6–101**] 6–101(A)** of the Health – General Article.

(2) If the domestic partner of a decedent provides ~~evidence of the domestic partnership as described in § [6–101(b)]~~ **THE AFFIDAVIT DESCRIBED IN § 6–101(B)(1) OF THE HEALTH – GENERAL ARTICLE OR ANY TWO OF THE PROOFS OF DOMESTIC PARTNERSHIP LISTED UNDER 6–101(B)(2)** of the Health – General Article, the inheritance tax does not apply to the receipt of an interest in a joint primary residence that:

(i) at the time of death was held in joint tenancy by the decedent and the domestic partner; and

(ii) passes from the decedent to or for the use of the domestic partner.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 299 – *Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent Knolls*.

This bill creates an exception from motor vehicle registration requirements, under certain times and circumstances, for golf carts on county highways within the community of Golden Beach Patuxent Knolls, St. Mary's County. This bill also authorizes the St. Mary's County Department of Public Works and Transportation, in consultation with the State Highway Administration, to designate the county highways in the community of Golden Beach Patuxent Knolls on which a person may operate a golf cart.

House Bill 176, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 299.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 299

AN ACT concerning

Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent Knolls

FOR the purpose of creating an exception from motor vehicle registration requirements under certain circumstances for golf carts on county highways in the community of Golden Beach Patuxent Knolls, St. Mary's County; providing that a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls may operate the golf cart only on certain county roads at certain times and only if the golf cart is equipped with certain lighting devices; requiring a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls to keep as far to the right of the roadway as feasible and possess a valid driver's license; authorizing the St. Mary's County Department of Public Works and Transportation~~, in consultation with the State Highway Administration,~~ to designate the county highways in the community of Golden Beach Patuxent Knolls on which a person may operate a golf cart; and generally relating to an exception to motor vehicle registration requirements for golf carts in the community of Golden Beach Patuxent Knolls, St. Mary's County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–402(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 21–104.3
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

13–402.

(a) (1) Except as otherwise provided in this section or elsewhere in the Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway shall be registered under this subtitle.

(c) Registration under this subtitle is not required for:

(1) A vehicle that is driven on a highway:

(i) In conformity with the provisions of this title relating to manufacturers, transporters, dealers, secured parties, owners or operators of special mobile equipment, or nonresidents; or

(ii) Under a temporary registration card issued by the Administration;

(2) A vehicle owned and used by the United States, unless an authorized officer or employee of the United States requests registration of the vehicle;

(3) A farm tractor or any farm equipment;

(4) A vehicle the front or rear wheels of which are lifted from the highway;

(5) A towed vehicle that is attached to the towing vehicle by a tow bar and for which no driver is necessary;

(6) A vehicle owned by and in the possession of a licensed dealer for purpose of sale;

(7) A vehicle owned by a new resident of this State during the first 60 days of residency provided the vehicle displays valid registration issued by the jurisdiction of the resident's former domicile;

(8) New vehicles being operated as part of a shuttle, as defined in § 13–626 of this title, while following a registered vehicle displaying a shuttle permit issued by the Administration;

(9) A vehicle operated in connection with maritime commerce exclusively within any terminal owned or leased by the Maryland Port Administration;

(10) A snowmobile that is operated on highways and roadways as prescribed by § 25–102(a)(14) of this article;

(11) A golf cart that is operated on a highway on Smith Island, provided that the golf cart is equipped with lighting devices as required by the Administration if it is operated on a highway between dusk and dawn;

(12) A golf cart that is operated on a highway in the City of Crisfield, Somerset County, in accordance with § 21–104.2 of this article;

(13) **A GOLF CART THAT IS OPERATED ON A COUNTY HIGHWAY IN THE COMMUNITY OF GOLDEN BEACH PATUXENT KNOLLS, ST. MARY'S COUNTY, IN ACCORDANCE WITH § 21–104.3 OF THIS ARTICLE;**

(14) A golf cart that is operated on an Allegany County highway as allowed by the county under § 25–102(a)(16) of this article; or

[(14)**] (15)** A vehicle owned by an accredited consular or diplomatic officer of a foreign government and operated for official or personal purposes when the vehicle displays a valid diplomatic license plate issued by the United States government.

21–104.3.

(A) A PERSON WHO OPERATES A GOLF CART ON A COUNTY HIGHWAY IN THE COMMUNITY OF GOLDEN BEACH PATUXENT KNOLLS, ST. MARY'S COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER § 13–402(C)(13) OF THIS ARTICLE:

(1) MAY OPERATE THE GOLF CART ONLY:

(I) ON A COUNTY HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED LIMIT DOES NOT EXCEED 35 MILES PER HOUR;

(II) BETWEEN DAWN AND DUSK; AND

(III) IF THE GOLF CART IS EQUIPPED WITH LIGHTING DEVICES AS REQUIRED BY THE ADMINISTRATION;

(2) SHALL KEEP THE GOLF CART AS FAR TO THE RIGHT OF THE ROADWAY AS FEASIBLE; AND

(3) SHALL POSSESS A VALID DRIVER'S LICENSE.

(B) THE ST. MARY'S COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION~~, IN CONSULTATION WITH THE STATE HIGHWAY ADMINISTRATION,~~ MAY DESIGNATE THE COUNTY HIGHWAYS IN THE COMMUNITY OF GOLDEN BEACH PATUXENT KNOLLS ON WHICH A PERSON MAY OPERATE A GOLF CART.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 323 – *Carroll County – Public Facilities Bonds*.

This bill authorizes and empowers the County Commissioners of Carroll County to borrow not more than $25,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale, at public or private sale, of its general obligation bonds.

House Bill 251, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 323.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 323

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than $25,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, 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; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; 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 Carroll 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 and public works projects, including, but not limited to, public works projects such as roads, bridges and storm drains, public school buildings and facilities, landfills, Carroll Community College buildings and facilities, public operational buildings and facilities such as buildings and facilities for County administrative use, public safety, health and social

services, libraries, refuse disposal buildings and facilities, water and sewer infrastructure facilities, easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural land or woodland, and parks and recreation buildings and facilities, 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 construction, improvements or development of public facilities described in Section 1 of this Act, to make loans to each and every volunteer fire department in the County upon such terms and conditions as may be determined by the County for the purpose of financing certain fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments, and to borrow money and incur indebtedness for those purposes, at one time or from time to time, in an amount not exceeding, in the aggregate, $25,000,000 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, including water and sewer projects, the fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County 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, 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 Carroll County; the manner of executing and sealing the bonds, which may be by facsimile; the terms and conditions of any loans made to volunteer fire departments; 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 subsequent resolutions. 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 the officer 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, as amended.

The borrowing authorized by this Act may also be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring easements or similar or related rights in land that restrict the use of agricultural land or woodland to maintain the character of the land as agricultural or woodland. The form of installment purchase obligations, the manner of accomplishing the acquisition of easements, which may be the direct exchange of installment purchase obligations for easement, and all matters incident to the execution and delivery of the installment purchase obligations and acquisition of the easements by the County shall be determined in the resolution. Except where the provisions of this Act would be inapplicable to installment purchase obligations, the term "bonds" used in this Act shall include installment purchase obligations and matters pertaining to the bonds under this Act, such as the security for the payment of the bonds, the exemption of the bonds from State, County, municipal, or other taxation, and authorization to issue refunding bonds and the limitation on the aggregate principal amount of bonds authorized for issuance, shall be applicable to installment purchase obligations.

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 Comptroller of Carroll County or such other official of Carroll 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, including water and sewer projects, to make loans to volunteer fire departments for the financing of fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County 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, including water and sewer projects, or to the making of loans for fire or emergency–related equipment, buildings, or other facilities of volunteer fire departments in the County, 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 as loan repayments from volunteer fire departments and 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, including the water and sewer projects or the making of loans for the aforementioned fire or emergency–related equipment, buildings, or other facilities for volunteer fire departments in the County 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 herein above 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 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 Carroll 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 Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 359 – *Education – Maryland Meals for Achievement In–Classroom Breakfast Program – Administration (Maryland Meals for Achievement for Teens Act of 2017).*

This bill authorizes secondary schools that participate in the Maryland Meals for Achievement In–classroom Breakfast Program to serve breakfast in any part of the school, including from "Grab and Go" carts, and clarifies when breakfast must be served.

House Bill 257, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 359.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 359

AN ACT concerning

Education – Maryland Meals for Achievement In–Classroom Breakfast Program – Administration
(Maryland Meals for Achievement for Teens Act of 2017)

FOR the purpose of authorizing participating secondary schools to serve breakfast in any part of the school, including from "Grab and Go" carts; clarifying when breakfast in the classroom should be served; and generally relating to the Maryland Meals for Achievement In–Classroom Breakfast Program.

BY repealing and reenacting, with amendments,
Article – Education

Section 7–704
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

7–704.

(a) In this section, "Program" means the Maryland Meals for Achievement In–Classroom Breakfast Program.

(b) (1) There is a school breakfast program in the State, known as the Maryland Meals for Achievement In–Classroom Breakfast Program.

(2) The Program is a joint effort of the Department and the county boards or sponsoring agencies for eligible nonpublic schools.

(c) (1) The purpose of the Program is to provide funding for a school that makes an in–classroom breakfast available to all students in the school.

(2) The funding is intended to complement the funding received by a school from the federal government for a school breakfast program.

(d) The Department shall:

(1) Develop an application form for a school that desires to participate in the Program;

(2) Ensure that the schools that participate in the Program represent geographic and socioeconomic balance statewide;

(3) Ensure that a school that participates in the Program is a school at which at least 40% of the registered students are eligible for the federal free or reduced price meal program;

(4) Select schools to participate in the Program, ensuring that an annual evaluation of the Program is conducted by the Department;

(5) Annually review and set the meal reimbursement rate for schools that participate in the Program to complement the federal meal reimbursement rate determined under § 7–703 of this subtitle; and

(6) Disburse the Program funds to the county board or the sponsoring agency.

(e) A county board or a sponsoring agency for an eligible nonpublic school shall:

(1) Apply to the Department for funds for schools within the jurisdiction of the board or for schools that are under the sponsoring agency that:

(i) Are eligible to participate in the Program; and

(ii) Apply to the board or to the sponsoring agency to participate in the Program; and

(2) Submit an annual report to the Department on the Program, including the manner in which the funds have been expended.

(f) A school that participates in the Program shall:

(1) Implement an in–classroom breakfast program in which all students in the school may participate regardless of family income;

(2) Serve a breakfast that meets the guidelines of the Department and the nutritional standards of the United States Department of Agriculture for schools that participate in the federal school breakfast program;

(3) **[**Serve**] EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, SERVE** the breakfast in the classroom **[**upon**] AFTER** the arrival of students to the school;

(4) Collect the data that the county board or the sponsoring agency and the Department require from participants in the Program; and

(5) Submit an annual report to the county board or the sponsoring agency.

(G) SECONDARY SCHOOLS MAY SERVE BREAKFAST IN ANY PART OF THE SCHOOL, INCLUDING FROM "GRAB AND GO" CARTS AFTER THE ARRIVAL OF STUDENTS TO THE SCHOOL.

[(g)**](H)** The employee organization that is the exclusive representative of the certificated public school employees of a county board and the employee organization that is the exclusive representative of the noncertificated employees of a county board and the county board shall negotiate the terms of the participation of the employees in the Program.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 361 – *Hunger–Free Schools Act of 2017*.

This bill extends through fiscal 2022 the provision in law that altered the number of students used to calculate the State compensatory education grant for primary and secondary education for local boards of education that participate in the U.S. Department of Agriculture Community Eligibility Provision.

House Bill 287, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 361.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 361

AN ACT concerning

Hunger–Free Schools Act of 2017

FOR the purpose of altering a certain definition for certain fiscal years to determine the number of students used to calculate a certain grant for schools that participate in a certain federal program; ~~requiring the superintendent of each local school system to report certain information to the General Assembly on or before a certain date;~~ and generally relating to the compensatory education grant for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–207(a)(3)
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

5–207.

(a) (3) (i) Except as provided in subparagraph (ii) of this paragraph, "compensatory education enrollment count" means the number of students eligible for free or reduced price meals for the prior fiscal year.

(ii) For fiscal years 2017 **[**and 2018**]** **THROUGH** **2022**, "compensatory education enrollment count" means:

1. The number of students eligible for free or reduced price meals for the prior fiscal year; or

2. For county boards that participate, in whole or in part, in the United States Department of Agriculture community eligibility provision, the number of students equal to the greater of:

A. The sum of the number of students in participating schools identified by direct certification for the prior fiscal year, plus the number of students identified by the income information provided by the family to the school system on an alternative form developed by the Department for the prior fiscal year, plus the number of students eligible for free and reduced price meals from any schools not participating in the community eligibility provision for the prior fiscal year; or

B. Subject to subparagraph (iii) of this paragraph, the number of students eligible for free and reduced price meals at schools not participating in the community eligibility provision for the prior fiscal year, plus the product of the percentage of students eligible for free and reduced price meals at participating schools for the fiscal year prior to opting into the community eligibility provision multiplied by the prior fiscal year enrollment.

(iii) For the purpose of the calculation under subparagraph (ii)2B of this paragraph, the schools participating in the community eligibility provision during the pilot year may use the percentage of students identified for free and reduced price meals during the pilot year.

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 1, 2017, the superintendent of each local school system shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article:~~

~~(1) for each school in the local school system:~~

~~(i) the total enrollment;~~

~~(ii) the enrollment by free and reduced–price meals status;~~

~~(iii) the identified student percentage that would be used to determine eligibility to participate in the United States Department of Agriculture community eligibility provision; and~~

~~(iv) whether each school is currently participating in the Maryland Meals for Achievement program and the amount of State funds provided under the program in the most recently completed fiscal year;~~

~~(2) for each school system that is not participating in the community eligibility provision in whole or in part:~~

~~(i) a summary of all meetings and public events held to discuss and gather feedback regarding whether the school system, in whole or in part, should elect to participate in the community eligibility provision;~~

~~(ii) a detailed financial analysis of participating, in whole or in part, in the community eligibility provision;~~

~~(iii) identified barriers to participating, in whole or in part, in the community eligibility provision, including, if applicable, the cost of overcoming the barrier; and~~

~~(iv) whether the principal or other appropriate administrator in a school that is eligible to participate in the community eligibility provision recommends that their school participate, including:~~

~~1. the anticipated impact on students, families, and school staff of students having access to free breakfast and lunch under the community eligibility provision; and~~

~~2. if student attendance, tardiness, engagement, test scores, or behavior problems are a concern in the school, the extent of that problem, identified causes, and how participating in the community eligibility provision might influence these concerns; and~~

~~(3) for each school system that is participating in the community eligibility provision in whole or in part:~~

~~(i) for each participating school, a detailed accounting of federal reimbursement received for meals for the fiscal years in which the school participated and cost of providing the meals; and~~

~~(ii) for each participating school, based on information provided by the principal or other appropriate administrator:~~

~~1. the positive and negative impacts of participating;~~

~~2. the impact on students, families, and school staff of students having access to free breakfast and lunch under the community eligibility provision; and~~

~~3. whether, since participating in the community eligibility provision, there has been a change in student attendance, tardiness, engagement, test scores, or behavior, including data to show the change.~~

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 386 – *Pollinator Habitat Plans – Plan Contents – Requirements and Prohibition.*

This bill requires that pollinator habitat plans established by the Department of Natural Resources, Maryland Environmental Service, and State Highway Administration must include specific best management practices for the designation of certain habitat areas. This bill also prohibits the use of certain pesticides, seeds, or plants in the pollinator habitat plan, or a certain pollinator habitat area.

House Bill 830, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 386.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 386

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – ~~Requirement~~ Requirements and Prohibition

FOR the purpose of requiring a certain pollinator habitat plan to include certain best management practices for the designation of certain habitat areas; requiring that a certain pollinator habitat plan established by the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration be as protective of pollinators as the Department of Agriculture's managed pollinator protection plan; prohibiting the use of certain pesticides, seeds, or plants in ~~the pollinator habitat plan~~ a certain pollinator habitat area, subject to certain exceptions; defining a certain term; making conforming changes; and generally relating to pollinator habitat plans.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–1801
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 – Agriculture

2–1801.

(a) **IN THIS SECTION, "NEONICOTINOID PESTICIDE" HAS THE MEANING STATED IN § 5–2A–01 OF THIS ARTICLE.**

(B) (1) On or before July 1, 2017, subject to paragraph (2) of this subsection, the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration, in consultation with the Department, each shall establish a pollinator habitat plan.

(2) A pollinator habitat plan required under this subsection:

(i) Shall include best management practices for the **DESIGNATION,** maintenance, creation, enhancement, and restoration of pollinator ~~habitats~~ **HABITAT AREAS**;

(ii) Shall **[**adhere to**]** **BE AS PROTECTIVE OF POLLINATORS AS** the Department's managed pollinator protection plan;

(iii) May not require an action on land that is inconsistent with any federal, State, or local law, regulation, rule, or guidance that applies to the land; **[**and**]**

(iv) May not require the creation of pollinator habitat on productive farmland**; AND**

(V) ~~MAY~~ EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, MAY NOT ALLOW THE USE OF THE FOLLOWING PESTICIDES, SEEDS, OR PLANTS IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA IN ACCORDANCE WITH A POLLINATOR HABITAT PLAN:

1. NEONICOTINOID PESTICIDES;

2. PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS; OR

3. SEEDS OR PLANTS TREATED WITH A NEONICOTINOID PESTICIDE.

(3) (I) PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS THAT ARE NOT NEONICOTINOID PESTICIDES MAY BE USED IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA UNDER A POLLINATOR HABITAT PLAN IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE DETERMINES THAT THE USE IS NECESSARY TO RESPOND TO A SPECIFIC INSTANCE OF THREAT TO PUBLIC HEALTH.

(II) A POLLINATOR HABITAT PLAN REQUIRED UNDER THIS SUBSECTION MAY NOT RESTRICT A FARMER, OR A PERSON WORKING UNDER THE SUPERVISION OF A FARMER, FROM USING THE PESTICIDES, SEEDS, OR PLANTS SPECIFIED UNDER PARAGRAPH (2)(V) OF THIS SUBSECTION FOR AGRICULTURAL PURPOSES, INCLUDING:

1. CROP PRODUCTION;

2. LIVESTOCK;

3. POULTRY;

4. EQUINE; AND

5. NONCROP AGRICULTURAL FIELDS.

[(b)**] (C)** The Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration each shall:

(1) On or before September 1, 2017, make available to the public on its Web site the pollinator habitat plan established in accordance with subsection **[**(a)**] (B)** of this section; and

(2) On or before July 1, 2018, implement the pollinator habitat plan established in accordance with subsection **[**(a)**] (B)** of this section.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 394 – *St. Mary's County – Auditing Requirements – Repeal.*

This bill repeals certain provisions of local law regarding the appointment, salary, removal, and powers and duties of the county auditor for St. Mary's County. This bill also repeals certain provisions of local law concerning a specified annual audit and an accounting system in St. Mary's County.

House Bill 243, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 394.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 394

AN ACT concerning

St. Mary's County – Auditing Requirements – Repeal

FOR the purpose of repealing certain provisions of law that relate to the appointment, salary, removal, and powers of a county auditor for St. Mary's County; repealing

certain provisions of law concerning a certain annual audit and an accounting system in the county; and generally relating to auditing in St. Mary's County.

BY repealing
The Public Local Laws of St. Mary's County
Section 8–1, 8–2, and 8–4 and the chapter "Chapter 8. Auditor"
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 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

[Chapter 8.

Auditor.**]**

[8–1.

For the purpose of an annual audit of the official financial affairs of all persons and offices handling funds of St. Mary's County, on or before June 1 in each year, the County Commissioners of the county shall appoint a competent and reputable certified public accountant as Auditor, to conduct an audit in that year, at a salary which they shall determine and pay, together with his expenses, from a sum to be included for that purpose in the annual levy of taxes. The audit for that year shall be submitted to the County Commissioners by November 1. The Commissioners shall direct the Auditor to make an audit for the preceding fiscal year of the books, vouchers, accounts and records of each official who collects, receives, holds, deposits or disburses funds of the county, including the Treasurer, Sheriff and any other official handling the funds. The Commissioners may remove the auditor, in their discretion, and shall fill immediately all vacancies created by removal, death, resignation or otherwise.**]**

[8–2.

The officials whose finances are being so audited shall upon request produce, and the Auditor may require the production of, any and all books, vouchers, accounts and other records and papers in any way pertaining to said funds or an audit thereof; and the Auditor may summon, with or without directions to produce such books and records, and examine under oath or affirmation which he may administer, officials whose affairs are being so audited or any other person deemed necessary by him, upon the matters pertaining to said county funds or relating to the matters being audited; and for these purposes he shall have power to issue process compelling such witness to attend before him and produce his records and papers, which process shall be directed to, and served promptly by, the Sheriff of said county; and any person who shall refuse or neglect to produce any such books, vouchers, accounts or other records and papers, as required, or shall refuse to respond to the

summons, or to be sworn or affirmed, or, being sworn or affirmed, to answer the questions of said Auditor relating to said funds or the matters and finances to be audited, shall be guilty of a misdemeanor and, on conviction thereof before any court of competent jurisdiction, shall be fined, for each offense, not more than one hundred dollars ($100.00), provided that said Auditor must, wherever possible, require such production or such attendance and testimony at the office or place where the books and records are kept or where the official duties of the officials whose finances are being audited are principally carried on.**]**

[8–4.

Upon recommendation by said Auditor, the County Commissioners may direct and require the installation and maintenance of any system of bookkeeping or accounting by the officials subject to audit hereunder.**]**

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 429 – *Higher Education – Student Loan Notification Letter*.

This bill requires institutions of higher education that receive State funds to provide specified student loan information to each undergraduate enrolled in the institution who applies for federal student aid. This bill also requires that such information be provided annually, with the student's financial aid award notice.

House Bill 509, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 429.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 429

AN ACT concerning

Higher Education – Student Loan Notification Letter

FOR the purpose of requiring institutions of higher education that receive State funds to provide certain information to students regarding their education loans; requiring the education loan information to be provided annually~~, concurrent with the student's first tuition bill of a calendar year; authorizing students to choose the delivery method for education loan information; providing that the information shall include certain assumptions and; providing that certain information may be included in~~ *with* a certain notice; providing that certain information may include a certain ~~statements~~ statement; prohibiting an institution of higher education from incurring a certain liability, under certain circumstances; defining a certain term; providing for a delayed effective date; and generally relating to notification of education loans to students by institutions of higher education.

BY adding to
Article – Education
Section 18–115
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

18–115.

(A) (1) IN THIS SECTION, "EDUCATION LOAN" MEANS A DIRECT LOAN ~~OR LOAN INSURED OR GUARANTEED UNDER A FEDERAL OR PRIVATE PROGRAM~~ ADMINISTERED BY THE U.S. DEPARTMENT OF EDUCATION THAT IS MADE TO ASSIST A STUDENT IN OBTAINING A POSTSECONDARY EDUCATION.

(2) "EDUCATION LOAN" DOES NOT INCLUDE A PARENT PLUS LOAN OR A PRIVATE STUDENT LOAN.

(B) THIS SECTION APPLIES ONLY TO AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVES FUNDING FROM THE STATE.

(C) AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVES EDUCATION LOAN INFORMATION ~~FOR A STUDENT ENROLLED IN THE INSTITUTION~~ FROM THE U.S. DEPARTMENT OF EDUCATION SHALL PROVIDE TO ~~THE STUDENT:~~

~~(1) AN ESTIMATE OF THE TOTAL AMOUNT OF EDUCATION LOANS TAKEN OUT BY THE STUDENT;~~

~~(2) AN ESTIMATE OF:~~

~~(I) THE POTENTIAL TOTAL PAYOFF AMOUNT OF THE EDUCATION LOANS INCURRED OR A RANGE OF THE TOTAL PAYOFF AMOUNT; AND~~

~~(II) MONTHLY REPAYMENT AMOUNTS THAT A SIMILARLY SITUATED BORROWER MAY INCUR, INCLUDING PRINCIPAL AND INTEREST, FOR THE AMOUNT OF LOANS THE STUDENT HAS TAKEN OUT AT THE TIME THE INFORMATION IS PROVIDED;~~

~~(3) THE PERCENTAGE OF THE BORROWING LIMIT THE STUDENT HAS REACHED AT THE TIME THE INFORMATION IS PROVIDED; AND~~ EACH UNDERGRADUATE STUDENT ENROLLED IN THE INSTITUTION WHO APPLIES FOR FEDERAL STUDENT AID IN THE APPLICABLE AWARD YEAR:

(1) THE INFORMATION REPORTED ON THE STUDENT'S STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FROM THE MOST RECENT AWARD YEAR, INCLUDING:

(I) THE TOTAL AMOUNT OF OUTSTANDING LOANS; AND

(II) THE MONTHLY PAYMENT AMOUNT FOR A 10–YEAR PERIOD FOR EVERY $1,000 OWED BY THE BORROWER;

(2) THE LIFETIME LOAN LIMIT FOR UNDERGRADUATE STUDENT BORROWERS;

(3) A STATEMENT THAT THE ACTUAL REPAYMENT AMOUNT IS DEPENDENT ON THE FOLLOWING FACTORS:

(I) THE TOTAL AMOUNT A STUDENT BORROWS;

(II) THE INTEREST RATE AT THE TIME THE FUNDS ARE BORROWED AND THE AMOUNT OF INTEREST THAT ACCRUES OVER THE COURSE OF THE LOAN;

(III) THE LENGTH OF THE REPAYMENT TERM OF THE LOAN; AND

(IV) THE DECISIONS A STUDENT MAKES RELATING TO:

1. INCOME–BASED REPAYMENT PLANS;

2. DEFERMENTS; AND

3. LOAN FORGIVENESS;

(4) A LINK TO THE NATIONAL STUDENT LOAN DATA SYSTEM FOR STUDENTS WEB SITE AND AN INCOME–DRIVEN REPAYMENT PLAN WEB SITE; AND

~~(4)~~ (5) THE ADDRESS OF THE FINANCIAL AID OFFICE WHERE THE STUDENT MAY SEEK FINANCIAL AID COUNSELING.

(D) ~~(1)~~ AN INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION TO STUDENTS ANNUALLY~~, CONCURRENT WITH THE STUDENT'S FIRST TUITION BILL OF A CALENDAR YEAR.~~

~~(2) THE STUDENT SHALL BE ABLE TO CHOOSE FROM EITHER E–MAIL OR U.S. MAIL AS THE DELIVERY METHOD FOR INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.~~

~~(E) THE INFORMATION PROVIDED UNDER THIS SECTION:~~

~~(1) SHALL CLEARLY STATE ANY ASSUMPTIONS MADE IN CALCULATIONS TO DEVISE ESTIMATES; AND~~

~~(2) MAY INCLUDE A STATEMENT THAT THE ESTIMATES AND RANGES PROVIDED ARE GENERAL IN NATURE AND~~ ~~ON RECEIPT OF A STUDENT'S FREE APPLICATION FOR FEDERAL STUDENT AID.~~

~~(2) THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION MAY BE INCLUDED~~ WITH THE STUDENT'S FINANCIAL AID AWARD NOTICE.

(E) THE INFORMATION PROVIDED UNDER THIS SECTION MAY INCLUDE THE FOLLOWING STATEMENT:

"THE INFORMATION PROVIDED BY THE INSTITUTION OF HIGHER EDUCATION WAS OBTAINED FROM YOUR STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FOR THE MOST RECENT AWARD YEAR. IT IS BASED ON ASSUMPTIONS MADE BY THE U.S. DEPARTMENT OF EDUCATION AS REPORTED IN YOUR STUDENT AID REPORT AND IS NOT MEANT AS A GUARANTEE OR PROMISE. THIS INFORMATION DOES NOT INCLUDE PARENT PLUS LOANS OR PRIVATE STUDENT LOANS."

(F) ~~AN~~ IF AN INSTITUTION OF HIGHER EDUCATION INCLUDES THE STATEMENT UNDER SUBSECTION (E) OF THIS SECTION WITH THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE INSTITUTION OF HIGHER EDUCATION DOES NOT INCUR LIABILITY FOR ANY INACCURATE REPRESENTATIONS MADE UNDER THIS SECTION IF THE REPRESENTATIONS WERE:

(1) MADE BASED ON INCORRECT INFORMATION PROVIDED BY THE U.S. DEPARTMENT OF EDUCATION; AND

(2) REASONABLY RELIED ON IN GOOD FAITH BY THE INSTITUTION OF HIGHER EDUCATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, ~~2017~~ 2018.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 460 – *Education – Debt Service for Transferred Schools – County Reimbursement Grace Period*.

This bill establishes a delay period of two years by which a county government must reimburse the State for outstanding debt service on a school building that is transferred to the county in accordance with State law.

House Bill 441, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 460.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 460

AN ACT concerning

Education – Debt Service for Transferred Schools – County Reimbursement Grace Period

FOR the purpose of establishing a certain period of time during which a county government is not required to reimburse the State for certain outstanding debt service for certain school buildings that are transferred to a county government; requiring a county government to reimburse the State for a certain amount of outstanding debt service for certain school buildings after a certain period of time has elapsed; and generally relating to a grace period for counties for debt service for schools transferred to a county.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–308
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

5–308.

(a) Notwithstanding the provisions of Title 10, Subtitle 3 of the State Finance and Procurement Article, this State may not require reimbursement of debt service from a county for a school that:

(1) Was initially constructed on or before February 1, 1971;

(2) Is no longer used for school purposes;

(3) Has had title transferred to a county government; and

(4) Is being used for local governmental purposes other than public education; provided, however, that if a former school building is sold by a county government the State shall be reimbursed for outstanding debt service, and if more than 10 percent of usable space within a former school is rented for an amount exceeding the cost of operating and maintaining such space, such rental profit shall be used toward retiring outstanding bonded indebtedness.

(b) **[**This**]** **SUBJECT TO SUBSECTION (C) OF THIS SECTION, THIS** State shall require reimbursement of outstanding debt service from a county for a school that:

(1) Was constructed under this subtitle;

(2) Was initially constructed or substantially altered by addition(s), alterations, or renovations and the cost of the construction at the time of execution exceeded $100,000 and the work was accomplished after February 1, 1971;

(3) Is no longer used for school purposes;

(4) Has had title transferred to a county government;

(5) Is being used for local governmental purposes by the State or a county or by any instrumentality of the State or a county other than public education; and

(6) Has outstanding debt which exceeds $5,000.

(C) (1) A COUNTY GOVERNMENT IS NOT REQUIRED TO REIMBURSE THE STATE FOR OUTSTANDING DEBT SERVICE FOR A SCHOOL BUILDING THAT IS TRANSFERRED TO THE COUNTY GOVERNMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION UNTIL 2 YEARS AFTER THE SCHOOL BUILDING IS TRANSFERRED.

(2) AFTER THE 2–YEAR PERIOD IN PARAGRAPH (1) OF THIS SUBSECTION ENDS, THE COUNTY GOVERNMENT SHALL REIMBURSE THE STATE FOR OUTSTANDING DEBT SERVICE FOR A SCHOOL BUILDING IN THE AMOUNT THAT THE COUNTY GOVERNMENT WOULD HAVE BEEN REQUIRED TO PAY WHEN THE SCHOOL BUILDING WAS TRANSFERRED TO THE COUNTY.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 481 – *Corporations – Maryland General Corporation Law – Miscellaneous Provisions.*

This bill provides that certain individuals, under specific circumstances, are deemed to have consented to the appointment of the resident agent of a Maryland corporation or a Maryland real estate investment trust or, if there is no resident agent, the State Department of Assessments and Taxation, as an agent on which service of process may be made in certain actions or proceedings.

This bill also requires the Department to collect an additional fee for processing a certified list of specified charter documents or certificates of business entities on an expedited basis, and alters various other provisions of the Corporations and Associations Article concerning the execution of documents, the certification of beneficial owners of stock, the forfeiture of a corporate charter, the consolidation or conversion of a nonstock corporation, and resident agents of corporations, limited partnerships, and statutory trusts. In addition, this bill establishes jurisdictional rules for adjudicating internal corporate claims and prohibits a Maryland corporation with capital stock from imposing liability on a stockholder under certain circumstances.

House Bill 744, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 481.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 481

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

FOR the purpose of providing that certain individuals, under certain circumstances, are deemed to have consented to the appointment of the resident agent of a Maryland corporation or a Maryland real estate investment trust or, if there is no resident agent, the State Department of Assessments and Taxation, as an agent on which service of process may be made in certain actions or proceedings; providing that a certain consent to service of process is effective under certain circumstances and has certain legal force and validity; providing that a certain appointment as an agent for service of process is irrevocable; requiring the Department to collect a certain additional fee for processing a certified list of certain charter documents or certificates of certain business entities on an expedited basis; altering certain requirements for the execution and signing of certain documents; altering certain requirements for the resident agent of a Maryland corporation, a limited partnership, and a Maryland statutory trust; prohibiting the charter or bylaws of a corporation <u>with capital stock</u> from imposing liability on a certain stockholder for the attorney's fees or expenses of the corporation or any other party in connection with a certain claim; authorizing the charter or bylaws of a corporation, consistent with certain requirements, to require that certain claims be brought only in certain courts;

prohibiting certain provisions of the charter or bylaws of a corporation from prohibiting certain claims from being brought in certain courts; altering the officers of a corporation required to countersign a stock certificate; authorizing the board of directors of a corporation to adopt a certain procedure by resolution unless the charter or bylaws provide otherwise; requiring a certain number of the last acting officers of a corporation, the charter of which has been forfeited for certain reasons, instead of the president or vice president, the secretary, and the treasurer, to sign and acknowledge articles of revival and file them with the Department; requiring that the directors manage the assets, rather than become the trustees of the assets, of a corporation for purposes of liquidating the assets when the corporation's charter has been forfeited; requiring the directors to take certain actions unless and until articles of revival are filed; repealing a provision of law authorizing the directors to sue or be sued in their own names as trustees; repealing a provision of law establishing that the director–trustees govern by majority vote; providing that forfeiture of the charter of a corporation does not subject a director of the corporation to a certain standard of conduct; authorizing a nonstock corporation to convert only into a certain foreign corporation; making certain provisions of this Act applicable to real estate investment trusts; providing for the application of certain provisions of this Act; making certain conforming changes; defining a certain term; and generally relating to the Maryland General Corporation Law and real estate investment trusts.

BY renumbering
Article – Corporations and Associations
Section 1–101(p) through (cc), respectively
to be Section 1–101(q) through (dd), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Corporations and Associations
Section 1–101(p) and 2–113
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(8), 1–301, 2–108(a), 2–212(a), 2–514(a), 3–507(b)(1), 3–515, 5–207, 8–601.1, 10–104(a), and 12–203(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 6–102.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–101(p) through (cc), respectively, of Article – Corporations and Associations of the Annotated Code of Maryland be renumbered to be Section(s) 1–101(q) through (dd), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Corporations and Associations

1–101.

(P) "INTERNAL CORPORATE CLAIM" MEANS A CLAIM, INCLUDING A CLAIM BROUGHT BY OR IN THE RIGHT OF A CORPORATION:

(1) BASED ON AN ALLEGED BREACH BY A DIRECTOR, AN OFFICER, OR A STOCKHOLDER OF A DUTY OWED TO THE CORPORATION OR THE STOCKHOLDERS OF THE CORPORATION OR A STANDARD OF CONDUCT APPLICABLE TO DIRECTORS;

(2) ARISING UNDER THIS ARTICLE; OR

(3) ARISING UNDER THE CHARTER OR BYLAWS OF THE CORPORATION.

1–203.

(b) (8) For processing each of the following documents on an expedited basis, the additional fee is as indicated:

Recording any document, including financing statements, or submitting for preclearance any document listed in paragraph (1) or (4) of this subsection, if processing under § 1–203.2(b)(1) of this subtitle is requested	$425
Recording any document, including financing statements, or submitting for preclearance any document listed in paragraph (1) or (4) of this subsection, if processing under § 1–203.2(b)(1) is not requested	$50
Certificate of status of a corporation, partnership, limited partnership, limited liability partnership, or limited liability company, or a name reservation	$20
CERTIFIED LIST OF THE CHARTER DOCUMENTS OF A MARYLAND CORPORATION OR ANY CERTIFICATE OF A MARYLAND LIMITED PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED	

LIABILITY COMPANY RECORDED OR FILED WITH THE DEPARTMENT .. $20

A copy of any document recorded or filed with the Department, or a corporate abstract $20

Application for a ground rent redemption or a ground rent extinguishment, or payment of a redemption or extinguishment amount to the former owner of the ground rent $50

1–301.

(a) Articles supplementary and articles of amendment, restatement, amendment and restatement, consolidation, merger, share exchange, transfer, conversion, and extension and, except as provided in § 3–406(b) of this article, articles of dissolution shall be executed as follows:

(1) They shall be signed and acknowledged for each corporation, statutory trust, or real estate investment trust party to the articles, by its chairman or vice chairman of the board of directors or board of trustees, by its chief executive officer, chief operating officer, chief financial officer, president, or one of its vice presidents, or, if authorized by the bylaws or resolution of the board of directors or board of trustees **[**and the articles so state**]**, by any other officer or agent of the corporation, statutory trust, or real estate investment trust;

(2) They shall be witnessed or attested by the secretary, treasurer, chief financial officer, assistant treasurer, or assistant secretary of each corporation, statutory trust, or real estate investment trust party to the articles, or, if authorized by the bylaws or resolution of the board of directors or board of trustees **[**and the articles so state**]**, by any other officer or agent of the corporation, statutory trust, or real estate investment trust;

(3) They shall be signed and acknowledged for each other entity party to the articles by a person authorized to act for the entity by law or by the governing document; and

(4) Except as provided in subsection (b) of this section, the matters and facts set forth in the articles with respect to authorization and approval shall be verified under oath as follows:

(i) With respect to any Maryland corporation, statutory trust, or real estate investment trust party to the articles, by the chairman or the secretary of the meeting at which the articles or transaction were approved, by the chairman or vice chairman of the board of directors or board of trustees, by the chief executive officer, chief operating officer, chief financial officer, president, vice president, secretary, or assistant secretary of the corporation, statutory trust, or real estate investment trust, or, if authorized in accordance with item (1) of this subsection **[**and the articles so state**]**, by any other officer or agent of the corporation, statutory trust, or real estate investment trust;

(ii) With respect to any foreign corporation party to articles of consolidation, merger, or share exchange, by the chief executive officer, chief operating officer, chief financial officer, president, vice president, secretary, or assistant secretary of the corporation; and

(iii) With respect to any other Maryland or foreign entity party to the articles, by a person authorized by law or by the governing document to act for the entity.

(b) When articles of transfer are executed:

(1) With respect to the transferor corporation, the requirements of subsection (a)(4)(i) of this section apply;

(2) With respect to a transferee corporation, the matters and facts set forth in the articles with respect to authorization and approval shall be verified under oath by the chief executive officer, chief operating officer, president, vice president, secretary, or assistant secretary of the corporation; and

(3) With respect to a transferee which is not a corporation, the articles shall be signed and acknowledged by the transferee.

(c) All other instruments required to be filed with the Department may be signed:

(1) By the chairman or vice chairman of the board of directors, the chief executive officer, chief operating officer, president, or any vice president and witnessed or attested by the secretary or any assistant secretary, or by any other officer or agent of the corporation who is authorized by the bylaws or resolution of the board of directors to perform the duties usually performed by the secretary **[**and the instrument so states**]**;

(2) If it appears from the instrument that there are no such officers, by a majority of the directors or by such directors as may be designated by the board and the instrument so states; or

(3) If it appears from the instrument that there are no officers or directors, by the holders of a majority of outstanding stock.

2–108.

(a) Each Maryland corporation shall have:

(1) A principal office in this State; and

(2) At least one resident agent **[**who shall be either:

(i) A citizen of this State who resides here; or

(ii) A Maryland corporation**]**.

2–113.

(A) THE CHARTER OR BYLAWS OF A CORPORATION WITH CAPITAL STOCK MAY NOT IMPOSE LIABILITY ON A STOCKHOLDER WHO IS A PARTY TO AN INTERNAL CORPORATE CLAIM FOR THE ATTORNEY'S FEES OR EXPENSES OF THE CORPORATION OR ANY OTHER PARTY IN CONNECTION WITH AN INTERNAL CORPORATE CLAIM.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE CHARTER OR BYLAWS OF A CORPORATION MAY REQUIRE, CONSISTENT WITH APPLICABLE JURISDICTIONAL REQUIREMENTS, THAT ANY INTERNAL CORPORATE CLAIM BE BROUGHT ONLY IN COURTS SITTING IN ONE OR MORE SPECIFIED JURISDICTIONS.

(2) (I) THIS PARAGRAPH DOES NOT APPLY TO A PROVISION CONTAINED IN THE CHARTER OR BYLAWS OF A CORPORATION ON OCTOBER 1, 2017, UNLESS AND UNTIL THE PROVISION IS ALTERED OR REPEALED BY AN AMENDMENT TO THE CHARTER OR BYLAWS OF THE CORPORATION, AS APPLICABLE.

(II) THE CHARTER OR BYLAWS OF A CORPORATION MAY NOT PROHIBIT BRINGING AN INTERNAL CORPORATE CLAIM IN THE COURTS OF THIS STATE OR A FEDERAL COURT SITTING IN THIS STATE.

2–212.

(a) Each stock certificate shall be signed by the president, a vice president, the chief executive officer, the chief operating officer, the chief financial officer, the chairman of the board, or the vice chairman of the board and countersigned by the secretary, an assistant secretary, the treasurer, **[**or**]** an assistant treasurer**, OR ANY OTHER OFFICER**.

2–514.

(a) **[**If the**] THE** charter or bylaws of a corporation **[**so**] MAY** provide**[**,**] AND, UNLESS THE CHARTER OR BYLAWS PROVIDE OTHERWISE,** the board of directors may adopt by resolution a procedure by which a stockholder of the corporation may certify in writing to the corporation that any shares of stock registered in the name of the stockholder are held for the account of a specified person other than the stockholder.

3–507.

(b) (1) **[**The**] ANY TWO OF THE** last acting **[**president or vice president and secretary or treasurer**] OFFICERS** of the corporation shall sign and acknowledge articles of revival and file them for record with the Department.

3–515.

(a) When the charter of a Maryland corporation has been forfeited, until a court appoints a receiver, the directors of the corporation **[**become the trustees of**]** **SHALL MANAGE** its assets for purposes of liquidation.

(b) **[**The director–trustees are vested in their capacity as trustees with full title to all the assets of the corporation. They**]** **UNLESS AND UNTIL ARTICLES OF REVIVAL ARE FILED, THE DIRECTORS** shall:

(1) Collect and distribute the assets, applying them to the payment, satisfaction, and discharge of existing debts and obligations of the corporation, including necessary expenses of liquidation; and

(2) Distribute the remaining assets among the stockholders.

(c) The **[**director–trustees**]** **DIRECTORS** may:

(1) Carry out the contracts of the corporation;

(2) Sell all or any part of the assets of the corporation at public or private sale;

(3) Sue or be sued **[**in their own names as trustees or**]** in the name of the corporation; and

(4) Do all other acts consistent with law and the charter of the corporation necessary or proper to liquidate the corporation and wind up its affairs.

[(d) The director–trustees govern by majority vote.**]**

(D) FORFEITURE OF THE CHARTER OF A CORPORATION DOES NOT SUBJECT A DIRECTOR OF THE CORPORATION TO A STANDARD OF CONDUCT OTHER THAN THE STANDARD OF CONDUCT SET FORTH IN § 2–405.1 OF THIS ARTICLE.

5–207.

(a) A nonstock corporation may **[**consolidate**]:**

(1) CONSOLIDATE or merge only with another nonstock corporation**; AND**

(2) CONVERT ONLY INTO A FOREIGN CORPORATION THAT DOES NOT HAVE THE AUTHORITY TO ISSUE STOCK.

(b) A consolidation, merger, **[**or**]** transfer of assets**, OR CONVERSION** of a nonstock corporation shall be effected as provided in Title 3 of this article.

(c) Notwithstanding § 3–105(e) of this article, a proposed consolidation, merger, **[**or**]** transfer of assets**, OR CONVERSION** of a nonstock corporation organized to hold title to property for a labor organization, and for related purposes, shall be approved by the same affirmative vote of the members of the corporation that the constitution or bylaws of the labor organization requires for the same action.

8–601.1.

Sections **2–113,** 2–201(c), 2–313, 2–502(e), and 2–504(f) of this article and, except as otherwise provided in § 8–601 of this subtitle or in the declaration of trust, § 2–405.1 of this article shall apply to real estate investment trusts.

10–104.

(a) Each limited partnership shall have:

(1) A principal office in this State; and

(2) At least one resident agent **[**who shall be either:

(i) A citizen of the State who resides here; or

(ii) A Maryland corporation**]**.

12–203.

(a) A Maryland statutory trust shall have:

(1) A principal office in this State; and

(2) At least one resident agent **[**who is:

(i) An individual who resides in the State; or

(ii) A Maryland corporation**]**.

Article – Courts and Judicial Proceedings

6–102.1.

(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO, ON OR AFTER OCTOBER 1, 2017:

(1) ACCEPTS THE ELECTION OR APPOINTMENT AS A DIRECTOR OF A MARYLAND CORPORATION OR A TRUSTEE OF A MARYLAND REAL ESTATE INVESTMENT TRUST; OR

(2) SERVES AS A DIRECTOR OF A MARYLAND CORPORATION OR A TRUSTEE OF A MARYLAND REAL ESTATE INVESTMENT TRUST.

(B) AN INDIVIDUAL SUBJECT TO THIS SECTION IS DEEMED, BY THE ACCEPTANCE OR SERVICE, TO HAVE CONSENTED TO THE APPOINTMENT OF THE RESIDENT AGENT OF THE CORPORATION OR REAL ESTATE INVESTMENT TRUST OR, IF THERE IS NO RESIDENT AGENT, THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, AS AN AGENT ON WHICH SERVICE OF PROCESS MAY BE MADE IN ANY CIVIL ACTION OR PROCEEDING BROUGHT IN THE STATE:

(1) (I) BY OR ON BEHALF OF, OR AGAINST, THE CORPORATION OR REAL ESTATE INVESTMENT TRUST; AND

(II) TO WHICH THE INDIVIDUAL IS A NECESSARY OR PROPER PARTY; OR

(2) AGAINST THE INDIVIDUAL FOR AN INTERNAL CORPORATE CLAIM AS DEFINED IN § 1–101 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(C) THE CONSENT TO SERVICE OF PROCESS BY AN INDIVIDUAL UNDER SUBSECTION (B) OF THIS SECTION:

(1) IS EFFECTIVE WHETHER OR NOT THE INDIVIDUAL IS A DIRECTOR OR TRUSTEE AT THE TIME A CIVIL ACTION OR PROCEEDING IS COMMENCED; AND

(2) CONSTITUTES THE CONSENT OF THE INDIVIDUAL THAT ANY PROCESS SERVED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION HAS THE SAME LEGAL FORCE AND VALIDITY AS IF SERVED ON THE INDIVIDUAL.

(D) THE APPOINTMENT UNDER SUBSECTION (B) OF THIS SECTION OF THE RESIDENT AGENT OF A CORPORATION OR A REAL ESTATE INVESTMENT TRUST OR THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION AS AN AGENT FOR SERVICE OF PROCESS IS IRREVOCABLE.

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, Jr.

President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 492 – *Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License).*

This bill clarifies the requirements for a Class CT (cinema/theater) license in Washington County so that the license may be issued only for a cinema or theater that is in a stand–alone building with certain characteristics. This bill also expands the days that a license holder may exercise the privileges of the license, establishes a Sunday permit, as well as an annual Sunday permit fee of $250, and repeals the previous termination date for provisions establishing the Class CT (cinema/theater) license.

House Bill 1430, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 492.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 492

AN ACT concerning

Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License)

FOR the purpose of altering the requirements for a Class CT (cinema/theater) license in Washington County so that the license may be issued only for a cinema or theater that is ~~not in an enclosed shopping mall but rather~~ in a stand–alone building with certain characteristics; altering certain requirements for the sale of beer, wine, and liquor by the license holder; altering the days that a license holder may exercise the privileges of the license; establishing a Sunday permit and an annual Sunday permit fee; ~~altering~~ repealing the termination provisions of certain Acts regarding cinema/theater licenses; 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 31–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 586 of the Acts of the General Assembly of 2016
Section 2

BY repealing and reenacting, with amendments,
Chapter 587 of the Acts of the General Assembly of 2016
Section 2

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.

31–1001.1.

(a) There is a Class CT (cinema/theater) (on–sale) beer, wine, and liquor license.

(b) The Board may issue the license for use in a cinema or theater that:

(1) is ~~**NOT IN AN ENCLOSED SHOPPING MALL BUT RATHER**~~ in a **STAND–ALONE** building that is designed or used primarily for the exhibition of motion pictures to the public;

(2) has a capacity to hold at least 100 permanently installed seats; and

(3) has a minimum of six movie theater rooms.

(c) (1) Subject to paragraph (2) of this subsection, the license authorizes the license holder to sell beer, wine, and liquor for on–premises consumption~~:~~

~~(i)~~ by the drink, bottle, and can~~;~~**:**

~~(ii)~~ **(I)** 1. in a designated area of the lobby, for 45 minutes before a movie starts; and

2. in a VIP room that holds special events, for the 45 minutes before a movie starts and during the showing of the movie; ~~and~~ **OR**

~~(iii)~~ **(II)** to an individual who has a ticket to a movie and proper identification.

(2) A license holder may exercise the privileges of the license **[**only on Thursdays**]:**

(I) FROM MONDAY THROUGH SATURDAY; AND

(II) ON SUNDAY, IF THE LICENSE HOLDER IS ISSUED A SUNDAY PERMIT.

(3) A license holder may sell beer, wine, and liquor without serving food.

(4) An individual serving beer, wine, and liquor:

(i) may not mix the contents of one bottle with the contents of another bottle; and

(ii) shall dispose of or destroy all empty bottles and cans.

(d) (1) A license holder shall:

(i) obtain a crowd control training certificate from a program that is certified by the Board; and

(ii) while selling beer, wine, and liquor, have one certified crowd control manager on the licensed premises for every 250 individuals present.

(2) Notwithstanding § 31–1903(a) of this title, a license holder shall require one individual who has completed a certified alcohol awareness program to be on the licensed premises at all times when alcohol is being served.

(e) **(1)** The annual license fee is $1,000.

(2) THE ANNUAL SUNDAY PERMIT FEE IS $250.

Chapter 586 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect on July 1, 2016. ~~It shall remain effective for a period of **[**15**] 2 YEARS AND 3** months and, at the end of October 1, **[**2017**] 2018**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

Chapter 587 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect on July 1, 2016. ~~It shall remain effective for a period of **[**15**] 2 YEARS AND 3** months and, at the end of October 1, **[**2017**] 2018**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 516 – *State Government – Maryland Manual – Revisions (Maryland Manual Modernization Act).*

This bill requires State Archives to compile, edit, and publish the Maryland Manual exclusively online, thus codifying existing practice. This bill also requires that State Archives shall update the Maryland Manual as necessary to maintain its accuracy, as well as to annually preserve an electronic version that contains all changes to the manual from the preceding year. In addition, this bill requires the State Archivist to provide outreach to public schools, public libraries, and the general public to increase awareness and availability of the manual.

House Bill 78, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 516.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 516

AN ACT concerning

State Government – Maryland Manual – Revisions
(Maryland Manual Modernization Act)

FOR the purpose of altering certain provisions of law to require the State Archives to compile, edit, and publish an online Maryland Manual; altering the content of the Maryland Manual; requiring, as provided in the State budget, the State Archives to update the Maryland Manual as necessary to maintain the accuracy of the information and to annually preserve a version that contains certain changes; requiring the State Archivist, to the extent practicable, to provide certain outreach to certain persons; repealing certain provisions of law relating to the provision and distribution of the Maryland Manual by the State Archivist; and generally relating to the Maryland Manual.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1026
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Government
Section 9–1027
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 – State Government

9–1026.

(a) **[**Every 2 years, the**] THE** State Archives shall compile **[**and**],** edit **[**a**], AND PUBLISH AN ONLINE** Maryland Manual that**:**

(1) DESCRIBES:

(I) THE STATE AND ITS GOVERNMENT, INCLUDING STATE, INTERSTATE, REGIONAL, COUNTY, INTERCOUNTY, AND MUNICIPAL GOVERNMENT; AND

(II) FEDERAL OFFICIALS AND AGENCIES DIRECTLY RELATED TO THE STATE; AND

(2) contains:

[(1)**]** **(I)** a copy of the Maryland Constitution;

[(2)**]** **(II)** the name **[**and address**]** of each officer of the State **[**or**]**, a county**, OR A MUNICIPALITY** who is:

[(i)**]** **1.** elected;

[(ii)**]** **2.** appointed by the Governor; or

[(iii)**]** **3.** appointed by the Board of Public Works; and

[(3)**]** **(III)** any other information that, in consultation with the Hall of Records Commission, the State Archivist considers necessary.

[(b) In accordance with Division II of the State Finance and Procurement Article, the Archives shall print the Maryland Manual, as provided in the State budget.**]**

(B) AS PROVIDED IN THE STATE BUDGET, THE STATE ARCHIVES SHALL:

(1) UPDATE THE MARYLAND MANUAL AS NECESSARY TO MAINTAIN THE ACCURACY OF THE INFORMATION; AND

(2) ANNUALLY PRESERVE A VERSION OF THE MARYLAND MANUAL THAT CONTAINS ALL CHANGES MADE TO THE MARYLAND MANUAL UNDER ITEM (1) OF THIS SUBSECTION IN THE IMMEDIATELY PRECEDING YEAR.

(C) TO THE EXTENT PRACTICABLE, THE STATE ARCHIVIST SHALL PROVIDE OUTREACH TO PUBLIC SCHOOLS, PUBLIC LIBRARIES, AND THE GENERAL PUBLIC TO INCREASE AWARENESS REGARDING THE AVAILABILITY AND CONTENT OF THE MARYLAND MANUAL.

[9–1027.

(a) The State Archivist shall provide, without charge:

(1) to the State Law Library, 25 cloth–bound copies of each new Maryland Manual;

(2) to each member of the General Assembly, 2 cloth–bound copies and 8 other copies of each new Maryland Manual;

(3) to each public or private educational institution in the State, 1 copy of each new Maryland Manual; and

(4) to the Legislative Library, 50 cloth–bound copies of each new Maryland Manual.

(b) If a former member of the General Assembly asks the State Archivist for a copy of the Maryland Manual, the State Archivist shall provide, without charge, a copy of the current Maryland Manual.

(c) The State Archivist and the Secretary of State may distribute other copies of the Maryland Manual as they consider necessary or desirable.**]**

SECTION 2. 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

Senate Bill 543

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; ~~requiring certain institutions of higher education to provide certain notice to certain students as part of a certain application under certain circumstances;~~ 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~~,~~ or offering certain counseling or services~~, and deciding whether students may participate in certain activities or aspects of campus life~~; prohibiting certain institutions of higher education from ~~using information on a student's criminal history to rescind admission or unreasonably restrict a student's access to certain activities or aspects of campus life~~ automatically or unreasonably restricting a student's admission; ~~requiring~~ authorizing 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 or aspect of campus life~~ or a certain academic program; ~~requiring~~ authorizing ~~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 higher education 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.~~

(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.

~~(C) AN INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE NOTICE TO A PROSPECTIVE STUDENT AS PART OF THE ADMISSIONS APPLICATION, IF THE ADMISSIONS APPLICATION IS NOT A THIRD–PARTY ADMISSIONS APPLICATION, WHETHER THE PROFESSION FOR WHICH THE STUDENT IS SEEKING A DEGREE PROHIBITS LICENSURE OR CERTIFICATION ON THE BASIS OF A CRIMINAL HISTORY.~~

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~~.

(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 ~~ACTIVITIES OR ASPECTS OF CAMPUS LIFE~~ 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~~ ~~MAY~~ *SHALL* DEVELOP ~~AN INDIVIDUALIZED~~ A PROCESS FOR DETERMINING WHETHER THERE IS A ~~DIRECT~~ RELATIONSHIP BETWEEN A STUDENT'S CRIMINAL HISTORY AND CAMPUS RESIDENCY ~~OR A PARTICULAR ACTIVITY OR ASPECT OF CAMPUS LIFE~~ OR A SPECIFIC ACADEMIC PROGRAM.

(B) ~~AN INDIVIDUALIZED~~ THE PROCESS DEVELOPED UNDER THIS SECTION ~~SHALL~~ ~~MAY~~ *SHALL* BE SET FORTH IN WRITING AND ~~SHALL~~ ~~MAY~~ *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 Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 562 – *Health Care Decisions Act – Advance Directives and Surrogate Decision Making – Disqualified Individuals*

This bill expands the definition of "disqualified person" and prohibits an individual from serving as a health care agent, or surrogate decision maker, under specific circumstances.

House Bill 498, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 562.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 562

AN ACT concerning

Health Care Decisions Act – Advance Directives and Surrogate Decision Making – Disqualified Individuals

FOR the purpose of prohibiting certain individuals from serving as a health care agent under certain circumstances; establishing a certain exception; prohibiting certain individuals from making decisions about health care for certain individuals ~~who have been certified to be incapable of making an informed decision;~~ under certain circumstances; ~~providing that a health care provider may only be required to make~~

~~a certain inquiry under certain circumstances;~~ requiring a person who obtains certain information that would prohibit an individual from serving as a health care agent or making health care decisions for a certain individual to provide ~~that~~ *the* information to a certain health care provider or a certain health care facility; defining a certain term; and generally relating to the Health Care Decisions Act and decision making by health care agents and surrogates.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–602(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–602(b) and 5–605(a)
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

5–602.

(a) (1) Any competent individual may, at any time, make a written or electronic advance directive regarding the provision of health care to that individual, or the withholding or withdrawal of health care from that individual.

(2) Notwithstanding any other provision of law, in the absence of a validly executed or witnessed advance directive, any authentic expression made by an individual while competent of the individual's wishes regarding health care for the individual shall be considered.

(b) (1) **(I)** In this subsection**[**, "disqualified person" means:**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) "DISQUALIFIED PERSON" MEANS:

[(i)**]** **1.** An owner, operator, or employee of a health care facility from which the declarant is receiving health care; or

[(ii)**]** **2.** A spouse, parent, child, or sibling of an owner, operator, or employee of a health care facility from which the declarant is receiving health care.

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

(2) Any competent individual may, at any time, make a written or electronic advance directive appointing an agent to make health care decisions for the individual under the circumstances stated in the advance directive.

(3) **(I)** A disqualified person may not serve as a health care agent unless the person:

[(i)**]** **1.** Would qualify as a surrogate decision maker under § 5–605(a) of this subtitle; or

[(ii)**]** **2.** Was appointed by the declarant before the date on which the declarant received, or contracted to receive, health care from the facility.

(II) AN INDIVIDUAL MAY NOT SERVE AS A HEALTH CARE AGENT IF:

1. THE INDIVIDUAL IS THE SUBJECT OF AN INTERIM, TEMPORARY, OR FINAL PROTECTIVE ORDER AND THE DECLARANT IS A PERSON ELIGIBLE FOR RELIEF UNDER THE ORDER; OR

2. ~~THE~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE INDIVIDUAL IS THE SPOUSE OF THE DECLARANT AND:

A. THE INDIVIDUAL AND DECLARANT HAVE EXECUTED A SEPARATION AGREEMENT; OR

B. THE INDIVIDUAL OR DECLARANT HAS FILED AN APPLICATION FOR DIVORCE.

(III) AN INDIVIDUAL MAY SERVE AS A HEALTH CARE AGENT FOR A DECLARANT AFTER THE DATE OF THE EXECUTION OF A SEPARATION AGREEMENT OR THE FILING OF AN APPLICATION FOR DIVORCE IF THE DECLARANT:

1. IS ABLE TO MAKE A DECISION ABOUT THE INDIVIDUAL'S APPOINTMENT AS THE DECLARANT'S HEALTH CARE AGENT; OR

2. HAS OTHERWISE INDICATED AN INTENT TO HAVE THE INDIVIDUAL SERVE AS THE DECLARANT'S HEALTH CARE AGENT.

(4) An agent appointed under this subtitle has decision making priority over any individuals otherwise authorized under this subtitle to make health care decisions for a declarant.

(5) ~~**(I)**~~ ~~**A HEALTH CARE PROVIDER MAY ONLY BE REQUIRED TO MAKE A REASONABLE INQUIRY AT THE TIME OF ADMISSION OF A DECLARANT TO A HEALTH CARE FACILITY OR AT THE TIME A NEW HEALTH CARE AGENT IS IDENTIFIED TO DETERMINE WHETHER AN INDIVIDUAL WOULD BE PROHIBITED FROM SERVING AS A HEALTH CARE AGENT FOR THE DECLARANT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION.**~~

~~**(II)**~~ **A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM SERVING AS A DECLARANT'S HEALTH CARE AGENT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE DECLARANT.**

5–605.

(a) (1) **(I)** In this subsection**[**, "unavailable" means:**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

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

(III) "UNAVAILABLE" MEANS:

[(i)**]** **1.** After reasonable inquiry, a health care provider is unaware of the existence of a health care agent or surrogate decision maker;

[(ii)**]** **2.** After reasonable inquiry, a health care provider cannot ascertain the whereabouts of a health care agent or surrogate decision maker;

[(iii)**]** **3.** A health care agent or surrogate decision maker has not responded in a timely manner, taking into account the health care needs of the individual, to a written or oral message from a health care provider;

[(iv)**]** **4.** A health care agent or surrogate decision maker is incapacitated; or

[(v)**]** **5.** A health care agent or surrogate decision maker is unwilling to make decisions concerning health care for the individual.

(2) **[**The**]** **SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE** following individuals or groups, in the specified order of priority, may make decisions about health care for a person who has been certified to be incapable of making an informed decision and who has not appointed a health care agent in accordance with this subtitle or

whose health care agent is unavailable. Individuals in a particular class may be consulted to make a decision only if all individuals in the next higher class are unavailable:

(i) A guardian for the patient, if one has been appointed;

(ii) The patient's spouse or domestic partner;

(iii) An adult child of the patient;

(iv) A parent of the patient;

(v) An adult brother or sister of the patient; or

(vi) A friend or other relative of the patient who meets the requirements of paragraph (3) of this subsection.

(3) A friend or other relative may make decisions about health care for a patient under paragraph (2) of this subsection if the person:

(i) Is a competent individual; and

(ii) Presents an affidavit to the attending physician stating:

1. That the person is a relative or close friend of the patient; and

2. Specific facts and circumstances demonstrating that the person has maintained regular contact with the patient sufficient to be familiar with the patient's activities, health, and personal beliefs.

(4) AN INDIVIDUAL MAY NOT MAKE DECISIONS ABOUT HEALTH CARE FOR A PATIENT UNDER PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE INDIVIDUAL IS THE SUBJECT OF AN INTERIM, TEMPORARY, OR FINAL PROTECTIVE ORDER AND THE PATIENT IS A PERSON ELIGIBLE FOR RELIEF UNDER THE ORDER; OR

(II) THE INDIVIDUAL IS THE SPOUSE OF THE PATIENT AND:

1. THE INDIVIDUAL AND PATIENT HAVE EXECUTED A SEPARATION AGREEMENT; OR

2. THE INDIVIDUAL OR PATIENT HAS FILED AN APPLICATION FOR DIVORCE.

[(4)**] (5)** The attending physician shall include the affidavit presented under paragraph (3) of this subsection in the patient's medical record.

(6) ~~**(I)**~~ ~~**A HEALTH CARE PROVIDER MAY ONLY BE REQUIRED TO MAKE A REASONABLE INQUIRY AT THE TIME OF ADMISSION OF A PATIENT TO A HEALTH CARE FACILITY OR AT THE TIME A NEW HEALTH CARE AGENT IS IDENTIFIED TO DETERMINE WHETHER AN INDIVIDUAL WOULD BE PROHIBITED FROM MAKING HEALTH CARE DECISIONS FOR THE PATIENT UNDER PARAGRAPH (4) OF THIS SUBSECTION.**~~

~~**(II)**~~ **A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM MAKING HEALTH CARE DECISIONS FOR A PATIENT UNDER PARAGRAPH (4) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE PATIENT.**

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 631 – *Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment.*

This bill establishes the Animal Abuse Emergency Compensation Fund to assist in paying costs associated with the removal and care of animals impounded under the State's animal abuse and neglect law. This bill provides for the uses, purposes, sources of funding, investment of money, and auditing of the Fund, and also authorizes the Executive Director of the Governor's Office of Crime Control and Prevention to administer the Fund.

House Bill 941, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 631.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 631

AN ACT concerning

Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment

FOR the purpose of requiring certain fines to be remitted to the Animal Abuse Emergency Compensation Fund; establishing the Animal Abuse Emergency Compensation Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention (GOCCP) to administer the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; providing for the termination of this Act; and generally relating to the Animal Abuse Emergency Compensation Fund.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–302(h)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 10–626
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
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 – Courts and Judicial Proceedings

7–302.

(a) Except as provided in subsections (b) through **[**(g)**] (H)** of this section, the clerks of the District Court shall:

(1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

(2) Remit them to the State under a system agreed upon by the Chief Judge of the District Court and the Comptroller.

(H) THE CLERKS OF THE DISTRICT COURT SHALL:

(1) COLLECT THE FINES, FORFEITURES, AND PENALTIES IMPOSED BY THE COURT FOR VIOLATIONS OF §§ 10–604, 10–606, 10–607, AND 10–608 OF THE CRIMINAL LAW ARTICLE; AND

(2) REMIT THE FINES, FORFEITURES, AND PENALTIES TO THE ANIMAL ABUSE EMERGENCY COMPENSATION FUND ESTABLISHED UNDER § 10–626 OF THE CRIMINAL LAW ARTICLE.

Article – Criminal Law

10–626.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ANIMAL CONTROL UNIT" HAS THE MEANING STATED IN § 10–617 OF THIS SUBTITLE.

(3) "ANIMAL WELFARE ORGANIZATION" MEANS A NOT–FOR–PROFIT ORGANIZATION ESTABLISHED TO PROMOTE ANIMAL WELFARE THAT HAS RECEIVED TAX EXEMPT STATUS UNDER § 501(C)(3) OF THE U.S. INTERNAL REVENUE CODE AND IS REGISTERED TO DO BUSINESS IN THE STATE.

(4) "FUND" MEANS THE ANIMAL ABUSE EMERGENCY COMPENSATION FUND ESTABLISHED UNDER THIS SECTION.

(5) "GOCCP" MEANS THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

(B) THERE IS AN ANIMAL ABUSE EMERGENCY COMPENSATION FUND.

(C) THE PURPOSE OF THE FUND IS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE REMOVAL AND CARE OF ANIMALS IMPOUNDED UNDER THIS SUBTITLE.

(D) (1) THE EXECUTIVE DIRECTOR OF GOCCP SHALL ADMINISTER THE FUND.

(2) THE EXECUTIVE DIRECTOR SHALL RECEIVE FROM THE FUND EACH FISCAL YEAR THE AMOUNT, NOT EXCEEDING $50,000 IN A FISCAL YEAR, NECESSARY TO OFFSET ITS COSTS IN ADMINISTERING THIS SUBTITLE.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS OF THE FUND;

(3) FINES LEVIED AS A RESULT OF CONVICTION OF AN ANIMAL ABUSE CRIME; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY TO DEFRAY THE REASONABLE COSTS INCURRED BY AN ANIMAL CONTROL UNIT OR ANIMAL WELFARE ORGANIZATION IN

CARING FOR AN ANIMAL FROM THE TIME OF SEIZURE UNTIL THE OUTCOME OF THE CRIMINAL CASE INCLUDING:

(1) IMPOUND;

(2) TRANSPORTATION;

(3) MEDICAL CARE;

(4) FOOD;

(5) ROUTINE CARE; AND

(6) SHELTERING.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2–1220 OF THE STATE GOVERNMENT ARTICLE.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

94. the Community Program Fund; **[**and**]**

95. the Maryland Corps Program Fund**; AND**

96. THE ANIMAL ABUSE EMERGENCY COMPENSATION FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017. It shall remain effective for a period of 3 years and, at the end of September 30, 2020, 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 Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 736 – *St. Mary's County – Public Facility Bonds*.

This bill authorizes and empowers the County Commissioners of St. Mary's County to borrow not more than $26,300,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary's County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds.

House Bill 892, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 736.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 736

AN ACT concerning

St. Mary's County – Public Facility Bonds

FOR the purpose of authorizing and empowering the County Commissioners of St. Mary's County, from time to time, to borrow not more than $26,300,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary's 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; ~~making this Act subject to a certain contingency;~~ 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 St. Mary's 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 and public works projects, including, but not limited to, public works projects such as highways, roads, bridges and storm drains, public school buildings and facilities, boating facilities, shore erosion and other marine property, landfills, and recycling facilities, public operational buildings and facilities such as buildings and facilities for County administrative use, capital improvements to the Wicomico Shores Taxing District, County athletic facilities, the community college, community swimming pools, public safety, health, and social services, libraries, commuter air service facilities, refuse disposal buildings and facilities, and parks and recreation buildings and facilities, 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, $26,300,000 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 in the best interests of St. Mary's 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 St. Mary's County or such other official of St. Mary's 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 under this Act 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 St. Mary's 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 contingent on the County Commissioners of St. Mary's County repealing the ordinance imposing the sales and use tax on energy or fuel used or consumed in St. Mary's County authorized under § 20–606 of the Local Government Article. If the County Commissioners repeal the sales and use tax on or before June 1, 2022, the County Commissioners shall deliver a copy of the ordinance to the Department of Legislative Services. If the County~~

~~Commissioners do not repeal the sales and use tax on or before June 1, 2022, this Act, with no further action required by the General Assembly, shall be null and void and of no further force and effect. The County Commissioners, within 5 days after repealing the sales and use tax, shall forward a copy of the ordinance to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.~~

SECTION ~~11.~~ 10. AND BE IT FURTHER ENACTED, That~~, subject to Section 10 of this Act,~~ this Act shall take effect June 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 837 – *Washington County – Alcoholic Beverages – Penalties.*

This bill alters the penalties in Washington County for violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years by imposing a $2,500 maximum fine on a license holder, and authorizes the Washington County Board of License Commissioners to suspend or revoke the license. This bill also imposes a maximum fine of $200 for a first offense, and $500 for each subsequent offense, for any employee of a license holder. In addition, this bill makes such violation a misdemeanor, and removes the mandatory court appearance for a first offense.

House Bill 1480, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 837.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 837

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

FOR the purpose of ~~authorizing the Washington County Board of License Commissioners to impose on a license holder or an employee of a license holder a certain fine for a first offense for selling or providing alcoholic beverages to an individual under the age of 21 years; specifying certain criminal procedures for a subsequent offense for a license holder or an employee of a license holder who sells or provides alcoholic beverages to an individual under the age of 21 years; providing that for each subsequent offense, a license holder or an employee of the license holder who violates a certain provision of law is guilty of a misdemeanor and is subject to a certain fine;~~ providing that in Washington County a violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years is a misdemeanor; authorizing the Board of License Commissioners to impose certain penalties on an employee of a license holder or a license holder who violates the prohibition; authorizing the Board to suspend or revoke a license under certain conditions; and generally relating to alcoholic beverages 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 31–2702
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.

31–2702.

~~**(A) FOR A FIRST OFFENSE, IF A LICENSE HOLDER OR AN EMPLOYEE OF A LICENSE HOLDER VIOLATES § 6–304 OF THIS ARTICLE, THE BOARD MAY IMPOSE ON THE LICENSE HOLDER OR THE EMPLOYEE OF THE LICENSE HOLDER A FINE NOT EXCEEDING $200.**~~

~~**[**~~(a)~~**]**~~ ~~**(B)**~~ ~~**[**~~A~~**]**~~ ~~**FOR EACH SUBSEQUENT OFFENSE, A**~~ license holder or an employee of a license holder who is charged with a violation of § 6–304 of this article:

(1) shall receive a summons to appear in court on a certain day to answer the charges placed against the license holder or employee; and

(2) may not be required to post bail pending trial in any court in the State.

[(b)] ~~(C)~~ A license holder or an employee of a license holder may not be found guilty of a violation of § 6–304 of this article if:

(1) the license holder or employee establishes to the satisfaction of the finder of fact that the license holder or employee used due caution to establish that the individual was not under the age of 21 years; and

(2) the individual was not a resident of the State.

[(c)] ~~(D)~~ ~~[If an employee of a license holder violates § 6–304 of this article, the Board may impose on the employee a fine not exceeding $200]~~ ~~**FOR EACH SUBSEQUENT OFFENSE, A LICENSE HOLDER OR AN EMPLOYEE OF A LICENSE HOLDER WHO VIOLATES § 6–304 OF THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING $500.**~~

(C) (1) A VIOLATION OF § 6–304 OF THIS ARTICLE IS A MISDEMEANOR.

(2) IF AN EMPLOYEE OF A LICENSE HOLDER VIOLATES § 6–304 OF THIS ARTICLE, THE BOARD MAY IMPOSE ON THE EMPLOYEE A FINE NOT EXCEEDING:

(I) FOR A FIRST OFFENSE, $200; AND

(II) FOR EACH SUBSEQUENT OFFENSE, $500.

(3) IF A LICENSE HOLDER VIOLATES § 6–304 OF THIS ARTICLE, THE BOARD MAY IMPOSE A FINE NOT EXCEEDING $2,500, SUSPEND OR REVOKE THE LICENSE, OR IMPOSE BOTH A FINE AND SUSPEND OR REVOKE THE LICENSE.

[(d)] ~~(E)~~ The granting of probation before judgment to a license holder or an employee of the license holder for a violation of § 6–304 of this article does not bar the Board from proceeding administratively against the license holder for the violation.

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

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 925 – *Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Operation on Sidewalks and in Crosswalks.*

This bill provides that, subject to certain provisions of law, as well as certain traffic control signals, the same right–of–way privileges granted to pedestrians apply to a person that lawfully rides a bicycle, play vehicle, or unicycle on a sidewalk, in a sidewalk area, or through crosswalk. This bill exempts such riders from the existing requirement for pedestrians to walk on a sidewalk, and not on an adjacent roadway, whenever a sidewalk is available, as well as the requirement to walk on the left shoulder, or left side of the roadway facing oncoming traffic, when no sidewalk is available.

House Bill 997, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 925.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 925

AN ACT concerning

Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Operation on Sidewalks and in Crosswalks

FOR the purpose of providing that, subject to certain provisions of law, a person has certain rights and is subject to certain restrictions applicable to pedestrians while the person is lawfully operating a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk; providing that, at an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to certain traffic control signals; providing that a certain provision of law does not apply to a person operating a bicycle, play vehicle, or unicycle; altering a certain definition; and generally relating to the operation of bicycles, play vehicles, and unicycles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–101(a), (i), (o), and (w) and 21–506

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–101(m) and 21–1202
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

21–101.

(a) In this title and Title 25 of this article the following words have the meanings indicated.

(i) "Crosswalk" means that part of a roadway that is:

(1) Within the prolongation or connection of the lateral lines of sidewalks at any place where 2 or more roadways of any type meet or join, measured from the curbs or, in the absence of curbs, from the edges of the roadway;

(2) Within the prolongation or connection of the lateral lines of a bicycle way where a bicycle way and a roadway of any type meet or join, measured from the curbs or, in the absence of curbs, from the edges of the roadway; or

(3) Distinctly indicated for pedestrian crossing by lines or other markings.

(m) "Play vehicle" means a vehicle that:

(1) Has two or **[**three**]** **MORE** wheels;

(2) Is propelled only by human power; **[**and**]**

(3) Is not a bicycle, as defined in Title 11 of this article**[**.**]; AND**

(4) IS NOT A WHEELCHAIR.

(o) "Public bicycle area" means any highway, bicycle path, or other facility or area maintained by this State, a political subdivision of this State, or any of their agencies for the use of bicycles.

(w) "Sidewalk" means that part of a highway:

(1) That is intended for use by pedestrians; and

(2) That is between:

(i) The lateral curb lines or, in the absence of curbs, the lateral boundary lines of a roadway; and

(ii) The adjacent property lines.

21–506.

(a) Where a sidewalk is provided, a pedestrian may not walk along and on an adjacent roadway.

(b) Where a sidewalk is not provided, a pedestrian who walks along and on a highway may walk only on the left shoulder, if practicable, or on the left side of the roadway, as near as practicable to the edge of the roadway, facing any traffic that might approach from the opposite direction.

21–1202.

(A) Every person operating a bicycle or a motor scooter in a public bicycle area has all the rights granted to and is subject to all the duties required of the driver of a vehicle by this title, including the duties set forth in § 21–504 of this title, except:

(1) As otherwise provided in this subtitle; and

(2) For those provisions of this title that by their very nature cannot apply.

(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PERSON HAS THE RIGHTS AND IS SUBJECT TO THE RESTRICTIONS APPLICABLE TO PEDESTRIANS UNDER THIS TITLE WHILE THE PERSON IS LAWFULLY OPERATING A BICYCLE, PLAY VEHICLE, OR UNICYCLE:

(I) ON A SIDEWALK OR SIDEWALK AREA; OR

(II) IN OR THROUGH A CROSSWALK.

(2) AT AN INTERSECTION, A PERSON OPERATING A BICYCLE, PLAY VEHICLE, OR UNICYCLE IS SUBJECT TO ALL TRAFFIC CONTROL SIGNALS, AS PROVIDED IN §§ 21–202 AND 21–203 OF THIS TITLE.

(3) SECTION 21–506 OF THIS TITLE DOES NOT APPLY TO A PERSON OPERATING A BICYCLE, PLAY VEHICLE, OR UNICYCLE.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 966 – *Electric Universal Service Program – Unexpended Funds.*

This bill provides that the Public Service Commission has oversight responsibility over certain expenditures of the electric universal service program and requires the Department of Human Resources to expend certain funds collected for the program in certain fiscal years for certain purposes, including bill assistance and arrearage retirement, targeted weatherization, or arrearage management. This bill also establishes that the Commission may defer the return of certain funds for a certain number of years, and requires the Commission to establish a certain rate credit for the return of certain unexpended funds on or before a certain date. In addition, this bill establishes a joint legislative workgroup to monitor the disbursements made under the bill.

House Bill 1002, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 966.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 966

AN ACT concerning

Electric Universal Service Program – Unexpended Funds

FOR the purpose of providing that the Public Service Commission has oversight responsibility over certain expenditures of the electric universal service program; requiring the Department of Human Resources to expend certain funds collected for

the program in certain fiscal years for certain purposes, including bill assistance and arrearage retirement, targeted weatherization, or arrearage management; *providing that the Commission may defer the return of certain funds only for a certain number of years; requiring the Commission to combine certain amounts to be returned for certain years for certain purposes; requiring the Commission to establish a certain rate credit for the return of certain unexpended funds on or before a certain date; stating the intent of the General Assembly regarding the timing for expending certain unexpended bill assistance and arrearage funds; establishing a certain joint workgroup for certain purposes;* stating the intent of the General Assembly regarding the timing for expending certain unexpended bill assistance and arrearage funds; and generally relating to the electric universal service program.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–512.1(a) ~~and (b)~~*, (b), and (f)*
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–512.1(e) ~~and (f)~~
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 – Public Utilities

7–512.1.

(a) (1) The Commission shall establish an electric universal service program to assist electric customers with annual incomes at or below 175% of the federal poverty level.

(2) The components of the electric universal service program shall include:

(i) bill assistance;

(ii) low–income residential weatherization; and

(iii) the retirement of arrearages for electric customers who have not received assistance in retiring arrearages under the universal service program within the preceding 7 fiscal years.

(3) The Department of Housing and Community Development is responsible for administering the low–income residential weatherization component of the electric universal service program.

(4) (i) The Department of Human Resources, through the Office of Home Energy Programs, is responsible for administering the bill assistance and the arrearage retirement components of the electric universal service program.

(ii) The Department of Human Resources may:

1. establish minimum and maximum benefits available to an electric customer under the bill assistance and arrearage retirement components; and

2. coordinate benefits under the electric universal service program with benefits under the Maryland Energy Assistance Program and other available energy assistance programs.

(5) The Department of Human Resources may, with input from a panel or roundtable of interested parties, contract to assist in administering the bill assistance and the arrearage retirement components of the electric universal service program.

(6) The Commission has oversight responsibility for the bill assistance and the arrearage retirement components of the electric universal service program **AND ANY OTHER FUNDS EXPENDED UNDER THIS SECTION**.

(7) In a specific case, the electric universal service program may waive the income eligibility limitation under paragraph (1) of this subsection in order to provide assistance to an electric customer who would qualify for a similar waiver under the Maryland Energy Assistance Program established under Title 5, Subtitle 5A of the Human Services Article.

(b) (1) All customers shall contribute to the funding of the electric universal service program through a charge collected by each electric company.

(2) The Commission shall determine a fair and equitable allocation for collecting the charges among all customer classes pursuant to subsection (e) of this section.

(3) **[**In**] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, IN** accordance with subsection (f)(6) of this section, any unexpended bill assistance and arrearage retirement funds returned to customers under subsection (f) of this section shall be returned to each customer class as a credit in the same proportion that the customer class contributed charges to the fund.

(4) **THE DEPARTMENT OF HUMAN RESOURCES SHALL EXPEND ANY UNEXPENDED BILL ASSISTANCE AND ARREARAGE FUNDS THAT WERE COLLECTED IN FISCAL YEARS 2010 THROUGH 2017, IN EXCESS OF THE TOTAL AMOUNT**

AUTHORIZED UNDER SUBSECTION (E) OF THIS SECTION, FOR ONE OR MORE OF THE FOLLOWING PURPOSES:

(I) BILL ASSISTANCE AND THE RETIREMENT OF ARREARAGES FOR CUSTOMERS WHO ARE ELIGIBLE TO RECEIVE ASSISTANCE AT THE TIME SERVICES ARE PROVIDED;

(II) TARGETED AND ENHANCED LOW–INCOME RESIDENTIAL WEATHERIZATION DESIGNED TO REMEDIATE HOUSEHOLDS THAT ARE CONSIDERED INELIGIBLE TO PARTICIPATE IN OTHER STATE ENERGY EFFICIENCY PROGRAMS DUE TO SIGNIFICANT HEALTH AND SAFETY HAZARDS; OR

(III) AN ARREARAGE MANAGEMENT PROGRAM FOR LOW–INCOME CUSTOMERS IN ARREARS, INCLUDING PROVIDING CREDITS OR MATCHING PAYMENTS FOR CUSTOMERS WHO MAKE TIMELY PAYMENTS ON CURRENT BILLS.

(5) An electric company shall recover electric universal service program costs in accordance with § 7–512 of this subtitle.

[(5)**] (6)** As determined by the Office of Home Energy Programs, bill assistance payments to an electric company may be on a monthly basis for each customer.

[(6)**] (7)** The Commission shall determine the allocation of the electric universal service charge among the generation, transmission, and distribution rate components of all classes.

[(7)**] (8)** The Commission may not assess the electric universal service surcharge on a per kilowatt–hour basis.

(e) The total amount of funds to be collected for the electric universal service program each year shall be $37 million, allocated in the following manner:

(1) $27.4 million shall be collected from the industrial and commercial classes; and

(2) $9.6 million shall be collected from the residential class.

(f) (1) In this subsection, "fund" means the electric universal service program fund.

(2) There is an electric universal service program fund.

(3) (i) 1. The Comptroller shall collect the revenue collected by electric companies under subsection (b) of this section and place the revenue into the fund.

2. The General Assembly may appropriate funds supplemental to the funds collected under subsubparagraph 1 of this subparagraph.

(ii) The fund is a continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(iii) The purpose of the fund is to assist electric customers as provided in subsection (a)(1) of this section.

(4) The Department of Human Resources, with oversight by the Commission, shall disburse the bill assistance and arrearage retirement funds in accordance with the provisions of this section.

(5) The Comptroller annually shall disburse up to $1,000,000 of low–income residential weatherization funds to the Department of Housing and Community Development, as provided in the State budget.

(6) (i) At the end of a given fiscal year, any unexpended bill assistance and arrearage retirement funds that were collected for that fiscal year shall be retained in the fund and shall be made available for disbursement through the first 6 months of the next fiscal year to customers who:

1. qualify for assistance from the fund during the given fiscal year;

2. apply for assistance from the fund before the end of the given fiscal year; and

3. remain eligible for assistance at the time services are provided.

(ii) If the Commission determines that an extension is needed, the Commission may extend up to an additional 3 months the period in which unexpended bill assistance and arrearage retirement funds may be made available for disbursement under subparagraph (i) of this paragraph.

(iii) ***1.*** Any bill assistance and arrearage retirement funds collected for a given fiscal year that are retained under subparagraph (i) of this paragraph and that remain unexpended at the end of the period allowed under subparagraphs (i) and (ii) of this paragraph shall be returned to each customer class in the proportion that the customer class contributed charges to the fund for the given fiscal year in the form of a credit toward the charge assessed in the following fiscal year.

2. IF THE COMMISSION DETERMINES THAT IT IS IMPRACTICAL TO ESTABLISH A RATE CREDIT FOR THE AMOUNT TO BE RETURNED FOR

A GIVEN FISCAL YEAR TO CUSTOMERS UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE COMMISSION:

A. MAY DEFER THE RETURN FOR NOT MORE THAN 2 ADDITIONAL FISCAL YEARS; AND

B. SHALL COMBINE THE RETURNED AMOUNT FOR THAT FISCAL YEAR WITH AMOUNTS TO BE RETURNED FOR THE FOLLOWING FISCAL YEARS WHEN CALCULATING THE RATE CREDIT FOR THE FINAL FISCAL YEAR OF THE PERIOD.

SECTION 2. *AND BE IT FURTHER ENACTED, That, on or before October 1, 2020, the Public Service Commission shall establish a rate credit under § 7–512.1(f)(6)(iii)2 of the Public Utilities Article, as enacted by this Act, for the return of unexpended bill assistance and arrearage funds, in excess of the total amount authorized under § 7–512.1(e) of the Public Utilities Article, accumulated through the end of fiscal year 2019.*

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Human Resources shall expend any unexpended bill assistance and arrearage funds that were collected in fiscal years 2010 through 2017, in excess of the total amount authorized for disbursement, as required in Section 7–512.1(b)(4) of the Public Utilities Article as enacted by Section 1 of this Act, beginning in fiscal year 2019.

SECTION 4. AND BE IT FURTHER ENACTED, That a joint workgroup is established with members selected by the presiding officers from the Senate Finance Committee and the House Economic Matters Committee to monitor, as the committees consider appropriate, the disbursements made in accordance with this Act and related matters concerning the Electric Universal Service Program.

SECTION ~~2.~~ ~~3.~~ *5.* AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 968 – *Health Insurance – Coverage Requirements for Behavioral Health Disorders – Modifications*.

This bill alters certain coverage requirements applicable to specific health benefit plans for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders.

House Bill 1127, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 968.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 968

AN ACT concerning

Health Insurance – Coverage Requirements for Behavioral Health Disorders – Modifications

FOR the purpose of altering certain coverage requirements applicable to certain health benefit plans for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders; altering certain definitions; and generally relating to health insurance coverage for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–802
Annotated Code of Maryland
(2011 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 – Insurance

15–802.

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

(2) "Alcohol **[**abuse**]** **MISUSE**" has the meaning stated in § 8–101 of the Health – General Article.

(3) "Drug **[**abuse**]** **MISUSE**" has the meaning stated in § 8–101 of the Health – General Article.

(4) "Grandfathered health plan coverage" has the meaning stated in 45 C.F.R. § 147.140.

(5) "Health benefit plan":

(i) for a group or blanket plan, has the meaning stated in § 15–1401 of this title; and

(ii) for an individual plan, has the meaning stated in § 15–1301 of this title.

(6) "Managed care system" means a system of cost containment methods that a carrier uses to review and preauthorize a treatment plan developed by a health care provider for a covered individual in order to control utilization, quality, and claims.

(7) "Partial hospitalization" means the provision of medically directed intensive or intermediate short–term treatment:

(i) to an insured, subscriber, or member;

(ii) in a licensed or certified facility or program;

(iii) for mental illness, emotional disorders, drug **[**abuse**]** **MISUSE**, or alcohol **[**abuse**]** **MISUSE**; and

(iv) for a period of less than 24 hours but more than 4 hours in a day.

(8) "Small employer" has the meaning stated in § 31–101 of this article.

(b) With the exception of small employer grandfathered health plan coverage, this section applies to each individual, group, and blanket health benefit plan that is delivered or issued for delivery in the State by an insurer, a nonprofit health service plan, or a health maintenance organization.

(c) A health benefit plan subject to this section shall provide at least the following benefits for the diagnosis and treatment of a mental illness, emotional disorder, drug **[**abuse**]** **USE** disorder, or alcohol **[**abuse**]** **USE** disorder:

(1) inpatient benefits for services provided in a licensed or certified facility, including hospital inpatient **AND RESIDENTIAL TREATMENT CENTER** benefits;

(2) partial hospitalization benefits; and

(3) outpatient **AND INTENSIVE OUTPATIENT** benefits, including all office visits**, DIAGNOSTIC EVALUATION, OPIOID TREATMENT SERVICES, MEDICATION EVALUATION AND MANAGEMENT,** and psychological and neuropsychological testing for diagnostic purposes.

(d) (1) The benefits under this section are required only for expenses arising from the treatment of mental illnesses, emotional disorders, drug **[**abuse**]** **MISUSE**, or alcohol **[**abuse**]** **MISUSE** if, in the professional judgment of health care providers:

(i) the mental illness, emotional disorder, drug **[**abuse**]** **MISUSE**, or alcohol **[**abuse**]** **MISUSE** is treatable; and

(ii) the treatment is medically necessary.

(2) The benefits required under this section:

(i) shall be provided as one set of benefits covering mental illnesses, emotional disorders, drug **[**abuse**]** **MISUSE**, and alcohol **[**abuse**]** **MISUSE**;

(ii) shall comply with 45 C.F.R. § 146.136(a) through (d) **AND 29 C.F.R. § 2590.712(A) THROUGH (D)**;

(iii) subject to paragraph (3) of this subsection, may be delivered under a managed care system; and

(iv) for partial hospitalization under subsection (c)(2) of this section, may not be less than 60 days.

(3) The benefits required under this section may be delivered under a managed care system only if the benefits for physical illnesses covered under the health benefit plan are delivered under a managed care system.

(4) The processes, strategies, evidentiary standards, or other factors used to manage the benefits required under this section must be comparable as written and in operation to, and applied no more stringently than, the processes, strategies, evidentiary standards, or other factors used to manage the benefits for physical illnesses covered under the health benefit plan.

(5) An insurer, nonprofit health service plan, or health maintenance organization may not charge a copayment for methadone maintenance treatment that is greater than 50% of the daily cost for methadone maintenance treatment.

(e) An entity that issues or delivers a health benefit plan subject to this section shall provide on its Web site and annually in print to its insureds or members:

(1) notice about the benefits required under this section and the federal Mental Health Parity and Addiction Equity Act; and

(2) notice that the insured or member may contact the Administration for further information about the benefits.

(f) An entity that issues or delivers a health benefit plan subject to this section shall:

(1) post a release of information authorization form on its Web site; and

(2) provide a release of information authorization form by standard mail within 10 business days after a request for the form is received.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 997 – *Pharmacists – Substitution and Dispensing of Biological Products.*

This bill authorizes a pharmacist to substitute an interchangeable biological product for a brand name drug under certain circumstances, and requires a pharmacist or the pharmacist's designee to inform consumers of the availability of an interchangeable biological product, as well as the approximate cost difference. This bill also requires a pharmacist who makes a certain substitution to notify the patient in writing that a certain product is interchangeable, and to notify the prescriber of the specific biological product dispensed. In addition, this bill authorizes the Department of Health and Mental Hygiene to disqualify an interchangeable biological product from being used as a substitute, requires the Department to provide an opportunity for public comment under certain circumstances, and provides that a pharmacist who substitutes an interchangeable biological product in compliance with certain provisions of law incurs no greater liability than would be incurred in filling the prescription by dispensing a certain drug or device.

House Bill 1273, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 997.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 997

AN ACT concerning

Pharmacists – Substitution and Dispensing of Biological Products

FOR the purpose of authorizing a pharmacist to substitute an interchangeable biological product for a certain prescribed product under certain circumstances; requiring a pharmacist or the pharmacist's designee, except under certain circumstances, to inform certain consumers of the availability of an interchangeable biological product and the approximate cost difference as compared to a certain drug; requiring the State Board of Pharmacy to maintain on its Web site a link to certain lists of biological products; requiring a pharmacist who makes a certain substitution to notify the patient in writing that a certain product is interchangeable and to record and keep a record of certain information relating to the substitution; authorizing the Department of Health and Mental Hygiene to disqualify an interchangeable biological product from being used as a substitute in the State under certain circumstances; requiring the Department to provide an opportunity for public comment under certain circumstances; providing that a pharmacist who substitutes an interchangeable biological product in compliance with certain provisions of law incurs no greater liability than would be incurred in filling the prescription by dispensing a certain drug or device; requiring, within a certain period of time after dispensing a biological product to a patient, the dispensing pharmacist or the pharmacist's designee to communicate the specific biological product dispensed, including certain information, to the prescriber except under certain circumstances; specifying the methods by which the communication must be provided except under certain circumstances; defining certain terms; and generally relating to the substitution and dispensing of biological products.

BY renumbering
Article – Health Occupations
Section 12–101(c) through (j) and (k) through (aa), respectively
to be Section 12–101(d) through (k) and (n) through (dd), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations

Section 12–101(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health Occupations
Section 12–101(c), (l), and (m) and 12–504.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–504
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 12–101(c) through (j) and (k) through (aa), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 12–101(d) through (k) and (n) through (dd), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health Occupations

12–101.

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

(C) "BIOLOGICAL PRODUCT" HAS THE MEANING STATED IN 42 U.S.C. § 262.

(L) "DRUG" HAS THE MEANING STATED IN § 21–101 OF THE HEALTH – GENERAL ARTICLE.

(M) "INTERCHANGEABLE BIOLOGICAL PRODUCT" MEANS A BIOLOGICAL PRODUCT THAT IS:

(1) LICENSED AND DETERMINED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO MEET THE STANDARDS FOR INTERCHANGEABILITY UNDER 42 U.S.C. § 262(K)(4); OR

(2) DETERMINED TO BE THERAPEUTICALLY EQUIVALENT AS STATED IN THE LATEST EDITION OF OR SUPPLEMENT TO THE UNITED STATES FOOD AND DRUG ADMINISTRATION'S APPROVED DRUG PRODUCTS WITH THERAPEUTIC EQUIVALENCE EVALUATIONS (THE "ORANGE BOOK").

12–504.

(a) In this section, "brand name" means the proprietary name a manufacturer places on a drug or device product or its container.

(b) (1) Subject to the provisions of this subtitle, a pharmacist, or the pharmacist's designee, who is under the direct supervision of the pharmacist, shall inform a retail consumer to the best of the pharmacist's or the pharmacist's designee's knowledge of the availability of a generically equivalent drug **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT** and shall inform a retail consumer of the approximate cost difference as compared to the brand name drug.

(2) The Board shall adopt procedures for:

(i) A consumer to notify the Board when a pharmacist fails to provide the information required under paragraph (1) of this subsection; and

(ii) Advising a pharmacist to bring the pharmacist into compliance with the requirements of paragraph (1) of this subsection.

(3) Paragraph (1) of this subsection does not apply:

(i) To a prescription that is written for a generic drug **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT**;

(ii) When the authorized prescriber states expressly that the prescription is to be dispensed only as directed;

(iii) To a pharmacist who works in a pharmacy, whether centralized or decentralized, which primarily serves public or private institutional recipients; or

(iv) When the cost of the prescription is reimbursed by a third party payer, including medical assistance.

(C) THE BOARD SHALL MAINTAIN A LINK ON ITS WEB SITE TO THE CURRENT LISTS OF BIOLOGICAL PRODUCTS DETERMINED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO BE INTERCHANGEABLE WITH A SPECIFIC BIOLOGICAL PRODUCT.

[(c)**] (D)** A pharmacist may substitute a generically equivalent drug or device product **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT**, of the same dosage form and strength, for any brand name drug or device product prescribed, if:

(1) The authorized prescriber does not state expressly that the prescription is to be dispensed only as directed;

(2) The substitution is [recognized]**:**

(I) RECOGNIZED in the United States Food and Drug Administration's current list of approved drug or device products with therapeutic equivalence evaluations; [and] **OR**

(II) AN INTERCHANGEABLE BIOLOGICAL PRODUCT FOR THE BRAND NAME DRUG OR DEVICE PRODUCT PRESCRIBED; AND

(3) The consumer is charged less for the substituted drug or device **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** than the price of the brand name drug or device.

[(d)] **(E)** If a drug or device product **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT** is substituted under this section, the pharmacist shall:

(1) Notify the patient in writing that the drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** dispensed is a generic equivalent of **OR IS INTERCHANGEABLE WITH** the prescribed drug or device product; and

(2) Record on the prescription and keep a record of the name and manufacturer of the substituted drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT**.

[(e)] **(F)** The Department may list any additional drug or device products that are determined by the Department to meet requirements that are adequate to assure product quality and therapeutic equivalence, after an opportunity for public comment as provided in Title 10, Subtitle 1 of the State Government Article.

[(f)] **(G)** The Department may disqualify a drug or device product **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT** on the United States Food and Drug Administration's current list from being used in Maryland as a [generic] substitute if the Department determines that the drug or device **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** is therapeutically nonequivalent **OR NOT INTERCHANGEABLE, RESPECTIVELY,** or has a negative physical or biological effect on the consumer of that drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT**:

(1) After providing an opportunity for public comment as provided in Title 10, Subtitle 1 of the State Government Article; or

(2) Prior to providing an opportunity for public comment, if the Department believes that a particular generic drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** constitutes an imminent danger to the public health, safety or welfare, and the Department:

(i) Provides an opportunity for public comment as provided in Title 10, Subtitle 1 of the State Government Article within 30 days of disqualifying the drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT**; and

(ii) After providing an opportunity for public comment, determines whether the drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** should remain disqualified.

[(g)**] (H)** For a drug or device product **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT** that the Department has disqualified from being used in Maryland as a **[**generic**]** substitute under subsection **[**(f)**] (G)** of this section, the Department shall provide an opportunity for public comment as provided in Title 10, Subtitle 1 of the State Government Article before reinstating the drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** for use in Maryland as a **[**generic**]** substitute.

[(h)**] (I)** A pharmacist who substitutes a drug or device product **OR AN INTERCHANGEABLE BIOLOGICAL PRODUCT** in compliance with this section incurs no greater liability in filling the prescription by dispensing the equivalent drug or device product **OR INTERCHANGEABLE BIOLOGICAL PRODUCT** than would be incurred in filling the prescription by dispensing the prescribed brand name drug or device.

12–504.1.

(A) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, WITHIN 5 BUSINESS DAYS AFTER DISPENSING A BIOLOGICAL PRODUCT TO A PATIENT, THE DISPENSING PHARMACIST OR THE PHARMACIST'S DESIGNEE SHALL COMMUNICATE THE SPECIFIC BIOLOGICAL PRODUCT DISPENSED, INCLUDING THE NAME AND MANUFACTURER OF THE BIOLOGICAL PRODUCT, TO THE PRESCRIBER.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION:

(1) THE COMMUNICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED BY MAKING AN ENTRY THAT IS ELECTRONICALLY ACCESSIBLE TO THE PRESCRIBER THROUGH:

(I) AN INTEROPERABLE ELECTRONIC MEDICAL RECORDS SYSTEM;

(II) AN ELECTRONIC PRESCRIBING TECHNOLOGY;

(III) A PHARMACY BENEFITS MANAGEMENT SYSTEM; OR

(IV) A PHARMACY RECORD; AND

(2) MAKING AN ENTRY THROUGH A MECHANISM LISTED IN PARAGRAPH (1) OF THIS SUBSECTION IS PRESUMED TO PROVIDE THE COMMUNICATION TO THE PRESCRIBER REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

(C) IF THE MECHANISMS LISTED IN SUBSECTION (B)(1) OF THIS SECTION ARE NOT AVAILABLE, THE COMMUNICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MAY BE PROVIDED BY FACSIMILE, TELEPHONE, ELECTRONIC TRANSMISSION, OR OTHER MEANS.

(D) THE COMMUNICATION REQUIREMENT UNDER SUBSECTION (A) OF THIS SECTION DOES NOT APPLY IF:

(1) THE UNITED STATES FOOD AND DRUG ADMINISTRATION HAS NOT APPROVED AN INTERCHANGEABLE BIOLOGICAL PRODUCT FOR THE BIOLOGICAL PRODUCT PRESCRIBED TO THE PATIENT; OR

(2) A REFILL PRESCRIPTION IS NOT CHANGED FROM THE BIOLOGICAL PRODUCT DISPENSED ON THE MOST RECENT FILLING OF THE PRESCRIPTION.

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, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1012 – *Baltimore City Board of School Commissioners – Members – Appointment and Removal.*

This bill establishes the Baltimore City Public School Board Community Panel, and authorizes the Mayor of Baltimore to appoint members, as well as to reconvene the board under certain circumstances. This bill requires the Mayor to appoint certain members of

the board, as well as to fill certain vacancies from a list of qualified individuals submitted by the panel. In addition, this bill repeals the Governor's role in making appointments to the Baltimore City Board of School Commissioners, as well as filling board vacancies and removing board members for certain causes.

House Bill 562, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1012.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1012

AN ACT concerning

Baltimore City Board of School Commissioners – Members – Appointment and Removal

FOR the purpose of establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; authorizing the Mayor of Baltimore City to request the panel to reconvene under certain circumstances; requiring the panel to reconvene for a certain purpose; repealing the role of the Governor in making certain appointments to, filling certain vacancies on, and removing certain members from the Baltimore City Board of School Commissioners; requiring the Mayor ~~of Baltimore City~~ to appoint certain members of the board and fill certain vacancies from a list of qualified individuals submitted by a certain panel; ~~establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel;~~ and generally relating to the appointment and removal of the members of the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108.1
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

3–108.1.

~~(a) In this section, "board" means the Baltimore City Board of School~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "BOARD" MEANS THE BALTIMORE CITY BOARD OF SCHOOL Commissioners of the Baltimore City Public School System.

(3) "MAYOR" MEANS THE MAYOR OF BALTIMORE CITY.

(4) "PANEL" MEANS THE BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.

(B) (1) THERE IS A BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.

(2) THE PURPOSE OF THE PANEL IS TO SELECT NOMINEES TO BE RECOMMENDED TO THE MAYOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO THE BOARD.

(3) THE MAYOR SHALL CONVENE THE PANEL.

(4) THE PANEL MAY INCLUDE A REPRESENTATIVE FROM EACH OF THE FOLLOWING ORGANIZATIONS, APPOINTED BY THE ORGANIZATION:

(I) THE BALTIMORE TEACHERS UNION;

(II) THE MAYOR'S OFFICE;

(III) THE BALTIMORE CITY COUNCIL EDUCATION AND YOUTH COMMITTEE;

(IV) THE BALTIMORE CITY PUBLIC SCHOOL ADMINISTRATORS AND SUPERVISORS ASSOCIATION;

(V) THE MARYLAND ALLIANCE OF PUBLIC CHARTER SCHOOLS;

(VI) THE DOWNTOWN BALTIMORE FAMILY ALLIANCE;

(VII) THE FUND FOR EDUCATIONAL EXCELLENCE;

(VIII) A PARENT MEMBER OF THE PTA COUNCIL OF BALTIMORE CITY;

(IX) THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME);

(X) THE ASSOCIATED STUDENT CONGRESS OF BALTIMORE CITY;

(XI) THE AMERICAN CIVIL LIBERTIES UNION;

(XII) THE PARENT AND COMMUNITY ADVISORY BOARD; AND

(XIII) DISABILITY RIGHTS MARYLAND.

(5) THE MAYOR MAY RECONVENE THE PANEL IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM THE LIST SUBMITTED BY THE PANEL UNDER SUBSECTIONS (D)(1)(I) OR (I)(6) OF THIS SECTION.

~~(b)~~ **(C)** There is a Baltimore City Board of School Commissioners of the Baltimore City Public School System.

~~(c)~~ **(D)** **(1)** The board consists of:

~~(1)~~ **(I)** ~~Nine~~ **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NINE** voting members **[**jointly**]** appointed by the Mayor ~~of Baltimore City~~ **[**and the Governor**]** from a list of qualified individuals submitted to the Mayor **[**and the Governor**]** by the **[**State Board**]** ~~**BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL**~~ **PANEL**;

~~(2)~~ **(II)** Two elected voting members; and

~~(3)~~ **(III)** One voting student member appointed as provided in subsection ~~(l)~~ ***(M)*** of this section.

(2) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES;

~~(d)~~ **(E)** Each member of the board shall be a resident of Baltimore City.

~~(e)~~ **(F)** The two elected voting members shall be elected at large by the voters of Baltimore City.

~~(f)~~ **(G)** To the extent practicable, the appointed members of the board shall reflect the demographic composition of Baltimore City.

~~(g)~~ **(H)** (1) At least four of the appointed voting members shall possess a high level of knowledge and expertise concerning the successful administration of a large business, nonprofit, or governmental entity and shall have served in a high level management position within such an entity.

(2) At least three of the appointed voting members shall possess a high level of knowledge and expertise concerning education.

(3) At least one appointed voting member shall be a parent of a student enrolled in the Baltimore City Public School System as of the date of appointment of the member.

(4) (i) Among the appointed voting members, at least one member shall also possess knowledge or experience in the education of children with disabilities.

(ii) The knowledge or experience may be derived from being the parent of a child with a disability.

~~(h)~~ **(I)** (1) (i) The term of an appointed voting member is 3 years.

(ii) The term of an elected member is 4 years.

(2) The terms of the appointed voting members are staggered as required by the terms provided for the appointed members of the board on June 1, 1997.

(3) At the end of a term, a voting member continues to serve until a successor is elected or appointed and qualifies.

(4) A voting member who is appointed after a term has begun serves only for the remainder of the term and until a successor is elected or appointed and qualifies.

(5) A voting member may not serve more than two consecutive full terms.

(6) **(I)** ~~To~~ **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, TO** the extent practicable, **[**the Governor and**]** the Mayor ~~of Baltimore City~~ shall fill any vacancy for an appointed or elected member on the board within 60 days of the date of the vacancy from a list of qualified individuals submitted to the Mayor **[**and the Governor**]** by the ~~State Board~~ **PANEL**.

(II) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES.

(7) The elected members of the board shall be elected:

(i) At the general election in November 2022 and every 4 years thereafter; and

(ii) In accordance with Title 8, Subtitle 8 of the Election Law Article.

~~(i)~~ **(J)** (1) On the **[**joint**]** approval of the Mayor ~~of Baltimore City~~ **[**and the Governor**]**, an appointed member may be removed only for cause in accordance with § 3–108 of this subtitle.

(2) The State Board may remove an elected voting member for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

~~(j)~~ **(K)** Each member of the board serves without compensation.

~~(k)~~ **(L)** Beginning on July 1, 1999 and every 2 years thereafter, from among its voting members the board shall elect a chairman.

~~(l)~~ **(M)** (1) The student member shall be a student enrolled in the Baltimore City Public School System who shall be selected by the Associated Student Congress of Baltimore City.

(2) The term of a student member is 1 year.

(3) A student member may not serve more than two consecutive full terms.

(4) The student member may vote on all matters before the board except those relating to:

(i) Personnel;

(ii) Capital and operating budgets;

(iii) School closings, reopenings, and boundaries;

(iv) Collective bargaining decisions;

(v) Student disciplinary matters; and

(vi) Appeals to the board as provided under §§ 4–205 and 6–202 of this article.

(5) The student member may not attend or participate in an executive or special session of the board.

~~(m)~~ **(N)** Any action by the board shall require:

(1) A quorum of a majority of the voting members then serving; and

(2) The affirmative vote of a majority of the voting members then serving.

~~(N) (1) THERE IS A BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.~~

~~(2) THE PURPOSE OF THE PANEL IS TO SELECT NOMINEES TO BE RECOMMENDED TO THE MAYOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO THE BOARD.~~

~~(3) THE FOLLOWING ORGANIZATIONS EACH SHALL APPOINT ONE MEMBER TO THE PANEL:~~

~~(I) THE BALTIMORE TEACHERS UNION;~~

~~(II) THE BALTIMORE CITY PUBLIC SCHOOL ADMINISTRATORS AND SUPERVISORS ASSOCIATION;~~

~~(III) THE MARYLAND ALLIANCE OF PUBLIC CHARTER SCHOOLS;~~

~~(IV) THE DOWNTOWN BALTIMORE PUBLIC ALLIANCE;~~

~~(V) THE FUND FOR EDUCATIONAL EXCELLENCE;~~

~~(VI) A MEMBER OF THE BALTIMORE PARENT TEACHERS ASSOCIATION;~~

~~(VII) A MEMBER OF AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME);~~

~~(VIII) A MEMBER OF THE CITY COUNCIL EDUCATION AND YOUTH COMMITTEE; AND~~

~~(IX) A MEMBER OF THE STUDENT GOVERNMENT ASSOCIATION.~~

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

May 8, 2017

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1023 – *Independent Congressional Redistricting Commission – Mid–Atlantic States Regional Districting Process.*

This legislation is a disingenuous attempt to fix a major problem plaguing Maryland's elections and, if enacted, would be a cynical effort to stifle meaningful redistricting reform just when it appears to be becoming more of a reality.

Overwhelming numbers of Maryland citizens have reached a consensus that transcends other political differences — redistricting reform in Maryland is desperately needed and has been overdue for decades. The current process is nothing less than a form of political subterfuge that deprives Maryland citizens of free and fair elections and has saddled our state with the dubious distinction of being home to the most gerrymandered districts in the nation. This inequitable process is currently the subject of an ongoing federal lawsuit, in which the former governor and senior elected officials have been deposed.

During our first year in office, we established the non–partisan Maryland Redistricting Reform Commission. We tasked members with traveling the state to hear what Marylanders wanted. In consultation with the commission, we introduced legislation that would make Maryland a leader in reform and develop a new process, independent from political influence. This process was modeled after meaningful redistricting reform in other states and would have gone a long way in restoring citizens' faith in the fairness of their congressional and legislative districts.

However, the General Assembly chose to give no consideration to my legislation, and instead snuffed out the chance of real reform by passing Senate Bill 1023. The fatal flaw in this legislation is making any reform here in Maryland contingent on New York, New Jersey, Virginia, North Carolina, and Pennsylvania taking action. Maryland is a leader in so many areas, since when do we wait for five other states to pass legislation before enacting something that the vast majority of our citizens want?

Marylanders should not have to wait for five other states to act, they want and deserve fair representation now! This provision is a simply a safeguard for lawmakers to ensure that true redistricting reform never comes to fruition. Marylanders deserve better.

Another troubling aspect of this legislation is that it would only apply to congressional districts and leaves the current system intact to draw state legislative districts. This process has not served the voters well either, which has been made evident by recent comments from none other than former Governor Martin O'Malley, who said: "*As a governor, I held that redistricting pen in my own Democratic hand. I was convinced that we should use our political power to pass a map that was more favorable for the election of Democratic candidates*."

Out–of–touch lawmakers have repeatedly turned a blind eye to the blatant political machinations of the previous governor's Redistricting Advisory Commission. Recent election cycles have resulted in numerous lawsuits. Maps were invalidated in 1994 for failing to create a majority–minority district as required by the Voting Rights Act of 1965. Again, maps were overturned in 2002 for repeated crossings of lines between Baltimore City and Baltimore County that improperly prioritized political goals over constitutional congruence standards.

The legislation we proposed addressed both congressional and legislative districts, giving Marylanders the opportunity to vote on a referendum in the next election. Senate Bill 1023 missed the mark by failing to include legislative districts, which, if not reformed, will continue to produce the same faulty maps.

Finally this bill purports to create a non–partisan independent redistricting process. In stark contrast to its misleading title, it actually does quite the opposite. The so–called "independent commission" proposed in Senate Bill 1023 would continue to be politically charged, with members being selected by leadership in the House of Delegates and Senate. This differs greatly from my legislation, which would remove legislators from having any control over the redistricting process.

I proudly and enthusiastically support redistricting reform and have done so since prior to my election. However, this legislation is an attempt by lawmakers to deceive the public into thinking they are sincere, when in fact they have zero intention of fixing the current process.

I simply refuse to lend my signature to a piece of legislation that deters and further delays Maryland from doing the right thing. I sincerely and respectfully ask you once again to join me next session to pass meaningful redistricting reform that will not mislead Marylanders and actually achieves the free and fair elections the voters deserve.

For these reasons, I have vetoed SB 1023.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

cc: The Honorable Michael E. Busch

Senate Bill 1023

AN ACT concerning

Independent Congressional Redistricting Commission – Mid–Atlantic States Regional Districting Process

FOR the purpose of requiring the Department of Legislative Services to obtain certain census data, adjust the census data for certain purposes, and provide the adjusted census data to a temporary redistricting commission within a certain time period; creating a temporary redistricting commission in the State; providing for the membership of the commission and the qualifications of its members; providing that individuals cease to be members of the commission under certain circumstances; providing that a member may be removed from the commission under certain circumstances and in a certain manner; providing that the commission is subject to certain laws governing open meetings and access to public records; requiring the commission to hold certain hearings to receive public testimony at certain times, in certain places, and in certain geographic areas to accommodate the public and to reflect certain demographics and characteristics of the population of the State; requiring the Department to staff and provide certain support for the commission; requiring the commission to use certain census data to prepare and adopt a districting plan for congressional districting within a certain time period; specifying that a certain districting plan is the plan for the State; requiring that a certain districting plan be filed with the Secretary of State within a certain time period; providing for the effectiveness of a certain districting plan; specifying certain criteria for the formation of the districts; providing for the application of this Act; making this Act contingent on the enactment of a similar independent redistricting process by certain states; defining certain terms; directing the Secretary of State to send copies of this Act to the presiding officers of both Houses of the legislature of certain states with a request that each of the states join Maryland in the enactment of a certain congressional redistricting process; and generally relating to the establishment of districts in Maryland for the election of members of Congress and a mid–Atlantic states regional compact.

BY adding to
Article – Election Law
Section 8–6A–01 through ~~8–6A–06~~ 8–6A–09 to be under the new subtitle "Subtitle 6A. Congressional Districting Process"
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

SUBTITLE 6A. CONGRESSIONAL DISTRICTING PROCESS.

8–6A–01.

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

(B) "COMMISSION" MEANS A TEMPORARY REDISTRICTING COMMISSION.

(C) "DEPARTMENT" MEANS THE DEPARTMENT OF LEGISLATIVE SERVICES.

8–6A–02.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE YEAR IMMEDIATELY FOLLOWING THE DECENNIAL UNITED STATES CENSUS, THE DEPARTMENT SHALL:

(1) OBTAIN THE ADJUSTED CENSUS DATA ~~FROM THE UNITED STATES BUREAU OF THE CENSUS IN ACCORDANCE WITH P.L. 94–171~~ FOR THE STATE FOR THAT CENSUS; AND

~~(2) ADJUST THE CENSUS DATA TO MEET THE REQUIREMENTS OF § 8–701 OF THIS TITLE AND MAKE THE CENSUS DATA USABLE FOR PREPARING A DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS; AND~~

~~(3)~~ (2) PROVIDE THE ADJUSTED CENSUS DATA TO THE COMMISSION WITHIN 30 DAYS AFTER ~~THE DEPARTMENT HAS FINISHED ADJUSTING THE CENSUS DATA AS REQUIRED BY ITEM (2) OF THIS SECTION~~ THE DEPARTMENT RECEIVES THE DATA.

8–6A–03.

(A) THERE IS A TEMPORARY REDISTRICTING COMMISSION.

(B) (1) THE COMMISSION SHALL CONSIST OF ~~FIVE~~ NINE MEMBERS.

(2) BY FEBRUARY 1 OF THE FIRST YEAR FOLLOWING THE UNITED STATES CENSUS, ~~FOUR~~ EIGHT MEMBERS SHALL BE APPOINTED AS FOLLOWS:

(I) ~~ONE~~ TWO APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) ~~ONE~~ TWO APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(III) ~~ONE~~ TWO APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES; AND

(IV) ~~ONE~~ TWO APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF DELEGATES.

(3) (I) WITHIN 30 DAYS OF THEIR APPOINTMENTS TO THE COMMISSION, BUT NOT LATER THAN MARCH 1 OF THAT YEAR, THE COMMISSION MEMBERS SHALL SELECT, BY VOTE OF AT LEAST ~~THREE~~ FIVE OF THE MEMBERS, THE ~~FIFTH~~ NINTH COMMISSION MEMBER, WHO:

1. SHALL SERVE AS CHAIR; AND

2. MAY NOT BE AFFILIATED WITH EITHER OF THE PRINCIPAL POLITICAL PARTIES IN THE STATE.

(II) IF THE COMMISSION IS UNABLE TO SELECT THE ~~FIFTH~~ NINTH MEMBER~~, THE CHIEF JUDGE OF THE COURT OF APPEALS SHALL MAKE THE APPOINTMENT~~:

1. THE COMMISSION SHALL SUBMIT A LIST OF THREE NAMES FOR THE APPOINTMENT OF THAT MEMBER TO:

A. THE CHIEF ADMINISTRATIVE LAW JUDGE OF THE OFFICE OF ADMINISTRATIVE HEARINGS;

B. THE CHAIR OF THE STATE ETHICS COMMISSION; AND

C. THE COCHAIRS OF THE JOINT COMMITTEE ON LEGISLATIVE ETHICS; AND

2. NO LATER THAN 10 DAYS AFTER RECEIPT OF THE LIST SUBMITTED BY THE COMMISSION TO THE ENTITIES DESIGNATED UNDER ITEM 1 OF THIS SUBPARAGRAPH, THE ENTITIES SHALL SELECT THE NINTH MEMBER AND CHAIR OF THE COMMISSION.

~~(4) AN INDIVIDUAL MAY NOT BE APPOINTED TO OR SERVE ON THE COMMISSION IF THE INDIVIDUAL:~~

~~(I) HOLDS AN ELECTIVE OR APPOINTIVE OFFICE IN THE EXECUTIVE BRANCH OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL GOVERNMENT;~~

~~(II) HOLDS A POLITICAL PARTY OFFICE; OR~~

~~(III) IS NOT A REGISTERED VOTER OF THE STATE.~~

8–6A–04.

(A) EACH MEMBER OF THE COMMISSION:

(1) (I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, HAS BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED POLITICAL PARTY AFFILIATION; AND

(II) IN THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, HAS VOTED IN AT LEAST TWO ELECTIONS; AND

(2) (I) MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO OR SERVED AS GOVERNOR, AS A MEMBER OF THE GENERAL ASSEMBLY, OR AS A REPRESENTATIVE OF THE UNITED STATES CONGRESS FROM THIS STATE DURING THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, OR BE AN IMMEDIATE FAMILY MEMBER ESTABLISHED THROUGH BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;

(II) MAY NOT BE A REGULATED LOBBYIST IN THIS STATE, AS DESCRIBED IN § 5–702(A) OF THE GENERAL PROVISIONS ARTICLE, REGISTERED AS A LOBBYIST BEFORE A COUNTY OR MUNICIPAL GOVERNMENT IN THE STATE, OR REGISTERED AS A LOBBYIST BEFORE THE FEDERAL GOVERNMENT;

(III) MAY NOT BE OR HAVE SERVED AS STAFF OR A CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF THE UNITED STATES CONGRESS FROM THIS STATE;

(IV) MAY NOT HOLD AN APPOINTIVE OFFICE IN THE EXECUTIVE BRANCH OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL GOVERNMENT; AND

(V) MAY NOT HAVE MADE A CONTRIBUTION OF $2,000 OR MORE TO A POLITICAL COMMITTEE FOR ELECTORAL PURPOSES FOR A CONGRESSIONAL, STATE, OR LOCAL GOVERNMENT ELECTION IN THE STATE IN ANY YEAR, WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.

(B) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING COMMISSION.

(C) (1) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(2) EXCEPT AS PROVIDED IN § 8–6A–03(B)(3) OF THIS SUBTITLE, SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED MAPS AND PLANS FOR CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

8–6A–05.

(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE CONCURRENCE OF THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

(2) A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY FOR INVESTIGATION.

(B) A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THAT MEMBER WITHIN 30 DAYS AFTER THE VACANCY OCCURS.

8–6A–06.

(A) (1) THE ACTIVITIES OF THE COMMISSION ARE SUBJECT TO APPLICABLE STATE LAW GOVERNING OPEN MEETINGS AND ACCESS TO PUBLIC INFORMATION.

(2) THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS' PUBLIC NOTICE FOR EACH MEETING.

(B) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW PROCESS.

(2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND AT LEAST ONE HEARING FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

2. HEARINGS SHALL BE SUPPLEMENTED WITH OTHER ACTIVITIES AS APPROPRIATE TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REVIEW PROCESS.

(II) THE COMMISSION SHALL:

1. DISPLAY THE MAPS FOR PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY POSSIBLE; AND

2. TAKE PUBLIC COMMENT FOR AT LEAST 14 DAYS FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMMISSION MEMBERS AND STAFF MAY NOT COMMUNICATE WITH OR RECEIVE COMMUNICATIONS ABOUT REDISTRICTING MATTERS FROM ANYONE OUTSIDE A PUBLIC HEARING.

(2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF, LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.

~~(C)~~ (D) MEMBERS OF THE COMMISSION MAY NOT RECEIVE A SALARY BUT ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

~~(D)~~ (E) INDIVIDUALS APPOINTED AS MEMBERS OF THE COMMISSION SHALL CEASE TO BE MEMBERS OF THE COMMISSION ON THE FILING OF THE DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS WITH THE SECRETARY OF STATE AS REQUIRED BY § ~~8–6A–05~~ 8–6A–08 OF THIS SUBTITLE.

~~(E)~~ (F) THE DEPARTMENT SHALL STAFF AND PROVIDE TECHNICAL SUPPORT FOR THE COMMISSION.

~~8–6A–04.~~

~~(A) (1) THE COMMISSION SHALL USE THE CENSUS DATA PROVIDED TO THE COMMISSION BY THE DEPARTMENT UNDER § 8–6A–02 OF THIS SUBTITLE TO PREPARE AND ADOPT A DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS WITHIN 90 DAYS AFTER THE COMMISSION MEMBERS ARE APPOINTED OR THE CENSUS DATA IS RECEIVED BY THE COMMISSION, WHICHEVER IS LATER.~~

~~(2) A MAJORITY VOTE OF THE TOTAL NUMBER OF MEMBERS OF THE COMMISSION SHALL BE REQUIRED TO ADOPT A DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

8–6A–07.

(A) THE COMMISSION SHALL CONVENE ITS FIRST MEETING ON OR BEFORE MARCH 1 OF THE YEAR FOLLOWING EACH DECENNIAL CENSUS.

(B) (1) AT ITS FIRST MEETING, OR ON OR BEFORE 30 DAYS AFTER THE COMMISSION RECEIVES ADJUSTED CENSUS DATA FROM THE DEPARTMENT, WHICHEVER IS LATER, THE COMMISSION SHALL COMMENCE A SERIES OF PUBLIC HEARINGS TO RECEIVE PUBLIC TESTIMONY CONCERNING A REDISTRICTING PLAN.

(2) (I) ON OR BEFORE JULY 1 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL HOLD AT LEAST SIX HEARINGS THROUGHOUT THE STATE.

(II) THE HEARINGS REQUIRED UNDER THIS PARAGRAPH SHALL BE HELD AT TIMES THAT ARE LIKELY TO MAXIMIZE PUBLIC PARTICIPATION AND IN LOCATIONS THAT ENCOMPASS THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE.

(III) THE COMMISSION SHALL CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES.

(3) FOLLOWING THE CONCLUSION OF THE PUBLIC HEARINGS REQUIRED UNDER SUBPARAGRAPH (2) OF THIS SUBSECTION, BUT NO LATER THAN SEPTEMBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PREPARE AND ADOPT A DISTRICTING PLAN AND MAP FOR CONGRESSIONAL DISTRICTS.

(4) ON OR BEFORE OCTOBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL:

(I) PUBLISH THE PROPOSED FINAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ISSUE WITH THE PROPOSED FINAL DISTRICTING PLAN AND MAP A REPORT THAT:

1. EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE THE DECISIONS IN COMPLIANCE WITH THE CRITERIA REQUIRED UNDER THIS SUBTITLE; AND

2. INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS THE COMMISSION USED IN PREPARING THE PROPOSED FINAL DISTRICTING PLAN AND MAP; AND

(III) 1. HOLD AT LEAST ONE PUBLIC HEARING ON THE PROPOSED FINAL DISTRICTING PLAN AND MAP TO RECEIVE PUBLIC TESTIMONY; AND

2. ALLOW THE PUBLIC TO SUBMIT COMMENTS TO THE COMMISSION THROUGH THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES CONCERNING THE PROPOSED FINAL DISTRICTING PLAN AND MAP.

(5) ON OR BEFORE THE SECOND TUESDAY IN NOVEMBER OF THE YEAR THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PUBLISH A FINAL CONGRESSIONAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES.

~~(B)~~ (C) (1) (I) CONGRESSIONAL DISTRICTS SHALL BE ESTABLISHED ON THE BASIS OF POPULATION.

~~(II) EACH DISTRICT SHALL HAVE A POPULATION AS NEARLY EQUAL AS PRACTICABLE TO THE IDEAL DISTRICT POPULATION, DERIVED BY DIVIDING THE POPULATION OF THE STATE AS DETERMINED BY THE UNITED STATES CENSUS BY THE NUMBER OF DISTRICTS IN THE STATE AS APPORTIONED BY THE UNITED STATES CONGRESS.~~

~~(2) (I) A CONGRESSIONAL DISTRICT MAY NOT BE DRAWN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, AN ELECTED OFFICIAL, OR ANY OTHER PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP.~~

~~(II) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF REGISTERED~~

~~VOTERS, POLLING DATA, PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES.~~

~~(C) (1) CONGRESSIONAL DISTRICTS SHALL CONSIST OF ADJOINING TERRITORY AND BE COMPACT IN FORM.~~

~~(2) WHERE PRACTICABLE, DUE REGARD SHALL BE GIVEN TO NATURAL BOUNDARIES AND THE BOUNDARIES OF POLITICAL SUBDIVISIONS.~~

(2) EACH CONGRESSIONAL DISTRICT SHALL:

(I) COMPLY WITH THE UNITED STATES CONSTITUTION;

(II) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

(III) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

(IV) WITHOUT VIOLATING THE REQUIREMENTS OF THIS SECTION, RESPECT THE GEOGRAPHIC INTEGRITY OF ANY MUNICIPAL CORPORATION OR COUNTY, TO THE EXTENT POSSIBLE;

(V) BE GEOGRAPHICALLY CONTIGUOUS; AND

(VI) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (I) THROUGH (V) OF THIS PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS.

(D) (1) A CONGRESSIONAL DISTRICT MAY NOT BE DRAWN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, AN ELECTED OFFICIAL, OR ANY OTHER PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP.

(2) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF REGISTERED VOTERS, POLLING DATA, PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES.

~~(3)~~ (E) THE CHESAPEAKE BAY MAY NOT BE CONSIDERED TO BE A BARRIER TO CONTIGUITY.

~~(4)~~ (F) AREAS THAT MEET ONLY AT THE POINTS OF ADJOINING CORNERS ARE NOT CONTIGUOUS.

~~8–6A–05.~~ 8–6A–08.

THE DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS PREPARED AND ADOPTED BY THE COMMISSION UNDER ~~§ 8–6A–04~~ § 8–6A–07 OF THIS SUBTITLE SHALL:

(1) BE THE DISTRICTING PLAN FOR THE STATE;

(2) BE FILED WITH THE SECRETARY OF STATE WITHIN 7 DAYS OF THE PLAN BEING ADOPTED BY THE COMMISSION;

(3) BECOME EFFECTIVE ON THE FILING OF THE PLAN WITH THE SECRETARY OF STATE; AND

(4) REMAIN EFFECTIVE UNTIL THE ADOPTION OF A NEW DISTRICTING PLAN AFTER THE NEXT DECENNIAL CENSUS.

~~8–6A–06.~~ 8–6A–09.

(A) THIS SUBTITLE APPLIES ONLY IF THE DEPARTMENT, AFTER CONSULTATION WITH AND ON THE ADVICE OF THE ATTORNEY GENERAL, DETERMINES THAT EACH OF THE STATES OF NEW YORK, NEW JERSEY, PENNSYLVANIA, VIRGINIA, AND NORTH CAROLINA IN THE MID–ATLANTIC REGION ADOPTS A DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS THAT IS SUBSTANTIALLY SIMILAR TO THE PROCESS OUTLINED UNDER THIS ~~TITLE~~ SUBTITLE AND THE CRITERIA REQUIRED UNDER § 8–6A–07(C), (D), AND (F) OF THIS SUBTITLE FOR REDISTRICTING THE MARYLAND CONGRESSIONAL DISTRICTS.

(B) ~~A PROCESS~~ THE DISTRICTING PLAN FOR A STATE SHALL BE CONSIDERED SUBSTANTIALLY SIMILAR FOR THE PURPOSES OF SUBSECTION (A) OF THIS SECTION ONLY IF:

(1) THE DEPARTMENT DETERMINES THAT THE REDISTRICTING PLAN IN THAT STATE IS DEVELOPED AND PROPOSED BY AN INDEPENDENT DISTRICTING COMMISSION THAT USES A PROCESS AND CRITERIA, AS SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION, TO ESTABLISH CONGRESSIONAL DISTRICTS; AND

(2) (I) THE REDISTRICTING PLAN DEVELOPED AND PROPOSED BY AN INDEPENDENT REDISTRICTING COMMISSION IN THAT STATE BECOMES EFFECTIVE ON THE FILING OF THE PLAN WITH THE CHIEF ELECTION OFFICIAL IN THAT STATE; OR

(II) NOTWITHSTANDING THAT THE STATE LEGISLATURE IN THAT STATE IS ALLOWED TO VOTE ON THE REDISTRICTING PLAN PROPOSED BY THE COMMISSION, ~~BUT~~ THE LEGISLATURE IN THAT STATE IS PROHIBITED FROM ALTERING THE PLAN.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on the enactment of a nonpartisan districting process for representatives in the United States House of Representatives in the mid–Atlantic region in each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina. The Secretary of State shall monitor the enactment of districting legislation by the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina and, after consultation with the Attorney General, notify the Department of Legislative Services within 5 days after the contingency is met. ~~If~~

SECTION 3. AND BE IT FURTHER ENACTED, That if the notice of the contingency described under Section 2 of this Act being met is not received by the Department of Legislative Services on or before December 31, 2020, this Act ~~shall be null and void without the necessity of further action by the General Assembly~~:

(a) may not be applied to the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census; and

(b) the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census set forth under the Maryland Constitution and provisions of Maryland law in effect on January 1, 2021, shall apply.

SECTION 4. AND BE IT FURTHER ENACTED, That if the Department of Legislative Services does not receive notice from the Secretary of State on or before December 31, 2032, that the contingency described in Section 2 of this Act is met, this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That the Secretary of State is directed to send copies of this Act to the presiding officers of both Houses of the legislature of each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid–Atlantic region, with the request that it be circulated among leaders in the legislative branches of those state governments; and with the further request that each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid–Atlantic region join the State of Maryland in the enactment of a nonpartisan

districting process for representatives in the United States House of Representatives in the mid–Atlantic region.

SECTION ~~3.~~ 6. AND BE IT FURTHER ENACTED, That, subject to ~~Section 2~~ Sections 2, 3, and 4 of this Act, this Act shall take effect October 1, 2017.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1075 – *Nonprofit Health Entity – Acquisition – Waiver of Waiting Period.*

This bill authorizes a certain regulating entity, under specific circumstances, to waive the waiting period between the date a determination is made on an acquisition of a nonprofit health entity and the date the determination takes effect.

House Bill 1553, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1075.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1075

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

FOR the purpose of authorizing a certain regulating entity, under certain circumstances, to waive a certain waiting period between the date a determination is made on a certain acquisition of a nonprofit health entity and the date the determination takes effect; making conforming changes; making this Act an emergency measure; and generally relating to acquisitions of nonprofit health entities.

BY repealing and reenacting, with amendments,
Article – State Government
Section 6.5–203
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 – State Government

6.5–203.

(a) (1) As soon as practicable, but no later than 90 days after receiving a complete application, including all necessary expert reports, the appropriate regulating entity shall hold a public hearing.

(2) If the nonprofit health entity is a hospital, the regulating entity shall hold the public hearing in the jurisdiction in which the hospital is located.

(b) A public hearing under this section shall be a quasi–legislative hearing and not a contested case hearing.

(c) Any person may file written comments and exhibits or make a statement at the public hearing.

(d) The regulating entity may:

(1) subpoena information and witnesses;

(2) require sworn statements;

(3) take depositions; and

(4) use related discovery procedures.

(e) (1) The regulating entity may contract with experts as reasonably necessary to:

(i) determine whether to approve an acquisition generally;

(ii) perform an independent valuation of the public or charitable assets of the transferor;

(iii) evaluate the impact of the acquisition on the affected community;

(iv) determine whether there has been due diligence by the transferor; and

(v) determine the existence of any conflicts of interest.

(2) The selection of an expert by a regulating entity under paragraph (1) of this subsection shall be subject to the State procurement laws.

(3) If a regulating entity contracts for expert assistance under paragraph (1) of this subsection, the transferee shall pay the reasonable cost of the expert assistance, as determined by the regulating entity.

(f) Within 60 days after the record, including the public hearing process, has been closed, the appropriate regulating entity shall:

(1) approve the acquisition, with or without modifications; or

(2) disapprove the acquisition.

(g) (1) Subject to paragraph (2) of this subsection, at its discretion, the regulating entity may extend for good cause for a 60–day period the time for making a determination under subsection (f) of this section.

(2) The regulating entity is limited to a maximum of two 60–day extensions for making a determination on the same application.

(h) **(1) [**A**] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A** determination made by the appropriate regulating entity under subsection (f) of this section may not take effect until **THE EARLIER OF:**

(I) 90 calendar days after the date the determination is made**;** or

(II) THE DATE when ratified or rejected by the General Assembly**[**, whichever is earlier**]**.

(2) THE APPROPRIATE REGULATING ENTITY MAY WAIVE THE WAITING PERIOD UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IF THE APPROPRIATE REGULATING ENTITY DETERMINES THAT WAIVING THE WAITING PERIOD IS IN THE BEST INTEREST OF THE PUBLIC.

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 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 Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1144 – *Procurement Preferences – Blind Industries and Services of Maryland – Janitorial Products.*

This bill clarifies the existing requirement that a prime contractor on a State contract that includes housekeeping or janitorial services procure janitorial products from Blind Industries and Services of Maryland applies only if the products are made, manufactured, remanufactured, or assembled by Blind Industries and Services of Maryland, and are available.

House Bill 1446, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1144.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1144

AN ACT concerning

Procurement Preferences – Blind Industries and Services of Maryland – Janitorial Products

FOR the purpose of clarifying that the requirement that a State or State aided or controlled entity include in certain maintenance contracts a requirement that a prime contractor procure certain products from the Blind Industries and Services of Maryland under certain circumstances applies to products made ~~or~~, manufactured, remanufactured, or assembled by the Blind Industries and Services of Maryland; ~~providing for the application of a certain provision of law;~~ providing for a delayed effective date; and generally relating to procurement preferences related to the Blind Industries and Services of Maryland.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 14–103
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 Finance and Procurement

14–103.

(a) A State or State aided or controlled entity shall buy supplies and services from:

(1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of the Correctional Services Article, if Maryland Correctional Enterprises provides the supplies or services;

(2) Blind Industries and Services of Maryland, if:

(i) Blind Industries and Services of Maryland provides the supplies or services; and

(ii) Maryland Correctional Enterprises does not provide the supplies or services; or

(3) the Employment Works Program established under § 14–108 of this subtitle, if:

(i) a community service provider or an individual with disability owned business provides the supplies or services;

(ii) neither Maryland Correctional Enterprises nor Blind Industries and Services of Maryland provides the supplies or services; and

(iii) the State or a State aided or controlled entity is not required by law to buy the supplies or services from any other unit of the State government.

(b) A State or State aided or controlled entity shall give preference to the providers listed under subsection (a) of this section in the order that the providers are listed.

(c) ~~(1)~~ To the extent practicable, a State or State aided or controlled entity shall include in a maintenance contract that has a component for housekeeping or janitorial services, a requirement that a prime contractor procure janitorial products from Blind Industries and Services of Maryland **[**when**]** **IF** the specified products **ARE MADE** ~~**OR,**~~

MANUFACTURED, REMANUFACTURED, OR ASSEMBLED~~,~~ BY BLIND INDUSTRIES AND SERVICES OF MARYLAND AND are available.

~~**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY PRODUCT THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND REPACKAGES BUT DOES NOT MAKE OR MANUFACTURE.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2017~~ May 1, 2018.

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1148 – *Maryland Stadium Authority – Maryland Sports and Affiliated Foundations – Establishment*.

This bill establishes and codifies an office known as Maryland Sports within the Maryland Stadium Authority, and authorizes the Maryland Stadium Authority to establish one or more affiliated foundations to work with Maryland Sports. This bill also requires the Maryland Sports Authority to develop policies for the operation of each affiliated foundation it establishes, subject to review and, if appropriate, approval by the Attorney General, as well as the State Ethics Commission. In addition, this bill requires that an independent certified public accountant must be hired and paid for by the Maryland Stadium Authority in order to audit each affiliated foundation each year.

House Bill 1619, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1148.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1148

AN ACT concerning

Maryland Stadium Authority – Maryland Sports and Affiliated Foundations – Establishment

FOR the purpose of establishing an office known as Maryland Sports in the Maryland Stadium Authority; requiring Maryland Sports to implement a program to bring certain sporting events to the State for certain purposes; requiring Maryland Sports to act as the State's sports commission for the purpose of the National Association of Sports Commissions; authorizing Maryland Sports to request certain assistance and information from any State or local governmental entity, to accept a certain gift, bequest, or grant, to spend certain funds, to act as a host committee for certain sporting events, and to perform certain other tasks; encouraging Maryland Sports to promote private fund–raising by maintaining certain relationships with a certain affiliated foundation; authorizing the Authority to establish one or more affiliated foundations to work with Maryland Sports; establishing the purposes of an affiliated foundation; requiring the Authority to develop policies for the operation of each affiliated foundation the Authority establishes; requiring the Attorney General to review certain policies for form and legal sufficiency and, if appropriate, to approve the policies; *requiring the State Ethics Commission to review certain policies that pertain to conflicts of interest and, if appropriate, to approve the policies;* allowing an affiliated foundation to solicit and receive certain contributions; providing that an affiliated foundation may not be considered an agency or instrumentality of the State or a unit of the Executive Branch for any purpose; providing that a financial obligation or liability of an affiliated foundation may not be considered a debt or an obligation of the State, the Authority, or Maryland Sports; providing that the Public Ethics Law does not prohibit an Authority official or employee from working in certain capacities for an affiliated foundation; *prohibiting an official or employee of the Authority who serves in certain capacities for an affiliated foundation from being compensated by the affiliated foundation; authorizing an official or employee of the Authority who serves in certain capacities for an affiliated foundation to be reimbursed for certain expenses incurred in serving in certain capacities for an affiliated foundation; requiring the Authority to notify the Commission in a certain manner whenever the Authority permits an official or employee of the Authority to serve in certain capacities for an affiliated foundation; requiring the Commission to notify the Authority within a certain time of any objections or concerns pertaining to a certain notice; requiring the Authority to reexamine a certain matter on receipt of a certain notice; requiring the Authority to report annually to the Governor, the Legislative Policy Committee, and the Commission on certain information;* requiring an affiliated foundation to undergo a certain audit each year; authorizing the Authority to grant certain funds under certain circumstances; and generally relating to the establishment of Maryland Sports and affiliated foundations.

BY repealing and reenacting, without amendments,
Article – Economic Development

Section 10–604
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 10–611 and 10–612
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

Article – Economic Development

10–604.

(a) There is a Maryland Stadium Authority.

(b) (1) The Authority is a body politic and corporate and is an instrumentality of the State.

(2) The Authority is an independent unit in the Executive Branch of State government.

(3) The exercise by the Authority of its powers under this subtitle is an essential governmental function.

(c) The Authority is a public body under Title 5, Subtitle 4 of this article, the Maryland Industrial Development Financing Authority Act, for purposes of applying for, receiving, and making agreements in connection with:

(1) a loan;

(2) a grant;

(3) insurance; or

(4) any other form of financial assistance.

10–611.

(A) THERE IS AN OFFICE KNOWN AS MARYLAND SPORTS IN THE AUTHORITY.

(B) MARYLAND SPORTS SHALL IMPLEMENT A PROGRAM TO BRING REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS AT ALL LEVELS OF COMPETITION TO THE STATE FOR THE PURPOSES OF:

(1) UTILIZING SPORTS FACILITIES IN THE STATE;

(2) ENHANCING THE ECONOMIC DEVELOPMENT OF THE STATE; AND

(3) PROMOTING THE STATE AS A DESTINATION FOR AMATEUR AND PROFESSIONAL SPORTING EVENTS.

(C) MARYLAND SPORTS SHALL ACT AS THE STATE'S SPORTS COMMISSION FOR THE PURPOSE OF THE NATIONAL ASSOCIATION OF SPORTS COMMISSIONS.

(D) TO CARRY OUT THE PURPOSES OF THIS SECTION, MARYLAND SPORTS MAY:

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, REQUEST ANY STATE OR LOCAL GOVERNMENT BODY TO PROVIDE INFORMATION AND ASSISTANCE;

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ACCEPT A GIFT, BEQUEST, OR GRANT FROM A PUBLIC OR PRIVATE SOURCE;

(3) SPEND FUNDS MADE AVAILABLE IN THE STATE BUDGET;

(4) ACT AS THE HOST COMMITTEE FOR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS TO BE HELD IN WHOLE OR IN PART IN THE STATE; AND

(5) PERFORM ANY OTHER ACT NECESSARY.

(E) MARYLAND SPORTS IS ENCOURAGED TO PROMOTE PRIVATE FUND–RAISING BY MAINTAINING RELATIONSHIPS WITH EACH AFFILIATED FOUNDATION ESTABLISHED UNDER § 10–612 OF THIS SUBTITLE.

10–612.

(A) THE AUTHORITY MAY ESTABLISH ONE OR MORE AFFILIATED FOUNDATIONS TO WORK WITH MARYLAND SPORTS, ESTABLISHED UNDER § 10–611 OF THIS SUBTITLE.

(B) THE PURPOSES OF AN AFFILIATED FOUNDATION ARE TO:

(1) SUPPORT THE STATE IN:

(I) SPORTS BID DEVELOPMENT;

(II) SPORTING EVENT RECRUITMENT AND RETENTION;

(III) ECONOMIC ANALYSIS AND RESEARCH RELATING TO SPORTING EVENTS;

(IV) SPONSORSHIP OF SPORTING EVENTS; AND

(V) DEVELOPMENT OF PARTNERSHIPS WITH PUBLIC AND PRIVATE ENTITIES DESIGNED TO SPONSOR SPORTING EVENTS;

(2) PROMOTE REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS TO BE HELD, IN WHOLE OR IN PART, IN THE STATE; AND

(3) RECRUIT, MARKET, PROMOTE, WORK TO RETAIN, AND MANAGE SPORTING EVENTS THAT HAVE A POSITIVE ECONOMIC OR CULTURAL IMPACT, OR OTHERWISE ENHANCE THE QUALITY OF LIFE OF THE STATE'S CITIZENS.

(C) (1) THE AUTHORITY SHALL DEVELOP POLICIES FOR THE OPERATION OF EACH AFFILIATED FOUNDATION THE AUTHORITY ESTABLISHES.

(2) THE ATTORNEY GENERAL SHALL REVIEW THE POLICIES THE AUTHORITY DEVELOPS UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FORM AND LEGAL SUFFICIENCY AND, IF APPROPRIATE, APPROVE THEM TO GOVERN THE AFFILIATED FOUNDATION.

(3) THE STATE ETHICS COMMISSION SHALL REVIEW THE POLICIES THE AUTHORITY DEVELOPS UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT PERTAIN TO CONFLICTS OF INTEREST AND, IF APPROPRIATE, APPROVE THEM TO GOVERN AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY ALSO SERVING AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION.

(D) AN AFFILIATED FOUNDATION MAY SOLICIT AND RECEIVE CONTRIBUTIONS FROM BUSINESSES, GOVERNMENTAL ENTITIES, NONPROFIT ORGANIZATIONS, AND INDIVIDUALS INTERESTED IN THE PROMOTION OF SPORTS IN THE STATE.

(E) (1) AN AFFILIATED FOUNDATION ESTABLISHED UNDER THIS SECTION MAY NOT BE CONSIDERED AN AGENCY OR INSTRUMENTALITY OF THE STATE OR A UNIT OF THE EXECUTIVE BRANCH FOR ANY PURPOSE.

(2) A FINANCIAL OBLIGATION OR LIABILITY OF AN AFFILIATED FOUNDATION ESTABLISHED AND OPERATED UNDER THIS SECTION MAY NOT BE CONSIDERED A DEBT OR AN OBLIGATION OF THE STATE, THE AUTHORITY, OR MARYLAND SPORTS.

(F) *(1)* SECTIONS 5–501 THROUGH 5–504 OF THE GENERAL PROVISIONS ARTICLE DO NOT PROHIBIT AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY FROM *ALSO* BECOMING A DIRECTOR~~,~~ *OR* AN OFFICIAL~~, OR AN EMPLOYEE~~ OF AN AFFILIATED FOUNDATION ORGANIZED UNDER THIS SECTION.

(2) AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY WHO SERVES AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION ORGANIZED UNDER THIS SECTION:

(I) MAY NOT BE COMPENSATED, DIRECTLY OR INDIRECTLY, BY THE AFFILIATED FOUNDATION; AND

(II) MAY BE REIMBURSED FOR BONA FIDE EXPENSES INCURRED IN THE PERFORMANCE OF ACTIVITIES UNDERTAKEN ON BEHALF OF THE AFFILIATED FOUNDATION AS AUTHORIZED BY THE BOARD OF DIRECTORS OF THAT AFFILIATED FOUNDATION AND BY THE AUTHORITY.

(3) (I) THE AUTHORITY SHALL NOTIFY THE STATE ETHICS COMMISSION IN WRITING WHENEVER THE AUTHORITY PERMITS AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY TO SERVE AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION.

(II) WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE ETHICS COMMISSION SHALL NOTIFY THE AUTHORITY OF ANY OBJECTIONS OR CONCERNS PERTAINING TO THE JOINT SERVICE IDENTIFIED IN THE NOTICE.

(III) ON RECEIPT OF A NOTICE FROM THE STATE ETHICS COMMISSION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE AUTHORITY SHALL REEXAMINE THE MATTER.

(4) THE AUTHORITY SHALL REPORT ANNUALLY TO THE GOVERNOR, THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, AND THE STATE ETHICS COMMISSION:

(I) THE NAMES OF THE OFFICIALS AND EMPLOYEES SERVING AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION; AND

(II) HOW THE POLICIES AND PROCEDURES ADOPTED UNDER SUBSECTION (C) OF THIS SECTION HAVE BEEN IMPLEMENTED IN THE PRECEDING YEAR.

(G) AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT HIRED AND PAID BY THE AUTHORITY SHALL AUDIT AN AFFILIATED FOUNDATION ESTABLISHED UNDER THIS SECTION EACH YEAR.

(H) IN ANY FISCAL YEAR, AFTER ~~THE APPROVAL OF~~ PROVIDING THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY AN OPPORTUNITY FOR REVIEW AND COMMENT, THE AUTHORITY MAY GRANT UP TO $500,000 OF THE AUTHORITY'S AVAILABLE NONBUDGETED MONEY TO AFFILIATED FOUNDATIONS ESTABLISHED UNDER THIS SECTION.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1171 – *Harford County – Alcoholic Beverages – Waiver from School Distance Restrictions.*

This bill alters the circumstances under which the Board of License Commissioners for Harford County may issue a waiver from school distance restrictions for certain alcoholic beverages licenses, and requires that a public hearing must be held by the governing body of the municipality or county in which the restaurant is located. This bill also requires the governing body to make a recommendation, and that such recommendations and comments must be considered before a waiver may be issued.

House Bill 795, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1171.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1171

AN ACT concerning

Harford County – Alcoholic Beverages – Waiver From School Distance Restrictions

FOR the purpose of altering the circumstances under which the Board of License Commissioners for Harford County may issue a waiver from certain school distance restrictions for certain alcoholic beverages licenses; *requiring certain hearings to be held, certain recommendations to be made, and certain recommendations and comments to be considered before a certain waiver can be issued;* and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 22–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 22–1602
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.

22–1602.

(a) This section does not apply to:

(1) a license in effect on July 1, 1975, or the issuance or transfer of a Class B (on–sale) beer, wine, and liquor license for use on any premises licensed on July 1, 1975;

(2) a license in effect on July 1, 1977;

(3) the renewal, transfer, or upgrading of a license, unless the license is transferred to a new location; and

(4) the issuance of:

(i) a 1–day license that is to be used on the premises of a place of worship or school;

(ii) a Class GC (golf course) license; and

(iii) a Class CCFA (continuing care facility) license.

(b) (1) (i) Except as provided in paragraph (2) of this subsection, the Board may not issue a license for an establishment that is within 300 feet of a place of worship.

(ii) The distance from the establishment to the place of worship 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.

(2) Paragraph (1) of this subsection does not apply to the issuance of:

(i) a 1–day license for use in a building;

(ii) a license issued to a hotel, motel, restaurant, club, or caterer in a municipality; and

(iii) a Class H beer, wine, and liquor license issued to a caterer for use in a banquet facility in an establishment if:

1. the construction of the establishment was completed after July 1, 1991; and

2. the establishment is used for emergency operations by a volunteer fire company.

(c) (1) (i) Except as provided in paragraph (2) of this subsection, the Board may not issue a license to a business establishment that is within 1,000 feet of a public or private school building.

(ii) The distance from the establishment to the public or private school is to be measured from the nearest point of the building of the establishment to the nearest point of the building of the school.

(2) The Board may issue a license to a business establishment in Harford County and in a municipality in Harford County if the business establishment is not located within 300 feet of a public or private school.

(3) A decision of the County Board of Education to locate a public school building within 1,000 feet of the premises of a license holder may not be the basis to revoke or deny the renewal, transfer, or upgrading of the license.

(d) ***(1)*** ~~The~~ ***SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE*** Board may waive the distance restrictions from a public or private school building and issue a Class B (on–sale) restaurant license ~~if:~~

~~(1) the restaurant is located in a community shopping center that contains:~~

~~(i) six or more retail uses;~~

~~(ii) six or more retail and service uses; or~~

~~(iii) a gross floor area of more than 20,000 square feet; [and]~~

~~(2) THE RESTAURANT IS LOCATED ON A PARCEL OF LAND THAT FACES ONE OR MORE STATE HIGHWAYS ON TWO SIDES; AND~~

~~(3) the Board takes into account comments received from parents whose children attend the public or private school~~ ***OR A CLASS B CAFE LICENSE ON A CASE–BY–CASE BASIS.***

(2) BEFORE THE BOARD DECIDES WHETHER TO WAIVE THE DISTANCE RESTRICTIONS FROM A PUBLIC OR PRIVATE SCHOOL BUILDING UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) A PUBLIC HEARING SHALL BE HELD BY THE GOVERNING BODY OF:

1. IF THE RESTAURANT IS LOCATED IN A MUNICIPALITY, THE MUNICIPALITY WHERE THE RESTAURANT IS LOCATED; OR

2. IF THE RESTAURANT IS LOCATED OUTSIDE THE BOUNDARIES OF A MUNICIPALITY, THE COUNTY WHERE THE RESTAURANT IS LOCATED;

(II) THE GOVERNING BODY SHALL MAKE A RECOMMENDATION TO THE BOARD REGARDING WHETHER THE DISTANCE RESTRICTIONS SHOULD BE WAIVED; AND

(III) AFTER RECEIVING THE RECOMMENDATION, THE BOARD SHALL HOLD A PUBLIC HEARING.

(3) IN MAKING A DECISION WHETHER TO WAIVE THE DISTANCE RESTRICTIONS FROM A PUBLIC OR PRIVATE SCHOOL BUILDING, THE BOARD SHALL TAKE INTO CONSIDERATION:

(I) THE RECOMMENDATION FROM THE GOVERNING BODY;

(II) COMMENTS RECEIVED FROM PARENTS WHOSE CHILDREN ATTEND THE PUBLIC OR PRIVATE SCHOOL; AND

(III) COMMENTS MADE AT THE PUBLIC HEARING HELD BY THE BOARD.

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

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H–107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1174 – *Public Health – Certificates of Birth – Births Outside an Institution*.

This bill requires an attending clinician, or designee of the attending clinician, to prepare a certificate of birth, secure certain signatures, and file the certificate within a certain time period after a birth occurs outside an institution, or en route to an institution.

House Bill 1632, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1174.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Senate Bill 1174

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

FOR the purpose of requiring the attending clinician or a designee of the attending clinician to prepare a certificate of birth, secure certain signatures, and file the certificate within a certain time period after a birth occurs outside an institution with an attending clinician; requiring the attending clinician, within a certain time period after the birth, to provide certain information that is required on a certificate of birth; requiring the attending clinician or a designee of the attending clinician to take certain actions on the birth of a child to an unmarried woman outside an institution with an attending clinician; providing that the attending clinician or a designee of the attending clinician may not be held liable in any cause of action arising out of the establishment of paternity; defining certain terms; making a conforming change; making a stylistic change; making this Act an emergency measure; and generally relating to certificates of birth for births outside an institution.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–201 and 4–208(a) and (b)
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

4–201.

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

(B) "ATTENDING CLINICIAN" MEANS THE PHYSICIAN, NURSE MIDWIFE, OR DIRECT–ENTRY MIDWIFE IN CHARGE OF A BIRTH OUTSIDE AN INSTITUTION.

[(b)**] (C)** "Attending physician" means the physician in charge of the patient's care for the illness or condition which resulted in death.

[(c)**] (D)** "County registrar" means the registrar of vital records for a county.

[(d)**] (E)** (1) "Dead body" means:

(i) A dead human body; or

(ii) Parts or bones of a human body if, from their condition, an individual reasonably may conclude that death has occurred.

(2) "Dead body" does not include an amputated part.

(F) "DIRECT–ENTRY MIDWIFE" MEANS AN INDIVIDUAL LICENSED TO PRACTICE DIRECT–ENTRY MIDWIFERY UNDER TITLE 8, SUBTITLE 6C OF THE HEALTH OCCUPATIONS ARTICLE.

[(e)**] (G)** "Fetal death" means death of a product of human conception, before its complete expulsion or extraction from the mother, regardless of the duration of the pregnancy, as indicated by the fact that, after the expulsion or extraction, the fetus does not breathe or show any other evidence of life, such as heart beat, pulsation of the umbilical cord, or definite movement of voluntary muscle.

[(f)**] (H)** "File" means to present for registration any certificate, report, or other record including records transmitted by approved electronic media, including facsimile, of birth, death, fetal death, adoption, marriage, or divorce for which this subtitle provides and to have the Secretary accept the record.

[(g)**] (I)** "Filing date" means the date a vital record is accepted for registration by the Secretary.

[(h)**] (J)** "Final disposition" means the burial, cremation, or other final disposition of a body or fetus.

[(i)**] (K)** "Institution" means any public or private establishment:

(1) To which individuals are committed by law; or

(2) That provides to 2 or more unrelated individuals:

(i) Any inpatient or outpatient medical, surgical, or diagnostic care or treatment; or

(ii) Any nursing, custodial, or domiciliary care.

[(j)**] (L)** "Licensed health care practitioner" means:

(1) An individual who is:

(i) A physician licensed under Title 14 of the Health Occupations Article;

(ii) A psychologist licensed under Title 18 of the Health Occupations Article;

(iii) A registered nurse licensed and certified to practice as a nurse practitioner, nurse psychotherapist, or clinical nurse specialist under Title 8 of the Health Occupations Article;

(iv) A licensed certified social worker–clinical licensed under Title 19 of the Health Occupations Article; or

(2) An individual who:

(i) Is licensed to practice a profession listed in item (1) of this subsection in another state; and

(ii) Meets the requirements under the Health Occupations Article to qualify for a license to practice the profession in this State.

[(k)**] (M)** "Live birth" means the complete expulsion or extraction of a product of human conception from the mother, regardless of the period of gestation, if, after the expulsion or extraction, it breathes or shows any other evidence of life, such as heart beat, pulsation of the umbilical cord, or definite movement of voluntary muscle, whether or not the umbilical cord is cut or the placenta is attached.

[(l)**] (N)** "Mortician" means a funeral director, mortician, or other person who is authorized to make final disposition of a body.

(O) "NURSE MIDWIFE" MEANS AN INDIVIDUAL CERTIFIED TO PRACTICE AS A NURSE MIDWIFE UNDER TITLE 8 OF THE HEALTH OCCUPATIONS ARTICLE.

[(m)**] (P)** "Physician" means a person authorized or licensed to practice medicine or osteopathy pursuant to the laws of this State.

[(n)**] (Q)** "Physician assistant" means an individual who is licensed under Title 15 of the Health Occupations Article to practice medicine with physician supervision.

[(o)**] (R)** "Registration" means acceptance by the Secretary and incorporation in the records of the Department of any certificate, report, or other record of birth, death, fetal death, adoption, marriage, divorce, or dissolution or annulment of marriage for which this subtitle provides.

[(p)**] (S)** "Vital record" means a certificate or report of birth, death, fetal death, marriage, divorce, dissolution or annulment of marriage, adoption, or adjudication of paternity that is required by law to be filed with the Secretary.

[(q)**] (T)** "Vital statistics" means the data derived from certificates and reports of birth, death, fetal death, marriage, divorce, dissolution or annulment of marriage, and reports related to any of these certificates and reports.

4–208.

(a) (1) Within 5 calendar days after a birth occurs in an institution, or en route to the institution, **OR OUTSIDE AN INSTITUTION WITH AN ATTENDING CLINICIAN,** the administrative head of the institution or a designee of the administrative head**, OR THE ATTENDING CLINICIAN OR A DESIGNEE OF THE ATTENDING CLINICIAN,** shall:

(i) Prepare, on the form that the Secretary provides, a certificate of birth;

(ii) Secure each signature that is required on the certificate; and

(iii) File the certificate.

(2) The attending physician, physician assistant, nurse practitioner, **[**or**]** nurse midwife**, OR ATTENDING CLINICIAN** shall provide the date of birth and medical information that are required on the certificate within 5 calendar days after the birth.

(3) The results of the universal hearing screening of newborns shall be incorporated into the supplemental information required by the Department to be submitted as a part of the birth event.

(4) **[**Upon**] ON** the birth of a child to an unmarried woman in an institution **OR OUTSIDE AN INSTITUTION WITH AN ATTENDING CLINICIAN**, the administrative head of the institution or the designee of the administrative head**, OR THE ATTENDING CLINICIAN OR THE DESIGNEE OF THE ATTENDING CLINICIAN,** shall:

(i) Provide an opportunity for the child's mother and the father to complete a standardized affidavit of parentage recognizing parentage of the child on the standardized form provided by the Department of Human Resources under § 5–1028 of the Family Law Article;

(ii) Furnish to the mother written information prepared by the Child Support Enforcement Administration concerning the benefits of having the paternity of her child established, including the availability of child support enforcement services; and

(iii) Forward the completed affidavit to the Department of Health and Mental Hygiene, Division of Vital Records. The Department of Health and Mental Hygiene, Division of Vital Records shall make the affidavits available to the parents, guardian of the child, or a child support enforcement agency upon request.

(5) An institution, the administrative head of the institution, the designee of the administrative head of an institution, **[**and**]** an employee of an institution**, THE ATTENDING CLINICIAN, AND THE DESIGNEE OF THE ATTENDING CLINICIAN** may not be held liable in any cause of action arising out of the establishment of paternity.

(6) If the child's mother was not married at the time of either conception or birth or between conception and birth, the name of the father may not be entered on the certificate without an affidavit of paternity as authorized by § 5–1028 of the Family Law Article signed by the mother and the person to be named on the certificate as the father.

(7) In any case in which paternity of a child is determined by a court of competent jurisdiction, the name of the father and surname of the child shall be entered on the certificate of birth in accordance with the finding and order of the court.

(8) If the father is not named on the certificate of birth, no other information about the father shall be entered on the certificate.

(b) Within 5 calendar days after a birth occurs outside an institution **WITHOUT AN ATTENDING CLINICIAN**, the birth shall be verified by the Secretary and a certificate of birth shall be prepared, on the form that the Secretary provides, and filed by one of the following, in the indicated order of priority:

(1) The attending individual.

(2) In the absence of an attending individual, the father or mother.

(3) In the absence of the father and the inability of the mother, the individual in charge of the premises where the birth occurred.

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 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.

Exhibit C

2017 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*:*

(I)* 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 ~~8~~ *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 AWARDING 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) <u>1.</u> AN EMPLOYEE FAILS TO PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPHS (1) OR (2) OF THIS SUBSECTION; AND

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

<u>(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;</u>

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 ARNED 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 ~~3.~~ *4.* AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2018.

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.

Exhibit D

The State of Maryland

Executive Department

EXECUTIVE ORDER
01.01.2018.04

Reorganization of State Government –
Office of Small Business Regulatory Assistance

Submitted to the President of the Senate and the Speaker of the House of Delegates of Maryland

Date: January 15, 2018

AN EXECUTIVE ORDER PURSUANT TO ARTICLE II, SECTION 24 OF THE CONSTITUTION OF MARYLAND

AN EXECUTIVE ORDER concerning

Reorganization of State Government –
Office of Small Business Regulatory Assistance

FOR the purpose of establishing an Office of Small Business Regulatory Assistance in the Department of Labor, Licensing, and Regulation and assigning the duties formerly exercised by the Office of the Business Ombudsman in the Office of the Governor to the Office of Small Business Regulatory Assistance; requiring the Office of Small Business Regulatory Assistance to perform certain new duties; and generally relating to reorganization of State government.

BY adding to,
Article – Business Regulation
Section 2-103.1
Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

BY repealing,

Article - Economic Development

Section 14-201 through 14-205 and the subtitle "Office of the Business Ombudsman"

(2008 Volume and 2017 Supplement)

Preamble

WHEREAS, House Bill 1 of the 2017 Session of the Maryland General Assembly ("Maryland Healthy Working Families Act") was vetoed on May 25, 2017, the veto was subsequently overridden by the Maryland General Assembly, and the bill became Chapter 1 of the Acts of 2018;

WHEREAS, a strong and healthy workforce benefits all Marylanders and the State of Maryland has a commitment to expand access to paid leave in the workforce in a manner that does not burden job creators;

WHEREAS, the Committee on Paid Leave Policy submitted its findings in a final report after six months conducting in-person interviews with impacted organizations, individuals, employees, and employers from across the entire state;

WHEREAS, the findings of the report reveal that the Maryland Healthy Working Families Act contains potentially unintended consequences that negatively impact small businesses and workers;

WHEREAS, small businesses are concerned about fully complying with the prescriptive and complicated provisions of the Maryland Healthy Working Families Act in order to minimize the risk of being found in violation of the law with the presumption of guilt, which carries with it severe civil penalties;

WHEREAS, the Maryland Healthy Working Families Act creates unnecessary hardships and lacks clarity regarding verification for leave used between the 107 and 120 calendar days for employers in the tourism and hospitality industries, especially in places around the state that have a high demand for seasonal workers during peak seasons;

WHEREAS, working Marylanders have expressed concern about revealing intimate personal details to their employers in order to access sick leave;

WHEREAS, Maryland workers should not be unnecessarily laid off and small businesses should not be forced to shut their doors in order to comply with overly strict, burdensome, and costly regulations;

WHEREAS, small-businesses job creators who desire to remain in compliance with sick leave and other labor laws may need additional resources;

WHEREAS, personal employee information and required employer documentation must be handled with sensitivity; and

WHEREAS, the Business Ombudsman serves as a liaison between businesses, economic development organizations, communities, and federal, State, and local units and agencies; now, therefore,

SECTION 1. BE IT ORDERED BY THE GOVERNOR OF MARYLAND, PURSUANT TO ARTICLE II, SECTION 24, OF THE CONSTITUTION OF MARYLAND, That Sections 14-201 through 14-205 of the Economic Development Article and the subtitle "Office of the Business Ombudsman" be repealed.

SECTION 2. AND BE IT FURTHER ORDERED, That:

Article – Business Regulation

2-103.1.

(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "OFFICE" MEANS THE OFFICE OF SMALL BUSINESS REGULATORY ASSISTANCE.

(3) "EXECUTIVE DIRECTOR" MEANS AN INDIVIDUAL APPOINTED BY THE GOVERNOR WHO DIRECTS THE ACTIVITIES OF THE OFFICE OF SMALL BUSINESS REGULATORY ASSISTANCE AND SERVES AS A LIAISON BETWEEN BUSINESSES, ECONOMIC DEVELOPMENT ORGANIZATIONS, COMMUNITIES, AND FEDERAL, STATE, AND LOCAL UNITS AND AGENCIES.

(B) (1) THERE IS AN OFFICE OF SMALL BUSINESS REGULATORY ASSISTANCE IN THE DEPARTMENT.

(2) THE PURPOSE OF THE OFFICE IS TO:

(I) ASSIST BUSINESSES WITH THE IMPLEMENTATION OF THE MARYLAND HEALTHY WORKING FAMILIES ACT AND OTHER LABOR AND LICENSING LAWS AND REGULATIONS;

(II) RESOLVE PROBLEMS ENCOUNTERED BY BUSINESSES INTERACTING WITH STATE AGENCIES;

(III) FACILITATE RESPONSIVENESS OF STATE GOVERNMENT TO BUSINESS NEEDS;

(IV) SERVE AS A CENTRAL CLEARINGHOUSE OF INFORMATION FOR BUSINESS ASSISTANCE PROGRAMS AND SERVICES AVAILABLE IN THE STATE;

(V) ASSIST BUSINESSES BY REFERRING BUSINESSES AND INDIVIDUALS TO RESOURCES THAT PROVIDE THE BUSINESS SERVICES OR ASSISTANCE REQUESTED;

(VI) PROVIDE COMPREHENSIVE PERMIT INFORMATION AND ASSISTANCE;

(VII) ESTABLISH AND MAINTAIN METRICS IN ORDER TO MONITOR THE PROGRESS OF THE OFFICE AND REPORT THE DATA TO THE GOVERNOR AND THE GENERAL ASSEMBLY; AND

(VIII) REPORT AND MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY REGARDING BREAKDOWNS IN THE DELIVERY OF ECONOMIC DEVELOPMENT RESOURCES AND PROGRAMS, INCLUDING PROBLEMS ENCOUNTERED BY BUSINESSES INTERACTING WITH STATE AGENCIES.

(C) THE OFFICE SHALL:

(1) ASSIST IN THE ADOPTION OF REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE MARYLAND HEALTHY WORKING FAMILIES ACT;

(2) ESTABLISH, MAINTAIN, AND UPDATE EACH YEAR A LIST OF THE BUSINESS ASSISTANCE PROGRAMS AND SERVICES IN THE STATE, INCLUDING THE NAMES, LOCATIONS, WEB SITE ADDRESSES, AND TELEPHONE NUMBERS OF THE ENTITIES PROVIDING THE PROGRAMS AND SERVICES;

(3) IMPLEMENT A BUSINESS FAIRNESS AND RESPONSIVENESS SERVICE THAT:

(I) RESOLVES PROBLEMS ENCOUNTERED BY BUSINESSES WITH OTHER STATE AGENCIES AND REGIONAL AND LOCAL ECONOMIC DEVELOPMENT ORGANIZATIONS;

(II) COORDINATES PROGRAMS AND SERVICES IMPLEMENTED BY FEDERAL, STATE, AND LOCAL AGENCIES;

(III) FACILITATES RESPONSIVENESS OF STATE GOVERNMENT TO BUSINESS NEEDS; AND

(IV) REPORTS TO THE GOVERNOR AND THE GENERAL ASSEMBLY REGARDING ANY BREAKDOWNS IN THE DELIVERY OF ECONOMIC DEVELOPMENT RESOURCES AND PROGRAMS;

(4) DEVELOP AND MAINTAIN A PROGRAM TO PROVIDE COMPREHENSIVE INFORMATION TO THE PUBLIC REGARDING PERMITS REQUIRED FOR BUSINESS INITIATIVES, PROJECTS, AND ACTIVITIES;

(5) ESTABLISH AND IMPLEMENT PROCEDURES TO ASSIST PERMIT APPLICANTS WHO HAVE ENCOUNTERED DIFFICULTIES IN OBTAINING TIMELY AND EFFICIENT PERMIT REVIEW; AND

(6) ADMINISTER AND OVERSEE THE STATE CUSTOMER SERVICE AND BUSINESS DEVELOPMENT EFFORTS TRAINING PROGRAM UNDER SUBSECTION (D) OF THIS SECTION.

(D) (1) THERE IS A STATE CUSTOMER SERVICE AND BUSINESS DEVELOPMENT EFFORTS TRAINING PROGRAM.

(2) THE PURPOSE OF THE PROGRAM IS TO INCREASE THE RESPONSIVENESS OF AND IMPROVE CUSTOMER SERVICE PROVIDED BY STATE AGENCIES TO BUSINESSES AND CUSTOMERS IN THE STATE.

(3) THE OFFICE SHALL DEVELOP STATE CUSTOMER SERVICE STANDARDS THAT INCORPORATE BEST PRACTICES FOR PROVIDING EXCELLENT CUSTOMER SERVICE.

(4) EACH AGENCY SHALL:

(I) CREATE A CUSTOMER SERVICE IMPROVEMENT PLAN;

(II) REVIEW AND INCORPORATE THE OFFICE'S STATE CUSTOMER SERVICE STANDARDS IN THE AGENCY'S CUSTOMER SERVICE IMPROVEMENT PLAN;

(III) DEVELOP AND CONDUCT CUSTOMER SERVICE TRAINING FOR EACH EMPLOYEE WHO INTERACTS WITH BUSINESSES AND MEMBERS OF THE PUBLIC ON A REGULAR BASIS;

(IV) ADOPT AND DISTRIBUTE A STANDARD CUSTOMER SERVICE SATISFACTION SURVEY FOR EACH PERSON THE AGENCY SERVES;

(V) ESTABLISH AN INCENTIVE OR RECOGNITION PROGRAM FOR EMPLOYEES WHO PROVIDE EXCELLENT CUSTOMER SERVICE; AND

(VI) REPORT EACH YEAR ON:

1. THE TRAINING PROVIDED TO EMPLOYEES, INCLUDING:

A. THE NUMBER OF TRAININGS;

B. THE FREQUENCY OF TRAININGS; AND

C. THE SPECIFIC SUBJECT OF EACH TRAINING;

2. THE RESPONSES RECEIVED FROM CUSTOMER SERVICE SATISFACTION SURVEYS DISTRIBUTED UNDER PARAGRAPH (IV) OF THIS SUBSECTION;

3. THE PROGRESS OF THE AGENCY'S CUSTOMER SERVICE, INCLUDING THE METRICS THE AGENCY USES TO ASSESS THE CUSTOMER SERVICE OF THE AGENCY; AND

4. THE AGENCY'S MEASURABLE GOALS FOR CONTINUING TO IMPROVE CUSTOMER SERVICE FOR THE UPCOMING YEAR.

(5) EACH YEAR THE OFFICE SHALL EVALUATE THE STATE CUSTOMER SERVICE AND BUSINESS DEVELOPMENT EFFORTS TRAINING PROGRAM AND MAKE RECOMMENDATIONS REGARDING THE PROGRAM.

(E) (1) EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY HAVING JURISDICTION OVER ECONOMIC DEVELOPMENT MATTERS.

(2) THE REPORT SHALL CONTAIN:

(I) INFORMATION REGARDING THE PERFORMANCE OF THE OFFICE, INCLUDING DATA INDICATING THE EFFECTIVENESS OF PROGRAMS AND PROCEDURES REGARDING PERMITTING;

(II) DATA SPECIFYING THE NUMBER OF BUSINESSES AND INDIVIDUALS THAT HAVE CONTACTED THE OFFICE OR USED THE SERVICES OF THE OFFICE; AND

(III) RECOMMENDATIONS REGARDING IMPROVEMENTS TO EXISTING LAWS RELATING TO ECONOMIC DEVELOPMENT.

(3) THE REPORT SHALL INCLUDE INFORMATION AND RECOMMENDATIONS DEVELOPED FOR THE STATE CUSTOMER SERVICE AND BUSINESS DEVELOPMENT EFFORTS TRAINING PROGRAM UNDER SUBSECTION (D) OF THIS SECTION.

(F) THE GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET TO IMPLEMENT THIS SUBTITLE, INCLUDING FUNDS TO:

(1) EMPLOY A FULL–TIME EXECUTIVE DIRECTOR; AND

(2) OPERATE AND MAINTAIN AN OFFICE.

SECTION 3. AND BE IT FURTHER ORDERED, That all persons who, as of the effective date of this Order, are employed in the Office of Business Ombudsman in the Office of the Governor are hereby transferred to the Office of Small Business Regulatory Assistance in the Department of Labor, Licensing and Regulation without any change or loss of rights or status, and shall retain their merit system and retirement system status.

SECTION 4. AND BE IT FURTHER ORDERED, That any transaction affected by or arising from any statute here amended, repealed, or transferred, and validly entered into before the effective date of this Order and every right, duty, or interest flowing from it remains valid after the effective date and may be terminated, completed, consummated, or enforced pursuant to law.

SECTION 5. AND BE IT FURTHER ORDERED, That all rules and regulations, proposed rules and regulations, standards and guidelines, proposed standards and guidelines, orders and other directives, forms, plans, memberships, special funds, appropriations, grants, applications for grants, contracts, property, investigations, administrative and judicial proceedings, rights to sue and be sued, and all other duties and responsibilities associated with those functions transferred by this Order shall continue in effect under the Office of Small Business Regulatory Assistance upon transfer to the Department of Labor, Licensing and Regulation.

SECTION 6. AND BE IT FURTHER ORDERED, That any unexpended appropriation for the purpose of financing the Office of the Business Ombudsman shall be transferred by approved budget amendment to the Department of Labor, Licensing and Regulation.

SECTION 7. AND BE IT FURTHER ORDERED, That this executive order shall become effective and have the force of law on this 15th day of January, 2018, unless specifically disapproved within 50 days after submission, by a resolution of disapproval concurred in by a majority vote of all members of either House of the General Assembly.

GIVEN Under my Hand and the Great Seal of Maryland, in the City of Annapolis, this 15th day of January, 2018.

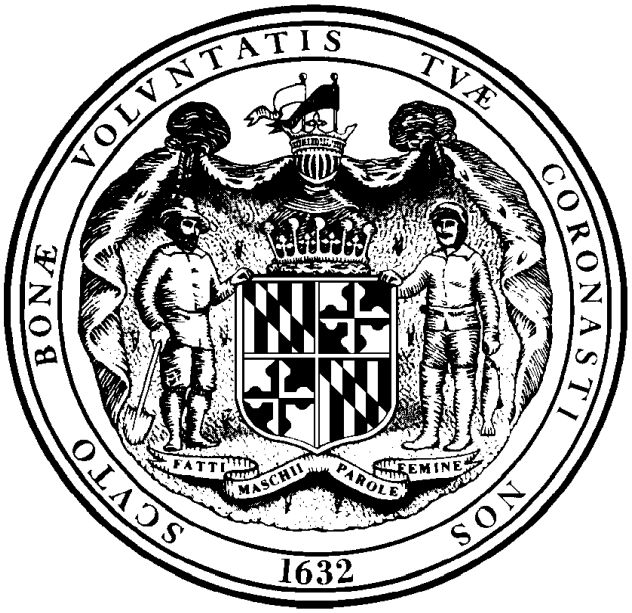
LAWRENCE J. HOGAN, JR.
Governor of Maryland

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

Exhibit E

REPORT OF THE GENERAL ASSEMBLY COMPENSATION COMMISSION



ANNAPOLIS, MARYLAND
JANUARY 2018

General Assembly Compensation Commission

Member	Appointed By
Lisa First-Willis, **Chair**	Governor
Laurence C. Daniels	Governor
Lyn A. Dippel	Governor
Joshua C. Greene	Speaker
Robert A. Liberto	Governor
Wendell G. Rakosky	Governor
Gene M. Ransom III	President
Brenda Brown Rever	President
Joe Rubino	Speaker

Staff
Simon G. Powell
Dana K. Tagalicod
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TTY: 410-946-5401 ● 301-970-5401
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to contact the General Assembly.

Email: libr@mlis.state.md.us
Home Page: http://mgaleg.maryland.gov

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GENERAL ASSEMBLY COMPENSATION COMMISSION

January 16, 2018

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate

The Honorable Michael E. Busch
Speaker of the House of Delegates

Gentlemen:

On behalf of the members of the General Assembly Compensation Commission, it is my privilege to transmit to you the commission's thirteenth quadrennial analysis of legislative compensation and allowances, an effort mandated by Article III, Section 15, of the Constitution of Maryland.

The commission's Resolution, to be considered at the 2018 legislative session, makes no changes to legislative salaries for the term beginning in 2019. The only changes from the 2014 Resolution that currently govern legislative compensation are as follows:

- for out-of-state travel, authorizing the Presiding Officers to allow the reimbursement of lodging at the published conference rate if higher than the appropriate federal General Services Administration rate;

- altering the age at which a designated beneficiary (other than a surviving spouse) can receive a retirement allowance or death benefit from 60 to 62 and, for early retirement, from 50 to 55, for members who have no creditable service before January 14, 2015;

- increasing the age that a child of a member, who dies while serving in the General Assembly, may receive a death benefit from 18 to 26, and adding the provision that this benefit could be paid to a disabled child regardless of age;

- removing an arcane reference that requires a legislator to die contemporaneously with the legislator's spouse in order for a child to receive a death benefit;

- authorizing the naming of a nonprofit organization as a beneficiary to receive a lump-sum death benefit;

- beginning with the next legislative term, removing the ability of legislators to purchase service credit in order to vest in the Legislative Pension Plan;

- clarifying for those members who have previously purchased service credit in order to vest in the Legislative Pension Plan when they may receive retirement benefits; and

- providing up to three years of service credit in the Legislative Pension Plan for military service.

Almost all of these changes align provisions of the Legislative Pension Plan with those in other plans in the State Retirement and Pension System.

In addition to these recommendations, the commission has been asked to provide input on whether it had concerns with allowing legislative service to count toward eligibility to claim military service credit, if a former legislator sought that credit in another plan in the State Retirement and Pension System. The commission did not feel that it had sufficient information to comment on this specific issue. However, it is clear in our action to allow service credit in the Legislative Pension Plan for military service that we want to recognize a member's military service.

Finally, in the course of our meetings, the commission identified three areas where we felt additional information would be helpful in in order to make better decisions. First, there is a paucity of data on how much time members spent on legislative duties. The work of the legislature is clearly more than just that performed in the 90-day session. However, there is little sense of the actual time devoted by members to their legislative responsibilities. Second, the commission would benefit from understanding from current and former members of any barriers to legislative service that relate to areas over which the commission has purview. Finally, the commission considered a proposal to allow the transfer of service credit from other plans in the State Retirement and Pension System into the Legislative Pension Plan. The commission ultimately felt that it did not have sufficient data to fully understand the implications of any such proposal and asked the State Retirement Agency and the Department of Legislative Services to more fully investigate this issue for the consideration of the next commission.

It is our hope that you can facilitate the collection of this information for the benefit of the next commission.

The members of the compensation commission have enjoyed the opportunity to serve and would be pleased to meet with you and members of the General Assembly to discuss the commission's findings and proposals.

Respectfully,

Lisa First-Willis
Chair

LFW/SGP/msh

General Assembly of Maryland
General Assembly Compensation Commission
2017 Membership Roster

Lisa First-Willis, **Chair**

Laurence C. Daniels

Lyn A. Dippel

Joshua C. Greene

Robert A. Liberto

Wendell G. Rakosky

Gene M. Ransom III

Brenda Brown Rever

Joe Rubino

Committee Staff
Simon G. Powell
Dana K. Tagalicod
Laura M. Vykol

Support Staff
Maria S. Hartlein

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Executive Summary

Pursuant to Article III, Section 15, of the Constitution of Maryland, the General Assembly Compensation Commission submits its recommendations for legislative compensation and allowances during the 2019-2022 term of office. This report summarizes the compensation principles and information guiding the commission's determinations and presents the recommendations. As required by the Constitution of Maryland, these recommendations have been incorporated in a resolution adopted by the commission (2018 Resolution).

The recommendations presented in the report have been guided primarily by the overarching principle that the Maryland legislature is part time, continues to be representative of a wide range of occupations and professions, and has this broad-based range of experience that has long been considered an integral element of what the General Assembly of Maryland represents. At the same time, much is expected of a legislator in terms of time and dedication of effort, ability to manage and determine appropriate action on multiple and complex issues, and a willingness to communicate regularly with constituents. This time commitment may come at a cost to the development of another career and the ability to easily plan for long-term goals.

The commission believed that the current salary level was appropriate for the time taken by a legislator to fulfil their duties and responsibilities and recommended no change to legislative salaries.

Most of the changes being recommended by the commission relate to the Legislative Pension Plan. In making its decisions about the plan, the commission's philosophy was, where appropriate, to align the provisions of the Legislative Pension Plan with those in other plans in the State Retirement and Pension System.

Specific changes include:

- for out-of-state travel, authorizing the Presiding Officers to allow the reimbursement of lodging at the published conference rate if higher than the appropriate federal General Services Administration rate;

- altering the age at which a designated beneficiary (other than a surviving spouse) can receive a retirement allowance or death benefit from 60 to 62 and, for early retirement, from 50 to 55, for members who have no creditable service before January 14, 2015;

- increasing the age that a child of a member, who dies while serving in the General Assembly, may receive a death benefit from 18 to 26 and adding the provision that this benefit could be paid to a disabled child regardless of age;

- removing an arcane reference that requires a legislator to die contemporaneously with the legislator's spouse in order for a child to receive a death benefit;

- authorizing the naming of a nonprofit organization as a beneficiary to receive a lump-sum death benefit;

- beginning with the next legislative term, removing the ability of legislators to purchase service credit in order to vest in the Legislative Pension Plan;

- clarifying, for those members who have previously purchased service credit in order to vest in the Legislative Pension Plan, when those members may begin to receive retirement benefits; and

- providing up to three years of service credit in the Legislative Pension Plan for military service.

Outside of these changes, the commission recommends that all other aspects of the 2014 Resolution currently governing legislative compensation be retained.

Chapter 1. Introduction

Prior to 1971, the State's constitution established legislative salaries. Related allowances, including expense reimbursements and retirement benefits, were specified in statute. The salary could be changed only through a constitutional amendment ratified by the people in a general election. With the exception of a salary increase to $2,400 in 1964, the voters defeated all the constitutional amendments relating to legislative salaries proposed from 1958 to 1971.

Believing that higher and more regularly adjusted legislative compensation would assist in the modernization of the General Assembly, the 1967-1968 Constitutional Convention included a provision in the proposed new Constitution of Maryland giving the legislature the power to establish legislative compensation. After the voters rejected the proposed constitution in 1968, a study group appointed to recommend amendments to the existing constitution proposed the creation of a legislative compensation commission.

A constitutional amendment, approved by the voters in 1970, created the nine-member General Assembly Compensation Commission and specified that the commission submit salary and allowance recommendations to the legislature every four years. The commission includes five persons appointed by the Governor, two persons appointed by the President of the Senate, and two persons appointed by the Speaker of the House of Delegates. Appointees serve a four-year term. The appointments should be made by the Governor and the Presiding Officers four years in advance of the session at which the commission's recommendations are submitted. This schedule seeks to provide the commission with greater independence. Members of the General Assembly and State and local government officers and employees are not eligible for appointment to the commission.

In 1976, the compensation commission provisions of the Constitution of Maryland were changed to require uniformity of legislative compensation. The modification requires that all members, except officers of the Senate and the House of Delegates, receive the same rates of compensation and retirement benefits. The 1976 amendment negated a policy, established by the 1974 commission, which had required members of the General Assembly employed by the State or local governments to receive reduced compensation.

The constitutional provisions, Article III, Section 15, (**Exhibit 1**) provide that:

- the compensation commission shall submit its compensation, allowances, and pension recommendations to the General Assembly by formal resolution within 15 days after the beginning of the last regular General Assembly session in a four-year term of office. In 2018, the commission must submit its resolution proposing compensation and allowances for the 2019-2022 General Assembly term by January 24, 2018;

- rates of compensation and pensions shall be uniform for all members of the General Assembly, except that the officers of the Senate and the House of Delegates (traditionally, the President of the Senate and the Speaker of the House) may receive higher compensation;

- compensation allowances may not be less than the dollar amounts prior to the establishment of the first compensation commission in 1970;

- through a joint resolution, the General Assembly may reduce or reject but may not increase any item in the resolution;

- the commission's resolution, with any reductions concurred in by joint resolution of the General Assembly, has the force of law and takes effect at the beginning of the next General Assembly; and

- the provisions of each resolution govern until superseded by a subsequent resolution.

The Constitution of Maryland, as interpreted by the Attorney General, gives the commission exclusive jurisdiction over salaries, meal and lodging expense allowances, travel allowances, employee benefit programs, and the legislative retirement system. This exclusive jurisdiction extends only to payments made to the legislators themselves. Most prior commissions have not dealt with legislative district office accounts that fund Annapolis and district office space, equipment, utility, communication, and legislators' staff assistance costs. The annual legislative budget process establishes the district office account funding levels.

As shown in **Exhibit 2,** there is no uniformity among the states as to how legislative compensation is determined. Since 1964, 19 states have established compensation commissions, although the authority of those commissions varies – in 5 states the commission sets the salary; in 7 states, including Maryland, the commission sets the salary unless the recommendations are vetoed; in Arizona the commission's recommendations must be approved by voters; and in 6 states the commission's recommendations are simply advisory. In 5 other states, salary changes are tied to a designated index (for example, the consumer price index).

It is interesting to note that in those states that have a compensation commission that either sets pay or sets pay unless vetoed, the average raise in legislative salaries is significantly higher than in those states without a compensation commission or in which the compensation commission is advisory. Although politics can intercede even in those states with a compensation commission that can set salaries or set salaries unless vetoed, it is clear that compensation commissions can more easily overcome the political difficulties associated with voting to increase one's own salary.

The General Assembly Compensation Commission Resolutions of 1971, 1974, 1978, 1982, 1986, 1990, 1994, 1998, and 2002 took effect as submitted, unchanged by the legislature. In each year, joint legislative resolutions reducing or rejecting items in the commission's resolution failed to pass both houses. In 2006, changes proposed by the commission were rejected by the legislature leaving compensation and other allowances unchanged from the 2002 Resolution. In 2010, changes proposed by the commission were also rejected by the legislature. However, the legislature added a provision concerning the forfeiture of retirement benefits. In 2014, the General Assembly Compensation Commission Resolution took effect as submitted.

Exhibit 3 sets forth the process and time line by which a resolution takes effect. **Exhibit 4** summarizes the commission's preceding resolutions from 1971 to 2006. **Exhibit 5** provides a more detailed comparison of the final resolution adopted to govern compensation in 2010 and the adopted General Assembly Compensation Commission Resolution for 2014. The 2014 Resolution made significant recommendations, including increased salaries to reflect the previous eight years of no salary increases; revisions to the retirement benefit in the light of significant State employee pension changes in 2011; and various other changes to allowable expenses. The 2014 Resolution forms the basis for discussions of the current Compensation Commission.

Activities in 2017 and 2018

The commission met twice, once in December 2017 and again in January 2018. The following summarizes the various meetings and activities of the commission:

- **December 18, 2017** – At its organizational meeting, the commission scheduled a future meeting, which would include the opportunity for public testimony and discussed the nature of the commission's work. The commission was briefed by staff on applicable constitutional requirements and other legal issues, the legislative process pertaining to the commission's resolution, elements of the current resolution, the recommendations of the 2014 commission and the outcome of those recommendations, and the composition and workload of the Maryland legislature.

  The commission heard from staff on all aspects of legislative compensation: information on legislative salaries nationally and in Maryland; expense allowances for Maryland legislators; other benefits available to Maryland legislators including district office accounts; and information on the Legislative Pension Plan including a comparison to pension plans in other states.

  The commission also considered pension issues raised by the State Retirement Agency, the Chairs of the Joint Committee on Pensions, and staff concerning the purchase of air time, death benefits, credit for military service, the transfer of service credit from other State Retirement and Pension Systems into the Legislative Pension Plan, and forfeiture of benefits.

- **January 16, 2018** – At its decision meeting, the commission first took public testimony, considered correspondence from the Secretary of the Department of Budget and Management, and then debated and voted on compensation issues and requested that the staff prepare a final report incorporating the commission's recommendations and the Resolution to be introduced at the 2018 session of the General Assembly of Maryland.

Minutes from the December, 18, 2018 meeting are found in **Appendix 1**. Correspondence from the State Retirement Agency, the chairs of the Joint Committee on Pensions, and the Secretary of Budget and Management are included in **Appendix 2**. The decision document is provided in **Appendix 3**. Additional material requested by the commission at the December 18, 2018 meeting are included in the decision document or in **Appendix 4** as appropriate.

The discussions of the decision meeting are incorporated into the text of the final report.

Chapter 2. Compensation Principles, Background Materials, and Decisions

The Commission's Framework for Decision Making

The Part-time Status of Legislators

The key consideration in determining compensation for the Maryland legislature is the characterization of the body as a part-time institution. Although interim work requires a substantial commitment of time and effort throughout the year, the formal session of the legislature is 90 days.

There is no formal measurement of the time worked by a Maryland State legislator. The legislative session is 90 consecutive days and establishes a base of working time; but for many legislators, their legislative responsibilities go far beyond the session. Indeed, much is expected of a legislator in terms of time and dedication of effort, ability to manage and determine appropriate action on multiple and complex issues, and a willingness to communicate regularly with constituents. This time commitment may come at a cost to the development of another career and the ability to easily plan for long-term financial goals.

In terms of the amount of legislation considered during session, the most recent term has generally followed a typical pattern in that the amount of legislation introduced, considered, and subsequently passed is generally lowest in the first year of a term and then subsequently increases (**Exhibit 6**). The number of bills introduced in the past two sessions has been particularly high. While bill numbers themselves are a little misleading in that there are numerous cross-files (the same legislation introduced in both chambers) and bill re-introductions (failed legislation from prior years), the higher volume certainly plays into longer hearing days during the session. However, as noted above, a legislator's responsibilities go beyond just those of session.

The National Conference of State Legislatures (NCSL) distinguishes between legislatures as follows:

- Full-time legislatures, where the legislative calendar and workload (time in session, constituent service, interim committee work, and election campaigns) requires a legislator to commit the equivalent of 80% or more of a full-time job to legislative duties. Legislative salaries and legislative staff support tend to reflect this commitment.

- Traditional or citizen legislatures, where the time commitment to legislative duties is less than 50% of a full-time job and salaries are likewise relatively modest.

- "Hybrid" legislatures, where the time commitment falls between the full-time and citizen categories. Legislative salaries are set likewise, but it would be expected that the member

might need to earn additional outside income.[1] Hybrid legislatures are further distinguished by those that lean closer to full-time and those that lean more to part-time.

As shown in **Exhibit 7**, Maryland is categorized by NCSL as a hybrid legislature. However, it is important to note that the data on time spent on legislative work used as the basis for the exhibit is somewhat old (compiled in 2002).

Nonetheless, while the classification system to characterize State legislators used by NCSL is subjective, it appears reasonable when set against other measures. For example, **Exhibits 8** and **9** detail staffing levels at state legislatures. Generally speaking, states with full-time legislatures and larger states tend to have more permanent staff per legislator and a higher overall staffing level (including session-only staff). Maryland falls around the national average in both measures.

Another distinction of legislative type has been between "professional" and "citizen" legislatures. In many ways, these measures are often simply another way of describing "full-time" and "part-time" legislatures as noted above, but the distinction is worth noting. Of interest here is the work of a political scientist, Peverill Squire, at the University of Missouri who is well known for his studies on state legislatures. **Exhibit 10** outlines the attributes that Squire and a colleague associate with a professional and citizen legislature. The exhibit also offers the arguments that can be made to describe the benefits of each type of legislature. The same author assesses the relative professionalism of state legislatures using the U.S. Congress as a benchmark of a "professionalized" legislature. The criteria used included the length of the legislative session, salaries, and available legislative staff – all criteria similar to that used in a less sophisticated way by NCSL in its delineation of state legislatures. Unsurprisingly, the end result, as shown in **Exhibit 11**, looks very similar to that shown in Exhibit 6. Of the 10 states identified by NCSL as full-time or hybrid leaning to full-time, 9 are ranked by Squire in the top 10 in terms of professionalism.

Historically, Maryland's legislature has proudly worn the mantle of a citizen legislature. Only 12% of Maryland's State legislators describe themselves as full-time, as shown in **Exhibit 12.** As seen in the exhibit, the Maryland legislature retains a reasonably diverse membership in terms of professional backgrounds, bringing different perspectives and experiences to the lawmaking process.

In establishing the legislative compensation package, previous commissions have been mindful not to set compensation that would change the direction of the legislature (be it described as hybrid versus full-time or citizen versus professional) in either way. This can be seen as trying to balance the desire to attract persons with experience and ability who otherwise might or could not run for office and providing a salary high enough to enable individuals to periodically leave their professions or businesses for legislative work but not being so high that it would promote a

[1] National Conference of State Legislatures. The Politics of Pay. *State Legislatures.* (July/August 2014).

preponderance of full-time legislators. Similarly, the salary and benefit package should not be so low as to limit candidates to those with independent incomes or retirees.

There is no practical way to measure the influence of legislative compensation on an individual's decision to serve. Suffice it to say that there has been no noticeable shift in the composition of the legislature in terms of professional backgrounds. Neither has there been a marked change in the level of candidacy for office, and there remains significant interest in serving as represented in the level of competition for seats and the level of turnover in recent elections (**Exhibit 13**). As shown in the exhibit, the most influential driver of turnover remains redistricting with higher levels of turnover typically seen after a decennial reapportionment (1974, 1982, 1994, 2002, and 2014).

Tenure of the current legislators would also indicate that legislative salary and benefits play little role in members seeking reelection. **Exhibit 14** details the total legislative service for current senators. Only 4 senators have less than two terms of legislative service, with the average length of legislative service totaling almost 16 years, or four terms. The average length of service in the Senate is boosted primarily by the extent of prior service in the House of Delegates (34 senators having some prior House of Delegates service). **Exhibit 15** provides the same data for current members of the House of Delegates. The average length of legislative service is somewhat lower, slightly less than 8 years, or two terms. This drop in average tenure reflects the fact that 68 House of Delegates members have less than one full term of service, a function primarily of significant turnover in the 2014 elections and to a lesser extent the appointment of previously incumbent legislators to the current Administration.

Legislative Salaries

The commission reviewed a variety of salary data in order to judge the adequacy of legislative salaries. The first point of comparison was to compare Maryland's legislative salaries with other states, although as noted in the discussion above, the duties, responsibilities, and compensation of legislators in other states are partially a function of institutional characteristics. **Exhibit 16** sets out comparative data as to 2017 salaries and session lengths.

Given the institutional variations and the lack of information documenting the time that legislators across the states devote to legislative business, it is difficult to precisely compare Maryland's legislative compensation with that of other states. Nonetheless, the comparison to other states shows that Maryland's legislative salary is the twelfth highest in the nation, third only to Hawaii and New Jersey in terms of non-full-time or full-time leaning legislatures. As shown in **Exhibit 17**, which sets forth comparative salary data for state legislators across the country over recent years, the relative salary for members of the General Assembly of Maryland, in 2017, increased by one place from 2013.

The data from Exhibit 17 shows that 16 states saw a legislative salary increase between 2013 and 2017 (California, Pennsylvania, Massachusetts, Hawaii, Wisconsin, Maryland,

Washington, Delaware, Minnesota, Arkansas, Indiana, Oregon, Tennessee, Idaho, Rhode Island, and Maine). This was in contrast to the 2009 through 2013 period where only 8 states saw increases and 5 states experienced reductions. As noted in the exhibit, Maryland legislative salaries increased by 11.8% between 2013 and 2017, the seventh highest increase among the states. As noted earlier, this increase was the first since 2006.

A different kind of state-by-state comparison is by budget size. Among those states with budgets comparable in size to Maryland's (see **Exhibit 18**), Maryland's legislative salaries ranked the highest.

Another point of comparison is to compare State legislative salaries and salary increases with other State and local officials as well as State employees. **Exhibit 19**, for example, shows a summary of State employee and legislator salary changes since fiscal 2003 and indicates that State employees received four general salary increases, or cost-of-living adjustments, and three merit increases in the last eight fiscal years, while legislators have received four increases, all in the past four years. Additional detail on State employee compensation is provided in **Exhibit 20**.

The salaries of selected Maryland State officials, including constitutional officers, cabinet secretaries, and judges are set forth in **Exhibit 21** for fiscal 2011 through 2018. It shows that, like the salaries of legislators, the salaries of constitutional officers were similarly frozen between 2011 and 2015 before increases began in 2016. Salaries of deputy constitutional officers, judges, and most cabinet heads were flat in fiscal 2011 through 2013 because of the State's fiscal situation before increasing thereafter, although none saw the percentage increases enjoyed by the constitutional officers.

Looking at compensation at the local level, salaries for six county councils/county commissioners in fiscal 2018 are higher than that of State legislators in 2017 (Baltimore City and Baltimore, Charles, Howard, Montgomery, Prince George's, and Montgomery counties), with Montgomery and Prince George's counties' salaries more than double the State legislative salary (**Exhibit 22**). State legislative salaries will actually overtake that of Charles County effective January 1, 2018. Legislative salaries in the six most populous counties and the Baltimore City Council have increased at widely varying rates, both long-term since fiscal 2006 and in the past four years (**Exhibit 23**). As would be expected, salaries for the chief executive of those seven jurisdictions, plus the executives in Cecil, Frederick, and Wicomico counties, easily outstrip State legislative salaries (see **Exhibit 24**). The chief executives in Howard, Montgomery, and Prince George's counties earn more than the Governor. The county executive of Baltimore and the mayor of Baltimore City enjoy salaries only slightly below that of the Governor based on the Governor's salary effective January 1, 2018.

Finally, in **Exhibit 25**, calendar 2016 median household income and per capita personal income levels for each Maryland jurisdiction are presented. The average per capita personal income statewide was $58,052, more than the calendar 2016 legislative salary of $46,915. The legislative salary is above the average per capita income in nine jurisdictions. Conversely, it is

only 58% of that in the wealthiest jurisdiction (Montgomery County). A legislative salary is also well below the calendar 2016 statewide average median household income of $78,945 (although still higher than the median household income in three jurisdictions), underscoring the notion that a Maryland legislative salary will typically need to be supplemented in some way by the individual member or a household family member in most parts of the State.

One interesting recent study by the online analytical group 538.com, based on 2014 data and citing work by numerous political scientists on the issue of legislative pay, compared legislative salaries combined with per diems to median household income by state. Unsurprisingly, as shown in **Exhibit 26**, there is significant variation by state, and again unsurprisingly, similar groupings of states to those already noted above emerge. Maryland tends to be somewhat lower ranked in this chart because while the combined State legislative salary and per diem are in the top quintile, the State's median household income was the highest in the nation.

Salary Recommendations

The commission considered the recent funding history for legislative salaries and noted that the 2014 commission had provided significant salary increases in the current term. It was noted that those increases were intended to catch-up from eight years with no salary increases. However, the discussion also acknowledged that the increases had been significant at a time of relatively low inflation. Members referred back to the material presented in the December 18, 2017 meeting, and the point was made that legislative salaries are high for a part-time legislature, and even without an increase in the next term, it is unlikely that this will significantly lower State legislative salaries in comparison to other states.

The commission voted unanimously to retain legislative salaries at the current level for the following term. However, the commission asked that in the transmittal letter to the Presiding Officers that it would be helpful to the deliberations of the next commission for them to facilitate the gathering of data on the amount of time legislators spend on legislative work as well as to identify barriers to potential service by younger members.

Expense Reimbursements

Other states' comparisons have less relevance for per diem expense reimbursements, which should be a function of actual costs rather than institutional characteristics or legislative workloads. Nevertheless, it is worth noting that most states have some kind of per diem or expense reimbursement allowance, and most, like Maryland, tie those reimbursements to some external measure such as federal per diem rates.

In-state Travel

The current resolution establishes guidelines for the reimbursement of expenses incurred for food and lodging while engaged in specified legislative activities in Maryland. Legislators receive a meal allowance in the same combined amount that is allowed State employees under the standard State travel regulations ($47 per day in fiscal 2018). One difference is that State employees must submit appropriate receipts in order to be reimbursed, legislators do not. Lodging reimbursements must be supported by receipts and are subject to the limits specified by the federal General Services Administration (GSA). For example, the GSA limit for Annapolis was $101 per day for the 2017 session. Legislators may be reimbursed for expenses incurred in traveling between a member's home and place of session, meeting, or legislative function at the standard mileage rate set for State employees under the State travel regulations (54.5 cents per mile effective January 1, 2018).

These in-state expenses have been tied to these various external standards for some considerable time – mileage since 1975, lodging since 1995, and meals since 2003.

The resolution also provides that legislators are entitled to a $750 nonvouchered annual payment for travel within a member's district. This payment was introduced in 1987 and remained unchanged until the 2014 Resolution when it was increased to $750.

Exhibit 27 provides data for fiscal 2014 through 2017 for regular session and interim expenses for lodging, meals, and mileage. As shown, there has been little change in overall expenditures over the period. In general, just over three-quarters of legislators regularly utilize lodging in Annapolis during session, 11% do not submit any claims for lodging, and 13% submit occasionally (see **Exhibit 28**).

Exhibit 29 illustrates patterns of meal allowance submissions by legislators during the 2014 through 2017 sessions. This continues the pattern since the meal reimbursement was tied to the State Standard Travel Regulations in 2003 – most legislators consistently request 100% of the daily limit for the entire session.

Out-of-state Travel

Under the current resolution, any legislator who wishes to be reimbursed for actual expenses incurred for registration fees, meals, lodging, and travel in attending a function outside the State must seek prior approval of the President of the Senate and the Speaker of the House with reimbursement other than registration fees tied to rates established by GSA. This provision replaced previous provision whereby the Presiding Officers developed guidelines for out-of-state travel, established a maximum reimbursement amount for meal and lodging expenses, and provided for an exception.

Exhibit 30 provides data on the extent of out-of-state travel from fiscal 2014 to 2017 (transportation and registration costs are included to provide an overall sense of expenditures,

although these costs are not part of the commission's jurisdiction). **Exhibit 31** provides more longitudinal data. Overall, expenses can fluctuate widely from year to year and are primarily influenced by the location of various annual conferences that are frequently attended by legislators (*e.g.*, the NCSL, the Southern Legislative Conference, and the Council of State Governments), as well as the willingness of the Presiding Officers to authorize out-of-state travel. However, as shown in Exhibit 31, although out-of-state travel costs have increased somewhat in the past two years, the extent of out-of-state travel is still far below that seen prior to the most recent recession.

Expense Recommendations

The commission felt that the current structure for expenses reimbursement, a structure which, for the most part, ties expenses to relevant State or federal expense regulations, was appropriate. The commission considered only one change to the current resolution in the area of out-of-state travel. Specifically, it was recommended to allow the Presiding Officers to approve reimbursement for a conference lodging rate that was higher than the relevant GSA lodging rate. This issue occasionally arises when a conference is held at a specific location, and the difference between the conference rate and the GSA rate deters attendance. Since the Presiding Officers have to approve attendance at any out-of-state conference for which a legislator is seeking reimbursement, and the fact that these travel expenses are a matter of public record, this additional step should not be cumbersome or problematic. The commission voted unanimously to approve this change.

Other Benefits Available to Active Legislators

The 2014 Resolution permits legislators to participate in benefit programs generally available to all State employees including health insurance, prescription drug plan, dental insurance, accidental death/dismemberment, term life insurance, tax sheltered spending accounts, deferred compensation programs (although no State match is available to members), workers' compensation coverage, and credit union services. Participation is in the same manner as the participation of State employees and includes payroll deductions directly relating to these programs. However, legislators may not receive State employee death benefits or paid leave and may not participate in the State's unemployment insurance program. As shown in **Exhibit 32**, the majority of legislators participate in the various health-related benefit plans, with slightly more (73%) participating in the health insurance plan versus prescription plan (70%) and dental plan (66%).

Among the other benefits enjoyed by legislators is the ability to continue to participate in the State Health Plan after they leave office. Participation requires the former legislator to pay the full cost of the health insurance and a 2% administrative charge. These benefits, more commonly known as COBRA – Consolidated Omnibus Budget Reconciliation Act – coverage, are generally available for 18 months after termination of employment (with certain exceptions). Prior to the

2014 Resolution, COBRA benefits were available to legislators without any time limit or until the former legislator declined to participate, became eligible for health insurance through another employer, or retired. The 2014 Resolution aligned participation in the State health program for former legislators to the coverage provided to former State employees. Exceptions were made for former legislators participating in the State health program prior to the effective date of the resolution as well as legislators who were serving at the effective date of the resolution but did not serve in the next term immediately following the effective date of the resolution. For these members, the prior COBRA provision applied.

Comparing the specific benefits enjoyed by Maryland's legislators to those in other states is difficult. However, a number of broad points can be made.

- For **health insurance**, legislators in 17 states, including Maryland, receive the same health insurance as state employees. In terms of cost-sharing, 28 states split the cost of health insurance in some manner between the state and the legislator; 5 states offer health insurance with the legislator paying the full cost of the premium; and 4 states pay the full amount of a legislator's health insurance premium. In 4 states, no health insurance is offered to legislators. In Maryland, for example, for Preferred Provider Organization plans, the State pays 80% of premium cost and the legislator pays 20%.

- For **dental insurance**, legislators in 15 states, including Maryland, receive the same dental insurance as state employees. In terms of cost-sharing, 16 states, including Maryland, provide dental insurance at the cost of the legislator; 19 states split the premium cost of dental insurance between the state and the legislator; and 2 states pay the full cost of the dental insurance premium. In 5 states, no dental insurance is offered to legislators.

- For **vision insurance**, legislators in 7 states, including Maryland, receive vision insurance through the regular health insurance plan. In terms of cost-sharing, 15 states require legislators to pay the full premium cost for vision insurance. In 8 states, no vision insurance is offered.

- For **disability insurance**, legislators in 22 states, including Maryland, receive the same disability insurance offered to state employees. In terms of cost-sharing, legislators in 13 states, including Maryland, must pay for the full cost of the premium; 8 states pay a portion of a legislator's disability insurance premium; and 7 states pay the full premium cost. In 18 states, no disability insurance is offered.

- For **life insurance**, legislators in 31 states, including Maryland, are offered the same life insurance benefits as state employees. In terms of cost-sharing, 20 states cover the full cost of at least a basic level of life insurance benefit for legislators. The amount of coverage the state pays for varies significantly, and every state that provides for a basic level of coverage gives the legislator the option to purchase additional life insurance at their own expense. In 13 states, a portion of the cost of a legislator's life insurance benefit

is covered; while in 10 states, including Maryland, life insurance is offered at the full cost of the legislator. In 6 states, no life insurance benefit is offered.

Other Benefit Recommendations

The commission did not consider or make any changes to the other benefits currently offered to legislators.

Pension Plan

The 2014 Resolution made a number of significant changes to the Legislative Pension Plan, reflecting the fact that State employee pension benefits were significantly changed in 2011 as well as to comply with federal tax regulations.

Current Benefit

Under the current resolution, participation in the Legislative Pension Plan is now mandatory (prior to the 2014 Resolution, membership was optional although participation was virtually universal). A member must accumulate 8 years of service credit in order to vest in the pension plan and thus be eligible to receive benefits. The member contribution rate is 7% of the member's salary for up to 22 years and three months. Legislative service beyond this time period does not earn additional retirement benefits. In addition, the member does not make any further contributions beyond this time period.

To receive a normal service retirement allowance from the plan, in addition to accumulating eight years of service credit, a member with no creditable service prior to January 14, 2015, must also be age 62. For members with creditable service prior to that date, the retirement age is 60. A member with no creditable service prior to January 14, 2015, may retire as early as age 55, but benefits will be reduced by 6.0% for each year that the member is less than age 62 (a maximum reduction of 42.0%). A member with creditable service prior to January 14, 2015, may retire as early as age 50, but benefits will be reduced by 6.0% for each year that the member is less than age 60 (a maximum reduction of 60.0%). In either case, the retirement allowance at full retirement age equals 3.0% of the salary of an active legislator in a similar position for each year of service. The maximum allowance is 66.66% of the salary payable to an active legislator. Following retirement, post-retirement allowance increases are based upon increases in the salary of an active legislator.

There is a death benefit for legislators with less than eight years of service that provides to the surviving spouse, or designated beneficiary if there is no surviving spouse, a lump-sum payment of one year's salary plus a return of member contributions with 4% interest. There is also a death benefit for legislators with eight or more years of service (vested members) or former

vested members who are not yet receiving a benefit. In that case, the surviving spouse, or designated beneficiary if there is no surviving spouse, may elect (1) the lump-sum payment of one year's salary plus a return of member contributions with 4% interest; or (2) a monthly benefit of 50% of the allowance accrued at the member's death. Payment to the surviving spouse begins at the member's death. Payment to the designated beneficiary begins at age 60 (or actuarially reduced at age 50). Finally, the surviving spouse, or designated beneficiary if no surviving spouse, of a retired legislator receives a monthly survivor benefit of 50% of the allowance accrued at the member's death. Payment to the surviving spouse begins at the member's death, while payment to a designated beneficiary begins at age 60 (or actuarially reduced at age 50).

It should be noted that, although the prior compensation commission did alter the ages at which legislators may retire, it did not make a similar change to when death benefits could be paid. Those ages continue to align with the retiree ages prior to January 14, 2015.

Exhibit 33 compares the Legislative Pension Plan to the pension plans available to judges, the State Police and other law enforcement officers, the Governor, State employees, and teachers. The exhibit also details the key eligibility, retirement conditions, contributions, and service credit changes that have impacted the plans in recent years. One significant impact of these changes is to treat members of the same systems differently based on the date of initial membership.

Exhibit 34 examines demographic data regarding the membership in the Legislative Pension Plan, specifically the number, average age, and years of creditable service of active legislators in the plan. This exhibit shows that there are 188 active legislators participating in the plan, of whom approximately 47% have served eight years or more in office and, therefore, are vested. This percentage is much lower than noted four years ago due to significant turnover at the 2014 election.

Exhibit 35 presents the number, average age, average years of service, and average monthly benefit of retired legislators. The statistics show that the average monthly benefit for retirees under the 2010 Resolution (shown as the 2002 plan) is $1,606; for beneficiaries, the average monthly benefit is $858. On average, these retirees had served as legislators for 14 years.

Legislative Pensions in Other States

Most states have legislative pension plans. Although direct comparisons are difficult to make, these other plans offer perspective in evaluating Maryland's Legislative Pension Plan, which appears to provide relatively generous retirement benefits.

Exhibit 36 includes a state-by-state comparison of the retirement benefits accruing to legislators and the contributions or cost that a legislator must pay to be a member of the retirement plan. As indicated in Exhibit 36, in terms of plan ranking, Maryland's Legislative Pension Plan ranks twelfth. However, in terms of rankings by state, Maryland ranks ninth as three states with a higher ranking (Pennsylvania, Illinois, and Hawaii) are double-counted as they have pre-reform and reform plans that have a higher benefit than Maryland. Of the states with

higher benefits than Maryland, four are considered full-time or full-time leaning legislatures (Illinois, Pennsylvania, New York, and Massachusetts). Of part-time legislatures in the survey, Maryland ranks fifth. Compared to legislative salaries, the most striking anomaly is Texas where salaries are negligible but the retirement benefit is comparatively high.

As a percentage of salary, Maryland provides a retiree with 12 years of service a benefit equal to 36% of the salary of a current legislator, and a retiree with 20 years of service a benefit equal to 60% of the salary of a current legislator. For a 20-year legislator, eight states offer benefits that equate to a higher percentage of salary than Maryland.

In terms of relative contribution rates, **Exhibit 37** details that Maryland's current legislator contribution rate of 7% ranks eleventh amongst those states in the survey (six states have no contribution rate and Nevada has the highest contribution rate, 15%). The Legislative Pension Plan has a relatively generous benefit multiplier of 3%, which ranks tenth among legislative pension plans and ninth among states (**Exhibit 38**). Other points of comparison between the Legislative Pension Plan and those in other states are detailed in **Exhibit 39.**

Pension Plan Recommendations

The commission affirmed the basic structure of the current Legislative Pension Plan. In considering changes to the plan, the guiding principle adopted was that, to the maximum extent possible, changes should be consistent with other plans in the State Retirement and Pension system. The changes to the Legislative Pension Plan considered by the commission were as follows:

- Altering the age at which a designated beneficiary (other than a surviving spouse) can receive a retirement allowance or death benefit from 60 to 62 and, for early retirement, from 50 to 55, for members who have no creditable service before January 14, 2015. The 2014 Resolution made a change to the age at which a retiree can claim a benefit: specifically, increasing the eligible age to 62 or 55 for early retirement for members with no service prior to January 14, 2015. However, no change was made to the age at which a designated beneficiary (other than a surviving spouse) may receive an allowance or death benefit, retaining 60 and 50, respectively. Given the significant changes made to the Legislative Pension Plan by the 2014 Resolution, this lack of alignment was an oversight. Aligning the ages to the retirement age for members would also be consistent with all other plans in the State Retirement and Pension System. The commission voted unanimously to make the change.

- Increasing the age up to which a child of a member who dies while serving in the General Assembly may receive a death benefit. Under the current resolution, that benefit is allowed for children under age 18. Recent legislation impacting all other plans in the State Retirement and Pension System increased the age up to which a child could receive a

benefit to 26 and added the provision that this benefit could be paid to a disabled child regardless of age. It was noted that this change reflected that, under federal law, children may stay on a parent's health plan until they reach age 26. By making this change, not only would the child receive a benefit until they were 26 (or older if disabled), they would also be able to access health benefits if they were receiving an annuity. The commission again unanimously agreed to align the Legislative Pension Plan with the other plans.

- Removing an arcane reference that requires a legislator to die contemporaneously with the legislator's spouse in order for a child to receive a death benefit. Again, no other plans in the State Retirement and Pension System have this restriction. The commission agreed unanimously to remove this reference.

- Authorizing the naming of a nonprofit organization as a beneficiary to receive a lump-sum death benefit. Currently, the Legislative Pension Plan does not allow a member to name a nonprofit organization as a beneficiary. This is allowed by other plans in the State Retirement and Pension System. Given that this is allowed by the other plans, the commission again unanimously agreed to adopt the provision in the Legislative Pension Plan.

- Discontinuing, beginning in 2019, the ability of legislators to purchase service credit in order to vest. The commission had significant discussion on this issue in the December 18, 2017 meeting, and the same concerns were reiterated at the decision meeting: that the practice was at odds with other plans in the State Retirement and Pension System; that the original policy rationale for allowing the purchase of credit had been made moot by Internal Revenue Service (IRS) guidelines; and that the potential for a member (elected or otherwise) to serve a very short period in office and still buy time to be eligible for a pension and other retiree benefits should be eliminated. The commission voted unanimously to eliminate the purchase of service credit beginning in 2019. This would still allow the purchase of service credit by current members, although they would have to be mindful of IRS regulations.

- Clarifying, for those members who have previously purchased service credit in order to vest, when they may receive retirement benefits. The commission was asked by the State Retirement Agency (SRA) to affirm the current practice it uses to determine when a former member who is otherwise eligible to retire and who has purchased service credit can actually receive a benefit. Specifically, SRA requires a member to wait for the amount of time equivalent to the amount of service credit purchased. The current resolution is silent on this matter. The commission agreed that it was inappropriate for a member to immediately claim a retirement benefit simply by virtue of purchasing service and unanimously agreed to adopt a clarifying provision.

- Providing credit for military service. The commission, as with its counterparts in 2010 and 2014, took up the issue of providing a service credit for military service. The commission

was generally supportive of the idea. Members thought a provision might encourage former members of the military to run for legislative office and also noted that a similar provision exists in other plans in the State Retirement and Pension System. One concern was how to ensure that the same military service was not being counted toward another retirement benefit. In statute, this is not allowed in other plans, although SRA acknowledged that implementing this service credit provision can prove difficult. On balance, the commission agreed that military service credit should be offered in the Legislative Pension Plan. As the vesting period for the Legislative Pension Plan is shorter than the for State employees, for example, the commission unanimously agreed to allow up to three years of military service credit.

The commission considered two other pension-related issues. First, to allow the transfer of service credit from other plans in the State Retirement and Pension System into the Legislative Pension Plan. While this kind of transfer is allowed by other plans in the State Retirement and Pension System, there is no provision in the Legislative Pension Plan. The commission ultimately felt that it did not have sufficient data to fully understand the implications of any such proposal and asked SRA and the Department of Legislative Services to more fully investigate this issue for the consideration of the next commission. Second, the commission had been asked to provide input on whether it had concerns with allowing legislative service to count toward eligibility to claim military service credit if a former legislator sought that credit in another plan in the State Retirement and Pension System. The commission did not feel that it had sufficient information to comment on this specific issue, but noted its action to provide a military service credit in the Legislative Pension Plan.

Other Benefits Available to Retired Legislators

Retired legislators may participate in State benefit programs available to retired State employees. Except for spending accounts and workers' compensation coverage, these programs are the same as those for active legislators.

Retired legislators qualify for the State health program subsidy if vested (8 years of service). For retired legislators with creditable service before January 14, 2015, the amount of the subsidy is one-sixteenth of the full State subsidy for each year of service. This means that upon reaching the normal retirement age, a former legislator with 8 years of service is eligible to receive 50% of the State subsidy for health insurance. Those with 16 or more years qualify for 100% of the subsidy. For legislators with no creditable service prior to January 14, 2015, the 2014 Resolution altered the calculation of the State subsidy of retiree health benefit from one-sixteenth of the full State subsidy to one-twentieth of the full State subsidy for each year of service. This change reflected a similar change that was made to the same subsidy for State employees in 2011.

Other Retiree Benefit Recommendations

The commission did not consider or make any changes to the other benefits currently offered to retired legislators.

Forfeiture of Benefits

The current Resolution governing legislative compensation includes a provision on forfeiture of benefits that was added by the General Assembly in the 2010 Resolution and affirmed by the 2014 commission. Since that time, legislation was enacted concerning the forfeiture of benefits for Constitutional Officers. The forfeiture provision for Constitutional Officers is different in that the qualifying crime is narrower in scope, it provides for a judicial process that allows for less than 100% forfeiture of benefits, and includes an innocent party provision, *i.e.*, allowing a court to provide some benefits to an innocent party, including previously agreed to domestic relations orders.

The commission acknowledged that the legislative forfeiture provision, which the legislature imposed on itself, was more stringent than that passed for constitutional officers. However, there was little sentiment to change the current forfeiture provisions except in one area: a provision for innocent parties. The commission eloquently debated the need to protect innocent parties, especially if those parties themselves have been found to be victims. There was tremendous sympathy for potential innocent parties; however, discussion also centered on the need to hold elected officials to the highest standard as well as the broader policy question of whether a benefit should be attributed to the member only or to their broader beneficiaries.

The commission took two votes: first, to make some provision for innocent parties. This motion was defeated 8-1 with Ms. Brenda B. Rever being in favor. Second, the commission voted to retain the existing forfeiture provision. This motion was agreed to unanimously with the acknowledgement of the concerns that the commission had about the potential impact on innocent parties.

Summary of Legislative Benefits

Exhibit 40 summarizes the salary and fringe benefit value for current legislators effective January 1, 2018, assuming that the member takes advantage of certain health benefits with a certain amount of coverage. This value varies only for those members with over 22 years and three months of service when retirement contributions are no longer deducted. As shown in the exhibit, the fringe benefit value adds over $23,000 to the value of the salary and fringe benefit total.

Exhibit 41 summarizes the retirement allowance and fringe benefit value for an active legislator on retirement based on the salary in effect on January 1, 2018, and assuming that the retired member takes advantage of certain health benefits with a certain amount of coverage. In this exhibit, the total retirement benefit varies by length of service (although the basic allowance calculation is the same for a legislator with equal service regardless of when legislative service began), and by whether the legislator had creditable service prior to January 14, 2015. Those members with creditable service prior to that date have a higher retiree health insurance subsidy until 20 years of service, which results in a significantly higher total retirement benefit.

Exhibit 42 summarizes the salary and fringe benefit value and the value of the retirement benefit for a legislator and State employee with certain lengths of service and also under the two different frameworks determining those retirement benefits (for legislators the 2010 Resolution versus the 2014 Resolution and for State employees pre- and post-2011 pension reforms). As is clear from the exhibit, legislators and State employees earning the same salary and opting for the same health insurance coverage receive the same salary and fringe benefit value. Where the distinction between the two is stark is the retirement benefit. Not only is the legislative retirement allowance more generous (based on the higher multiplier), accessing that benefit is also easier.

District Office Accounts

The commission does not have jurisdiction over district office accounts or other items that legislators do not receive as individuals. However, for informational purposes, material regarding the amount and use of district office expenses **(Exhibit 43**), a history of district office account allowances since 1971 (**Exhibit 44**), and information on staff assistance for members of the legislature (**Exhibit 45**) is provided.

Chapter 3. Section-by-section Summary of the 2018 Resolution

Salaries

Item 1A – Members

2019	$50,330
2020	50,330
2021	50,330
2022	50,330

Item 1B – President/Speaker

2019	$65,371
2020	65,371
2021	65,371
2022	65,371

Expenses

Item 2A

Lodging (In-state)	Vouchered lodging reimbursement in Annapolis is subject to limits specified by the U.S. General Services Administration (GSA) rate for Annapolis (currently $101 per diem). If approved by the Presiding Officers, in-state lodging outside of Annapolis may be reimbursed at the appropriate local GSA rate.
Meals (In-state)	Reimbursed in accordance with standard State travel regulations ($47 total in fiscal 2018); no meal receipts required.

Item 2B

Mileage (In-state)	Reimbursed in accordance with standard State travel regulations (54.5 cents per mile effective January 1, 2018).

Item 2C

In-district travel	$750 annual payment.

Item 2D

Out-of-state travel	Subject to the most current published federal General Services Administration (GSA) daily per diem rates for meals and lodging except that if the published conference rate exceeds the GSA rate, the presiding officers may approve the higher published conference rate.

Item 2E – Fringe Benefits – Current Legislators

Former legislators currently participating in the State health benefits program and current legislators who do not serve in the next term will be able to continue to participate in the program and remain eligible until they (1) decline to participate; (2) become eligible for health coverage through another employer; or (3) retire. For legislators joining the General Assembly on or after January 14, 2015, participation in the State health benefits program for former legislators will be aligned with that provided to former State employees.

In either case, departing legislators must pay full cost of the insurance plus a 2% administrative charge.

May participate in certain benefit programs available to State employees (*i.e.*, insurance programs, tax sheltered accounts, deferred compensation programs, credit union services, deductions for charitable contributions, workers' compensation coverage, and payroll deductions relating to these programs). May not participate in the State's unemployment insurance program or receive death benefits and paid leave.

Pension and Retirement Provisions

Item 3A

Participation	Mandatory enrollment.
Vesting	After 8 years of creditable service.
Member Contribution	7.0% of annual salary, up to 22 years and three months.
Retirement Allowance	3.0% of salary of active legislator for each year of service.
Maximum Allowance	66.67% of salary payable to an active legislator.
Cost-of-living Adjustment	Benefit recalculated based on salary increases for active legislators.

Eligibility
(Members with creditable service before January 14, 2015)

Normal Retirement	Age 60 with at least 8 years of service.
Early Retirement	Age 50 with at least 8 years of service, actuarially reduced 6.0% for each year under age 60 (maximum reduction 60.0%).

(Members with No Creditable Service Before January 14, 2015)

Normal Retirement	Age 62 with at least 8 years of service.
Early Retirement	Age 55 with at least 8 years of service, actuarially reduced 6.0% for each year under age 62 (maximum reduction 42.0%).

Survivor's Allowance/Death Benefit

Nonvested, Active Legislator	Surviving spouse, or designated beneficiary if no surviving spouse, receives lump-sum payment of one year's salary, if any, plus return of member's contributions (with interest).

Vested Active or Vested Former Legislator	If there is no spouse and the member has designated multiple beneficiaries, then the beneficiaries share equally the lump-sum payment noted above. Surviving spouse, or designated beneficiary if no surviving spouse, may elect either the lump-sum payment noted above or a monthly benefit of 50.0% of allowance accrued at member's death. Payment to surviving spouse begins at member's death. Payment to designated beneficiary begins at age 60 or actuarially reduced at age 50. For members with no creditable service before January 14, 2015, payment to designated beneficiary begins at age 62 or actuarially reduced at age 55. If there is no spouse and the member has designated multiple beneficiaries, then the beneficiaries share equally the lump-sum payment noted above.
Retired Legislator	Surviving spouse, or designated beneficiary if no surviving spouse, receives a monthly benefit of 50.0% of allowance accrued at member's death. Payment to surviving spouse begins at member's death. Payment to designated beneficiary begins at age 60 or actuarially reduced at age 50. For members with no creditable service before January 14, 2015, payment to designated beneficiary begins at age 62 or actuarially reduced at age 55. If there is no spouse and the retiree has designated multiple beneficiaries, then the beneficiaries share equally the balance of the actuarial equivalent present value of the retiree's basic allowance computed at the time of retirement.
Children	If a member dies while in office, provides a lump-sum payment or survivor's allowance to children up to age 26 or to a disabled child regardless of age.
Beneficiaries	Broadens the definition of beneficiary in order to allow the designation of nonprofit organizations to receive a lump-sum death benefit.

Basic Allowance	Provides maximum benefit to retiree based on creditable service. At the retiree's death, the spouse or designated beneficiary receives 50.0% of the retiree's benefit for life.
Optional Allowance	Provides reduced allowance to retiree. One hundred percent of benefit paid to spouse or designated beneficiary for life. Unless the beneficiary is the retiree's spouse or disabled child, a designated beneficiary may not be more than 10 years younger than the retiree.
Disability Benefit	If totally disabled, a vested member receives a normal retirement allowance regardless of age.

(Members with Creditable Service Before January 9, 2019)

Less Than Eight Years of Service	A legislator who leaves office with less than 8 years of service may (1) withdraw member contributions; or (2) pay member and State contributions to accumulate 8 years; or (3) transfer legislative service to another State system in which the member participates. A legislator may not receive a benefit or allowance before the number of years purchased has elapsed. A legislator who resigns to become a State judge is entitled to a retirement allowance regardless of years of legislative service.

(Members with No Creditable Service Before January 9, 2019)

Less Than Eight Years of Service	A legislator who leaves office with less than 8 years of service may (1) withdraw member contributions; or (2) transfer legislative service to another State system in which the member participates. A legislator who resigns to become a State judge is entitled to a retirement allowance regardless of years of legislative service.
Military Service Credit	A member with at least 8 years of services is entitled to receive credit for military service of up to 3 years.

Item 3B – Fringe Benefits – Retired Legislators

May participate in benefit programs available to retired State employees (*i.e.*, deferred compensation programs and credit union services).

Former legislators receiving a retirement allowance who have creditable service before January 14, 2015, qualify for State health insurance benefits and a subsidy equal to one-sixteenth of the full State subsidy for each year of service.

Former legislators receiving a retirement allowance who have no creditable service before January 14, 2015, qualify for State health insurance benefits and a subsidy equal to one-twentieth of the full State subsidy for each year of service.

Item 4 – Forfeiture of Benefits

An individual who is a member or retiree of the plan will forfeit all legislative retirement benefits in the plan if the individual is convicted of a crime committed during the individual's term of office and the crime is (1) a felony; or (2) a serious misdemeanor relating to the individual's public duties as a legislator. The convicted member or retiree is entitled to a return of employee contributions, plus interest, less any benefits already paid to a retiree. The benefits will be restored if the conviction is overturned.

Chapter 4. 2018 Resolution of the General Assembly Compensation Commission

2018 Resolution of the General Assembly Compensation Commission Determining the Compensation and Allowances of the Members of the General Assembly

The General Assembly Compensation Commission, pursuant to Article III, § 15 of the Maryland Constitution, adopts the following resolution determining the compensation and allowances of members of the General Assembly.

RESOLVED, That, from and after January 9, 2019, the members of the General Assembly shall be entitled to receive compensation and allowances in accordance with the items contained in this Resolution and no other compensation or allowances of any kind whatsoever.

Item 1A

Each member of the General Assembly, except the President of the Senate and the Speaker of the House of Delegates, shall receive an annual salary as follows, payable in twelve monthly installments each year:

(1) Fifty thousand three hundred thirty dollars ($50,330) during calendar year 2019;

(2) Fifty thousand three hundred thirty dollars ($50,330) during calendar year 2020;

(3) Fifty thousand three hundred thirty dollars ($50,330) during calendar year 2021; and

(4) Fifty thousand three hundred thirty dollars ($50,330) for the period that includes calendar year 2022 and that portion of January 2023 preceding the commencement of the next term of office.

Item 1B

The President of the Senate and the Speaker of the House of Delegates shall each receive an annual salary as follows, payable in twelve monthly installments each year:

(1) Sixty-five thousand three hundred seventy-one dollars ($65,371) during calendar year 2019;

(2) Sixty-five thousand three hundred seventy-one dollars ($65,371) during calendar year 2020;

(3) Sixty-five thousand three hundred seventy-one dollars ($65,371) during calendar year 2021; and

(4) Sixty-five thousand three hundred seventy-one dollars ($65,371) for the period that includes calendar year 2022 and that portion of January 2023 preceding the commencement of the next term of office.

Item 2A

Each member of the General Assembly, upon presentation of an expense voucher, shall be entitled to a per diem allowance for meals and reimbursed for expenses actually incurred for lodging due to (i) attendance at regular, extended, or extraordinary sessions of the General Assembly of Maryland or scheduled committee or subcommittee meetings thereof; (ii) attendance at meetings of the Legislative Policy Committee or scheduled committee or subcommittee meetings thereof, including legislative committees created by statute; (iii) attendance at scheduled meetings of a commission, committee, joint executive/legislative committee, or task force or subcommittee thereof to which the legislator has been appointed by the Governor, the President of the Senate, or the Speaker of the House of Delegates; (iv) attendance at bill signings; or (v) attendance at official functions in Annapolis or outside Annapolis directly related to duties as a member of the General Assembly as may be approved by the President of the Senate or the Speaker of the House of Delegates. The President of the Senate and the Speaker of the House of Delegates shall establish guidelines and procedures for the determination and payment of expenses for meals and lodging, in accordance with the following policies:

(1) Requests for payment of the per diem meal allowance need not be supported by receipts;

(2) Requests for reimbursement for expenses incurred for lodging must be supported by receipts or by a billing from the facility providing the lodging and payment may be made directly to the facility;

(3) In no event shall a member be paid for meal expenses that exceed the total amount for meal expenses per day as provided in the Standard Travel Regulations of the State of Maryland, as amended from time to time by the Board of Public Works; and

(4) In no event shall a member be reimbursed for lodging expenses that exceed the most current published federal General Services Administration daily per diem rates for lodging:

(i) In Annapolis, Maryland, if the lodging occurred in Annapolis, Maryland; or

(ii) At the appropriate local rate, if the lodging occurred outside Annapolis, Maryland.

Item 2B

Each member shall be reimbursed for expenses actually incurred in traveling between the member's home and the place of a session or meeting or function described in Item 2A at the rate provided in the Standard Travel Regulations of the State of Maryland, as amended from time to

time by the Board of Public Works, if the travel is by automobile. If a member travels by other means, the member will be reimbursed for actual costs, but not exceeding the mileage rate provided by the Standard Travel Regulations of the State of Maryland.

Item 2C

Each legislator shall be paid a seven hundred fifty dollar ($750) lump sum nonvouchered within district transportation allowance at the beginning of each calendar year of the term 2015, 2016, 2017, and 2018.

Item 2D

(1) Each member who wishes to be reimbursed for expenses actually incurred for registration fees, meals, lodging and travel in attending a meeting, conference or other function outside the State that the member believes is directly related to, or will substantially enhance the performance of, the member's duties as a legislator shall request and obtain in writing the prior approval of the President of the Senate and the Speaker of the House of Delegates. The request for approval shall indicate the basis for the request for reimbursement, the estimated amount of reimbursable expenses and such other information as may be reasonably necessary to determine the appropriateness of reimbursement. The President of the Senate and the Speaker of the House of Delegates shall develop guidelines for reimbursement of out-of-state travel and other expenses. In developing these guidelines the President of the Senate and the Speaker of the House of Delegates may utilize the provisions of the Standard Travel Regulations of the State of Maryland to the degree applicable, except that the policies in paragraph (2) of this Item 2D shall be observed.

(2) (i) The amount of any reimbursement for registration fees, as well as attendance at the particular function, must be approved in advance by the President of the Senate and the Speaker of the House of Delegates.

(ii) 1. The maximum amount of reimbursement available for actual expenses incurred for meals and lodging on any trip shall be determined by the joint action of the President of the Senate and the Speaker of the House of Delegates in connection with approval of each request, and, except as provided in subsubparagraph 2. of this subparagraph, in no other event shall a member be reimbursed for meals and lodging expenses combined that exceed the most current published federal General Services Administration daily per diem rates for meals and lodging.

2. In the event that the published conference rate for lodging exceeds the General Services Administration daily per diem rate for lodging, the President of the Senate and the Speaker of the House of Delegates may approve the published conference rate.

(iii) Copies of all requests for approval, all written approvals and disapprovals, and all requests for actual reimbursement shall be maintained in a central file in the Finance and Administrative Services Office of the Department of Legislative Services and kept available for public inspection upon request for a period of at least five (5) years.

Item 2E

(1) Legislators may participate in benefit programs generally available to State employees, including health programs, insurance programs, tax sheltered accounts, deferred compensation programs, credit union services, deductions for charitable purposes, workers' compensation coverage, and payroll deductions relating to these programs. Participation in these programs shall be in the same manner as the participation of State employees. Additional benefits programs authorized for State employees during a legislative term of office may not be made available to legislators until the beginning of the next term, at which time they shall be fully available unless prohibited elsewhere in this Resolution. Legislators may not receive State employee death benefits, paid leave, or payroll deductions other than those associated with the items authorized by this Resolution. Legislators may not participate in the State's unemployment insurance program, including those former legislators who have been unseated by the elective process.

(2) (i) A legislator who leaves the General Assembly before January 14, 2015, may continue to participate in the State health program until the former legislator declines to participate in the program, becomes eligible for health insurance coverage through another employer, or retires.

(ii) A legislator who leaves the General Assembly on or after January 14, 2015, may continue to participate in the State health program in the same manner as State employees, in accordance with the most current State of Maryland Health Benefits Guide.

(iii) Former legislators electing to participate in the State health insurance program must pay the full cost of the insurance, which includes the individual's contribution and the State subsidy and an administrative charge not exceeding 2%.

Item 3A

1. Definitions.

(a) In general. In this Item 3A of this Resolution, the following words have the meanings indicated.

(b) Accumulated contributions.

(1) "Accumulated contributions" means the amounts credited to a member's individual account in the annuity savings fund of the Employees' Retirement System for the Legislative Pension Plan.

(2) "Accumulated contributions" includes member contributions plus regular interest.

(c) Allowance. "Allowance" means a benefit that is payable in equal monthly installments for the life of the recipient, except as otherwise provided for an optional form of a benefit under § 12 of this Item 3A.

(d) Beneficiary. "Beneficiary" means a person other than a retiree in receipt of a benefit under this Item 3A.

(e) Board of Trustees. "Board of Trustees" means the Board of Trustees for the State Retirement and Pension System established under § 21-103 of the State Personnel and Pensions Article.

(f) Creditable service. "Creditable service" means the service credit described in § 6(a) of this Item 3A.

(g) Designated beneficiary. "Designated beneficiary" means a person named as the beneficiary by a participant in an acknowledged written designation filed with the Board of Trustees.

(h) Eligible presiding officer. "Eligible presiding officer" means a legislator who served as a presiding officer:

(1) At the time of termination of the legislator's term of service; or

(2) For at least 1 year during the legislator's term of service.

(i) Medical board. "Medical board" means a board of physicians established under § 21-126 of the State Personnel and Pensions Article.

(j) Member. "Member" means:

(1) A legislator who is a member of the Legislative Pension Plan during the legislator's term of office; and

(2) A former legislator who:

(i) Was a member of the Legislative Pension Plan during the legislator's term of office;

(ii) Has not withdrawn the member's accumulated contributions; and

(iii) Is not currently receiving a retirement allowance.

(k) Member contribution. "Member contribution" means:

(1) A contribution that is deducted from a member's salary as required by § 5 of this Item 3A; and

(2) An employer pickup contribution.

(l) Participant. "Participant" means a member or a retiree.

(m) Presiding officer. "Presiding officer" means the President of the Senate or the Speaker of the House of Delegates.

(n) Regular interest. "Regular interest" means interest at the rate being paid by the Board of Trustees to members of the Employees' Retirement System compounded annually.

(o) Resolution. "Resolution" means the Resolution of the General Assembly Compensation Commission effective January 9, 2019.

(p) Retiree. "Retiree" means an individual who is eligible for retirement and has applied to receive a retirement allowance.

(q) Retirement allowance. "Retirement allowance" means the allowance payable to a retiree.

(r) State system. "State system" means a retirement or pension system other than the Legislative Pension Plan that is included in the State Retirement and Pension System under § 21-102 of the State Personnel and Pensions Article.

(s) Statutory pension plan. "Statutory pension plan" means the pension plan established as of July 1, 1966, for an individual appointed or elected to the General Assembly before January 1, 1971, who elected to participate in the plan in accordance with the provisions of former Article 73B, § 11(13), which were transferred to the Session Laws by Chapter 131, § 5(3) of the Acts of 1992.

(t) Survivor allowance. "Survivor allowance" means the allowance payable by the Board of Trustees on the death of a participant.

(u) Year of service. "Year of service" means a year or fraction thereof during which a member serves as a legislator in the General Assembly and for which contributions are made at the prescribed rate.

2. Legislative Pension Plan – Established.

The Legislative Pension Plan is established as of January 13, 1971.

3. Administration; Funding.

(a) Administration. The Board of Trustees shall:

(1) Administer the Legislative Pension Plan in accordance with the provisions of this Item 3A;

(2) Credit the assets of the Legislative Pension Plan to the annuity savings fund, the accumulation fund, and the expense fund of the Employees' Retirement System according to the purpose for which they are held pursuant to the provisions of Title 21, Subtitle 3 of the State Personnel and Pensions Article; and

(3) Manage and invest the funds of the Legislative Pension Plan in accordance with the provisions of Title 21 of the State Personnel and Pensions Article.

(b) Funding.

(1) Each fiscal year, on behalf of the members of the Legislative Pension Plan, the State shall ascertain and pay to the accumulation fund of the Employees' Retirement System for the Legislative Pension Plan the amount determined by the actuary pursuant to the provisions of §§ 21-304 and 21-308 of the State Personnel and Pensions Article that is an amount sufficient to fund the benefits payable on a sound actuarial basis.

(2) For the purpose of making the calculations required under this subsection, the Legislative Pension Plan shall be combined with the Employees' Retirement System and the Employees' Pension System.

(3) Each fiscal year, at a minimum, the State shall pay at least an amount that is sufficient to provide the benefits payable under this Item 3A during the fiscal year.

4. Membership.

Membership in the Legislative Pension Plan is mandatory for each member of the General Assembly during the 2019–2022 term of office.

5. Member contributions.

(a) In general. Except as provided in subsection (b) of this section, each member of the Legislative Pension Plan shall contribute an amount equal to 7% of the member's annual salary.

(b) Exceptions.

(1) Subject to paragraph (2) of this subsection, a member does not make any further contributions after 22 years and 3 months of creditable service.

(2) If the member elects to receive a retirement allowance under § 8(e)(2) of this Item 3A, a member shall contribute an amount equal to 7% of the member's annual salary until the member accrues the maximum retirement allowance payable under § 8(e)(2) of this Item 3A.

(c) Payment of member contributions. The member contribution shall be deducted proportionately from the member's salary each pay period and credited to the member's individual account in the annuity savings fund of the Employees' Retirement System for the Legislative Pension Plan.

6. Service credit.

(a) Creditable service. Creditable service at retirement on which the allowance of a retiree is based shall consist of the sum of:

(1) Membership service credit;

(2) Service credit purchased under this section; and

(3) Military service credit received in accordance with § 22 of this Item 3A.

(b) Membership service credit.

(1) A legislator shall earn membership service credit for each year of service the legislator makes contributions at the prescribed rate and is a member of the Legislative Pension Plan or the statutory pension plan.

(2) Years of service need not be consecutive.

(3) On or after January 8, 1975, a member shall receive 1 year of membership service credit if:

(i) The member is employed on a full-time basis by the State or a political subdivision of the State in nonlegislative employment;

(ii) The member is compensated by the State or a political subdivision of the State for the nonlegislative employment;

(iii) The member has taken a leave of absence from the nonlegislative employment while serving as a legislator; and

(iv) The member is not receiving credit in another retirement system supported wholly or in part by the State for the period of the member's absence from the nonlegislative employment.

(c) One-time purchase of service credit.

A member who is serving in the General Assembly shall have one opportunity to purchase service credit for all previous legislative service, including legislative service from previous terms of office, by paying to the Board of Trustees an amount equal to 5% of the salary payable to the legislator during the years of service to be purchased plus regular interest thereon.

(d) Purchase of credit if less than 8 years of creditable service.

(1) A member who has creditable service in the Legislative Pension Plan before January 9, 2019, may purchase service credit in the Legislative Pension Plan so that the amount of the creditable service of the member aggregates not more than 8 years if the member:

(i) Is no longer an active member of the Legislative Pension Plan;

(ii) Has less than 8 years of creditable service in the Legislative Pension Plan; and

(iii) Pays to the Board of Trustees an amount equal to the sum of:

1. 7% of the annual salary payable to a legislator during the years of service to be purchased; and

2. The contributions payable by the State with respect to the salary of a legislator during the years of service to be purchased.

(2) A member purchasing service credit under paragraph (1) of this subsection may not begin receiving a retirement allowance from the Legislative Pension Plan until the number of years the member purchased have elapsed.

7. Service retirement allowance – No service prior to January 1, 1971.

(a) Application of section. This section applies only to a member who has no creditable service before January 1, 1971.

(b) Eligibility for retirement. Except as provided in subsection (c) of this section, a member may retire if on or before the date of retirement, the member:

(1) Is not currently serving in the General Assembly;

(2) Has at least 8 years of creditable service;

(3) (i) Has creditable service before January 14, 2015, and has attained age 60; or

(ii) Has no creditable service before January 14, 2015, and has attained age 62; and

(4) Completes and submits an application for retirement to the Board of Trustees stating the date on which the member desires to retire.

(c) Exception for member who joins the Judges' Retirement System. A member who resigns from the General Assembly prior to the expiration of the member's term of office to accept a position requiring membership in the Judges' Retirement System is entitled to a retirement allowance under this Item 3A regardless of years of service.

(d) Service retirement allowance – In general. Except as provided in subsection (e) of this section, on retirement, a member shall receive a service retirement allowance equal to 3% of the salary payable to a current legislator in the General Assembly multiplied times the number of years of creditable service of the member, but in no event shall the retirement allowance exceed two-thirds of the salary payable to a current legislator in the General Assembly.

(e) Same – Eligible presiding officer. If the member served as an eligible presiding officer, the Board of Trustees shall use the salary payable to the current presiding officer to calculate the member's retirement allowance, but in no event shall the retirement allowance exceed two-thirds of the salary payable to a current presiding officer in the General Assembly.

8. Service retirement allowance – Service before January 1, 1971.

(a) Application of section. This section applies only to a member who has creditable service before January 1, 1971.

(b) Eligibility for retirement. Except as provided in subsection (c) of this section, a member may retire if on or before the date of retirement, the member:

(1) Is not currently serving in the General Assembly;

(2) Has at least 8 years of creditable service;

(3) (i) Elects to receive a service retirement allowance under subsection (d) of this section and has attained age 60; or

(ii) Elects to receive a retirement allowance under subsection (e) of this section and has attained age 55; and

(4) Completes and submits an application for retirement to the Board of Trustees stating the date on which the member desires to retire.

(c) Exception for member who joins the Judges' Retirement System. A member who resigns from the General Assembly prior to the expiration of the member's term of office to accept

a position requiring membership in the Judges' Retirement System is entitled to a retirement allowance under this Item 3A regardless of years of service.

(d) Service retirement allowance – In general. Except as provided in subsection (e) of this section, on retirement, a member shall receive a retirement allowance computed as set forth in § 7(d) of this Item 3A for all years of creditable service.

(e) Same – Alternate elections.

(1) Instead of the service retirement allowance provided in subsection (d) of this section, at retirement, a member may elect to receive a service retirement allowance to be paid as provided in either paragraph (2) or (3) of this subsection, but subject to the limitations set forth in paragraph (4) of this subsection.

(2) A member may elect to receive a service retirement allowance equal to the sum of:

(i) The benefit payable with respect to the member's creditable service prior to January 1, 1971, computed at the rates and otherwise in accordance with the statutory pension plan, commencing at the time provided in the statutory pension plan and based on the member's highest annual earnable compensation as a member of the General Assembly prior to January 1, 1971; and

(ii) The benefit payable with respect to the member's creditable service after January 1, 1971, computed as set forth in § 7(d) of this Item 3A and commencing at age 60.

(3) A member may elect to receive a service retirement allowance computed with respect to all of the member's creditable service, computed at the rates and otherwise in accordance with the statutory pension plan, commencing at the time provided in the statutory pension plan and based upon the member's highest annual earnable compensation as a member of the General Assembly prior to January 1, 1971.

(4) (i) Unless the member served as an eligible presiding officer, the service retirement allowance payable under paragraph (2) of this subsection may not exceed two-thirds of the salary payable to a current legislator in the General Assembly. If the member served as an eligible presiding officer, the service retirement allowance may not exceed two-thirds of the salary currently payable to a presiding officer.

(ii) A member may receive the service retirement allowance payable under paragraph (3) of this subsection if the member files a written notice of the election with the Board of Trustees.

9. Reduced service retirement allowance.

(a) Eligibility for retirement. A member may retire with a reduced service retirement allowance if the member:

(1) Is not currently serving in the General Assembly;

(2) Has at least 8 years of creditable service;

(3) (i) Has creditable service before January 14, 2015, and is at least 50 years of age but has not attained 60 years of age; or

(ii) Has no creditable service before January 14, 2015, and is at least 55 years of age but has not attained 62 years of age; and

(4) Completes and submits an application for retirement to the Board of Trustees:

(i) Stating the date on which the member desires to retire; and

(ii) Electing to receive a reduced service retirement allowance instead of the service retirement allowance payable under § 7 or § 8 of this Item 3A.

(b) Reduced service retirement allowance. On retirement under this section, a member shall receive a reduced service retirement allowance equal to the service retirement allowance or portion thereof computed under § 7 or § 8(d) or (e)(2)(ii) of this Item 3A on the basis of the member's creditable service and current annual salary, reduced by 0.5% for each month by which the member's early retirement date precedes the date the member:

(1) Attains age 60, if the member has creditable service before January 14, 2015; or

(2) Attains age 62, if the member has no creditable service before January 14, 2015.

10. Disability retirement allowance.

(a) Definition. In this section, "disabled" means the member is mentally or physically incapacitated for the further performance of duty as a legislator and the incapacity is likely to be permanent.

(b) Eligibility for disability retirement. A member who is currently serving in the General Assembly is eligible to receive a disability retirement allowance if:

(1) The member has at least 8 years of creditable service regardless of age;

(2) The medical board has certified that the member is disabled; and

(3) The member completes and submits an application for retirement to the Board of Trustees stating the date on which the member desires to retire.

(c) Disability retirement allowance. A member shall receive a disability retirement allowance computed as set forth in § 7(d) of this Item 3A for all years of creditable service.

11. Survivor allowance payable on death of retiree.

(a) Survivor allowance.

(1) On the death of a retiree, the Board of Trustees shall pay a survivor allowance equal to one-half of the retirement allowance that would be payable to the retiree if the retiree were living and continuing to receive a retirement allowance.

(2) The survivor allowance shall be paid in accordance with subsection (b) of this section.

(b) (1) If the retiree has a surviving spouse, the survivor allowance shall be paid to the retiree's surviving spouse for life, commencing on the date of the retiree's death.

(2) If the retiree does not have a surviving spouse and the retiree has creditable service before January 14, 2015, the survivor allowance shall be paid to the designated beneficiary for life, commencing:

(i) On the retiree's death, if the designated beneficiary is then at least age 60;

(ii) When the designated beneficiary attains age 60, if the designated beneficiary has not attained 60 years of age on the retiree's death; or

(iii) At any time after the designated beneficiary attains age 50 but before the designated beneficiary attains age 60, if the designated beneficiary makes the election set forth in subsection (c)(1) of this section.

(3) If the retiree does not have a surviving spouse and the retiree has no creditable service before January 14, 2015, the survivor allowance shall be paid to the designated beneficiary for life, commencing:

(i) On the retiree's death, if the designated beneficiary is then at least age 62;

(ii) When the designated beneficiary attains age 62, if the designated beneficiary has not attained 62 years of age on the retiree's death; or

(iii) At any time after the designated beneficiary attains age 55 but before the designated beneficiary attains age 62, if the designated beneficiary makes the election set forth in subsection (c)(2) of this section.

(c) Election to receive reduced survivor allowance.

(1) (i) This paragraph applies only to the designated beneficiary of a retiree who has creditable service before January 14, 2015.

(ii) Instead of the survivor allowance payable to the designated beneficiary on attaining age 60, the designated beneficiary may elect to receive a reduced survivor allowance for life commencing at any time after the designated beneficiary attains age 50 if the designated beneficiary completes and submits an application for a reduced survivor allowance stating the date on which the designated beneficiary desires to receive the reduced survivor allowance.

(iii) The reduced survivor allowance is an amount equal to one-half of the retirement allowance that would be payable to the retiree if the retiree were living and eligible to receive a retirement allowance, reduced by 0.5% for each month by which the designated beneficiary's age precedes the date the designated beneficiary attains age 60.

(2) (i) This paragraph applies only to the designated beneficiary of a retiree who has no creditable service before January 14, 2015.

(ii) Instead of the survivor allowance payable to the designated beneficiary on attaining age 62, the designated beneficiary may elect to receive a reduced survivor allowance for life commencing at any time after the designated beneficiary attains age 55 if the designated beneficiary completes and submits an application for a reduced survivor allowance stating the date on which the designated beneficiary desires to receive the reduced survivor allowance.

(iii) The reduced survivor allowance is an amount equal to one-half of the retirement allowance that would be payable to the retiree if the retiree were living and eligible to receive a retirement allowance, reduced by 0.5% for each month by which the designated beneficiary's age precedes the date the designated beneficiary attains age 62.

(d) Lump–sum death benefit.

(1) (i) This paragraph applies only to a designated beneficiary that is not an individual.

(ii) If a retiree dies before receiving payments equal to the actuarial equivalent present value of the retiree's basic allowance computed at the time of retirement, the Board of Trustees shall pay the balance as a single payment to the retiree's designated beneficiary.

(2) If a retiree has designated more than one beneficiary and dies before receiving payments equal to the actuarial equivalent present value of the retiree's basic allowance

computed at the time of retirement, the Board of Trustees shall pay the balance as a single payment to the retiree's designated beneficiaries in equal shares.

(3) Benefits will not be paid under this subsection if the retiree has a surviving spouse at the time of death.

12. Optional Allowances.

(a) In general. Instead of the retirement allowance and survivor allowance provided under this Item 3A, at retirement, a member may elect an optional allowance set forth in subsection (c) of this section.

(b) Optional requirement.

(1) The optional allowance shall be certified by the actuary for the Board of Trustees to be of equivalent actuarial value to the allowance payable to the retiree and the retiree's beneficiary.

(2) For an optional form of allowance providing for payment to a designated beneficiary for life, the designated beneficiary must be an individual.

(3) If a member elects the optional allowance under subsection (c) of this section and designates a beneficiary other than the member's spouse or disabled child as defined under § 72(m)(7) of the Internal Revenue Code, a member may not designate a beneficiary who is more than 10 years younger than the member.

(c) Description of the optional allowance.

The optional allowance is a level payment plan. Under the optional allowance, when the retiree dies, the Board of Trustees shall pay the retiree's reduced allowance:

(1) To the retiree's surviving spouse for life; or

(2) If there is no surviving spouse, to the retiree's designated beneficiary for the designated beneficiary's life.

13. Designated beneficiary.

(a) Right to designate beneficiary. A participant may name a designated beneficiary or beneficiaries to receive the benefits payable on the death of a participant under this Item 3A if the participant's spouse is not living at the time of the participant's death.

(b) Benefits for life. For a survivor benefit providing for payment under this Item 3A to a designated beneficiary for life, the designated beneficiary must be an individual.

(c) Designation of beneficiary void. If a participant dies and is survived by a spouse, the participant's designation of a beneficiary or beneficiaries shall be void and of no effect.

(d) Change of designated beneficiary. A participant may change the designated beneficiary by:

(1) Completing an acknowledged written designation form; and

(2) Filing the designation of beneficiary form with the Board of Trustees.

(e) Recomputation of allowance. If a retiree changes a designated beneficiary, the Board of Trustees shall recompute the allowance based on the value of the balance in the retiree's reserves when the change is made.

14. Adjustment of allowances.

(a) Application of section. This section does not apply to all or any portion of a retirement allowance or a survivor allowance that is computed in accordance with the statutory pension plan.

(b) Adjustment of allowances – In general. Except as provided in § 8 of this Item 3A, as of the date the salary of a current legislator in the General Assembly is increased, the Board of Trustees shall recompute a retirement allowance or a survivor allowance under this Item 3A on the basis of the service retirement allowance as provided under this Item 3A and the annual salary payable to a current legislator in the General Assembly.

(c) Same – Eligible presiding officer.

(1) This subsection applies to a retiree who served as an eligible presiding officer or a beneficiary of an eligible presiding officer.

(2) As of the date the salary of a current presiding officer is increased, the Board of Trustees shall recompute a retirement allowance or a survivor allowance under this Item 3A on the basis of the annual salary payable to a current presiding officer.

15. Effect of employment of retiree.

(a) Subject to subsection (b) of this section, beginning January 9, 1991, a retiree who is receiving a retirement allowance may accept employment with the State as an employee or an elected or appointed official without any reduction in the retiree's retirement allowance.

(b) If a retiree who is receiving a retirement allowance becomes a member of the General Assembly:

(1) The retiree's retirement shall be canceled;

(2) The retirement allowance payments shall terminate after the last day of the month preceding the date of return to service as a legislator;

(3) All previous creditable service shall be restored to the account of the member; and

(4) The member shall be credited with membership service credit during the period the retiree is a member of the General Assembly.

16. Benefit – Death of member with at least 8 years of service.

(a) Application of section. This section applies only on the death of a member who has at least 8 years of creditable service.

(b) Lump-sum death benefit.

(1) Except as provided in subsection (c) of this section, on the death of a member, the Board of Trustees shall pay to the member's surviving spouse, or if there is no surviving spouse, to the member's designated beneficiary or beneficiaries a lump-sum death benefit consisting of the sum of:

(i) The member's accumulated contributions; and

(ii) An amount equal to the member's annual salary, if any, at the time of death.

(2) If a member has designated more than one beneficiary, the lump-sum death benefit provided in paragraph (1) of this subsection shall be divided equally among the beneficiaries.

(c) Election to receive survivor allowance.

(1) Instead of the lump-sum death benefit payable under subsection (b) of this section, the member's surviving spouse or, if the member is not survived by a spouse, the designated beneficiary may elect to receive a survivor allowance equal to one-half the retirement allowance that would be payable to the member if the member were living and eligible to receive a retirement allowance. The Board of Trustees shall pay the survivor allowance in accordance with paragraph (2) of this subsection.

(2) (i) If the member has a surviving spouse, the survivor allowance shall be paid to the member's surviving spouse for life, commencing on the date of the member's death.

(ii) If the member does not have a surviving spouse and the member has creditable service before January 14, 2015, the survivor allowance shall be paid to the designated beneficiary for life, commencing:

1. On the member's death, if the designated beneficiary is then at least age 60;

2. When the designated beneficiary attains age 60, if the designated beneficiary has not attained 60 years of age on the member's death; or

3. At any time after the designated beneficiary attains age 50 but before the designated beneficiary attains age 60, if the designated beneficiary makes the election set forth in subsection (d)(1) of this section.

(iii) If the member does not have a surviving spouse and the member has no creditable service before January 14, 2015, the survivor allowance shall be paid to the designated beneficiary for life, commencing:

1. On the member's death, if the designated beneficiary is then at least age 62;

2. When the designated beneficiary attains age 62, if the designated beneficiary has not attained 62 years of age on the member's death; or

3. At any time after the designated beneficiary attains age 55 but before the designated beneficiary attains age 62, if the designated beneficiary makes the election set forth in subsection (d)(2) of this section.

(3) If a member has designated a beneficiary that is not an individual or more than one beneficiary, the multiple beneficiaries may not elect to receive the survivor allowance provided in paragraph (1) of this subsection.

(d) Election to receive reduced survivor allowance.

(1) (i) This paragraph applies only to the designated beneficiary of a retiree who has creditable service before January 14, 2015.

(ii) Instead of the survivor allowance payable to the designated beneficiary on attaining age 60, the designated beneficiary may elect to receive a reduced survivor allowance for life commencing at any time after the designated beneficiary attains age 50 if the designated beneficiary completes and submits an application for a reduced survivor allowance stating the date on which the designated beneficiary desires to receive the reduced survivor allowance.

(iii) The reduced survivor allowance is an amount equal to one-half the retirement allowance that would be payable to the member if the member were living and eligible to receive a retirement allowance, reduced by 0.5% for each month by which the designated beneficiary's age precedes the date the designated beneficiary attains age 60.

(2) (i) This paragraph applies only to the designated beneficiary of a retiree who has no creditable service before January 14, 2015.

(ii) Instead of the survivor allowance payable to the designated beneficiary on attaining age 62, the designated beneficiary may elect to receive a reduced survivor allowance for life commencing at any time after the designated beneficiary attains age 55 if the designated beneficiary completes and submits an application for a reduced survivor allowance stating the date on which the designated beneficiary desires to receive the reduced survivor allowance.

(iii) The reduced survivor allowance is an amount equal to one-half the retirement allowance that would be payable to the member if the member were living and eligible to receive a retirement allowance, reduced by 0.5% for each month by which the designated beneficiary's age precedes the date the designated beneficiary attains age 62.

(e) Death benefit for children.

(1) This section applies only to a member who dies while serving as a legislator in the General Assembly.

(2) Except as provided in paragraph (3) of this subsection, the Board of Trustees shall pay the lump-sum death benefit payable under subsection (b) of this section in equal shares to each child who has not attained the age of 26 or who is disabled as defined under § 72(m)(7) of the Internal Revenue Code, if on the member's death, the member:

(i) Is not survived by a spouse; and

(ii) Is survived by a child or children under the age of 26 years or disabled as defined under § 72(m)(7) of the Internal Revenue Code.

(3) (i) Instead of the lump-sum death benefit payable under paragraph (2) of this subsection, the member's children who have not attained age 26 or who are disabled as defined under § 72(m)(7) of the Internal Revenue Code may elect to receive the survivor allowance that would have been paid to the surviving spouse under subsection (c)(1) of this section had the member's spouse survived the member. The survivor allowance is payable to the member's children as of the date of the member's death.

(ii) If the Board of Trustees pays the survivor allowance to more than one child, the Board of Trustees shall divide the allowance equally among the children who are under the age of 26 years or who are disabled as defined under § 72(m)(7) of the Internal Revenue Code.

(iii) The survivor allowance shall be payable to each child until that child attains age 26 or is no longer disabled.

17. Benefit – Death of member with less than 8 years of service.

(a) Application of section. This section applies only on the death of a member who:

(1) Is currently serving in the General Assembly; and

(2) Has less than 8 years of creditable service.

(b) Lump-sum death benefit.

(1) (i) On the death of a member, the Board of Trustees shall pay a lump-sum death benefit consisting of the sum of the member's accumulated contributions and an amount equal to the member's annual salary at the time of death.

(ii) The Board of Trustees shall pay the lump-sum death benefit in accordance with paragraphs (2) through (4) of this subsection.

(2) If the member has a surviving spouse, the lump-sum death benefit provided in paragraph (1) of this subsection shall be paid to the surviving spouse.

(3) If the member has no surviving spouse, but has a surviving child or children under the age of 26 years or disabled as defined under § 72(m)(7) of the Internal Revenue Code, the lump-sum death benefit provided in paragraph (1) of this subsection shall be paid in equal shares to each child who has not attained the age of 26 or who is disabled.

(4) (i) If the member has no surviving spouse and no surviving children under the age of 26 years or disabled as defined under § 72(m)(7) of the Internal Revenue Code, the lump-sum death benefit provided in paragraph (1) of this subsection shall be paid to the member's designated beneficiary or beneficiaries.

(ii) If a member has designated more than one beneficiary, the lump-sum death benefit shall be divided equally among the beneficiaries.

18. Death of member – No beneficiary.

On the death of a member who is not survived by a spouse, a designated beneficiary, or a child who is eligible to receive a benefit under § 16 or § 17 of this Item 3A, the Board of Trustees shall pay the member's accumulated contributions to the estate of the member.

19. Termination of rights in Plan.

At any time after termination of service as a legislator but prior to receiving a retirement allowance, a member may elect to withdraw the member's accumulated contributions by completing an application for refund of contributions and submitting the application to the Board of Trustees. A member who withdraws accumulated contributions does not have any further rights under the Legislative Pension Plan.

20. Transfer of credit.

(a) In general. Except as provided in subsection (b) of this section, creditable service earned as a member of the Legislative Pension Plan qualifies for benefits under the Legislative Pension Plan and no other system or plan administered by the Board of Trustees.

(b) Exception. Prior to retirement, a member may elect to transfer creditable service in the Legislative Pension Plan and the member's accumulated contributions to the State system in which the member participates, if the member:

(1) Has less than 8 years of creditable service in the Legislative Pension Plan; or

(2) Earned the creditable service for years of service in the Legislative Pension Plan if any of the years of service occurred on or before January 8, 1975.

(c) Effect of transfer of creditable service. A member who is eligible to transfer creditable service to another State system and who makes the election to transfer shall withdraw the member's accumulated contributions.

21. Miscellaneous Provisions.

(a) Receipt of retirement allowance from another State system. A retiree who is receiving a retirement allowance from another State system may receive a retirement allowance from the Legislative Pension Plan if the years of service in the Legislative Pension Plan do not overlap with the years of service in the State system.

(b) Average final compensation. As of January 8, 1975, the annual salary payable to a member while serving as a legislator may not be added to the earnable compensation payable by the State or a political subdivision of the State to determine the member's average final compensation in a State system in which the member participates.

(c) Applicability. Except as otherwise provided herein, this Item 3A (including the calculation for the retirement allowance and the survivor's allowance) applies to:

(1) A legislator who is a member of the Legislative Pension Plan during the legislator's term of office;

(2) A former legislator who:

(a) Was a member of the Legislative Pension Plan during the legislator's term of office;

(b) Has not withdrawn the member's accumulated contributions; and

(c) Is not currently receiving a retirement allowance; and

(3) A retiree.

22. Military Credit.

(a) A member is entitled to receive creditable service for military service only on the attainment of 8 years of membership service credit earned through service as a legislator in the Legislative Pension Plan.

(b) Military service credit under this section may not exceed 3 years.

(c) Service credit purchased under § 6 of this Item 3A may not be counted towards eligibility to receive military service credit.

(d) Notwithstanding any provisions in Title 38 of the State Personnel and Pensions Article to the contrary, and except as otherwise specified in this section, Title 38 of the State Personnel and Pensions Article and Code of Maryland Regulations 22.05.04 shall apply to the Legislative Pension Plan for the purpose of authorizing a member to receive military service credit in the Legislative Pension Plan.

(e) A member who has previously received military service credit in a State system may not rescind any portion of the military service credit in order to become eligible to receive military service credit under this section.

<u>Item 3B</u>

(a) Former legislators regularly receiving a retirement allowance may participate in benefit programs available to retired State employees, including health programs, deferred compensation programs, and credit union services. Should additional benefit programs be authorized for retired State employees, such benefits may be made available to retired legislators with the approval of the presiding officers. Except as provided in subsections (b) and (c) of this section, participation in these programs shall be in the same manner as the participation of retired State employees.

(b) Former legislators receiving a retirement allowance who have creditable service before January 14, 2015, and have at least eight (8) years' service shall qualify for a State health program subsidy equal to one-sixteenth (1/16) of the full State subsidy for each year of service.

(c) Former legislators receiving a retirement allowance who have no creditable service before January 14, 2015, and have at least eight (8) years' service shall qualify for a State health program subsidy equal to one-twentieth (1/20) of the full State subsidy for each year of service.

Item 4

(a) Benefits provided under Item 3A of this Resolution may not be paid and are not payable to any member of the Legislative Pension Plan or the member's beneficiary if:

(1) The member is convicted of or enters a plea of nolo contendere to any crime that is committed during the member's term of office; and

(2) The crime is:

(i) A felony; or

(ii) A misdemeanor related to the member's public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution.

(b) A retiree of the Legislative Pension Plan and the retiree's beneficiary are subject to a forfeiture of benefits under subsection (a) of this item if the retiree is receiving benefits under Item 3A of this Resolution at the time the retiree is convicted of a crime described in subsection (a) of this item.

(c) If a member or retiree is subject to a forfeiture of benefits under subsections (a) or (b) of this section, the member, retiree, or beneficiary of a member or retiree is only entitled to a return of the member's or retiree's accumulated contributions, plus interest, less any benefit payments already made under Item 3A of this Resolution.

(d) If the conviction of the member is reversed or overturned, the member's benefits that are payable under Item 3A of this Resolution shall be restored.

FURTHER RESOLVED, That all desk orders, journal entries, regulations, rules, or resolutions, including the Resolutions of this Commission dated January 25, 1971; January 24, 1974; January 19, 1978; January 7, 1982; December 17, 1985; January 10, 1990; January 20, 1994; January 7, 1998; January 11, 2002; January 11, 2006; January 12, 2010; January 7, 2014; and any other provisions of law in any way inconsistent with the express or implied language of this Resolution relating to compensation and allowances in any form for members of the General Assembly of Maryland are hereby repealed.

IN WITNESS WHEREOF, We have hereunto subscribed our names on this sixteenth day of January 2018."

Lisa First-Willis, Chair

Laurence C. Daniels

Wendell G. Rakosky

Lyn A. Dippel

Gene M. Ransom III

Josh Greene

Brenda Brown Rever

Robert A. Liberto

Joe Rubino

Exhibits

Exhibit 1
Constitutional Provisions Regarding General Assembly Compensation Commission

Art III, §15

Section 15. Duration of sessions of General Assembly; compensation and allowances.

(1) The General Assembly may continue its session so long as in its judgment the public interest may require, for a period not longer than ninety days in each year. The ninety days shall be consecutive unless otherwise provided by law. The General Assembly may extend its session beyond ninety days, but not exceeding an additional thirty days, by resolution concurred in by a three-fifths vote of the membership in each House. When the General Assembly is convened by Proclamation of the Governor, the session shall not continue longer than thirty days, but no additional compensation other than mileage and other allowances provided by law shall be paid members of the General Assembly for special session.

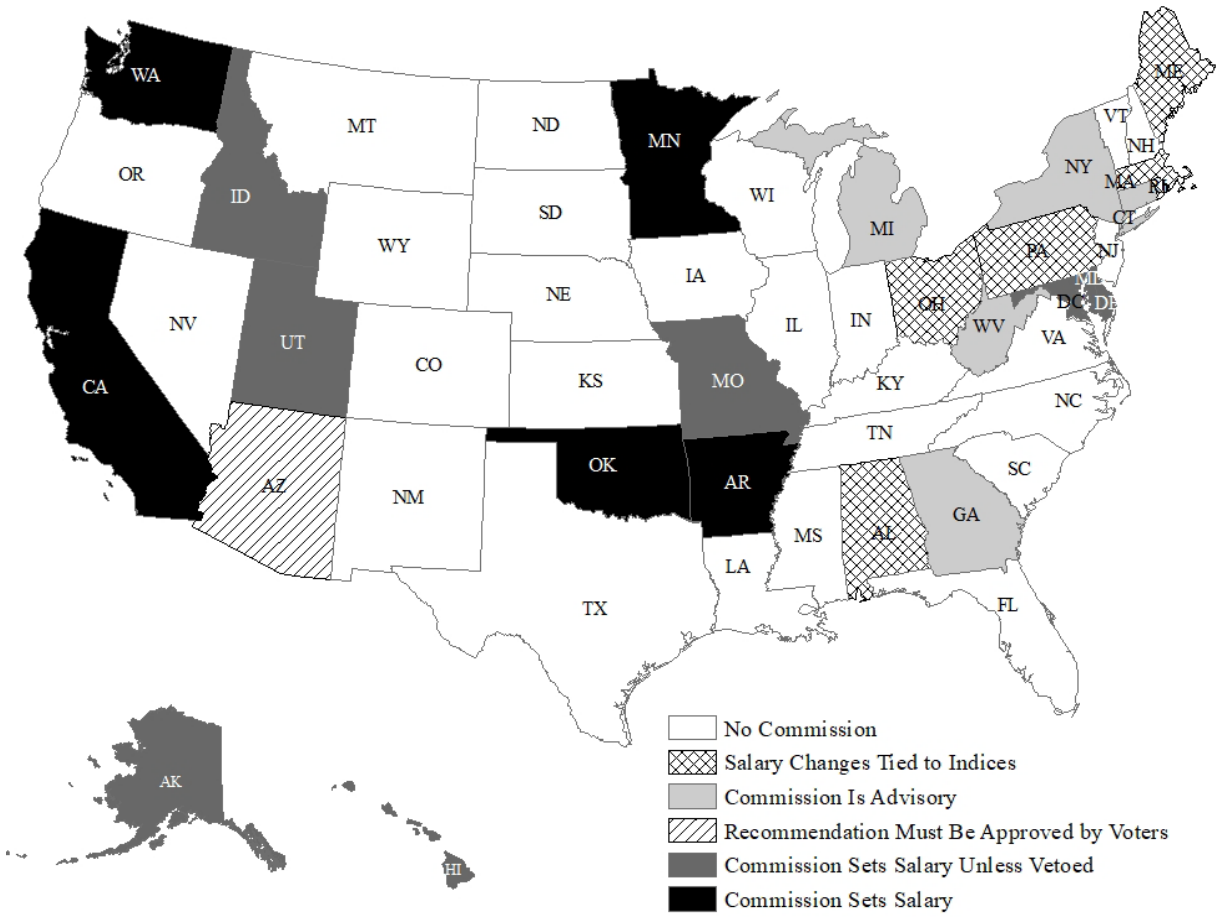
(2) Any compensation and allowances paid to members of the General Assembly shall be as established by a commission known as the General Assembly Compensation Commission. The Commission shall consist of nine members, five of whom shall be appointed by the Governor, two of whom shall be appointed by the President of the Senate, and two of whom shall be appointed by the Speaker of the House of Delegates. Members of the General Assembly and officers and employees of the Government of the State of Maryland or of any county, city, or other governmental unit of the State shall not be eligible for appointment to the Commission. Members of the Commission shall be appointed for terms of four years commencing on June 1 of each gubernatorial election year. Members of the Commission are eligible for re-appointment. Any member of the Commission may be removed by the Governor prior to the expiration of his term for official misconduct, incompetence, or neglect of duty. The members shall serve without compensation but shall be reimbursed for expenses incurred in carrying out their responsibilities under this section. Decisions of the Commission must be concurred in by at least five members.

(3) Within 15 days after the beginning of the regular session of the General Assembly in 1974 and within 15 days after the beginning of the regular session in each fourth year thereafter, the Commission by formal resolution shall submit its determinations for compensation and allowances to the General Assembly. The General Assembly may reduce or reject, but shall not increase any item in the resolution. The resolution, with any reductions that shall have been concurred in by joint resolution of the General Assembly, shall take effect and have the force of law as of the beginning of the term of office of the next General Assembly. Rates of compensation and pensions shall be uniform for all members of the General Assembly, except that the officers of the Senate and the House of Delegates may receive higher compensation as determined by the General Assembly Compensation Commission. The provisions of the Compensation Commission resolution shall continue in force until superseded by any succeeding resolution.

(4) In no event shall the compensation and allowances be less than they were prior to the establishment of the Compensation Commission *(amended by Chapter 695, Acts of 1941, ratified Nov. 3, 1942; Chapter 497, Acts of 1947, ratified Nov. 2, 1948; Chapter 161, Acts of 1964, ratified Nov. 3, 1964; Chapter 576, Acts of 1970, ratified Nov. 3, 1970; Chapter 541, Acts of 1976, ratified Nov. 2, 1976; Chapter 681, Acts of 1977, ratified Nov. 7, 1978)*.

Exhibit 2

Use of Compensation Commissions and Other Means to Establish Legislative Compensation



Source: National Conference of State Legislatures, 2017

Exhibit 3
General Assembly Compensation Commission

Applicable Law	Time for Submitting Recommendation	Form of Recommendation	Subject	Time Limit for Legislative Action	Forms of Legislative Action	Options for Legislative Action	Effect of Legislative Action
MD Const., Art. III, Sec. 15	By fifteenth day of session, *i.e.*, January 24, 2018	Resolution of commission, not legislature	Compensation and Allowances, *i.e.*, salary as well as expenses and pension	End of session	Joint resolution (if no joint resolution introduced, commission's resolution takes effect)	1. May take no action on joint resolutions	1. Commission's resolution takes effect
						2. May pass joint resolution approving commission's resolution	2. Commission's resolution takes effect
						3. May pass joint resolution reducing or rejecting particular items* but may not increase item	3. Commission's resolution, as modified by joint resolution, takes effect
						4. May pass joint resolution rejecting commission's resolution	4. Prior resolution (2014) remains in effect
						5. May pass joint resolution embodying prior resolution (2014)	5. Prior resolution (2014)
						6. May defeat joint resolutions	6. Commission's resolution takes effect

* May not reduce below 1970 levels.

Exhibit 4

General Assembly Compensation Commission Recommendations That Were Adopted Implementation of Constitution Article III, Section 15 (as Amended November 3, 1970)

Summary of 1971, 1974, 1978, 1982, and 1986 Recommendations

Subject	1971	1974	1978	1982	1986
Salaries					
Member	$11,000 annually (bi-weekly payments)	$12,500 annually (monthly payments)	In each calendar year, the following (each in monthly payments):	$21,000 annually (monthly payments)	In each calendar year, the following (each in monthly payments):
President and Speaker	$13,000 annually (bi-weekly payments)	$17,500 annually (monthly payments)	**Mem. / Pres/Spk** 1979 $16,000 / $21,000 1980 $16,750 / $21,750 1981 $17,600 / $22,600 1982 $18,500 / $23,500	$26,000 annually (monthly payments)	**Mem. / Pres/Spk** 1987 $22,000 / $29,500 1988 $23,000 / $30,500 1989 $24,000 / $31,500 1990 $25,000 / $32,500
Expenses					
Meals and Lodging	Abolish per diems; vouchered reimbursement to max of $25 for attendance at session, legislative council, committee, or subcommittee meetings	Vouchered reimbursement to max of $35; attendance expanded "to other official functions"	Limitation of $50, including $20 sublimitation on meals; lodging vouchered; meals not vouchered	In each calendar year, the following: **Daily Limits** **Overall / Meals** 1983 $65 / $24 1984 $68 / $26 1985 $72 / $28 1986 $75 / $30	In each calendar year, the following: **Daily Limits** **Overall / Meals** 1987 $78 / $31 1988 $81 / $32 1989 $84 / $33 1990 $87 / $34
Mileage Allowance	10 cents per mile; one round trip per week if taking meals and lodging in Annapolis; in lieu of meals and lodging, 10 cents per mile for daily trips	Rate to align with State travel regulations; current rate 12 cents per mile	Same conditions; current rate 18 cents per mile	Same conditions; current rate 19 cents per mile	Same conditions; current rate 23 cents per mile

Subject	1971	1974	1978	1982	1986
In-district Travel	Not authorized	Not authorized	Not authorized	Not authorized	$200 annual payment
Out-of-state Travel	Not specifically addressed	Prior joint approval by President and Speaker	Same as 1974	In each calendar year, the following daily limits: 1983 $85 1984 $90 1985 $95 1986 $100	In each calendar year, the following daily limits: 1987 $105 1988 $110 1989 $116 1990 $122
Retirement Plan					
Participation	Optional	Optional	Optional	Optional (1 year to decide)	Optional (16 months initial enrollment period)
Member Contribution	5.0% of salary	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Allowance	2.5% of highest annual salary times years of service; pre-1971 and post-1971 benefits calculated separately and added together	Same formula as 1971; may include pre-1971 service in calculating benefits under current plan	Same as 1971	Same as 1971 with addition of cost-of-living adjustment (COLA) not to exceed 3.0%	Same as 1971 with COLA not to exceed 3.0%
Maximum Allowance	60.0% after 24 years	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Eligible for Allowance	Age 60 with at least 8 years of service	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Transfer Credit to Other State Plans	Yes	No	No	No	Yes, if less than 8 years of service
Early Retirement	Age 50 if 8 or more years of service; benefit actuarially reduced	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Survivor Benefit	Spouse receives half allowance at age 60; reduced benefit age 50-60	Same as 1971 plan	Same as 1971 plan	"Survivor" modified to include beneficiaries other than spouse if member is single or widowed	Same as 1971, with 1982 modifications

Exhibit 3
General Assembly Compensation Commission

Applicable Law	Time for Submitting Recommendation	Form of Recommendation	Subject	Time Limit for Legislative Action	Forms of Legislative Action	Options for Legislative Action	Effect of Legislative Action
MD Const., Art. III, Sec. 15	By fifteenth day of session, *i.e.*, January 24, 2018	Resolution of commission, not legislature	Compensation and Allowances, *i.e.*, salary as well as expenses and pension	End of session	Joint resolution (if no joint resolution introduced, commission's resolution takes effect)	1. May take no action on joint resolutions	1. Commission's resolution takes effect
						2. May pass joint resolution approving commission's resolution	2. Commission's resolution takes effect
						3. May pass joint resolution reducing or rejecting particular items* but may not increase item	3. Commission's resolution, as modified by joint resolution, takes effect
						4. May pass joint resolution rejecting commission's resolution	4. Prior resolution (2014) remains in effect
						5. May pass joint resolution embodying prior resolution (2014)	5. Prior resolution (2014)
						6. May defeat joint resolutions	6. Commission's resolution takes effect

* May not reduce below 1970 levels.

Exhibit 4

General Assembly Compensation Commission Recommendations That Were Adopted Implementation of Constitution Article III, Section 15 (as Amended November 3, 1970)

Summary of 1971, 1974, 1978, 1982, and 1986 Recommendations

Subject	1971	1974	1978	1982	1986
Salaries					
Member	$11,000 annually (bi-weekly payments)	$12,500 annually (monthly payments)	In each calendar year, the following (each in monthly payments):	$21,000 annually (monthly payments)	In each calendar year, the following (each in monthly payments):
President and Speaker	$13,000 annually (bi-weekly payments)	$17,500 annually (monthly payments)	**Mem. / Pres/Spk** 1979 $16,000 / $21,000 1980 $16,750 / $21,750 1981 $17,600 / $22,600 1982 $18,500 / $23,500	$26,000 annually (monthly payments)	**Mem. / Pres/Spk** 1987 $22,000 / $29,500 1988 $23,000 / $30,500 1989 $24,000 / $31,500 1990 $25,000 / $32,500
Expenses					
Meals and Lodging	Abolish per diems; vouchered reimbursement to max of $25 for attendance at session, legislative council, committee, or subcommittee meetings	Vouchered reimbursement to max of $35; attendance expanded "to other official functions"	Limitation of $50, including $20 sublimitation on meals; lodging vouchered; meals not vouchered	In each calendar year, the following: **Daily Limits** **Overall / Meals** 1983 $65 / $24 1984 $68 / $26 1985 $72 / $28 1986 $75 / $30	In each calendar year, the following: **Daily Limits** **Overall / Meals** 1987 $78 / $31 1988 $81 / $32 1989 $84 / $33 1990 $87 / $34
Mileage Allowance	10 cents per mile; one round trip per week if taking meals and lodging in Annapolis; in lieu of meals and lodging, 10 cents per mile for daily trips	Rate to align with State travel regulations; current rate 12 cents per mile	Same conditions; current rate 18 cents per mile	Same conditions; current rate 19 cents per mile	Same conditions; current rate 23 cents per mile

Subject	1971	1974	1978	1982	1986
In-district Travel	Not authorized	Not authorized	Not authorized	Not authorized	$200 annual payment
Out-of-state Travel	Not specifically addressed	Prior joint approval by President and Speaker	Same as 1974	In each calendar year, the following daily limits: 1983 $85 1984 $90 1985 $95 1986 $100	In each calendar year, the following daily limits: 1987 $105 1988 $110 1989 $116 1990 $122
Retirement Plan					
Participation	Optional	Optional	Optional	Optional (1 year to decide)	Optional (16 months initial enrollment period)
Member Contribution	5.0% of salary	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Allowance	2.5% of highest annual salary times years of service; pre-1971 and post-1971 benefits calculated separately and added together	Same formula as 1971; may include pre-1971 service in calculating benefits under current plan	Same as 1971	Same as 1971 with addition of cost-of-living adjustment (COLA) not to exceed 3.0%	Same as 1971 with COLA not to exceed 3.0%
Maximum Allowance	60.0% after 24 years	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Eligible for Allowance	Age 60 with at least 8 years of service	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Transfer Credit to Other State Plans	Yes	No	No	No	Yes, if less than 8 years of service
Early Retirement	Age 50 if 8 or more years of service; benefit actuarially reduced	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Survivor Benefit	Spouse receives half allowance at age 60; reduced benefit age 50-60	Same as 1971 plan	Same as 1971 plan	"Survivor" modified to include beneficiaries other than spouse if member is single or widowed	Same as 1971, with 1982 modifications

Subject	1971	1974	1978	1982	1986
Contribute to 8 Years	If terminated at less than 8 years, may contribute member and State shares to 8-year level and qualify for allowance when eligible	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan
Disability Benefit	Not authorized	Not authorized	Not authorized	Not authorized	Not authorized

Summary of 1990, 1994, 1998, 2002, and 2006 Recommendations

Subject	1990	1994	1998	2002	2006
Salaries					
Member	In each calendar year, the following (each in monthly payments):	In each calendar year, the following (each in monthly payments):	In each calendar year, the following (each in monthly payments):	In each calendar year, the following (each in monthly payments):	In each calendar year, the following (each in monthly payments):
President and Speaker					

	Mem.	Pres/Spk		Mem.	Pres/Spk		Mem.	Pres/Spk		Mem.	Pres/Spk		Mem.	Pres/Spk
1991	$27,000	$37,000	1995	$28,840	$38,840	1999	$30,591	$40,591	2003	$34,500	$47,500	2007	$43,500	$56,500
1992	$27,000	$37,000	1996	$29,700	$39,700	2000	$30,591	$40,591	2004	$37,500	$50,500	2008	$43,500	$56,500
1993	$28,000	$38,000	1997	$29,700	$39,700	2001	$31,509	$41,509	2005	$40,500	$53,500	2009	$43,500	$56,500
1994	$28,000	$38,000	1998	$29,700	$39,700	2002	$31,509	$41,509	2006	$43,500	$56,500	2010	$43,500	$56,500

Subject	1990	1994	1998	2002	2006
Expenses					
Meals and Lodging	In each calendar year, the following:	***Meals*** – $30 allowance per diem	***Meals*** – $30 allowance per diem (same as 1994 plan)	***Meals*** – Reimbursed in accordance with standard State travel regulations; current limit $39 per diem	***Meals*** – Reimbursed in accordance with standard State travel regulations; current limit $42 per diem
		Lodging – limit specified by IRS for Annapolis	***Lodging*** – limit specified by IRS for Annapolis	***Lodging*** – limit specified by IRS for Annapolis	***Lodging*** – limit specified by IRS for Annapolis

	Daily Limits Overall	Daily Limits Meals										
1991	$90	$35	1995	$76	1999	$96	2003	$90	2007	$116
1992	$94	$36	1996	$86	2000	$90	2004	$95	2008	$123
1993	$98	$38	1997	$86	2001	$90	2005	$114	2009	$126
1994	$102	$40	1998	$96	2002	$90	2006	$104	2010	$126

Subject	1990	1994	1998	2002	2006
Mileage Allowance	Same conditions; current rate 27 cents per mile	Same conditions; current rate 29 cents per mile	Same conditions; current rate 32 cents per mile	Same conditions; current rate 48 cents per mile	Same conditions; current rate 50 cents per mile
In-district Travel	$250 annual payment	$400 annual payment	$400 annual payment (same as 1994 plan)	$500 annual payment	$500 annual payment
Out-of-state Travel	In each calendar year, the following daily limits: 1991 $128 1992 $134 1993 $141 1994 $148	$160 daily limit for lodging and meals; more if costs exceed limit due to nature of travel or high costs of location	$175 daily limit for lodging and meals; more if costs exceed limit due to nature of travel or high costs of location	$225 daily limit for lodging and meals; more if costs exceed limit due to nature of travel or high cost of location	$225 daily limit for lodging and meals; more if costs exceed limit due to nature of travel or high cost of location
Retirement Plan					
Participation	Optional enrollment allowed at any time	Same as 1990 plan	Same as 1990 plan	Same as 1990 plan	Same as 1990 plan
Member Contribution	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan (5.0% of salary)	Same as 1971 plan (5.0% of salary)
Allowance	2.5% of salary of active legislator for each year of service up to 24 years; benefit recalculated based on salary increases for active legislators	3.0% of salary of active legislator for each year of service up to 22 years and 3 months; benefit recalculated based on salary increases for active legislators	Same as 1994 plan	Same as 1994 plan	Same as 1994 plan
Maximum Allowance	60.0% of salary payable to an active legislator	66.67% of salary payable to an active legislator	Same as 1994 plan	Same as 1994 plan	Same as 1994 plan
Eligible for Allowance	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan (age 60 with at least 8 years of service)	Same as 1971 plan (age 60 with at least 8 years of service)
Transfer Credit to Other State Plans	Same as 1986 plan	Same as 1986 plan	Same as 1986 plan	Same as 1986 plan (yes, if less than 8 years of service)	Same as 1986 plan (yes, if less than 8 years of service)
Early Retirement	Age 50 with at least 8 years of service, actuarially reduced 6.0% for each year under age 60	Same as 1990 plan	Same as 1990 plan	Same as 1990 plan	Same as 1990 plan

Subject	1990	1994	1998	2002	2006
Survivor Benefit	***Nonvested Active –*** Surviving spouse or designated beneficiary receives lump-sum payment of 1 year's salary plus return of member's contribution ***Vested Active/Vested Former/Retired –*** Surviving spouse or designated beneficiary may elect either lump-sum payment OR a monthly benefit of 50.0% of benefit accrued at member's death. Payment to spouse begins at member's death. Payment to designated beneficiary begins at age 60, or actuarially reduced at age 50	Same as 1990 plan	Same as 1990 plan	Same as 1990 plan, except a member may elect multiple beneficiaries, if no surviving spouse, to receive lump-sum payment divided equally	Same as 1990 plan, except a member may elect multiple beneficiaries, if no surviving spouse, to receive lump-sum payment divided equally
Contribute to 8 Years	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan	Same as 1971 plan (if terminated at less than 8 years, may contribute member and State shares to 8-year level and qualify for allowance when eligible)	Same as 1971 plan (if terminated at less than 8 years, may contribute member and State shares to 8-year level and qualify for allowance when eligible)
Disability Benefit	Incapacitated legislator may resign and continue to receive salary through remainder of term	If totally disabled, vested member receives annual retirement allowance regardless of age	Same as 1994 plan	Same as 1994 plan	Same as 1994 plan

IRS: Internal Revenue Service

Source: Department of Legislative Services

Exhibit 5
Summary of Final Adopted Joint Resolution 4 of 2010 Regular Session and Adopted 2014 General Assembly Compensation Commission Resolution

Subject	Joint Resolution 4 of 2010 Regular Session			2014 GACC Resolution		
Salaries						
Member	In each calendar year, the following (each in monthly payments):			In each calendar year, the following (each in monthly payments):		
President and Speaker		**Mem.**	**President/Speaker**		**Mem.**	**President/Speaker**
	2011	$43,500	$56,500	2015	$45,207	$58,718
	2012	$43,500	$56,500	2016	$46,915	$60,935
	2013	$43,500	$56,500	2017	$48,622	$63,153
	2014	$43,500	$56,500	2018	$50,330	$65,371
	Same as 2006 plan and unchanged since calendar 2006.					
Expenses						
Meals and Lodging*	***Meals*** – Reimbursed in accordance with standard State travel regulations; current limit $42 per diem. ***Lodging*** – limit specified by Internal Revenue Service (IRS) of Annapolis. 2011 $100/$114 2012 $101/$116 2013 $101/$116 2014 $101/$116 Same as 2006 plan			***Meals*** – Reimbursed in accordance with standard State travel regulations; current limit $47 per diem. ***Lodging*** – limit set by the federal General Services Administration (GSA) for Annapolis; currently $103/$126. In-state out of Annapolis lodging approved by Presiding Officers reimbursed at GSA rate.		
Mileage Allowance	Same conditions; current rate $.565 per mile. Same as 2006 plan.			Same conditions; current rate $.535 per mile.		

Subject	Joint Resolution 4 of 2010 Regular Session	2014 GACC Resolution
In-district Travel	$500 annual payment. Same as 2006 plan and unchanged since calendar 2002.	$750 annual payment.
Out-of-state Travel	$225 daily limit for lodging and meals; more if costs exceed limit due to nature of travel or high cost of location. Same as 2006 plan and unchanged since 2002.	Subject to most current GSA daily per diem rates for meals and lodging.
Retirement Plan		
Participation	Same as 2006 plan and unchanged since 1990.	Mandatory enrollment.
Member Contribution	Same as 2006 plan and unchanged since 1971.	7% of salary.
Allowance	Same as 2006 plan and unchanged since 1994.	Same as 2010 plan and unchanged since 1994.
Maximum Allowance	Same as 2006 plan and unchanged since 1994.	Same as 2010 plan and unchanged since 1994.
Eligible for Allowance	Same as 2006 plan and unchanged since 1971.	Unchanged for members with creditable service prior to January 14, 2015. For members with no creditable service prior to January 14, 2015, normal retirement age was increased to 62 (same minimum length of service).
Transfer Credit to Other State Plans	Same as 2006 plan and unchanged since 1986.	Same as 2010 plan and unchanged since 1986.
Early Retirement	Same as 2006 plan and unchanged since 1990.	Unchanged for members with creditable service prior to January 14, 2015. For members with no creditable service prior to January 14, 2015, early retirement age was increased to 55 (with same minimum length of service and actuarial reduction per year under normal retirement age).

Subject	Joint Resolution 4 of 2010 Regular Session	2014 GACC Resolution
Retiree Health Benefit	Same as 2006 plan.	For members with creditable service prior to January 14, 2015, full retirement subsidy is reached after 16 years. For members with no creditable service prior to January 14, 2015, full retirement subsidy is reached after 20 years.
Survivor Benefit	Same as 2006 plan and unchanged since 2002.	Options changed to conform to IRS regulations.
Service Credit Purchase Allowed if Less than 8 Years	Same as 2006 plan and unchanged since 1971 plan.	Same as 2006 plan and unchanged since 1971 plan.
Disability Benefit	Same as 2006 plan and unchanged since 1994.	Same as 2006 plan and unchanged since 1994.
Military Service	Same as 2006 (no allowance for military service).	Same as 2010 (no allowance for military service).
Forfeiture of Retirement Benefits	Forfeiture of benefits based on conviction or entering a plea of *nolo contendere* to any crime committed during the member's term of office that is either a felony or certain misdemeanors.	Same as 2010 and unchanged since that time.

GACC: General Assembly Compensation Commission

*Lodging rate varies according to time of year. Low rate is in effect for the duration of the regular legislative session.

Source: Department of Legislative Services

Exhibit 6

General Assembly of Maryland
Bills and Joint Resolutions
1987 through 2017 Regular Sessions

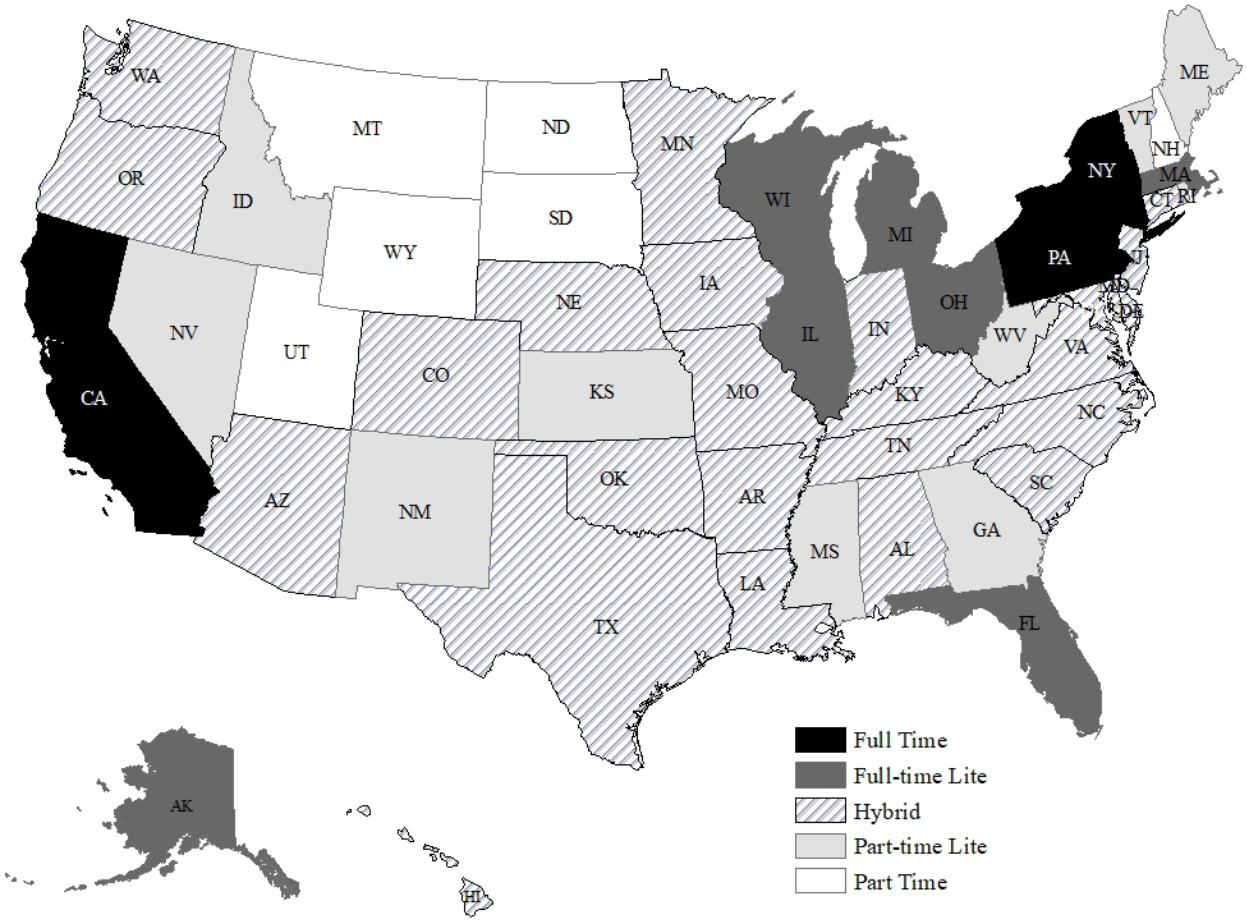
	Senate		House		Total	
Bills	**Introduced**	**Passed**	**Introduced**	**Passed**	**Introduced**	**Passed**
1987	1,075	363	1,593	510	2,668	873
1988	883	342	1,490	530	2,373	872
1989	910	353	1,627	576	2,537	929
1990	918	319	1,546	490	2,464	809
1991	848	301	1,331	474	2,179	775
1992	773	260	1,578	481	2,351	741
1993	921	289	1,627	453	2,548	742
1994	857	305	1,694	596	2,551	901
1995	868	301	1,393	477	2,261	778
1996	806	283	1,463	513	2,269	796
1997	915	354	1,470	537	2,385	891
1998	799	358	1,428	531	2,227	889
1999	795	333	1,219	497	2,014	830
2000	907	366	1,440	518	2,347	884
2001	901	352	1,464	575	2,365	927
2002	903	307	1,462	485	2,365	792
2003	774	252	1,185	377	1,959	629
2004	934	285	1,548	421	2,482	706
2005	1,018	350	1,614	476	2,632	826
2006	1,107	334	1,749	489	2,856	823
2007	1,037	346	1,443	452	2,480	798
2008	1,014	295	1,627	452	2,641	747
2009	1,073	343	1,581	456	2,654	799
2010	1,129	372	1,571	438	2,700	810
2011	998	319	1,355	388	2,353	707
2012	1,101	345	1,479	447	2,580	792
2013	1,075	322	1,535	443	2,610	765
2014	1,117	368	1,555	443	2,672	811
2015	942	297	1,292	385	2,234	682
2016	1,173	381	1,644	453	2,817	834
2017	1,200	408	1,661	527	2,861	935

Joint Resolutions	Senate Introduced	Senate Passed	House Introduced	House Passed	Total Introduced	Total Passed
1987	44	11	69	14	113	25
1988	38	9	58	6	96	15
1989	31	7	32	15	63	22
1990	33	2	56	7	89	9
1991	16	1	28	4	44	5
1992	21	3	28	5	49	8
1993	15	3	35	3	50	6
1994	13	6	28	4	41	10
1995	11	3	22	7	33	10
1996	10	3	20	4	30	7
1997	17	3	28	5	45	8
1998	17	6	22	6	39	12
1999	11	6	24	7	35	13
2000	12	8	28	9	40	17
2001	16	4	27	10	43	14
2002	23	10	39	15	62	25
2003	13	10	20	0	33	0
2004	10	0	11	1	21	1
2005	11	0	13	0	24	0
2006	16	2	10	3	26	5
2007	9	1	6	2	15	2
2008	5	0	5	0	10	0
2009	12	1	9	0	21	1
2010	6	2	14	2	20	4
2011	6	0	11	1	17	1
2012	7	3	16	2	23	5
2013	5	0	3	0	8	0
2014	9	2	12	1	21	3
2015	6	0	8	0	14	0
2016	7	1	8	0	15	1
2017	8	3	10	2	18	5

Source: Department of Legislative Services

Exhibit 7

How Full- or Part-time Is the State Legislature?



Characteristics of legislature:

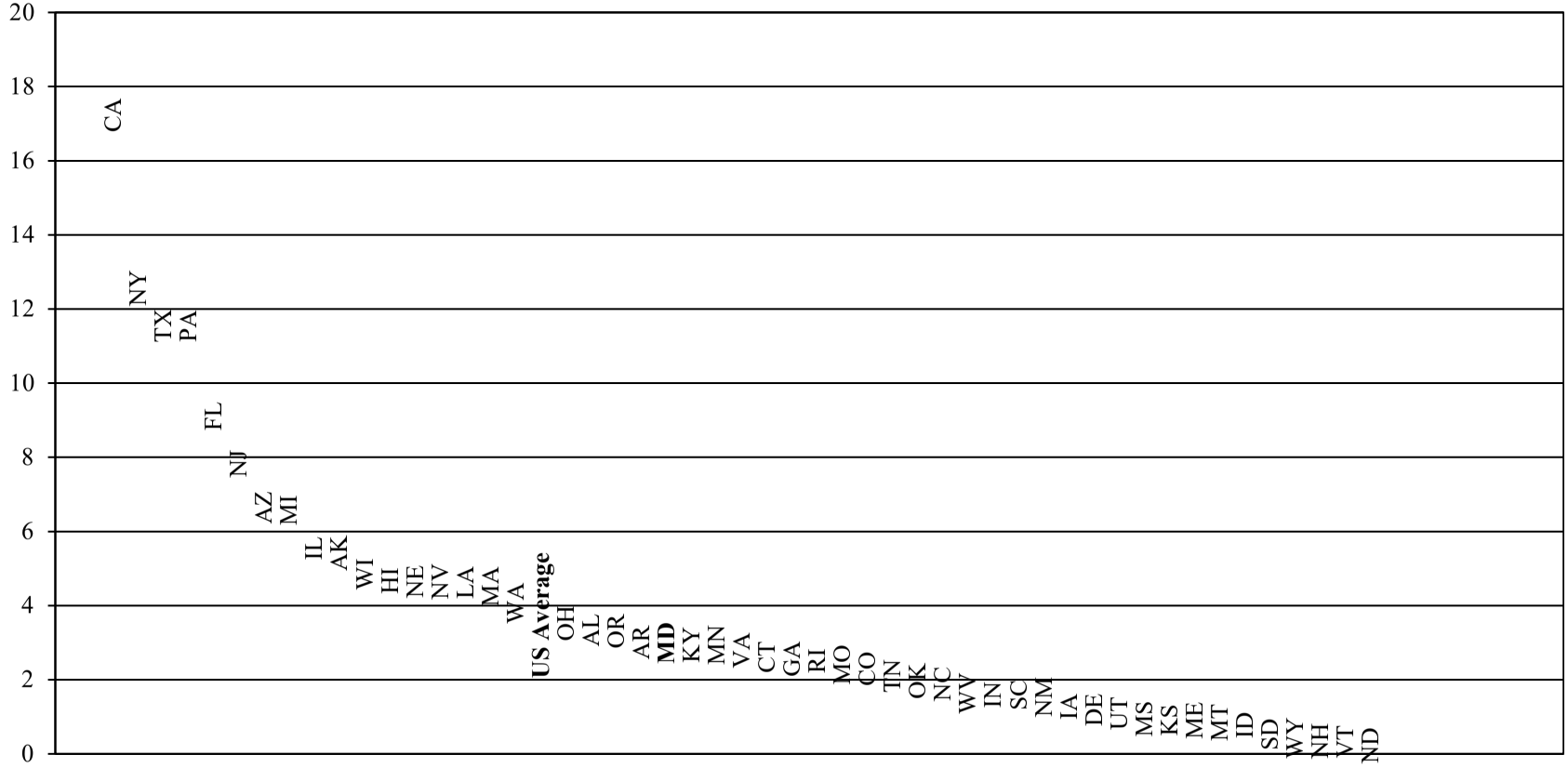
Full Time: 80% or more of a full-time job doing legislative work; average time on job 82% (2002 data); average annual compensation including salaries, per diem, and other unvouchered expenses of $80,465 (2014 data); and average 1,340 total legislative staff, including full-time central staff and partisan staff (2009 data).

Hybrid (All Types): 70% or more of a full-time job doing legislative work; average time on job 70%; average annual compensation of $42,358; and average 479 total legislative staff.

Part Time: 55% or less of a full-time job doing legislative work; average time on job 54%; average annual compensation of $19,140; and average 169 total legislative staff.

Source: National Conference of State Legislatures, 2014

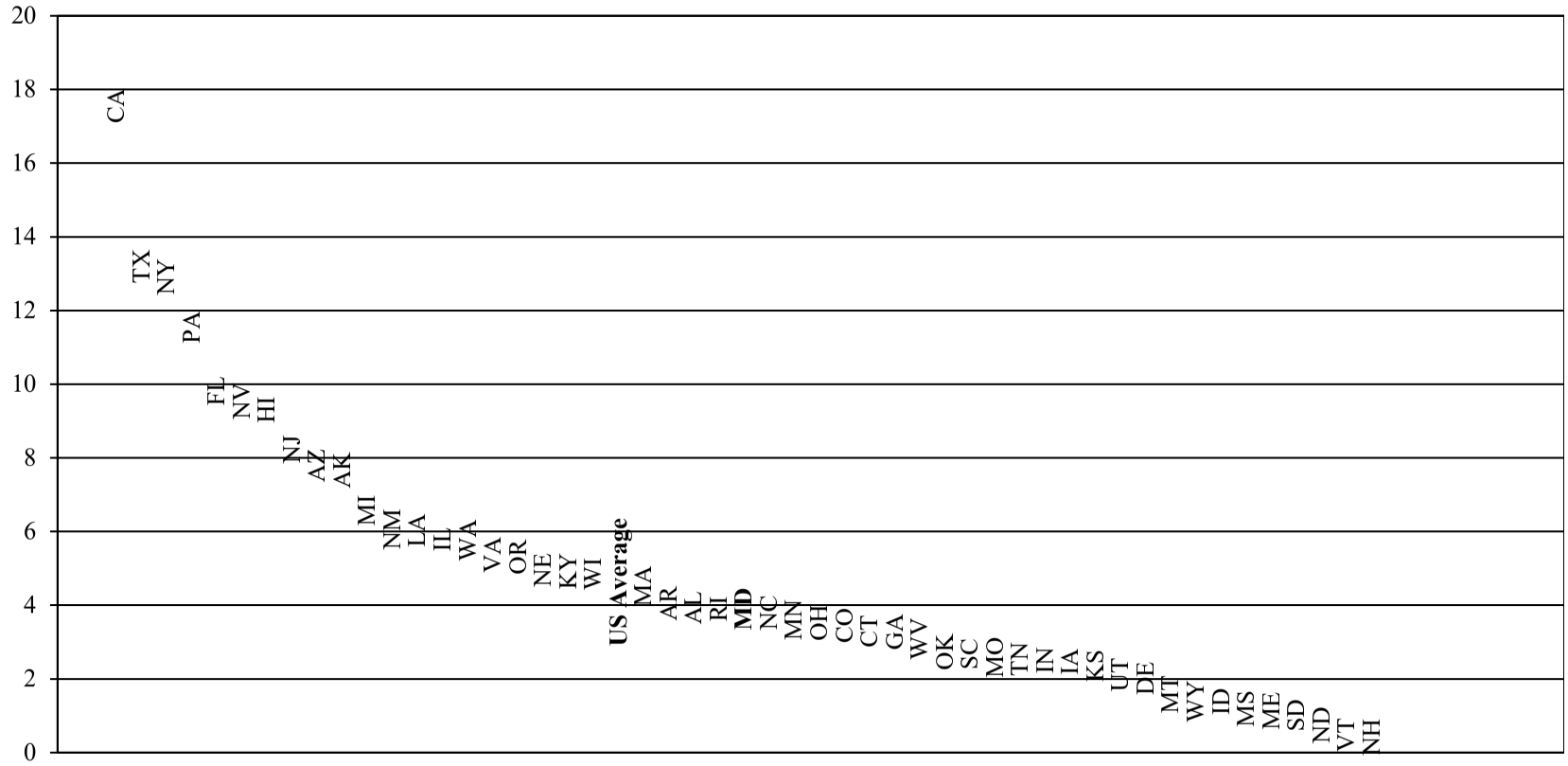
Exhibit 8
Permanent Staff Per Legislator



Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 9

Total Legislative Staff Per Legislator



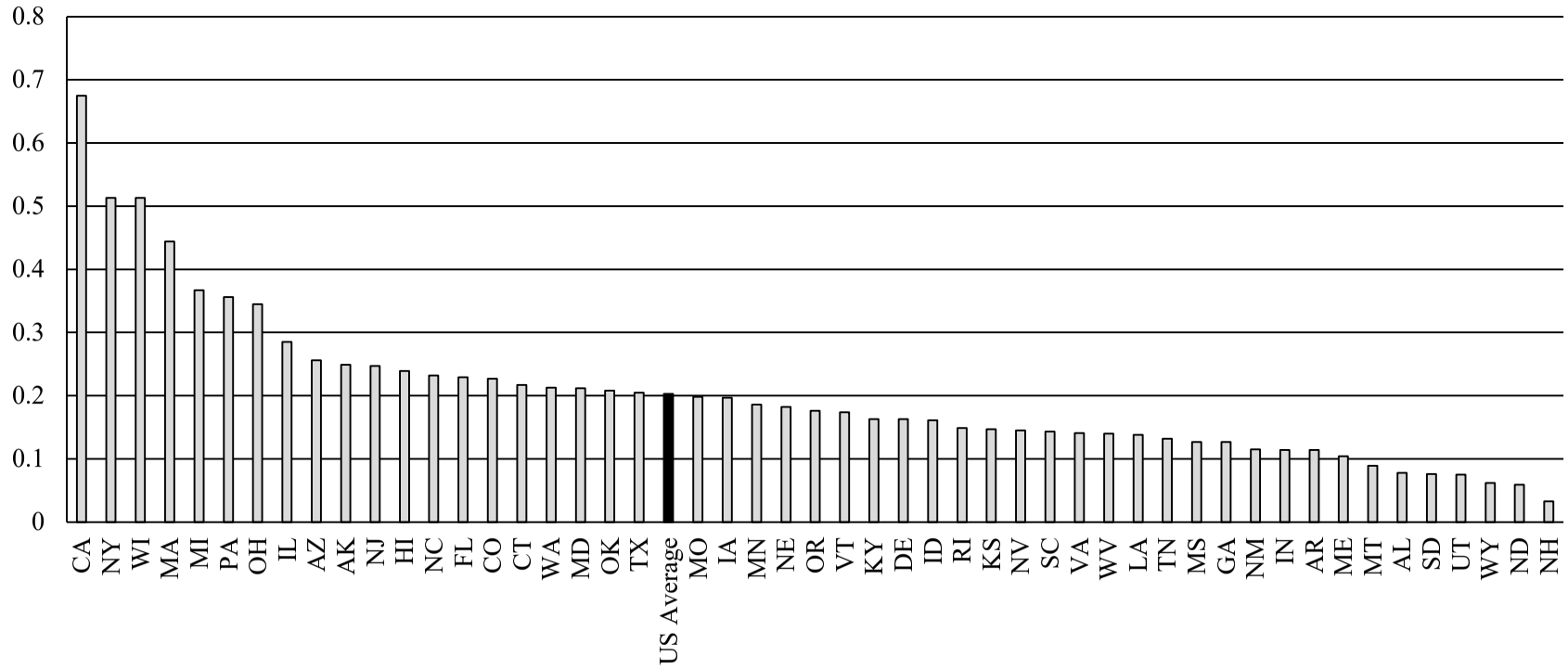
Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 10
Attributes of a Professional and Citizen Legislature

Professionalization Component	Professionalized Legislature	Citizen Legislature
Compensation and benefits	● Increased incentive to serve, leading to longer tenure and more experience ● Increased ability to focus on legislative activities ● Attracts better qualified members	● Members spend more time in their community, not the capital ● Costs less to maintain legislative branch ● Attracts members who wish to commit to public service while maintaining other careers ● More turnover means less experience but more new ideas
Time demands of service	● Reduced opportunities to pursue other employment and increased need for higher salary to compensate for lost income ● Increased opportunity to master legislative skills ● More time for policy development and deliberation	● Increased opportunity to pursue other employment and less need to compensate for lost income ● Need to manage time in session effectively ● Makes interim between sessions available for study of issues and legislative oversight
Staff and resources	● Increased ability of members to influence policymaking process ● Increased job satisfaction ● Enhanced reelection prospects	● Primary reliance on central, nonpartisan staff ● Staffing is more efficient and cost-effective ● Requires members to conduct own constituent service and correspondence ● Reduced incumbency advantage in elections. No need for year-round offices in capital

Source: Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under the Domes*, page 76

Exhibit 11
State Legislative Professionalism
2003



Note: Ranking is based on legislator pay, number of days in session, and staff per legislator compared to the same characteristics in the U.S. Congress in the same year where 1.0 ranks as perfectly comparable and 0.0 represents no resemblance.

Source: Peverill Squire; Measuring State Legislative Professionalism: The Squire Index Revisited; *State Politics and Policy Quarterly*, Summer 2007

Exhibit 12
Legislators – National and Maryland
Professional Backgrounds

Occupation	Maryland	National
Business (Owner, Executive, Nonexecutive)	27%	29%
Law	20%	14%
Full-time Legislator	12%	11%
Consulting	9%	8%
Education	9%	6%
Retired	4%	8%
Other (9 Different Occupational Categories None with More Than 5% Nationally)	21%	22%

NCSL: National Conference of State Legislatures

Source: National Conference of State Legislatures (downloaded from NCSL website May 2017) based on 2015 self-reported data

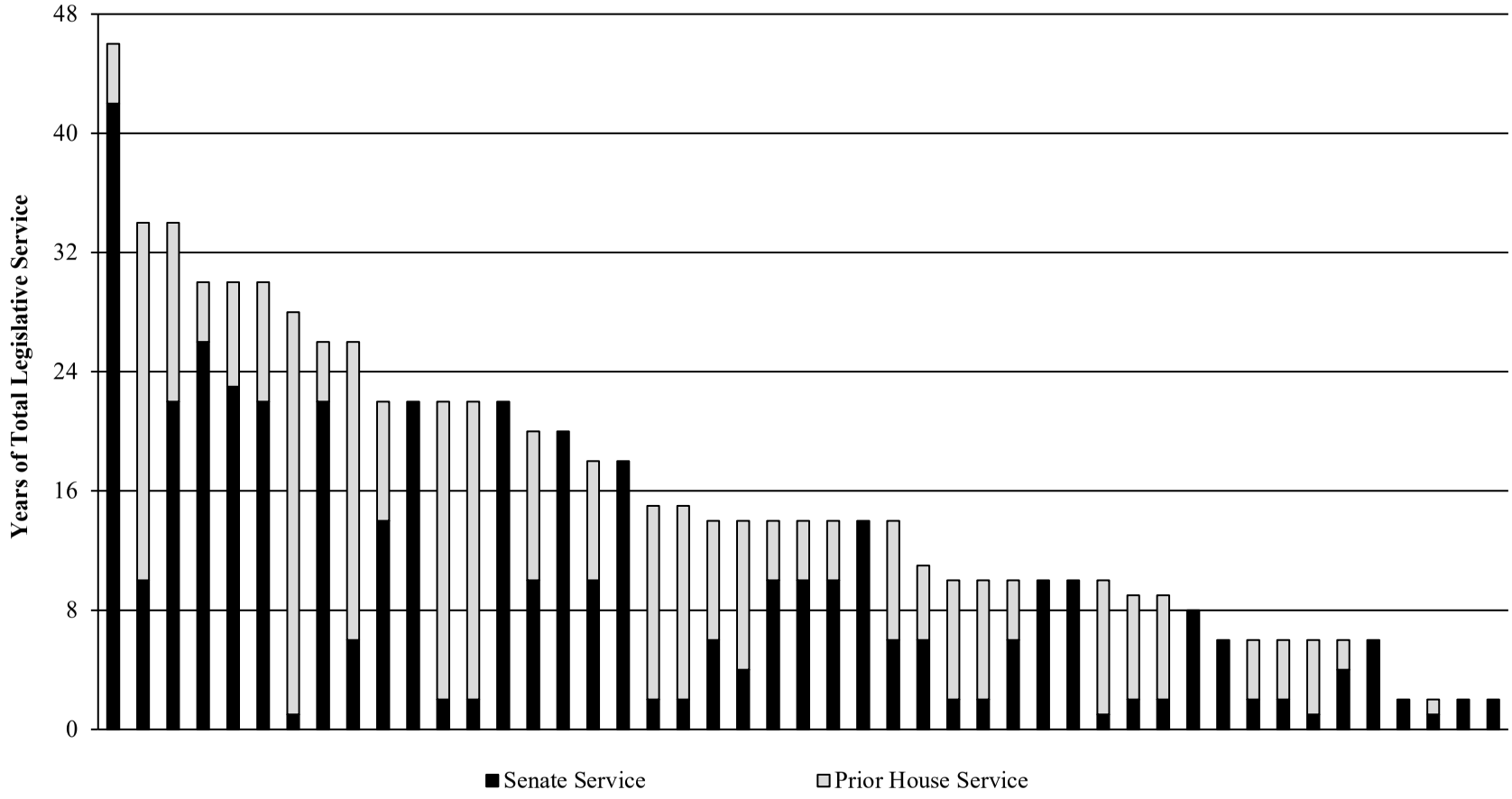
Exhibit 13
Legislators Continued in Office
Election Year Turnover
1974-2014

	Senate		House		Total				
Election Year	No. of Chgs.	% of Total	No of Chgs.	% of Total	No. of Chgs.	% of Total	Less House to Senate	Net	% of Total
1974	19	40.4%	63	44.7%	82	43.6%	9	73	38.8%
1978	11	23.4%	54	38.3%	65	34.6%	7	58	30.9%
1982	17	36.2%	50	35.5%	67	35.6%	9	58	30.9%
1986	8	17.0%	41	29.1%	49	26.1%	7	42	22.3%
1990	10	21.3%	35	24.8%	45	23.9%	5	40	21.2%
1994	20	42.6%	60	42.6%	80	42.6%	10	70	37.2%
1998	7	14.9%	30	21.3%	37	19.7%	3	34	18.1%
2002	11	23.4%	47	33.3%	58	30.9%	6	52	27.7%
2006	11	23.4%	42	29.8%	53	28.2%	4	49	26.1%
2010	10	21.3%	29	20.6%	39	20.7%	7	32	17.0%
2014	10	21.3%	58	41.1%	68	36.2%	7	61	32.4%

Note: Of the 58 House changes in 2014, 12 involved legislators who ran for the Senate of whom 7 were elected.

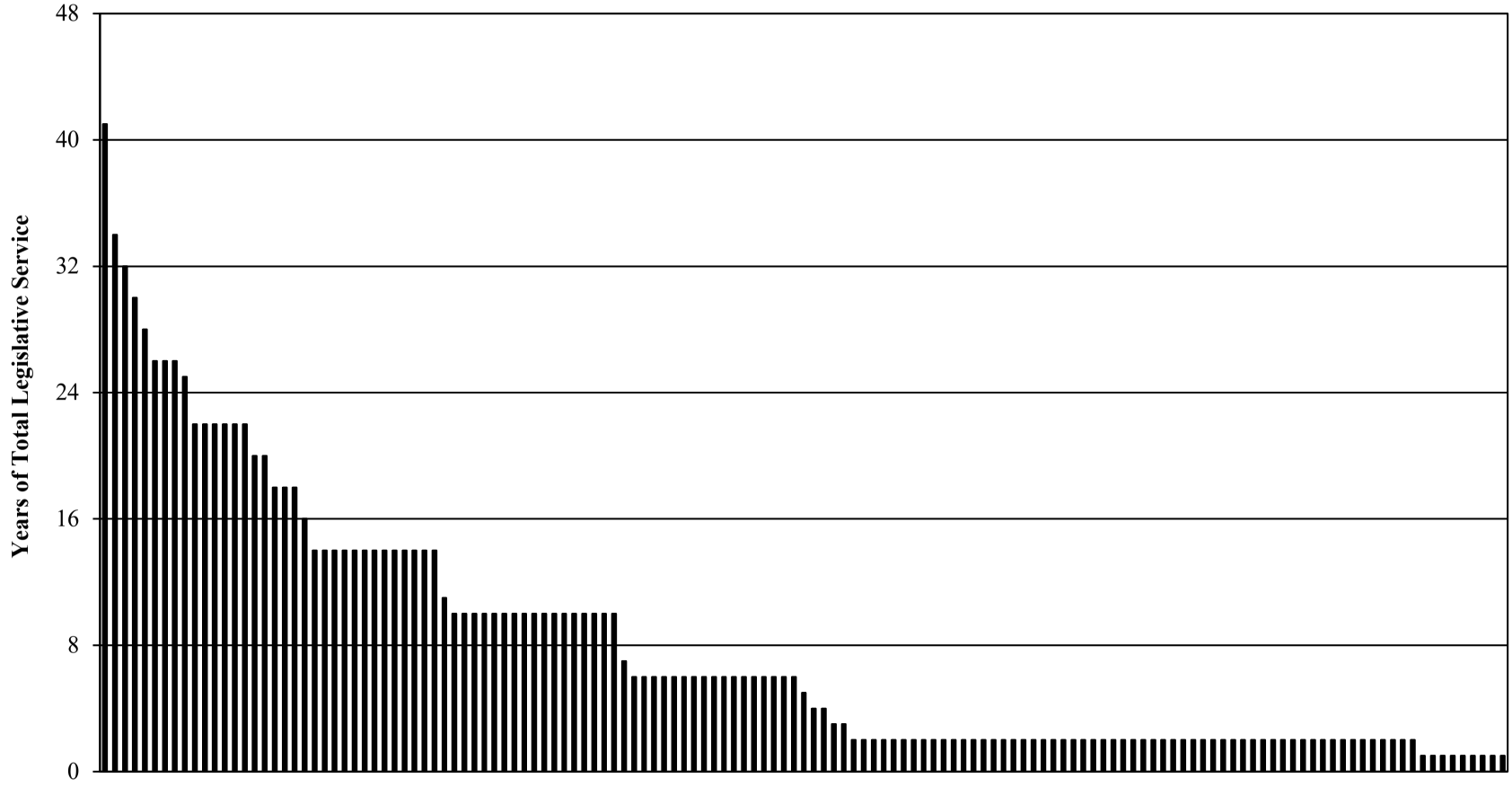
Source: Department of Legislative Services

Exhibit 14
Current Senate Members Total Legislative Service



Source: Department of Legislative Services

Exhibit 15
Current House Members Total Legislative Service



Source: Department of Legislative Services

Exhibit 16
2017 Legislative Salary and Session Characteristics

State	Salary	Length of Terms (in Years)		Session Legal Limit	Notes
		Senate	House		
California	$104,118	4	2	Varies by year	Increase in salary since 2013
Pennsylvania	86,479	4	2	None	Increase in salary since 2013
New York	79,500	2	2	None	
Michigan	71,685	4	2	None	
Illinois	67,836	4	2	None	
Massachusetts	62,548	2	2	None	Increase in salary since 2013
Hawaii	61,380	4	2	60L	Increase in salary since 2013
Ohio	60,584	4	2	None	
Wisconsin	50,950	4	2	None	Increase in salary since 2013
Alaska	50,400	4	2	90C	
New Jersey	49,000	4	2	None	
Maryland	48,622	4	4	90C	Increase in salary since 2013
Washington	47,776	4	2	Varies by year	Increase in salary since 2013
Delaware	45,291	4	2	End by June 30	Increase in salary since 2013
Minnesota	45,000	4	2	120L per biennium	Increase in salary since 2013
Alabama	44,765	4	4	30L	Change from daily rate to salary (pegged to median annual household income) since 2013
Arkansas	39,400	4	2	Varies by year	Increase in salary since 2013
Oklahoma	38,400	4	2	Last Friday in May	
Missouri	35,915	4	2	End by May 30	
Colorado	30,000	4	2	120C	
Florida	29,697	4	2	60C	
Connecticut	28,000	2	2	Varies by year	
Indiana	25,436	4	2	Varies by year	Increase in salary since 2013
Iowa	25,000	4	2	Varies by year	
Oregon	24,216	4	2	Varies by year	Increase in salary since 2013
Arizona	24,000	2	2	Saturday of week after 100C	
Tennessee	22,667	4	2	90L	Increase in salary since 2013
West Virginia	20,000	4	2	60C	
Virginia Senate House	 18,000 17,640	4	2	Varies by year	

State	Salary	Length of Terms (in Years)		Session Legal Limit	Notes
		Senate	House		
Georgia	17,342	2	2	40L	
Idaho	17,017	2	2	None	Increase in salary since 2013
Louisiana	16,800	4	4	Varies by year	
Rhode Island	15,430	2	2	None	Increase in salary since 2013
Maine First Session Second Session	 14,271 10,158	2	2	Varies by year	Increase in salary since 2013
North Carolina	13,951	2	2	None	
Nebraska	12,000	4		Varies by year	
South Carolina	10,400	4	2	First Thursday in June	
Mississippi	10,000	4	4	Varies by year	
Texas	7,200	4	2	140C biennial	
South Dakota	6,000	2	2	40L	
New Hampshire	100	2	2	45L or July 1	
New Mexico	0	4	2	Varies by year	
Utah	273/day	4	2	45C	
Kentucky	188/day	4	2	Varies by year	
North Dakota	177/day	4	4	80L biennial	Increase in daily rate since 2013
Nevada	151/day	4	2	120C biennial	Increase in daily rate since 2013 (for members elected in 2017; $146 for others)
Wyoming	150/day	4	2	Varies by year	
Vermont	707/week	2	2	None	Increase in daily rate since 2013
Montana	91/day	4	2	90L biennial	Increase in daily rate since 2013
Kansas	89/day	4	2	Varies by year	

Key: L – Legislative Day
C – Calendar Day
Varies by year – Typically these states alternate between one longer and one shorter session or have a longer session following a gubernatorial election year.

Note: States with legislatures that are generally considered full-time or lean toward full-time are shaded; Nebraska's legislature is unicameral.

Source: National Conference of State Legislators; Department of Legislative Services

Exhibit 17
Relative Standing of Legislative Salaries

State	2017		2013		2009		2006		2002		2013-2017
	Salary	Rank	Salary	Rank	Salary	Rank	Salary	Rank	Salary	Rank	Salary Change
California	$104,118	1	$90,526	1	$116,208	1	$110,800	1	$99,000	1	15.0%
Pennsylvania	86,479	2	83,801	2	78,315	4	69,647	4	61,890	4	3.2%
New York	79,500	3	79,500	3	79,500	3	79,500	3	79,500	2	0.0%
Michigan	71,685	4	71,865	4	79,650	2	79,650	2	77,400	3	0.0%
Illinois	67,836	5	67,836	5	67,836	5	55,788	6	55,788	5	0.0%
Massachusetts	62,548	6	60,033	7	61,440	6	53,380	7	50,123	7	4.2%
Hawaii	61,380	7	46,273	11	48,708	10	35,000	13	32,000	13	32.7%
Ohio	60,584	8	60,584	6	60,584	7	56,261	5	51,674	6	0.0%
Wisconsin	50,950	9	49,943	9	49,943	8	45,569	9	44,333	8	2.0%
Alaska	50,400	10	50,400	8	24,012	21	24,012	20	24,012	20	0.0%
New Jersey	49,000	11	49,000	10	49,900	9	49,000	8	35,000	10	0.0%
Maryland	48,622	12	43,500	13	43,500	11	43,500	10	31,509	15	11.8%
Washington	47,776	13	42,106	14	42,106	13	34,227	14	32,064	12	13.5%
Delaware	45,291	14	44,041	12	42,750	12	39,785	11	33,400	11	2.8%
Minnesota	45,000	15	31,141	17	31,141	16	31,141	16	31,141	16	44.5%
Alabama	44,765	16									n/a
Arkansas	39,400	17	15,869	31	15,362	31	13,751	34	12,679	34	148.3%
Oklahoma	38,400	18	38,400	15	38,400	14	38,400	12	38,400	9	0.0%
Missouri	35,915	19	35,915	16	35,915	15	31,351	15	31,351	14	0.0%
Colorado	30,000	20	30,000	18	30,000	18	30,000	17	30,000	17	0.0%
Florida	29,697	21	29,697	19	30,336	17	29,916	18	27,900	19	0.0%
Connecticut	28,000	22	28,000	20	28,000	19	28,000	19	28,000	18	0.0%
Indiana	25,436	23	22,616	23	22,616	23	11,600	34	11,600	33	12.5%
Iowa	25,000	24	25,000	21	25,000	20	21,381	22	20,758	22	0.0%
Oregon	24,216	25	22,260	24	21,612	24	16,284	27	15,396	28	8.8%

State	2017		2013		2009		2006		2002		2013-2017
	Salary	Rank	Salary	Rank	Salary	Rank	Salary	Rank	Salary	Rank	Salary Change
Arizona	24,000	26	24,000	22	24,000	22	24,000	21	24,000	21	0.0%
Tennessee	22,667	27	19,009	26	19,009	26	16,500	26	16,500	25	0.0%
West Virginia	20,000	28	20,000	25	20,000	25	15,000	29	15,000	29	0.0%
Virginia											
Senate	18,000		18,000		18,000		18,000		18,000		0.0%
House	17,640	29	17,640	27	17,640	27	17,640	23	17,640	23	0.0%
Georgia	17,342	30	17,342	28	17,342	28	16,524	25	16,200	26	0.0%
Idaho	17,017	31	16,438	30	16,116	30	15,646	28	15,646	27	3.5%
Louisiana	16,800	32	16,800	29	16,800	29	16,800	24	16,800	24	0.0%
Rhode Island	15,430	33	14,640	32	13,089	34	12,646	32	11,236	34	5.4%
Maine	14,271	34	13,852	34	13,526	33	11,384	35	10,815	35	3.0%
North Carolina	13,951	35	13,951	33	13,951	32	13,951	31	13,951	31	0.0%
Nebraska	12,000	36	12,000	35	12,000	35	12,000	33	12,000	32	0.0%
South Carolina	10,400	37	10,400	36	10,400	36	10,400	36	10,400	36	0.0%
Mississippi	10,000	38	10,000	37	10,000	37	10,000	37	10,000	37	0.0%
Texas	7,200	39	7,200	38	7,200	38	7,200	38	7,200	38	0.0%
South Dakota	6,000	40	6,000	39	6,000	39	6,000	39	6,000	39	0.0%
New Hampshire	100	41	100	40	100	40	100	40	100	40	0.0%
New Mexico	0	42	0	41	0	41	0	41	0	41	0.0%

n/a: not applicable

Note: Data is for those states with annual salaries only as opposed to daily or weekly allowances; data for Maine is for the first session of the term (the longest/highest paid term).

Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 18
Legislative Salaries in States with Combined Operating and Capital Budgets within $6 Billion of Maryland's Combined Budget

State	Budget[1] ($ in Billions)	Legislative Salary[2]
Georgia	$45.0	$17,342
North Carolina	43.8	13,951
Washington	40.1	47,776
Maryland	**39.9**	**48,622**
Arizona	38.8	24,000
Oregon	37.2	24,216
Minnesota	35.8	31,141
Colorado	34.4	30,000

[1] Based on actual fiscal 2015 data.
[2] 2017 session.

Note: Of those states with legislative salaries higher than Maryland, only two have smaller combined operating and capital budgets (Alaska and Hawaii).

Source: National Association of State Budget Officers, *Fiscal 2014-2016 State Expenditure Report;* National Conference of State Legislatures; Department of Legislative Services

Exhibit 19
Summary of Recent State Employee and General Assembly Member Salary Changes
Fiscal 2003-2018

	State Employees		General Assembly Members	
Fiscal Year	Cost-of-living Increase	Increments	Salary[4]	Salary Increase Over Previous Year
2003	None	No	$34,500	9.5%
2004	None	No	37,500	8.7%
2005	752	Yes	40,500	8.0%
2006	1.5%	Yes	43,500	7.4%
2007	2.0% with $900 floor and $1,400 ceiling	Yes	43,500	None
2008	2.0%	Yes	43,500	None
2009	0.5%[1]	Yes	43,500	None
2010	None[2]	No	43,500	None
2011	None[3]	No	43,500	None
2012	None	No	43,500	None
2013	2.0% on 1/1/2013	No	43,500	None
2014	3.0% on 1/1/2014	On 4/1/2014	43,500	None
2015	2.0% on 1/1/15	Yes	45,207	3.9%
2016	2.0%	No	46,915	3.8%
2017	None	Yes	48,622	3.6%
2018	None	No	50,330	3.5%

[1] A 2% cost-of-living increase was included in the fiscal 2009 budget. However, a furlough for State employees by Executive Order 01.01.2008.20 on December 16, 2008, reduced employee salaries by an average of approximately 1.5%. General Assembly members are constitutionally exempt from furloughs.

[2] No cost-of-living increase was included in the fiscal 2010 budget. A furlough for State employees by Executive Order 01.01.2009 in August 2009 resulted in an average salary reduction of approximately 2.5% of fiscal 2010 levels. General Assembly members are constitutionally exempt from furloughs.

[3] No cost-of-living increase was included in the fiscal 2011 budget. A furlough for State employees by Executive Order 01.01.2010.11 in May 2010 resulted in an average salary reduction of approximately 2.5%. General Assembly members are constitutionally exempt from furloughs.

[4] Calendar years.

Source: Department of Legislative Services, June 2017

Exhibit 20
General Salary Increases, Increments, and Other Compensation
Fiscal 2003-2018

State Employees

Fiscal Year	Date of Increase	General Salary Increase	Increments	Police, Natural Resources Police, and Park Ranger Salary Increases	Maximum Deferred Compensation Match by State	Pay-for-performance Bonuses	Annual Salary Review Reclassifications	Other
2003		None	None		$500	None	None	
2004		None	None		None	None	None	
2005	7/1/2004	$752	On time		None	None	Yes[1]	
2006	7/1/2005	1.5%	On time		$400	None	Yes[2]	
2007	7/1/2006	$900, $1,400, or 2.0%[3]	On time	2.0% extra, 9.0% extra for State police (primarily DGS and DHMH officers)	$600	None	Yes[4]	2 steps on standard salary schedule; 1 step on the physician's salary schedule
2008	7/1/2007	2.0%	On time		$600	None	None	
2009	7/1/2008	0.5%[5]	On time		$600	None	Yes[6]	2-5-day furlough enacted[7]
2010		None	None		$0	None	None	3-1- day furlough enacted[8]
2011		None	None		$0	None	None	3-10-day furlough enacted[9]
2012		None	None	Negotiated increments	$0	$750 bonus[10]	None	Furloughs ended
2013	1/1/2013	2.0%	None		$0	None	Yes[11]	
2014	1/1/2014	3.0%	4/1/2014	Negotiated increments	$0	None	Yes[12]	
2015	1/1/2015	2.0%	On time	Negotiated increments	$0	None	Yes[13]	
2016	7/1/2015	2.0%	None		$0	None	Yes[14]	
2017		None	On time	Negotiated increments	$0	None	Yes[15]	
2018		None	None	Negotiated increments	$0	None	None	

DGS: Department of General Services
DHMH: Department of Health and Mental Hygiene

(1) The fiscal 2005 annual salary review (ASR) provided upgrades for public defenders, social services attorneys, assistant general counsels (human relations), assistant State prosecutors, direct service workers in the Department of Juvenile Services, property assessors, laboratory scientists, administrative law judges, and banking financial examiners.

(2) The fiscal 2006 ASR provided a one-grade salary adjustment for the Deputy State Fire Marshal classification series.

(3) Fiscal 2007 general salary increases are $900 for employees making less than $45,000 at the end of fiscal 2006, $1,400 for employees making $70,000 or more, and 2% for those remaining.

(4) The fiscal 2007 ASR provided reclassifications and other enhancements for correctional officers and correctional support personnel, registered nurses, licensed practical nurses, direct care assistants, forensic scientists, institutional educators, administrative law judges, and teachers' aides.

(5) A 2.0% cost-of-living increase was included in the fiscal 2009 budget. However, a furlough for State employees by Executive Order 01.01.2008.20 on December 16, 2008, reduced employee salaries by an average of approximately 1.5%. General Assembly members are constitutionally exempt from furloughs.

(6) The fiscal 2009 ASR provided reclassifications and other enhancements for scientists, investigators, engineers, public defender intake specialists, veteran services, cemetery workers, call center specialists, complex tax auditors, tax consultants, retirement benefits counselors, medical care specialists, dental workers, financial regulators, deputy fire marshals, lead aviation maintenance technicians, police communications operators, and civilian helicopter pilots.

(7) State employee salaries were reduced through furlough in fiscal 2009 by Executive Order 01.01.2008.20 in December 2008. The salaries for employees earning $40,000 were reduced by the value of two days' salary; those earning between $40,000 and $59,999 were reduced by the value of four days' salary; and those earning $60,000 or above were reduced by five days' salary. Public safety positions required to maintain 24/7 facilities were exempted from the action. The result was an average salary reduction of approximately 1.5%.

(8) State employee salaries were reduced through furloughs and salary reductions in fiscal 2010 by Executive Order 01.01.2009.11 in August 2009. All employees are subject to a temporary salary reduction of five salary days, while non-24/7 employees with salaries between $40,000 and $49,999 are furloughed for an additional three days, those between $50,000 and $99,999 for an extra four days; and those earning over $100,000 are furloughed for an additional five days. The result was an average salary reduction of approximately 2.6%.

(9) State employee salaries were reduced through furloughs and salary reductions in fiscal 2011 by Executive Order 01.01.2010.11 in May 2010. The structure mirrors the fiscal 2010 program.

(10) The fiscal 2012 budget provided employees with a one-time $750 bonus.

(11) The fiscal 2013 ASR provided upgrades to the following classifications: contribution tax auditors, Maryland correctional enterprise industries representative I and II, and regional managers. Two new classes were also created – nutrient management specialist III and forensic behavioral specialists.

(12) The fiscal 2014 ASR provided one grade for the following classifications: emergency medical services' communication officer staff; State Department of Assessment and Taxation assessors; personnel classifications at the Maryland Department of Health (MDH), the Department of Human Services, and the Department of Public Safety and Correctional Services (DPSCS); and civilian fixed wing pilots, aviation technicians, and inspectors at the Department of State Police. Parole and probation agents at DPSCS that are an agent 1, receive a one-grade increase, agent II and senior currently at base, step 1 or step 2 are moved up to step 3. Personnel officers in the employee relations function at the Department of Budget and Management (DBM) are moved into four-level class series.

(13) The fiscal 2015 ASR provided one grade for the following classifications: psychologist positions statewide, DBM operating and capital analysts; park technicians at the Department of Natural Resources; direct care workers and geriatric assistants at MDH; psychiatrists, alcohol and drug counselors, and criminal justice social workers at DPSCS; and loan writers at the Department of Housing and Community Development. The ASR also included funds to provide equity for the planning series at the Department of Planning and MDH and a $3,000 hire bonus and a $3,000 retention bonus for registered nurses at MDH.

(14) The fiscal 2016 ASR provided a one grade increase to wage and hour investigators and administrators at the Employment Standards and Prevailing Wage Programs at the Department of Labor, Licensing, and Regulation.

(15) The fiscal 2017 ASR provided for step increases for building security officers; a one grade increase for Department of General Services procurement officers; salary parity with detective for the warrant apprehension job series at DPSCS; step increases for Department of Housing and Urban Development fiscal staff; and polygraph operators at the Department of State Police and DPSCS.

Source: Department of Budget and Management; Department of Legislative Services

Exhibit 21
Salaries of Selected Maryland State Officials
Fiscal 2011-2018

	2011	2012	2013	2014	% Change 2011-2014	2015	2016	2017	2018	% Change 2015-2018
Constitutional Officers										
Governor	$150,000	$150,000	$150,000	$150,000	0.00%	$150,000	$156,000	$175,000	$180,000	20.00%
Lieutenant Governor	125,000	125,000	125,000	125,000	0.00%	125,000	137,500	145,000	149,500	19.60%
Attorney General	125,000	125,000	125,000	125,000	0.00%	125,000	137,500	145,500	149,500	19.60%
Comptroller	125,000	125,000	125,000	125,000	0.00%	125,000	137,500	145,500	149,500	19.60%
Treasurer	125,000	125,000	125,000	125,000	0.00%	125,000	137,500	145,500	149,500	19.60%
Secretary of State	87,500	87,500	87,500	87,500	0.00%	87,500	96,500	102,500	105,500	20.57%
Deputy Constitutional Officers										
Attorney General	$143,270	$143,270	$143,270	$146,136	2.00%	$150,521	$153,532	$153,532	$153,532	2.00%
Comptroller	154,235	154,235	154,235	157,320	2.00%	139,407	142,196	154,152	154,152	10.58%
Treasurer	127,762	127,762	136,706	139,441	9.14%	143,625	153,532	153,532	153,532	6.90%
Judiciary										
Judge, Court of Appeals	$162,352	$162,352	$162,352	$166,908	2.81%	$171,600	$176,433	$176,433	$176,433	2.82%
Chief Judge Court of Appeals	181,353	181,353	181,353	185,908	2.51%	190,600	195,433	195,433	195,433	2.54%
Judge, Special Appeals	149,552	149,552	149,552	154,108	3.05%	158,800	163,633	163,633	163,633	3.04%
Chief Judge Ct. Spec. Appeals	152,552	152,552	152,552	157,108	2.99%	161,900	166,633	166,633	166,633	2.92%
Judge, Circuit Court	140,352	140,352	140,352	144,908	3.25%	149,600	154,433	154,433	154,433	3.23%
Judge, District Court	127,252	127,252	127,252	131,108	3.03%	136,500	141,333	141,333	141,333	3.54%
Chief Judge, District Court	149,552	149,552	149,552	154,108	3.05%	158,800	163,633	163,633	163,633	3.04%

	2011	2012	2013	2014	% Change 2011-2014	2015	2016	2017	2018	% Change 2015-2018
Cabinet Secretaries										
Superintendent of Schools	$195,000	$195,000	$195,000	$210,000	7.69%	$210,000	$210,000	$210,000	$236,000	12.38%
Aging	124,848	124,848	124,848	127,345	2.00%	131,166	140,506	137,749	137,749	5.02%
Planning	124,848	124,848	124,848	127,345	2.00%	131,166	140,506	137,749	137,749	5.02%
Veterans	101,490	101,490	101,490	106,174	4.62%	109,360	114,600	114,555	114,555	4.75%
Budget and Management	166,082	166,082	166,082	169,404	2.00%	174,487	177,977	177,906	177,906	1.96%
General Services	138,374	138,374	138,374	141,142	2.00%	145,377	153,532	146,743	149,678	2.96%
Transportation	166,082	166,082	166,082	169,404	2.00%	174,487	177,977	177,908	177,908	1.96%
Natural Resources	148,778	148,778	148,778	151,754	2.00%	154,733	162,563	162,499	162,499	5.02%
Agriculture	130,050	130,050	130,050	132,651	2.00%	136,631	146,360	143,488	143,488	5.02%
Health	166,082	166,082	166,082	169,404	2.00%	174,487	177,977	174,417	174,417	-0.04%
Human Services	159,000	142,800	154,820	157,917	-0.68%	162,655	174,237	170,818	170,818	5.02%
Labor, Licensing, and Reg.	143,270	155,941	158,974	153,000	6.79%	157,590	165,281	165,215	165,215	4.84%
Public Safety	166,082	166,082	166,082	169,404	2.00%	174,487	162,318	162,254	162,254	-7.01%
Higher Education Commission	154,194	154,194	110,356	145,350	-5.74%	149,711	159,433	160,710	160,710	7.35%
Housing	148,778	148,778	148,778	151,754	2.00%	156,307	159,433	156,245	156,245	-0.04%
Commerce	155,000	155,000	155,000	158,100	2.00%	167,078	177,977	175,462	175,462	5.02%
Environment	135,252	115,356	141,026	143,847	6.35%	148,163	158,713	155,599	155,599	5.02%
Juvenile Services	156,060	156,060	150,162	153,166	-1.85%	157,761	168,994	169,059	169,059	7.16%
State Police	166,082	166,082	155,000	158,100	-4.81%	162,843	171,083	171,015	171,015	5.02%

Source: Budget Bill Executive Pay Plan for Cabinet Secretaries, adjusted for Constitutional Officers and Judiciary when compensation commissions have met after session

Exhibit 22
Local Legislative Salaries
Fiscal 2018

County	County Council or Commissioners	President, County Board/Council, or Commissioner
Allegany	$32,639	$33,765
Anne Arundel	36,000	40,500
Baltimore City	67,756	116,490
Baltimore	62,500	70,000
Calvert	42,000	44,500
Caroline	15,000	16,000
Carroll	45,000	45,000
Cecil	25,000	25,000
Charles	48,000	58,000
Dorchester	16,000	17,000
Frederick	22,500	22,500
Garrett	32,500	32,500
Harford	36,513	41,146
Howard	62,985	66,485
Kent	20,000	20,000
Montgomery	128,519	141,371
Prince George's	117,347	123,214
Queen Anne's	25,000	25,000
St. Mary's	39,152	44,303
Somerset	15,000	17,000
Talbot	14,400	15,400
Washington	30,000	33,000
Wicomico	16,000	18,000
Worcester	26,000	26,000
Median	**$32,570**	**$33,383**

Source: Maryland Association of Counties

Exhibit 23
City and County Council Salaries
Fiscal 2006-2018

	2006	2010	2014	2018	% Change 2014-2018
Anne Arundel County					
Member	$36,000	$36,000	$36,000	$36,000	0.0%
Chairman	40,500	40,500	40,500	40,500	0.0%
Baltimore City					
Member	48,000	58,425	61,383	67,756	10.4%
President	88,000	100,450	105,535	116,490	10.4%
Baltimore County					
Member	45,000	54,000	54,000	62,500	15.7%
Chairman	50,000	60,000	60,000	70,000	16.7%
Harford County					
Member	31,000	34,205	36,210	37,513	3.6%
Chairman	34,000	37,205	39,718	41,146	3.6%
Howard County					
Member	33,800	52,892	54,600	62,985	15.4%
Chairman	34,800	53,892	55,600	66,485	19.6%
Montgomery County					
Member	76,654	94,353	104,022	128,519	23.5%
Chairman	84,320	103,786	114,425	141,371	23.5%
Prince George's County					
Member	73,000	97,087	102,486	117,347	14.5%
Chairman	78,000	102,087	107,486	123,214	14.6%

Source: Maryland Association of Counties

Exhibit 24
Mayor and County Executive Salaries
Fiscal 2006-2018 Period

	2006	2010	2014	2018	% Change 2014-2018
Anne Arundel County	$105,612	$130,000	$130,000	$139,000	6.9%
Baltimore City	125,000	151,700	159,380	175,926	10.4%
Baltimore County	125,000	150,000	150,000	175,000	16.7%
Cecil[1]			98,000	98,000	0.0%
Frederick[2]				95,000	n/a
Harford County	90,000	99,317	105,136	134,677	28.1%
Howard County	136,717	158,675	163,482	180,492	10.4%
Montgomery County	158,285	175,000	180,250	192,769	6.9%
Prince George's County	135,000	174,539	180,474	209,998	16.4%
Wicomico[3]		85,000	85,000	85,000	0.0%

[1] The first County Executive in Cecil County was elected in November 2012 and started in December 2012. The first full year of salary data is available starting in fiscal 2014.
[2] The first County Executive in Frederick County was elected in November 2014 and started in December 2014. The first full year of salary data is available starting in fiscal 2016.
[3] The first County Executive in Wicomico County was elected in November 2006 and started in December 2006. The first full year of salary data is available starting in fiscal 2008.

Source: Maryland Association of Counties

Exhibit 25

Income Levels for Maryland's Jurisdictions

Calendar 2016 Median Household Income and Per Capita Personal Income

County	Median Household	Percent of State	Rank	Per Capita Personal	Percent of State	Rank
Allegany	$45,606	57.8%	22	$38,372	66.1%	23
Anne Arundel	96,483	122.2%	4	62,404	107.5%	4
Baltimore City	47,350	60.0%	21	47,040	81.0%	15
Baltimore	72,764	92.2%	13	56,273	96.9%	9
Calvert	98,732	125.1%	3	57,688	99.4%	6
Caroline	48,960	62.0%	19	43,187	74,4%	19
Carroll	90,343	114.4%	6	57,687	99.4%	7
Cecil	74,221	94.0%	12	44,165	76.1%	17
Charles	95,735	121.3%	5	53,593	92.3%	13
Dorchester	44,949	56.9%	23	42,404	73.0%	21
Frederick	90,043	114.1%	7	56,072	96.6%	10
Garrett	47,478	60.1%	20	41,539	71.6%	20
Harford	84,175	106.6%	8	54,232	93.4%	12
Howard	120,941	153.2%	1	71,869	123.8%	2
Kent[1]	55,028	69.7%	15	54,641	94.1%	11
Montgomery	99,763	126.4%	2	80,967	139.5%	1
Prince George's	79,184	100.3%	9	46,168	79.5%	16
Queen Anne's	79,100	100.2%	10	57,948	99.8%	5
St. Mary's	78,195	99.0%	11	53,166	91.6%	14
Somerset	43,240	54.8%	24	29,551	50.9%	24
Talbot	63,647	80.6%	14	66,971	115.4%	3
Washington	54,250	68.7%	16	43,470	74.9%	18
Wicomico	50,844	64.4%	18	39,722	68.4%	22
Worcester	52,374	66.3%	17	56,747	97.8%	8
Maryland	**$78,945**	**100.0%**		**$58,052**	**100.0%**	

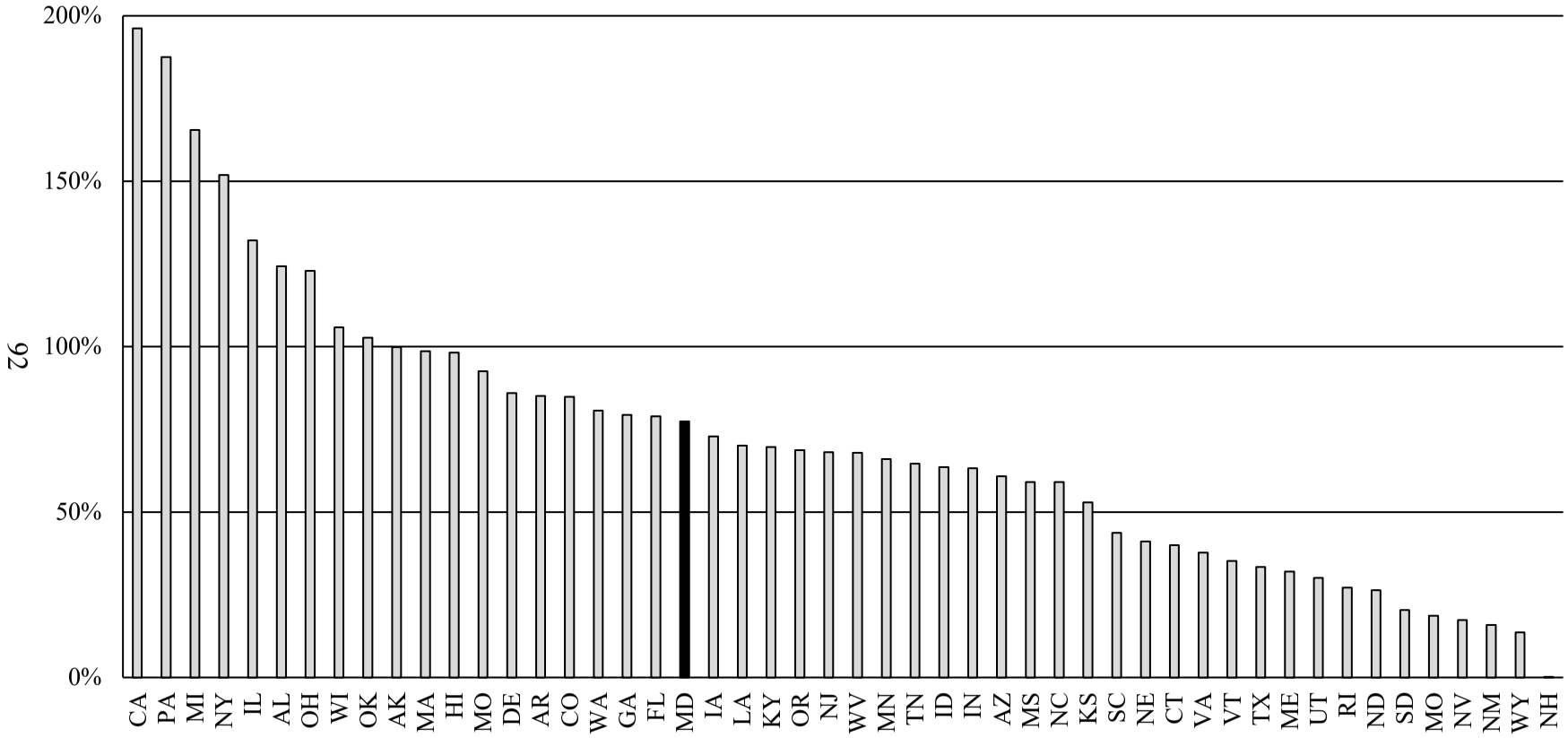
[1] Kent County Median Household data comes from the 2012-2016 American Community Survey 5-year Estimate because the 2016 1-year Estimate was not available.

Source: U.S. Census Bureau 2016 American Community Survey 1-year Estimate; U.S. Census Bureau 2012-2016 American Community Survey 5-year Estimate; U.S. Department of Commerce Bureau of Economic Analysis

Exhibit 26

Legislator Salary and Per Diem as a Percent of State Median Household Income

2014



Source: *How Much Should State Legislators Get Paid?* 538.com. April 7, 2016

Exhibit 27
In-state Expense Reimbursements
Fiscal 2014-2017

	2014		2015		2016		2017	
	Session	***Interim***	***Session***	***Interim***	***Session***	***Interim***	***Session***	***Interim***
Lodging	$1,346,339	$114	$1,396,535	$4,073	$1,385,487	$0	$1,439,915	$2,088
% Change Over Prior Year	-0.80%		3.73%		-0.79%		3.93%	
Meals	427,299	6,756	457,851	5,382	459,486	9,940	450,505	8,544
% Change Over Prior Year	-1.59%		7.15%		0.36%		-1.95%	
Mileage	180,688	30,757	163,106	1,634	157,014	37,799	151,239	33,294
% Change Over Prior Year	-2.04%		-9.73%		-3.73%		-3.68%	
Total	**$1,954,326**	**$37,627**	**$2,017,492**	**$11,089**	**$2,001,987**	**$47,739**	**$2,041,659**	**$43,836**
% Change	**-1.09%**		**3.23%**		**-0.77%**		**1.98%**	

Source: Department of Legislative Services, August

Exhibit 28
Per Diem Lodging Rates
90-day Rentals

2013 and 2017 General Assembly Sessions

	2013		2017	
Lodging	***Rates***	***# of Legislators***	***Rates***	***# of Legislators***
Historic Inns	$101	22	$101	23
Loews Annapolis	101	27	101	24
Annapolis Marriott Waterfront	101	20	101	26
Marriott Residence[1]	101	8	101	7
Sheraton Barcelo	101	7	101	6
Hampton Inn & Suites	83-101	1		
Double Tree	101	1	101	1
O'Callahan	101	4	101	4
Westin	101	28	101	28
Apt./House/Condo	101	28	101	24
Occasional Lodging	101	20	101	24
No Submission for Lodging		22		21
Total		**188**		**188**

[1] Changed name to Residence Inn by Marriott.

Source: Department of Legislative Services, August 2017

Exhibit 29

Meal Claims of Legislators for the 2014 through 2017 Sessions of the General Assembly of Maryland

	2014		2015		2016		2017	
Meal Limit	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
Claimed 100% of daily limit	148	79%	152	81%	154	82%	155	82%
Claimed 76% to 99% of daily limit	15	8%	9	5%	8	4%	8	4%
Claimed 51% to 75% of daily limit	6	3%	9	5%	8	4%	8	4%
Claimed 26% to 50% of daily limit	3	2%	1	1%	2	1%	2	1%
Claimed 1% to 25% of daily limit	0	0%	0	0%	0	0%	0	0%
Claimed 0% of daily limit	16	9%	17	9%	16	9%	15	8%
Total	**188**	**100%**	**188**	**100%**	**188**	**100%**	**188**	**100%**

Note: Numbers may not sum to total due to rounding.

Source: Department of Legislative Services, August 2017

Exhibit 30
Out-of-state Travel Costs
Fiscal 2014-2017

	2014	Trip Average	2015	Trip Average	2016	Trip Average	2017	Trip Average
Meals and Lodging	$12,199	$359	$10,947	$476	$26,832	$506	$32,748	$528
Transportation	11,599	341	12,469	542	24,103	453	25,347	409
Registrations	14,650	431	11,285	491	24,648	465	26,915	434
Total	**$38,448**	**$1,131**	**$34,701**	**$1,509**	**$75,493**	**$1,424**	**$85,010**	**$1,371**
Members (Cumulative)	34		23		53		62	

Source: Department of Legislative Services, August 2017

Exhibit 31
Summary of Legislative Out-of-state Travel Costs

Fiscal Year	Out-of state Travel Costs
1991	$97,475
1992	60,677
1993	20,070
1994	27,963
1995	48,969
1996	94,058
1997	82,687
1998	94,704
1999	93,565
2000	167,115
2001	175,484
2002	221,340
2003	150,334
2004	191,254
2005	154,532
2006	171,929
2007	96,507
2008	170,080
2009	150,428
2010	24,277
2011	22,549
2012	41,662
2013	49,653
2014	38,448
2015	34,701
2016	75,493
2017	85,010

Source: Department of Legislative Services, August 2017

Exhibit 32

Medical Insurance for Legislators

(Payroll Ending July 31, 2017)

	Health		Prescription		Dental	
	Members	% of Total Chamber	Members	% of Total Chamber	Members	% of Total Chamber
Participation						
Senate	36	77%	35	75%	32	68%
House	101	72%	96	68%	92	65%
Total	**137**	**73%**	**131**	**70%**	**124**	**66%**
Coverage Levels						
Senate						
Individual	8	17%	9	19%	8	17%
2 or more	28	60%	26	55%	24	51%
Total	**36**	**77%**	**35**	**75%**	**32**	**68%**
House						
Individual	29	21%	24	17%	25	18%
2 or more	72	51%	72	51%	67	48%
Total	**101**	**72%**	**96**	**68%**	**92**	**65%**
Combined						
Individual	37	20%	33	18%	33	18%
2 or more	100	53%	98	52%	91	48%
Total	**137**	**73%**	**131**	**70%**	**124**	**66%**

Health Subsidy

$203.99 to $407.97 per month for single coverage.
$509.98 to $1,019.96 per month for two or more.

Prescription Subsidy

$100.16 to $200.32 per month for single coverage.
$200.32 to $400.65 per month for two or more.

Dental Subsidy

$5.82 to $11.64 per month for single coverage.
$11.89 to $43.60 per month for two or more.

Note: Numbers may not sum to total due to rounding.

Source: Department of Legislative Service, September 2017

Exhibit 33
Comparison of Maryland State Retirement and Pension Systems

	General Assembly	Governor	Judges	Employees and Teachers Pension Systems[1]	State Police	Law Enforcement Officers' System	Correctional Officers' System
Participation	Mandatory	Automatic	Condition of employment	Condition of employment	Condition of employment	Condition of employment	Condition of employment
Vesting							
Hired on or Before 6/30/11	8 years of service	One full term	Immediate	5 years of service	5 years of service	5 years of service	5 years of service
Hired on or After 7/1/11; or Judges Hired on or After 7/1/12	*No change*	*No change*	*5 years of service*	*10 years of service*	*10 years of service*	*10 years of service*	*10 years of service*
Employee Contributions[2]	7.0% of salary, for 22 years, 3 months (was 5.0%)	None	8.0% of salary, for 16 years (was 6.0%)	7.0% of salary (was 5.0%)	8.0% of salary	7.0% of salary (was 4.0%)	5.0% of salary
Service Retirement Conditions							
Hired on or Before 6/30/11; or Legislators with Creditable Service Before 1/14/15; or a Governor Serving Before 1/21/15	Age 60; or age 50 with 8 years, reduced benefit	Age 55	Age 60	Age 62 or 30 years of service; or age 55 with 15 years, reduced benefit	Age 50 or 22 years of service	Age 50 or 25 years of service	20 years of service or age 55 with 5 years of service

	General Assembly	Governor	Judges	Employees and Teachers Pension Systems[1]	State Police	Law Enforcement Officers' System	Correctional Officers' System
Hired on or After 7/1/11; or Judges Hired on or After 7/1/12; or Legislators with no Creditable Service Before 1/14/15; or a Governor Serving on or Before 1/21/15	*Age 62; or age 55 with 8 years, reduced benefit*	*Age 62*	*Age 60 with 5 years of service*	*Age 65 with 10 years of service or Rule of 90[3]; or age 60 with 15 years, reduced benefit*	*Age 50 or 25 years of service*	*No change*	*Age 55 with 10 years of service*
Allowance							
Hired on or Before 6/30/11	3.0% of current legislative salary per year of service	1/3 of current annual salary for one term; or 1/2 of current annual salary for two terms	2/3 of active judge salary at 16 years	1.2% of salary for years of service prior to 7/1/98; plus 1.8% of salary for years of service on or after 7/1/98 (calculated on highest 3 consecutive years of salary)	2.55% per year of service (calculated on highest 3 years of salary)	2.0% per year if subject to the LEOPS modified pension benefit; otherwise 2.3% for first 30 years and 1.0% for each year thereafter (calculated on highest 3 consecutive years of salary)	1.8% per year of service (calculated on highest 3 years of salary)
Hired on or After 7/1/11	*No change*	*No change*	*No change*	*1.5% of salary (calculated on highest 5 consecutive years of salary)*	*Calculated on highest 5 years of salary*	*Calculated on highest 5 consecutive years of salary*	*Calculated on highest 5 years of salary*

	General Assembly	Governor	Judges	Employees and Teachers Pension Systems[1]	State Police	Law Enforcement Officers' System	Correctional Officers' System
Post-retirement Adjustments[4]							
Service Credit Earned on or Before 6/30/11	Based on salary of active legislators	Based on salary of current Governor	Based on salary of active judges	Limited to 3.0% of initial benefit	Unlimited annual cost-of-living adjustment (COLA)	Limited to 3.0% of initial benefit	Unlimited annual COLA
Service Credit Earned on or After 7/1/11	*No change*	*No change*	*No change*	*Limited to 2.5% in any year that the system earns the assumed rate of return; otherwise limited to 1.0%*	*Limited to 2.5% in any year that the system earns the assumed rate of return; otherwise limited to 1.0%*	*Limited to 2.5% in any year that the system earns the assumed rate of return; otherwise limited to 1.0%*	*Limited to 2.5% in any year that the system earns the assumed rate of return; otherwise limited to 1.0%*
Ordinary Disability Retirement							
Conditions	Active legislator must have 8 years of service and be certified disabled by the BOT medical board	General Assembly adopts resolution by a 3/5 vote that Governor is unable to perform duties of office due to physical or mental disability	Incapacitated for duty	Incapacitated for duty after 5 years eligibility service	Incapacitated for duty after 5 years eligibility service	Incapacitated for duty after 5 years eligibility service	Incapacitated for duty after 5 years eligibility service
Allowance	3.0% of current legislative salary per year of service	If in first term, 1/3 of current annual salary; if in second term, 1/2 of current salary	Service retirement with minimum of 33.3% of salary	Service retirement projected to age 62	Service retirement with minimum of 35.0% of salary	Service retirement projected to age 50	Service retirement with minimum of 25.0% of salary

	General Assembly	Governor	Judges	Employees and Teachers Pension Systems[1]	State Police	Law Enforcement Officers' System	Correctional Officers' System
Accidental Disability Retirement							
Conditions	Not applicable	Not applicable	Not applicable	Permanently and totally disabled by accident in the performance of duty	Permanently and totally disabled by accident in the performance of duty	Permanently and totally disabled by accident in the performance of duty	Permanently and totally disabled by accident in the performance of duty
Allowance	Not applicable	Not applicable	Not applicable	2/3 of salary plus annuity based on member contributions	2/3 of salary plus annuity based on member contributions	2/3 of salary plus annuity based on member contributions	2/3 of salary plus annuity based on member contributions

BOT: Board of Trustees for the State Retirement and Pension System
LEOPS: Law Enforcement Officers' Pension System

[1] The Employees' and Teachers' Retirement Systems are not shown because the systems closed to new members as of December 31, 1979.

[2] Employee contributions for legislators were increased to 7% as of January 14, 2015; contributions for judges were increased to 8% as of July 1, 2012; contributions for employees and teachers were increased to 7% as of July 1, 2011; and contributions for LEOPS members were increased to 6% as of July 1, 2011 and 7% as of July 1, 2012.

[3] Rule of 90: The sum of an employee's age and years of service must equal 90 or more.

[4] Other post-retirement adjustment formulas apply to retirees who retired on or before June 30, 2011, retirees of the Employees' and Teachers' Retirement Systems, and retirees who chose various selection options.

Source: Department of Legislative Services

Exhibit 34
Accrued Retirement Service Credits of Active Maryland Legislators

	0-4	4-8	8-12	12-16	16-20	20-22.25	22.25+
Years of Creditable Service							
Number of Members	75	25	25	25	8	2	29
Average Age	49.0	51.1	54.8	58.2	65.7	66.1	71.1
Maximum Retirement Benefit	n/a	n/a	24%-36%	36%-48%	48%-60%	60%-66.67%	66.67%
Full Service Retirement[1]	0	0	8	9	6	2	26
Reduced Services Retirement[2]	0	0	10	12	1	0	2
Vested Allowance	0	0	7	4	1	0	0
No Vested	75	25	n/a	n/a	n/a	n/a	n/a

[1] Full Service Retirement payable at (a) age 60 with a minimum of eight years of service, if joined the Legislative Pension Plan (LPP) before January 14, 2015; or (b) age 62 with a minimum of eight years of service, if joining the LPP on or after January 14, 2015.

[2] Reduced Service Retirement payable (a) age 50 with a minimum of eight years of service, if joined the Legislative Pension Plan (LPP) before January 14, 2015; or (b) age 55 with a minimum of eight years of service, if joining the LPP on or after January 14, 2015.

Source: State Retirement Agency; Department of Legislative Services, November 2017

Exhibit 35
Retirement Status of Retired Maryland Legislators by Plan

	Number	Average Age	Average Monthly Benefit	Average Years of Service
2002 Plan				
Retiree	217	73.7	$1,605.71	14.0
Beneficiary	62	85.7	858.32	n/a
Bifurcated Plan				
Retiree	0	n/a	n/a	n/a
Beneficiary	2	102.4	$340.59	n/a
1966 Plan				
Retiree	5	84.1	$299.47	10.4
Beneficiary	12	81.1	472.12	n/a

Source: State Retirement Agency; Department of Legislative Services, November 2017

Exhibit 36
State-by-state Comparison of Retirement Benefits
Ranked by Annual 20-year Benefit

			Contribution	12-year Benefit			20-year Benefit			
Ranking	**State**	**Salary**	**Rate**	**Annual**	**Monthly**	**% of Salary**	**Annual**	**Monthly**	**% of Salary**	**Annual Benefit Formula**
1	Illinois*	$67,836	11.50%	$30,526	$2,544	45.00%	$57,661	$4,805	85.00%	3.00 - 5.00% capped at 85% of FAS
2	Texas[3]	7,200	8.00%	34,501	2,875	479.18%	57,502	4,792	798.64%	2.30%
3	Pennsylvania*	86,479	6.25%	31,132	2,594	36.00%	51,887	4,324	60.00%	3.00%
4	*PA* Reform*	*86,479*	*9.30%*	*25,944*	*2,162*	*30.00%*	*43,240*	*3,603*	*50.00%*	*2.50%*
5	Hawaii	61,380	0.00%	25,780	2,148	42.00%	42,966	3,581	70.00%	3.50%
6	*IL* Reform*	*67,836*	*11.50%*	*30,526*	*2,544*	*45.00%*	*40,702*	*3,392*	*60.00%*	*3.00 - 5.00% capped at 60% of FAS*
7	*HI Reform*	*61,380*	*0.00%*	*22,097*	*1,841*	*36.00%*	*36,828*	*3,069*	*60.00%*	*3.00%*
8	New York*	79,500	3.00%	15,932	1,328	20.04%	31,800	2,650	40.00%	1.50 - 2.00%
9	Massachusetts*	62,548	9.00%	18,764	1,564	30.00%	31,274	2,606	50.00%	2.50%
10	Oklahoma	38,400	10.00%	18,432	1,536	48.00%	30,720	2,560	80.00%	4.00%
11	New Jersey	49,000	5.00%	17,640	1,470	36.00%	29,400	2,450	60.00%	3.00% capped at 66.67% of FAS
12	**Maryland**	**48,622**	**7.00%**	**17,504**	**1,459**	**36.00%**	**29,173**	**2,431**	**60.00%**	**3.00% capped at 66.67% of salary of active legislators**
13	Ohio*	60,584	10.00%	15,994	1,333	26.40%	26,657	2,221	44.00%	2.20 - 2.50%
14	Indiana[1]	25,436	0.00%	25,436	2,120	100.00%	25,436	2,120	100.00%	1/12 of FAS
15	New Mexico	-	$600/year	13,548	1,129	0.00%	22,580	1,882	0.00%	$1,129 x yrs. of service
16	Alaska[1] *	50,400	6.75%	12,348	1,029	24.50%	21,420	1,785	42.50%	2.00 - 2.50%
17	Wisconsin*	50,950	6.60%	12,228	1,019	24.00%	20,716	1,726	40.66%	2.00% - 2.165%
18	*TN Reform*	*22,667*	*5.00%*	*12,270*	*1,023*	*54.00%*	*20,400*	*1,700*	*90.00%*	*$85.21/month x yrs. of service, capped at 90% FAS*
19	Arizona	24,000	7.00%	11,520	960	48.00%	19,200	1,600	80.00%	4.00% capped at 80% of FAS
20	Washington	47,776	3.33%	11,466	956	24.00%	19,110	1,593	40.00%	1.00 - 2.00%
21	Florida*	29,697	3.00%	10,691	891	36.00%	17,818	1,485	60.00%	3.00%
22	Delaware	45,291	5.00%	10,055	838	22.20%	17,233	1,436	38.05%	1.85 - 2.00%
23	Minnesota[1]	31,141	9.00%	10,090	841	32.40%	16,816	1,401	54.00%	2.70%
24	Arkansas	39,400	5.00%	9,456	788	24.00%	15,760	1,313	40.00%	2.00%

			Contribution	12-year Benefit			20-year Benefit			
Ranking	**State**	**Salary**	**Rate**	**Annual**	**Monthly**	**% of Salary**	**Annual**	**Monthly**	**% of Salary**	**Annual Benefit Formula**
25	*OK Reform*	*38,400*	*3.50%*	*9,216*	*768*	*24.00%*	*15,360*	*1,280*	*40.00%*	*2.00%*
26	Colorado	30,000	8.00%	9,000	750	30.00%	15,000	1,250	50.00%	2.50%
27	*AZ Reform*	*24,000*	*13.00%*	*8,640*	*720*	*36.00%*	*14,400*	*1,200*	*60.00%*	*3.00% capped at 75% of FAS*
28	Rhode Island[2]	15,430	-	7,200	600	49.18%	12,000	1,000	81.97%	$600/month x yrs. of service, capped at $12,000 annual benefit
29	North Carolina	13,951	7.00%	6,730	561	48.24%	11,217	935	80.40%	4.02%
30	South Carolina	10,400	11.00%	6,015	501	57.84%	10,026	835	96.40%	4.82%
31	Iowa	25,000	5.95%	6,000	500	24.00%	10,000	833	40.00%	2.00%
32	Maine	24,429	7.65%	5,863	489	24.00%	9,772	814	40.00%	2.00%
33	Georgia	17,342	3.75%	5,184	432	29.89%	8,640	720	49.82%	$36/month x yrs. of service
34	West Virginia	20,000	5.00%	4,800	400	24.00%	8,000	667	40.00%	2.00%
35	Connecticut	28,000	2.00%	4,469	372	15.96%	7,448	621	26.60%	0.05 - 1.33%
36	Oregon	24,216	0.00%	4,359	363	18.00%	7,265	605	30.00%	1.50%
37	Idaho	17,017	6.79%	4,084	340	24.00%	6,807	567	40.00%	2.00%
38	Utah[1]	273 per day	0.00%	3,571	298	n/a	5,952	496	n/a	$24.80/month x yrs. of service
39	Virginia	18,000	5.00%	3,564	297	19.80%	5,940	495	33.00%	1.65%
40	Mississippi	10,000	9.00%	2,400	200	24.00%	4,000	333	40.00%	2.00%
41	*Missouri Reform*	*35,915*	*4.00%*	*1,496*	*125*	*4.17%*	*2,494*	*208*	*6.94%*	*(monthly pay/24) x yrs. of service*
42	Nevada	151 per day	15.00%	300	25	n/a	500	42	n/a	$25 x yrs. of service

FAS: final average salary

* Denotes state with full-time legislature.

[1] The following states offer a defined benefit plan to legislators elected before a certain date, but legislators elected after a certain date are offered only a defined contribution plan: Alaska*, Indiana, Michigan*, Minnesota, and Utah.
[2] Rhode Island offers a defined benefit plan to legislators elected before January 1995 but does not offer any type of retirement benefits for legislators elected after that date.
[3] Texas legislative retirement benefits are based on a percentage of the salary of a sitting District Court judge.
The following states offer a defined benefit plan to all legislators or to legislators elected before a certain date, but sufficient information was not available to determine a benefit: California*, Kansas, Kentucky, Louisiana, Michigan*, and Montana.
The following states do not provide any type of retirement plan to legislators: Alabama, Nebraska, New Hampshire, North Dakota, South Dakota, and Wyoming.

Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 37

State-by-state Comparison of Legislator Contribution Rate

Ranking	State	Rate	Ranking	State	Rate
1	Nevada	15.00%	17	Iowa	5.95%
2	*AZ Reform*	*13.00%*	18	Arkansas	5.00%
3	Illinois*	11.50%	18	Delaware	5.00%
4	South Carolina	11.00%	18	New Jersey	5.00%
5	Ohio*	10.00%	*18*	*Tennessee Reform*	*5.00%*
5	Oklahoma	10.00%	18	Virginia	5.00%
6	*PA* Reform*[2]	*9.30%*	18	West Virginia	5.00%
7	Massachusetts*	9.00%	*19*	*MO Reform*	*4.00%*
7	Minnesota[1]	9.00%	20	Georgia	3.75%
7	Mississippi	9.00%	*21*	*OK Reform*	*3.50%*
8	Colorado	8.00%	22	Washington	3.33%
8	Texas	8.00%	23	Florida*	3.00%
9	Montana	7.90%	23	New York*	3.00%
10	Maine	7.65%	24	Connecticut	2.00%
11	Arizona	7.00%	25	Hawaii	0.00%
11	**Maryland**	**7.00%**	25	Indiana[1]	0.00%
11	North Carolina	7.00%	25	Missouri	0.00%
12	Idaho	6.79%	25	Oregon	0.00%
13	Alaska[1] *	6.75%	25	Utah[1]	0.00%
14	*Wisconsin**	*6.60%*	25	Tennessee	0.00%
15	Pennsylvania*[3]	6.25%			
16	Kansas	6.00%			
16	Kentucky	6.00%			

* Denotes state with full-time legislature.

[1] These states offer a defined benefit plan to legislators elected before a certain date, but legislators elected after a certain date are offered only a defined contribution plan.

[2] Legislators in Pennsylvania with no service credit before 2010 have a choice to contribute 9.30% for a benefit multiplier of 2.50% or contribute 6.25% for a benefit multiplier of 2.00%.

[3] Legislators in Pennsylvania with service credit before 2010, contribute 6.25% for a benefit multiplier of 3.00%.

Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 38

State-by-state Comparison of Benefit Multiplier

Ranking	State	Benefit Multiplier
1	South Carolina	4.82%
2	North Carolina	4.02%
3	Oklahoma	4.00%
4	Arizona	4.00% Capped at 80.00% of Final Average Salary (FAS)
5	Hawaii	3.50%
6	Illinois*	3.00% - 5.00% Capped at 85.00% of FAS
7	*IL* Reform*	*3.00% - 5.00% Capped at 60.00% of FAS*
8	Florida*	3.00%
8	*HI Reform*	*3.00%*
8	Pennsylvania*	3.00%
9	*AZ Reform*	*3.00% Capped at 75.00% of FAS*
10	**Maryland**	**3.00% Capped at 66.67% of Salary of Active Legislators**
11	New Jersey	3.00% Capped at 66.67% of FAS
12	Kentucky	2.75%
13	Minnesota(1)	2.70%
14	Colorado	2.50%
14	Massachusetts*	2.50%
15	Texas	2.30%
16	Ohio*	2.20%-2.50%
17	Alaska(1) *	2.00%-2.50%
17	*PA* Reform*	*2.00%-2.50%*
18	Wisconsin*	2.20%-2.165%
19	Arkansas	2.00%
19	Idaho	2.00%
19	Iowa	2.00%
19	Maine	2.00%
19	Mississippi	2.00%
19	*OK Reform*	*2.00%*
19	West Virginia	2.00%
20	Delaware	1.85%-2.00%

Ranking	State	Benefit Multiplier
21	New York*	1.50%-2.00%
22	Washington	1.00%-2.00%
23	Kansas	1.75%
24	Virginia	1.65%
25	Oregon	1.50%
26	Connecticut	0.05%-1.33%

* Denotes state with full-time legislature.

(1) These states offer a defined benefit plan to legislators elected before a certain date, but legislators elected after a certain date are offered only a defined contribution plan.

Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 39

Comparison of Maryland's Retirement Eligibility Criteria with Other States

Age 60 with 8 Years of Service – Maryland Legislators with Service before 1/14/15
Age 62 with 8 Years of Service – Maryland Legislators with No Service before 1/14/15

States That Require the Same Retirement Age and Years of Service as Maryland

Age 60 with 8 Years of Service
New Jersey
South Carolina
Texas

Age 62 with 8 Years of Service
Georgia

States That Require a Lower Retirement Age and Years of Service

Missouri – age 55 with 6 years of service
Hawaii – age 55 with 5 years of service
Virginia – age 55 with 5 years of service
Tennessee – age 55 with 4 years of service
Pennsylvania – age 55 with 3 years of service

States That Require a Higher Retirement Age and Years of Service

Delaware – age 65 with 10 years of service
Arkansas – age 65 with 10 years of service
Indiana – age 65 with 10 years of service

Other Comparisons of Retirement Age and Years of Service Requirements

Retirement Age – Minimum
Age 65 – 17 states
Age 62 – 9 states (including Maryland)
Age 60 – 8 states (including Maryland)
Age 55 – 7 states

Years of Service – Minimum
10 years of service – 9 states
8 years of service – 7 states (including Maryland)
6 years of service – 3 states
5 years of service – 11 states

Source: National Conference of State Legislatures; Department of Legislative Services

Exhibit 40
Legislator Salary and Fringe Benefits by Year of Service
Fiscal 2018 Active Legislator

Years of Service	Legislative Service: Up to 22 Years and 3 Months	Legislative Service: Greater Than 22 Years and 3 Months
Benefits While Serving[1]		
Salary effective January 1, 2018	**$50,330**	**$50,330**
Less Fringes		
Retirement Contribution (7.0%)	-$3,523	$0
BC/BS PPO	-2,203	-2,203
Prescription Drug	-1,081	-1,081
Dental PPO	-303	-303
Subtotal	***-$7,109***	***-$3,586***
Total Adjusted Salary	**$43,221**	**$46,744**
Fringe Benefits		
Employer Retirement Subsidy (19.22%)	$9,673	$9,673
Employer Health Insurance Subsidy	8,812	8,812
Employer Prescription Drug Subsidy	4,322	4,322
Employer Dental PPO	303	303
Total Fringe Benefits	**$23,111**	**$23,111**
Total Fringes and Salary	**$66,331**	**$69,854**

BC/BS: BlueCross/BlueShield
PPO: Preferred Provider Organization

Note: Legislators can earn no more than 22 years and three months of creditable service for retirement. Retirement contributions cease at this point.

[1] Assumes that a legislator opts for certain fringe benefits and coverage for an active legislator, non-Medicare eligible member, and spouse for calendar 2017.

Source: Department of Budget and Management; Department of Legislative Services

Exhibit 41
Legislator Benefits Upon Retirement
Fiscal 2018 Active Legislator

	Legislator Serving Under 2010 Resolution						Legislator Serving Under 2014 Resolution					
Years of Service	**4**	**8**	**12**	**16**	**20**	**24+**	**4**	**8**	**12**	**16**	**20**	**24+**
Retirement Income[1]	**$0**	**$12,079**	**$18,119**	**$24,158**	**$30,198**	**$33,570**	**$0**	**$12,079**	**$18,119**	**$24,158**	**$30,198**	**$33,570**
Less												
Retiree Health Insurance Premium with Medicare (BC/BS PPO for Member and Spouse)		-$5,507	-$3,671	-$1,836	-$1,836	-$1,836		-$6,241	-$4,773	-$3,304	-$1,836	-$1,836
Retiree Prescription Drug Premium with Medicare		-2,541	-1,779	-1,017	-1,017	-1,017		-2,846	-2,236	-1,626	-1,017	-1,017
Retiree Premium Dental PPO		-335	-223	-112	-112	-112		-380	-290	-201	-112	-112
Total		**-$8,384**	**-$5,674**	**-$2,964**	**-$2,964**	**-$2,964**		**-$9,468**	**-$7,300**	**-$5,132**	**-$2,964**	**-$2,964**
Adjusted Income		**$3,696**	**$12,445**	**$21,194**	**$27,234**	**$30,606**		**$2,612**	**$10,819**	**$19,027**	**$27,234**	**$30,606**
Retiree Health Benefit Subsidy												
Retiree Health Insurance Premium with Medicare (BC/BS PPO for Member and Spouse)		$3,671	$5,507	$7,343	$7,343	$7,343		$2,937	$4,406	$5,874	$7,343	$7,343
Retiree Prescription Drug Premium with Medicare		1,525	2,287	3,050	3,050	3,050		1,220	1,830	2,440	3,050	3,050
Retiree Premium Dental PPO		223	335	447	447	447		179	268	357	447	447
Subtotal		***$5,420***	***$8,129***	***$10,839***	***$10,839***	***$10,839***		***$4,336***	***$6,504***	***$8,671***	***$10,839***	***$10,839***
Total Retirement Benefit		**$9,115**	**$20,574**	**$32,034**	**$38,073**	**$41,445**		**$6,947**	**$17,323**	**$27,698**	**$38,073**	**$41,445**

BC/BS: BlueCross/BlueShield
PPO: Preferred Provider Organization

(1) Assumes basic retirement income allowance by years of service for salary effective January 1, 2018. Assumes that a legislator opts for certain fringe benefits and coverage for a Medicare eligible member and non-Medicare eligible spouse for calendar 2017.

Note: Legislators are not vested until 8 years of service and can earn no more than 22 years and three months of creditable service for retirement.

Source: Department of Budget and Management; Department of Legislative Services

Exhibit 42

Comparison of Benefits Between a Legislator and State Employee

Fiscal 2018

	Legislator (2010 Resolution)		Legislator (2014 Resolution)		State Employee (Pre-2011 Reform)		State Employee (Post-2011 Reform)	
Years of Service	**8**	**12**	**8**	**12**	**8**	**12**	**8**	**12**
Benefits While Serving[1]								
Salary	**$50,330**	**$50,330**	**$50,330**	**$50,330**	**$50,330**	**$50,330**	**$50,330**	**$50,330**
Less Fringe Benefit Contributions	*-$7,109*	*-$7,109*	*-$7,109*	*-$7,109*	*-$7,109*	*-$7,109*	*-$7,109*	*-$7,109*
Adjusted Salary	**$43,221**	**$43,221**	**$43,221**	**$43,221**	**$43,221**	**$43,221**	**$43,221**	**$43,221**
Fringe Benefits	**$23,111**	**$23,111**	**$23,111**	**$23,111**	**$23,111**	**$23,111**	**$23,111**	**$23,111**
Total Salary and Fringes	**$66,331**	**$66,331**	**$66,331**	**$66,331**	**$66,331**	**$66,331**	**$66,331**	**$66,331**
Benefits Upon Retirement[2]								
Retirement Income[3]	**$12,079**	**$18,119**	**$12,079**	**$18,119**	**$7,248**	**$10,871**	**$0**	**$9,059**
Less								
Retiree Health Insurance Premium (BC/BS PPO)	-$5,507	-$3,671	-$6,241	-$4,773	-$5,507	-$3,671	$0	-$5,654
Retiree Prescription Drug Premium	-2,541	-1,779	-2,846	-2,236	-2,541	-1,779	0	-2,602
Retiree Premium Dental PPO	-335	-223	-380	-290	-335	-223	0	-344
Total	**-$8,384**	**-$5,674**	**-$9,467**	**-$7,300**	**-$8,384**	**-$5,674**	**$0**	**-$8,600**
Adjusted Income	**$3,696**	**$12,445**	**$2,612**	**$10,819**	**-$1,136**	**$5,198**	**$0**	**$459**

Years of Service	Legislator (2010 Resolution) 8	Legislator (2010 Resolution) 12	Legislator (2014 Resolution) 8	Legislator (2014 Resolution) 12	State Employee (Pre-2011 Reform) 8	State Employee (Pre-2011 Reform) 12	State Employee (Post-2011 Reform) 8	State Employee (Post-2011 Reform) 12
Retiree Health Benefit Subsidy								
Retiree Health Insurance Premium (BC/BS PPO)	$3,671	$5,507	$2,937	$4,406	$3,671	$5,507	$0	$3,525
Retiree Prescription Drug Premium	1,525	2,287	1,220	1,830	1,525	2,287	0	1,464
Retiree Premium Dental PPO	223	335	179	268	223	335	0	214
Subtotal	***$5,420***	***$8,129***	***$4,336***	***$6,504***	***$5,420***	***$8,129***	***$0***	***$5,203***
Total Retirement Benefit	**$9,115**	**$20,574**	**$6,947**	**$17,323**	**$4,284**	**$13,327**	**$0**	**$5,662**

BC/BS: BlueCross/BlueShield
PPO: Preferred Provider Organization

(1) Assumes fringe benefits of active legislator/employee, non-Medicare eligible member, and spouse for calendar 2017.

(2) Assumes fringe benefits for Medicare eligible member and non-Medicare eligible spouse for calendar 2017.

(3) Assumes basic retirement allowance. Post-2011 State employees do not vest in the State's pension plan and become eligible for retiree health benefits until 10 years of service.

Source: Department of Budget and Management; Department of Legislative Services

Exhibit 43
District Office Accounts

Amount – Fiscal 2017

	Total	Staff Minimum
Senate		
Leadership (8)	$20,436	$6,500
Senators (39)	18,965	5,800
House		
Leadership (10)	$20,436	$6,500
Delegation (5)	19,810	5,800
Delegates (126)	18,965	5,800

Use of Funds

1. Office space in district

2. Staff services

3. Communications

   Telephone – limit $2,000 unless approved by Presiding Officer

   Postage – limit $1,000 for legislator and $2,600 for *Annapolis Report* per district, unless more is approved by Presiding Officer

   No newsletters except *Annapolis Report*

   Newspapers – limit $300

4. Supplies

5. Utilities

6. Furniture and equipment, including computers; items become property of the State and must be returned or purchased at depreciated value if legislator leaves office

Source: Department of Legislative Services, August 2017

Exhibit 44
History of District Office Account Allowances

Fiscal Year	Senator Total	Senator Clerical Minimum	Delegate Total	Delegate Clerical Minimum
1971	$4,700		$2,000	
1975	5,000		6,000	
1979	5,500		8,488	$2,850
1983	6,615		10,143	3,550
1987	7,770		11,970	4,400
1990	17,395	$6,395	16,197	8,000
1994	16,765	5,800	15,507	7,300
1998	18,265	5,800	17,007	7,300
1999	18,265	5,800	18,265	5,800
2005	18,265	5,800	18,265	5,800
2009	18,265	5,800	18,265	5,800
2013	18,265	5,800	18,265	5,800
2017	18,965	5,800	18,965	5,800

Source: Department of Legislative Services, August 2017

Exhibit 45

Staff Assistance for Members of the General Assembly of Maryland

Funding is included in the fiscal 2017 budget for the General Assembly of Maryland to provide staff assistance to senators and delegates as follows.

Senate

Funds are included to permit each senator to hire an administrative aide that is a regular full-time, benefited employee. The current salary range for these positions is $39,000 to $71,190.

Funds are included to permit each senator to hire a secretary for the legislative session. This is generally a benefited employee. For fiscal 2017, each position is budgeted at $8,118.

Each senator is provided with a District Office Allowance of $18,965. Of this amount, $5,800 is restricted to staff assistance. Nine leadership positions are each provided with $20,436, of which $6,500 is restricted to staff assistance.

Each senator is provided with a Supplemental Operating Fund in the amount of $7,500. This amount is intended to supplement the District Office Allowance and may be spent on operating expenses or for staff assistance at the senator's option.

House

Funds are included in the House budget to provide for payment of salaries attributable to specifically budgeted delegation staff positions. These are generally benefited positions that may work either a full-time or a part-time schedule depending on workload. The applicable salary for each budgeted delegation staff position is established based primarily on qualifications, experience, and anticipated workload.

Funds are included to permit each delegate to hire a secretary for the legislative session. Each delegate's secretary is funded at $2,755 for fiscal 2017, which if combined with two other delegates, approximates the amount budgeted for each senator's secretary.

Each delegate is provided with a District Office Allowance of $18,965. Of this amount, $5,800 is restricted to staff assistance. Twelve senior leadership positions are each provided with $20,436, of which $6,500 is restricted to staff assistance. Five delegation chair positions are each provided with $19,810, of which $5,800 is restricted to staff assistance.

Each delegate is provided with a Supplemental Operating Fund in the amount of $3,546. This amount is intended to supplement the District Office Allowance and may be spent on operating expenses or for staff assistance at the delegate's option.

Source: Department of Legislative Services, August 2017

Appendix 1

Minutes

General Assembly Compensation Commission

Minutes – December 18, 2017 Meeting

Commissioners in Attendance: Lisa First-Willis, Chair; Laurence C. Daniels; Lyn A. Dippel; Joshua C. Greene; Robert A. Liberto; Wendell G. Rakosky; Gene M. Ransom III; and Joe Rubino

Staff in Attendance: Simon G. Powell, Dana K. Tagalicod, and Laura M. Vykol

Others in Attendance: Phillip Anthony, Department of Legislative Services (DLS); Anne E. Gawthrop, State Retirement Agency (SRA); and Matthew Palmer, Office of the Governor

Ms. First-Willis convened the meeting at 1:15 p.m. After introductions, the chair consulted with other members to set the next meeting of the commission, which was agreed for January 16, 2018, at 9:30 a.m. in Annapolis.

The meeting proceeded with staff providing information on the charge of the commission, a comparison of the structures adopted by states to determine legislative compensation, and the process in Maryland for the development and disposition of the compensation resolution.

In presenting the framework for thinking about legislator compensation, staff presented various data concerning the categorizations of State legislatures: full-time versus part-time and professional versus citizen. In presenting the data, staff acknowledged that there is no good way to measure the time taken by legislators to fulfill their duties and responsibilities. Mr. Rakosky noted that, in terms of bills introduced and passed, there has not been a substantial increase in workload. Staff concurred, although noting that the trend was generally pointing to an increase in legislation. It was also noted that the General Assembly of Maryland has developed organizationally in recent years; for example, standing committees establishing subcommittees, the addition of professional committee staff resources, and increasing access to data and information, all of which tends to mean that more time and attention is paid to legislation. Mr. Ransom also noted that much more work is done during the interim (*i.e.*, out of session).

The question of the relative time dedicated to being a legislator was discussed further after presentation of data drawn from national and academic sources. Mr. Rakosky was particularly interested in data that identifies the occupations of Maryland legislators and whether legislators actually perform in those occupations while serving as legislators. Staff noted that the data was

self-reported and agreed that some legislators might identify as a certain profession but at that point be retired or no longer are in the profession.

Mr. Rakosky asked if there was any difficulty in getting people to run for office. Staff presented charts, which noted that competition for office appears healthy and tenure levels, particularly in the House of Delegates, reflects significant turnover that could be seen as a sign of competition. While it could also be argued that this level of turnover is due to the difficulty of juggling the role of legislator with another career, there is little evidence that this is directly due to compensation issues. Certainly, the level of uncontested elections in primary and general elections appears not to have changed markedly and is more reflective of typical political and geographical issues than lack of interest.

In discussing actual salaries, after staff presented data on State and local salary levels and salary trends, discussion centered on how to appropriately consider the salary paid in an annualized sense based on the part-time status of the legislature against the recognition that Maryland has a relatively high cost of living. This question also prompted a discussion of whether the commission had any particular strategy that should be adopted in developing salary recommendations.

In response, staff reiterated that lack of meaningful data on the time taken by legislators to perform their jobs precludes a clear sense of how to annualize legislative salaries. However, in response to a request from Ms. First-Willis, staff agreed to provide the commission with more information on salaries in comparison to relative cost of living at the next meeting. In terms of overall strategy, staff noted that any overarching strategy is set by each commission. Mr. Ransom noted that generally each commission is largely comprised of new members, and each makes its own way. As a member of the previous commission, for example, he noted that there was concern about the lack of a salary increase over the prior eight years and also the need to reconsider the Legislative Pension Plan in the context of recent reforms in the State employee plan. While there was still concern about the actual basis for the current salary level, none of the commission members expressed interest in fundamentally changing salaries to either align with what are considered full-time legislatures or those that are closer to the bottom of the current range of State legislative salary levels.

Moving to a discussion of legislative expenses, staff noted that most of the expense levels were tied to external reimbursement schedules (either State or federal) to allow for timely changes and also to rely on the analysis that is used to develop those schedules. Members seemed to generally concur that this was sensible. Mr. Daniels did ask if there were any issues with the hotel rates allowed currently. Staff noted that consideration had been asked to allow for reimbursement of hotels at the General Services Administration or conference rate when members attend conferences, as there had been occasions when the difference between the two had dissuaded members from attending conferences.

Staff then presented data on health coverage levels. In response to various questions raised by Mr. Rakosky, staff noted that the employer (the State) and employees share the cost of coverage with the precise share varying according to the plan; cost sharing for active legislators is the same

as for active State employees; and that the commission has the authority to change coverage and cost-sharing arrangements, although that would mean effectively creating a legislative health and benefits plan separate to that of State employees.

After a short break, the commission turned to a presentation on legislative retirement benefits. In reviewing the components of the legislative pension plan, specifically the time for vesting in the legislative plan, it was noted that this had remained unchanged in the prior resolution at 8 years despite the change to the State employee plan (from 5 to 10 years) under the 2011 pension reforms. Ms. First-Willis asked if there had been discussion of changing the vesting provision by the previous commission. Staff replied that there was a discussion. However, the prior commission felt that while the vesting period for legislators was now less than for State employees, previously, it had been greater. Further, there was a desire to align the vesting period around the length of a legislative term (*i.e.*, multiples of 4 years). It was felt that 12 years was too long a vesting period, so the decision was made to retain the 8-year provision.

In response to questions from Mr. Rakosky, staff also clarified provisions about the pension plan, specifically if the overall funding requirement would be decreased if the member contribution was increased (it would); if a member receives his/her own contributions back if leaving the plan prior to vesting (yes, upon request); if you can claim a legislative pension while still serving (a member may not); and the overall health of the pension system (not as well funded as the pension funds of other AAA-rated states but significantly improved in terms of funding status compared to what was expected after 2011 pension reforms).

Mr. Ransom asked staff if there had been any concerns raised by legislatures after the significant changes to the legislative retirement plan in the 2014 Resolution. Staff noted that since the changes were prospective in nature, nobody has yet retired under the new provisions; so in that regard, comment was unlikely. While a small number of legislators had not been participating in the plan (participation was made mandatory in 2014), there had been no complaints raised within DLS or SRA about this issue.

Staff then presented a chart detailing relative benefits for legislators and State employees earning the same salary, both pre- and post-pension reform/resolution change. Discussion around the chart included (1) whether the salary itself was appropriate for the status of the legislature; and (2) that it was important to remember that State employees have a greater opportunity to increase salary beyond that of legislators. Mr. Ransom also made the point that the last commission did try and balance the changes made to overall compensation, *i.e.*, increasing salaries but changing retirement benefits by increasing mandatory contributions that mitigated the benefit of the salary increase and increasing retirement age.

Staff then presented a number of issues concerning the Legislative Pension Plan for the consideration of the commission, issues that could require changes to the current resolution.

- The need to amend the current provision that allows the purchase of "air time", *i.e.*, service credit in order to become vested. The cost of the purchase includes both the

employee and employer contribution. Ms. Gawthrop of SRA noted that the Legislative Pension Plan is the only plan in the State system that allows this type of purchase. It is a long-standing provision that recognizes that legislators can lose their job in an election and not reach the vesting period. Counsel for SRA has advised that this provision does not comply with the Internal Revenue Services' (IRS) regulations, which only allow air time purchase if a member has already accrued 5 years of service and can only purchase up to 5 years.

In response to questions from Mr. Ransom, Ms. Gawthrop noted that the largest purchase of air time was 7.5 years, and 16 legislators have purchased air time, 12 of which would not be allowed under IRS regulations. Ms. Dippel asked if air time purchase was only available if a member ran for reelection and lost. Ms. Gawthrop noted that it was available to any member who wanted to purchase credit in order to vest regardless of why the member left public office.

The members agreed that, at the very least, consideration must be given to adopting a provision consistent with IRS guidelines and adopting further options and clarifications beyond that. Both Mr. Rubino and Mr. Daniels noted that changing the provision to be consistent with IRS guidelines would essentially preclude one-term members who lose reelection from accessing a retirement benefit. In other words, undermining the original policy consideration for the provision in the first place. In response to a question from Mr. Daniels about retroactivity, Ms. Gawthrop said that any change should be prospective and those that current fall foul of IRS guidelines would have to be dealt with on a case-by-case basis.

- ***Death Benefits*** – A number of issues were raised around death benefits.

  - Staff noted that, in the Legislative Pension Plan, benefits are available to children under 18 whereas other plans have recently extended benefits to age 26 and disabled children. Mr. Rakosky asked what the likely cost would be to make such a change. Staff noted that it would be slight as the situation rarely happens.

  - It was also noted that, while the prior commission altered the early retirement benefits and retirement age, it did not alter when beneficiaries can get benefits. Conforming when beneficiaries can access benefits to that of the member, would be consistent with the overall actions of the prior commission.

  - A legislator has raised the issue to staff about naming a nonprofit organization as a beneficiary, something that is not currently allowed under the Legislative Pension Plan. Ms. Gawthrop noted that this option was available to State employees but only for a lump-sum payment.

- ***Transfer of Service Credit*** – Staff presented an issue bought up under the prior commission about allowing transfer of service credit from another State pension plan into the Legislative Pension Plan. This is currently prohibited (similar to the Judges Pension plan), not least because the multiplier for the legislative plan is higher than other plans.

- ***Military Service Credit*** – Each of the past two commissions have considered the question of whether to allow some credit for military service. All other plans allow some form of credit except for the Legislative Pension Plan.

  Mr. Ransom noted that for both the military service credit issue and transfer of service credit that the prior commission deferred because of, among other things, the many other changes being considered by the commission to the Legislative Pension Plan. Mr. Rubino asked if a member would get military credit even if you have used that credit as part of another military pension and how it would benefit the State. Mr. Ransom thought it might encourage more people to run. Staff agreed to collect additional data on the issue and provide language that was included in the final 2010 General Assembly Compensation Commission Resolution (all of the changes made in that resolution were ultimately rejected by the General Assembly) for consideration at the next meeting.

- ***Forfeiture of Benefits*** – The current provision was added to the 2010 Resolution by the legislature and affirmed by the 2014 commission without change. In 2016, the General Assembly passed forfeiture provisions for constitutional officers. Those provisions go into effect at the beginning of the next term. The current forfeiture provision is silent on a number of issues including having no provision for innocent spouses/beneficiaries and process.

  The commissioners were generally wary about making changes to this provision at a time when a number of current and former members of the legislature have pled guilty to, or are facing charges of, corruption. However, there was also some concern about the current provision not allowing for any exceptions for certain beneficiaries.

Prior to adjournment, Ms. First-Willis asked staff that, in the preparation of decision documents, especially on retirement changes that the commission wishes to consider, information is provided comparing changes to the State employee retirement plan and also a sense of cost. The meeting was adjourned at 4:20 p.m.

Appendix 2
Correspondence Received by the General Assembly Compensation Commission

MARYLAND
STATE RETIREMENT
and PENSION SYSTEM

STATE RETIREMENT AGENCY
120 East Baltimore Street
Baltimore, MD 21202
Tel: 410-625-5555
1-800-492-5909
TDD/TTY 410-625-5535
sra.maryland.gov

BOARD OF TRUSTEES
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Charles W. Johnson
Theresa Lochte
Richard E. Norman
Douglas Prouty
Michael J. Stafford, Jr.

R. Dean Kenderdine
Executive Director
Secretary To The Board

December 18, 2017

Ms. Lisa First-Willis
Chairman, General Assembly Compensation Commission
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Dear Ms. First-Willis,

I am writing to you on behalf of the Board of Trustees for the State Retirement and Pension System (System) with regard to a provision included in the Legislative Pension Plan (LPP) that it believes should be reviewed by the General Assembly Compensation Commission. This provision addresses the purchase of service credit by non-vested members who are no longer active members of the LPP, and is referred to as "air time". The purpose of this provision is to allow members of the Maryland General Assembly who leave the legislature prior to vesting, to purchase the creditable service necessary to vest in the LPP.

Specifically, Item 3A, § 6(d) of the 2014 Resolution of the General Assembly Compensation Commission provides:

> A member may purchase service credit in the Legislative Pension Plan so that the amount of the creditable service of the member aggregates not more than 8 years if the member:
>
> (1) Has less than 8 years of creditable service in the Legislative Pension Plan; and
> (2) Pays to the Board of Trustees an amount equal to the sum of:
> (i) 7% of the annual salary payable to a legislator during the years of service to be purchased; and
> (ii) The contributions payable by the State with respect to the salary of a legislator during the years of service to be purchased.

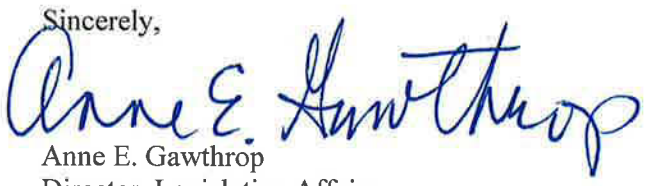
Tax counsel for the System has informed the Board that this provision does not comply with Internal Revenue Code (IRC) § 415(n), regarding non-qualified permissive service credit. Generally, non-qualified permissive service credit refers to service credit for a time period that is not associated with a period of employment, military service, or qualifying leave of absence. A qualified plan (such as the System) fails to comply with IRC § 414(n)(3)(8) if it allows the purchase of non-qualified permissive service credit by a member with fewer than five years of participation in the plan, or if it permits the purchase of more than five years of non-qualified permissive service credit. As currently drafted, Item 3A, § 6(d) impermissibly allows the purchase of more than five years of non-qualified service credit, and also impermissibly allows a member with fewer than five years of participation to purchase non-qualified service credit. Per § 6(d), a member with less than eight years of creditable service can purchase creditable service "so the amount of the creditable service of the member aggregates not more than eight years."

In order to comply with IRC § 415(n), the Board is requesting the Commission to revise Item 3A, § 6(d) to prevent a member with fewer than five years of service credit from purchasing non-qualified service credit. Additionally, it appears that § 6(d) appears to allow the purchase of air time by a member who is currently serving in the General Assembly. The Board would also request the Commission to amend this section to clarify that only members of the LPP who are no longer serving in the General Assembly may purchase air time.

Finally, Item 3A, § 6(d) is silent with regard to how air time should be applied. The Board would request the Commission to clarify this section as to when a member who has purchased air time may retire. The current practice of the State Retirement Agency (Agency) has been to inform members who purchase air time, that they may not retire from the LPP until after the period of time they purchase has elapsed. Presently, all members who have purchased air time have been further from normal retirement age than the years they have purchased, so providing that a member must wait until the amount of air time has elapsed has not resulted in any delay of receiving a service retirement for those members. However, if a member left the General Assembly with six years of service at age 62 (current normal service retirement in the LPP) and purchased the two years necessary to vest in the LPP, the Agency's practice would be to require that individual to wait until age 64 to begin receiving a service retirement allowance from the LPP. In light of this potential delay that could occur, the Board would request the Commission to clarify § 6(d) as to whether such a member should wait until the period of air time has elapsed before a member may begin receiving a service retirement allowance, or whether that member may begin receiving a retirement allowance immediately upon purchasing air time if at the time of purchase the member had reached normal service retirement age.

If you have any questions on the issue of air time, please do not hesitate to contact me at 410-625-5602 or agawthrop@sra.state.md.us.

Sincerely,



Anne E. Gawthrop
Director, Legislative Affairs

cc: The Honorable Nancy K. Kopp,
Chairman, Board of Trustees for the State Retirement and Pension System
R. Dean Kenderdine,
Executive Director, State Retirement and Pension System

MARYLAND GENERAL ASSEMBLY

JOINT COMMITTEE ON PENSIONS

June 15, 2017

Members of the General Assembly Compensation Commission:

As co-chairs of the General Assembly's Joint Committee on Pensions and chairs of the Senate and House oversight subcommittees on pensions, we write to request that the General Assembly Compensation Commission (commission) take under consideration legislation that has passed during the current legislative term when reviewing the Legislative Pension Plan (LPP) when the commission meets this fall.

Chapter 220 of 2016 implements a process by which pension benefits for certain constitutional officers may be forfeited on commission of certain crimes. The legislation does not take effect until the beginning of the next term in 2019. While the LPP already has a forfeiture provision, Chapter 220 addresses areas in which the LPP provisions are silent or ambiguous and contains provisions that provide protections for innocent spouses and dependents. Chapter 220's effective date was delayed so that the commission would have an opportunity to review its provisions for possible incorporation into the LPP beginning with the next legislative term of office.

Chapters 277 and 278 of 2017 made changes to the death benefits available in the several systems of the State Retirement and Pension System. As the General Assembly could not incorporate these changes into the LPP, we request that the commission review the changes made in Chapters 277 and 278 and consider updating the LPP death benefit provisions to be consistent with the benefits offered to all other system members and their surviving dependents.

Finally, Senate Bill 598 of 2017 addressed military service credit for former members who became members of another system through State employment. Although the legislation addressed military service credit for non-LPP members, the legislation was held by the Senate Budget and Taxation pension subcommittee after a question arose as to whether the matter would fall under the jurisdiction of the commission.

Room 226 Legislative Services Building · 90 State Circle · Annapolis, Maryland 21401-1991
410-946-5510 · Fax 410-946-5529 · TTY 410-946-5401
301-970-5510 · Fax 301-970-5529 · TTY 301-970-5401

We thank you for your consideration of the above referenced legislation during your review and deliberations regarding the LPP this fall.

Respectfully submitted,

Guy Guzzone/eck

Senator Guy Guzzone
Senate Chair

Benjamin S. Barnes

Delegate Benjamin S. Barnes
House Chair

GG:BSB/PSA/eck

cc: Mr. Warren G. Deschenaux
Ms. Victoria L. Gruber
Ms. Alexandra M. Hughes
Mr. Simon G. Powell
Ms. Dana K. Tagalicod

MARYLAND
DEPARTMENT OF
BUDGET & MANAGEMENT

LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID R. BRINKLEY
Secretary

MARC L. NICOLE
Deputy Secretary

January 16, 2018

Ms. Lisa First-Willis
Chair
General Assembly Compensation Commission
c/o Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, MD 21401

Dear Chair First-Willis:

As the Commission deliberates on possible changes to the compensation and allowances due members of the General Assembly, it may be helpful for Commission members to have some understanding of the State's current and forecasted General Fund budget outlook.

FY 2019 forecast shows spending growth at 5.3% and revenue growth of 3.1%. Growth in spending continues to outpace otherwise healthy revenue growth. The result is a short- and long-term structural gap. The FY 2019 Budget must resolve a $298 million structural deficit and account for a $100 million close-out balance, in accordance with the General Assembly's Spending Affordability Committee recommendations.

General Fund Budget Outlook Fiscal 2018-2023[1]
($ in Millions)

	2019 Baseline	2020 Est.	2021 Est.	2022 Est.	2023 Est.
Cash Balance	-$287	-$889	-$1,200	-$1,340	-$1,493
Structural Balance	-$298	-$832	-$1,103	-$1,261	-$1,414

The cumulative impact of this imbalance in spending and revenues is a $4.9 billion structural gap over the next five years. In addition, there is considerable uncertainty as to the impact of federal tax and spending decisions on the State's fiscal situation.

The Administration has been prudent in constraining State agencies' spending while delivering quality services to Maryland citizens. Unfortunately, eliminating COLAs for State employees' has been part of the budget balancing strategies for the past several years. The Spending

[1] General Assembly's Spending Affordability Committee, December 19, 2017

45 Calvert Street • Annapolis, MD 21401-1907
Tel: (410) 260-7041 • Fax: (410) 974-2585 • Toll Free: 1 (800) 705-3493 • TTY Users: call via Maryland Relay
http://www.dbm.maryland.gov

Affordability Committee's working documents, in fact, highlight foregoing general and merit salary increases for State employees as a discretionary action to reduce the State's FY 2019 budget shortfall.[2] These are not easy decisions.

The Administration will deal with any volatility in revenue and spending to deliver a balanced budget – we invite those who have been charged with decisions that impact the budget to be mindful of the challenges and goal of this Administration to address Maryland's long-term structural deficit.

Sincerely,

David R. Brinkley

cc: Members, General Assembly Compensation Commission
Simon Powell, Department of Legislative Services

[2] Spending Affordability Committee, October 17, 2017

Appendix 3
Decision Document

Salaries

Current

Members

2019-22	50,330

President/Speaker

2019-22	65,371

Table 1
Legislative Salary History and Projected Salary if Adjusted by CPI
2005-2022

Calendar Year	Salary	$ Increase Over Prior Year	% Increase Over Prior Year	CPI – All Urban Consumers	Legislative Salary if Adjusted for CPI
2006	$43,500				
2007	43,500	$0	0.0%	2.9%	$44,749
2008	43,500	0	0.0%	3.8%	46,456
2009	43,500	0	0.0%	-0.3%	46,307
2010	43,500	0	0.0%	1.6%	47,065
2011	43,500	0	0.0%	3.1%	48,543
2012	43,500	0	0.0%	2.1%	49,549
2013	43,500	0	0.0%	1.5%	50,275
2014	43,500	0	0.0%	1.6%	51,085
2015	45,207	1,707	3.9%	0.1%	51,146
2016	46,915	1,708	3.8%	1.3%	51,798
2017	48,622	1,707	3.6%	2.1%	52,907
2018	50,330	1,708	3.5%	2.3%	54,115
2019	*50,330*	*0*	*0.0%*	*2.7%*	*55,565*
2020	*50,330*	*0*	*0.0%*	*2.7%*	*57,072*
2021	*50,330*	*0*	*0.0%*	*2.4%*	*58,446*
2022	*50,330*	*0*	*0.0%*	*2.2%*	*59,735*

CPI: Consumer Price Index

Source: Department of Legislative Services; Moody's Analytics

Expenses

Current

Lodging (In-state)	Vouchered and tied to the General Services Administration (GSA) rate for Annapolis (currently $101 per diem) or outside of Annapolis at the appropriate local GSA rate if approved by Presiding Officers.
Meals (In-state)	Nonvouchered and reimbursed in accordance with standard State travel regulations ($47 total in fiscal 2018).
Mileage (In-state)	Reimbursed in accordance with standard State travel regulations (53.5 cents per mile effective January 1, 2017).
In-district travel	$750 nonvouchered annual payment.
Out-of-state travel	Subject to the most current published federal GSA daily per diem rates for meals and lodging.

Proposed Change: for out-of-state travel add a provision that allows an exception to the GSA rate: The maximum amount of reimbursement available for actual expenses incurred for meals and lodging on any trip shall be determined by the joint action of the President of the Senate and the Speaker of the House of Delegates in connection with approval of each request, provided that in no event shall a member be reimbursed for meals and lodging expenses combined that exceed the most current published federal GSA daily per diem rates for meals and lodging **except that in the event that the published conference rate for lodgings exceeds the GSA rate the Presiding Officers may approve the published conference rate**.

Fringe Benefits – Current Legislators	With exception of participation in the State's unemployment insurance program, receiving death benefits, and paid leave, benefits are the same as State employees including cost-sharing provisions.

Pension and Retirement Provisions

Item 3A

Participation	Mandatory enrollment.
Vesting	After 8 years of creditable service.
Member Contribution	7.0% of annual salary, up to 22 years and three months.
Retirement Allowance	3.0% of salary of active legislator for each year of service.
Maximum Allowance	66.67% of salary payable to an active legislator.
Cost-of-living Adjustment	Benefit recalculated based on salary increases for active legislators.

Eligibility
(Members with Creditable Service Before January 14, 2015)

Normal Retirement	Age 60 with at least 8 years of service.
Early Retirement	Age 50 with at least 8 years of service, actuarially reduced 6.0% for each year under age 60 (maximum reduction 60.0%).

(Members with No Creditable Service Before January 14, 2015)

Normal Retirement	Age 62 with at least 8 years of service.
Early Retirement	Age 55 with at least 8 years of service, actuarially reduced 6.0% for each year under age 62 (maximum reduction 42.0%).

Survivor's Allowance/Death Benefit

Nonvested, Active Legislator	Surviving spouse, or designated beneficiary if no surviving spouse, receives lump-sum payment of one year's salary, if any, plus return of member's contributions (with interest).

Vested Active or Former Legislator	If there is no spouse and the member has designated multiple beneficiaries, then the beneficiaries share equally the lump-sum payment noted above. Surviving spouse, or designated beneficiary if no surviving spouse, may elect either the lump-sum payment noted above or a monthly benefit of 50.0% of allowance accrued at member's death. Payment to surviving spouse begins at member's death. Payment to designated beneficiary begins at age 60 or actuarially reduced at age 50.

Proposed Change: Align the age for a death benefit payment to designated beneficiary consistent with change made in 2014 Resolution for retirement age eligibility. Payment to designated beneficiary would begin at **age 62 years** or actuarially reduced **at age 55**.

	If there is no spouse and the member has designated multiple beneficiaries, then the beneficiaries share equally the lump-sum payment noted above.
Retired Legislator	Surviving spouse, or designated beneficiary if no surviving spouse, receives a monthly benefit of 50.0% of allowance accrued at member's death. Payment to surviving spouse begins at member's death. Payment to designated beneficiary begins at age 60 or actuarially reduced at age 50.

Proposed Change: Align the age for a death benefit payment to designated beneficiary consistent with change made in 2014 Resolution for retirement age eligibility. Payment to designated beneficiary would begin at **age 62 years** or actuarially reduced **at age 55**.

	If there is no spouse and the retiree has designated multiple beneficiaries, then the beneficiaries share equally the balance of the actuarial equivalent present value of the retiree's basic allowance computed at the time of retirement.
Basic Allowance	Provides maximum benefit to retiree based on creditable service. At the retiree's death, the spouse or designated beneficiary receives 50.0% of the retiree's benefit for life.

Optional Allowance	Provides reduced allowance to retiree. One hundred percent of benefit paid to spouse or designated beneficiary for life. Unless the beneficiary is the retiree's spouse or disabled child, a designated beneficiary may not be more than 10 years younger than the retiree.

Proposed Change: The current resolution provides a death benefit for minor children (under age 18) for a member who dies while serving as a legislator in the General Assembly. Align the age for a death benefit to recent legislation allowing payments up to age 26 and for disabled children regardless of age. Payment of benefits to each surviving child who has not attained **the age of 26 and for disabled children regardless of age.**

Proposed Change: The current resolution contains provisions that require a legislator to die contemporaneously with the legislator's spouse in order for a minor child (under age 18) to receive a death benefit. The other plans in the State Retirement and Pension System do not have these contemporaneous death provisions; these other plans instead provide that if a member does not have a surviving spouse, the death benefit may be paid to the children up to age 26 or to disabled children regardless of age. ***Remove the contemporaneous death provisions from the resolution and instead specify that if a legislator does not have a surviving spouse that the death benefit may be paid to children up to age 26 or disabled children regardless of age.***

Proposed Change: Authorize the naming of a nonprofit organization as a beneficiary by a member to receive a lump-sum death benefit. No current provision.

Disability Benefit	If totally disabled, a vested member receives a normal retirement allowance regardless of age.
Less Than 8 Years of Service	A legislator who leaves office with less than 8 years of service may (1) withdraw member contributions; (2) pay member and State contributions to accumulate 8 years; or (3) transfer legislative service to another State system in which the member participates. A legislator who resigns to become a State judge is entitled to a retirement allowance regardless of years of legislative service.

Proposed Change: Discontinue, beginning with the implementation of the 2018 Resolution, the current provision that allows a legislator to purchase service credit in order to vest.

Proposed Change: If the commission wishes to continue the purchase of service credit in order to vest, align the provision to IRS guidelines, which would allow purchase only after 5 years of service and the purchase of only a maximum of 3 years.

Proposed Change: Confirm for those members who have already bought service credit, and if continued moving forward for those that do so in the future, the current practice that members are not eligible for retirement until after the same length of time as the service credit purchased, i.e., if a member would otherwise be eligible for retirement but has purchased 2 years in order to vest, he/she cannot retire for 2 years.

Proposed Change: The current resolution appears to allow the purchase of service credit even if a member is currently serving in the General Assembly. ***If the commission wishes to continue the purchase of service credit in order to vest, amend the resolution to clarify that only members of the Legislative Pension Plan who are no longer serving in the General Assembly may purchase service credit.***

Other

Proposed Change: Transfer of service credit into the Legislative Pension Plan. Under the current resolution, only members with less than 8 years of service (not vested in the Legislative Pension Plan) may transfer creditable service <u>from</u> the Legislative Pension Plan to a State system in which the member participates (the member must also transfer the member's accumulated contributions). There is no current provision to allow transfers <u>into</u> the Legislative Pension Plan from any other system or plan. ***If the commission wishes to allow the transfer of service credit into the Legislative Pension Plan, the commission should consider requiring the member to pay an amount (in addition to transferring the member's accumulated contributions) because the benefit multiplier in the Legislative Pension Plan is more generous than in all other systems. If the commission wishes to allow the transfer of service credit into the Legislative Pension Plan, the commission should consider whether to apply this only prospectively or also retroactively.***

Proposed Change: Allow Military Service Credit to be claimed in the Legislative Pension Plan. No provision under the current resolution. The 2010 General Assembly Compensation Commission Resolution did propose a military service credit option. That resolution was rejected in its entirety by the General Assembly, which did not consider the individual provisions within the resolution. The specific language in the 2010 Resolution allowed for up to 3 years of military service credit once a member was vested and also precluded the purchase of service credit to become vested. The provision also generally referred to that provision of the State Personnel and Pensions Article governing military service credit in the State system and include a provision specifying that an individual may not receive credit for specified military service if the individual receives credit for military service from another retirement system for which retirement benefits have been or will be received by the individual.

Military Credit (Language proposed in the 2010 Resolution).

(a) Subject to the provisions of Title 38 of the State Personnel and Pensions Article, a member is entitled to receive service credit for military service only on the attainment of 8 years of creditable service in the Legislative Pension Plan.

(b) Military service credit under this section may not exceed 3 years.

(c) A member may not purchase any service credit to attain the 8 years of creditable service required under subsection (a) of this section.

If the commission wishes to allow military service credit to be claimed in the Legislative Pension Plan, the commission should consider whether to apply this only prospectively or also retroactively.

Advise the General Assembly on whether the commission has concerns with allowing legislative service to be counted toward the amount of service that is needed to claim military service credit in other systems. In order to claim military service credit in other systems, employees need 10 years of service credit. Senate Bill 598 of 2017 would have allowed service credit earned as a legislator to be counted toward the attainment of 10 years of service if a former legislator later sought that service credit as a member of another system through State employment. The General Assembly held this legislation during the 2017 session in order to ask for the commission's advice on this legislation.

Item 3B – Fringe Benefits – Retired Legislators

May participate in benefit programs available to retired State employees (*i.e.*, deferred compensation programs and credit union services).

Former legislators receiving a retirement allowance who have creditable service before January 14, 2015, qualify for State health insurance benefits and a subsidy equal to one-sixteenth of the full State subsidy for each year of service.

Former legislators receiving a retirement allowance who have no creditable service before January 14, 2015, qualify for State health insurance benefits and a subsidy equal to one-twentieth of the full State subsidy for each year of service.

Item 4 – Forfeiture of Benefits

An individual who is a member or retiree of the plan will forfeit all legislative retirement benefits in the plan if the individual is convicted of a crime committed during the individual's term of office and the crime is (1) a felony; or (2) a serious misdemeanor relating to the individual's public duties as a legislator. The convicted member or retiree is entitled to a return of employee contributions, plus interest, less any benefits already paid to a retiree. The benefits will be restored if the conviction is overturned.

Proposed Change: Align in part, or in whole, the forfeiture provision for legislators with recently enacted legislation for Constitutional Officers (provisions that go into effect after January 9, 2019). Key differences between the current forfeiture provision and that which will go into effect for constitutional officers include:

Qualifying Crime: Current resolution forfeits benefits for a member or retiree if convicted of, or entering plea of *nolo contendere* to, any crime committed during a member's terms of office that is a felony or misdemeanor related to public duties and responsibilities or a crime of moral turpitude for which the penalty could include incarceration. Under Constitutional Officers statute, qualifying **crime is limited to conviction of, pleading guilty to, or entering a plea of *nolo contendere* to a felony in the course of fulfilling duties and responsibilities, committed through authority derived from the position of employment, and is done in an attempt to result in gain, profit, or advantage to that individual.**

Forfeiture Amount: Under the current resolution, 100% of benefits are forfeited. Under Constitutional Officer statute **the amount to be forfeited is determined by an order of the Circuit Court (see process below) based on criteria including the severity of the crime; monetary loss suffered as a result of the crime; degree of public trust placed in the officer; financial needs and resources of that officer; and spouse, children, and other dependents or former spouse and any other factors the court deems relevant.**

Innocent Parties: Current resolution applies forfeiture provision to member/retiree and their beneficiary. Under Constitutional Officers statute the provision includes:

(1) the ability to allow a domestic relations order that provides some or all of the forfeited benefits to be paid to a spouse, former spouse, child, or other dependent based on a consideration of whether they were culpable or complicit in the commission of the qualifying crime; and

(2) that any existing domestic relations order is not adversely affected.

Process: Current resolution is silent on process leaving it to the discretion of the State Retirement Agency to implement. Under Constitutional Officers, there is a clear process that requires, **upon conviction, the Attorney General or State's Attorney to file a complaint in circuit court to instigate forfeiture, provides for notice requirements, requires the court to make an order for forfeiture based on certain provisions including the amount to be forfeited and any allowance for beneficiaries, and requires the pension system Board of Trustees to adopt regulations to implement the provisions providing additional clarity.**

Table 2

Comparison of Proposed Changes to Legislative Pension Plan with the State Employees Plan

Current Resolution	Proposal	State Employees Plan	Cost Estimate
Age eligibility for death benefits for members with no creditable service prior to January 14, 2015, is 60 or actuarially reduced to 50	Align with other retirement age eligibility changes from 2014 to 62 or actuarially reduced to 55	No comparable provision	Potential savings
Age eligibility for minor children for death benefits of member serving in the General Assembly is 18	Increase eligibility to age 26 and allow disabled child to be eligible regardless of age	Eligible up to age 26 and disabled children are eligible regardless of age	Potential cost
Contemporaneous death provisions for minor children to receive death benefits	Remove contemporaneous death provisions and, instead, specify that if a legislator does not have a surviving spouse that the death benefit may be paid to children up to age 26 or disabled children regardless of age	No contemporaneous death provisions. If no surviving spouse, the death benefit may be paid to children up to age 26 or disabled children regardless of age	Likely neutral
No current provision	Allow the naming of a nonprofit organization as a beneficiary for a lump-sum death benefit	Allowed	Likely neutral
Allows the purchase of service credit up to that amount required to vest in the plan	Option 1. Disallow Option 2. Comply with Internal Revenue Service regulations	Not permitted	Potential savings (greater under Option 1 than Option 2)

Current Resolution	Proposal	State Employees Plan	Cost Estimate
	Option 3 (can combine with Options 1 or 2). Clarify when a purchaser of service credit is able to retire Option 4 (can combine with Options 2 and 3). Clarify that a purchaser of service credit cannot be an active member of the General Assembly		
Does not allow the transfer of service credit into the Legislative Pension Plan	Permit the transfer of service credit from another system into the Legislative Pension Plan	Does not allow the transfer of service credit into the Legislative Pension Plan but allows the transfers of service credit into most of the other plans in the system	Potential cost
Does not include any provision for credit for military service	Provide a credit for military service	Allows up to five years of service credit for military service	Potential cost
Forfeiture of benefits: Complete loss of benefits for member/retiree and beneficiaries based on conviction or plea of *nolo contendere* for felonies and misdemeanors related to public duties and responsibilities and certain crimes of moral turpitude	Align to recent legislation for forfeiture of benefits for constitutional officers that narrows the qualifying crime, allows for partial loss of benefits, allows for a benefit for innocent parties, and establishes a process for implementing forfeiture	No comparable provision	Potential cost

Source: Department of Legislative Services

Appendix 4

Additional Follow-up Materials from the December 18, 2018 Meeting

Table 1

2017 Legislative Salaries Compared to 2017 Legislative Salaries Adjusted for Relative Cost of Living

	2017 Salary Rank	2017 Salary	2017 Adjusted Salary Rank	2017 Adjusted for Cost of Living
California	1	$104,118	3	$74,105
Pennsylvania	2	86,479	1	85,201
New York	3	79,500	6	59,284
Michigan	4	71,685	2	80,545
Illinois	5	67,836	4	70,224
Massachusetts	6	62,548	9	49,134
Hawaii	7	61,380	19	32,580
Ohio	8	60,584	5	66,068
Wisconsin	9	50,950	7	53,295
Alaska	10	50,400	17	38,211
New Jersey	11	49,000	15	40,664
Maryland	12	48,622	18	37,868
Washington	13	47,776	12	44,401
Delaware	14	45,291	13	43,759
Minnesota	15	45,000	10	45,455
Alabama	16	44,765	8	49,629
Arkansas	17	39,400	11	44,926
Oklahoma	18	38,400	14	43,001
Missouri	19	35,915	16	40,263
Colorado	20	30,000	21	28,846
Florida	21	29,697	20	30,027
Connecticut	22	28,000	26	22,418
Indiana	23	25,436	23	27,498
Iowa	24	25,000	22	27,778
Oregon	25	24,216	28	19,265

	2017 Salary Rank	2017 Salary	2017 Adjusted Salary Rank	2017 Adjusted for Cost of Living
Arizona	26	24,000	25	25,000
Tennessee	27	22,667	24	25,158
West Virginia	28	20,000	27	20,661
Virginia (Average of Two Chambers)	29	17,820	32	17,488
Georgia	30	17,342	29	19,036
Idaho	31	17,017	30	18,239
Louisiana	32	16,800	31	17,891
Rhode Island	33	15,430	35	12,545
Maine (Average of Two Sessions)	34	12,215	37	10,762
North Carolina	35	13,951	33	14,857
Nebraska	36	12,000	34	13,001
South Carolina	37	10,400	38	10,569
Mississippi	38	10,000	36	11,876
Texas	39	7,200	39	7,860
South Dakota	40	6,000	40	6,270
New Hampshire	41	100	41	88

Note: Salary data excludes per diems and other compensation and are unadjusted for part-time versus full-time status. States that are shaded are considered full-time or leaning full-time (*i.e.*, dedicate at least 80% of working time to legislative duties with larger professional staffs).

Source: National Conference of State Legislatures; Council for Community and Economic Research; Department of Legislative Services

Table 2

2017 Legislative Salaries Compared to 2016 Median Household Income (%)

	Legislative Salaries as a % of Median Household Income
California	154
Pennsylvania	152
Michigan	137
New York	126
Ohio	116
Illinois	111
Alaska	109
Alabama	97
Wisconsin	90
Arkansas	89
Massachusetts	83
Hawaii	82
Oklahoma	78
Delaware	73
Washington	71
Missouri	69
Minnesota	69
New Jersey	64
Maryland	62
Florida	58
Indiana	49
Tennessee	47
West Virginia	46
Colorado	46
Arizona	45
Iowa	44
Oregon	42
Connecticut	38

	Legislative Salaries as a % of Median Household Income
Louisiana	37
Idaho	33
Georgia	32
North Carolina	28
Virginia (Average of Two Chambers)	26
Rhode Island	25
Mississippi	24
Maine (Average of Two Sessions)	23
Nebraska	21
South Carolina	21
Texas	13
South Dakota	11
New Hampshire	0

Note: Salary data excludes per diems and other compensation and are unadjusted for part-time versus full-time status. States that are shaded are considered full-time or leaning full-time (*i.e.*, dedicate at least 80% of working time to legislative duties with larger professional staffs).

Source: National Conference of State Legislatures; U.S. Census Bureau; Department of Legislative Services

Exhibit F

CATHERINE E. PUGH
Mayor

Office of Government Relations
88 State Circle
Annapolis, Maryland 21401

January 31, 2018

The Honorable Senator Thomas V. "Mike" Miller, Jr.
Maryland Senate President
State House, H-107
100 State Circle
Annapolis, MD 21401

Dear President Miller,

Pursuant to Article XI, Section 7 of the Maryland Constitution, attached for journalizing are the following Baltimore City General Obligation Bond Resolutions:

I. Baltimore City - COMMUNITY AND ECONOMIC DEVELOPMENT BOND ISSUE
II. Baltimore City - AFFORDABLE HOUSING BOND ISSUE
III. Baltimore City - RECREATION, PARKS AND PUBLIC FACILITIES BOND ISSUE
IV. Baltimore City - SCHOOL BOND ISSUE

Thank you.

Sincerely,

Karen Stokes

Karen Stokes
Director of Government Relations
Mayor's Office of Government Relations

FEB 05 2018

Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.7208 • fax: 410.396.5136
www.baltimorecity.gov

I

RESOLUTION

A RESOLUTION OF THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY concerning

BALTIMORE CITY - COMMUNITY AND ECONOMIC DEVELOPMENT BOND ISSUE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to create a debt, and to issue and sell, at any time or from time to time and in one or more series its certificates of indebtedness as evidence thereof, and proceeds not exceeding FORTY-SEVEN Million Dollars ($47,000,000.00) from the sale of such certificates of indebtedness to be used for or in connection with planning, developing, executing, and making operative the community, commercial and industrial economic development programs of the Mayor and City Council of Baltimore, including, but not limited to, the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore; the payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interest therein hereinbefore mentioned; the payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interest therein hereinbefore mentioned; the development, or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore; and the disposition of land and property for such purposes; the elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore; the creation of healthy, sanitary, and safe, and green conditions in the City of Baltimore; the demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements and for the construction, reconstruction, installation, relocation or repair of buildings, streets,

highways, alleys, utilities or services, and other structures or improvements; making loans and grants to various projects and programs related to growing businesses in the City; attracting and retaining jobs; providing homeownership incentives and home repair assistance; making loans and grants to various projects and programs related to improving the cultural life and promotion of tourism in Baltimore City; and the lending or granting of funds to any person or other legal entity to be used for or in connection with the rehabilitation, renovation, redevelopment, improvement or construction of buildings and structures to be used or occupied for residential or commercial purposes and the payment of any and all costs and expenses incurred for, or in connection with, doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services and for doing any and all things necessary, proper or expedient in connection with or pertaining any or all of the matters or things hereinbefore mentioned ; authorizing the issuance of refunding bonds; authorizing the Mayor and City Council of Baltimore to submit an ordinance or ordinances for such purposes to the legal voters of Baltimore City, and providing generally for the issuance and sale of such certificates of indebtedness.

SECTION 1. BE IT RESOLVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, That:

(a) The Mayor and City Council of Baltimore be and it is hereby authorized to create a debt, and to issue and sell, at any time or from time to time and in one or more series, its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, and proceeds not exceeding Forty-Seven Million Dollars ($47,000,000.00) from the sale thereof to be used for the purposes hereinafter mentioned, but such debt shall not be created and the bonds shall not be issued, in whole or in part, unless an ordinance or ordinances of the Mayor and City Council of Baltimore providing for the issuance thereof shall be first submitted to the legal voters of Baltimore City at such time and place as may be fixed by such ordinance or ordinances and be approved by a majority of the votes cast at such time and place, all as required by Section 7 of Article XI of the Constitution of Maryland; and the Mayor and

City Council of Baltimore, in submitting any ordinance or ordinances for the issuance of the bonds, or any part thereof, to the legal voters of Baltimore City, may submit and resubmit the same at any municipal election or general election to be held in Baltimore City.

(b) The Mayor and City Council of Baltimore may submit, by one ordinance, the whole of the debt authorized by this Resolution to the legal voters of Baltimore City at one time, or it may, by one or more separate ordinances, submit a part thereof to the legal voters of Baltimore City at different times; and any ordinance or ordinances, submitting the whole or any part of such debt to the legal voters of Baltimore City, shall provide for the expenditure of the proceeds thereof in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

(c) Any bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented thereby shall be discharged not more than forty (40) years from the date of their issuance.

(d) Until all of the interest on and principal of any bonds issued pursuant to the provisions of this Resolution have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars ($100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

(e) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Resolution shall be applied as directed by the Board of Finance.

(f) The debt authorized by the provisions of this Resolution, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation

in the State of Maryland.

(g) All bonds issued and sold pursuant to the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below par value of the bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore.

SECTION 2. AND BE IT FURTHER RESOLVED, That the Mayor and City Council of Baltimore be and it is hereby authorized, in the ordinance or ordinances to be submitted to the legal voters of Baltimore City, from time to time, (i) to determine and set forth any or all of the following or (ii) to empower a majority of the Board of Finance of said municipality to pass a resolution or resolutions, from time to time, to determine and set forth, any or all of the following:

(a) The amount of the total debt, authorized by this Resolution and the ordinance submitted to the legal voters of Baltimore City, which shall be issued at any particular time;

(b) The form or forms of the bonds representing the debt, or any part thereof, so authorized to be issued at any particular time;

(c) The denomination or denominations of the bonds to be issued at any particular time and the place or places for the payment of principal and interest thereof to be determined by the Board of Finance;

(d) The rate or rates of interest to be paid in connection with the bonds to be issued at any particular time, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance;

(e) Subject to the limitations set forth in Section 1 of the Resolution, the date of the bonds issued at any particular time and the maturity dates of said bonds, including the right of redemption by the City prior to maturity;

(f) If the bonds are to be sold at public sale, the time, place, manner and medium of advertisement of the readiness of the Board of Finance to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Resolution are offered for sale and sold at the same time as other bonds of the City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis, and the time, place, terms and manner of settlement for the bonds so bid for; provided, however, that notwithstanding anything in this section, the Mayor and City Council of Baltimore, or the Board of Finance, as the case may be, shall have the right to reject any or all bids therefor for any reason.

The ordinance to be submitted to the legal voters of Baltimore City, or the resolution of the Board of Finance authorizing the issuance of the bonds, or any portion thereof, as the case may be, shall set forth in detail the dates when any of the bonds are to mature and the amount to mature upon such dates.

SECTION 3. AND BE IT FURTHER RESOLVED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Resolution shall be used exclusively for the following purposes:

(a) So much thereof as may be necessary for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith (which may include the proportion of the compensation of employees and general administrative expenses of the Department of Finance reasonably allocated to the issuance of the bonds); and

(b) The remainder of such proceeds shall be used for or in connection with planning, developing, executing and making operative the community, commercial and industrial economic development programs of the Mayor and City Council of Baltimore, including, but not limited to:

(i) The acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the

City of Baltimore;

(ii) The payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interests therein hereinbefore mentioned;

(iii) The payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interests therein hereinbefore mentioned;

(iv) The development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes;

(v) The elimination of unhealthful, unsanitary, or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore and the creation of healthy, sanitary, and safe, and green conditions in the City of Baltimore;

(vi) The demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction and reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements;

(vii) The payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and

(viii) The lending or granting of funds to any person or other legal entity to be used for or in connection with

the rehabilitation, renovation, redevelopment, improvement, or construction, removal or demolition of buildings and structures located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for residential or commercial purposes;

(ix) Making loans and grants to various projects and programs related to growing businesses in the City, attracting and retaining jobs; encouraging homeownership and providing home repair assistance and improving the cultural life and promotion of tourism in Baltimore City and

(x) Doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

All such land or property shall be acquired, developed, redeveloped, renovated, rehabilitated, altered, improved, held or disposed of, as provided by law.

SECTION 4. AND BE IT FURTHER RESOLVED, That:

(a) The Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, is hereby authorized and empowered to issue its bonds for the purpose of refunding any bonds authorized to be issued under the provisions of this Resolution by payment at maturity or the purchase or redemption of bonds in advance of maturity. The validity of any refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the bonds being refunded. Such refunding bonds may be issued by the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, for the purpose of providing it with funds to pay any of its outstanding bonds authorized to be issued under the provisions of this Resolution at maturity, to purchase in the open market any of its outstanding bonds authorized to be issued under the provisions of this Resolution prior to their maturity, to redeem prior to their maturity any outstanding bonds which are, by their terms, redeemable, to pay interest on any outstanding bonds prior to their payment at maturity or purchase or redemption in advance of maturity, or to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds authorized to be issued under the provisions of this Resolution.

(b) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued for the public purpose of:

(i) Realizing savings to Baltimore City in the aggregate cost of debt service on either a direct comparison or present value basis; or

(ii) Debt restructuring that:

(1) In the aggregate effects such a reduction in the cost of debt service; or

(2) Is determined by the Board of Finance of the Mayor and City Council of Baltimore to be in the best interests of Baltimore City, to be consistent with Baltimore City's long-term financial plan, and to realize a financial objective of Baltimore City, including improving the relationship of debt service to a source of payment such as taxes, assessments, or other charges.

(c) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued in whatever principal amount shall be required to achieve the purpose for the issuance of the refunding bonds, which amount may be in excess of the principal amount of the bonds refunded or the maximum principal amount of bonds authorized to be issued under subsection (a) of Section 1 of this Resolution.

(d) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented by the refunding bonds shall be discharged not more than forty (40) years from the date of issuance of the bonds being refunded.

(e) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below the par value of the refunding bonds, as determined by

resolution of the Board of Finance of the Mayor and City Council of Baltimore. If the Board of Finance determines to sell the refunding bonds at public sale, the refunding bonds shall be sold to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason.

(f) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall bear interest at such rate or rates as may be determined by the Board of Finance of the Mayor and City Council of Baltimore, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance.

(g) The proceeds of the sale of any refunding bonds authorized to be issued and sold under the provisions of this Resolution, after the payment of issuance costs relating thereto, shall be set aside by the Mayor and City Council of Baltimore as a separate trust fund to be used solely for the purposes stated in this Section 4.

(h) Except as otherwise provided in this Section 4, the powers granted in, the limitations and obligations imposed by, and the procedures specified in this Resolution with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds.

(i) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall not be subject to any debt policy limitation that may from time to time be established by the Mayor and City Council of Baltimore.

SECTION 5. AND BE IT FURTHER RESOLVED, That this Resolution, having been presented to and approved by a majority of the members of the General Assembly of Maryland representing Baltimore City no later than February 8, 2018, the 30th day of the regular 2018 session of the Maryland General Assembly, is enacted in accordance with Article XI, Section 7 of the Constitution of Maryland.

CERTIFICATION - SENATE DELEGATION

I hereby certify that on _____ (date) the foregoing Resolution was approved by a majority of the Maryland General Assembly Senators representing Baltimore City.

_____ _____
The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

I hereby certify that at the _____ (date) meeting of the Baltimore City Delegation of the Maryland Senate, a majority of the delegation was present, and the following vote was taken on the approval of the foregoing bond issue for fiscal years 2020 and 2021 in accordance with Article XI, section 7 of the Maryland Constitution:

	Present	Absent	Approve	Disapprove	Abstain
Conway, Joan Carter	✓		✓		
Ferguson, Bill	✓		✓		
McFadden, Nathaniel	✓		✓		
Nathan-Pulliam, Shirley	✓		✓		
Oaks, Nathaniel	✓		✓		
Robinson, Barbara	✓		✓		

_____ _____
The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

II

RESOLUTION

A RESOLUTION OF THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY concerning

BALTIMORE CITY - AFFORDABLE HOUSING BOND ISSUE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to create a debt, and to issue and sell, at any time or from time to time and in one or more series its certificates of indebtedness as evidence thereof, and proceeds not exceeding TEN Million Dollars ($10,000,000.00) from the sale of such certificates of indebtedness to be used for or in connection with planning, developing, executing, and making operative the Affordable Housing program of the Mayor and City Council of Baltimore, including, but not limited to, the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore; the payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights of interest therein hereinbefore mentioned; the payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interest therein hereinbefore mentioned, in the City of Baltimore; the development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of, any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes; costs related to the rehabilitation and new construction of and operation of rental and homeownership developments, such costs to include but not be limited to relocation assistance, rental payment and home purchase assistance, housing counseling and buyer education assistance, and activities to support the orderly and sustainable planning, preservation, rehabilitation, and development of economically diverse housing in City neighborhoods; the elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore; the demolition, removal, relocation, renovation or alteration of

land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements; the payment of any and all costs and expenses incurred for, or in connection with, doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; authorizing the issuance of refunding bonds; authorizing the Mayor and City Council of Baltimore to submit an ordinance or ordinances for such purposes to the legal voters of Baltimore City, and providing generally for the issuance and sale of such certificates of indebtedness.

SECTION 1. BE IT RESOLVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, That:

(a) The Mayor and City Council of Baltimore be and it is hereby authorized to create a debt, and to issue and sell, at any time or from time to time and in one or more series, its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, and proceeds not exceeding Ten Million Dollars ($10,000,000.00) from the sale thereof to be used for the purposes hereinafter mentioned, but such debt shall not be created and the bonds shall not be issued, in whole or in part, unless an ordinance or ordinances of the Mayor and City Council of Baltimore providing for the issuance thereof shall be first submitted to the legal voters of Baltimore City at such time and place as may be fixed by such ordinance or ordinances and be approved by a majority of the votes cast at such time and place, all as required by Section 7 of Article XI of the Constitution of Maryland; and the Mayor and City Council of Baltimore, in submitting any ordinance or ordinances for the issuance of the bonds, or any part thereof, to the legal voters of Baltimore City, may submit and resubmit the same at any municipal election or general election to be held in Baltimore City.

(b) The Mayor and City Council of Baltimore may submit, by one ordinance, the whole of the debt authorized by this Resolution to the legal voters of Baltimore City at one

time, or it may, by one or more separate ordinances, submit a part thereof to the legal voters of Baltimore City at different times; and any ordinance or ordinances, submitting the whole or any part of such debt to the legal voters of Baltimore City, shall provide for the expenditure of the proceeds thereof in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

(c) Any bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented thereby shall be discharged not more than forty (40) years from the date of their issuance.

(d) Until all of the interest on and principal of any bonds issued pursuant to the provisions of this Resolution have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars ($100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

(e) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Resolution shall be applied as directed by the Board of Finance.

(f) The debt authorized by the provisions of this Resolution, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(g) All bonds issued and sold pursuant to the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below par value of the bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore.

SECTION 2. AND BE IT FURTHER RESOLVED, That the Mayor and City Council of Baltimore be and it is hereby authorized, in the ordinance or ordinances to be submitted to the legal voters of Baltimore City, from time to time, (i) to determine and set forth any or all of the following or (ii) to empower a majority of the Board of Finance of said municipality to pass a resolution or resolutions, from time to time, to determine and set forth, any or all of the following:

(a) The amount of the total debt, authorized by this Resolution and the ordinance submitted to the legal voters of Baltimore City, which shall be issued at any particular time;

(b) The form or forms of the bonds representing the debt, or any part thereof, so authorized to be issued at any particular time;

(c) The denomination or denominations of the bonds to be issued at any particular time and the place or places for the payment of principal and interest thereof to be determined by the Board of Finance;

(d) The rate or rates of interest to be paid in connection with the bonds to be issued at any particular time, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance;

(e) Subject to the limitations set forth in Section 1 of the Resolution, the date of the bonds issued at any particular time and the maturity dates of said bonds, including the right of redemption by the City prior to maturity;

(f) If the bonds are to be sold at public sale, the time, place, manner and medium of advertisement of the readiness of the Board of Finance to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Resolution are offered for sale and sold at the same time as other bonds of the City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis, and the time,

place, terms and manner of settlement for the bonds so bid for; provided, however, that notwithstanding anything in this section, the Mayor and City Council of Baltimore, or the Board of Finance, as the case may be, shall have the right to reject any or all bids therefor for any reason.

The ordinance to be submitted to the legal voters of Baltimore City, or the resolution of the Board of Finance authorizing the issuance of the bonds, or any portion thereof, as the case may be, shall set forth in detail the dates when any of the bonds are to mature and the amount to mature upon such dates.

SECTION 3. AND BE IT FURTHER RESOLVED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Resolution shall be used exclusively for the following purposes:

(a) So much thereof as may be necessary for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith (which may include the proportion of the compensation of employees and general administrative expenses of the Department of Finance reasonably allocated to the issuance of the bonds); and

(b) The remainder of such proceeds shall be used for or in connection with planning, developing, executing and making operative the Affordable Housing Program of the Mayor and City Council of Baltimore, including, but not limited to:

(i) The acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore;

(ii) The payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, and any and all rights or interests therein hereinbefore mentioned;

(iii) The payment of any and all costs and expenses incurred in connection with relocating and moving persons and other legal entities displaced by the acquisition of said land or property, or any of the rights or interests therein hereinbefore mentioned, in the City of Baltimore;

(iv) The development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of, any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes;

(v) costs related to the rehabilitation and new construction of and operation of rental and homeownership developments, such costs to include but not be limited to relocation assistance; rental payment and home purchase assistance, housing counseling and buyer education assistance, and activities to support the orderly and sustainable planning, preservation, rehabilitation, and development of economically diverse housing in City neighborhoods;

(vi) The elimination of unhealthful, unsanitary, or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore;

(vii) The demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction and reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements;

(vi) The payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and

(vii) Doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

All such land or property shall be acquired, developed, redeveloped, renovated, rehabilitated, altered, improved, held or

disposed of, as provided by law.

SECTION 4. AND BE IT FURTHER RESOLVED, That:

(a) The Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, is hereby authorized and empowered to issue its bonds for the purpose of refunding any bonds authorized to be issued under the provisions of this Resolution by payment at maturity or the purchase or redemption of bonds in advance of maturity. The validity of any refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the bonds being refunded. Such refunding bonds may be issued by the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, for the purpose of providing it with funds to pay any of its outstanding bonds authorized to be issued under the provisions of this Resolution at maturity, to purchase in the open market any of its outstanding bonds authorized to be issued under the provisions of this Resolution prior to their maturity, to redeem prior to their maturity any outstanding bonds which are, by their terms, redeemable, to pay interest on any outstanding bonds prior to their payment at maturity or purchase or redemption in advance of maturity, or to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds authorized to be issued under the provisions of this Resolution.

(b) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued for the public purpose of:

(i) Realizing savings to Baltimore City in the aggregate cost of debt service on either a direct comparison or present value basis; or

(ii) Debt restructuring that:

(1) In the aggregate effects such a reduction in the cost of debt service; or

(2) Is determined by the Board of Finance of the Mayor and City Council of Baltimore to be in the best interests of Baltimore City, to be consistent with Baltimore City's long-term financial plan, and to realize a financial objective of Baltimore City, including improving the relationship of debt service to a source of payment such as taxes,

assessments, or other charges.

(c) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued in whatever principal amount shall be required to achieve the purpose for the issuance of the refunding bonds, which amount may be in excess of the principal amount of the bonds refunded or the maximum principal amount of bonds authorized to be issued under subsection (a) of Section 1 of this Resolution.

(d) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented by the refunding bonds shall be discharged not more than forty (40) years from the date of issuance of the bonds being refunded.

(e) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below the par value of the refunding bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore. If the Board of Finance determines to sell the refunding bonds at public sale, the refunding bonds shall be sold to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason.

(f) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall bear interest at such rate or rates as may be determined by the Board of Finance of the Mayor and City Council of Baltimore, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance.

(g) The proceeds of the sale of any refunding bonds authorized to be issued and sold under the provisions of this Resolution, after the payment of issuance costs relating thereto, shall be set aside by the Mayor and City Council of

Baltimore as a separate trust fund to be used solely for the purposes stated in this Section 4.

(h) Except as otherwise provided in this Section 4, the powers granted in, the limitations and obligations imposed by, and the procedures specified in this Resolution with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds.

(i) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall not be subject to any debt policy limitation that may from time to time be established by the Mayor and City Council of Baltimore.

SECTION 5. AND BE IT FURTHER RESOLVED, That this Resolution, having been presented to and approved by a majority of the members of the General Assembly of Maryland representing Baltimore City, who have acknowledged their approval by affixing their signatures below, no later than February 8, 2018, the 30th day of the regular 2018 session of the Maryland General Assembly, is enacted in accordance with Article XI, Section 7 of the Constitution of Maryland.

CERTIFICATION - SENATE DELEGATION

I hereby certify that on _____ (date) the foregoing Resolution was approved by a majority of the Maryland General Assembly Senators representing Baltimore City.

Joan Carter Conway

_____ _____

The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

I hereby certify that at the _____ (date) meeting of the Baltimore City Delegation of the Maryland Senate, a majority of the delegation was present, and the following vote was taken on the approval of the foregoing bond issue for fiscal years 2020 and 2021 in accordance with Article XI, section 7 of the Maryland Constitution:

	Present	Absent	Approve	Disapprove	Abstain
Conway, Joan Carter	✓		✓		
Ferguson, Bill	✓		✓		

McFadden, Nathaniel	✓		✓		
Nathan-Pulliam, Shirley	✓		✓		
Oaks, Nathaniel	✓		✓		
Robinson, Barbara	✓		✓		

Joan Carter Conway

The Honorable Joan Carter Conway, Chair
Baltimore City Senate Delegation

2/1/18
Date

III

RESOLUTION

A RESOLUTION OF THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY concerning

BALTIMORE CITY-RECREATION, PARKS AND PUBLIC FACILITIES BOND ISSUE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to create a debt, and to issue and sell its certificates of indebtedness as evidence thereof, and proceeds not exceeding Sixty-Five Million Dollars ($65,000,000.00) from the sale of such certificates of indebtedness to be used for the development of the buildings and facilities owned or controlled by the Mayor and City Council of Baltimore and the Enoch Pratt Free Library, and the development of public park and recreational land, property, buildings, structures or facilities including but not limited to, the acquisition by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property, new buildings, structures, and auxiliary facilities; and for the renovation, alteration, construction, reconstruction, installation, improvement and repair of existing buildings, structures or facilities, to be or now being used for or in connection with the operations, functions and activities of the Mayor and City Council of Baltimore and the Enoch Pratt Free Library, at public parks and recreation and related property, buildings, structures or facilities; the demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, including information technology infrastructure, and other structures or improvements; for the acquisition and installation of trees or for tree planting programs; and for the acquisition and installation of equipment and fixtures for any and all facilities authorized to be constructed, erected, altered, reconstructed, renovated, reconstructed, installed or improved by the provisions hereof; the payment of any and all costs and expenses incurred for or in

connection with doing any or all of the things herein mentioned, including but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying and other professional services; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; authorizing the issuance of refunding bonds; authorizing said municipality to submit an ordinance or ordinances for said purpose to the legal voters of Baltimore City, and providing generally for the issuance and sale of said certificates of indebtedness.

SECTION 1. BE IT RESOLVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, That:

(a) The Mayor and City Council of Baltimore be and it is hereby authorized to create a debt, and to issue and sell, at any time or from time to time and in one or more series, its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, and proceeds not exceeding Sixty-Five Million Dollars ($65,000,000.00) from the sale thereof to be used for purposes mentioned herein, but such debt shall not be created and the bonds shall not be issued, in whole or in part, unless an ordinance or ordinances of the Mayor and City Council of Baltimore providing for the issuance thereof shall be first submitted to the legal voters of Baltimore City at such time and place as may be fixed by such ordinance or ordinances and be approved by a majority of the votes cast at such time and place, all as required by Section 7 of Article XI of the Constitution of Maryland; and the Mayor and City Council of Baltimore, in submitting any ordinance or ordinances for the issuance of the bonds, or any part thereof, to the legal voters of Baltimore City, may submit and resubmit the same at any municipal election or general election to be held in Baltimore City.

(b) The Mayor and City Council of Baltimore may submit, by one ordinance, the whole of the debt authorized by this Resolution to the legal voters of Baltimore City at one time, or it may, by one or more separate ordinances, submit a part thereof to the legal voters of Baltimore City at different times; and any ordinance or ordinances, submitting the whole or any part of such debt to the legal voters of Baltimore City shall provide for the expenditure of the proceeds thereof in accordance

with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

(c) Any bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented thereby shall be discharged not more than forty (40) years from the date of their issuance.

(d) Until all of the interest on and principal of any bonds issued pursuant to the provisions of this Resolution have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars ($100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

(e) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Resolution shall be applied as directed by the Board of Finance.

(f) The debt authorized by the provisions of this Resolution, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(g) All bonds issued and sold pursuant to the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below par value of the bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore.

SECTION 2. AND BE IT FURTHER RESOLVED, That the Mayor and City Council of Baltimore be and it is hereby authorized, in the ordinance or ordinances to be submitted to the legal voters of Baltimore City, from time to time, (i) to determine and set forth

any or all of the following or (ii) to empower a majority of the Board of Finance of said municipality to pass a resolution or resolutions, from time to time, to determine and set forth, any or all of the following:

(a) The amount of the total debt, authorized by this Resolution and the ordinance submitted to the legal voters of Baltimore City, which shall be issued at any particular time;

(b) The form or forms of the bonds representing the debt, or any part thereof, so authorized to be issued at any particular time;

(c) The denomination or denominations of the bonds to be issued at any particular time and the place or places for the payment of principal and interest thereof to be determined by the Board of Finance;

(d) The rate or rates of interest to be paid in connection with the bonds to be issued at any particular time, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance;

(e) Subject to the limitations set forth in Section 1 of the Resolution, the date of the bonds issued at any particular time and the maturity dates of said bonds, including the right of redemption by the City prior to maturity;

(f) If the bonds are to be sold at public sale, the time, place, manner and medium of advertisement of the readiness of the Board of Finance to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Resolution are offered for sale and sold at the same time as other bonds of the City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis, and the time, place, terms and manner of settlement for the bonds so bid for; provided, however, that notwithstanding anything in this section, the Mayor and City Council of Baltimore, or the Board of Finance, as the case may be, shall have the right to reject any or all bids therefor for any reason.

The ordinance to be submitted to the legal voters of Baltimore City, or the resolution of the Board of Finance authorizing the issuance of the bonds, or any portion thereof, as the case may be, shall set forth in detail the dates when any of the bonds are to mature and the amount to mature upon such dates.

SECTION 3. AND BE IT FURTHER RESOLVED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Resolution shall be used exclusively for the following purposes:

(a) So much thereof as may be necessary for the cost of issuance, including the expense of engraving, printing, advertising, attorneys, fees, and all other incidental expenses connected therewith (which may include the proportion of the compensation of employees and general administrative expenses of the Department of Finance reasonably allocated to the issuance of the bonds); and

(b) for the development of the buildings owned or controlled by the Mayor and City Council of Baltimore, the Enoch Pratt Free Library, and the development of public park and recreational land, property, buildings, structures or facilities, including but not limited to, the acquisition by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property, new buildings, structures, and auxiliary facilities; and for the renovation, alteration, construction, reconstruction, installation, improvement and repair of existing buildings, structures or facilities, to be or now being used for or in connection with the operations, functions and activities of the Mayor and City Council of Baltimore and the Enoch Pratt Free Library, and at public parks and recreation and related land, buildings, structures or facilities; the demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, including information technology infrastructure and other structures or improvements;

(c) for the acquisition and installation of trees or for tree planting programs and for the acquisition and

installation of equipment and fixtures for any and all facilities authorized to be constructed, erected, altered, reconstructed, renovated, reconstructed, installed or improved by the provisions hereof; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying and other professional services; and

(d) for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SECTION 4. AND BE IT FURTHER RESOLVED, That:

(a) The Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, is hereby authorized and empowered to issue its bonds for the purpose of refunding any bonds authorized to be issued under the provisions of this Resolution by payment at maturity or the purchase or redemption of bonds in advance of maturity. The validity of any refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the bonds being refunded. Such refunding bonds may be issued by the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, for the purpose of providing it with funds to pay any of its outstanding bonds authorized to be issued under the provisions of this Resolution at maturity, to purchase in the open market any of its outstanding bonds authorized to be issued under the provisions of this Resolution prior to their maturity, to redeem prior to their maturity any outstanding bonds which are, by their terms, redeemable, to pay interest on any outstanding bonds prior to their payment at maturity or purchase or redemption in advance of maturity, or to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds authorized to be issued under the provisions of this Resolution.

(b) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued for the public purpose of:

(1) Realizing savings to Baltimore City in the aggregate cost of debt service on either a direct comparison or present value basis; or

(2) Debt restructuring that:

(i) In the aggregate effects such a reduction in the cost of debt service; or

(ii) Is determined by the Board of Finance of the Mayor and City Council of Baltimore to be in the best interests of Baltimore City, to be consistent with Baltimore City's long-term financial plan, and to realize a financial objective of Baltimore City, including improving the relationship of debt service to a source of payment such as taxes, assessments, or other charges.

(c) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued in whatever principal amount shall be required to achieve the purpose for the issuance of the refunding bonds, which amount may be in excess of the principal amount of the bonds refunded or the maximum principal amount of bonds authorized to be issued under subsection (a) of Section 1 of this Resolution.

(d) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented by the refunding bonds shall be discharged not more than forty (40) years from the date of issuance of the bonds being refunded.

(e) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below the par value of the refunding bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore. If the Board of Finance determines to sell the refunding bonds at public sale, the refunding bonds shall be sold to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason.

(f) Any refunding bonds authorized to be issued

and sold under the provisions of this Resolution shall bear interest at such rate or rates as may be determined by the Board of Finance of the Mayor and City Council of Baltimore, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance.

(g) The proceeds of the sale of any refunding bonds authorized to be issued and sold under the provisions of this Resolution, after the payment of issuance costs relating thereto, shall be set aside by the Mayor and City Council of Baltimore as a separate trust fund to be used solely for the purposes stated in this Section 4.

(h) Except as otherwise provided in this Section 4, the powers granted in, the limitations and obligations imposed by, and the procedures specified in this Resolution with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds.

(i) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall not be subject to any debt policy limitation that may from time to time be established by the Mayor and City Council of Baltimore.

SECTION 5. AND BE IT FURTHER RESOLVED, That this Resolution, having been presented to and approved by a majority of the members of the General Assembly of Maryland representing Baltimore City, no later than February 8, 2018, the 30th day of the regular 2018 session of the Maryland General Assembly, is enacted in accordance with Article XI, Section 7 of the Constitution of Maryland.

CERTIFICATION - SENATE DELEGATION

I hereby certify that on _____ (date) the foregoing Resolution was approved by a majority of the Maryland General Assembly Senators representing Baltimore City.

_____ _____
The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

I hereby certify that at the _____ (date) meeting of the Baltimore City Delegation of the Maryland Senate, a majority of the delegation was present, and the following vote was taken on the approval of the foregoing bond issue for fiscal years 2020 and 2021 in accordance with Article XI, section 7 of the Maryland Constitution:

	Present	Absent	Approve	Disapprove	Abstain
Conway, Joan Carter	✓		✓		
Ferguson, Bill	✓		✓		
McFadden, Nathaniel	✓		✓		
Nathan-Pulliam, Shirley	✓		✓		
Oaks, Nathaniel	✓		✓		
Robinson, Barbara	✓		✓		

_____ _____
The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

IV

RESOLUTION

A RESOLUTION OF THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY concerning

BALTIMORE CITY - SCHOOL BOND ISSUE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to create a debt, and to issue and sell, at any time or from time to time and in one or more series its certificates of indebtedness as evidence thereof, and proceeds not exceeding Thirty-Eight Million Dollars ($38,000,000.00) from the sale of such certificates of indebtedness to be used for the acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and demolishing, constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Baltimore City Board of School Commissioners and/or the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities including community health and recreation facilities, and for additions and improvements to, or for the modernization of reconstruction of, including the inspection, removal, encapsulation, management, containment and abatement of asbestos from existing facilities, and for equipment for any and all new or existing facilities authorized to be constructed, erected, added, improved, modernized or reconstructed by the provisions hereof; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services, including, without limitation, services relating to planning for future projects of the same general character which may be constructed out of future loans; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; authorizing the issuance of refunding bonds; conferring certain powers upon the Baltimore City Board of School Commissioners; imposing certain conditions in connection with the expenditure of

the proceeds derived from the sale of said certificates of indebtedness; authorizing the Mayor and City Council of Baltimore to submit an ordinance or ordinances for such purpose to the legal voters of Baltimore City, and providing generally for the issuance and sale of such certificates of indebtedness.

SECTION 1. BE IT RESOLVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, That:

(a) The Mayor and City Council of Baltimore be and it is hereby authorized to create a debt, and to issue and sell, at any time or from time to time and in one or more series, its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, and proceeds not exceeding Thirty-Eight Million Dollars ($38,000,000.00) from the sale thereof to be used for the purposes hereinafter mentioned, but such debt shall not be created and the bonds shall not be issued, in whole or in part, unless an ordinance or ordinances of the Mayor and City Council of Baltimore providing for the issuance thereof shall be first submitted to the legal voters of Baltimore City at such time and place as may be fixed by such ordinance or ordinances and be approved by a majority of the votes cast at such time and place, all as required by Section 7 of Article XI of the Constitution of Maryland; and the Mayor and City Council of Baltimore, in submitting any ordinance or ordinances for the issuance of the bonds, or any part thereof, to the legal voters of Baltimore City, may submit and resubmit the same at any municipal election or general election to be held in Baltimore City.

(b) The Mayor and City Council of Baltimore may submit, by one ordinance, the whole of the debt authorized by this Resolution to the legal voters of Baltimore City at one time, or it may, by one or more separate ordinances, submit a part thereof to the legal voters of Baltimore City at different times; and any ordinance or ordinances, submitting the whole or any part of such debt to the legal voters of Baltimore City, shall provide for the expenditure of the proceeds thereof in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

(c) Any bonds authorized to be issued and sold under the provisions of this Resolution may be issued to mature

on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented thereby shall be discharged not more than forty (40) years from the date of their issuance.

(d) Until all of the interest on and principal of any bonds issued pursuant to the provisions of this Resolution have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars ($100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

(e) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Resolution shall be applied as directed by the Board of Finance.

(f) The debt authorized by the provisions of this Resolution, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(g) All bonds issued and sold pursuant to the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below par value of the bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore.

SECTION 2. AND BE IT FURTHER RESOLVED, That the Mayor and City Council of Baltimore be and it is hereby authorized, in the ordinance or ordinances to be submitted to the legal voters of Baltimore City, from time to time, (I) to determine and set forth any or all of the following or (ii) to empower a majority of the Board of Finance of said municipality to pass a resolution or resolutions, from time to time, to determine and set forth, any or all of the following:

(a) The amount of the total debt, authorized by this Resolution and the ordinance submitted to the legal voters of Baltimore City, which shall be issued at any particular time;

(b) The form or forms of the bonds representing the debt, or any part thereof, so authorized to be issued at any particular time;

(c) The denomination or denominations of the bonds to be issued at any particular time and the place or places for the payment of principal and interest thereof to be determined by the Board of Finance;

(d) The rate or rates of interest to be paid in connection with the bonds to be issued at any particular time, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance;

(e) Subject to the limitations set forth in Section 1 of the Resolution, the date of the bonds issued at any particular time and the maturity dates of said bonds, including the right of redemption by the City prior to maturity;

(f) If the bonds are to be sold at public sale, the time, place, manner and medium of advertisement of the readiness of the Board of Finance to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Resolution are offered for sale and sold at the same time as other bonds of the City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis, and the time, place, terms and manner of settlement for the bonds so bid for; provided, however, that notwithstanding anything in this section, the Mayor and City Council of Baltimore, or the Board of Finance, as the case may be, shall have the right to reject any or all bids therefor for any reason.

The ordinance to be submitted to the legal voters of Baltimore City, or the resolution of the Board of Finance authorizing the issuance of the bonds, or any portion thereof, as the case may be, shall set forth in detail the dates when any of the bonds are to mature and the amount to mature upon such dates.

SECTION 3. AND BE IT FURTHER RESOLVED, That the actual cash proceeds derived from the sale of the bonds authorized to be

issued under the provisions of this Resolution shall be used exclusively for the following purposes:

(a) So much thereof as may be necessary for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith (which may include the proportion of the compensation of employees and general administrative expenses of the Department of Finance reasonably allocated to the issuance of the bonds); and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and demolishing, constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Baltimore City Board of School Commissioners and/or the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities including community health and recreation facilities, and for additions and improvements to, or the modernization or reconstruction of, including the inspection, removal, encapsulation, management, containment and abatement of asbestos from existing school buildings or facilities, and for equipment for any and all new or existing facilities authorized to be constructed, erected, added to, improved, modernized or reconstructed by the provisions hereof; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services, including, without limitation, services relating to planning for future projects of the same general character which may be constructed out of future loans; and for or in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SECTION 4. AND BE IT FURTHER RESOLVED, That:

(a) The Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, is hereby authorized and empowered to issue its bonds for the purpose of refunding any bonds authorized to be issued under the provisions of this Resolution by payment at maturity or the purchase or redemption of bonds in advance of maturity. The validity of any

refunding bonds shall in no way be dependent upon or related to the validity or invalidity of the bonds being refunded. Such refunding bonds may be issued by the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, for the purpose of providing it with funds to pay any of its outstanding bonds authorized to be issued under the provisions of this Resolution at maturity, to purchase in the open market any of its outstanding bonds authorized to be issued under the provisions of this Resolution prior to their maturity, to redeem prior to their maturity any outstanding bonds which are, by their terms, redeemable, to pay interest on any outstanding bonds prior to their payment at maturity or purchase or redemption in advance of maturity, or to pay any redemption or purchase premium in connection with the refunding of any of its outstanding bonds authorized to be issued under the provisions of this Resolution.

(b) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued for the public purpose of:

(1) Realizing savings to Baltimore City in the aggregate cost of debt service on either a direct comparison or present value basis; or

(2) Debt restructuring that:

(i) In the aggregate effects such a reduction in the cost of debt service; or

(ii) Is determined by the Board of Finance of the Mayor and City Council of Baltimore to be in the best interests of Baltimore City, to be consistent with Baltimore City's long-term financial plan, and to realize a financial objective of Baltimore City including, improving the relationship of debt service to a source of payment such as taxes, assessments, or other charges.

(c) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be issued in whatever principal amount shall be required to achieve the purpose for the issuance of the refunding bonds, which amount may be in excess of the principal amount of the bonds refunded or the maximum principal amount of bonds authorized to be issued under subsection (a) of Section 1 of this Resolution.

(d) Any refunding bonds authorized to be issued

and sold under the provisions of this Resolution may be issued to mature on such dates and in such amounts as the Board of Finance may determine; provided that the entire principal amount represented by the refunding bonds shall be discharged not more than forty (40) years from the date of issuance of the bonds being refunded.

(e) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution may be sold at public sale by the solicitation of competitive bids or at private (negotiated) sale without advertisement or solicitation of competitive bids, for a price or prices which may be at, above or below the par value of the refunding bonds, as determined by resolution of the Board of Finance of the Mayor and City Council of Baltimore. If the Board of Finance determines to sell the refunding bonds at public sale, the refunding bonds shall be sold to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason.

(f) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall bear interest at such rate or rates as may be determined by the Board of Finance of the Mayor and City Council of Baltimore, which rate or rates may be fixed or variable or as determined by a method approved by the Board of Finance, and such interest shall be payable at such time or times as may be determined by the Board of Finance.

(g) The proceeds of the sale of any refunding bonds authorized to be issued and sold under the provisions of this Resolution, after the payment of issuance costs relating thereto, shall be set aside by the Mayor and City Council of Baltimore as a separate trust fund to be used solely for the purposes stated in this Section 4.

(h) Except as otherwise provided in this Section 4, the powers granted in, the limitations and obligations imposed by, and the procedures specified in this Resolution with respect to the issuance of bonds shall be applicable to the issuance of refunding bonds.

(i) Any refunding bonds authorized to be issued and sold under the provisions of this Resolution shall not be subject to any debt policy limitation that may from time to time

be established by the Mayor and City Council of Baltimore.

SECTION 5. AND BE IT FURTHER RESOLVED, that in the expenditure of the proceeds of sale of the bonds, the Mayor and City Council of Baltimore shall observe the following conditions:

(a) Subject to the provisions of the Charter of Baltimore City relating to the Planning Commission, the Baltimore City Board of School Commissioners shall have the authority to select sites for the construction of the new school buildings hereby authorized;

(b) All plans and specifications for the construction, reconstruction, renovation, additions, and improvements to school buildings, to be financed out of the proceeds derived from the sale of the bonds herein authorized to be issued, shall be subject to the approval of the Baltimore City Board of School Commissioners prior to the final acceptance of the plans and specifications, and the endorsement of approval by the Board of the plans and specifications shall be made thereon, and shall also be recorded by the Board in its official minutes;

(c) All changes in approved plans and specifications which may be found necessary and expedient shall also be subject to the approval of the Baltimore City Board of School Commissioners and shall also be recorded by the Board in its official minutes; and

(d) No part of the proceeds derived from the sale of the bonds hereby authorized to be issued shall be expended without the approval of the Baltimore City Board of School Commissioners.

SECTION 6. AND BE IT FURTHER RESOLVED, That this Resolution, having been presented to and approved by a majority of the members of the General Assembly of Maryland representing Baltimore City no later than February 8, 2018, the 30th day of the regular 2018 session of the Maryland General Assembly, is enacted in accordance with Article XI, Section 7 of the Constitution of Maryland.

CERTIFICATION - SENATE DELEGATION

I hereby certify that on _____ (date) the foregoing Resolution was approved by a majority of the Maryland General Assembly Senators representing Baltimore City.

_____ _____

The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

I hereby certify that at the _____ (date) meeting of the Baltimore City Delegation of the Maryland Senate, a majority of the delegation was present, and the following vote was taken on the approval of the foregoing bond issue for fiscal years 2020 and 2021 in accordance with Article XI, section 7 of the Maryland Constitution:

	Present	Absent	Approve	Disapprove	Abstain
Conway, Joan Carter	✓		✓		
Ferguson, Bill	✓		✓		
McFadden, Nathaniel	✓		✓		
Nathan-Pulliam, Shirley	✓		✓		
Oaks, Nathaniel	✓		✓		
Robinson, Barbara	✓		✓		

_____ _____

The Honorable Joan Carter Conway, Chair Date
Baltimore City Senate Delegation

Exhibit G

Senator Benson's African American Speech on February 7, 2018

"I'm sick and tired of being sick and tired."

Those are the words of Fannie Lou Hamer. She was born October 6, 1917 in Montgomery County, Mississippi, the 20th child of sharecropper parents. She began working in the cotton fields at the age of six. She only had six years of school because the cycles of working in the cotton fields shaped her days and everything else came second.

During the Jim Crow era, African Americans suffered many abuses. This raised great anger over the oppression of her people. Hamer's life took a turn in 1962 when she met workers of the Southern Christian Leadership Conference and the Student Nonviolent Coordinating Committee who began mobilizing people to vote. This was the event she had been waiting for. When the call came for volunteers to challenge the unjust voting laws Fannie Lou Hamer was the first recruit. On the third try she pass the test to vote. When this happened, she was fired from her timekeeper job and was forced to leave her family to stay with friends- because her life was threatened. She joined SNCC and when she began to register other Blacks, she was arrested and beaten unmercifully. The incident left her permanently injured. She became a national spokesperson for freedom, justice, and equality. She always began her speeches with the song "This Little Light of Mine."

In 1964 Fannie Lou helped to found the Mississippi Freedom Democratic Party and captured the attention of the Nation when she appeared before the Democratic National convention's credentials committee. This is where she told her story of attempts to register to vote, her being jailed and beaten, and many other brutalities perpetrated against African Americans.

She was an adamant outspoken critic of the Vietnam War. She helped bring to Mississippi the Head Start Program the most successful of the War on Poverty Efforts. She worked tirelessly for the poor and underprivileged regardless of race. In one of her lectures she said:

> "Whether you have a PhD or no D, we're in this bag together. And whether you're from Morehouse or no house, we're still in this bag together."

Fannie Lou Hamer who died March 14, 1977 was not just a woman of words, but a woman of deeds. She dedicated her life not only to challenging unjust political, social, and economic structures, but to creating conditions that helped develop self-reliance and self-determination among African Americans and other poor people of the world. My friends this wonderful no nonsense woman is one of my role models.

Presented by Senator Muse

Black History Month Hero of the Day
February 8, 2018

Ladies and Gentlemen of the Senate…I wish to share with you a significant hero in our Black History. True humanity transcends race. Todays black history hero did not have black skin…but Dr. King called him who I would call him if he we alive today…a true brother….

His name is not in lights. He is seldom talked about, but for me he is and shall always be a part of Black History Month…

Today I want to highlight **James Reeb.**

James Reeb

- became nationally known as a martyr to the civil rights cause when he died on 11 March 1965, in Selma, Alabama, -after being attacked by a group of white supremacists. Reeb had traveled to Selma to answer Martin Luther King's call for clergy to support the nonviolent protest movement for voting rights there. Delivering Reeb's eulogy, King called him ''a shining example of manhood at its best''

- Reeb was born on New Year's Day 1927, in Wichita, Kansas. He was raised in Kansas and Casper, Wyoming. After a tour of duty in the Army at the end of World War II, Reeb became a minister, graduating first from a Lutheran college in Minnesota, and then from Princeton Theological Seminary in June 1953

-
- On 7 March 1965, Reeb and his wife watched television news coverage of police attacking demonstrators in Selma as they attempted to march across the Edmund Pettus Bridge on what became known as ‘‘Bloody Sunday.’’ The following day, King sent out a call to clergy around the country to join him in Selma in a second attempt at a Selma to Montgomery March that Tuesday, 9 March. Reeb heard about King’s request from the regional office of the Unitarian Universalist Association on the morning of 8 March, and was on a plane heading south that evening.

- As Reeb was flying toward Selma, King was considering whether to disobey a pending court order against the Tuesday march to Montgomery. In the end he decided to march, telling the hundreds of clergy who had gathered at Brown’s Chapel, ‘‘I would rather die on the highways of Alabama, than make a butchery of my conscience.” King led the group of marchers to the far side of the bridge, then stopped and asked them to kneel and pray

- Several clergy decided to return home after this symbolic demonstration. Reeb, however, decided to stay in Selma until court permission could be obtained for a full scale march, planned for the coming Thursday. That evening, Reeb and two other white Unitarians dined at an integrated restaurant. Afterward they were attacked by several white men and Reeb was clubbed on the head. Several hours elapsed before Reeb was admitted to a Birmingham hospital

where doctors performed brain surgery. While Reeb was on his way to the hospital in Birmingham, King addressed a press conference lamenting the ‘‘cowardly’’ attack and asking all to pray for his protection. Reeb died two days later.

- Reeb’s death provoked mourning throughout the country, and tens of thousands held vigils in his honor. President Lyndon B. Johnson called Reeb’s widow and father to express his condolences, and on 15 March he invoked Reeb’s memory when he delivered a draft of the Voting Rights Act to Congress. That same day King eulogized Reeb at a ceremony at Brown’s Chapel in Selma. ‘‘James Reeb,’’ King told the audience, ‘‘symbolizes the forces of good will in our nation. He demonstrated the conscience of the nation. He was an attorney for the defense of the innocent in the court of world opinion. He was a witness to the truth that men of different races and classes might live, eat, and work together as brothers’’

So today help me celebrate James Reeb
Not a man with black skin, but one who symbolizes all of the unnamed brothers and sisters who had white skin, but lived and died as brothers and sisters in the cause of freedom and civil rights. Who indeed are part of Black History

2/12/18 Senator Currie Exhibit G

Mr. President, I am pleased to share the story of **James E. Lewis**, a great artist from Maryland. Known as a trailblazer to his colleagues, friends, family, students, and the African American artist community, Lewis had a substantial part in developing the pathway for African American art in Baltimore and at Morgan State University.

MR. Lewis was an artist and sculptor who devoted most of his time to ensuring that Morgan State University had a notable art program and gallery where the art developed at the university could be showcased. Before Lewis arrived at Morgan in 1950, there was little interest in the art program. During his career he took over 15 trips to Africa to research and teach art, while bringing numerous pieces back to Morgan.

Lewis was known to advocate for support of the arts by communicating the importance of how art could not only benefit the youth, but heal the neighboring communities in Baltimore. At times, he would even purchase art created by the students at Morgan to encourage their ability.

Alongside his teaching career, Lewis sat on the Baltimore Council on Foreign Relations, was a member of the Baltimore Commission for Historic Preservation, and worked with the Baltimore Symphony Orchestra.

Tonight, I am pleased to honor the contributions of James E. Lewis for his service to our great state of Maryland.

Black History Month Presentation by Senator Eckardt on February 14, 2018

Frederick Douglass Timeline

1818.	February – Frederick Augustus Washington Bailey is born a slave in Talbot County, in the town of Tuckahoe, Maryland. His mother, Harriet Bailey was a slave to Aaron Anthony who is believed to have been his father.
1824.	Frederick lived with his grandmother until he was six, and then was moved to the much larger Wye House plantation where his owner, Aaron Anthony, was employed as an overseer.
1826.	Douglass' mother dies. Anthony Aaron dies and Douglass' new owner is Thomas Auld. He is sent to live with Hugh and Sophia Auld in Baltimore.
1827.	Douglass is briefy taught to read by Sophia Auld. The lessons end when Hugh Auld forbids it.
1829.	After he begins work at a shipyard, he reads and writes in secret.
1831.	Douglass learns about the abolitionist movement after he reads an article about John Quincy Adam's antislavery petition in Congress. Douglass uses a compilation of Caleb Bingham's speeches to practice his reading and speaking skills.
1833.	Douglass is returned to Thomas Auld to work in St. Michaels, Maryland.
1834.	Douglass is rented out to Edward Covey, a farmer, who beats him several times until Douglass fights back. From thereafter, Covey never beats him again.
1836.	Douglass is jailed after his plans to escape are discovered. When released, he is returned to Baltimore where he works as a caulker in a shipyard.
1837.	Douglass joins the East Baltimore Mental Improvement Society, a debating club for free black men.
1838.	**September 3** – He escapes from slavery by borrowing the papers of a free black sailor. Douglass arrives in New York, and changes his last name to Johnson. **September 15** – Douglass and Anna Murray are married. Douglass and his wife move to New Bedford, Massachusetts. He changes his last name from Johnson to Douglass. He works as an unskilled laborer.
1839.	Douglass became a licensed preacher in the the African Methodist Episcopal Zion Church.
1845.	Douglass's published his first autobiography ***Narrative of the Life of Frederick Douglass, an American Slave.***
1878.	Douglass returned to Easton and spoke at the Talbot County Courthouse, Asbury U. M. Church and Bethel A.M.E. Church as an accomplished and respected leader.
1895	Douglass died February 20, nationally and internationally acclaimed as one of the most influential men of his century.
2011.	194 years after his birth in Talbot County – a statue honoring Frederick Douglass was unveiled on the Talbot County Courthouse Lawn. His legacy will live on…

Senator McFadden
2/15/18

Exhibit G

ARIS T. ALLEN, M.D.

A man of honor ... A distinguished career of professional and public service . .. As a Medical Doctor ... As a member of the Maryland Senate and House of Delegates ... As an appointee of the President of the United States ... And as a caring person who has served his community in so many other ways ... To Help people in need ... To provide opportunity for every citizen ... He set an example that brought out the very best in all of us. Today, we happily remember the life of

Aris T. Allen, M.D.

December 27, 1910 - February 8, 1991

Aris Allen was born in San Antonio, Texas in 1910, the son of Mary Etta and James Allen. He attended elementary school in San Antonio, Texas for a time, following which his formal schooling was interrupted for a period of ten years. However, during this ten year period, he studied automobile mechanics, radio, carpentry, sheet metal work, pharmacy, and drafting. The year 1930 found him in Chicago, Illinois, where he worked in a drug store in the day and attended high school in the evenings. Through a competitive examination given in Chicago, he obtained a government position in Washington, D.C. in 1936, where he worked eight hours a day while attending Dunbar High School, Howard University undergraduate school, and two years at Howard University Medical School.

While at Howard University undergraduate school, he earned the wings of a private pilot under the C.A.A. program. In 1942, he gave up his government job to join the Army Specialized Training Program at Howard University under which program he completed the remainder of his medical training in 1944.

After completing his hospital training at Freedmen's Hospital, he began private practice in Annapolis. In 1947, he was married to his college sweetheart, Faye E. Watson, a registered nurse who later became a physician and with whom he practiced in Annapolis until November 20, 1982. From this marriage they have two sons, Aris Jr. and Lonnie W.

Between 1953 and 1955, his practice was interrupted while he served as Flight Surgeon in the Air Force. Following his tour of duty, his practice was resumed and continued until November 20, 1982.

Dr. Allen kept abreast of current medical trends by taking post graduate courses at medical training institutions, attending medical meetings, and affiliation with several medical societies.

Dr. Allen made a successful bid for the House of Delegates seat for District 30. He was currently employed with O'Conor, Piper and Flynn in the Commercial Industrial Division and held a Maryland Real Estate Broker's License.

Dr. Allen shared his life's story in his biography, Achieving the American Dream, written by Jude Thomas May, Ph.D. His book "underscored the importance of traditional values-dedication, hard work and education." His message, for young people and old, was that you too can accomplish your dream!

He is survived by his loving wife, Dr. Faye Allen, two sons, Aris T. Jr. and Lonnie W., four grandchildren.

He will be missed by us all.

Exhibit G

2/19/18

Senator Nathan-Pulliam

Mr. President, Point of Personal Privilege
Black Haley

The Harlem Renaissance was the development of the Harlem neighborhood in New York City as a black cultural mecca in the early 20th Century and the subsequent social and artistic explosion that resulted. Lasting roughly from the 1910s through the mid-1930s, the period is considered a golden age in African American culture, manifesting in literature, music, stage performance and art.

It enable the expression of black life by black artist, poets, writers, artists sculptors to get a foothold in the artistic, and social environements, before which were forbidden to enter.

BACKGROUND

The northern Manhattan neighborhood of Harlem was meant to be an upper-class white neighborhood in the 1880s, but rapid overdevelopment led to empty buildings and desperate landlords seeking to fill them..

The Story of Harlem Renaissance is a Rich American History

In the early 1900s, a few middle-class black families from another neighborhood known as Black Bohemia moved to Harlem, and other black families followed. Some white residents initially fought to keep African Americans out of the area, but failing that many whites eventually fled.

Outside factors led to a population boom: From 1910 to 1920, African American populations migrated in large numbers from the South to the North, with prominent figures like W.E.B. Du Bois leading what became known as the Great Migration.

In 1915 and 1916, natural disasters in the south put black workers and sharecroppers out of work. Additionally, during and after World War I, immigration to the United States fell, and northern recruiters headed south to entice black workers to their companies.

By 1920, some 300,000 African Americans from the South had moved north, and Harlem was one of the most popular destinations for these families

I would like to name a few of the famous poets and writers that manifested from Harlem Renaissance (1917-1937)

1. Zora Neal Hurson who was born in 1891 in Alabama. Her Novel "The Eyes are watching God" She was one of the initial members that started the Harlem Renaissance.

2. Paul Lawrence Dunbar was born June 27, 1872, Dayton, OH and died in 1904.

3. James Weldon Johnson, born on June 17, 1871 in Florida, United States and Died June 26, 1938 (a~~ged 67~~) W~~iscasset~~, ~~Maine~~.

4. Countee Cullen born on May 30, 1903 and died January 9, 1946), was a prominent African-American poet, novelist, children's writer, and playwright.

what happen to a dream deferred

5. Langston Hughes was one of the most prominent American poets, social activist, novelist, and playwright. I wonder happen to a dream deferred His Poem "I too" is one of the most popular poems created during the Harlem Renaissance.

6. Claude Mckay's "The Negro's Tragedy" Literary Genius
BORN in JA. - Migrated
These are just to name a few of the literary geniuses that lived during the Harlem Renaissance!

I, Too

By Langston Hughes

I, too, sing America.

I am the darker brother.

They send me to eat in the kitchen

When company comes,

But I laugh,

And eat well,

And grow strong.

Tomorrow,

I'll be at the table

When company comes.

Nobody'll dare

Say to me,

"Eat in the kitchen,"

Then.

Besides,

They'll see how beautiful I am

And be ashamed—

I, too, am America.

Winston Churchill World War II Must Die

1927

THE NEGRO'S TRAGEDY, by CLAUDE MCKAY

It is the Negro's tragedy I feel
Which binds me like a heavy iron chain,
It is the Negro's wounds I want to heal
Because I know the keenness of his pain.
Only a thorn-crowned Negro, and no white
Can penetrate into the Negro's ken,
Or feel the thickness of the shroud of night
Which hides and buries him from the other men.
So what I write is urged out of my blood.
There is no white man who could write my book,
Though many think their story should be told
Of what the Negro people ought to brook.
Our statesmen roam the world to set things right.
The Negro laughs and prays to God for Light!

Black History Salute: Rev. Dovey Roundtree, Esq.

Civil Rights Activist, Ordained Minister, and Attorney

Born Dovey Mae Johnson on April 17, 1914, in Charlotte, North Carolina, Dovey Johnson Roundtree is an African American civil rights activist, attorney, and ordained minister who won the 1955 Interstate Commission case on segregated bus terminals.

Johnson attended Spelman College from 1934 to 1938 and then briefly taught school in South Carolina before moving to Washington, D.C., to seek employment in the burgeoning World War II defense industry. However, due to her college education, Mary McLeod Bethune selected her to be among the forty African American women who would become the **first** to train as officers in the newly formed Women's Army Auxiliary Corps (known as WAC). Johnson accepted the challenge and passed all the tests and went on to recruit others.

Following World War II, she married after rekindling a romance with William Roundtree that had started at Spelman College. Upon graduating from Howard University Law School in 1950, where Thurgood Marshall had been one of her instructors, Roundtree became an attorney. Her most prominent case came in 1955 -- *Sarah Keys v. The Carolina Coach Company* which involved Sarah Louise Keys, an African American

WAC private who had been forced by a North Carolina bus driver to relinquish her seat to a white marine. The case was personal to Attorney Roundtree because she had had a similar experience in 1943.

In 1961 Dovey Roundtree became one of the first women to receive full ministerial status in the African Methodist Episcopal Church. She also served as the General Counsel to the AME church. The following year, Attorney Roundtree integrated the previously all-white Women's Bar Association of the District of Columbia Women. She was a well-known public figure for youth advocacy in the District of Columbia and continued in this role after she retired from active legal practice in 1996.

I am humbled to say that the distinguished Senator from the 25th District and I worshipped with Rev. Roundtree at Allen Chapel AME Church in Washington, DC from 1985 until she returned to her hometown of Charlotte in the Tar Heel State where she currently resides.

I am also pleased to report that Allen Chapel named a new senior housing development in Southeast DC in honor of this great lady. Rev. Dovey Johnson Roundtree will turn 104 in April of this year. It is an honor to pay tribute to her.

McFadden Feb 28 2018 Exhibit G

Verda Freeman Welcome (1907-1990)
MSA SC 3520-12344

One of Baltimore's leading African American female pioneers, Verda Freeman Welcome lived a life devoted to changing reality. Her life experience with family, education, and discrimination led her to fight for the civil rights of African Americans and women in Maryland. After marrying Dr. Henry C. Welcome and earning a degree from Morgan State University, ~~Mrs. Welcome began her early activism in Baltimore City by investing in the community that had supported her during her hard times as a young single student and adult~~. However, after a few years of bureaucratic frustration with existing officials, Mrs. Welcome ran for state political office because she felt she could affect better community changes by doing things herself. In 1958, with the support of her husband, daughter, and community, she passionately campaigned and won a seat in fourth district for Maryland General Assembly's House of Delegates, where she fought for the equal treatment of all Marylanders during the Civil Rights Era and beyond. In 1962, Mrs. Welcome's unwavering confidence, ambition, and political savvy led her to rise from her first public position as a state delegate to her historical role as the United States' first African American to serve their state government as a Senator in Maryland's General Assembly. defeating the Pollock machine.

Mrs. Welcome's first elected position was marked with a reform agenda; as one of six female legislators in 1959, she took advantage of every opportunity to make positive changes in Maryland's legislature. With experience under her belt, Mrs. Welcome felt motivated to run for Maryland State Senate, a difficult and ambitious goal in 1962. With social reform in

mind, she addressed the race issue and ran against Jack Pollack, the longstanding political center of Maryland's fourth district. In November, Mrs. Welcome's difficult endeavor turned into a political career; she was elected to Maryland's State Senate, the first African American in the nation to hold that position. She ran for and held the title of State Senator for the next twenty years.

Senator Welcome not only worked on social policy but advocated for cultural preservation. In 1969, she introduced state legislature establishing the Maryland Commission on Negro History and Culture (today's Maryland Commission on African American History and Culture-MCAAHC, ca. 1991) to collect, preserve, and display the history of Maryland's black population. The Banneker-Douglas Museum in Annapolis, Maryland was constructed from the MCAAHC and today organizes and celebrates Maryland's African American history, Martin Luther King holiday events, and many cultural outreach programs. Mrs. Welcome also preserved her black female political history for future historians and students by willing her personal papers and correspondence to Morgan State University upon her death. Preservation was an important part of Senator Welcome's plan for long term social change.

Senator Welcome continued her multi-faceted activism over her entire career despite deterrent events in her life. She survived many ill experiences such as destitution, discrimination, segregation, sexism, her home breaking and entering, an assassination conspiracy in 1964, and a street mugging in 1975. She said, "I felt I had a mission. I could not be deterred by fear alone." Mrs. ~~Welcome remained dedicated to~~

her citizens; as their representative, she explained that, "I am voting the way people want me to vote." Withstanding her race, sex, and class, the Senator overcame many challenges throughout her life and persisted for her family and her community; Senator Welcome strove 'to change reality' for every citizen in Maryland.

In memory of the Maryland's first black female State Senator, the state and many organizations have established or erected many memorials in her namesake. On the state level Senator Welcome is celebrated with her portraiture displayed in the Maryland Senate Office Complex, James Building, and one of the conference rooms in the Miller Building has been dubbed the Verda Freeman Welcome room. Morgan State University, her alma mater, has memorialized the late senator by naming the crosswalk bridge over Cold Spring Lane in her name, The Welcome Bridge. And, the United States Post Office building at 3000 Homewood Ave in Baltimore City is named for the late senator and her husband as well. Congressman Elijah Cummings said during the dedication ceremony, "We are engraving into stone our admiration and appreciation for what this great couple did for our future generations." The Delta Sigma Theta Sorority, Baltimore Chapter, also distinguishes the late Senator Welcome with an annual political legislative achievement award in her name for politically and socially driven female community leaders in Baltimore City. Senator Welcome has been highly praised by her peers for mentoring their contemporary careers and she has been mentioned as a woman of valor. Senator Barbara Mikulski said in her memory, "She listened to the needs of her people and turned them into political action," words that Senator Welcome lived by. In

1988, Ms. Welcome was inducted into the Maryland Women's Hall of Fame by the Maryland Commission of Women. Senator Verda Freeman Welcome passed away in April 22, 1990 after living a prosperous life of family love and political achievement; she said, "I view the civil rights struggle as the proudest achievement of my career."

Exhibit H

U.S. Department of Justice

United States Attorney
District of Maryland

Stephen M. Schenning
Acting United States Attorney
Stephen.Schenning@usdoj.gov

Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119

DIRECT: 410-209-4800
MAIN: 410-209-4800
FAX: 410-962-3091

February 7, 2018

The Honorable James E. DeGrange, Sr.
Senate Co-Chair
Joint Committee On Legislative Ethics

The Honorable Adrienne Jones
House Co-Chair
Joint Committee On Legislative Ethics

Dear Senator DeGrange and Delegate Jones:

Thank you for your letter of January 25, 2018 regarding the allegations of misconduct against Senator Nathanial Oaks.

As you note, the committee has a "history of deference to prosecuting authorities with respect to the suspension of the Committee's investigation of such matters..."

I assume that the Committee's investigation would entail questioning individuals with knowledge of facts underlying the allegations contained in the federal indictment, including Senator Oaks.

The pending federal trial is scheduled for April 16, 2018. I believe it would be prudent for the Committee to hold its investigation in abeyance until the federal charges are resolved.

Very truly yours,

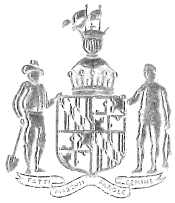
Stephen M. Schenning

Stephen M. Schenning
Acting United States Attorney

Cc:
Kathleen Gavin, AUSA
Leo Wise, AUSA
Lucius Outlaw, AFPD

ROJ

Exhibit I



LARRY HOGAN
GOVERNOR

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

March 2, 2018

The Honorable Thomas V. Mike Miller, Jr.
President
Senate of Maryland
State House
Annapolis, MD 21401

Dear Mr. President:

Pursuant to the authority conferred on me by Article III, Section 52, Subsection (5) of the Constitution of Maryland, and in accordance with the consent of the Senate, duly granted, I hereby submit Supplemental Budget No. 1 to Senate Bill 185/House Bill 160 in the form of an amendment to the budget for the Fiscal Year ending June 30, 2019.

Supplemental Budget No. 1 affects the previously estimated funds available for budget operations as shown in the following summary statement.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Enclosure:
Supplemental Budget No. 1

STATE HOUSE, ANNAPOLIS, MARYLAND 21401
(410) 974-3901 1-800-811-8336
TTY USERS CALL VIA MD RELAY

SUPPLEMENTAL BUDGET NO. 1 - FISCAL YEAR 2019

March 2, 2018

Mr. President, Mr. Speaker,
Ladies and Gentlemen of the General Assembly:

Pursuant to the authority conferred on me by Article III, Section 52, Subsection (5) of the Constitution of Maryland, and in accordance with the consent of the (State Senate) - (House of Delegates), duly granted, I hereby submit a supplement to Senate Bill 185 and/or House Bill 160 in the form of an amendment to the original budget for the Fiscal Year ending June 30, 2019.

Supplemental Budget No. 1 will affect previously estimated funds available for budget operations as shown on the following summary statement.

SUPPLEMENTAL BUDGET SUMMARY

Sources:		
Estimated General Fund Unappropriated Balance July 1, 2019 (per Original Budget)		**100,594,724**
Adjustment to General Fund Appropriations:		
Medical Care Provider Reimbursements - FY 2017 Reversion	15,000,000	**15,000,000**
Total Available		**115,594,724**
Uses:		
General Funds	5,000,000	
		5,000,000
Revised Estimated General Fund Unappropriated Balance July 1, 2019		**110,594,724**

BOARDS, COMMISSIONS, AND OFFICES

1. D15A05.16 Governor's Office of Crime Control and Prevention

To add an appropriation on page 13 of the printed bill (first reading file bill), to provide grants to local school systems to carry out mandated safety assessments.

Object .12 Grants, Subsidies, and Contributions	2,500,000	
General Fund Appropriation		2,500,000

DEPARTMENT OF STATE POLICE

2. W00A01.01 Office of the Superintendent

To add an appropriation on page 134 of the printed bill (first reading file bill), to provide additional resources to monitor school safety in the Maryland Center for School Safety.

Personnel Detail:			
Assistant Attorney General VII	1.00	100,660	
Program Manager Senior II	1.00	85,580	
Program Manager Senior I	5.00	344,795	
Administrator VI	3.00	181,629	
Administrator IV	2.00	106,386	
Administrative Aide	1.00	32,364	
Fringe Benefits		444,419	
Turnover		-75,613	
Object .01 Salaries, Wages and Fringe Benefits		1,220,220	
Object .02 Technical and Special Fees		160,000	
Object .03 Communications		22,750	
Object .04 Travel		6,557	
Object .07 Motor Vehicle Operations and Maintenance		234,868	
Object .08 Contractual Services		661,605	
Object .09 Supplies and Materials		43,500	
Object .11 Equipment - Additional		45,500	
Object .13 Fixed Charges		105,000	
General Fund Appropriation			2,500,000

SUMMARY

SUPPLEMENTAL APPROPRIATIONS

	General Funds	Special Funds	Federal Funds	Current Unrestricted Funds	Total Funds
Appropriation					
2018 Fiscal Year	0	0	0	0	0
2019 Fiscal Year	5,000,000	0	0	0	5,000,000
Subtotal	5,000,000	0	0	0	5,000,000
Reduction in Appropriation					
2018 Fiscal Year	0	0	0	0	0
2019 Fiscal Year	0	0	0	0	0
Subtotal	0	0	0	0	0
Net Change in Appropriation	5,000,000	0	0	0	5,000,000

Sincerely,

Lawrence J. Hogan, Jr.
Governor

Women's History Month Presentation by Senator Eckardt on March 6, 2018

Rosalie Silber Abrams has contributed countless hours to achieve equality for women, the aging, the mentally ill and the developmentally disabled. She has been a trail blazer for women in politics, and her work in the field of health care has dominated all of her professional experiences on both the state and national level.

Rosalie Abrams has lived in Maryland her whole life. She worked in her family business, Silbers Bakery, which is one of Maryland's most prestigious business names. From 1938-1946, she also worked as a registered nurse and served two years as an ensign in the Navy Nurse Corp. She would later take with her the valuable insight and knowledge she gained working in the health care profession into the political arena.

Elected to the House of Delegates in 1967-1970, Senator Abrams served 14 years in the Maryland State Senate. There, she became the first woman in Maryland to hold the position of Senate majority leader, the first woman in Maryland to hold the position of Senate Finance Committee chair, and the first woman chair of the Maryland Democratic
Party.

As the author of legislation creating Maryland's Health Services Cost Review Commission, Senator Abrams set into motion a national model for health care reform and cost containment. This Commission, which acts as the rate setting group for all hospitals in the state, has been responsible for keeping Maryland's hospital fees among the lowest in the nation. One of the Commission's accomplishments resulted in the all payer system for hospitals, which ensures that no citizen of or visitor to Maryland can be refused hospital treatment.

Her contributions to women are numerous. In 1980, she pushed through legislation providing for payment of doctor and hospital charges for rape and sexual offense victims. Abrams has served as a member of the Commission to study the Equal Rights Amendment and as a member of the Maryland Commission for Women. Abrams is also widely known for her contributions to the mental health community and served for many years as Chairperson for the Humane Practices Commission. She also served as the first Chairperson of the Article 59 Committee which oversaw and revised the mental health laws of the State of Maryland.

Since 1983 she has served as the Director for the Office on Aging and has helped to prepared both the government and the public for the emergence of this issue in our society. Abrams has published numerous articles for and on older Americans and greatly enhanced health care attitudes and policies in Maryland. In 1992, she worked to get the Health Care Decision Act passed, which gave patients more control over their treatment during the last few days or weeks of their lives. Senator Abrams' career as nurse, statesperson, and now as the Director of the Maryland Office on Aging, endeavors to improve every facet of a Maryland resident's life.

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Exhibit K

Report of the

Senate Budget and Taxation Committee

To the Maryland Senate

2018 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 185

For further information concerning this document contact:

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Department of Legislative Services
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General Assembly of Maryland
Senate Budget and Taxation Committee

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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 Edward J. Kasemeyer
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

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Senator George C. Edwards
Senator Nathaniel J. McFadden
Senator Douglas J. J. Peters

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Department of Legislative Services
2018 Budget Assignments

Sara J. Baker	Higher Education Overview Maryland Higher Education Commission Overview Student Financial Assistance Morgan State University University System of Maryland Overview
Sierra S. Boney	Canal Place Preservation and Development Authority Comptroller of Maryland Department of Labor, Licensing, and Regulation Business Regulation Workforce Development Maryland Insurance Administration Maryland Public Broadcasting Commission Secretary of State State Archives State Treasurer
Patrick S. Frank	Board of Public Works Department of General Services Department of Information Technology General Assembly of Maryland Maryland Stadium Authority 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
Matthew D. Klein	Board of Public Works PAYGO Capital Fiscal Briefing (PAYGO Overview)

Jason A. Kramer	Department of Commerce Department of Housing and Community Development Maryland Economic Development Corporation Maryland Technology Development Corporation Maryland Transportation Authority State Lottery and Gaming Control Agency
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
Matthew J. Mickler	Maryland Automobile Insurance Fund Maryland Department of Transportation Maryland Aviation Administration Maryland Port Administration Motor Vehicle Administration
Jordan D. More	Maryland Department of Health Administration Behavioral Health Administration Health Professionals Boards and Commissions Health Regulatory Commissions Office of Health Care Quality Overview Payments to Civil Divisions of the State
Simon G. Powell	Maryland Department of Health Medical Care Programs Administration
Helen R. Rogers	Maryland 529 Maryland State Library Agency
Michael C. Rubenstein	State Retirement Agency

Rebecca J. Ruff	Department of Budget and Management Secretary Department of Juvenile Services Department of State Police Governor's Office of Crime Control and Prevention Maryland Emergency Medical System Operations Fund Military Department
Kyle D. Siefering	Aid to Community Colleges Baltimore City Community College Interagency Committee on School Construction Maryland State Department of Education Aid to Education Early Childhood Development Headquarters
Jared S. Sussman	Department of Aging Department of Veterans Affairs Maryland Department of Health Chronic Hospitals Developmental Disabilities Administration Prevention and Health Promotion Administration Public Health Administration Maryland Health Benefit Exchange
Laura M. Vykol	Department of Budget and Management Personnel Maryland Supplemental Retirement Plans Subsequent Injury Fund Uninsured Employers' Fund
Anne P. Wagner	Department of Disabilities Department of Human Services Administration Child Support Administration Executive Department Boards, Commissions, and Offices Governor's Office for Children and Interagency Fund Maryland Institute for Emergency Medical Services Systems

Kenneth B. Weaver	Department of Public Safety and Correctional Services Administration Criminal Injuries Compensation Board Division of Correction Division of Parole and Probation Division of Pretrial Detention Inmate Grievance Office Maryland Commission on Correctional Standards Maryland Parole Commission Overview Patuxent Institution Police and Correctional Training Commissions
Benjamin B. Wilhelm	Executive Department Governor Judiciary Office of Administrative Hearings Office of the Attorney General Office of the Public Defender Property Tax Assessment Appeals Boards State Department of Assessments and Taxation State Board of Elections Workers' Compensation Commission
Tonya D. Zimmerman	Department of Human Services Family Investment Administration Office of Home Energy Programs Overview Social Services Administration Maryland Energy Administration Maryland Food Center Authority Public Service Commission

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Senate Budget and Taxation Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed. Funds	Total Funds	Positions
2019 Budget Request						
General Assembly of Maryland	-$250,000	$0	$0	$0	-$250,000	
Judiciary	12,435,249	0	0	0	12,435,249	23.3
Governor's Office of Crime Control and Prevention	133,653	0	0	0	133,653	1.0
State Board of Elections	0	5,363,547	0	0	5,363,547	
Department of Budget and Management – Secretary	47,489	0	0	0	47,489	
State Retirement Agency	240,000	880,000	80,000	0	1,200,000	
Maryland Department of Transportation (MDOT) – Maryland Port Administration	0	149,216	0	0	149,216	
MDOT – Maryland Port Administration – pay-as-you-go (PAYGO) Capital	0	36,730	0	0	36,730	
Department of Natural Resources – PAYGO	0	1,900,000	0	0	1,900,000	
Maryland Department of Health (MDH) – Health Regulatory Commissions	0	26,000,000	0	0	26,000,000	
Department of Labor, Licensing, and Regulation – Workforce Development	0	0	211,000	0	211,000	
Maryland State Department of Education – Aid to Education	1,280,000	0	0	0	1,280,000	
Department of Juvenile Services	700,000	0	0	0	700,000	
Fiscal 2019 Total Budget	**$14,586,391**	**$34,329,493**	**$291,000**	**$0**	**$49,206,884**	**24.3**

Agency	General Funds	Special Funds	Federal Funds	Higher Ed. Funds	Total Funds	Positions
Fiscal 2018 Deficiency Budget						
Governor's Office of Crime Control and Prevention	$50,974	$0	$0	$0	$50,974	
MDH – Medical Care Programs Administration	8,100,000	0	0	0	8,100,000	
General Assembly of Maryland	950,942	0	0	0	950,942	
Judiciary	4,549,245	290,337	0	0	4,839,582	
Department of General Services	1,321,454	0	0	0	1,321,454	
Department of Juvenile Services	1,250,000	0	0	0	1,250,000	
Total Fiscal 2018 Deficiency Budget	**$16,222,615**	**$290,337**	**$0**	**$0**	**$16,512,952**	
Grand Total Budget Bill	**$30,809,006**	**$34,619,830**	**$291,000**	**$0**	**$65,719,836**	**24.3**

B75A01
General Assembly of Maryland

Budget Amendments

DEPARTMENT OF LEGISLATIVE SERVICES

B75A01.04 Office of the Executive Director

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Add funding for consulting studies required to support ongoing work for various committees and commissions.	-250,000	GF	
Total Reductions	-250,000		0.00

Effect	Allowance	Appropriation	Amount Increase	Position Reduction
Position	65.00	65.00		0.00
General Fund	8,569,544	8,819,544	250,000	
Total Funds	**8,569,544**	**8,819,544**	**250,000**	

Amendment No. **1**

C00A00
Judiciary

Budget Amendments

Add the following language:

Provided that $6,723,905 in general funds for employee merit salary increases and increased compensation for judges is reduced. The Chief Judge is authorized to allocate this reduction across the Judiciary. These funds are provided for the following purposes:

Employee merit salary increases	3,918,030
Judicial Compensation Commission recommended salary increases	2,805,875

Explanation: This action eliminates funding for merit salary increases for Judiciary employees but retains funding for a cost-of-living adjustment consistent with the Governor's budget. The action also reduces funding for judicial salary increases proposed by the Judicial Compensation Commission to conform with General Assembly action on those recommendations.

Amendment No. **2**

Add the following language:

Further provided that $4,000,000 in general funds is reduced. The Chief Judge shall allocate this reduction across the Judiciary.

Explanation: This action reduces the fiscal 2019 general fund appropriation by $4.0 million due to the fiscal condition of the State. The Chief Judge is authorized to allocate this reduction across the Judiciary.

Amendment No. **3**

C00A00

JUDICIARY

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.

Amendment No. **4**

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Eliminate funding for 6 positions in the District Court. These positions are being denied due to the fiscal condition of the State.	294,387	GF	6.00
2. Reduce funding for furniture and equipment purchases. This reduction is intended to be spread across the Judiciary.	344,569	GF	
Total Reductions	638,956		6.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	1,570.50	1,564.50		6.00
General Fund	198,556,637	197,917,681	638,956	
Total Funds	**198,556,637**	**197,917,681**	**638,956**	

Amendment No. **5**

C00A00

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report detailing the fiscal 2018 costs and utilization of the Appointed Attorney Program.

Information Request	Author	Due Date
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2018

C00A00.06 Administrative Office of the Courts

Maryland Electronic Courts Initiative Upgrades for Baltimore City: The committees are committed to providing sufficient funding for the statewide implementation of the Maryland Electronic Courts Initiative (MDEC) but also expect the project finances to be carefully managed. The committees are concerned that the Judiciary plans to spend at least $250,000 on information technology upgrades for the Fayette Street District Courthouse in Baltimore City in fiscal 2021 before vacating the facility in fiscal 2022. The committees request a report providing a more detailed explanation of the planned upgrades for the facility and their estimated costs, as well as any less costly alternatives that would achieve the Judiciary's underlying goal of making the building MDEC capable.

Information Request	Author	Due Date
MDEC upgrades in Baltimore City	Judiciary	December 1, 2018

New Judgeship Deployment Plan: The committees are interested in the impact of the new judicial workload standards and how they can be best utilized to inform decision making on new and existing judgeships. The committees request that the Judiciary submit a new, multi-year Judgeship Deployment Plan as part of the Judiciary's fiscal 2020 certification of judicial need. The committees also request that the certification of judicial need include a plan for utilizing excess judge time in jurisdictions shown to have more judges than are necessary to manage existing caseloads.

Information Request	Author	Due Date
New judgeship deployment plan and strategy for efficient management of judicial resources	Judiciary	January 1, 2019

C00A00

Budget Amendments

C00A00.07 Court Related Agencies

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Eliminate funding for a 0.25 new position in the Court Related Agencies program. This position is being denied due to the fiscal condition of the State.	22,429	GF	0.25
Total Reductions	22,429		0.25

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	17.00	16.75		0.25
General Fund	3,152,745	3,130,316	22,429	
Total Funds	**3,152,745**	**3,130,316**	**22,429**	

Amendment No. **6**

C00A00.09 Judicial Information Systems

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Eliminate funding for 7 new positions in Judicial Information Systems. These positions are being denied due to the fiscal condition of the State.	556,739	GF	7.00
Total Reductions	556,739		7.00

C00A00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	154.75	147.75		7.00
General Fund	48,700,519	48,143,780	556,739	
Special Fund	8,374,854	8,374,854	0	
Total Funds	**57,075,373**	**56,518,634**	**556,739**	

Amendment No. **7**

C00A00.10 Clerks of the Circuit Court

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Eliminate funding for 10 new positions in the Clerks of the Circuit Court program. These positions are being denied due to the fiscal condition of the State.	493,220	GF	10.00
Total Reductions	493,220		10.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	1,475.50	1,465.50		10.00
General Fund	99,653,936	99,160,716	493,220	
Special Fund	19,666,240	19,666,240	0	
Total Funds	**119,320,176**	**118,826,956**	**493,220**	

Amendment No. **8**

C81C
Office of the Attorney General

Committee Narrative

OFFICE OF THE ATTORNEY GENERAL

C81C00.01 Legal Counsel and Advice

Agency Staffing and Vacancies: The committees are concerned about the high vacancy rate of the Office of the Attorney General (OAG) and reports from the agency that it is difficult to reduce this rate because other agencies hold assistant Attorney General positions open to reduce expenditures and because of the constraints of OAG's turnover expectancy and the relative low salaries for attorneys that the office can offer. The committees are also concerned that legislation enacted during the 2017 session significantly increased the responsibilities of OAG, but additional regular positions have not been created to perform those functions. While it is possible that some or all of those new functions could be managed by filling some of those existing positions, the committees would like additional information on current agency staffing. Therefore, the committees request that OAG prepare a report on agency staffing needs, including the current salary schedule for OAG attorneys and a discussion of the potential to fill additional vacant positions to support recently enacted responsibilities.

Information Request	Author	Due Date
Agency staffing and vacancies	OAG	September 1, 2018

C96J00
Uninsured Employers' Fund

Budget Amendments

UNINSURED EMPLOYERS' FUND

C96J00.01 General Administration

Add the following language to the special fund appropriation:

, provided that since the Uninsured Employers' Fund (UEF) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $75,000 of this agency's administrative appropriation may not be expended unless:

(1) UEF has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

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

Amendment No. **9**

Add the following language to the special fund appropriation:

Further provided that $50,000 of this appropriation made for the purpose of General Administration may not be expended until UEF submits a draft Request for Proposals (RFP) to competitively bid the third-party claims administrator contract to the budget committees. The report shall be submitted by August 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 be canceled if the report is not submitted to the budget committees.

Further provided that $50,000 of this appropriation made for the purpose of General Administration may not be expended until UEF submits a report providing the award information for the third-party claims administrator contract to the budget committees. The report shall include (1) the number of bidders; (2) the vendor awarded the contract; (3) the term of the contract; and (4) the amount of the contract. The report shall be submitted prior to the award of the contract by February 1, 2019, 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 be canceled if the report is not submitted to the budget committees.

Explanation: According to an Office of Legislative Audits (OLA) January 2018 Audit Report of the Uninsured Employers' Fund (UEF), UEF violated State procurement regulations to obtain claims processing and related services from 11 vendors. OLA recommended that UEF comply with procurement and contract provisions of the State procurement regulations by soliciting competitive bids and executing written contracts for claims processing services. State procurement regulations generally require contracts in excess of $25,000 be awarded by competitive sealed bidding. In March 2017, UEF procured a sole-source, emergency contract for a third-party claims administrator that terminates February 28, 2019. UEF has indicated intention to competitively bid the claims administrator contract in the future but has expressed concern over the lack of expertise and experience within the agency to initiate the RFP process. It is the intent of the budget committees that the Department of Budget and Management facilitate and assist UEF in developing an RFP to competitively bid the claims administrator contract prior to the termination of the existing contract in February 2019.

Information Request	**Author**	**Due Date**
Draft RFP for UEF claims administrator contract	UEF	August 1, 2018
Final award information for UEF claims administrator contract	UEF	February 1, 2019

Amendment No. **10**

C96J00

Committee Narrative

Evaluation of Staffing Needs: Over the course of the 2016 and 2017 interims, the Department of Legislative Services conducted an analysis of the adequacy of staffing levels in the Executive Branch of Maryland. The Uninsured Employers' Fund (UEF) was identified with staffing concerns, including persistent vacancies that are impacting the agency's performance. As a result of vacancies, UEF has had to use a third-party claims administrator to conduct tasks that are a core function of the agency, including processing medical bills, investigating claims, processing weekly income checks to claimants, and maintaining a claims database. Although a third-party contract may be the most efficient solution in the short term to maintain agency operations, UEF should consider the following questions:

- Is the current staffing ideal for carrying out the responsibilities of the agency? Does the agency need more staff to meet the needs of the claimants?
- Does the agency have difficulty recruiting and retaining employees? If so, what needs to be done to change this?
- Are the responsibilities of the third-party claims administrator a core function of the agency? If so, would this function be better served by full-time employees of the agency?

The budget committees request that UEF submit a report that answers the questions posed above and provides an overall evaluation of the agency's staffing needs. This report should be submitted by December 1, 2018, to the budget committees.

Information Request	Author	Due Date
Evaluation of agency staffing needs	UEF	December 1, 2018

Quarterly Financial Records: Based on an actuarial study conducted in 2014, updated with actual revenues and expenditures from fiscal 2012 to 2017, the Uninsured Employers' Fund (UEF) is projected to be insolvent by fiscal 2024. According to UEF, the 2014 actuarial study is out of date and does not reflect the reality of the fund but does not believe conducting another actuarial study would be appropriate at this time due to the lack of accurate records. Given the potential for insolvency of the fund in the near future based on currently available information, the budget committees are interested in the financial well-being of UEF. As such, the budget committees request that UEF report quarterly on actual revenues and expenditures of the fund. The quarterly reports should also provide the most recent fund balance to date. UEF should submit reports on July 1, 2018; October 1, 2018; January 1, 2019; and April 1, 2019.

C96J00

Information Request	Author	Due Date
Quarterly financial reports	UEF	July1, 2018 October 1, 2018 January 1, 2019 April 1, 2019

Managing for Results Measures: The Uninsured Employers' Fund (UEF) submits the number of cases resolved, number of new cases, and number of ongoing investigations as part of its Managing for Results (MFR) submission. According to UEF, these measures do not adequately reflect the performance of the agency, and the definition of a "resolved" case is ambiguous and inappropriate. As such, the budget committees request that UEF work in conjunction with the Department of Budget and Management to develop at least five MFR measures that more appropriately reflect the agency's performance in addition to the data on new, resolved, and ongoing cases currently being reported in the agency's MFR. The budget committees request that UEF submit a report detailing the new proposed MFR measures as well as providing the rationale of why these new measures will more accurately reflect the agency's performance. The budget committees request UEF to submit this report by October 1, 2018.

Information Request	Author	Due Date
Five additional MFR measures and the rationale for the new measures	UEF	October 1, 2018

D05E01
Board of Public Works

Committee Narrative

Operational Reporting: In continuance of the practice that began in July 2008, the committees request that the Maryland Zoological Society submit audited financial statements for fiscal 2018 and year-to-date monthly attendance figures for the zoo for fiscal 2019 by visitor group.

Information Request	Author	Due Date
Audited Financials	Maryland Zoological Society	November 1, 2018
Monthly Attendance	Maryland Zoological Society	Monthly

D15A0516
Governor's Office of Crime Control and Prevention
Executive Department

Budget Amendments

BOARDS, COMMISSIONS, AND OFFICES

D15A05.16 Governor's Office of Crime Control and Prevention

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce salary funding for new criminal justice coordinator position for the new Maryland Criminal Intelligence Network to the base salary level.	31,778	GF	
2. Delete new data analyst position for the new Maryland Criminal Intelligence Network. Analysis functions should be absorbed within existing resources until additional need can be demonstrated.	101,875	GF	1.00
Total Reductions	133,653		1.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	38.00	37.00		1.00
General Fund	113,148,147	113,014,494	133,653	
Special Fund	2,188,174	2,188,174	0	
Federal Fund	40,152,845	40,152,845	0	
Total Funds	**155,489,166**	**155,355,513**	**133,653**	

Amendment No. **11**

D18A18
Governor's Office for Children
Executive Department

Committee Narrative

D18A18.01 Governor's Office for Children

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, 2018

D26A07
Department of Aging

Committee Narrative

D26A07.01 General Administration

Report on Waitlist Data: The Maryland Department of Aging (MDOA) has identified inconsistencies in waitlist data. MDOA has indicated that it is working to correct the issues by conducting a review of waitlist data for the Senior Care program. However, waitlist data has not been provided for two years. The budget committees request a report providing the status of waitlist data reviews. The report should contain an assessment of changes in collection/reporting methodology. To the extent that the issue is not resolved at the time of submission of a report, the department should provide an update on what steps have been taken as of submission and the next steps necessary to resolve the issue.

Information Request	Author	Due Date
Report on waitlists	MDOA	December 1, 2018

Budget Amendments

D26A07.03 Community Services

Add the following language to the general fund appropriation:

<u>, provided that $100,000 of this appropriation made for the purpose of the Nursing Home Diversion program may not be expended until the Department of Aging submits a report to the budget committees that explains how these funds will be used and how allocations to local Area Agencies on Aging will be determined. 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 a report is not submitted.</u>

Explanation: The fiscal 2019 allowance includes funds for a Nursing Home Diversion program to supplement funding in other programs intended to keep seniors in the community. The Department of Aging (MDOA) has not adequately explained how these funds will be allocated or how they will be used to supplement funding of other programs. This language restricts the funds pending submission of a report that explains how they will be allocated and used.

D26A07

Information Request	Author	Due Date
Report on use and allocation of Nursing Home Diversion program funds	MDOA	45 days prior to expenditure

Amendment No. **12**

D38I01
State Board of Elections

Budget Amendments

STATE BOARD OF ELECTIONS

D38I01.02 Help America Vote Act

Reduce appropriation for the purposes indicated:	Funds	Positions
1. The allowance includes $8 million in special funds from local governments to purchase new pollbooks across the State. This acquisition will be financed through the Equipment Lease-Purchase program of the State Treasurer's Office over a three-year period. This action reduces the allowance to reflect this financing plan.	5,363,547 SF	
Total Reductions	5,363,547	0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	9.00	9.00		0.00
General Fund	7,769,691	7,769,691	0	
Special Fund	20,360,830	14,997,283	5,363,547	
Total Funds	**28,130,521**	**22,766,974**	**5,363,547**	

Amendment No. **13**

Committee Narrative

Unresolved Ballot Marking Device Problems: The committees are concerned that problems with ballot marking devices identified before the 2016 election have not been resolved for the 2018 election. These problems make voting more difficult by creating confusion for voters and limiting the number of candidates that can be displayed on screen at one time. The committees express the intent that these issues should be resolved before the 2020 election and request an update before the start of next session on the remedial actions being taken by the State Board of Elections (SBE).

D38I01

Information Request	Author	Due Date
Unresolved ballot marking device problems	SBE	January 14, 2019

D40W01
Department of Planning

Committee Narrative

DEPARTMENT OF PLANNING

D40W01.07 Management Planning and Educational Outreach

Maryland Heritage Areas Authority Financing Fund Spending Plan: The committees are concerned that there is an additional $3 million in the Maryland Department of Planning's (MDP) fiscal 2019 allowance for the Maryland Heritage Areas Authority (MHAA) Financing Fund without a detailed spending plan being available. Therefore, the committees request that MDP provide a report with the fiscal 2020 budget submission detailing the spending plan for the MHAA Financing Fund for the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance.

Information Request	Author	Due Date
MHAA Financing Fund spending plan	MDP	Fiscal 2020 State budget submission

D50H01
Military Department

Committee Narrative

MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

D50H01.06 Maryland Emergency Management Agency

Update on Preparations for Complex Coordinated Terrorist Attacks: Complex Coordinated Terrorist Attacks (CCTA) are diffuse, difficult to detect, and inexpensive. They are also increasing in frequency on a national and global level. With multiple urban areas, highly visible soft targets, and a strong federal presence, Maryland is particularly vulnerable, yet the State lacks a comprehensive CCTA risk assessment. Federal grant funding provided in fiscal 2018 is allowing the Maryland Emergency Management Agency (MEMA) to conduct such an assessment. The budget committees request that MEMA provide an update on the findings of the CCTA risk assessment, including the degree to which Maryland is currently prepared for this type of attack, significant areas of vulnerability, and a plan for addressing the identified risk areas. The report should be submitted to the budget committees no later than December 30, 2018.

Information Request	Author	Due Date
CCTA risk assessment update	MEMA	December 30, 2018

Establishing a Deductible for the Federal Emergency Management Agency's Public Assistance Program: In January 2016, the Federal Emergency Management Agency proposed a rule change that would establish a deductible for states prior to receiving federal public assistance funding for disasters. In its current form, the rule change would likely result in increased financial burdens to Maryland and local governments following a disaster. The budget committees request that the Maryland Emergency Management Agency (MEMA) provide an update on whether action has been taken at the federal level to establish a deductible for the federal public assistance program. If such action has been taken, the report should provide details on the proposed changes to the program, an estimated timeline for implementation, and the potential fiscal impact to the State.

Information Request	Author	Due Date
Public Assistance Program deductible	MEMA	After federal rule change

D99A11
Office of Administrative Hearings

Committee Narrative

D99A11.01 General Administration

Recent Caseloads and Appropriate Agency Staffing: The committees are concerned about recent caseload declines for the Office of Administrative Hearings (OAH) and the impact of these declines on workloads for administrative law judges and other staff. The committees request a report on the reasons for the decline in agency caseloads and an analysis of current staffing needs based on agency workload metrics.

Information Request	Author	Due Date
Recent caseloads and appropriate agency staffing	OAH	November 1, 2018

E50C
State Department of Assessments and Taxation

Budget Amendments

E50C00.01 Office of the Director

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by $2,689,129 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Office of the Director Program. Authorization is granted to process a special fund budget amendment of $2,689,129 to replace the aforementioned General Fund amount.~~

Explanation: This is a technical amendment to remove unneeded language.

Amendment No. **14**

Add the following language to the general fund appropriation:

<u>, provided that since the State Department of Assessments and Taxation (SDAT) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:</u>

(1) <u>SDAT has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; and</u>

(2) <u>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 2019.</u>

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

Amendment No. **15**

Committee Narrative

Pipeline Report on the Enterprise Zone Tax Credit Program: The committees are interested in the recent creation of new enterprise zones by the Department of Commerce (Commerce) and the impact that these new enterprise zones will have on tax credit payments. The committees are concerned about increasing expenditures for this entitlement program and would like to know about new properties in the program's pipeline earlier in the process. Therefore, the committees request a report from the State Department of Assessments and Taxation (SDAT) and Commerce enumerating new properties that have qualified for the program for tax year 2020 and a forecast of anticipated fiscal 2020 program expenditures.

Information Request	Authors	Due Date
Pipeline report on the Enterprise Zone Tax Credit Program	SDAT Commerce	September 1, 2018

Eligibility Awareness for the Homestead Property Tax Credit Program: The committees are concerned that all Marylanders eligible for the Homestead Property Tax Credit are not taking advantage of the program. The committees are also interested in the impact that SB 158 and HB 305 would have on program participation and would like to study the issue further during the 2018 interim. To facilitate this review, the committees request a report explaining how the department determines which homeowners may be eligible for the program and should be notified. The report should also include a study of efficient methods of contacting those homeowners.

Information Request	Author	Due Date
Eligibility awareness for the Homestead Property Tax Credit program	State Department of Assessments and Taxation	August 1, 2018

E50C

Budget Amendments

E50C00.02 Real Property Valuation

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by $14,067,949 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Real Property Valuation program. Authorization is granted to process a special fund budget amendment of $14,067,949 to replace the aforementioned General Fund amount.~~

Explanation: This is a technical amendment to remove unneeded language.

Amendment No. **16**

E50C00.04 Office of Information Technology

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by $1,560,777 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Office of Information Technology Program. Authorization is granted to process a special fund budget amendment of $1,560,777 to replace the aforementioned General Fund amount.~~

Explanation: This is a technical amendment to remove unneeded language.

Amendment No. **17**

E50C

E50C00.05 Business Property Valuation

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by $1,371,914 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Business Property Valuation program. Authorization is granted to process a special fund budget amendment of $1,371,914 to replace the aforementioned General Fund amount.~~

Explanation: This is a technical amendment to remove unneeded language.

Amendment No. **18**

F10A
Office of the Secretary
Department of Budget and Management

Budget Amendments

OFFICE OF THE SECRETARY

F10A01.01 Executive Direction

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Delete the funding increase for 1 new contractual full-time equivalent position within the Office of Transformation and Renewal.	47,489	GF	
Total Reductions	47,489		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	15.00	15.00		0.00
General Fund	2,430,976	2,383,487	47,489	
Total Funds	**2,430,976**	**2,383,487**	**47,489**	

Amendment No. **19**

Committee Narrative

OFFICE OF BUDGET ANALYSIS

F10A05.01 Budget Analysis and Formulation

Summary of Special Fund Accounts: In total, there are over 200 special fund accounts statewide; however, the State currently lacks a comprehensive reporting system for the activities of these accounts. The budget committees request that the Department of Budget and Management (DBM) develop a statewide comprehensive special fund accounting report, which provides the opening and closing fund balances, along with revenue, transfer, and expenditure activity, for each special fund account in the State. The report shall be submitted no later than November 1, 2018.

F10A

Information Request	Author	Due Date
Summary of special fund accounts	DBM	November 1, 2018

Budget Book Personnel and MFR Data: The budget committees are concerned that personnel and Managing for Results (MFR) data was not provided with the budget book submissions in fiscal 2017 and 2018. The budget committees request that the Department of Budget and Management (DBM) ensure that the fiscal 2020 Governor's budget books submission include personnel and MFR data by agency. The personnel data should be consistent with Section 7-121 of the State Finance and Procurement Article. The MFR data should include each agency's mission and vision, as well as key goals, objectives, and performance indicators.

Information Request	Authors	Due Date
Budget book volume with personnel and MFR data	DBM	With the submission of the Governor's fiscal 2020 budget books

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 2018 closeout of the Employee and Retiree Health Insurance Account. This report shall include the (1) closing fiscal 2018 fund balance; (2) actual provider payments due in the fiscal year; (3) State employee and retiree contributions; (4) an accounting of rebates, recoveries, and other costs; (5) any closeout transactions processed after the fiscal year ended; and (6) actual incurred but not received (IBNR) costs. The report shall also include actual IBNR costs in each year from fiscal 2012 to 2017. The report shall be submitted to the budget committees by October 1, 2018. 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 2018 closeout data for the Employee and Retiree Health Insurance Account. The language also requires DBM to provide IBNR costs each year from fiscal 2012 to 2018.

Information Request	Author	Due Date
Report on fiscal 2018 closeout data for the Employee and Retiree Health Insurance Account and IBNR costs from fiscal 2012 to 2018	DBM	October 1, 2018

Amendment No. **20**

Add the following language to the general fund appropriation:

Further provided that $100,000 of this appropriation may not be expended until the Department of Budget and Management submits a report to the budget committees, as requested by the Spending Affordability Committee, which outlines a strategy to address barriers to filling vacant

positions, including hiring standards, excessive turnover expectancy, or inadequate compensation. The report should include consideration of targeted compensation enhancements, reduced levels of turnover expectancy, and reexamination of hiring requirements. 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 to the budget committees.

Explanation: The Spending Affordability Committee requested the Department of Budget and Management (DBM) to submit a report outlining a strategy to address barriers to filling vacant positions. This report was requested by June 1, 2018.

Information Request	Author	Due Date
Report on barriers to filling vacant positions	DBM	June 1, 2018

Amendment No. **21**

Committee Narrative

F10A02.02 Division of Employee Benefits

Prescription Drug Utilization and Costs: The State has entered into a contract with a new Pharmacy Benefit Manager (PBM), effective January 1, 2018. The new PBM anticipates savings in fiscal 2018 as a result of better prices and enhanced rebates and in fiscal 2019 due to a new drug formulary. Given that it is a new contract, the budget committees request the Department of Budget and Management (DBM) to provide quarterly utilization and cost updates for fiscal 2018 and 2019 in order to increase transparency of the projected savings. The update should include a comparison of costs and utilization to the same time period in fiscal 2017 and a comparison of the out-of-pocket costs incurred by State employees and retirees.

Information Request	Author	Due Date
Quarterly State prescription drug utilization and cost data	DBM	July 15, 2018; September 15, 2018; December 15, 2018; March 15, 2019; and June 15, 2019

F10A02

State Wellness Program Managing for Results Measures: In an effort to address escalating medical and prescription drug costs, the State implemented a wellness program in January 2015. The Department of Budget and Management (DBM) collects information on (1) the number of members eligible to participate in the wellness program; (2) the number of members completing requirements and earning wellness incentives; (3) the number of members eligible and completing recommended preventative screenings; (4) the number of members eligible and complying with diabetes treatment; and (5) the cost of chronic conditions. The budget committees request that DBM continue to provide updates of the information listed above, along with any other performance metrics identified in the 2014 Request for Proposal for the State's medical plan, with the submission of the department's annual Managing for Results (MFR) information, starting with the fiscal 2020 MFR submission.

Information Request	Author	Due Date
Wellness program measures, including preventative screenings, diabetes treatment, and chronic condition costs	DBM	With submission of the fiscal 2020 budget books

Health Measures of the State Health Insurance Plan Members: The State implemented a wellness program in calendar 2015 in an attempt to address rising medical and prescription drug costs. Since implementation of the program, there is evidence of increased compliance with treatment for members identified with chronic illnesses, and increased member participation in voluntary preventative exams. However, despite increased participation in wellness program activities, medical and prescription drug costs continue to grow. The budget committees are interested in the impact the wellness program has had on the health of the members of the State health insurance plan, and request that the Department of Budget and Management (DBM) submit a report providing information on plan members, including (1) total annual medical and prescription drug costs for the plan members that earned incentives by completing wellness activities; (2) total annual medical and prescription drug costs for a sample set of plan members, as determined by Segal Consulting, that did not complete wellness activities and earn incentives, for comparison; (3) the number of members identified as obese; (4) the number of members identified as a tobacco user; and (5) the number of members identified with a chronic illness. The data reported should be annual, aggregate information from calendar 2014 to 2017. DBM should submit this report by December 1, 2018.

Information Request	Author	Due Date
Health measures on State health insurance plan members from calendar 2014 to 2017	DBM	December 1, 2018

F50
Department of Information Technology

Committee Narrative

Report on Rural Broadband: In June 2017, the Governor signed an executive order that created the Office of Rural Broadband within the Department of Information Technology (DoIT). The office is required to assist local jurisdictions in their improvement of accessing of high-speed Internet; identifying and coordinating the delivery of sources of funds including federal funds specifically identified for this purpose; working with local economic development agencies to identify areas with a demand for better Internet services; investigating new technologies that would increase high-speed Internet availability; and developing policy, regulations, or legislation relevant to increasing broadband availability. Other State agencies involved with this effort are the Department of Housing and Community Development, the Maryland Department of Transportation, the Department of Commerce, the Maryland Department of Planning, and the Maryland Department of Agriculture. To get comprehensive perspective on the State's rural broadband efforts, the Office of Rural Broadband should report on the State's rural broadband efforts. This should include a summary of resources and technologies that can be used, the responsibilities of agencies supporting rural broadband initiatives or spending, State expenditures supporting rural broadband access, updates on any demonstration or pilot projects, and a strategic vision for rural broadband. The report should be completed by October 12, 2018.

Information Request	Author	Due Date
Report on rural broadband	DoIT's Office of Rural Broadband	October 12, 2018

Enterprise Tech Support Initiative Status Report and Master Plan: Since fiscal 2016, the Administration has implemented the Enterprise Tech Support Initiative. Participating agencies' information technology services are supported by the Department of Information Technology (DoIT). The number of employees supported by DoIT increased from approximately 1,300 in fiscal 2015 to 12,000 in fiscal 2016. The Department of Juvenile Services and the Department of Housing and Community Development are no longer receiving DoIT service, reducing the number of employees served to under 10,000. The department should provide a status report on the initiative. The report should discuss which agencies are supported by DoIT, the cost to DoIT for supporting these agencies, costs saved or avoided, and how the quality of the support provided by DoIT will be measured. The report should also include DoIT's master plan for this initiative. This report should be submitted to the budget committees by December 1, 2018.

Information Request	Author	Due Date
Enterprise Tech Support Initiative status report and master plan	DoIT	December 1, 2018

Enterprise Tech Support Initiative Performance Indicators: Since fiscal 2016, the Administration has implemented the Enterprise Tech Support Initiative. Participating agencies' information technology (IT) services are supported by the Department of Information Technology (DoIT). Approximately 10,000 employees are receiving IT support services. DoIT no longer publishes performance measures for the IT services it provides. The department should provide Managing for Results (MFR) performance goals, objectives, and indicators for its Enterprise Tech Support Initiative. The MFR indicators should be provided with the fiscal 2020 budget.

Information Request	Author	Due Date
Enterprise Tech Support Initiative performance indicators	DoIT	With the fiscal 2020 budget books

Review of State Cybersecurity Practices: The committees are concerned about the number of information technology (IT) cybersecurity audit findings. Common findings in recent years include not properly protecting personally identifiable information (pii), not installing available malware software, and improperly granting administration rights. The cybersecurity literature and recent breaches suggest that exploiting personnel weaknesses is how most cybercrime is committed. The committees are concerned that findings related to insufficient malware and improper administration rights are precisely the vulnerabilities that hackers exploit to obtain pii. Complicating the State's cybersecurity efforts is the State's federated approach. While the Department of Information Technology (DoIT) is responsible for developing cybersecurity policies and procedures, agencies are responsible for managing their IT systems. Consequently, DoIT cannot directly address cybersecurity findings. Concerns have also been raised about staffing. In response to request in the fiscal 2018 Joint Chairmen's Report, the Department of Budget and Management and DoIT determined that DoIT's IT personnel have higher vacancy rates, higher turnover rates, and higher resignation rates than other State agencies. The report also acknowledged that State IT salaries were lower than similar non-State positions. A recent review of cybersecurity personnel shows that from July 2016 to February 2018, 44% of DoIT cybersecurity positions were vacant. DoIT should report to the budget committees on the state of cybersecurity. The report should (1) project the cost required to address audit issues; (2) examine the costs and benefits of State's federated IT approach; (3) review resources, including staffing, to examine if adequate resources are available; and (4) discuss specifically what the State has done to address cybersecurity audit findings. The report should be completed by October 26, 2018.

Information Request	Author	Due Date
Review of State cybersecurity practices	DoIT	October 26, 2018

G20J01
State Retirement Agency

Budget Amendments

Add the following language:

Provided that contingent on the enactment of SB 899 or HB 1012, authorization to expend reimbursable funds is reduced by $2,316,965.

Explanation: Contingent on legislation to grant compensation authority for the Investment Division, this action would reduce the State's share of reimbursable funds. If the bill is enacted, Investment Division compensation and operating expenses would be paid from the accumulation fund and not from a share of State administrative fees.

Amendment No. **22**

Add the following language:

Further provided that authorization to expend reimbursable funds is reduced by $400,000.

Explanation: The Governor's fiscal 2019 allowance includes $4.0 million for a new custodial banking contract, but the new contract is expected to cost only $2.8 million in the first year. This cut consists of this reduction in authorization to spend $400,000 in reimbursable funds and a special fund reduction of $800,000.

Amendment No. **23**

STATE RETIREMENT AGENCY

G20J01.01 State Retirement Agency

Add the following language to the special fund appropriation:

, provided that the appropriation made for the purpose of the Investment Division staff compensation and operating expenses shall be reduced by $4,474,108 contingent on enactment of SB 899 or HB 1012 (State Retirement and Pension System – Investment Division), which establishes that compensation and operating expenses for the Investment Division staff is not to be paid from special funds, but instead is paid from the accumulation funds of the several systems.

G20J01

Explanation: SB 899 or HB 1012 grants the Board of Trustees of the State Retirement and Pension System independent authority to create/eliminate positions within the Investment Division and to establish compensation levels for those positions, including performance bonuses. They also specify that compensation for those positions and other operating expenses of the Division, are to be paid from the accumulation funds of several systems (the "pension trust fund") rather than from special funds or reimbursable funds consisting of the administrative fees collected from the State and participating employers. This action reduces the special fund portion paid by local jurisdictions and other participating employers, contingent upon enactment of either bill.

Amendment No. **24**

Reduce appropriation for the purposes indicated:	Funds		Positions
1. The Governor's fiscal 2019 allowance includes $4.0 million for a new custodial banking contract, but the new contract is expected to cost only $2.8 million in the first year. This reduction consists of a reduction of $800,000 in special funds and $400,000 in reimbursable funding.	800,000	SF	
Total Reductions	800,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	197.00	197.00		0.00
Special Fund	21,669,007	20,869,007	800,000	
Total Funds	**21,669,007**	**20,869,007**	**800,000**	

Amendment No. **25**

H00
Department of General Services

Committee Narrative

Review of Facilities Operations and Maintenance: The Department of General Services (DGS) has reduced the number of positions in the Facilities Operations and Maintenance program in recent years. Since fiscal 2002, maintenance and building services positions have declined by 27% at a time when there is no corresponding change in the number of buildings serviced. To offset these losses, contracting for maintenance and janitorial services has increased by 63% over the same period after adjusting for inflation. It appears that decisions concerning decreased staffing and increased use of vendors were not based on best practices or strategic planning. Rather, reductions have been made through attrition, so staffing levels have been determined by vacancies instead of facility needs. There is little standardization among DGS' different regions. DGS should examine the Facilities Operations and Maintenance budget to determine how to most effectively and efficiently provide services. DGS should prepare a report with recommendations on the most effective approach for providing services. The report should evaluate the appropriateness of using vendors for routine tasks, when using vendors is more cost effective than hiring State employees, strategies to reduce high turnover rates among State employees, and a comparison of State and non-State salaries. The report should be completed by November 2, 2018.

Information Request	Author	Due Date
Review of State facilities operations and maintenance	DGS	November 2, 2018

Critical Maintenance and Facilities Renewal Report: The Department of General Services (DGS) is responsible for design, construction, and repair of over 900 State facilities with unknown square footage. DGS is charged with maintaining this investment. The committees are concerned that these facilities have a substantial backlog of operating critical maintenance and capital facilities renewal projects and that this backlog will require increased costs to remediate. At the end of fiscal 2017, the critical maintenance backlog totaled $39 million, and the facilities renewal backlog totaled $148 million. DGS should report to the committees on the backlog and its efforts to reduce the backlog. The report should include the following for both operating critical maintenance and capital facilities renewal projects for fiscal 2018 and 2019:

- a complete list of the projects on the backlog in priority order, including estimated costs that sum to the reported aggregate total as of July 1 of each fiscal year;
- a list of new and emergency projects added during the fiscal year;
- a list of projects removed from the backlog during the fiscal year for any reason other than committed funding;

- a list of projects that the department has committed to doing during the fiscal year, which should recognize unassigned balances for potential emergencies, if applicable, or for fiscal 2018 a list projects completed during the fiscal year by priority; and

- end-of-year backlog list in priority order and estimated cost.

DGS should make spreadsheets with project data showing each project's priority, department, and encumbrances. The report should be completed by November 30, 2018.

Information Request	**Author**	**Due Date**
Critical maintenance and facilities renewal report	DGS	November 30, 2018

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 2018-2023 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 2018 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year, if certain changes to projects are made.

J00

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

Amendment No. **26**

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 2019. 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 2019 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.

J00

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

Amendment No. **27**

J00A01
The Secretary's Office
Department of Transportation

Budget Amendments

THE SECRETARY'S OFFICE

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than $5,238,042 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 $5,238,042 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

Amendment No. **28**

J00A01

J00A01.03 Facilities and Capital Equipment

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 2018-2023 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.

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

Amendment No. **29**

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 $3,422,265,000 as of June 30, 2019. 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. 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, 2017, plus projected debt to be issued during fiscal 2018 and 2019 in support of the transportation capital program.

Amendment No. **30**

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 2018 through 2028.

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

Amendment No. **31**

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, exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed $874,695,000 as of June 30, 2019. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed $925,315,170 as of June 30, 2019. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

(1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2019, and the total amount by which the fiscal 2019 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 2019 for non-TIFIA debt, to the total amount that that was outstanding from all previous nontraditional debt issuances as of June 30, 2017, plus an anticipated issuance of $35.9 million for shuttle bus acquisitions for the Baltimore-Washington International Thurgood Marshall

airport. TIFIA debt outstanding for the Purple Line project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2019 by providing notification to the budget committees regarding the reason that the additional debt is required.

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

Amendment No. **32**

J00B01
State Highway Administration
Department of Transportation

Budget Amendments

STATE HIGHWAY ADMINISTRATION

J00B01.01 State System Construction and Equipment

Add the following language to the special fund appropriation:

, provided that $13,000,000 of this appropriation may be used only to construct the expansion of US 301 South at MD 5 and the Western bypass at the US 301/MD 5 interchange. 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: These two improvements will give immediate traffic relief to the highly congested interchange entering Charles County, Maryland from Prince George's County, Maryland.

Amendment No. **33**

Committee Narrative

J00B01.02 State System Maintenance

Mowing and Snow Removal Contracted Services: The committees are interested in ensuring that when activities such as mowing and snow removal operations are procured as contractual services in lieu of utilizing State employees, the contracts actually result in savings to the State. The committees, therefore, request the State Highway Administration (SHA) to submit a report comparing the costs and benefits derived through utilization of contractors for these activities vis-à-vis utilizing State employees. The report should be submitted by October 1, 2018.

Information Request	Author	Due Date
Report comparing the costs and benefits of using contracts versus State employees for mowing and snow removal activities	SHA	October 1, 2018

Budget Amendments

J00B01.05 County and Municipality Funds

Add the following language to the special fund appropriation:

, provided that $5,856 of this appropriation made for the purpose of providing transportation aid to Deer Park in Garrett County may not be expended until the town has submitted audit reports and Uniform Financial Reports as required under Sections 16-304 and 16-306 of the Local Government Article for fiscal 2015, 2016, and 2017. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Further provided that $1,732 of this appropriation made for the purpose of providing transportation aid to Caroline County on behalf of Marydel may not be expended until the town has submitted the audit reports and Uniform Financial Reports as required under Sections 16-304 and 16-306 of the Local Government Article for fiscal 2012, 2013, 2014, 2015, 2016, and 2017. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise and shall be canceled.

Explanation: This language restricts transportation aid to municipalities that have not submitted audit reports and financial reports required in statute until the required documents have been submitted for all delinquent years.

Information Request	Author	Due Date
Audit reports and Uniform Financial Reports for Fiscal 2015 through 2017	Deer Park	Prior to distribution of funds
Audit reports and Uniform Financial Reports for fiscal 2012 through 2017	Marydel	Prior to distribution of funds

Amendment No. **34**

J00D00
Maryland Port Administration
Department of Transportation

Budget Amendments

MARYLAND PORT ADMINISTRATION

J00D00.01 Port Operations

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Increase turnover rate from 6% to 7% to better reflect recent experience.	149,216	SF	
Total Reductions	149,216		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	173.00	173.00		0.00
Special Fund	50,536,717	50,387,501	149,216	
Federal Fund	262,560	262,560	0	
Total Funds	**50,799,277**	**50,650,061**	**149,216**	

Amendment No. **35**

Committee Narrative

Alternatives to Howard Street Tunnel Revisions: The committees are concerned about the ongoing nature of the Howard Street Tunnel project, which for years has been a major detriment to expansion of operations at the Helen Delich Bentley Port of Baltimore. The Maryland Port Administration (MPA) has endeavored to find a solution to replace or modify the Howard Street Tunnel to develop double-stack rail capacity for cargo container transport. While MPA seemed close to a solution, the private firm operating the rail line withdrew its support of the project. With the ability to provide double-stack capacity again uncertain, the committees request a report summarizing:

- the alternatives to modifying the Howard Street Tunnel and the associated bridges and tunnels;
- the feasibility of implementing such alternatives;

- the advantages and disadvantages of each alternative; and
- estimated costs for the alternatives and proposed funding sources.

This report shall be submitted by November 1, 2018.

Information Request	Author	Due Date
Report on alternatives to modifying the Howard Street Tunnel to allow for double-stack rail capacity	MPA	November 1, 2018

Budget Amendments

J00D00.02 Port Facilities and Capital Equipment

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Increase turnover rate from 6% to 7% to better reflect recent experience.	36,730	SF	
Total Reductions	36,730		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	36.00	36.00		0.00
Special Fund	124,813,000	124,776,270	36,730	
Federal Fund	2,143,000	2,143,000	0	
Total Funds	**126,956,000**	**126,919,270**	**36,730**	

Amendment No. **36**

J00H01
Maryland Transit Administration
Department of Transportation

Committee Narrative

MARYLAND TRANSIT ADMINISTRATION

J00H01.01 Transit Administration

Maryland Transit Administration Pension Plan: It is the intent of the budget committees that an actuarially determined contribution for the Maryland Transit Administration (MTA) pension plan for the subsequent fiscal year be calculated each fall and that MTA fully fund that amount when preparing its budget. In determining contribution amounts, the actuary should use a closed amortization period ending no later than 2045.

J00H01.05 Facilities and Capital Equipment

Baltimore Metro Shutdown Review: On February 9, 2018, the Maryland Transit Administration (MTA) shut down the Baltimore Metro system to conduct track inspections and subsequently extended the shutdown for a month to conduct track repairs. This emergency shutdown is evidence of deficiencies in the MTA inspection and maintenance program. The following entities are conducting reviews to identify changes that are needed to prevent a similar occurrence in the future:

- MTA;
- the State Safety Oversight Agency located within the Maryland Department of Transportation Office of the Secretary;
- the Federal Transit Administration; and
- the American Public Transportation Association.

The committees request MTA to provide a report that:

- summarizes the findings and recommendations made by each of these entities; and
- indicates the changes made or planned in responses to these reviews and a timeline for any changes planned but not yet implemented.

MTA should submit this report by September 1, 2018, and if any review has not been completed by that time, a follow-up report within 30 days of the completion of any review that occurs after the September 1 report is submitted.

J00H01

Information Request	Author	Due Date
Report on the findings and recommendations arising from reviews of MTA following the emergency shutdown of the Baltimore Metro transit system	MTA	September 1, 2018
Follow-up report on any review completed after the September 1 report is submitted	MTA	Within 30 days of review completion

K00A
Department of Natural Resources

Committee Narrative

MARYLAND PARK SERVICE

K00A04.01 Statewide Operations

Maryland Park Service Funding Report: The committees are concerned that the Maryland Park Service (MPS) is receiving a substantial increase in revenue without a clear description of how the funding is being used in the fiscal 2019 allowance. The funding increase comes from transfer tax funding and Forest or Park Reserve Fund revenue per Chapter 23 of 2017 (Budget Reconciliation and Financing Act), which required the Governor to include in the State budget an appropriation to MPS equal to 100% of own-sourced revenues collected in the Forest or Park Reserve Fund from the second preceding fiscal year, less any administrative costs and prior-year closing fund balance. Therefore, the budget committees request that the Department of Natural Resources (DNR) submit a report with the fiscal 2020 State budget submission showing the allocation of both transfer tax and Forest or Park Reserve Fund funding for the fiscal 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 allowance. The report is requested to include MPS's own-sourced revenue and administrative costs from fiscal 2018, which informs the fiscal 2020 appropriation, and a description of how the appropriations from each of the three years helps to meet the recommendations of the 2016 Five-year Strategic Plan, in terms of both personnel and park resources, and the 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.

Information Request	Author	Due Date
MPS funding report	DNR	Fiscal 2020 State budget submission

State Park Public-private Partnership Pilot Program: The committees are concerned that the Maryland Park Service has camping and cabin facilities that could be expanded at certain State parks but are constrained by limited capital resources for development of the infrastructure and limited personnel resources for staffing. Therefore, the budget committees request that the Department of Natural Resources (DNR) submit a report on the development of a pilot program to expand either the camping or, cabin facilities, or both at a single park using a public-private partnership (P3) model.

Information Request	Author	Due Date
State park P3 pilot program	DNR	December 1, 2018

K00A

Budget Amendments

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan

Add the following language to the special fund appropriation:

Further provided that $7,500,000 of this appropriation made for the purpose of providing funding to the Maryland-National Capital Park and Planning Commission on behalf of Prince George's County from the local share of Program Open Space shall be restricted until a confirmatory letter is sent jointly from the Maryland-National Capital Park and Planning Commission, Prince George's County, and Green Branch Management Group Corporation to the budget committees indicating that a Memorandum of Understanding (MOU) has been signed between the Maryland-National Capital Park and Planning Commission, Prince George's County, and Green Branch Management Group Corporation on field-use time. The confirmatory letter shall be submitted within 30 days following the signing of the MOU. The budget committees shall have 45 days to review and comment upon receipt of the confirmatory letter. Funds restricted pending the receipt of the confirmatory letter may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the confirmatory letter is not received.

Explanation: This action restricts $7,500,000 of Program Open Space – Local funding provided to the Maryland-National Capital Park and Planning Commission on behalf of Prince George's County until confirmation has been provided that a MOU on field-use time has been signed by the Maryland-National Capital Park and Planning Commission, Prince George's County, and Green Branch Management Group Corporation.

Information Request	Authors	Due Date
Confirmation of the signing of a MOU on field-use time	Maryland-National Capital Park and Planning Commission Prince George's County Green Branch Management Group Corporation	30 days following the signing of the MOU

Amendment No. **37**

K00A

K00A07.04 Field Operations

Add the following language to the general fund appropriation:

, provided that $150,000 of the general fund appropriation made for the purpose of administration may not be expended until the Department of Natural Resources (DNR) submits a report outlining how DNR will establish and fund a whistleblower program. The report should include the following: (1) an analysis of natural resources whistleblower programs in other jurisdictions; (2) an assessment of the funding mechanisms other jurisdictions use to fully fund and deploy whistleblower appropriations; and (3) a proposed funding mechanism, fund deployment schedule, and marketing and promotion strategy for Maryland. This report shall be submitted to the budget committees by January 1, 2019. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The budget committees are concerned about the State's enforcement of natural resources violations regulated by DNR due to a shortage of Natural Resources Police personnel. The Natural Resources Police shortage has impinged on the ability of DNR to effectively police the State's natural resources and wildlife. Therefore, this action restricts funding pending the submission of a report by DNR on a plan to establish and fund a whistleblower program rewarding the public for reporting abuses and theft of natural resources. The report is to include an analysis of existing natural resources whistleblower programs in other states, an assessment of funding mechanisms, and a proposed funding and deployment schedule and promotion strategy.

Information Request	Author	Due Date
Whistleblower program report	DNR	January 1, 2019

Amendment No. **38**

L00A
Department of Agriculture

Budget Amendments

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.13 Tobacco Transition Program

Strike the following language from the special fund appropriation:

~~, provided that this appropriation shall be distributed to each of the counties in the Tri-County Council of Southern Maryland in the following allocation:~~

~~Calvert County…… $333,000~~
~~Charles County…… $333,000~~
~~St. Mary's County…… $333,000~~

Explanation: The fiscal 2019 allowance for the Tobacco Transition Program is conditioned by the distribution of one-third equal distributions to only three of the five counties that have historically received agricultural land easement purchase funding – Anne Arundel County and Prince George's County do not receive any funding under this distribution. This action strikes the conditioning of the funding so that the Tri-County Council of Southern Maryland may allocate the funding to all five counties in the manner that the funding historically has been provided.

Amendment No. **39**

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

Add the following language:

<u>It is the intent of the General Assembly that each of the Governor's fiscal 2020 through 2022 budgets appropriate $2,500,000 in general funds for the Next Generation Farmland Acquisition Program.</u>

Explanation: This action expresses the intent of the General Assembly that the Next Generation Farmland Acquisition Program be funded at $2,500,000 for each of fiscal 2020, 2021, and 2022.

Amendment No. **40**

M00A01
Administration
Maryland Department of Health

Budget Amendments

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that since the Maryland Department of Health (MDH) – Office of the Secretary has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:

(1) MDH has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

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 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

Amendment No. **41**

M00A01

Add the following language to the general fund appropriation:

Further provided that $250,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health (MDH) submits a report to the budget committees detailing how MDH plans to improve the recruitment and retention of direct care employees at the department's residential institutions. The report should include (1) an analysis of the appropriate compensation required to improve the recruitment and retention of direct care staff; and (2) the budgetary impact of closing the salary gap required to appropriately compensate the direct care staff. This report shall be submitted by November 1, 2018, 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 shall revert to the General Fund if the report is not submitted.

Explanation: The vacancy rates of direct care staff, including nurses, physicians, and direct care aides, continues to climb across MDH, and evidence presented at previous hearings has suggested that one of the main reasons for the high vacancy rate is a lack of appropriate compensation for these positions. The committees request that the department submit a report detailing what salaries the department would have to provide in order to lower the vacancy rates among these employees, including the impact upon the budget of reclassifying the salaries of these employees to the appropriate rates.

Information Request	**Author**	**Due Date**
Direct care recruitment and retention study	MDH	November 1, 2018

Amendment No. **42**

M00I
Chronic Hospitals
Maryland Department of Health

Committee Narrative

WESTERN MARYLAND CENTER

M00I03.01 Services and Institutional Operations

Western Maryland Hospital Center Building Assessment and Feasibility Study: A stakeholder workgroup concluded that there is an immediate need for either renovations to the existing Western Maryland Hospital Center (WMHC) or a new facility. The workgroup also discussed the feasibility of different funding streams for any changes to the facility. The workgroup recommended that the Maryland Department of Health (MDH) conduct a building assessment and feasibility study. MDH should submit the building assessment and feasibility study and MDH's plan for WMHC in consideration of that assessment and study by December 1, 2018.

Information Request	Author	Due Date
Submission of a building assessment, feasibility study, and MDH's plan for WMHC	MDH	December 1, 2018

M00L
Behavioral Health Administration
Maryland Department of Health

Budget Amendments

Add the following language:

Provided that $200,000 of the general fund appropriation in program M00A01.01 Executive Direction made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees on the appropriate staffing levels for direct care employees within the facilities administered by the Behavioral Health Administration (BHA). The report should include (1) the number and type of appropriate direct care staff needed to fully operate specific units of the various hospitals; and (2) the amount of staff that would be required based on these standards given the bed capacity that BHA is expected to operate. The report shall be submitted by November 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The budget committees are concerned about the staffing levels that the department has funded given the level of bed capacity that the department desires to operate. The committees thus request that the Maryland Department of Health (MDH) submit a report on the levels of direct care staffing required at the BHA facilities, similar to the staffing study submitted in response to the 2009 Joint Chairmen's Report that shall include both the staffing levels required to operate specific units of the various facilities as well as the amount of staff that the department will need to operate its desired bed capacity.

Information Request	Author	Due Date
BHA facility staffing study	MDH	November 1, 2018

Amendment No. **43**

Committee Narrative

M00L01.01 Program Direction

Fidelity Audits of Evidence-based Practices: The budget committees are concerned about the effect of fidelity audits on evidence-based practices, such as supported employment (SE) and assertive community treatment (ACT). The budget committees request a report from the Maryland Department of Health (MDH) by January 4, 2019, on the following:

- the number of SE and ACT programs operating in the State as of January 1, 2017, and the number of SE and ACT programs operating in the State as of January 1, 2018;

- the number of fidelity audits conducted on these programs during calendar 2017 and 2018;

- the results of those audits, including the number of programs that successfully passed, the number placed on provisional status, and the number that failed; and

- any training provided to the auditors on the interpretation of the fidelity standards and inter-rater reliability.

Information Request	Author	Due Date
Report on fidelity audits of SE and ACT programs	MDH	January 4, 2019

Statewide Review of the Behavioral Health Workforce and Capacity: The budget committees are concerned about the current capabilities and the capacity of the behavioral health workforce, especially in light of the state of emergency for the opioid crisis. The committees request that the Maryland Department of Health (MDH) conduct an analysis of the behavioral health workforce and infrastructure to determine the strengths and weaknesses of the State's Public Behavioral Health System (PBHS). The committees request that MDH:

- review, by jurisdiction, the number of outpatient treatment, acute care services, residential-based treatment, support services, and other community-based services utilized over the past three years in PBHS;

- review, by jurisdiction, the occupancy rate of residential-based treatment services over the past three years in PBHS;

- review, by jurisdiction, the number of mental health and substance use service providers licensed by the State;

- review, by jurisdiction, the number and types of certified and noncertified peer recovery specialists or other lay providers involved in the provision of behavioral health services;

- assess what steps the department is taking to identify areas of service delivery in the community that are not meeting the current demand or where sufficient services do not exist;

- identify any gaps in treatment capacity and disparity in reimbursement by public and private payers that is limiting the ability of patients to access needed care in the least restrictive settings; and

- make recommendations on how to address any gaps in treatment and capacity identified.

MDH shall submit a report of the findings by November 1, 2018.

Information Request	Author	Due Date
Review of the behavioral health workforce and capacity	MDH	November 1, 2018

Budget Amendments

M00L01.02 Community Services

Add the following language to the general fund appropriation:

Further provided that $2,500,000 of this appropriation made for the purpose of provider reimbursements for substance use disorder residential treatment services may not be used for that purpose but instead may only be transferred to Program M00L01.04 Opioid Operational Command Center to provide additional funding for the opioid crisis. 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 at the end of the fiscal year.

Explanation: This language restricts $2.5 million of the appropriation made for substance use disorder residential treatment services and instead only allows that funding to be transferred to the Opioid Operational Command Center (OOCC). This surplus funding is intended to backfill the general funds that are budgeted within OOCC to be used to support rate increases for community-based behavioral health providers so that more funding may be spent on the heroin and opioid crisis.

Amendment No. **44**

M00L

Committee Narrative

M00L01.04 Opioid Operational Command Center

Opioid Crisis Fund: The budget committees request quarterly reports for fiscal 2019 on the funding plan for the funds contained in the Opioid Crisis Fund (OCF) from the Opioid Operational Command Center (OOCC) as well as the Maryland Department of Health (MDH). These reports are to include the spending plan for these funds, including the fund source for each line item, as well as any changes to the spending plan and any performance metrics that have been gathered by OOCC from programs receiving this funding.

Information Request	Authors	Due Date
OCF quarterly reports	MDH OOCC	September 30, 2018 December 31, 2018 March 31, 2019 June 30, 2019

M00M
Developmental Disabilities Administration
Maryland Department of Health

Budget Amendments

DEVELOPMENTAL DISABILITIES ADMINISTRATION

M00M01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that it is the intent of the General Assembly that the Maryland Department of Health submit monthly caseload data including total caseload numbers, attrition, and expansion in each placement category by month for the programs within M00M01.02. The data should be submitted on a monthly basis to the Department of Legislative Services.

Explanation: The Maryland Department of Health (MDH) is beginning a new rate-setting process for the Developmental Disabilities Administration (DDA) that will fundamentally alter the way that DDA makes payments to community service providers. This language requests data from MDH to aid in monitoring the DDA budget.

Information Request	Author	Due Date
Fiscal 2019 monthly data submissions	MDH	August 1, 2018, and each month thereafter

Amendment No. **45**

Committee Narrative

Managing for Results Submissions: As more individuals seek community-based care, the State Residential Centers (SRC) population includes individuals that have more involvement with the criminal justice system (court-ordered) and more complex conditions. There is concern that staff and resident assaults are contributing to unsafe working and living conditions. The Maryland Department of Health (MDH) should begin submitting staff and resident assault data in the annual Managing for Results (MFR) submission for each of the SRCs managed by the Developmental Disabilities Administration.

Information Request	Author	Due Date
Staff and resident assault data	MDH	With MFR submission

M00M

M00M01.02 Community Services

Creation of New Subprograms: The Community Services Program within the Maryland Department of Health (MDH) Developmental Disabilities Administration has begun enrollment in two new programs intended to provide specified services to individuals in the community. These two programs are rolled into one subprogram code in the fiscal 2019 budget data. MDH should separate these two distinct programs into individual subprograms in the fiscal 2020 budget submission.

Contract Procurement Delays: In recent years, it has become evident that the Maryland Department of Health (MDH) Developmental Disabilities Administration (DDA) has had challenges procuring contracts. In recent months, DDA has had to seek modifications to existing contracts to allow for more time to procure new contracts. Additionally, funds budgeted in the community service program for various contracts have not been expended due to the failure to procure contracts. The budget committees request a report that explains these delays and actions taken to prevent delays in the future.

Information Request	Author	Due Date
Report on procurement delays	MDH	September 1, 2018

Expanded Uses of the Waiting List Equity Fund: Since fiscal 2011, revenues have outpaced expenditures in the Waiting List Equity Fund (WLEF), resulting in a fund balance of approximately $7.2 million at the close of fiscal 2017. The WLEF was established to ensure that funding associated with individuals served in a State Residential Center follows them to the community when they are transitioned to a community-based care setting and that any funds remaining be used to provide community-based services to individuals on the waitlist. WLEF funds may not be used to supplant funds for emergency placements or transitioning youth. The WLEF funds only the first year of placement for an individual.

The budget committees are concerned that the growing fund balance can be used more effectively to provide services for more individuals. The Maryland Department of Health (MDH) has indicated that it would like to work with the Developmental Disabilities Coalition to explore how to best use the WLEF, noting that changes in the allowable use of the funds will require legislative action. To ensure that action is taken and that MDH is prepared to introduce legislation during the 2019 legislative session, the budget committees request that MDH meet with stakeholders and report on the following:

- recommendations of the stakeholder meetings;
- a final determination on how to best utilize the WLEF, including expansion of eligible services;

- an estimate of how many people on the waiting list will be served under the new guidelines compared to the current allowable uses of the fund;
- the draft legislation necessary to facilitate changes; and
- the financial impact on the WLEF.

Information Request	Author	Due Date
Report on expanded uses of the WLEF	MDH	December 1, 2018

M00Q01
Medical Care Programs Administration
Maryland Department of Health

Budget Amendments

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.01 Deputy Secretary for Health Care Financing

Add the following language to the general fund appropriation:

, provided that $1,000,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health has submitted all of the reports related to the Medical Care Programs Administration requested in the 2017 Joint Chairmen's Report and fiscal 2018 budget bill, and the Department of Legislative Services has reviewed all of those reports. Further provided that those reports shall be submitted no later than September 1, 2018. Funds restricted pending the receipt of these reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if all of the reports are not submitted.

Explanation: The language restricts funding until the Maryland Department of Health (MDH) submits all of the reports in relation to the Medical Care Programs Administration requested in the 2017 Joint Chairmen's Report (JCR) and the fiscal 2018 budget bill, and the Department of Legislative Services has reviewed all of those reports.

Information Request	Author	Due Date
2017 JCR and fiscal 2018 budget bill report requests	MDH	September 1, 2018

Amendment No. **46**

Add the following language to the general fund appropriation:

Further provided that since the Medical Care Programs Administration (MCPA) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:

(1) MCPA has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

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 pending the adoption of corrective actions 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

Amendment No. **47**

Add the following language to the general fund appropriation:

Further provided that $100,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits a broad-based plan to the budget committees to address hepatitis C in Maryland. The plan shall be submitted by July 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the plan may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the plan is not submitted.

Explanation: In January 2018, the American Civil Liberties Union of Maryland indicated that it would be instituting legal action concerning the criteria adopted by Maryland Medicaid for access to Hepatitis C therapies. In its response to that letter, the Maryland Department of Health (MDH) indicated that it was developing a broad-based plan to address Hepatitis C in the State. The language withholds funding until that plan is submitted to the budget committees.

Information Request	**Author**	**Due Date**
Broad-based plan to address Hepatitis C in Maryland	MDH	July 1, 2018

Amendment No. **48**

M00Q01

Add the following language to the general fund appropriation:

Further provided that $100,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits a report to the budget committees detailing the findings and recommendations of the consultant hired through the Medicaid Program Business Process Consulting Diagnostic Services and Roadmap for Change procurement. The report shall be submitted by November 1, 2018, 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 and shall revert to the General Fund if the report is not submitted.

Explanation: The Maryland Department of Health (MDH) is currently procuring a contract to perform an analysis of the administrative aspects of the Medicaid program, recommend business process and organizational changes to improve the performance of the program, and provide a roadmap for implementation of recommended changes. The language asks the department for a report on the contractor's finding and recommendations.

Information Request	Author	Due Date
Medicaid Program Business Process Consulting Diagnostic Services and Roadmap for Change	MDH	November 1, 2018

Amendment No. **49**

Add the following language to the general fund appropriation:

Further provided that $200,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits two reports to the budget committees detailing the impact of data matching cost-containment initiatives as well as its proposed mail return policy. For each measure, the department shall track the number of individuals removed from the Medicaid program in each month after implementation; if, and when, those individuals returned to the Medicaid program; and the number of individuals who are recategorized but remain on the Medicaid program. The department shall submit an initial report by September 1, 2018, and a final report by December 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted.

M00Q01

Explanation: The Maryland Department of Health (MDH) is implementing data matching and other measures to ensure that Medicaid enrollees are eligible for the program. The fiscal 2019 budget assumes $97.2 million in total fund savings as a result of the data matching initiatives. The language requests two reports detailing the impact of those initiatives.

Information Request	Author	Due Date
Impact of data matching and return mail measures initial report	MDH	September 1, 2018
Impact of data matching and return mail measures final report	MDH	December 1, 2018

Amendment No. **50**

M00Q01.03 Medical Care Provider Reimbursements

Add the following language:

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

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

Amendment No. **51**

Amend the following language to the general fund appropriation:

Further provided that ~~$10,000,000~~ $5,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the Medicaid Deficit Assessment reduction amount for fiscal 2019 from $35,000,000 to ~~$25,000,000~~ $30,000,000. Authorization is granted to process a special fund budget amendment up to ~~$10,000,000~~ $5,000,000 from Hospital Assessments to support Medicaid provider reimbursements.

M00Q01

Explanation: Technical amendment to conform to an action in the Budget Reconciliation and Financing Act of 2018 to increase the fiscal 2019 buy-down of the Medicaid Deficit Assessment by $5 million, to $30 million.

Amendment No. **52**

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.

Amendment No. **53**

M00R
Health Regulatory Commissions
Maryland Department of Health

Budget Amendments

HEALTH REGULATORY COMMISSIONS

M00R01.01 Maryland Health Care Commission

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce funding for the Integrated Care Networks to the appropriate level.	6,000,000	SF	
Total Reductions	6,000,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	53.90	53.90		0.00
Special Fund	60,809,628	54,809,628	6,000,000	
Total Funds	**60,809,628**	**54,809,628**	**6,000,000**	

Amendment No. **54**

M00R01.02 Health Services Cost Review Commission

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce payments from the Uncompensated Care Fund to the appropriate level based on the most recent actual. If the amount of uncompensated care rises beyond the level in the appropriation, the department is authorized to process a budget amendment to increase the appropriation.	20,000,000	SF	
Total Reductions	20,000,000		0.00

M00R

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	47.00	47.00		0.00
Special Fund	136,118,346	116,118,346	20,000,000	
Total Funds	**136,118,346**	**116,118,346**	**20,000,000**	

Amendment No. **55**

N00
Department of Human Services

Budget Amendments

Add the following language:

Provided that the spending in fiscal 2019 of the Temporary Assistance for Needy Families federal funds shall not exceed $252,590,029.

Explanation: The Department of Human Services (DHS) ran a deficit in the Temporary Assistance for Needy Families (TANF) funds from fiscal 2011 through 2016. DHS ended fiscal 2017 with a positive balance ($3.7 million). A provision in the Budget Reconciliation and Financing Act of 2018 was adopted to increase the fiscal 2018 cap on TANF spending to the level of estimated available funds. Therefore, no balance is expected in TANF to begin fiscal 2019. As a result, to prevent a return to deficit spending in TANF, this language caps TANF spending to the amount of TANF revenue that DHS expects to receive in fiscal 2019. This level of cap allows for an additional $1.1 million of TANF spending beyond the amount included in the fiscal 2019 budget as introduced.

Amendment No. **56**

N00A01
Office of the Secretary
Department of Human Services

Budget Amendments

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary

Add the following language to the general fund appropriation:

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

(1) DHS has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

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 pending the adoption of corrective actions 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

Amendment No. **57**

N00A01

N00A01.04 Maryland Legal Services Program

Add the following language to the general fund appropriation:

, provided that $13,169,898 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 Services recorded an unprovided-for payable in MLSP. That was the second consecutive year an unprovided-for payable was recorded and the fourth since fiscal 2007. Given the important function of MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last four fiscal years.

Amendment No. **58**

N00B
Social Services Administration
Department of Human Services

Committee Narrative

SOCIAL SERVICES ADMINISTRATION

N00B00.04 General Administration – State

Transition Planning for the Title IV-E Waiver Program: The Department of Human Services (DHS) Social Services Administration has been operating with a Title IV-E Waiver since fiscal 2016. This waiver has allowed DHS to receive federal funds for foster youth that would not otherwise be eligible for Title IV-E funds and to receive federal funds for providing services that would not otherwise be eligible for services. The local departments of social services have begun, or are in the process of, implementing a variety of evidence-based practices using the available federal funds. The committees are interested in the steps that the department is taking to prepare for the end of the waiver to ensure that services continue and the impact on federal funds available for the foster care program due to the transition. The committees request that DHS submit a report on transition planning to ensure that evidence-based practices, support services, and other waiver interventions continue beyond the end of the Title IV-E Waiver, including the fund sources to be used to support the services. The report should also include information on the impact on available federal funds to support the Foster Care Maintenance Payments program at the end of the Title IV-E waiver and efforts to ensure all available funds under the Title IV E Waiver capped allocation are spent prior to the end of the waiver.

Information Request	Author	Due Date
Report on transition planning for the end of the Title IV-E Waiver	DHS	December 15, 2018

N00F00
Office of Technology for Human Services
Department of Human Services

Committee Narrative

OFFICE OF TECHNOLOGY FOR HUMAN SERVICES

N00F00.02 Major Information Technology Development Projects

MD THINK Quarterly Progress Report: The Department of Human Services (DHS) is undertaking one of the largest Information Technology Projects in the history of the State, the Maryland Total Human-services Information NetworK (MD THINK). DHS 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 role in the project.

For the period ending June 30, 2018, a report should be submitted by August 15, 2018. For the period ending September 30, 2018, a report should be submitted by November 15, 2018. For the period ending December 30, 2018, a report should be submitted by February 15, 2019. For the period ending March 30, 2019, a report should be submitted by May 15, 2019.

Information Request	Authors	Due Date
MD THINK quarterly progress report	DHS DoIT	August 15, 2018 November 15, 2018 February 15, 2019 May 15, 2019

N00G00
Local Department Operations
Department of Human Services

Budget Amendments

LOCAL DEPARTMENT OPERATIONS

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).

Amendment No. **59**

Add the following language to the general fund appropriation:

Further provided that $1,700,000 of this appropriation made for the purpose of the Foster Youth Savings program may not be expended until the Department of Human Services submits a report to the budget committees on (1) the determination regarding implementing a matched savings component to the program; (2) any plans, other than matched savings, for the department to increase the amount of the savings accounts; and (3) the planned use of the fiscal 2019 funds by category including establishing new accounts, increasing existing accounts, financial literacy/education programs, and administration. The report shall be submitted by July 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 to the budget committees. Further provided the department shall provide notification to the budget committees of changes to the program related to use of funds, eligibility, or efforts to increase the amount of the savings accounts made after the submission of the report within 30 days of the change.

Explanation: The fiscal 2018 budget included funding for a new Foster Youth Savings Program in N00G00.01 Foster Care Maintenance Payments. Language in the fiscal 2018 budget bill required the Department of Human Services (DHS) to submit two reports to the committee regarding the implementation plan and number of youth participating. The details of the

program changed significantly between the two reports and, while initially described as a matched savings program, DHS indicated there were no plans to operate it as such in fiscal 2018, but it may in the future. This language restricts the fiscal 2019 funding for the program until the department submits additional information on the planned operation of the program and planned use of the budgeted funds. The language also requires the department to update the budget committees on any subsequent changes made to the program.

Information Request	Author	Due Date
Report on planned use of fiscal 2019 funds and operational details of the Foster Youth Savings program	DHS	July 1, 2018
Notification of changes made to the Foster Youth Savings program	DHS	As needed within 30 days of the program change

Amendment No. **60**

Committee Narrative

N00G00.02 Local Family Investment Program

Food Supplement Employment and Training Performance Measures: The committees are interested in understanding more about the performance of the Food Supplement Employment and Training (FSET) program given the potential for changes to work requirements for Food Supplement Program recipients with the re-authorization of the Supplemental Nutrition Assistance Program. The committees request that the Department of Human Services (DHS) provide information on:

- performance in each of the national performance measures for the FSET program, including both the total population and the Able-bodied Adults without Dependents (ABAWD) population; and

- performance in the State option measures identified in the State plan for program components serving 100 or more individuals, including both the total population and ABAWD population.

DHS should submit this information for federal fiscal 2017 on January 1, 2019.

N00G00

Information Request	Author	Due Date
Report on FSET performance measures for federal fiscal 2017	DHS	January 1, 2019

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.

Amendment No. **61**

Committee Narrative

Child Welfare Caseload Data: The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS), on November 15, 2018, report to the committees on the annual average number of cases and positions required based on the caseload to meet the Child Welfare League of America (CWLA) caseload standards, by jurisdiction, for the following caseload types using 12 months of data through August 2017:

- intake screening;
- child protective investigation;
- consolidated in-home services;
- interagency family preservation services;

- services to families with children – intake;
- foster care;
- kinship care;
- family foster care;
- family foster homes – recruitment/new applications;
- family foster home – ongoing and licensing;
- adoption;
- interstate compact for the placement of children; and
- caseworker supervisors.

The committees also request that DHS discuss the variation in caseworker caseloads between jurisdictions for each caseload type and the impact of those variations. DHS should also discuss how local departments of social services and the Social Services Administration work together to reallocate staff between jurisdictions and caseload types to address shortfalls in caseworker caseload ratios. DHS should also discuss any efforts by CWLA to revise or update the caseworker caseload ratio standards.

Information Request	Author	Due Date
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types and how shortfalls are addressed	DHS	November 15, 2018

N00H00
Child Support Administration
Department of Human Services

Committee Narrative

CHILD SUPPORT ENFORCEMENT ADMINISTRATION

N00H00.08 Child Support – State

Performance of the Baltimore City Office of Child Support Services Report: The Department of Human Services (DHS) has chosen Veritas HHS, LLC as a new contractor for the operation of the Baltimore City Office of Child Support Services and has required certain modifications and enhancements to the office. DHS is requested to report on the contractor's performance in its first six months and first full year operating the office. The reports should detail all modifications and enhancements that have taken place, the contractor's performance set against federal goals for the Child Support Administration, and incentives or liquidated damage charges processed.

Information Request	Author	Due Date
Report on performance of the Baltimore City Office of Child Support Services	DHS	October 1, 2018 April 1, 2019

Enforcement Remedies for Child Support Obligors Working for Transportation Network Companies: The Department of Human Services (DHS) uses a variety of enforcement remedies for collecting and distributing child support payments in arrears. Currently, earnings withholding orders and the professional license suspension program do not apply to employees of transportation network companies. DHS, in consultation with the Public Service Commission (PSC), shall submit a report that discusses implementation of the professional license suspension program for transportation network operators' (TNO) licenses and the feasibility of collecting wage information from TNOs to allow the Child Support Administration (CSA) to establish earnings withholding orders and require new hire reporting. The report should also examine the feasibility of collecting wage information on independent contractors, beyond TNOs, to allow CSA to establish earnings withholding orders and require new hire reporting.

Information Request	Authors	Due Date
Report on enforcement remedies	DHS PSC	December 1, 2018

N00I00
Family Investment Administration
Department of Human Services

FAMILY INVESTMENT ADMINISTRATION

N00I00.04 Director's Office

Add the following language to the general fund appropriation:

, provided that since the Department of Human Services (DHS) Family Investment Administration has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), and DHS failed to completely resolve or make adequate progress toward resolving those repeat audit findings, $250,000 of this agency's administrative appropriation may not be expended unless:

(1) DHS has reported the corrective action taken with respect to all repeat findings on or before November 1, 2018; 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 DHS 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 2019.

Explanation: The Joint Audit Committee (JAC) 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 pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

If OLA reports that an agency failed to completely resolve or make adequate progress toward resolving those repeat audit findings, JAC requests that $250,000 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

Amendment No. **62**

N00I00

Committee Narrative

Changes to the Temporary Assistance for Needy Families Program or the Supplemental Nutrition Assistance 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 temporary extensions. The current extension ends September 30, 2018. The Supplemental Nutrition Assistance Program (SNAP) is expected to be re-authorized during calendar 2018 as part of the Farm Bill. The committees are concerned about the potential impact of any changes to TANF or SNAP contained as part of any re-authorization or other legislation related to the program on beneficiaries or State spending. The committees request that the Department of Human Services (DHS) provide notification within 30 days of any federal changes to TANF or SNAP that the State must adopt or that the State chooses to adopt that would impact:

- TANF-related or SNAP benefits (eligibility, benefit levels, or types of benefits provided);
- work participation requirements or calculations; or
- State spending on the TANF program, TANF maintenance of effort (MOE) requirements (including the type of spending that counts toward MOE requirements), SNAP benefits, or other SNAP requirements.

Information Request	Author	Due Date
Notification of changes to TANF or SNAP	DHS	Within 30 days of federal changes

N00I0006
Office of Home Energy Programs
Department of Human Services

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) at the Office of Home Energy Programs in improving energy assistance application processing timeliness. The committees request that the Department of Human Services (DHS) provide by LAA the number of applications received; the average number of days to process applications; the number and percent of applications processed within 30 days, 55 days, and longer than 60 days; and the date of the data.

Information Request	Author	Due Date
Application processing times	DHS	December 20, 2018
Application processing times	DHS	June 30, 2019

P00
Department of Labor, Licensing, and Regulation

Budget Amendments

DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

P00G01.07 Workforce Development

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Delete duplicate funding for the Jacob France Institute.	211,000	FF	
Total Reductions	211,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	238.70	238.70		0.00
General Fund	2,608,839	2,608,839	0	
Special Fund	1,786,376	1,786,376	0	
Federal Fund	61,929,387	61,718,387	211,000	
Total Funds	**66,324,602**	**66,113,602**	**211,000**	

Amendment No. **63**

Q00
Department of Public Safety and Correctional Services

Committee Narrative

Vacancy Spending Report: The budget committees request that the department submit a report by November 1, 2018, on projected vacancy savings for fiscal 2018, the nonbudgeted items that vacancy spending will likely be used to pay for, and whether the practice of using excess vacancy savings will be enough to offset upcoming additional expenditures in the current fiscal year. In addition, the department should provide data on vacancy savings expenditures for the last three fiscal years. Lastly, the department should report on how it prioritizes which areas to use vacancy spending and if improvements in hiring can be accomplished at current levels, or if additional funding is needed.

Information Request	Author	Due Date
Vacancy spending report	Department of Public Safety and Correctional Services	November 1, 2018

Justice Reinvestment Act Initial Data Report: The budget committees request that the department submit a report by December 1, 2018, that includes annual updates on the number of offenders petitioning and approved for new Justice Reinvestment Act (JRA) provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation; the number of offenders affected by new diminution and earned compliance credit rules; an update regarding the graduated sanctions matrix that has been shared with the Judiciary and the number of offenders who have been given graduated sanctions; information regarding case planning issues and challenges; all efforts to notify inmates about new JRA provisions that they may petition for; and estimated cost savings related to all previous items.

Information Request	Author	Due Date
JRA initial data report	Department of Public Safety and Correctional Services	December 1, 2018

Inmate Pharmacy Treatment Costs Report: The budget committees request that the department submit a report by December 1, 2018, that includes the following items:

- a full report on the number of inmates screened and treated for Hepatitis C, the number infected and cured, requirements for treatment, and the overall cost of treatment per inmate;

- a general overview of the continuous quality improvement process and what metrics are collected in that process, and any information about data sharing with the Maryland Department of Health;

- any information on inmate relapse/reinfection tracking, post-release treatment options for offenders, the upcoming inmate medical and pharmacy contractors, and related performance measures and data; and

- the Department of Public Safety and Correctional Services (DPSCS) should report on the policies regarding the requirements for treatment and its intersection with substance abuse treatment, in particular with opioids. As such, any policies aimed at preventing further infections should be reported to the budget committees.

Information Request	**Author**	**Due Date**
Inmate pharmacy treatment costs report	DPSCS	December 1, 2018

Q00A
Office of the Secretary
Department of Public Safety and Correctional Services

Committee Narrative

Administrative Vacancies Staffing Report: It is requested that the department submit a report to the budget committees by December 1, 2018, on the following items:

- the Department of Public Safety and Correctional Services (DPSCS) Human Resources Services Division efforts to improve hiring and transfer practices within the department and efforts to address high turnover (including retirements, transfers, etc.);
- updates on vacancy rates in support positions at DPSCS facilities and in Security Operations along with data/information on the effect these vacancies have on service delivery, particularly in regard to Security Operations' ability to conduct inmate/offender transportation between facilities;
- administrative positions' share of overtime and mandatory overtime costs; and
- overall efforts to address administrative vacancies across the entire department.

Information Request	Author	Due Date
Administrative vacancies staffing report	DPSCS	December 1, 2018

Technology and Data Initiatives Report: It is requested that the department submit a report to the budget committees by December 1, 2018, on various data issues; specifically, the lack of the Drunk Driving Monitor Program revocation information, recidivism reporting, and sick leave/mandatory overtime hours worked. In addition, updates should be included on the Electronic Patient Health Records Project and its status, as this initiative was previously slated to be shared with the Maryland Department of Health.

Information Request	Author	Due Date
Technology and data initiatives report	Department of Public Safety and Correctional Services	December 1, 2018

Q00A

Combined Contraband Reporting: The budget committees are concerned that the department only reports contraband finds from its K9 units. The committees are interested in having the agency report contraband finds from all sources, including the K9 Unit, detectors, and other inmate searches. It is therefore the intent of the budget committees that the department submits contraband finds from all sources, separated by facility, in the fiscal 2020 Managing for Results (MFR) submission.

Information Request	Author	Due Date
Combined contraband reporting	Department of Public Safety and Correctional Services	With the fiscal 2020 MFR submission

Q00B
Division of Correction
Department of Public Safety and Correctional Services

Committee Narrative

Correctional Officer Transfers and Staffing Report: The large number of correctional officer (CO) vacancies and related issues, including required overtime for officers, has had a negative effect on recruiting and officer retention. Recently, the department has partially closed several facilities, allowing administrators to transfer COs to other prisons with staffing issues. The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report providing data pertaining to Division of Correction (DOC) transfers and staffing that includes the following information:

- given the success of the Maryland Correctional Institution – Hagerstown redistribution of inmates in lowering vacancy rates at select facilities, the options for further strategic realignment of COs and/or inmates to other departmental facilities;
- the current number of detainees at State facilities, their security classification, whether they are housed with inmates from different security classifications, and the additional costs to house and transport them;
- information on DOC efforts to address the high number of retirements and early separations of new CO employees;
- specific data on overtime that includes the total number of COs at each facility who were required to work overtime each month for the most recent 12-month trailing period (and the number of drafted overtime hours worked);
- the number of CO cadets hired and their locations and the number of COs who successfully qualified for the new bonus program; and
- additional efficiencies including new sick leave definitions and their impact on staff levels.

Information Request	Author	Due Date
CO transfers and staffing report	DPSCS	January 2, 2019

Q00B

Inmate Education Report: In fiscal 2017, the General Assembly passed legislation calling for better education of inmates in State prisons in order to reduce recidivism and improve public safety. The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report, in conjunction with the Department of Labor, Licensing, and Regulation's (DLLR) Correctional Education Program, due by December 1, 2018, that provides data on enrollment and graduation rates for all academic programs, average self-pay tuition and book costs for inmates, total costs for postsecondary educational programs, and to the extent possible, recidivism rates for inmates who successfully completed academic programs at the high school level and higher. In addition, the report should include the average cost for postsecondary education per inmate, and any efforts by the Division of Correction to obtain additional funds for education via the Justice Reinvestment Act (JRA) grant funds or savings generated from the JRA.

Information Request	Authors	Due Date
Inmate education report	DPSCS DLLR	December 1, 2018

Inmate Substance Abuse Treatment: Pursuant to Chapter 515 of 2016, the Justice Reinvestment Act (JRA), if offenders request drug treatment and the court approves, the State is required to place them in a treatment program immediately. While this may ease the burden on State prisons, if treatment is requested and denied, the department must offer similar, medically appropriate treatment to substance abusers when they are incarcerated.

The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2018, on its substance abuse treatment programs. Given the possibility that JRA-related provisions may increase the number of offenders, both in custody for treatment and outside of custody for residential/outpatient treatment, the department should provide the following:

- the number of beds needed for substance abusers at outside facilities;
- data regarding wait times to move offenders to available treatment through the Maryland Department of Health and if the wait times are sufficiently short;
- substance abuse spending per facility and whether current spending levels are sufficient;
- information regarding substance abuse management tactics and programs, including the naltrexone pilot program;
- total number of inmates currently being treated for substance abuse at each facility (including those receiving opioid treatment); and

- overall substance abuse treatment needs at Division of Correction facilities and related efforts that involve the Opioid Operational Command Center or any other State task forces.

Information Request	Author	Due Date
Inmate substance abuse treatment data	DPSCS	December 1, 2018

Correctional Officer Salary and Wellness Report: The large number of correctional officer (CO) vacancies within the department and related issues, including mandatory overtime, have had a negative effect on recruiting and officer retention. While the department has initiated a new CO bonus program in fiscal 2017, the budget committees are concerned that CO salaries are not being fully addressed. Information on CO qualifications, wellness, and a comparison with other states' salaries can help the committees consider whether changes in officer salaries are warranted. The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report due December 1, 2018, on CO salaries. The report should include the following information:

- the most common entry-level starting salary for COs;
- median and mean salaries for all CO positions, delineated by rank and rate (hourly or annual);
- minimum and maximum salaries for each CO position delineated by rank;
- median and mean CO salaries in all 24 Maryland jurisdictions;
- median and mean CO salaries in Pennsylvania; Virginia; and Washington, DC;
- median and mean CO salaries nationwide;
- the number of COs that worked double shifts in the most recent fiscal year;
- the number of COs hired by the classification that they were placed in at initial testing: "Best Qualified, Better Qualified or Qualified"; and
- information about department wellness programs or CO mental health counseling currently offered to COs and the cost to offer mental health courses for COs in conjunction with the National Institute of Corrections training curriculum.

Q00B

Information Request	Author	Due Date
CO salary and wellness report	DPSCS	December 1, 2018

Q00C01
Maryland Parole Commission
Department of Public Safety and Correctional Services

Committee Narrative

Justice Reinvestment Act Rule Clarification Report: Provisions in the Justice Reinvestment Act (JRA) introduce graduated (nonjail) sanctions to reduce the number of offenders sent to jail or prison due to parole/probation violations. In addition, revocation caps limit the length of incarceration time imposed for these violations. Currently, there are varying interpretations regarding the rules that govern how long an offender will remain incarcerated for violations. The budget committees request that the department submit a report by November 30, 2018, on efforts to clarify JRA-related rules regarding technical violations and revocation caps. This report should recommend proposed statutory changes, if needed.

Information Request	Author	Due Date
JRA rule clarification report	Maryland Parole Commission	November 30, 2018

Q00C02
Division of Parole and Probation
Department of Public Safety and Correctional Services

Budget Amendments

DIVISION OF PAROLE AND PROBATION – CENTRAL REGION

Q00T03.01 Division of Parole and Probation – Central Region

Add the following language to the general fund appropriation:

, provided that $100,000 of this appropriation provided for the purpose of establishing the new Community Adult Rehabilitation Center (CARC) may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on the timeline for establishing the new CARC, criteria for selection of offenders who are admitted, the number of employees needed, proposed location and/or lease arrangements, total costs, and the possibility of locating the facility within the Baltimore City Jail complex. The report should also include information on how DPSCS plans to keep the budget committees informed about the CARC population, progress, and performance measures in the future. The report shall be submitted no later than December 1, 2018. 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 to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This action requires DPSCS to submit a report on the new CARC no later than December 1, 2018. The report submission should assist the General Assembly in monitoring the success and needs of this new initiative, as well as ensure that CARC fulfills the requirements of the Justice Reinvestment Act.

Information Request	Author	Due Date
Report on the new CARC	Division of Parole and Probation	December 1, 2018

Amendment No. **64**

Q00C02

Committee Narrative

Division of Parole and Probation (DPP) Caseload and Vacancies Report: While DPP overall caseload ratios are under the national average, DPP's North and South regional offices are still above the average. In addition, vacancies have risen. The budget committees request that the department submit a report by December 1, 2018, on the following items:

- for each of DPP's regional offices: total cases, caseloads per agent, caseloads delineated by offender type, and the ratio of agents to support staff at each office;
- efforts to reduce vacancies in the division, specifically within the North and South Regions; and
- overtime hours worked by region and office.

Information Request	Author	Due Date
Report on DPP caseload and vacancies	DPP	December 1, 2018

Division of Parole and Probation (DPP) Justice Reinvestment Act (JRA)-related Initiatives Report: Pursuant to the JRA, offenders entering supervision are required to be screened by new, validated risk assessment tools and can be subject to less stringent graduated sanctions. In addition, offenders can earn a certificate of rehabilitation (COR) that may help them secure employment. The budget committees request that the Department of Public Safety and Correctional Services submit a report by December 1, 2018, on the following:

- updates on the number of offenders who are administered the Level of Service Inventory-Revised, and information from DPP on how it plans to measure the effectiveness of the assessment tool on recidivism rates; and
- updates on the total number of COR applicants as well as those successfully approved.

Information Request	Author	Due Date
Report on DPP JRA-related initiatives	DPP	December 1, 2018

Ignition Interlock Data Report: In October 2017, the department submitted a report on the feasibility of purchasing dashboard cameras for ignition interlock devices. Using dashboard cameras would provide proof of the driver's identity in driving while impaired cases and could reduce the number of cases where defendants claim they were not driving at the time of the

violation. The budget committees request that the Division of Parole and Probation (DPP) submit a report by December 1, 2018, on the annual number of ignition interlock violation cases pursued by DPP, and the steps necessary to add dashboard cameras to the program.

Information Request	Author	Due Date
Ignition interlock data	DPP	December 1, 2018

Division of Parole and Probation (DPP) Agents in Baltimore City Police Precincts Report: Since August 2017, the department has returned to the practice of inserting parole and probation agents in Baltimore City Police precincts to share information and streamline the criminal supervision process. The budget committees request that the department submit a report by December 1, 2018, that outlines the number of agents involved, the police precincts they are located in and field office of origin, precinct activities, the timeline for when agents can report to the Eastern and Southeastern precincts, total cost of the program, and efficiencies gained by this partnership.

Information Request	Author	Due Date
Report on DPP agents in Baltimore City Police precincts	DPP	December 1, 2018

Q00D00
Patuxent Institution
Department of Public Safety and Correctional Services

Committee Narrative

Staffing and Overtime Issues at the Patuxent Institution: In fiscal 2017, the Patuxent Institution had a vacancy rate of 21%, higher than the department's overall vacancy rate of 15.7%. When compared to all the Department of Public Safety and Correctional Services (DPSCS) institutions, the Patuxent Institution is in the top five for overtime spending and the highest in overtime spending per capita. The budget committees request that DPSCS submit a report by December 1, 2018, that outlines why Patuxent Institution population has increased, which facility each inmate came from, and the current enrollment of inmates delineated by Patuxent Institution programs. In addition, DPSCS should provide information on whether the current average daily population is sustainable given that the population has exceeded full capacity. Finally, the department should report on the status of the Regimented Offender Treatment Center drug treatment program and when it is likely to be operational, as well as information on why overtime costs at the institution are the highest per capita among all DPSCS State prisons.

Information Request	Author	Due Date
Staffing and overtime issues at the Patuxent Institution	DPSCS	December 1, 2018

Q00T04
Division of Pretrial Detention
Department of Public Safety and Correctional Services

Committee Narrative

Division of Pretrial Detention Dormitory Housing, Vacancies, and Overtime Spending: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report due December 1, 2018, on the following:

- the long-term plan for Baltimore City detainees in State prisons (how long they will remain outside of their jurisdiction, the length of time they are expected to remain in dormitory housing, and the number of staff hours and/or transports to Baltimore City so that the costs can be determined);
- efforts to permanently move away from or mitigate the use of dormitory housing;
- efforts to reduce assaults at the Division of Pretrial Detention (DPD) facilities particularly at the Baltimore Central Booking and Intake Center (BCBIC) and the Metropolitan Transition Center;
- data on assault rates at the Jessup Correctional Institution (including the detainee B-Building) for the last six months;
- information on why BCBIC has the highest overtime spending per capita among all the Division of Correction and DPD facilities;
- actual overtime data at all DPD facilities that includes total correctional officer drafted overtime hours by shift; and
- a brief summary of the department's options for detainees given that the plan for a new Baltimore detention center was removed from the Capital Improvement Plan.

Information Request	Author	Due Date
DPD dormitory housing, vacancies, and overtime spending	DPSCS	December 1, 2018

R00A01
Headquarters
Maryland State Department of Education

Budget Amendments

HEADQUARTERS

R00A01.10 Division of Early Childhood Development

Add the following language to the federal fund appropriation:

, provided that $800,000 for the purpose of contractual services for research, research support, planning, and budgeting tasks for the Child Care Subsidy Program may not be used for contractual services through an interagency agreement and instead may be used only for contractual services that are competitively bid. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: The Maryland State Department of Education (MSDE) currently has a Memorandum of Understanding (MOU) with the Regional Economic Studies Institute (RESI) at Towson University for the purpose of projecting participation in the Child Care Subsidy (CCS) Program in the State as well as predicting the associated costs for the program. However, RESI has been unable to produce accurate estimates in recent years, particularly since the re authorization of the federal Child Care and Development Block Grant. MSDE's MOU with RESI is scheduled to end on June 30, 2018, and MSDE is working on a competitive procurement process for CCS projection services for fiscal 2019 and beyond. This action requires that MSDE not contract with RESI or another entity through an interagency agreement in fiscal 2019 for these services and that it follows through with only procuring services that are competitively bid.

Amendment No. **65**

R00A02
Aid to Education
Maryland 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

Amendment No. **66**

AID TO EDUCATION

R00A02.13 Innovative Programs

Amend the following language to the general fund appropriation:

General Fund Appropriation, provided that ~~this appropriation shall be reduced by $5,000,000 contingent upon the enactment of legislation altering the mandate that funding be provided for the Public Schools Opportunities Enhancement Program~~ $5,000,000 of this appropriation made for the purpose of providing funding for the Public School Opportunities Enhancement Program may not be expended for that purpose but instead may be used only for the Learning in Extended Academic Programs grant program contingent on the enactment of SB 1092 or HB 1415. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The fiscal 2019 budget as introduced includes $7.5 million in mandated general funds for the Public School Opportunities Enhancement Program (PSOEP). If enacted, SB 1092 or HB 1415 would reduce the mandated funding level for PSOEP to an amount equal to what was provided for the program in the prior fiscal year. For fiscal 2019, this amount is $2.5 million, which is based on the fiscal 2018 appropriation. SB 1092 or HB 1415 would also

create a new Learning in Extended Academic Programs (LEAP) grant program beginning in fiscal 2019, which is to be provided funding through a mandated appropriation of $5.0 million in fiscal 2019 and each fiscal year thereafter. This amended language reserves $5.0 million of the fiscal 2019 funding for PSOEP, and authorizes it instead for the LEAP grant program contingent on the enactment of SB 1092 or HB 1415; this leaves the remaining $2.5 million as authorized for PSOEP. Finally, this action strikes unneeded language as a technical amendment.

Amendment No. **67**

Amend the following language to the general fund appropriation:

Further provided that this appropriation shall be reduced by ~~$5,000,000~~ $300,000 contingent upon the enactment of legislation ~~repealing~~ altering the mandate that funding be provided for the Next Generation Scholars Program.

Explanation: This is a technical amendment reflecting a recommendation by the Department of Legislative Services that the Budget Reconciliation and Financing Act of 2018 be amended to alter the mandated funding level for the Next Generation Scholars of Maryland Program to fund the program at its fiscal 2018 level of $4.7 million.

Amendment No. **68**

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~~ $2,000,000 contingent upon the enactment of legislation ~~repealing~~ altering the mandate that funding be provided for the Teacher Induction, Retention, and Advancement Pilot Program.

Explanation: This action restores $3 million in general funds for the Teacher Induction, Retention, and Advancement Pilot Program based on actions in the Budget Reconciliation and Financing Act of 2018.

Amendment No. **69**

R00A02

Amend the following language to the general fund appropriation:

~~Further provided that this appropriation shall be reduced by $2,100,000 contingent upon the enactment of legislation reducing the mandated stipend for teachers who hold a certificate issued by the National Board for Professional Teaching Standards~~

Explanation: This is a technical amendment based on the recommendation by the Department of Legislative Services to reject the provision in the Budget Reconciliation and Financing Act of 2018 to reduce the mandated stipend for teachers who hold National Board Certification.

Amendment No. **70**

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce the appropriation for the Quality Teacher Incentives program based on updated expectations for the number of teachers with National Board Certification teaching in schools with comprehensive needs.	1,280,000	GF	
Total Reductions	1,280,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
General Fund	11,700,000	10,420,000	1,280,000	
Special Fund	300,000	300,000	0	
Federal Fund	29,999,542	29,999,542	0	
Total Funds	**41,999,542**	**40,719,542**	**1,280,000**	

Amendment No. **71**

R00A02

Committee Narrative

R00A02.59 Child Care Subsidy Program

Child Care Subsidy Program: The budget committees are concerned that since the re-authorization of the federal Childcare and Development Block Grant (CCBG), there have been considerable overestimates of how much Maryland will spend from the grant each year. This has been, in part, due to the Maryland State Department of Education (MSDE) reserving funding in anticipation of needing more funding for the Child Care Subsidy (CCS) Program in future fiscal years due to new requirements under the re-authorization. These funds were reserved while MSDE maintained a CCS waiting list for families above certain income levels and while subsidies in Maryland are a low percentile of market-rate in comparison to other states. Therefore, MSDE should report quarterly on CCS expenditures including the amount of CCBG funds being spent from previously reserved funds, the amount from newly authorized funds, and the amount from State general funds. In its July 1, 2018 report, MSDE should provide data as it relates to the CCS Program in fiscal 2018; in all subsequent reports MSDE should report on the CCS Program in fiscal 2019. These reports should disaggregate CCBG funding used directly for subsidies and funding used by MSDE Headquarters in support of the overall CCS Program specified by purpose. MSDE should also report quarterly on the percentile of market-rate for subsidies statewide and by region and confirm that parents receiving 12-month vouchers remain eligible for up to 90 days in a year regardless of changes in income or temporary changes in participation in work, training, or education activities. Finally, MSDE should include in its reports whether it is maintaining a CCS waiting list, and if so, how many children are on the waiting list.

Information Request	Author	Due Date
CCS expenditure reports	MSDE	July 1, 2018 October 1, 2018 January 1, 2019 April 1, 2019

R00A03
Funding for Educational Organizations
Maryland State Department of Education

Budget Amendments

FUNDING FOR EDUCATIONAL ORGANIZATIONS

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 and 2018 budgets. It also strikes language regarding the No Child Left Behind Act due to technical differences with the newly re-authorized Elementary and Secondary Education Act.

Amendment No. **72**

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 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 2016, 2017, and 2018 budgets.

Amendment No. **73**

R00A03.05 Broadening Options and Opportunities for Students Today

Add the following language to the special fund appropriation:

(9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.

(10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that no scholarship awards shall be made after March 1, 2018. Any unexpended funds not awarded to students for scholarships in the 2017-2018 school year shall be encumbered at the end of the fiscal year and available for scholarships in the 2018-2019 school year.

Further provided that MSDE shall submit a report to the budget committees by December 15, 2018, 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. For nonpublic schools administering norm referenced assessments, the nonpublic schools shall provide to MSDE the results for all students receiving BOOST Program scholarships to whom

assessments were administered. For those nonpublic schools administering non-standardized assessments, the nonpublic schools shall provide to MSDE the results for all students receiving BOOST Program scholarships to whom assessments were administered and how students receiving BOOST Program scholarships performed in comparison to students who did not receive BOOST Program scholarships. MSDE shall report these assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;

(5) in the aggregate, for each BOOST Program scholarship awarded (1) the nonpublic school and grade level attended by the student; (2) the school attended in the 2018-2019 school year by the student; and (3) if the student attended the same nonpublic school in the 2017-2018 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2017-2018 school year and will receive in the 2018-2019 school year;

(6) the average household income of students receiving BOOST Program scholarships;

(7) the racial breakdown of students receiving BOOST Program scholarships;

(8) the number of students designated as English language learners receiving BOOST Program scholarships;

(9) the number of special education students receiving BOOST Program scholarships;

(10) the county in which students receiving BOOST Program scholarships reside;

(11) the number of students who were offered BOOST Program scholarships but declined them, as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships; and

(12) the number of students who received BOOST Program scholarships for the 2017-2018 school year who are attending public school for the 2018-2019 school year, as well as their reasons for returning to public schools.

Explanation: This language specifies priorities for the Broadening Options and Opportunities for Students Today (BOOST) Program scholarship awards and makes nonpublic schools that do not provide required information to the Maryland State Department of Education (MSDE) by a certain date ineligible for participating in the BOOST Program. The language also provides that scholarships may not be awarded after March 1, 2018, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. This language also requires MSDE to report on the distribution of the 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 including student performance. The language also requires

that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so.

Information Request	**Author**	**Due Date**
BOOST Program Report	MSDE	December 15, 2018

Amendment No. **74**

R13M00
Morgan State University

Budget Amendments

R13M00.00 Morgan State University

Add the following language to the unrestricted fund appropriation:

, provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions that will be converted by August 1, 2018.

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until MSU submits a report to the budget committees documenting positions that were converted by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted.

Explanation: The fiscal 2019 budget provides $0.6 million specifically designated for the conversion of contractual positions. This language withholds $0.3 million of the expenditure of these funds until MSU submits a report documenting which positions are to be converted. An additional $0.3 million of the expenditure is withheld until MSU submits a report detailing the positions that were converted.

Information Request	Author	Due Date
Report on contractual positions to be converted	MSU	August 1, 2018
Report on contractual positions actually converted	MSU	December 1, 2018

Amendment No. **75**

R30B25
University of Maryland Eastern Shore
University System of Maryland

Budget Amendments

UNIVERSITY OF MARYLAND EASTERN SHORE

R30B25.00 University of Maryland Eastern Shore

Add the following language to the unrestricted fund appropriation:

, provided that $1,400,000 of the appropriation may be used only to match federal funding for the 1890 Extension Program. The University of Maryland Eastern Shore (UMES) shall submit a report to the budget committees detailing how the funds will be used by August 1, 2018. Funds not used for this purpose will revert to the General Fund.

Further provided that funding for the 1890 Extension Program and Evans-Allen Program and the McIntire-Stennis Program at the Agriculture Experiment Stations shall be separately identified in the UMES budget beginning with the fiscal 2020 budget.

Explanation: This language restricts $1.4 million to be used only to match federal funds for the 1890 Extension Program and requires State funding for the 1890 Extension Program and Evans-Allen Program and the McIntire-Stennis Program at the Agriculture Experiment Stations to be separately identified in the UMES budget beginning with the fiscal 2020 budget.

Information Request	Author	Due Date
Report on the use of 1890 extension funding	UMES	August 1, 2018

Amendment No. **76**

R30B36
University System of Maryland Office
University System of Maryland

Budget Amendments

UNIVERSITY SYSTEM OF MARYLAND OFFICE

R30B36.00 University System of Maryland Office

Add the following language to the unrestricted fund appropriation:

, provided that if SB 903 or HB 1143 authorizing the merger of the University System of Maryland Office and the Southern Maryland Higher Education Center (SMHEC) are not enacted, $512,739 may not be expended for any program or purpose and may be transferred to the Maryland Higher Education Commission Educational Grants (R62I00.07) for the operation of SMHEC.

Explanation: If legislation is not enacted, funds may only be transferred to the Maryland Higher Education Commission Educational Grants to support the operations of SMHEC.

Amendment No. **77**

Add the following language to the unrestricted fund appropriation:

Further provided that $5,000,000 of this appropriation made for the computer science education initiative is contingent on the enactment of SB 300 or HB 350.

Explanation: The language makes $5 million of the University System of Maryland Office's general fund appropriation provided to fund the computer science education initiative contingent on enactment of SB 300 or HB 350, which includes establishing the Maryland Center for Computing Education.

Amendment No. **78**

Add the following language to the unrestricted fund appropriation:

Further provided that $500,000 of this appropriation may not be expended until the University System of Maryland Board of Regents submits the revised debt management and fund balance policies and procedures. The policies should be submitted to the budget committees by June 1, 2018. The committees shall have 45 days to review and comment. Funds restricted

pending receipt of the policies may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the policies are not submitted.

Explanation: This language restricts $0.5 million in general funds in the University System of Maryland Office (USMO) pending the submission of the revised debt management and fund balance policies and procedures.

Information Request	Author	Due Date
Debt management and fund balance polices	USMO	June 1, 2018

Amendment No. **79**

Budget Amendment

Add the following language to the unrestricted fund appropriation:

Further provided that $500,000 of this appropriation made for the purpose of administration at the University System of Maryland Office may not be expended until the University System of Maryland (USM) Board of Regents (BOR) submits a report on how the consolidation of the University of Maryland Center for Environmental Science (UMCES) with the appropriate USM institution(s) could be accomplished in a manner that advances the research conducted and maintains and elevates the impact of the role of UMCES in the research and protection of Maryland's environmental resources while also obtaining cost savings.

The report should detail cost savings to be realized from the relocation of UMCES, or its laboratories, information on the rationale on why the selected academic institution(s) most closely aligns with UMCES and/or its laboratories and, a schedule for when the transfer(s) will be completed. BOR should find at least $3,000,000 in ongoing savings for the State as a result of the transfer(s). The report should also include how a portion of the cost savings might be used to enhance and advance the research activities under a more efficient model. The report should be submitted to the budget committees by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted.

Explanation: This language restricts $500,000 in general funds in the University System of Maryland Office (USMO) pending submission of a report from BOR detailing how UMCES will be relocated to other University System of Maryland institutions. The rationale for the division of the constituent laboratories of UMCES should be explained, and cost savings to the State, totaling at least $3 million, should be identified, and how a portion of the cost savings might be used to enhance and advanced research activities.

Information Request	Author	Due Date
Report on the relocation of UMCES	University of Maryland Office	December 1, 2018

Amendment No. **80**

Add the following language to the unrestricted fund appropriation:

Further provided that $2,000,000 of this appropriation made for the purpose of workforce development initiatives at the University System of Maryland Office may not be spent for this purpose and instead may be expended only to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Further provided that institutions shall not transfer funds from the fund balance to support the implementation of EXCEL Maryland.

Explanation: This language restricts $2 million for workforce development initiatives to be used to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building and prohibits institutions from transferring funds from the fund balance to support implementation of EXCEL Maryland.

Amendment No. **81**

R60H
Maryland 529

Committee Narrative

State Contribution Program: The Department of Budget and Management (DBM) and Maryland 529 shall create a separate budget program for the State Contribution Program marketed as the Save4College program, in order to more easily track revenues and expenditures related to the program.

Information Request	Authors	Due Date
Separate budget program for State Contribution Program	Maryland 529 DBM	With submission of the fiscal 2020 budget

R62I00
Maryland Higher Education Commission

Budget Amendments

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:

General Fund Appropriation, provided that $2,000,000 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 2018-2019 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 2017, also as determined by MHEC. Funding for the one-time grant shall not be incorporated into the Cade formula when calculating State support in fiscal 2020. 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 $2 million grant for community colleges in fiscal 2019. To be eligible for the grant, community colleges must meet the requirement of not raising tuition by more than 2% in fall 2018. This is the second straight fiscal year in which this type of grant has been in place. This action restores language from the fiscal 2018 budget bill that requires that funds that are not expended shall revert to the General Fund. Funding is one-time only and shall not be included in any funding formulas for community colleges in fiscal 2020.

Amendment No. **82**

R62I00.07 Educational Grants

Amend the following language to the general fund appropriation:

, provided that this appropriation shall be reduced by ~~$5,000,000~~ $4,000,000 contingent upon the enactment of legislation altering the required appropriation for the State Contribution Program.

Explanation: This is a technical amendment reflecting a recommendation by the Department of Legislative Services that the Budget Reconciliation and Financing Act of 2018 be amended to alter the mandated funding level for the State 529 Contribution Program.

Amendment No. **83**

Add the following language to the general fund appropriation:

, provided that $28,353 made for the purpose of the Southern Maryland Higher Education Center may be transferred by budget amendment to the University System of Maryland Office (R30B36.04) contingent on enactment of SB 903 or HB 1143.

Explanation: This language authorizes the transfer of funds related to the funding of the Southern Maryland Higher Education Center to the University System of Maryland Office contingent on enactment of SB 903 or HB 1143.

Amendment No. **84**

Committee Narrative

Report on Impact of Credit Completion Requirement on Financial Aid Awards: The College Affordability Act encourages students receiving aid through the Educational Excellence Award (EEA) program to stay on track to graduate on time. The EEA is comprised of three grant programs: Guaranteed Access Grant, Educational Assistance Grant, and Campus-based Educational Assistance Grant. Beginning in academic year 2018-2019 and in a student's third academic year, students receiving an EEA award must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 hours but less than 30 hours will have their awards prorated, and those who do not compete at least 24 credit hours lose their award. The budget committees are interested in the impact that the new 30-credit-hour requirement had on students in the 2018-2019 academic year, particularly if students are meeting the requirement in order to receive the full amount of award, how many had their awards prorated, and those who lost eligibility. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report is due by December 15, 2018.

Information Request	Author	Due Date
Report on impact of credit requirement on financial aid awards	Maryland Higher Education Commission	December 15, 2018

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 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, 2018, and annually thereafter

Report on the Budget for Educational Excellence Awards: In order to more easily track the actual and planned expenditures of the three grants that comprise the Educational Excellence Awards – Guaranteed Access Grants, Educational Assistance Grants, and Campus-based Grants – the Maryland Higher Education Commission (MHEC) should submit with the fiscal 2020 budget, the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance for each grants program in R62I00.10 Educational Excellence Awards.

Information Request	Author	Due Date
Report on the budget for Educational Excellence Awards	MHEC	With the fiscal 2020 budget

R62I00

Final Report on Access and Success and Office for Civil Rights Enhance Funds: As part of the State's agreement with the federal Office for Civil Rights (OCR), the State has provided annual funding known as Access and Success (A&S) funds to Maryland's Historically Black Colleges and Universities (HBCU) to improve retention and graduation rates. HBCU's also received OCR enhancement funds to support programs to enhance the campus and institution. Since fiscal 2007, A&S funds have been appropriated directly to HBCUs, and starting in fiscal 2017, OCR enhancement funds were included in the institution's base budget. Institutions were required to submit two separate reports to the Maryland Higher Education Commission (MHEC) on how A&S and OCR funds would be spent in the coming year. The annual reports should be discontinued due to the limitations of each in providing useful information. However, MHEC should submit a final report summarizing the use of A&S and OCR funds, the impact or outcomes from programs on projects supported with these funds, and lessons learned.

Information Request	Author	Due Date
Final report on the A&S and OCR funds	MHEC	October 15, 2018

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 if SB 903 or HB 1143 authorizing the merger of the University System of Maryland Office and the Southern Maryland Higher Education Center (SMHEC) is not enacted, $512,739 may not be expended for any program or purpose and may be transferred to the Maryland Higher Education Commission Educational Grants (R62I00.07) for the operation of SMHEC.

Explanation: If legislation is not enacted, funds may only be transferred to the Maryland Higher Education Commission Educational Grants to support the operations of SMHEC.

Amendment No. **85**

Add the following language to the general fund appropriation:

Further provided that $1,400,000 of the appropriation made for the purpose of the University of Maryland Eastern Shore (UMES) may be used only to match federal funding for the 1890 Extension Program. UMES shall submit a report to the budget committees detailing how the funds will be used by August 1, 2018. Funds not used for this purpose will revert to the General Fund.

Further provided that funding for the 1890 Extension Program and Evans-Allen Program and the McIntire-Stennis Program at the Agriculture Experiment Stations shall be separately identified in the UMES budget beginning with the fiscal 2020 budget.

Explanation: This language restricts $1.4 million to be used only to match federal funds for the 1890 Extension Program and requires State funding for the 1890 Extension Program and Evans-Allen Program and the McIntire-Stennis Program at the Agriculture Experiment Stations to be separately identified in the UMES budget beginning with the fiscal 2020 budget.

Information Request	Author	Due Date
Report on the use of 1890 extension funding	UMES	August 1, 2018

Amendment No. **86**

Add the following language to the general fund appropriation:

Further provided that $500,000 of this appropriation made for the purpose of the University System of Maryland Office may not be expended until the University System of Maryland Board of Regents submits the revised debt management and fund balance policies and procedures. The policies should be submitted to the budget committees by June 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending receipt of the policies may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the policies are not submitted.

Explanation: This language restricts $0.5 million in general funds in the University System of Maryland Office (USMO) pending the submission of the revised debt management and fund balance policies and procedures.

Information Request	Author	Due Date
Debt management and fund balance polices	USMO	June 1, 2018

Amendment No. **87**

Add the following language to the general fund appropriation:

Further provided that $5,000,000 of this appropriation made for the University System of Maryland Office for the computer science education initiative is contingent on the enactment of SB 300 or HB 350.

Explanation: This language make $5 million of the University System of Maryland Office appropriation provided to fund the computer science education initiative contingent on enactment of SB 300 or HB 350, which includes establishing the Maryland Center for Computing Education.

Amendment No. **88**

R75T00

Budget Amendment

Add the following language to the general fund appropriation:

Further provided that $500,000 of this appropriation made for the purpose of administration at the University System of Maryland Office may not be expended until the University System of Maryland (USM) Board of Regents (BOR) submits a report on how the consolidation of the University of Maryland Center for Environmental Science (UMCES) with the appropriate USM institution(s) could be accomplished in a manner that advances the research conducted and maintains and elevates the impact of the role of UMCES in the research and protection of Maryland's environmental resources while also obtaining cost savings.

The report should detail cost savings to be realized from the relocation of UMCES, or its laboratories, information on the rationale on why the selected academic institution(s) most closely aligns with UMCES and/or its laboratories, and a schedule for when the transfer(s) will be completed. BOR should find at least $3,000,000 in ongoing savings for the State as a result of the transfer(s). The report should also include how a portion of the cost savings might be used to enhance and advance the research activities under a more efficient model. The report should be submitted to the budget committees by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted.

Explanation: This language restricts $500,000 in general funds in the University System of Maryland Office (USMO) pending submission of a report from BOR detailing how UMCES will be relocated to other University System of Maryland institutions. The rationale for the division of the constituent laboratories of UMCES should be explained, and cost savings to the State, totaling at least $3 million, should be identified, and how a portion of the cost savings might be used to enhance and advanced research activities.

Information Request	Author	Due Date
Report on the relocation of UMCES	University of Maryland Office	December 1, 2018

Amendment No. **89**

R75T00

Add the following language to the general fund appropriation:

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions that will be converted by August 1, 2018.

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until MSU submits a report to the budget committees documenting positions that were converted by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted.

Explanation: The fiscal 2019 budget provides $0.6 million specifically designated for the conversion of contractual positions. This language withholds $0.3 million of the expenditure of these funds until MSU submits a report documenting which positions are to be converted. An additional $0.3 million of the expenditure is withheld until MSU submits a report detailing the positions that were converted.

Information Request	**Author**	**Due Date**
Report on contractual positions to be converted	MSU	August 1, 2018
Report on contractual positions actually converted	MSU	December 1, 2018

Amendment No. **90**

Add the following language to the general fund appropriation:

Further provided that $500,000 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 final 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 finalizing the implementation plan. The final implementation plan shall be submitted no later than July 1, 2018, and shall include completion dates for each realignment task required by Chapters 847 and 848 of 2017, and for every implementation tactic. The budget committees shall have 45 days to review and comment following receipt of the report.

Further provided that $500,000 of this appropriation made for the purpose of operations at BCCC may not be expended until the Board of Trustees of BCCC submits a report to the budget committees confirming that the components of its final implementation plan have been put into action in accordance with the recommendations of the report from the Schaefer Center and Chapters 847 and 848 of 2017 and updating the committees on the status of each realignment task and implementation tactic. The Board of Trustees shall consult with the President in preparing this report. This report shall be submitted no later than December 1, 2018. The budget committees shall have 45 days to review and comment following receipt of the report.

Funds restricted pending receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted to the budget committees.

Explanation: Baltimore City Community College (BCCC) has submitted a draft implementation plan wherein BCCC has identified how it is implementing recommendations contained within a comprehensive report by the Schaefer Center on BCCC's operations and management. State support of $500,000 is restricted pending the submission of BCCC's final implementation plan no later than July 1, 2018. State support of $500,000 is also restricted pending the submission of a report confirming that the realignment tasks and implementation tactics of the final implementation plan have been put into action in accordance with the Schaefer Center report and Chapters 847 and 848 of 2017, and providing an update on the status of each. This report shall be submitted no later than December 1, 2018.

Information Request	**Author**	**Due Date**
Final implementation plan	BCCC	July 1, 2018
Confirmation and status report	BCCC	December 1, 2018

Amendment No. **91**

Add the following language to the special fund appropriation:

Further provided that $2,000,000 of this appropriation made for the purpose of workforce development initiatives at the University System of Maryland Office may not be spent for this purpose and instead may be expended only to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Further provided that institutions shall not transfer funds from the fund balance to support the implementation of EXCEL Maryland.

Explanation: This language restricts $2 million for workforce development initiatives to be used to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building and prohibits institutions from transferring funds from the fund balance to support implementation of EXCEL Maryland.

Amendment No. **92**

Committee Narrative

Report on Collective Bargaining: The committees are concerned about issues raised in budget hearings concerning the collective bargaining process at various higher education institutions. Administration representatives in collective bargaining negotiations are expected to represent the intent of the institution. However, on occasion, those outside the process appear to dictate the terms of the agreement. At one institution, legal staff have been known to rewrite the agreement after it has been ratified by bargaining unit employees. At constituent institutions within the university system, employees say that management representative must confer with the system to determine their positions on issues. Most importantly, some institutions take months to ratify agreements that have already been ratified by employees.

The committee requests that the University System of Maryland (USM) institutions that engage in collective bargaining, St. Mary's College of Maryland (SMCM), Baltimore City Community College (BCCC), and Morgan State University (MSU), report on the timing, schedule, and process of collective bargaining, the time periods involved for ratification or recent agreements, and the authority of institutional representatives at the bargaining table.

Information Request	Authors	Due Date
Report on collective bargaining	USM MSU SMCM BCCC	July 1, 2018

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 2018 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 2018 financial aid categories by EFC	MHEC	June 30, 2019

Instructional Faculty Workload Report: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions such as full- and part-time nontenured/nontenure track faculty including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. Furthermore, the USM report should include the percent of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.

Information Request	Authors	Due Date
Annual report on faculty workload	USM MSU SMCM	December 15, 2018

R95C00
Baltimore City Community College

Budget Amendments

BALTIMORE CITY COMMUNITY COLLEGE

R95C00.00 Baltimore City Community College

Add the following language to the unrestricted fund appropriation:

Further provided that $500,000 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 final 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 finalizing the implementation plan. The final implementation plan shall be submitted no later than July 1, 2018, and shall include completion dates for each realignment task required by Chapters 847 and 848 of 2017 and for every implementation tactic. The budget committees shall have 45 days to review and comment following receipt of the report.

Further provided that $500,000 of this appropriation made for the purpose of operations at BCCC may not be expended until the Board of Trustees of BCCC submits a report to the budget committees confirming that the components of its final implementation plan have been put into action in accordance with the recommendations of the report from the Schaefer Center and Chapters 847 and 848 of 2017 and updating the committees on the status of each realignment task and implementation tactic. The Board of Trustees shall consult with the President in preparing this report. This report shall be submitted no later than December 1, 2018. The budget committees shall have 45 days to review and comment following receipt of the report.

Funds restricted pending receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted to the budget committees.

Explanation: BCCC has submitted a draft implementation plan wherein BCCC has identified how it is implementing recommendations contained within a comprehensive report by the Schaefer Center on BCCC's operations and management. State support of $500,000 is restricted pending the submission of BCCC's final implementation plan no later than July 1, 2018. State support of $500,000 is also restricted pending the submission of a report confirming that the realignment tasks and implementation tactics of the final implementation plan have been put into action in accordance with the Schaefer Center report and Chapters 847 and 848 and providing an update on the status of each. This report shall be submitted no later than December 1, 2018.

R95C00

Information Request	Author	Due Date
Final implementation plan	BCCC	July 1, 2018
Confirmation and status report	BCCC	December 1, 2018

Amendment No. **93**

Committee Narrative

Information Technology Infrastructure Plan: Baltimore City Community College (BCCC) has faced numerous difficulties in updating its information technology (IT) infrastructure. This has resulted in many IT shortcomings for BCCC, including, but not limited to, being unable to procure a new Enterprise Resource Planning (ERP) system, being unable to properly safeguard student data, and not adequately providing malware protection for its computers. BCCC should provide to the budget committees a five-year IT infrastructure plan, including the IT infrastructure that it will upgrade or replace, its timeline for replacing and upgrading, when it will be able to support a new ERP system, and all associated costs. BCCC should work with the Department of Information Technology in creating its five-year plan. This plan shall be submitted to the budget committees by November 1, 2018.

Information Request	Author	Due Date
IT infrastructure plan	BCCC	November 1, 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:

, provided that this appropriation shall be reduced by ~~$9,000,000~~ $4,000,000 contingent upon the enactment of legislation altering the required appropriation for the Baltimore Regional Neighborhood Initiative.

Explanation: This action modifies contingent language that would reduce funds for the Baltimore Regional Neighborhood Initiative contingent on legislation.

Amendment No. **94**

Committee Narrative

Report on the Rural Broadband Program: The budget committees request that the Department of Housing and Community Development submit a report detailing a plan for the use of $2 million in general funds to support the Office of Rural Broadband. The report should include the goals and priorities of the program.

Information Request	Author	Due Date
Report on the Rural Broadband program	DHCD	July 1, 2018

T00
Department of Commerce

Budget Amendments

DIVISION OF BUSINESS AND ENTERPRISE DEVELOPMENT

T00F00.19 Cybersecurity Investment Incentive Tax Credit Program

Add the following language to the general fund appropriation:

, provided that $2,000,000 of this appropriation shall be contingent on the enactment of SB 228 or SB 310.

Explanation: This language would make the general fund allowance under the Cybersecurity Investment Incentive tax credit contingent on a bill that alters the recipient of the tax credits.

Amendment No. **95**

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.05 Maryland State Arts Council

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by $1,000,000 contingent upon the enactment of legislation reducing Maryland State Arts Council funding.~~

Explanation: The striking of this language would eliminate a $1,000,000 contingent reduction in funding for the Maryland State Arts Council.

Amendment No. **96**

T50T01
Maryland Technology Development Corporation

Committee Narrative

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 any other funds credited to the MVF. The report should provide a list of all investments from each of the funding sources available in the fund. The Maryland Technology Development Corporation (TEDCO) should collaborate with the Department of Legislative Services to ensure the format of the report meets the budget committees' request.

Information Request	Author	Due Date
Report on detailed investment information on the MVF	TEDCO	With the submission of the annual report each year

U00A
Department of the Environment

Committee Narrative

WATER AND SCIENCE ADMINISTRATION

U00A04.01 Water and Science Administration

Clean Water Commerce Act Spending Plan: The committees are concerned that there is $6 million in the Maryland Department of the Environment's (MDE) fiscal 2019 allowance for the Clean Water Commerce Act without a detailed spending plan being available. Therefore, the committees request that MDE provide a report with the fiscal 2020 budget submission detailing the spending plan for the Clean Water Commerce Act for the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance.

Information Request	Author	Due Date
Clean Water Commerce Act spending plan	MDE	Fiscal 2020 State budget submission

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration

Volkswagen Settlement Spending Plan: The committees are concerned that there is a substantial amount of funding available to the State from the various Volkswagen (VW) settlements without a clear spending plan for the revenues. Therefore, the committees request that the Maryland Department of the Environment (MDE), in collaboration with the Department of Budget and Management (DBM), provide a report with the fiscal 2020 budget submission detailing the description, timing, and funding associated with each of the VW settlements and a spending plan for the revenues for the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance.

Information Request	Authors	Due Date
VW settlement spending plan	MDE DBM	Fiscal 2020 State budget submission

V00A
Department of Juvenile Services

Committee Narrative

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support

Strategic Reentry Performance Measures: Youth who are released from commitment face numerous challenges in returning to daily life, such as re-enrolling in school or accessing needed somatic or behavioral health service. In fiscal 2016, the Department of Juvenile Services (DJS) adopted a Strategic Re-Entry Plan designed to ensure that youth returning to the community have the support and resources necessary to help them achieve a successful transition. Initial indicators suggest a positive impact from the clearly established quality assurance system in place to ensure the services once the youth is in the community. To assist the General Assembly in monitoring the department's progress in improving juvenile reentry, the budget committees request that DJS develop reentry performance measures as part of its Managing for Results (MFR) submission.

Information Request	Author	Due Date
Strategic reentry performance measures	DJS	With the annual MFR submission

Facility Capital Needs Assessment: The budget committees request that the Department of Juvenile Services (DJS) conduct an analysis of its facility capital needs that are not addressed through its Facility Master Plan, including any facility renewal and lifecycle management projects. In addition, the assessment should identify the extent to which smaller facility improvements can be combined into larger, more comprehensive capital projects. It is the intent of the budget committees that, to the extent that funding is provided for these projects, it should be done through the capital budget, Facility Renewal Program, or a pay-as-you-go appropriation. The assessment should be submitted to the budget committees no later than September 15, 2018.

Information Request	Author	Due Date
Facility capital needs assessment	DJS	September 15, 2018

Budget Amendments

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Operations

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce funding for residential per diems based on anticipated population decline.	500,000	GF	
2. Reduce funding for overtime expenses. This reduction places fiscal 2019 overtime more in line with fiscal 2017 actual expenditures, based on continuous population declines and improvements in hiring. The reduction can be allocated across all programs within the department.	200,000	GF	
Total Reductions	700,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
Position	388.05	388.05		0.00
General Fund	53,088,394	52,388,394	700,000	
Special Fund	860,054	860,054	0	
Federal Fund	896,050	896,050	0	
Total Funds	**54,844,498**	**54,144,498**	**700,000**	

Amendment No. **97**

W00A
Department of State Police

Budget Amendments

MARYLAND STATE POLICE

W00A01.02 Field Operations Bureau

Add the following language to the general fund appropriation:

, provided that $250,000 of this appropriation made for the purpose of funding personnel expenses may not be expended until the Department of State Police submits a report to the budget committees demonstrating that at least 15 positions currently filled by troopers have been reclassified as civilian positions by December 1, 2018. The report shall be submitted to the budget committees by December 15, 2018, and the budget committees shall have 45 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.

Explanation: A December 2016 analysis by the Office of Legislative Audits determined that 127 administrative and support positions currently filled by sworn troopers could be filled by civilians. The Department of State Police (DSP) agreed with the potential to civilianize 84 of those positions, and in an August 2017 report identified 10 positions to prioritize for civilianization in fiscal 2018. To date, only 6 positions have been identified for reclassification and only 1 trooper has been relieved of administrative duties. This language restricts funds within the department until DSP provides confirmation that a total of at least 15 positions have been reclassified for civilianization by December 1, 2018.

Information Request	Author	Due Date
Civilianization report	DSP	December 15, 2018

Amendment No. **98**

Committee Narrative

W00A01.04 Support Services Bureau

Report on the Department of State Police Motor Vehicle Fleet: Special fund revenues from the Automated Speed Enforcement Program have been in decline. In addition, the statutory requirement of providing those revenues to the Department of State Police (DSP) for the purpose of improving its motor vehicle fleet ended in fiscal 2018. As such, the fiscal 2019 budget includes a considerable general fund increase to help sustain the fleet. DSP has not updated its motor vehicle replacement plan since 2013. The budget committees request that DSP submit a

report by August 1, 2018, on the current average age and mileage of the motor vehicle fleet and the benchmark average age and mileage of the fleet, including what would be needed to replenish and sustain the fleet over time, along with anticipated costs. The report should address both police patrol vehicles (PPV) and non-PPVs.

Information Request	Author	Due Date
DSP motor vehicle fleet	DSP	August 1, 2018

Helicopter Maintenance Plan: The budget committees are interested in the long-term costs associated with maintaining the Maryland State Police Aviation Command (MSPAC) helicopter fleet, including the future need to overhaul the engines and tail rotors, as these could be expensive and have a significant impact on the health of the Maryland Emergency Medical Systems Operations Fund. The committees request that MSPAC evaluate and report on the cost of these long-term maintenance needs and the estimated timeline for addressing those needs. The report should also provide options for limiting the fiscal impact of funding those maintenance expenses and explore the potential for purchasing hourly cost maintenance programs. The report should be submitted to the budget committees no later than January 15, 2019.

Information Request	Author	Due Date
Helicopter maintenance plans	MSPAC	January 15, 2019

X00A00
Public Debt

Committee Narrative

Examine Effect of New Accounting Standards on State Capital Leases: The Governmental Accounting Standards Board has updated accounting standards for capital leases. New rules require government lessees to recognize a lease liability that exceeds 12 months. The new rules will increase the amount of capital leases, but it is unclear to what extent. The Comprehensive Annual Financial Report for fiscal 2017 reports that rent expenditures totaled $94 million in fiscal 2017. By contrast, capital lease expenditures reported by the Capital Debt Affordability Committee totaled $27 million in fiscal 2017. Changes in lease accounting standards could affect State debt affordability. State agencies, including the Department of Budget and Management (DBM), the Department of General Services (DGS), and the Maryland Department of Transportation (MDOT) should begin to review how the new rules will affect State-supported capital leases. This report should be coordinated by DBM and completed by January 15, 2019.

Information Request	Authors	Due Date
Examine effect of new accounting standards on State capital leases	DBM DGS MDOT	January 15, 2019

Y01A
State Reserve Fund

Budget Amendments

Y01A01.01 Revenue Stabilization Account

Amend the following language to the general fund appropriation:

, provided that this appropriation is reduced by ~~$193,000,000~~ $150,329,000 contingent upon the enactment of legislation to maintain the fund balance at 5% of projected fiscal 2019 General Fund revenues.

Explanation: Modifies the reduction consistent with language to support projects and programs.

Amendment No. **99**

Add the following language to the general fund appropriation:

Further provided that $42,671,000 of this appropriation may not be credited to the Revenue Stabilization Account and shall only be transferred by budget amendment to appropriations for the following projects or programs in the following specified amounts:

(1) $12,100,000 to Program M00Q01.03 Medical Care Provider Reimbursements to raise the fiscal 2019 nursing home provider rate increase to 3%;

(2) $5,100,000 to Program M00Q01.03 Medical Care Provider Reimbursements to raise the fiscal 2019 home- and community-based services provider rate increase to 3%;

(3) $10,000,000 to Program D15A05.16 Governor's Office of Crime Control and Prevention to support school safety grants;

(4) $5,000,000 to Program D15A05.16 Governor's Office of Crime Control and Prevention to provide grants for the Tyrone Ray Violence Intervention and Prevention Fund;

(5) $3,000,000 to Program N00G00.01 Foster Care Maintenance Payments and V00A Department of Juvenile Services to raise the fiscal 2019 residential services for children services provider rate to 3%;

(6) $2,500,000 to Program R00A02.13 Innovative Programs to support the Maryland Early Literacy Initiative;

(7) $2,000,000 to Agency R62I Maryland Higher Education Commission for scholarships;

(8) $2,000,000 to Program R00A02.13 Innovative Programs to support career and technical education innovation;

(9) $250,000 to Program R00A02.13 Innovative Programs to support teacher recruitment and outreach;

(10) $121,000 to Program R00A01.13 Division of Special Education/Early Intervention Services to fund special education studies;

(11) $100,000 to the Maryland Humanities Council; and

(12) $500,000 to Program J00D01.01 Maryland Port Administration to support the Pride of Baltimore.

Funds not used for these restricted purposes shall revert to the General Fund.

Explanation: The language allows the Governor to transfer $42.7 million by budget amendment to raise the fiscal 2019 nursing home and home-and community-based service provider rate increase to 3%. The fiscal 2019 allowance includes a 1% increase for most discretionary provider rates in the Medical Care Programs Administration, including nursing homes and home- and community-based services such as medical day care, private duty nursing, personal assistance and services provided through Community First Choice. This also supports school safety grants, violence prevention and intervention programs, residential children's services, literacy initiatives, scholarships, support for career and technical innovation, teacher recruitment and outreach, a special education study, humanities council, and the Pride of Baltimore. If funds are not transferred, they revert to the general fund.

Amendment No. **100**

Committee Narrative

Repayment of Catastrophic Event Account and Small, Minority, and Women-Owned Businesses Account: In September 2016, $2.5 million was transferred from the Catastrophic Event Account, and $2.3 million was transferred from the Small, Minority, and Women-Owned Businesses Account into the Department of Housing and Community Development (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 22, 2019.

Information Request	Authors	Due Date
Report on Catastrophic Event Account and Small, Minority, and Women-Owned Businesses Account repayment	DHCD DBM	January 22, 2019

Local Income Tax Reserve Account Repayment Plan: The committees are concerned about the large unfunded liability in the Local Income Tax Reserve Account. Bond rating agencies have also noted the liability in their reports and have expressed concerns about the State's available cash balances. The State collects income taxes for local jurisdictions and makes payments to the counties and Baltimore City from this account. According to generally accepted accounting principles, the Local Income Tax Reserve Account should maintain a sufficient fund balance to disburse the local share of income tax revenues realized during the fiscal year. If the account is insufficiently capitalized at the end of a fiscal year, the State is required to report an unfunded liability in the Comprehensive Annual Financial Report. If the State has a plan in place to reimburse the account, the State does not need to show an unfunded liability in the CAFR. At the end of fiscal 2017, there was a $716.8 million unfunded liability. The State's share of the unfunded liability is $350.0 million and the local share is $366.8 million. The Department of Budget and Management (DBM) and the Comptroller's Office should develop and submit a repayment plan to the budget committees by October 1, 2018.

Information Request	Authors	Due Date
Local Income Tax Reserve Account Repayment Plan	DBM Comptroller	October 1, 2018

Y01A

Y01A03.01 Economic Development Opportunities Program Account

Add the following language to the general fund appropriation:

, provided that $10,000,000 of this appropriation shall be contingent on the enactment of HB 989 or SB 877.

Explanation: This language would make a portion of the general fund allowance under the Economic Development Opportunities Program Account, or Sunny Day Fund, contingent on a bill that provides tax credits and other incentives targeted for Amazon.

Amendment No. **101**

D15A0516
Governor's Office of Crime Control and Prevention
Executive Department

Fiscal 2018 Deficiency

BOARDS, COMMISSIONS, AND OFFICES

D15A05.16 Governor's Office of Crime Control and Prevention

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Delete the deficiency appropriation for 2 new positions to support the new Maryland Criminal Intelligence Network. Positions can be filled at the start of the fiscal year once the network has been better established.	50,974	GF	
Total Reductions	50,974		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
General Fund	50,974	0	50,974	
Total Funds	**50,974**	**0**	**50,974**	

Amendment No. **102**

F50
Department of Information Technology

Fiscal 2018 Deficiency

OFFICE OF INFORMATION TECHNOLOGY

F50B04.04 Infrastructure

Add the following language to the general fund appropriation:

Provided that the transfer of up to $172,000 in general funds to other State agencies is authorized.

Explanation: The Department of Information Technology has transferred 15.0 positions to other agencies. The salary and fringe benefit costs total approximately $688,000. The deficiency appropriation reduces fiscal 2018 appropriations by $516,251. This allows the transfer of additional funds to other agencies.

Amendment No. **103**

H00
Department of General Services

Fiscal 2018 Deficiency

Add the following language:

OFFICE OF PROCUREMENT AND LOGISTICS

H00D01.01 Procurement and Logistics

To become available immediately upon passage of this bill to reduce the appropriation for fiscal 2018 to reflect deferred revenues that should be reverted to the General Fund.

General Fund Appropriation……..-934,328

OFFICE OF REAL ESTATE

H00E01.01 Real Estate Management

To become available immediately upon passage of this bill to reduce the appropriation for fiscal 2018 to reflect deferred revenues that should be reverted to the General Fund.

General Fund Appropriation……..-387,126

Explanation: The Office of Legislative Audit's fiscal 2017 closeout audit identified $934,328 in surplus property revenues and $387,126 in real estate brokerage fees collected by the Department of General Services (DGS) that were retained by DGS as deferred revenues. These revenues were not being carried forward in accordance with any State statute, regulation, or policy. The auditor advises that these funds be reverted to the General Fund. This reduces general fund appropriations in the DGS budget so that the corresponding amount is retained by the General Fund. DGS is authorized to process a special fund budget amendment transferring up to $1,321,454 into its budget to offset this reduction.

Amendment No. **104**

M00F01
Public Health Administration
Maryland Department of Health

Fiscal 2018 Deficiency

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that this funding may not be expended until the Department of Information Technology (DoIT) reviews the project and makes a determination on whether the project should be included as a Major Information Technology Project and the Maryland Department of Health submits a report that details the DoIT determination. The budget committees shall have 15 days to review and comment. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted.

Explanation: The Maryland Department of Health (MDH) Vital Statistics Administration is developing an integrated electronic birth, death, and fetal death registration and cost accounting system. Based on statutory criteria for information technology (IT) projects, it is likely that this project should be considered a Major IT Project in the DoIT Major IT Project Development program. This language restricts funds for the project pending a determination by DoIT and submission of the determination to the budget committees.

Information Request	Author	Due Date
Report that details determination made by DoIT	MDH	15 days prior to expenditure

Amendment No. **105**

M00Q01
Medical Care Programs Administration
Maryland Department of Health

Fiscal 2018 Deficiency

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:	Funds		Positions
1. Reduce funding based on the February 2018 settlement concerning the Medicaid Enterprise Restructuring Project. The department may process a special fund budget amendment to backfill this reduction.	8,100,000	GF	
Total Reductions	8,100,000		0.00

Effect	Allowance	Appropriation	Amount Reduction	Position Reduction
General Fund	29,500,000	21,400,000	8,100,000	
Special Fund	-10,650,000	-10,650,000	0	
Total Funds	**18,850,000**	**10,750,000**	**8,100,000**	

Amendment No. **106**

V00A
Department of Juvenile Services

Fiscal 2018 Deficiency

V00G01.01 Baltimore City Region Operations

Add the following language:

V00G01.01 Baltimore City Region Operations

To become available immediately upon passage of this budget to reduce the fiscal 2018 appropriation for residential per diems to bring funding in line with projected population declines.

General Fund Appropriation .....-1,250,000

Explanation: This language implements a negative deficiency appropriation, withdrawing $1.25 million in general funds for residential per diems, based on anticipated population decline.

Amendment No. **107**

Sections

Budget Amendments

Amend the following section:

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

(a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense~~ and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted~~.

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury ~~a schedule of allotments, if any~~ a list limited to the appropriations restricted in this Act, to be placed in contingency reserve. The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

~~(b)~~ ~~To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.~~

~~(c)~~ (b) The Secretary is authorized to~~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.

Amendment No. **108**

Amend the following section:

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0217 (Health Insurance), 0305 (the Department of Budget and Management Paid Telecommunications), 0322 (Capital Lease Telecommunications), 0839 (Human Resources Shared Services), 0874 (the Office of Attorney General Administrative Fee), 0876 (the Department of Information Technology, Information Technology Services Allocation), 0894 (State Personnel System Allocation), 0897 (Enterprise Budget System Allocation), and 1303 (rent paid to the Department of General Services) 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 2018 and 2019. 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.

Amendment No. **109**

Sections

Amend the following section:

SECTION 19. AND BE IT FURTHER ENACTED, That for fiscal 2018 funding for health insurance shall be reduced by ~~$78,621,256~~ $84,411,780 in Executive Branch, Legislative Branch, and Judicial Branch agencies to reflect health insurance savings due to two additional payroll health deduction holidays. Funding for this purpose shall be reduced in Comptroller Objects 0152 Health Insurance and 0154 – Retirees Health Insurance – 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, the Presiding Officers, and the Chief Judge:

	Agency	General Funds
B75	General Assembly of Maryland	950,942
C00	Judiciary	4,549,245
C80	Office of the Public Defender	1,175,606
C81	Office of the Attorney General	200,543
C82	State Prosecutor	9,923
C85	Maryland Tax Court	8,205
D05	Board of Public Works (BPW)	13,298
D10	Executive Department – Governor	86,894
D11	Office of the Deaf and Hard of Hearing	4,109
D12	Department of Disabilities	19,677
D15	Boards and Commissions	85,026
D16	Secretary of State	28,521
D17	Historic St. Mary's City Commission	32,416
D18	Governor's Office for Children	19,295
D25	BPW Interagency Committee for School Construction	29,710
D26	Department of Aging	31,080
D27	Maryland Commission on Civil Rights	32,406
D38	State Board of Elections	48,630
D40	Department of Planning	152,918
D50	Military Department	109,478
D55	Department of Veterans Affairs	73,266
D60	Maryland State Archives	63,678
E00	Comptroller of Maryland	1,107,271
E20	State Treasurer's Office	33,032
E50	Department of Assessments and Taxation	363,118
E75	State Lottery and Gaming Control Agency	179,441
E80	Property Tax Assessment Appeals Boards	12,846
F10	Department of Budget and Management	180,046
F50	Department of Information Technology	230,159
H00	Department of General Services	498,745
K00	Department of Natural Resources	671,475
L00	Department of Agriculture	307,432
M00	Maryland Department of Health	6,428,546

Sections

N00	Department of Human Services	3,905,266
P00	Department of Labor, Licensing, and Regulation	327,431
Q00	Department of Public Safety and Correctional Services	18,577,426
R00	State Department of Education	618,524
R15	Maryland Public Broadcasting Commission	86,174
R62	Maryland Higher Education Commission	51,644
R75	Support for State Operated Institutions of Higher Education	12,453,948
R99	Maryland School for the Deaf	406,919
S00	Department of Housing and Community Development	5,109
T00	Department of Commerce	207,606
U00	Department of the Environment	328,246
V00	Department of Juvenile Services	2,505,930
W00	Department of State Police	2,788,800
	Total General Funds	~~54,499,813~~
		60,000,000

	Agency	Special Funds
C00	Judiciary	290,337
C81	Office of the Attorney General	77,939
C90	Public Service Commission	183,320
C91	Office of the People's Council	30,541
C94	Subsequent Injury Fund	26,063
C96	Uninsured Employers Fund	17,061
C98	Workers' Compensation Commission	152,014
D12	Department of Disabilities	1,406
D13	Maryland Energy Administration	18,491
D15	Boards and Commissions	1,116
D16	Secretary of State	3,382
D17	Historic St. Mary's City Commission	5,954
D26	Department of Aging	6,536
D38	State Board of Elections	5,247
D40	Department of Planning	11,961
D53	Maryland Institute for Emergency Medical Services Systems	121,425
D55	Department of Veterans Affairs	7,683
D60	Maryland State Archives	21,226
D78	Maryland Health Benefit Exchange	60,410
D80	Maryland Insurance Administration	359,204
D90	Canal Place Preservation and Development Authority	2,546
E00	Comptroller of Maryland	220,530
E20	State Treasurer's Office	3,571
E50	Department of Assessments and Taxation	389,781
E75	Maryland Lottery and Gaming Control Agency	180,549

Sections

F10	Department of Budget and Management	153,947
F50	Department of Information Technology	8,148
G20	State Retirement Agency	186,053
G50	Teachers and State Employees Supplemental Retirement Plans	17,023
H00	Department of General Services	17,977
J00	Department of Transportation	8,292,612
K00	Department of Natural Resources	924,335
L00	Department of Agriculture	132,258
M00	Maryland Department of Health	527,685
N00	Department of Human Services	113,283
P00	Department of Labor, Licensing, and Regulation	350,379
Q00	Department of Public Safety and Correctional Services	390,618
R00	State Department of Education	34,659
R15	Maryland Public Broadcasting Commission	111,468
R62	Maryland Higher Education Commission	9,496
S00	Department of Housing and Community Development	322,263
T00	Department of Commerce	61,604
U00	Department of the Environment	561,129
W00	Department of State Police	678,229
	Total Special Funds	~~14,801,122~~ 15,091,459

	Agency	Federal Funds
C81	Office of the Attorney General	40,933
C90	Public Service Commission	5,842
D12	Department of Disabilities	13,633
D13	Maryland Energy Administration	3,772
D15	Boards and Commissions	22,876
D26	Department of Aging	19,026
D27	Maryland Commission on Civil Rights	7,777
D40	Department of Planning	12,465
D50	Military Department	193,647
D55	Department of Veterans Affairs	12,891
D78	Maryland Health Benefit Exchange	45,913
D80	Maryland Insurance Administration	1,398
H00	Department of General Services	7,841
J00	Department of Transportation	343,195
K00	Department of Natural Resources	142,111
L00	Department of Agriculture	21,013
M00	Maryland Department of Health	1,192,729
N00	Department of Human Services	3,984,459
P00	Department of Labor, Licensing, and Regulation	1,207,889

Q00	Department of Public Safety and Correctional Services	426,722
R00	State Department of Education	1,173,752
R62	Maryland Higher Education Commission	3,572
R99	Maryland School for the Deaf	8,312
S00	Department of Housing and Community Development	85,760
T00	Department of Commerce	8,622
U00	Department of the Environment	301,183
V00	Department of Juvenile Services	32,988
	Total Federal Funds	9,320,321

	Agency	Current Unrestricted Funds
R13	Morgan State University	724,016
R14	St. Mary's College of Maryland	291,792
R30	University System of Maryland	11,118,193
R95	Baltimore City Community College	319,947
	Total Current Unrestricted Funds	12,453,948
	Less: General Funds in Higher Education	12,453,948
	Net Current Unrestricted Funds	0

Explanation: The Administration cannot reduce the legislature or Judiciary's budgets. This action applies the health insurance contingent reduction to those budgets.

Amendment No. **110**

Add the following section:

Section 21 Executive Long-term Forecast

SECTION 21. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the executive budget proposal on the long-term fiscal condition of the General Fund, the Transportation Trust Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and 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.

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 2020 budget books

Amendment No. **111**

Add the following section:

Section 22 Across-the-board Reductions and Higher Education

SECTION 22. AND BE IT FURTHER ENACTED, That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

Explanation: This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College, unless their exclusion is specifically stated.

Amendment No. **112**

Add the following section:

Section 23 Chesapeake Employers' Insurance Company Fund Accounts

SECTION 23. AND BE IT FURTHER ENACTED, That the General Accounting Division of the Comptroller of Maryland shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (Workers' Compensation) and to credit all payments disbursed to the Chesapeake Employers' Insurance Company (CEIC) via transmittal. The control account shall also record all funds withdrawn from CEIC and returned to the State

and subsequently transferred to the General Fund. CEIC shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

Explanation: This section provides continuation of a system to track workers' compensation payments to the CEIC Fund for payments of claims, current expenses, and funded liability for incurred losses by the State.

Information Request	Author	Due Date
Report on the status of ledger control account	CEIC	Monthly beginning on July 1, 2018

Amendment No. **113**

Add the following section:

Section 24 Reporting Federal Funds

SECTION 24. 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 2020 budget

Amendment No. **114**

Sections

Add the following section:

Section 25 Federal Fund Spending

SECTION 25. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

(1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.

(2) For fiscal 2019, except with respect to capital appropriations, to the extent consistent with federal requirements:

(a) when expenditures or encumbrances may be charged to either State or federal fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department of Human Services with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities;

(b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management (DBM), whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and

(c) DBM shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of federal funds by executive agencies.

Explanation: This annual language defines the policies under which federal funds shall be used in the State budget.

Amendment No. **115**

Sections

Add the following section:

Section 26 Indirect Costs Report

SECTION 26. 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 2019 as an appendix in the Governor's fiscal 2020 budget books. The report must detail by agency for the actual fiscal 2018 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 2019, 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.

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 submission of the Governor's fiscal 2020 budget books

Amendment No. **116**

Add the following section:

Section 27 Reporting on Budget Data and Organizational Charts

SECTION 27. 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 2020 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 2019 except as indicated elsewhere in this Act; however, this may

not preclude the placement of additional information into the budget books. For actual fiscal 2018 spending, the fiscal 2019 working appropriation, and the fiscal 2020 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 2018 spending, the fiscal 2019 working appropriation, and the fiscal 2020 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 with the allowance for each department, unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

Further provided that for each across-the-board reduction to appropriations or positions in the fiscal 2020 budget bill affecting fiscal 2019 or 2020, 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.

Explanation: This annual language provides for consistent reporting of fiscal 2018, 2019, and 2020 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.

Information Request	**Author**	**Due Date**
Agency organizational charts	DBM	With submission of the fiscal 2020 budget

Amendment No. **117**

Sections

Add the following section:

Section 28 Interagency Agreements

SECTION 28. AND BE IT FURTHER ENACTED, That on or before August 1, 2018, 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 2018 between State agencies and any public institution of higher education involving potential expenditures in excess of $100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

(1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;

(2) the starting date for each agreement;

(3) the ending date for each agreement;

(4) a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;

(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 during the most recently closed fiscal year;

Sections

(12) actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and

(13) total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2018, 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 2018.

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 2019 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 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, 2018, 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 2019 without prior approval of the Secretary of Budget and Management.

Information Request	**Author**	**Due Date**
Consolidated report on interagency agreements	DBM	December 1, 2018

Amendment No. **118**

Sections

Add the following section:

Section 29 Budget Amendments

SECTION 29. 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 has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full-time equivalent payroll requirements.

(3) Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:

(a) restore funds for items or purposes specifically denied by the General Assembly;

(b) fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation (MDOT) shall be restricted as provided in Section 1 of this Act;

(c) increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to MDOT; and

(d) provide for the additional appropriation of special, federal, or higher education funds of more than $100,000 for the reclassification of a position or positions.

(4) A budget may not be amended to increase a federal fund appropriation by $100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.

(5) No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.

(6) Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.

(7) Budget amendments for new major information technology projects, as defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A-308 of the State Finance and Procurement Article.

(8) Further provided that the fiscal 2019 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2019 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 2020 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.

Sections

Explanation: This annual language defines the process under which budget amendments may be used.

Amendment No. **119**

Add the following section:

Section 30 Maintenance of Accounting Systems

SECTION 30. AND BE IT FURTHER ENACTED, That:

(1) The Secretary of Health shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2018 in program M00Q01.03 Medical Care Provider Reimbursements and M00Q01.10 Medicaid Behavioral Health Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the monthly reports 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 2018 to program R00A02.07 Students With Disabilities for nonpublic placements have been disbursed for services provided in that fiscal year and to prepare monthly reports as required under this section for that program.

(3) The Secretary of Human Services shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2018 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail by placement type for the average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the monthly reports required under this section for that program.

(4) For the programs specified, reports must indicate by fund type total appropriations for fiscal 2018 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.

(5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller beginning August 15, 2018, and submitted on a monthly basis thereafter.

(6) It is the intent of the General Assembly that general funds appropriated for fiscal 2018 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

Explanation: This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the Department of Human Services (DHS).

Information Request	Authors	Due Date
Report on appropriations and disbursements in M00Q01.03, M00Q01.10, R00A02.07, and N00G00.01	MDH MSDE DHS	August 15, 2018, and monthly thereafter

Amendment No. **120**

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, 2018, 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.

Sections

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 contractual full-time equivalents (FTE) are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual FTEs for at least 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 as long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

(1) funds are available from non-State sources for each position established under this exception; and

(2) any positions created will be abolished in the event that non-State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2019, the status of positions created with non-State funding sources during fiscal 2015 through 2019 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 2016 through 2019	Department of Budget and Management	June 30, 2019

Amendment No. **121**

Sections

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 2018, 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 2018 and on the first day of fiscal 2019. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2018 and 2019, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare a report during fiscal 2019 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 2020 Governor's budget books. It shall note, at the program level:

(1) where regular FTE positions have been abolished;

(2) where regular FTE positions have been created;

(3) from where and to where regular FTE positions have been transferred; and

(4) where any other adjustments have been made.

Provision of contractual FTE information in the same fashion as reported in the appendices of the fiscal 2019 Governor's budget books shall also be provided.

Explanation: This annual language providing reporting requirements for regular positions and contractual FTEs.

Information Request	Author	Due Date
Total number of FTEs on June 30 and July 1, 2018	Department of Budget and Management	July 14, 2018
Report on the creation, transfer, or abolition of regular positions	Department of Budget and Management	As needed

Amendment No. **122**

Sections

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, 2018; October 15, 2018; January 15, 2019; and April 15, 2019; and

(2) detail on any lump-sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat-rate employees in 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.

Information Request	Author	Due Date
Report on all EPP positions	Department of Budget and Management	July 15, 2018 October 15, 2018 January 15, 2019 April 15, 2019

Amendment No. **123**

Sections

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 abolished positions may continue State employment in another position.

Explanation: This language prevents employees from being moved into abolished positions in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

Amendment No. **124**

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 2020 Governor's budget books an accounting of the fiscal 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 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.

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.

Amendment No. **125**

Sections

Add the following section:

Section 36 Chesapeake Bay Restoration Plan

SECTION 36. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Planning, the Department of Natural Resources, the Department of Agriculture, the Department of the Environment, and the Department of Budget and Management provide a report to the budget committees by December 1, 2018, 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 2018 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 2019 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 2018 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay to be both written in narrative form and tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;

(4) an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; and

(5) an analysis on how cost effective the existing State funding sources – such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water Quality Revolving Loan Fund among others – are for Chesapeake Bay restoration purposes.

Sections

Explanation: This language expresses the intent that the Department of Planning (MDP), the Department of Natural Resources (DNR), the Department of Agriculture (MDA), the Department of the Environment (MDE), and the Department of Budget and Management (DBM) provide a report by December 1, 2018, 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 that are being used.

Information Request	**Authors**	**Due Date**
Historical and projected Chesapeake Bay restoration spending	MDP DNR MDA MDE DBM	December 1, 2018

Amendment No. **126**

Add the following section:

Section 37 Chesapeake Bay Spending Plan

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 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 allowance to be included as an appendix in the fiscal 2020 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 2020 budget submission, information on Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration.

Sections

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 2020 State budget submission

Amendment No. **127**

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 2020 budget and annually thereafter as an appendix to the Governor's budget books. This report shall include information for the actual fiscal 2018 budget, fiscal 2019 working appropriation, and fiscal 2020 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.

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 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 allowance.

Explanation: This language requires the Department of Budget and Management to include as an appendix in the Governor's budget books for fiscal 2020 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 requires fund balance information for each SEIF subaccount but does not require the SEIF balances to account for only RGGI-related fund balances within the subaccounts.

Information Request	Author	Due Date
Report on revenue assumptions and use of RGGI auction revenue	Department of Budget and Management	With the submission of the Governor's fiscal 2020 budget books and annually thereafter

Amendment No. **128**

Add the following section:

Section 39 Reduce Custodial Banking Contract Costs in the State Retirement Agency

SECTION 39. AND BE IT FURTHER ENACTED, That the reimbursable fund appropriation in the State Retirement Agency, G20J01.01, shall be reduced by $400,000. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

Sections

Fund	Amount
General	$240,000
Special	$80,000
Federal	$80,000

Explanation: The Governor's fiscal 2019 allowance includes $4.0 million for a new custodial banking contract, but the new contract is expected to cost only $2.8 million in the first year. This action consists of an $800,000 reduction in special funds and this $400,000 reduction in reimbursable funds.

Amendment No. **129**

Add the following section:

Section 40 Reduce Positions and Operating Expenses for the Investment Division of the State Retirement Agency

SECTION 40. AND BE IT FURTHER ENACTED, That contingent upon the enactment of SB 899 or HB 1012, the reimbursable fund appropriation in the State Retirement Agency, G20J01.01, shall be reduced by $2,316,965. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

Fund	Amount
General	$1,390,179
Special	$463,393
Federal	$463,393

Explanation: SB 899 or HB 1012 grants the Board of Trustees of the State Retirement and Pension System independent authority to create/eliminate positions within the Investment Division and to establish compensation levels for those positions, including performance bonuses. They also specify that compensation for those positions and other operating expenses of the Division, are to be paid from the accumulation funds of the several systems (the "pension trust fund") rather than from special funds or reimbursable funds consisting of the administrative fees collected from the State and participating employers. This action reduces the reimbursable fund portion paid by the State and allocated the reduction across State agency budgets, contingent upon enactment of either bill.

Amendment No. **130**

Sections

Add the following section:

Section 41 Reduce State Health Insurance Spending Contingent on Enactment of Legislation to Conform Elimination of Medicare-eligible Retiree Prescription Drug Coverage with Closure of the Medicare Donut Hole

SECTION 41. AND BE IT FURTHER ENACTED, That for fiscal 2019 funding for State health insurance contributions for employees and retirees shall be reduced by $47,300,000 in Executive Branch, Legislative Branch, and Judicial Branch agencies contingent upon the enactment of SB 187 or HB 161 to amend statute to align the elimination of Medicare-eligible retirees' prescription drug coverage with closure of the Medicare Part D coverage gap on January 1, 2019. Funding for this purpose shall be reduced in Comptroller Object 0152 (Health Insurance), and Comptroller Object 0154 (Retirees Health Insurance Premiums) within Executive Branch, Legislative Branch, and Judicial Branch agencies in fiscal 2019 by the following amounts in accordance with a schedule determined by the Governor, the Presiding Officers, and Chief Judge:

Programs	Fund	Amount
General Assembly of Maryland	General Fund	$506,305
Judiciary	General Fund	$2,231,012
Executive Branch	General Fund	$32,191,851
Judiciary	Special Fund	$145,837
Executive Branch	Special Fund	$7,583,014
Executive Branch	Federal Fund	$4,641,981
Morgan State University	Unrestricted Fund	$640,172
St. Mary's College of Maryland	Unrestricted Fund	$235,436
University System of Maryland	Unrestricted Fund	$12,245,912
Baltimore City Community College	Unrestricted Fund	$268,495

Explanation: On February 9, 2018, Congress passed a law that accelerated the closure of the Medicare Part D coverage gap (donut hole) by one year to January 1, 2019. This language would eliminate prescription drug coverage for Medicare-eligible retirees on January 1, 2019, to align with the revised closure of the donut hole. Current statute has coverage eliminated as of July 1, 2019.

Amendment No. **131**

Sections

Add the following section:

Section 42 Submission of the Uniform Crime Report

SECTION 42. 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, 2017 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 by November 1, 2018, 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). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2019 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP and DSP verifies the accuracy of that data. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2018, and the amount of SAPP funding withheld from each jurisdiction.

Further provided that, it is the intent of the budget committees that, in the event that DSP encounters issues with submitting the complete and accurate UCR due to issues outside of its control, DSP may petition the budget committees for release of the restricted general funds following submission of a report detailing the department's due diligence in attempting to collect the UCR data, including proof of competent oversight of the data contributors.

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 2016 UCR was not submitted as of February 2018. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2017 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. DSP and GOCCP must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2018, and the amount of SAPP funding that was withheld from each jurisdiction. Finally, this language expresses legislative intent that DSP can petition the budget committees for release of funds without submission of the complete and accurate UCR if the department is able to demonstrate that competent oversight was provided and issues with the submission were beyond DSP control.

Sections

Information Request	Author	Due Date
2017 Uniform Crime Report	DSP	November 1, 2018

Amendment No. **132**

Add the following section:

Section 43. Evaluation of School Safety Resources

SECTION 43. AND BE IT FURTHER ENACTED, That $100,000 of the general fund appropriation within the Department of State Police (DSP) and $100,000 of the general fund appropriation within the Governor's Office of Crime Control and Prevention (GOCCP) may not be expended until DSP and GOCCP, in consultation with Bowie State University, the Maryland State Department of Education, the Department of Budget and Management, and the Governor's Office of Homeland Security, submit a report to the budget committees evaluating how best to manage and consolidate State resources available for monitoring and improving school safety. At a minimum, the report should:

(1) identify all current State resources and entities available for ensuring, monitoring, and improving the safety of public and private schools;

(2) evaluate the role of the State in ensuring safety at all public and private schools;

(3) establish clearly defined and measurable goals for addressing school safety concerns;

(4) evaluate the appropriate level of State funding required to effectively ensure that school safety concerns are addressed;

(5) evaluate the optimal organizational structure across State government for addressing the issue of school safety, including:

(a) which agency should host this function;

(b) whether or not other agencies should have a role, and if so, what that role should be;

(c) how many positions are needed and for what purpose;

(d) how many offices are needed statewide and where they should be located;

Sections

(e) whether all school safety grant funding should be consolidated;

(f) which agency should administer school safety grants and provide grant oversight;

(6) make a recommendation regarding the necessity for the Maryland Center for School Safety (MCSS) and the appropriate State entity to maintain oversight of the operations and funding of the Center, including any necessary statutory changes; and

(7) develop a plan for how to expend the funding allocated to MCSS, including how many positions are needed for MCSS to effectively carry out its mission.

The report shall be submitted by November 15, 2018, 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: Recent events have brought increased interest to the issue of school safety. Chapter 372 of 2013 established MCSS as an independent unit within State government based at Bowie State University; however, MCSS receives its funding through DSP and is located at the Maryland Coordination and Analysis Center. Increased funding in fiscal 2019 for MCSS and a new school safety grant program in GOCCP highlights the lack of a consolidated plan for how the State is responding to and funding school safety concerns. This language requires DSP and GOCCP, along with several other invested State entities, to develop a coordinated plan for addressing school safety statewide, along with making a recommendation for the optimal organizational structure for coordinating the State's efforts and resources.

Information Request	**Authors**	**Due Date**
Evaluation of State resources dedicated to school safety	DSP GOCCP Bowie State University Maryland State Department of Education Department of Budget and Management Governor's Office of Homeland Security	November 15, 2018

Amendment No. **133**

Sections

Add the following section:

Section 44 Secretary's or Acting Secretary's Nomination and Salary

SECTION 44. 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 2018 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2018 session unless the Acting Secretary is appointed under Article II, Section 11 of the Maryland Constitution prior to July 1, 2018.

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 2017 and whose nomination as Secretary was put forward and/or was not acted upon by the Executive Nominations Committee, or whose nomination was rejected by the Executive Nominations Committee and whose nomination was withdrawn before the full Senate acted.

Further provided that no funds in this budget may be expended to pay the salary of an Assistant Secretary or Deputy Secretary who was a recess appointment as Secretary in 2017 and whose nomination was rejected by the Executive Nominations Committee and was withdrawn before the full Senate acted or whose nomination was not acted upon by the Executive Nominations Committee.

Nothing in this language may be construed to prohibit employment in State Government not serving in a leadership capacity in the agency or department in which the Secretary or Acting Secretary's nomination as Secretary was put forward and was rejected by the Executive Nominations Committee or who was not acted upon by the Executive Nominations Committee.

Explanation: This language ensures that the intentions of the General Assembly are reflected in the payment of executive salaries.

Amendment No. **134**

Sections

Add the following section:

Section 45 Reallocate Program Open Space Funding to Specified Purposes

SECTION 45. AND BE IT FURTHER ENACTED, That for fiscal 2019 $1,900,000 of the special fund appropriation for Land Acquisitions under K00A05.10 Outdoor Recreation Land Loan shall be reduced.

Further, it is the intent of the General Assembly that the following special fund appropriations be increased in fiscal 2019 by the amounts specified:

(1) K00A04.01 Statewide Operations – $600,000;

(2) K00A05.10 Outdoor Recreation Land Loan – Allowance, Local Projects – $900,000; and

(3) K00A05.10 Outdoor Recreation Land Loan – Department of Natural Resources Capital Improvements: Natural Resource Development Fund – $400,000.

Authorization is granted to the Department of Natural Resources to process a special fund budget amendment to increase the appropriations as noted above.

Explanation: The fiscal 2019 budget as introduced reflected the addition of $3,000,000 in transfer tax funding for the Maryland Heritage Areas Authority Financing Fund in the Maryland Department of Planning as authorized by Chapters 660 and 661 of 2017 (Program Open Space (POS) – Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund). This additional funding was deducted from the overall amount allocated to POS. However, Chapters 660 and 661 specified that the additional $3,000,000 be provided from the State's share of funds under POS. Therefore, this action reallocates the funding in accordance with legislative intent.

Amendment No. **135**

Technical Amendment

Technical Amendment No. 1

Renumber SECTION ~~21.~~ 46. and SECTION ~~22.~~ 47.

Explanation: Technical renumbering of budget bill sections.

Amendment No. **136**

D15A0516
Governor's Office of Crime Control and Prevention
Executive Department

Supplemental Budget No. 1

BOARDS, COMMISSIONS, AND OFFICES

D15A05.16 Governor's Office of Crime Control and Prevention

Add the following language to the general fund appropriation:

, provided that $2,500,000 of this appropriation made for the purpose of funding a school safety assessment grant program within the Governor's Office of Crime Control and Prevention is contingent on the enactment of SB 1257 or HB 1816 mandating that annual school safety assessments be conducted for each public school.

Explanation: Supplemental Budget No. 1 provides $2.5 million in general funds to establish a grant program within the Governor's Office of Crime Control and Prevention to provide grants to local school systems to carry out mandated safety assessments. Current law does not mandate such assessments, although many schools already complete safety assessments, with consultation and support from the Maryland Center for School Safety. This language makes the grant funding contingent on enactment of legislation that would mandate the completion of school safety grants by all public schools.

Amendment No. **137**

W00A
Department of State Police

Supplemental Budget No. 1

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent

Add the following language to the general fund appropriation:

, provided that this appropriation of $2,500,000 in general funds and 13 positions made for the purpose of funding additional resources to monitor school safety in the Maryland Center for School Safety (MCSS) is contingent on the enactment of SB 1257 or HB 1816 expanding the role and responsibilities of MCSS to include a regional structure, the review of school safety assessments and plans, and certification and/or training of school security personnel.

Explanation: Supplemental Budget No. 1 provides $2.5 million in general funds and 13 new positions to provide additional resources to MCSS. The additional resources are intended to support a restructuring of MCSS that would establish regional offices throughout the State, have MCSS be responsible for reviewing mandated safety assessments and safety plans for each public school, and have an increased role in the certification and training of school security personnel. Under current law, MCSS provides similar assistance, but it is not mandated. Since its establishment, MCSS has spent approximately $270,000 annually. This language makes the enhanced appropriation and resources contingent on legislation that would require the expanded role and responsibilities for the center.

Amendment No. **138**

Exhibit L

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT

SENATE BILL 185

B1 8lr2365

By: **The President (By Request – Administration)**
Introduced and read first time: January 17, 2018
Assigned to: Budget and Taxation

A BILL ENTITLED

Budget Bill

(Fiscal Year 2019)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2019, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That subject to the provisions hereinafter set forth and subject to the Public General Laws of Maryland relating to the Budget procedure, the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for the several purposes specified for the fiscal year beginning July 1, 2018, and ending June 30, 2019, as hereinafter indicated.

PAYMENTS TO CIVIL DIVISIONS OF THE STATE

A15O00.01 Disparity Grants
General Fund Appropriation 140,804,172

A15O00.02 Teacher Retirement Supplemental Grants
General Fund Appropriation 27,658,661

A15O00.03 Miscellaneous Grants
Special Fund Appropriation 1,200,000

SUMMARY

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.

Total General Fund Appropriation	168,462,833
Total Special Fund Appropriation	1,200,000
Total Appropriation	169,662,833

GENERAL ASSEMBLY OF MARYLAND

B75A01.01 Senate
General Fund Appropriation 13,344,914

B75A01.02 House of Delegates
General Fund Appropriation 25,485,536

B75A01.03 General Legislative Expenses
General Fund Appropriation 1,140,289

DEPARTMENT OF LEGISLATIVE SERVICES

B75A01.04 Office of the Executive Director
General Fund Appropriation ..... ~~8,569,544~~
8,819,544 1

B75A01.05 Office of Legislative Audits
General Fund Appropriation 14,372,430

B75A01.06 Office of Legislative Information Systems
General Fund Appropriation 7,264,435

B75A01.07 Office of Policy Analysis
General Fund Appropriation 20,839,878

SUMMARY

Total General Fund Appropriation 91,267,026

JUDICIARY

Provided that $6,723,905 in general funds for employee merit salary increases and increased compensation for judges is reduced. The Chief Judge is authorized to allocate this reduction across the Judiciary. These funds are provided for the following purposes: 2

Employee merit salary increases	3,918,030
Judicial Compensation Commission recommended salary increases	2,805,875

Further provided that $4,000,000 in general funds is reduced. The Chief Judge shall allocate this reduction across the Judiciary. 3

C00A00.01 Court of Appeals
General Fund Appropriation 13,303,584

C00A00.02 Court of Special Appeals
General Fund Appropriation 12,784,952

C00A00.03 Circuit Court Judges
General Fund Appropriation 73,520,213

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.

C00A00.04 District Court
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 4

~~198,556,637~~ 5
197,917,681

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.

C00A00.06 Administrative Office of the Courts

General Fund Appropriation	70,904,549	
Special Fund Appropriation	19,500,000	
Federal Fund Appropriation	168,770	90,573,319

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.

C00A00.07 Court Related Agencies

General Fund Appropriation		~~3,152,745~~
		3,130,316

6

C00A00.08 State Law Library

General Fund Appropriation	3,666,733	
Special Fund Appropriation	9,000	3,675,733

C00A00.09 Judicial Information Systems

General Fund Appropriation	~~48,700,519~~	
	48,143,780	
Special Fund Appropriation	8,374,854	~~57,075,373~~
		56,518,634

7

C00A00.10 Clerks of the Circuit Court

General Fund Appropriation	~~99,653,936~~	
	99,160,716	
Special Fund Appropriation	19,666,240	~~119,320,176~~
		118,826,956

8

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.

C00A00.12 Major Information Technology

Development Projects		
Special Fund Appropriation		14,649,836

SUMMARY

Total General Fund Appropriation		522,532,524
Total Special Fund Appropriation		62,199,930
Total Federal Fund Appropriation		168,770
Total Appropriation		584,901,224

OFFICE OF THE PUBLIC DEFENDER

C80B00.01 General Administration		
General Fund Appropriation		8,023,960
C80B00.02 District Operations		
General Fund Appropriation	87,896,426	
Special Fund Appropriation	257,173	
Federal Fund Appropriation	36,311	88,189,910

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.

C80B00.03 Appellate and Inmate Services		
General Fund Appropriation		7,098,042
C80B00.04 Involuntary Institutionalization Services		
General Fund Appropriation		1,508,025

SUMMARY

Total General Fund Appropriation		104,526,453
Total Special Fund Appropriation		257,173
Total Federal Fund Appropriation		36,311
Total Appropriation		104,819,937

1 OFFICE OF THE ATTORNEY GENERAL

2 C81C00.01 Legal Counsel and Advice		
3 General Fund Appropriation	5,315,781	
4 Special Fund Appropriation	2,197,569	7,513,350
5		

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 C81C00.04 Securities Division		
12 General Fund Appropriation	2,685,155	
13 Special Fund Appropriation	1,270,713	3,955,868
14		

15 C81C00.05 Consumer Protection Division		
16 Special Fund Appropriation		6,192,933

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 C81C00.06 Antitrust Division		
23 General Fund Appropriation		909,991

24 C81C00.09 Medicaid Fraud Control Unit		
25 General Fund Appropriation	1,206,006	
26 Federal Fund Appropriation	3,622,925	4,828,931
27		

28 C81C00.10 People's Insurance Counsel Division		
29 Special Fund Appropriation		630,098

30 C81C00.12 Juvenile Justice Monitoring Program		
31 General Fund Appropriation		602,798

32 C81C00.14 Civil Litigation Division		
33 General Fund Appropriation	2,627,233	
34 Special Fund Appropriation	484,762	3,111,995
35		

36 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.

C81C00.15 Criminal Appeals Division
General Fund Appropriation 2,958,451

C81C00.16 Criminal Investigation Division
General Fund Appropriation 1,732,031

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.

C81C00.17 Educational Affairs Division
General Fund Appropriation 357,067

C81C00.18 Correctional Litigation Division
General Fund Appropriation 340,038

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.

C81C00.20 Contract Litigation Division

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.

C81C00.21 Mortgage Foreclosure Settlement Program
Special Fund Appropriation 464,085

SUMMARY

Total General Fund Appropriation 18,734,551
Total Special Fund Appropriation 11,240,160
Total Federal Fund Appropriation 3,622,925

Total Appropriation		33,597,636

OFFICE OF THE STATE PROSECUTOR

C82D00.01 General Administration		
General Fund Appropriation		1,481,859

MARYLAND TAX COURT

C85E00.01 Administration and Appeals		
General Fund Appropriation		626,517

PUBLIC SERVICE COMMISSION

C90G00.01 General Administration and Hearings		
Special Fund Appropriation		11,221,450
C90G00.02 Telecommunications, Gas and Water Division		
Special Fund Appropriation		536,572
C90G00.03 Engineering Investigations		
Special Fund Appropriation	1,450,638	
Federal Fund Appropriation	593,421	2,044,059
C90G00.04 Accounting Investigations		
Special Fund Appropriation		694,993
C90G00.05 Common Carrier Investigations		
Special Fund Appropriation		1,932,217
C90G00.06 Washington Metropolitan Area Transit Commission		
Special Fund Appropriation		438,218
C90G00.07 Electricity Division		
Special Fund Appropriation		531,725
C90G00.08 Public Utility Law Judge		
Special Fund Appropriation		927,522
C90G00.09 Staff Counsel		

1 Special Fund Appropriation 1,094,373

2 C90G00.10 Energy Analysis and Planning Division
3 Special Fund Appropriation 700,213

4 SUMMARY

5 Total Special Fund Appropriation 19,527,921
6 Total Federal Fund Appropriation 593,421
7

8 Total Appropriation 20,121,342
9

10 OFFICE OF THE PEOPLE'S COUNSEL

11 C91H00.01 General Administration
12 Special Fund Appropriation 4,088,770
13

14 SUBSEQUENT INJURY FUND

15 C94I00.01 General Administration
16 Special Fund Appropriation 2,341,480
17

18 UNINSURED EMPLOYERS' FUND

19 C96J00.01 General Administration
20 Special Fund Appropriation, provided that
21 since the Uninsured Employers' Fund
22 (UEF) has had four or more repeat findings
23 in the most recent fiscal compliance audit
24 issued by the Office of Legislative Audits
25 (OLA), $75,000 of this agency's
26 administrative appropriation may not be
27 expended unless:

28 (1) UEF has taken corrective action
29 with respect to all repeat audit
30 findings on or before November 1,
31 2018; and

32 (2) a report is submitted to the budget
33 committees by OLA listing each
34 repeat audit finding along with a
35 determination that each repeat

9

9 cont

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 2019.

10

Further provided that $50,000 of this appropriation made for the purpose of General Administration may not be expended until UEF submits a draft Request for Proposals (RFP) to competitively bid the third–party claims administrator contract to the budget committees. The report shall be submitted by August 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 be canceled if the report is not submitted to the budget committees.

Further provided that $50,000 of this appropriation made for the purpose of General Administration may not be expended until UEF submits a report providing the award information for the third–party claims administrator contract to the budget committees. The report shall include (1) the number of bidders; (2) the vendor awarded the contract; (3) the term of the contract; and (4) the amount of the contract. The report shall be submitted prior to the award of the contract by February 1, 2019, 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 be canceled if the report is not submitted to the budget committees 1,598,329

WORKERS' COMPENSATION COMMISSION

C98F00.01 General Administration	
Special Fund Appropriation	14,691,668
C98F00.02 Major Information Technology Development Projects	
Special Fund Appropriation	1,560,000
SUMMARY	
Total Special Fund Appropriation	16,251,668

BOARD OF PUBLIC WORKS

D05E01.01 Administration Office
General Fund Appropriation 936,154

D05E01.02 Contingent Fund
To the Board of Public Works to be used by the Board in its judgment (1) for supplementing appropriations made in the budget for fiscal 2019 when the regular appropriations are insufficient for the operating expenses of the government beyond those that are contemplated at the time of the appropriation of the budget for this fiscal year, or (2) for any other contingencies that might arise within the State or other governmental agencies during the fiscal year or any other purposes provided by law, when adequate provision for such contingencies or purposes has not been made in this budget.
General Fund Appropriation 500,000

D05E01.05 Wetlands Administration
General Fund Appropriation 228,720

D05E01.10 Miscellaneous Grants to Private Non–Profit Groups
General Fund Appropriation 6,021,136

To provide annual grants to private groups and sponsors that have statewide implications and merit State support.

Council of State Governments	166,927
Historic Annapolis Foundation	789,000
Maryland Zoo in Baltimore	4,815,209
Western Maryland Scenic Railroad.....	250,000

SUMMARY

Total General Fund Appropriation 7,686,010

BOARD OF PUBLIC WORKS – CAPITAL APPROPRIATION

D06E02.01 Public Works Capital Appropriation
General Fund Appropriation, provided that

this appropriation shall be reduced by $29,000,000 contingent upon the enactment of legislation altering the mandate that funding be provided for the construction of the University of Maryland Capital Region Medical Center (formerly Prince George's Regional Medical Center) 29,000,000

D06E02.02 Public School Capital Appropriation
General Fund Appropriation 4,900,000

SUMMARY

Total General Fund Appropriation 33,900,000

EXECUTIVE DEPARTMENT – GOVERNOR

D10A01.01 General Executive Direction and Control
General Fund Appropriation 11,331,792

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.

OFFICE OF THE DEAF AND HARD OF HEARING

D11A04.01 Executive Direction
General Fund Appropriation 400,697

DEPARTMENT OF DISABILITIES

D12A02.01 General Administration

General Fund Appropriation	3,476,685	
Special Fund Appropriation	324,732	
Federal Fund Appropriation	5,307,446	9,108,863

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 ENERGY ADMINISTRATION

D13A13.01 General Administration		
Special Fund Appropriation	4,541,122	
Federal Fund Appropriation	760,537	5,301,659

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.

D13A13.02 The Jane E. Lawton Conservation Loan Program – Capital Appropriation	
Special Fund Appropriation	850,000
D13A13.03 State Agency Loan Program – Capital Appropriation	
Special Fund Appropriation	1,200,000
D13A13.06 Energy Efficiency and Conservation Programs, Low and Moderate Income Residential Sector	
Special Fund Appropriation	5,000,000
D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors	
Special Fund Appropriation	7,000,000
D13A13.08 Renewable and Clean Energy Programs and Initiatives	
Special Fund Appropriation.....	24,500,000

SUMMARY

Total Special Fund Appropriation	43,091,122
Total Federal Fund Appropriation	760,537
Total Appropriation	43,851,659

BOARDS, COMMISSIONS, AND OFFICES

D15A05.01 Survey Commissions		
General Fund Appropriation		125,857
D15A05.03 Governor's Office of Small, Minority & Women Business Affairs		
General Fund Appropriation		1,217,201
D15A05.05 Governor's Office of Community Initiatives		
General Fund Appropriation	2,331,304	
Special Fund Appropriation	333,834	
Federal Fund Appropriation	4,848,892	7,514,030

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.

D15A05.06 State Ethics Commission		
General Fund Appropriation	1,328,049	
Special Fund Appropriation	329,425	1,657,474
D15A05.07 Health Care Alternative Dispute Resolution Office		
General Fund Appropriation	381,108	
Special Fund Appropriation	32,744	413,852
D15A05.16 Governor's Office of Crime Control and Prevention		
General Fund Appropriation	~~113,148,147~~ 113,014,494	
Special Fund Appropriation	2,188,174	
Federal Fund Appropriation	40,152,845	~~155,489,166~~ 155,355,513

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.

11

D15A05.20 State Commission on Criminal Sentencing Policy

General Fund Appropriation		498,663

D15A05.22 Governor's Grants Office

General Fund Appropriation	245,892	
Special Fund Appropriation	55,000	300,892

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.

D15A05.23 State Labor Relations Board

General Fund Appropriation		325,252

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.

D15A05.24 Maryland State Board of Contract Appeals

General Fund Appropriation		721,436

D15A05.25 Governor's Coordinating Offices – Shared Services

General Fund Appropriation		656,321

SUMMARY

Total General Fund Appropriation	120,845,577
Total Special Fund Appropriation	2,939,177
Total Federal Fund Appropriation	45,001,737
Total Appropriation	168,786,491

SECRETARY OF STATE

D16A06.01 Office of the Secretary of State

General Fund Appropriation	2,163,794	
Special Fund Appropriation	863,159	3,026,953

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.

HISTORIC ST. MARY'S CITY COMMISSION

D17B01.51 Administration		
General Fund Appropriation	2,726,922	
Special Fund Appropriation	821,569	3,548,491

GOVERNOR'S OFFICE FOR CHILDREN

D18A18.01 Governor's Office for Children		
General Fund Appropriation		1,579,085

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.

BOARD OF PUBLIC WORKS – INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

D25E03.01 General Administration		
General Fund Appropriation		2,071,222

DEPARTMENT OF AGING

D26A07.01 General Administration		
General Fund Appropriation	2,381,639	
Special Fund Appropriation	521,808	
Federal Fund Appropriation	2,240,787	5,144,234

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.

D26A07.02 Senior Citizens Activities Centers
Operating Fund
General Fund Appropriation 764,238

D26A07.03 Community Services
General Fund Appropriation, provided that $100,000 of this appropriation made for the purpose of the Nursing Home Diversion program may not be expended until the Department of Aging submits a report to the budget committees that explains how these funds will be used and how allocations to local Area Agencies on Aging will be determined. 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 a report is not submitted 21,834,029
Federal Fund Appropriation 27,318,088 49,152,117

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.

D26A07.04 Senior Call–Check Service and
Notification Program
Special Fund Appropriation 416,985

SUMMARY

Total General Fund Appropriation 24,979,906
Total Special Fund Appropriation 938,793
Total Federal Fund Appropriation 29,558,875

Total Appropriation 55,477,574

MARYLAND COMMISSION ON CIVIL RIGHTS

D27L00.01 General Administration
General Fund Appropriation 2,525,738

Federal Fund Appropriation	772,022	3,297,760

MARYLAND STADIUM AUTHORITY

D28A03.02 Maryland Stadium Facilities Fund		
Special Fund Appropriation		20,000,000
D28A03.55 Baltimore Convention Center		
General Fund Appropriation		6,344,537
D28A03.58 Ocean City Convention Center		
General Fund Appropriation		1,527,176
D28A03.59 Montgomery County Conference Center		
General Fund Appropriation		1,555,000
D28A03.60 Hippodrome Performing Arts Center		
General Fund Appropriation		1,393,258
D28A03.66 Baltimore City Public Schools Construction Financing Fund		
Special Fund Appropriation		20,000,000

D28A03.68 Baltimore City CORE

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	10,819,971
Total Special Fund Appropriation	40,000,000
Total Appropriation	50,819,971

STATE BOARD OF ELECTIONS

D38I01.01 General Administration		
General Fund Appropriation	4,398,804	
Special Fund Appropriation	133,554	4,532,358

D38I01.02 Help America Vote Act		
General Fund Appropriation	7,769,691	
Special Fund Appropriation	~~20,360,830~~	~~28,130,521~~
	14,997,283	22,766,974
D38I01.03 Major Information Technology Development Projects		
Special Fund Appropriation		650,000

SUMMARY

Total General Fund Appropriation	12,168,495
Total Special Fund Appropriation	15,780,837
Total Appropriation	27,949,332

DEPARTMENT OF PLANNING

D40W01.01 Operations Division		
General Fund Appropriation		2,861,316
D40W01.02 State Clearinghouse		
General Fund Appropriation		534,184
D40W01.03 Planning Data and Research		
General Fund Appropriation		2,314,653

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.

D40W01.04 Planning Coordination		
General Fund Appropriation	1,689,563	
Federal Fund Appropriation	48,887	1,738,450

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.

D40W01.07 Management Planning and Educational Outreach

General Fund Appropriation	931,341	
Special Fund Appropriation, provided that $300,000 of this special fund appropriation be expended on the Maryland Historical Trust Non–Capital Grant Program contingent upon the enactment of legislation expanding the allowable uses of the Maryland Heritage Areas Authority Financing Fund	6,043,070	
Federal Fund Appropriation	781,588	7,755,999

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.

D40W01.08 Museum Services

General Fund Appropriation	2,229,196	
Special Fund Appropriation	609,216	
Federal Fund Appropriation	87,497	2,925,909

D40W01.09 Research Survey and Registration

General Fund Appropriation	890,024	
Special Fund Appropriation	78,752	
Federal Fund Appropriation	321,545	1,290,321

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.

D40W01.10 Preservation Services

General Fund Appropriation	728,119	
Special Fund Appropriation	454,227	
Federal Fund Appropriation	254,882	1,437,228

D40W01.11 Historic Preservation – Capital

Appropriation		
Special Fund Appropriation		300,000
D40W01.12 Heritage Structure Rehabilitation Tax Credit		
General Fund Appropriation	8,905,935	
Special Fund Appropriation	94,065	9,000,000

SUMMARY

Total General Fund Appropriation	21,084,331
Total Special Fund Appropriation	7,579,330
Total Federal Fund Appropriation	1,494,399
Total Appropriation	30,158,060

MILITARY DEPARTMENT

MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

D50H01.01 Administrative Headquarters		
General Fund Appropriation	2,691,689	
Special Fund Appropriation	39,976	
Federal Fund Appropriation	618,420	3,350,085
D50H01.02 Air Operations and Maintenance		
General Fund Appropriation	871,796	
Federal Fund Appropriation	3,730,970	4,602,766
D50H01.03 Army Operations and Maintenance		
General Fund Appropriation	3,964,957	
Special Fund Appropriation	121,991	
Federal Fund Appropriation	8,958,993	13,045,941
D50H01.05 State Operations		
General Fund Appropriation	2,996,219	
Federal Fund Appropriation	3,339,936	6,336,155
D50H01.06 Maryland Emergency Management Agency		

General Fund Appropriation	2,527,498	
Special Fund Appropriation	18,150,000	
Federal Fund Appropriation	34,674,193	55,351,691

SUMMARY

Total General Fund Appropriation	13,052,159
Total Special Fund Appropriation	18,311,967
Total Federal Fund Appropriation	51,322,512
Total Appropriation	82,686,638

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

D53T00.01 General Administration

Special Fund Appropriation	16,184,898	
Federal Fund Appropriation	2,532,800	18,717,698

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.

D53T00.02 Maryland Information Technology Development Projects

Special Fund Appropriation	3,400,000

SUMMARY

Total Special Fund Appropriation	19,584,898
Total Federal Fund Appropriation	2,532,800
Total Appropriation	22,117,698

DEPARTMENT OF VETERANS AFFAIRS

D55P00.01 Service Program

General Fund Appropriation	1,548,577

D55P00.02 Cemetery Program

General Fund Appropriation	2,174,828	
Special Fund Appropriation	823,891	
Federal Fund Appropriation	1,575,311	4,574,030

D55P00.03 Memorials and Monuments Program

General Fund Appropriation		409,626

D55P00.05 Veterans Home Program

General Fund Appropriation	3,333,872	
Special Fund Appropriation	2,889,867	
Federal Fund Appropriation	17,166,849	23,390,588

D55P00.08 Executive Direction

General Fund Appropriation		985,628

D55P00.11 Outreach and Advocacy

General Fund Appropriation		206,478

SUMMARY

Total General Fund Appropriation	8,659,009
Total Special Fund Appropriation	3,713,758
Total Federal Fund Appropriation	18,742,160
Total Appropriation	31,114,927

STATE ARCHIVES

D60A10.01 Archives

General Fund Appropriation	5,893,436	
Special Fund Appropriation	2,565,134	8,458,570

D60A10.02 Artistic Property

General Fund Appropriation	364,448	
Special Fund Appropriation	32,129	396,577

SUMMARY

Total General Fund Appropriation	6,257,884
Total Special Fund Appropriation	2,597,263

Total Appropriation		8,855,147

MARYLAND HEALTH BENEFIT EXCHANGE

D78Y01.01 Maryland Health Benefit Exchange		
Special Fund Appropriation	25,296,510	
Federal Fund Appropriation	26,759,065	52,055,575
D78Y01.02 Major Information Technology Development Projects		
Special Fund Appropriation	9,703,490	
Federal Fund Appropriation	21,401,394	31,104,884

SUMMARY

Total Special Fund Appropriation	35,000,000
Total Federal Fund Appropriation	48,160,459
Total Appropriation	83,160,459

MARYLAND INSURANCE ADMINISTRATION

INSURANCE ADMINISTRATION AND REGULATION

D80Z01.01 Administration and Operations		
Special Fund Appropriation	31,732,270	
Federal Fund Appropriation	725,121	32,457,391

CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY

D90U00.01 General Administration		
General Fund Appropriation	128,000	
Special Fund Appropriation	567,982	695,982

OFFICE OF ADMINISTRATIVE HEARINGS

D99A11.01 General Administration	
Special Fund Appropriation	52,636

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 COMPTROLLER OF MARYLAND

2 OFFICE OF THE COMPTROLLER

3 E00A01.01 Executive Direction		
4 General Fund Appropriation	3,884,845	
5 Special Fund Appropriation	734,141	4,618,986
6		
7 E00A01.02 Financial and Support Services		
8 General Fund Appropriation	2,831,007	
9 Special Fund Appropriation	530,525	3,361,532
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.

16 SUMMARY

17 Total General Fund Appropriation	6,715,852
18 Total Special Fund Appropriation	1,264,666
19	
20 Total Appropriation	7,980,518
21	

22 GENERAL ACCOUNTING DIVISION

23 E00A02.01 Accounting Control and Reporting	
24 General Fund Appropriation	5,693,815
25	

26 BUREAU OF REVENUE ESTIMATES

27 E00A03.01 Estimating of Revenues	
28 General Fund Appropriation	1,464,485
29	

30 REVENUE ADMINISTRATION DIVISION

31 E00A04.01 Revenue Administration		
32 General Fund Appropriation	29,811,396	
33 Special Fund Appropriation	4,894,192	34,705,588
34		

1 E00A04.02 Major Information Technology
2 Development Projects
3 Special Fund Appropriation 8,542,295

4 SUMMARY

5 Total General Fund Appropriation 29,811,396
6 Total Special Fund Appropriation 13,436,487
7

8 Total Appropriation 43,247,883
9

10 COMPLIANCE DIVISION

11 E00A05.01 Compliance Administration
12 General Fund Appropriation 24,867,868
13 Special Fund Appropriation..... 11,374,582 36,242,450
14

15 FIELD ENFORCEMENT DIVISION

16 E00A06.01 Field Enforcement Administration
17 General Fund Appropriation 3,064,654
18 Special Fund Appropriation 3,501,924 6,566,578
19

20 CENTRAL PAYROLL BUREAU

21 E00A09.01 Payroll Management
22 General Fund Appropriation 2,581,875
23 Special Fund Appropriation 161,826 2,743,701
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 INFORMATION TECHNOLOGY DIVISION

31 E00A10.01 Annapolis Data Center Operations

32 Funds are appropriated in other agency
33 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.

E00A10.02 Comptroller IT Services

General Fund Appropriation	20,565,933	
Special Fund Appropriation	3,644,505	24,210,438

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	5,181,464	
Special Fund Appropriation	592,410	5,773,874

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	169,925

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	5,181,464
Total Special Fund Appropriation	762,335
Total Appropriation	5,943,799

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 to use these receipts as special funds for operating expenses in this program.

E20B02.02 Insurance Coverage

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.

BOND SALE EXPENSES

E20B03.01 Bond Sale Expenses

General Fund Appropriation	50,000	
Special Fund Appropriation	1,836,000	1,886,000

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

E50C00.01 Office of the Director

General Fund Appropriation~~, provided that this appropriation shall be reduced by $2,689,129 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Office of the Director program. Authorization is granted to process a special fund budget amendment of $2,689,129 to replace the aforementioned General Fund amount~~, provided that since the State Department of Assessments and Taxation (SDAT) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:

14

15

15 cont

(1) SDAT has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019 2,841,081

Special Fund Appropriation 146,840 2,987,921

16

E50C00.02 Real Property Valuation

General Fund Appropriation~~, provided that this appropriation shall be reduced by $14,067,949 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Real Property Valuation program. Authorization is granted to process a special fund budget amendment of $14,067,949 to replace the aforementioned General Fund amount~~ 17,584,936

Special Fund Appropriation 17,584,937 35,169,873

17

E50C00.04 Office of Information Technology

General Fund Appropriation~~, provided that this appropriation shall be reduced by $1,560,777 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Office of Information Technology program. Authorization is granted to process a special fund budget amendment of $1,560,777 to replace the aforementioned General Fund amount~~ 1,950,971

Special Fund Appropriation 1,950,971 3,901,942

18

E50C00.05 Business Property Valuation

General Fund Appropriation~~, provided that~~

18 cont

~~this appropriation shall be reduced by $1,371,914 contingent upon the enactment of legislation that increases the local share to 90% of the cost of the Business Property Valuation program. Authorization is granted to process a special fund budget amendment of $1,371,914 to replace the aforementioned General Fund amount~~ 1,714,892

Special Fund Appropriation 1,714,893 3,429,785

E50C00.06 Tax Credit Payments

General Fund Appropriation 90,632,786

E50C00.08 Property Tax Credit Programs

General Fund Appropriation 2,024,286

Special Fund Appropriation 740,865 2,765,151

E50C00.09 Major Information Technology Development Projects

Special Fund Appropriation 1,028,060

E50C00.10 Charter Unit

General Fund Appropriation 83,157

Special Fund Appropriation 6,052,407 6,135,564

SUMMARY

Total General Fund Appropriation 116,832,109

Total Special Fund Appropriation 29,218,973

Total Appropriation 146,051,082

MARYLAND LOTTERY AND GAMING CONTROL AGENCY

E75D00.01 Administration and Operations

Special Fund Appropriation 82,223,344

E75D00.02 Video Lottery Terminal and Gaming Operations

General Fund Appropriation 6,929,957

Special Fund Appropriation 10,264,474 17,194,431

1 SUMMARY

2 Total General Fund Appropriation	6,929,957
3 Total Special Fund Appropriation	92,487,818
4	
5 Total Appropriation	99,417,775
6	

7 PROPERTY TAX ASSESSMENT APPEALS BOARDS

8 E80E00.01 Property Tax Assessment Appeals	
9 Boards	
10 General Fund Appropriation	1,049,701
11	

DEPARTMENT OF BUDGET AND MANAGEMENT

OFFICE OF THE SECRETARY

F10A01.01 Executive Direction
General Fund Appropriation ..... ~~2,430,976~~ 19
2,383,487

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 998,368

F10A01.03 Central Collection Unit
Special Fund Appropriation 15,927,191

F10A01.04 Division of Procurement Policy and Administration
General Fund Appropriation 2,111,654

SUMMARY

Total General Fund Appropriation	5,493,509
Total Special Fund Appropriation	15,927,191
Total Appropriation	21,420,700

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 2018 closeout of the Employee and Retiree Health Insurance Account. This report shall include the (1) closing fiscal 2018 fund balance; (2) actual provider payments due 20

20 cont

in the fiscal year; (3) State employee and retiree contributions; (4) an accounting of rebates, recoveries, and other costs; (5) any closeout transactions processed after the fiscal year ended; and (6) actual incurred but not received (IBNR) costs. The report shall also include actual IBNR costs in each year from fiscal 2012 to 2017. The report shall be submitted to the budget committees by October 1, 2018. 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.

21

Further provided that $100,000 of this appropriation may not be expended until the Department of Budget and Management submits a report to the budget committees, as requested by the Spending Affordability Committee, which outlines a strategy to address barriers to filling vacant positions, including hiring standards, excessive turnover expectancy, or inadequate compensation. The report should include consideration of targeted compensation enhancements, reduced levels of turnover expectancy, and reexamination of hiring requirements. 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 to the budget committees 1,818,166

F10A02.02 Division of Employee Benefits

Funds will be transferred from the Employees' and Retirees' Health Insurance Non–Budgeted Fund Accounts to pay for

administration services provided by this program. Authorization is hereby granted to use these receipts as special funds for operating expenses in this program.

F10A02.04 Division of Personnel Services

General Fund Appropriation		3,173,935

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.

F10A02.06 Division of Classification and Salary

General Fund Appropriation		2,093,339

F10A02.07 Division of Recruitment and Examination

General Fund Appropriation		1,268,530

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.

F10A02.08 Statewide Expenses

General Fund Appropriation, provided that funds appropriated for Cost of Living Adjustments (COLA), State Law Enforcement Officers Labor Alliance bargaining agreement provisions, and Annual Salary Review (ASR) may be transferred to programs of other State agencies	54,864,888	
Special Fund Appropriation, provided that funds appropriated for Cost of Living Adjustments (COLA), State Law Enforcement Officers Labor Alliance bargaining agreement provisions, and Annual Salary Review (ASR) may be transferred to programs of other State agencies	11,421,443	
Federal Fund Appropriation, provided that funds appropriated for Cost of Living Adjustments (COLA), State Law		

Enforcement Officers Labor Alliance bargaining agreement provisions, and Annual Salary Review (ASR) may be transferred to programs of other State agencies 4,502,385 70,788,716

SUMMARY

Total General Fund Appropriation	63,218,858
Total Special Fund Appropriation	11,421,443
Total Federal Fund Appropriation	4,502,385
Total Appropriation	79,142,686

OFFICE OF BUDGET ANALYSIS

F10A05.01 Budget Analysis and Formulation
General Fund Appropriation 2,980,771

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.

OFFICE OF CAPITAL BUDGETING

F10A06.01 Capital Budget Analysis and Formulation
General Fund Appropriation 1,262,159

DEPARTMENT OF INFORMATION TECHNOLOGY

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund
General Fund Appropriation, provided that funds appropriated herein for Major Information Technology Development projects may be transferred to programs of the respective financial agencies 67,600,896

Special Fund Appropriation, provided that funds appropriated herein for Major Information Technology Development projects may be transferred to programs of the respective financial agencies	4,863,949	72,464,845

OFFICE OF INFORMATION TECHNOLOGY

F50B04.01 State Chief of Information Technology

General Fund Appropriation		2,637,231

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.

F50B04.02 Security

General Fund Appropriation		3,914,114

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.

F50B04.03 Application Systems Management

General Fund Appropriation		11,383,255

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.

F50B04.04 Infrastructure

General Fund Appropriation	9,014,942	
Special Fund Appropriation	1,959,081	10,974,023

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.

F50B04.05 Chief of Staff
General Fund Appropriation 1,830,466

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.

F50B04.06 Major Information Technology Development Projects
Special Fund Appropriation 5,404,048

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.

F50B04.07 Radio

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.

F50B04.09 Telecommunications Access of Maryland
Special Fund Appropriation 5,021,294

SUMMARY

Total General Fund Appropriation	28,780,008
Total Special Fund Appropriation	12,384,423
Total Appropriation	41,164,431

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

STATE RETIREMENT AGENCY

Provided that contingent on the enactment of SB 899 or HB 1012, authorization to expend reimbursable funds is reduced by $2,316,965. Further provided that authorization to expend reimbursable funds is reduced by $400,000.

G20J01.01 State Retirement Agency

Special Fund Appropriation, provided that the appropriation made for the purpose of the Investment Division staff compensation and operating expenses shall be reduced by $4,474,108 contingent on enactment of SB 899 or HB 1012 (State Retirement and Pension System – Investment Division), which establishes that compensation and operating expenses for the Investment Division staff is not to be paid from special funds, but instead is paid from the accumulation funds of the several systems ..... ~~21,669,007~~ 20,869,007

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.

G20J01.02 Major Information Technology Development Projects

Special Fund Appropriation 5,243,296

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 Special Fund Appropriation 26,112,303

1 TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

2 G50L00.01 Maryland Supplemental Retirement
3 Plan Board and Staff
4 Special Fund Appropriation 1,778,456
5

1 DEPARTMENT OF GENERAL SERVICES

2 OFFICE OF THE SECRETARY

3 H00A01.01 Executive Direction
4 General Fund Appropriation 1,621,413

5 H00A01.02 Administration
6 General Fund Appropriation 2,230,042

7 SUMMARY

8 Total General Fund Appropriation 3,851,455
9

10 OFFICE OF FACILITIES SECURITY

11 H00B01.01 Facilities Security
12 General Fund Appropriation 9,124,049
13 Special Fund Appropriation 81,108
14 Federal Fund Appropriation 315,131 9,520,288
15

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 OFFICE OF FACILITIES OPERATION AND MAINTENANCE

22 H00C01.01 Facilities Operation and Maintenance
23 General Fund Appropriation 30,840,488
24 Special Fund Appropriation 371,822
25 Federal Fund Appropriation 1,020,490 32,232,800
26

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 H00C01.04 Saratoga State Center

33 Funds are appropriated in other agency
34 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 H00C01.05 Reimbursable Lease Management

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 H00C01.07 Parking Facilities
11 General Fund Appropriation 1,668,910

12 SUMMARY

13 Total General Fund Appropriation		32,509,398
14 Total Special Fund Appropriation		371,822
15 Total Federal Fund Appropriation		1,020,490
16		
17 Total Appropriation		33,901,710
18		

19 OFFICE OF PROCUREMENT AND LOGISTICS

20 H00D01.01 Procurement and Logistics

21 General Fund Appropriation	4,163,326	
22 Special Fund Appropriation	3,040,998	7,204,324
23		

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 OFFICE OF REAL ESTATE

30 H00E01.01 Real Estate Management

31 General Fund Appropriation	1,542,540	
32 Special Fund Appropriation	334,994	1,877,534
33		

34 Funds are appropriated in other agency
35 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.

OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

H00G01.01 Facilities Planning, Design and Construction		
General Fund Appropriation, provided that the amount appropriated herein for Maryland Environmental Service critical maintenance projects shall be transferred to the appropriate State facility effective July 1, 2018	14,989,284	
Special Fund Appropriation	641,052	15,630,336

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.

DEPARTMENT OF TRANSPORTATION

26

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

26 cont

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.

27

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 2019. 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

27 cont

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 2019 budget shall be subject to Section 7–236 of the State Finance and Procurement Article and the Rule of 100.

THE SECRETARY'S OFFICE

J00A01.01 Executive Direction

Special Fund Appropriation		31,276,902

J00A01.02 Operating Grants–In–Aid

28

Special Fund Appropriation, provided that no more than $5,238,042 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 $5,238,042 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 5,238,042

Federal Fund Appropriation	9,418,102	14,656,144

J00A01.03 Facilities and Capital Equipment

Special Fund Appropriation, provided that these funds intended as transportation grants shall be allocated as follows:

Baltimore City	5,558,937	
County Governments	27,794,685	
Municipal Governments	20,382,769	

Further provided that $27,794,685 of this appropriation to county governments and $20,382,769 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.

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 2018–2023 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 89,514,460

Federal Fund Appropriation	13,000,000	102,514,460

J00A01.04 Washington Metropolitan Area Transit – Operating
Special Fund Appropriation 366,027,953

J00A01.05 Washington Metropolitan Area Transit – Capital
Special Fund Appropriation 155,922,000

J00A01.07 Office of Transportation Technology Services

Special Fund Appropriation 47,060,044

J00A01.08 Major Information Technology Development Projects
Special Fund Appropriation 1,655,540

SUMMARY

Total Special Fund Appropriation	696,694,941
Total Federal Fund Appropriation	22,418,102
Total Appropriation	719,113,043

DEBT SERVICE REQUIREMENTS

30

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 $3,422,265,000 as of June 30, 2019. 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. 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.

31

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

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fiscal 2018 through 2028.

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.

32

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, exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed $874,695,000 as of June 30, 2019. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed $925,315,170 as of June 30, 2019. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

(1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2019, and the total amount by which the fiscal 2019 debt service

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payment for all nontraditional debt would increase following the additional issuance; and

(2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

J00A04.01 Debt Service Requirements		
Special Fund Appropriation		333,815,631

STATE HIGHWAY ADMINISTRATION

33

J00B01.01 State System Construction and Equipment		
Special Fund Appropriation, provided that $13,000,000 of this appropriation may be used only to construct the expansion of US 301 South at MD 5 and the Western bypass at the US 301/MD 5 interchange. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled	746,798,000	
Federal Fund Appropriation	621,212,000	1,368,010,000
J00B01.02 State System Maintenance		
Special Fund Appropriation	267,761,214	
Federal Fund Appropriation	12,564,754	280,325,968
J00B01.03 County and Municipality Capital Funds		
Special Fund Appropriation	6,550,000	

Federal Fund Appropriation	65,850,000	72,400,000

J00B01.04 Highway Safety Operating Program

Special Fund Appropriation	10,770,883	
Federal Fund Appropriation	2,863,421	13,634,304

J00B01.05 County and Municipality Funds

Special Fund Appropriation, provided that $5,856 of this appropriation made for the purpose of providing transportation aid to Deer Park in Garrett County may not be expended until the town has submitted audit reports and Uniform Financial Reports as required under Sections 16–304 and 16–306 of the Local Government Article for fiscal 2015, 2016, and 2017. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Further provided that $1,732 of this appropriation made for the purpose of providing transportation aid to Caroline County on behalf of Marydel may not be expended until the town has submitted the audit reports and Uniform Financial Reports as required under Sections 16–304 and 16–306 of the Local Government Article for fiscal 2012, 2013, 2014, 2015, 2016, and 2017. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise and shall be canceled 178,132,608

J00B01.08 Major Information Technology Development Projects

Special Fund Appropriation	3,391,000	
Federal Fund Appropriation	3,546,000	6,937,000

SUMMARY

Total Special Fund Appropriation	1,213,403,705
Total Federal Fund Appropriation	706,036,175

Total Appropriation		1,919,439,880

MARYLAND PORT ADMINISTRATION

J00D00.01 Port Operations		
Special Fund Appropriation	~~50,536,717~~ 50,387,501	
Federal Fund Appropriation	262,560	~~50,799,277~~ 50,650,061

35

J00D00.02 Port Facilities and Capital Equipment		
Special Fund Appropriation	~~124,813,000~~ 124,776,270	
Federal Fund Appropriation	2,143,000	~~126,956,000~~ 126,919,270

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SUMMARY

Total Special Fund Appropriation	175,163,771
Total Federal Fund Appropriation	2,405,560
Total Appropriation	177,569,331

MOTOR VEHICLE ADMINISTRATION

J00E00.01 Motor Vehicle Operations		
Special Fund Appropriation		189,232,381
J00E00.03 Facilities and Capital Equipment		
Special Fund Appropriation	15,855,134	
Federal Fund Appropriation	678,000	16,533,134
J00E00.04 Maryland Highway Safety Office		
Special Fund Appropriation	2,401,934	
Federal Fund Appropriation	13,101,610	15,503,544

J00E00.08 Major Information Technology
Development Projects

Special Fund Appropriation		21,045,000

SUMMARY

Total Special Fund Appropriation	228,534,449
Total Federal Fund Appropriation	13,779,610
Total Appropriation	242,314,059

MARYLAND TRANSIT ADMINISTRATION

J00H01.01 Transit Administration		
Special Fund Appropriation	91,436,829	
Federal Fund Appropriation	252,500	91,689,329
J00H01.02 Bus Operations		
Special Fund Appropriation	424,337,556	
Federal Fund Appropriation	16,865,835	441,203,391
J00H01.04 Rail Operations		
Special Fund Appropriation	204,807,355	
Federal Fund Appropriation	21,838,067	226,645,422
J00H01.05 Facilities and Capital Equipment		
Special Fund Appropriation	333,139,000	
Federal Fund Appropriation	410,157,000	743,296,000
J00H01.06 Statewide Programs Operations		
Special Fund Appropriation	69,227,707	
Federal Fund Appropriation	20,544,262	89,771,969
J00H01.08 Major Information Technology Development Projects		
Special Fund Appropriation	1,366,000	
Federal Fund Appropriation	2,134,000	3,500,000

SUMMARY

Total Special Fund Appropriation	1,124,314,447

Total Federal Fund Appropriation		471,791,664
Total Appropriation		1,596,106,111

MARYLAND AVIATION ADMINISTRATION

J00I00.02 Airport Operations		
Special Fund Appropriation	200,677,735	
Federal Fund Appropriation	645,500	201,323,235
J00I00.03 Airport Facilities and Capital Equipment		
Special Fund Appropriation	50,605,340	
Federal Fund Appropriation	10,228,000	60,833,340

SUMMARY

Total Special Fund Appropriation	251,283,075
Total Federal Fund Appropriation	10,873,500
Total Appropriation	262,156,575

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE SECRETARY

K00A01.01 Secretariat		
General Fund Appropriation	922,068	
Special Fund Appropriation	1,589,581	
Federal Fund Appropriation	110,300	2,621,949
K00A01.02 Office of the Attorney General		
General Fund Appropriation	845,574	
Special Fund Appropriation	916,611	1,762,185
K00A01.03 Finance and Administrative Services		
General Fund Appropriation	2,997,960	
Special Fund Appropriation	3,676,061	
Federal Fund Appropriation	167,532	6,841,553

Funds are appropriated in other units of the Department of Natural Resources budget 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.

K00A01.04 Human Resource Service		
General Fund Appropriation	1,165,326	
Special Fund Appropriation	541,485	
Federal Fund Appropriation	45,300	1,752,111
K00A01.05 Information Technology Service		
General Fund Appropriation	821,929	
Special Fund Appropriation	1,204,075	
Federal Fund Appropriation	125,800	2,151,804
K00A01.06 Office of Communications		
General Fund Appropriation	479,975	
Special Fund Appropriation	547,490	1,027,465

SUMMARY

Total General Fund Appropriation		7,232,832
Total Special Fund Appropriation		8,475,303
Total Federal Fund Appropriation		448,932
Total Appropriation		16,157,067

FOREST SERVICE

K00A02.09 Forest Service		
General Fund Appropriation	1,063,454	
Special Fund Appropriation	8,449,376	
Federal Fund Appropriation	2,103,361	11,616,191

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	5,143,036	
Federal Fund Appropriation	6,156,398	11,384,434

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		
General Fund Appropriation	2,469,000	
Special Fund Appropriation	47,083,629	
Federal Fund Appropriation	470,000	50,022,629

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.

K00A04.06 Revenue Operations

Special Fund Appropriation	1,900,000

SUMMARY

Total General Fund Appropriation	2,469,000
Total Special Fund Appropriation	48,983,629
Total Federal Fund Appropriation	470,000
Total Appropriation	51,922,629

LAND ACQUISITION AND PLANNING

K00A05.05 Land Acquisition and Planning

Special Fund Appropriation	5,433,213

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.

K00A05.10 Outdoor Recreation Land Loan

Special Fund Appropriation, provided that of the Special Fund allowance, $98,305,708 represents that share of Program Open Space revenues available for State projects and $52,387,825 represents that share of Program Open Space revenues available for local programs. These amounts may be used for any State projects or local share authorized in Chapter 403, Laws of Maryland, 1969 as amended, or in Chapter 81, Laws of Maryland, 1984; Chapter 106, Laws of Maryland, 1985; Chapter 109, Laws of Maryland, 1986; Chapter 121, Laws of Maryland, 1987; Chapter 10, Laws of Maryland, 1988; Chapter 14, Laws of Maryland, 1989; Chapter 409, Laws of

Maryland, 1990; Chapter 3, Laws of Maryland, 1991; Chapter 4, 1st Special Session, Laws of Maryland, 1992; Chapter 204, Laws of Maryland, 1993; Chapter 8, Laws of Maryland, 1994; Chapter 7, Laws of Maryland, 1995; Chapter 13, Laws of Maryland, 1996; Chapter 3, Laws of Maryland, 1997; Chapter 109, Laws of Maryland, 1998; Chapter 118, Laws of Maryland, 1999; Chapter 204, Laws of Maryland, 2000; Chapter 102, Laws of Maryland, 2001; Chapter 290, Laws of Maryland, 2002; Chapter 204, Laws of Maryland, 2003; Chapter 432, Laws of Maryland, 2004; Chapter 445, Laws of Maryland, 2005; Chapter 46, Laws of Maryland, 2006; Chapter 488, Laws of Maryland, 2007; Chapter 336, Laws of Maryland, 2008; Chapter 485, Laws of Maryland, 2009; Chapter 483, Laws of Maryland, 2010; Chapter 396, Laws of Maryland, 2011; Chapter 444, Laws of Maryland, 2012; Chapter 424, Laws of Maryland, 2013; Chapter 463, Laws of Maryland, 2014; Chapter 495, Laws of Maryland, 2015; Chapter 27, Laws of Maryland, 2016; Chapter 22, Laws of Maryland, 2017; and for any of the following State and local projects.

Further provided that $7,500,000 of this appropriation made for the purpose of providing funding to the Maryland–National Capital Park and Planning Commission on behalf of Prince George's County from the local share of Program Open Space shall be restricted until a confirmatory letter is sent jointly from the Maryland–National Capital Park and Planning Commission, Prince George's County, and Green Branch Management Group Corporation to the budget committees indicating that a Memorandum of Understanding (MOU) has been signed between the Maryland–National Capital Park and Planning Commission, Prince George's County, and Green Branch

37

37 cont

1 Management Group Corporation on
2 field–use time. The confirmatory letter
3 shall be submitted within 30 days following
4 the signing of the MOU. The budget
5 committees shall have 45 days to review
6 and comment upon receipt of the
7 confirmatory letter. Funds restricted
8 pending the receipt of the confirmatory
9 letter may not be transferred by budget
10 amendment or otherwise to any other
11 purpose and shall be canceled if the
12 confirmatory letter is not received 150,693,533

13 Allowance, Local Projects $52,387,825
14 Land Acquisitions $51,605,631

15 Department of Natural Resources Capital
16 Improvements:
17 Natural Resource
18 Development Fund $14,356,000
19 Ocean City Beach
20 Maintenance $1,000,000
21 Critical Maintenance
22 Program $7,000,000
23
24 Subtotal $22,356,000

25 Heritage Conservation Fund $4,326,373

26 Rural Legacy $20,017,704

27 Allowance, State Projects $98,305,708

28 Federal Fund Appropriation 3,000,000 153,693,533
29

30 SUMMARY

31 Total Special Fund Appropriation 156,126,746
32 Total Federal Fund Appropriation 3,000,000
33

34 Total Appropriation 159,126,746
35

36 LICENSING AND REGISTRATION SERVICE

K00A06.01 Licensing and Registration Service

Special Fund Appropriation		3,950,206

NATURAL RESOURCES POLICE

K00A07.01 General Direction

General Fund Appropriation	9,180,757	
Special Fund Appropriation	709,544	
Federal Fund Appropriation	4,096,905	13,987,206

K00A07.04 Field Operations

General Fund Appropriation, provided that $150,000 of the general fund appropriation made for the purpose of administration may not be expended until the Department of Natural Resources (DNR) submits a report outlining how DNR will establish and fund a whistleblower program. The report should include the following: (1) an analysis of natural resources whistleblower programs in other jurisdictions; (2) an assessment of the funding mechanisms other jurisdictions use to fully fund and deploy whistleblower appropriations; and (3) a proposed funding mechanism, fund deployment schedule, and marketing and promotion strategy for Maryland. This report shall be submitted to the budget committees by January 1, 2019. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees	25,172,549	
Special Fund Appropriation	6,777,588	
Federal Fund Appropriation	2,225,663	34,175,800

SUMMARY

Total General Fund Appropriation	34,353,306
Total Special Fund Appropriation	7,487,132

38

Total Federal Fund Appropriation		6,322,568
Total Appropriation		48,163,006

ENGINEERING AND CONSTRUCTION

K00A09.01 General Direction		
General Fund Appropriation	1,134,000	
Special Fund Appropriation	4,694,699	5,828,699

Funds are appropriated in other units of the Department of Natural Resources budget 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.

K00A09.06 Ocean City Maintenance		
Special Fund Appropriation		1,000,000

SUMMARY

Total General Fund Appropriation	1,134,000
Total Special Fund Appropriation	5,694,699
Total Appropriation	6,828,699

CRITICAL AREA COMMISSION

K00A10.01 Critical Area Commission		
General Fund Appropriation		2,085,704

RESOURCE ASSESSMENT SERVICE

K00A12.05 Power Plant Assessment Program		
General Fund Appropriation	484,972	
Special Fund Appropriation	5,832,154	6,317,126
K00A12.06 Monitoring and Ecosystem Assessment		
General Fund Appropriation	3,168,872	

Special Fund Appropriation	1,944,063	
Federal Fund Appropriation	1,861,301	6,974,236

Funds are appropriated in other units of the Department of Natural Resources budget and 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.

K00A12.07 Maryland Geological Survey

General Fund Appropriation	1,440,939	
Special Fund Appropriation	404,508	
Federal Fund Appropriation	235,295	2,080,742

Funds are appropriated in other units of the Department of Natural Resources budget and 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	5,094,783
Total Special Fund Appropriation	8,180,725
Total Federal Fund Appropriation	2,096,596
Total Appropriation	15,372,104

MARYLAND ENVIRONMENTAL TRUST

K00A13.01 Maryland Environmental Trust

General Fund Appropriation	602,962

Funds are appropriated in other units of the Department of Natural Resources budget and 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.

CHESAPEAKE AND COASTAL SERVICE

K00A14.01 Waterway Capital		
Special Fund Appropriation	12,500,000	
Federal Fund Appropriation	2,500,000	15,000,000
K00A14.02 Chesapeake and Coastal Service		
General Fund Appropriation	1,868,887	
Special Fund Appropriation	55,500,708	
Federal Fund Appropriation	9,321,826	66,691,421

Funds are appropriated in other units of the Department of Natural Resources budget and 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	1,868,887
Total Special Fund Appropriation	68,000,708
Total Federal Fund Appropriation	11,821,826
Total Appropriation	81,691,421

FISHING AND BOATING SERVICES

K00A17.01 Fishing and Boating Services		
General Fund Appropriation	6,240,807	
Special Fund Appropriation	15,263,879	
Federal Fund Appropriation	4,130,556	25,635,242

Funds are appropriated in other units of the Department of Natural Resources budget and in other agency budgets to pay for services provided by this program. Authorization is hereby granted to use these receipts as special funds for

1 operating expenses in this program.

1 DEPARTMENT OF AGRICULTURE

2 OFFICE OF THE SECRETARY

3 L00A11.01 Executive Direction		
4 General Fund Appropriation	1,276,670	
5 Special Fund Appropriation	196,693	1,473,363
6		
7 L00A11.02 Administrative Services		
8 General Fund Appropriation		1,999,642
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 L00A11.03 Central Services		
15 General Fund Appropriation	871,395	
16 Federal Fund Appropriation	375,000	1,246,395
17		
18 Funds are appropriated in other units of the 19 Department of Agriculture budget to pay 20 for services provided by this program. 21 Authorization is hereby granted to use 22 these receipts as special funds for 23 operating expenses in this program.		
24 L00A11.04 Maryland Agricultural Commission		
25 General Fund Appropriation		158,025
26 L00A11.05 Maryland Agricultural Land		
27 Preservation Foundation		
28 Special Fund Appropriation		1,833,541
29 L00A11.11 Capital Appropriation		
30 Special Fund Appropriation.....		48,976,142

31 SUMMARY

32 Total General Fund Appropriation	4,305,732
33 Total Special Fund Appropriation	51,006,376
34 Total Federal Fund Appropriation	375,000
35	

Total Appropriation		55,687,108

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.01 Office of the Assistant Secretary		
General Fund Appropriation		245,293
L00A12.02 Weights and Measures		
General Fund Appropriation	366,677	
Special Fund Appropriation	1,608,854	1,975,531
L00A12.03 Food Quality Assurance		
General Fund Appropriation	168,179	
Special Fund Appropriation	1,662,647	
Federal Fund Appropriation	815,376	2,646,202
L00A12.04 Maryland Agricultural Statistics Services		
General Fund Appropriation		21,935
L00A12.05 Animal Health		
General Fund Appropriation	2,332,696	
Special Fund Appropriation	455,182	
Federal Fund Appropriation	589,687	3,377,565
L00A12.07 State Board of Veterinary Medical Examiners		
Special Fund Appropriation		749,589
L00A12.08 Maryland Horse Industry Board		
Special Fund Appropriation		311,439
L00A12.10 Marketing and Agriculture Development		
General Fund Appropriation	816,316	
Special Fund Appropriation	2,452,223	
Federal Fund Appropriation	1,585,402	4,853,941

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.

L00A12.11 Maryland Agricultural Fair Board
Special Fund Appropriation 1,460,000

L00A12.13 Tobacco Transition Program
Special Fund Appropriation~~, provided that this appropriation shall be distributed to each of the counties in the Tri-County Council of Southern Maryland in the following allocation:~~
~~Calvert County..... $333,000~~
~~Charles County ..... $333,000~~
~~St. Mary's County ..... $333,000~~ 999,000

L00A12.18 Rural Maryland Council
General Fund Appropriation 6,167,000

L00A12.19 Maryland Agricultural Education and Rural Development Assistance Fund
General Fund Appropriation 167,000

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

It is the intent of the General Assembly that each of the Governor's fiscal 2020 through 2022 budgets appropriate $2,500,000 in general funds for the Next Generation Farmland Acquisition Program.

General Fund Appropriation 5,375,000

SUMMARY

Total General Fund Appropriation	15,660,096
Total Special Fund Appropriation	9,698,934
Total Federal Fund Appropriation	2,990,465
Total Appropriation	28,349,495

OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT

L00A14.01 Office of the Assistant Secretary

General Fund Appropriation		212,028
L00A14.02 Forest Pest Management		
General Fund Appropriation	822,487	
Special Fund Appropriation.....	129,063	
Federal Fund Appropriation	294,120	1,245,670
L00A14.03 Mosquito Control		
General Fund Appropriation	1,180,336	
Special Fund Appropriation	1,592,978	2,773,314

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.

L00A14.04 Pesticide Regulation		
Special Fund Appropriation	832,792	
Federal Fund Appropriation	317,055	1,149,847
L00A14.05 Plant Protection and Weed Management		
General Fund Appropriation	1,031,022	
Special Fund Appropriation	271,583	
Federal Fund Appropriation	221,095	1,523,700

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.

L00A14.06 Turf and Seed		
General Fund Appropriation	710,729	
Special Fund Appropriation	344,938	1,055,667
L00A14.09 State Chemist		
Special Fund Appropriation	3,439,962	
Federal Fund Appropriation	101,056	3,541,018

SUMMARY

Total General Fund Appropriation	3,956,602
Total Special Fund Appropriation	6,611,316
Total Federal Fund Appropriation	933,326
Total Appropriation	11,501,244

OFFICE OF RESOURCE CONSERVATION

L00A15.01 Office of the Assistant Secretary		
General Fund Appropriation		213,755
L00A15.02 Program Planning and Development		
General Fund Appropriation	454,762	
Special Fund Appropriation	239,587	694,349

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.

L00A15.03 Resource Conservation Operations		
General Fund Appropriation		7,710,893

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.

L00A15.04 Resource Conservation Grants		
General Fund Appropriation	749,606	
Special Fund Appropriation	13,999,803	14,749,409

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.

L00A15.06 Nutrient Management

General Fund Appropriation	1,449,937	
Special Fund Appropriation	137,188	1,587,125

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.

L00A15.07 Watershed Implementation

General Fund Appropriation	387,085	
Federal Fund Appropriation	257,760	644,845

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	10,966,038
Total Special Fund Appropriation	14,376,578
Total Federal Fund Appropriation	257,760
Total Appropriation	25,600,376

MARYLAND DEPARTMENT OF HEALTH

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

General Fund Appropriation, provided that since the Maryland Department of Health (MDH) – Office of the Secretary has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless: 41

(1) MDH has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

Further provided that $250,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health (MDH) submits a report to the budget committees detailing how MDH plans to improve the recruitment and retention of direct care employees at the department's residential institutions. The report should include (1) an analysis of the appropriate compensation required to improve the recruitment and retention of direct care staff; and (2) the budgetary impact of closing the salary gap required to appropriately compensate the direct care staff. This report shall be submitted by November 1, 2018, and the committees shall have 45 days to review and comment. 42

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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	9,987,641	
Federal Fund Appropriation	2,110,451	12,098,092

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	9,816,625	
Federal Fund Appropriation	14,030,820	23,847,445

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	734,500

SUMMARY

Total General Fund Appropriation	19,804,266
Total Special Fund Appropriation	734,500
Total Federal Fund Appropriation	16,141,271
Total Appropriation	36,680,037

REGULATORY SERVICES

M00B01.03 Office of Health Care Quality

General Fund Appropriation	13,875,136	
Special Fund Appropriation	535,871	
Federal Fund Appropriation	6,961,176	21,372,183

M00B01.04 Health Professionals Boards and Commissions		
General Fund Appropriation	499,824	
Special Fund Appropriation	19,021,018	19,520,842

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.

M00B01.05 Board of Nursing	
Special Fund Appropriation	8,174,357

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.

M00B01.06 Maryland Board of Physicians	
Special Fund Appropriation	9,564,150

SUMMARY

Total General Fund Appropriation	14,374,960
Total Special Fund Appropriation	37,295,396
Total Federal Fund Appropriation	6,961,176
Total Appropriation	58,631,532

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction		
General Fund Appropriation	7,061,590	
Special Fund Appropriation	356,890	
Federal Fund Appropriation	771,046	8,189,526

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 OFFICE OF POPULATION HEALTH IMPROVEMENT

2 M00F02.01 Office of Population Health
3 Improvement
4 General Fund Appropriation 1,419,010
5 Federal Fund Appropriation 1,115,303 2,534,313
6

7 M00F02.07 Core Public Health Services
8 General Fund Appropriation, provided that
9 $890,794 of this appropriation shall be
10 reduced contingent upon the enactment of
11 legislation eliminating the mandated
12 increase to the Core Local Public Health
13 formula 50,379,267

14 SUMMARY

15 Total General Fund Appropriation 51,798,277
16 Total Federal Fund Appropriation 1,115,303
17

18 Total Appropriation 52,913,580
19

20 PREVENTION AND HEALTH PROMOTION ADMINISTRATION

21 M00F03.01 Infectious Disease and Environmental
22 Health Services
23 General Fund Appropriation 15,750,427
24 Special Fund Appropriation 67,664,904
25 Federal Fund Appropriation 65,450,489 148,865,820
26

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 M00F03.04 Family Health and Chronic Disease
33 Services
34 General Fund Appropriation, provided that
35 $497,000 of this appropriation shall be
36 reduced contingent upon the enactment of
37 legislation authorizing the use of

Advance Directive Program fund revenue for Maternal and Child Health Quality Initiatives. Authorization is granted to process a special fund budget amendment of $497,000 to replace the aforementioned general fund amount.

Further provided that $250,001 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the use of Cord Blood Transplant Special Fund balance for Maternal and Child Health Surveillance. Authorization is granted to process a special fund budget amendment of $250,001 to replace the aforementioned general fund amount 47,504,517

Special Fund Appropriation	48,898,539	
Federal Fund Appropriation	149,728,746	246,131,802

SUMMARY

Total General Fund Appropriation	63,254,944
Total Special Fund Appropriation	116,563,443
Total Federal Fund Appropriation	215,179,235
Total Appropriation	394,997,622

OFFICE OF THE CHIEF MEDICAL EXAMINER

M00F05.01 Post Mortem Examining Services

General Fund Appropriation 13,565,831

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.

OFFICE OF PREPAREDNESS AND RESPONSE

M00F06.01 Office of Preparedness and Response

General Fund Appropriation 366,600

Federal Fund Appropriation	15,796,544	16,163,144

WESTERN MARYLAND CENTER

M00I03.01 Services and Institutional Operations		
General Fund Appropriation	22,163,686	
Special Fund Appropriation	305,425	22,469,111

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.

DEER'S HEAD CENTER

M00I04.01 Services and Institutional Operations		
General Fund Appropriation	20,563,741	
Special Fund Appropriation	3,029,711	23,593,452

LABORATORIES ADMINISTRATION

M00J02.01 Laboratory Services		
General Fund Appropriation	34,687,179	
Special Fund Appropriation	7,151,981	
Federal Fund Appropriation	4,637,918	46,477,078

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.

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH

Provided that $200,000 of the general fund appropriation in program M00A01.01 Executive Direction made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees on the appropriate staffing levels for direct care employees within the facilities

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administered by the Behavioral Health Administration (BHA). The report should include (1) the number and type of appropriate direct care staff needed to fully operate specific units of the various hospitals; and (2) the amount of staff that would be required based on these standards given the bed capacity that BHA is expected to operate. The report shall be submitted by November 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

M00K01.01 Executive Direction

General Fund Appropriation		1,900,667

BEHAVIORAL HEALTH ADMINISTRATION

M00L01.01 Program Direction

General Fund Appropriation	15,317,838	
Special Fund Appropriation	508,793	
Federal Fund Appropriation	4,947,094	20,773,725

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.

M00L01.02 Community Services

General Fund Appropriation, provided that this appropriation shall be reduced by $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 $2,000,000 to replace the

aforementioned general fund amount.

Further provided that $2,500,000 of this appropriation made for the purpose of provider reimbursements for substance use disorder residential treatment services may not be used for that purpose but instead may only be transferred to Program M00L01.04 Opioid Operational Command Center to provide additional funding for the opioid crisis. 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 at the end of the fiscal year.

Further provided that $3,083,928 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required provider rate increase for certain behavioral health services	164,569,263	
Special Fund Appropriation	27,956,539	
Federal Fund Appropriation, provided that $64,643 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required provider rate increase for certain behavioral health services	72,414,874	264,940,676

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.

M00L01.03 Community Services for Medicaid State Fund Recipients

General Fund Appropriation, provided that $578,154 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required provider rate increase for certain behavioral health services		86,893,320

M00L01.04 Opioid Operational Command Center

General Fund Appropriation		13,700,000

SUMMARY

Total General Fund Appropriation	280,480,421
Total Special Fund Appropriation	28,465,332
Total Federal Fund Appropriation	77,361,968
Total Appropriation	386,307,721

THOMAS B. FINAN HOSPITAL CENTER

M00L04.01 Thomas B. Finan Hospital Center		
General Fund Appropriation	19,234,777	
Special Fund Appropriation	1,319,059	20,553,836

REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS – BALTIMORE

M00L05.01 Regional Institute for Children and Adolescents – Baltimore		
General Fund Appropriation	13,310,736	
Special Fund Appropriation	2,198,577	
Federal Fund Appropriation	100,952	15,610,265

EASTERN SHORE HOSPITAL CENTER

M00L07.01 Eastern Shore Hospital Center		
General Fund Appropriation	21,229,997	
Special Fund Appropriation	8,576	21,238,573

SPRINGFIELD HOSPITAL CENTER

M00L08.01 Springfield Hospital Center		
General Fund Appropriation	73,213,237	
Special Fund Appropriation	119,282	73,332,519

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.

SPRING GROVE HOSPITAL CENTER

M00L09.01 Spring Grove Hospital Center		
General Fund Appropriation	80,437,904	
Special Fund Appropriation	2,664,192	
Federal Fund Appropriation	20,332	83,122,428

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.

CLIFTON T. PERKINS HOSPITAL CENTER

M00L10.01 Clifton T. Perkins Hospital Center		
General Fund Appropriation	69,107,738	
Special Fund Appropriation	41,650	69,149,388

JOHN L. GILDNER REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS

M00L11.01 John L. Gildner Regional Institute for Children and Adolescents		
General Fund Appropriation	12,509,343	
Special Fund Appropriation	80,714	
Federal Fund Appropriation	52,290	12,642,347

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.

BEHAVIORAL HEALTH ADMINISTRATION FACILITY MAINTENANCE

M00L15.01 Behavioral Health Administration Facility Maintenance		
General Fund Appropriation	903,917	
Special Fund Appropriation	397,630	1,301,547

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.

DEVELOPMENTAL DISABILITIES ADMINISTRATION

M00M01.01 Program Direction

General Fund Appropriation, provided that it is the intent of the General Assembly that the Maryland Department of Health submit monthly caseload data including total caseload numbers, attrition, and expansion in each placement category by month for the programs within M00M01.02. The data should be submitted on a monthly basis to the Department of Legislative Services	4,880,818	
Federal Fund Appropriation	4,397,170	9,277,988

M00M01.02 Community Services

General Fund Appropriation, provided that this appropriation shall be reduced by $14,638,439 contingent upon the enactment of legislation reducing the mandated provider rate increase	631,463,548	
Special Fund Appropriation	5,992,500	
Federal Fund Appropriation, provided that this appropriation shall be reduced by $13,295,433 contingent upon the enactment of legislation reducing the mandated provider rate increase	572,462,364	1,209,918,412

SUMMARY

Total General Fund Appropriation	636,344,366
Total Special Fund Appropriation	5,992,500
Total Federal Fund Appropriation	576,859,534
Total Appropriation	1,219,196,400

HOLLY CENTER

1 M00M05.01 Holly Center
2 General Fund Appropriation 16,849,824
3 Special Fund Appropriation 82,506 16,932,330
4

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 COURT INVOLVED SERVICE
11 DELIVERY SYSTEM

12 M00M06.01 Secure Evaluation and Therapeutic
13 Treatment (SETT) Program
14 General Fund Appropriation 8,550,541
15

16 POTOMAC CENTER

17 M00M07.01 Potomac Center
18 General Fund Appropriation 16,669,382
19 Special Fund Appropriation 5,000 16,674,382
20

21 DEVELOPMENTAL DISABILITIES ADMINISTRATION FACILITY MAINTENANCE

22 M00M15.01 Developmental Disabilities
23 Administration Facility Maintenance
24 General Fund Appropriation 903,154
25

26 MEDICAL CARE PROGRAMS ADMINISTRATION

27 M00Q01.01 Deputy Secretary for Health Care
28 Financing
29 General Fund Appropriation, provided that
30 $1,000,000 of this appropriation made for
31 the purpose of administration may not be
32 expended until the Maryland Department
33 of Health has submitted all of the reports
34 related to the Medical Care Programs
35 Administration requested in the 2017 Joint
36 Chairmen's Report and the fiscal 2018
37 budget bill, and the Department of

46

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Legislative Services has reviewed all of those reports. Further provided that those reports shall be submitted no later than September 1, 2018. Funds restricted pending the receipt of these reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if all of the reports are not submitted.

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Further provided that since the Medical Care Programs Administration (MCPA) has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), $100,000 of this agency's administrative appropriation may not be expended unless:

(1) MCPA has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019.

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Further provided that $100,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits a broad–based plan to the budget committees to address hepatitis C in Maryland. The plan shall be submitted by July 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the plan may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the plan is not submitted.

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Further provided that $100,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits a report to the budget committees detailing the findings and recommendations of the consultant hired through the Medicaid Program Business Process Consulting Diagnostic Services and Roadmap for Change procurement. The report shall be submitted by November 1, 2018, 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 and shall revert to the General Fund if the report is not submitted.

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Further provided that $200,000 of this appropriation made for administration may not be expended until the Maryland Department of Health submits two reports to the budget committees detailing the impact of data matching cost–containment initiatives as well as its proposed mail return policy. For each measure, the department shall track the number of individuals removed from the Medicaid program in each month after implementation; if, and when, those individuals returned to the Medicaid program; and the number of individuals who are recategorized but remain on the Medicaid program. The department shall submit an initial report by September 1, 2018, and a final report by December 1, 2018, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted 1,512,834

Special Fund Appropriation	4,900,000	
Federal Fund Appropriation	5,662,132	12,074,966

M00Q01.02 Office of Systems, Operations and Pharmacy

General Fund Appropriation	7,537,370	
Federal Fund Appropriation	17,137,850	24,675,220

M00Q01.03 Medical Care Provider Reimbursements

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.

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 where it can be ascertained by the physician with a reasonable degree of medical certainty that termination of pregnancy is medically necessary because there is substantial risk that continuation of the pregnancy could have a serious and adverse effect on the woman's present or future physical health; or before an abortion can be performed on the grounds of mental health there must be certification in writing by the physician or surgeon that

in his or her professional judgment there exists medical evidence that continuation of the pregnancy is creating a serious effect on the woman's present mental health and if carried to term there is a substantial risk of a serious or long lasting effect on the woman's future mental health.

Further provided that ~~$10,000,000~~ $5,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the Medicaid Deficit Assessment reduction amount for fiscal 2019 from $35,000,000 to ~~$25,000,000~~ $30,000,000. Authorization is granted to process a special fund budget amendment up to ~~$10,000,000~~ $5,000,000 from Hospital Assessments to support Medicaid provider reimbursements.

Further provided that $8,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the use of the Maryland Trauma Physician Services Fund for Medicaid provider reimbursements. Authorization is granted to process a special fund budget amendment up to $8,000,000 from the Maryland Trauma Physician Services Fund to support Medicaid provider reimbursements 2,894,447,988

Special Fund Appropriation	906,888,641	
Federal Fund Appropriation	5,845,654,321	9,646,990,950

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	11,699,057	
Special Fund Appropriation	1,900,000	
Federal Fund Appropriation	36,124,283	49,723,340

M00Q01.05 Office of Finance		
General Fund Appropriation	1,412,614	
Federal Fund Appropriation	1,623,352	3,035,966

M00Q01.06 Kidney Disease Treatment Services		
General Fund Appropriation	5,106,487	
Special Fund Appropriation	292,324	5,398,811

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 where it can be ascertained by the physician with a reasonable degree of medical certainty that termination of pregnancy is medically necessary because there is substantial risk that continuation of the pregnancy could have a serious and adverse effect on the woman's present or future physical health; or before an abortion can be performed on the grounds of mental health there must be certification in writing by the physician or surgeon that in his or her professional judgment there exists medical evidence that continuation of the pregnancy is creating a serious effect on the woman's present mental health and

if carried to term there is a substantial risk of a serious or long lasting effect on the woman's future mental health	30,766,410	
Special Fund Appropriation	1,882,248	
Federal Fund Appropriation	225,620,341	258,268,999

M00Q01.08 Major Information Technology Development Projects

Federal Fund Appropriation		44,007,555

M00Q01.09 Office of Eligibility Services

General Fund Appropriation	4,644,388	
Federal Fund Appropriation	8,484,462	13,128,850

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

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.

General Fund Appropriation, provided that $4,280,672 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required provider rate increase for certain behavioral health services	467,548,159	
Special Fund Appropriation	11,114,687	
Federal Fund Appropriation, provided that $8,306,362 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required provider rate increase for certain behavioral health services	969,196,758	1,447,859,604

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.

53

M00Q01.11 Senior Prescription Drug Assistance Program	
Special Fund Appropriation	14,964,507

SUMMARY

Total General Fund Appropriation	3,424,675,307
Total Special Fund Appropriation	941,942,407
Total Federal Fund Appropriation	7,153,511,054
Total Appropriation	11,520,128,768

HEALTH REGULATORY COMMISSIONS

M00R01.01 Maryland Health Care Commission	
Special Fund Appropriation	~~60,809,628~~
	54,809,628
M00R01.02 Health Services Cost Review Commission	
Special Fund Appropriation	~~136,118,346~~
	116,118,346
M00R01.03 Maryland Community Health Resources Commission	
Special Fund Appropriation, provided that this appropriation shall be reduced by $3,000,000 contingent upon the enactment of legislation reducing the required appropriation for the Maryland Community Health Resources Commission	8,000,000

SUMMARY

Total Special Fund Appropriation	178,927,974
Total Appropriation	178,927,974

DEPARTMENT OF HUMAN SERVICES

Provided that the spending in fiscal 2019 of the Temporary Assistance for Needy Families federal funds shall not exceed $252,590,029.

56

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary

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

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(1) DHS has taken corrective action with respect to all repeat audit findings on or before November 1, 2018; 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 2019 7,900,414

Federal Fund Appropriation 6,810,015 14,710,429

N00A01.02 Citizen's Review Board for Children

General Fund Appropriation 748,762

Federal Fund Appropriation 67,632 816,394

N00A01.03 Maryland Commission for Women

General Fund Appropriation 135,843

N00A01.04 Maryland Legal Services Program

General Fund Appropriation, provided that $13,169,898 of this appropriation made for

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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 13,169,898

SUMMARY

Total General Fund Appropriation	21,954,917
Total Federal Fund Appropriation	6,877,647
Total Appropriation	28,832,564

SOCIAL SERVICES ADMINISTRATION

N00B00.04 General Administration – State		
General Fund Appropriation	12,017,762	
Federal Fund Appropriation	15,893,853	27,911,615

OPERATIONS OFFICE

N00E01.01 Division of Budget, Finance, and Personnel		
General Fund Appropriation	10,509,537	
Special Fund Appropriation	34,512	
Federal Fund Appropriation	8,932,689	19,476,738
N00E01.02 Division of Administrative Services		
General Fund Appropriation	4,315,005	
Federal Fund Appropriation	5,399,459	9,714,464

SUMMARY

Total General Fund Appropriation	14,824,542
Total Special Fund Appropriation	34,512
Total Federal Fund Appropriation	14,332,148
Total Appropriation	29,191,202

OFFICE OF TECHNOLOGY FOR HUMAN SERVICES

N00F00.02 Major Information Technology Development Projects		
Federal Fund Appropriation		64,471,395
N00F00.04 General Administration		
General Fund Appropriation	28,447,066	
Special Fund Appropriation	1,327,053	
Federal Fund Appropriation	32,680,069	62,454,188

SUMMARY

Total General Fund Appropriation	28,447,066
Total Special Fund Appropriation	1,327,053
Total Federal Fund Appropriation	97,151,464
Total Appropriation	126,925,583

LOCAL DEPARTMENT OPERATIONS

N00G00.01 Foster Care Maintenance Payments

General Fund Appropriation, provided that funds appropriated herein may be used to develop a broad range of services to assist in returning children with special needs from out–of–state placements, to prevent unnecessary residential or institutional placements within Maryland, and to work with local jurisdictions in these regards. Policy decisions regarding the expenditures of such funds shall be made jointly by the Executive Director of the Governor's Office for Children, the Secretaries of Health, Human Services, Juvenile Services, Budget and Management, and the State Superintendent of Education.

<u>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</u>

59 cont

purpose. Funds not expended shall revert to the General Fund.

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Further provided that $1,700,000 of this appropriation made for the purpose of the Foster Youth Savings program may not be expended until the Department of Human Services submits a report to the budget committees on (1) the determination regarding implementing a matched savings component to the program; (2) any plans, other than matched savings, for the department to increase the amount of the savings accounts; and (3) the planned use of the fiscal 2019 funds by category including establishing new accounts, increasing existing accounts, financial literacy/education programs, and administration. The report shall be submitted by July 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 to the budget committees. Further provided the department shall provide notification to the budget committees of changes to the program related to use of funds, eligibility, or efforts to increase the amount of the savings accounts made after the submission of the report within 30 days of the change 185,645,964

Special Fund Appropriation	4,314,193	
Federal Fund Appropriation	68,789,450	258,749,607

N00G00.02 Local Family Investment Program

General Fund Appropriation	60,867,615	
Special Fund Appropriation	2,289,113	
Federal Fund Appropriation	96,931,891	160,088,619

N00G00.03 Child Welfare Services

61

General Fund Appropriation, provided that these funds are to be used only for the

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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 160,852,965
Special Fund Appropriation 1,808,121
Federal Fund Appropriation 71,209,684 233,870,770

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.

N00G00.04 Adult Services
General Fund Appropriation 11,459,003
Special Fund Appropriation 1,232,336
Federal Fund Appropriation 32,937,499 45,628,838

N00G00.05 General Administration
General Fund Appropriation 25,876,538
Special Fund Appropriation 2,562,091
Federal Fund Appropriation 14,081,677 42,520,306

N00G00.06 Child Support Administration
General Fund Appropriation 16,736,341
Special Fund Appropriation 613,229
Federal Fund Appropriation 31,765,527 49,115,097

N00G00.08 Assistance Payments
General Fund Appropriation 45,359,069
Special Fund Appropriation 10,095,041
Federal Fund Appropriation 1,102,592,545 1,158,046,655

N00G00.10 Work Opportunities
Federal Fund Appropriation 32,528,479

SUMMARY

Total General Fund Appropriation 506,797,495

Total Special Fund Appropriation		22,914,124
Total Federal Fund Appropriation		1,450,836,752
Total Appropriation		1,980,548,371

CHILD SUPPORT ADMINISTRATION

N00H00.08 Child Support – State

General Fund Appropriation	2,509,017	
Special Fund Appropriation	11,212,070	
Federal Fund Appropriation	28,535,110	42,256,197

FAMILY INVESTMENT ADMINISTRATION

N00I00.04 Director's Office

General Fund Appropriation, provided that since the Department of Human Services (DHS) Family Investment Administration has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), and DHS failed to completely resolve or make adequate progress toward resolving those repeat audit findings, $250,000 of this agency's administrative appropriation may not be expended unless:

(1) DHS has reported the corrective action taken with respect to all repeat findings on or before November 1, 2018; 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 DHS 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 2019 9,622,214

Special Fund Appropriation	566,458	
Federal Fund Appropriation	26,497,760	36,686,432

62

N00I00.05 Maryland Office for Refugees and Asylees		
Federal Fund Appropriation		14,625,561
N00I00.06 Office of Home Energy Programs		
Special Fund Appropriation	60,927,634	
Federal Fund Appropriation	68,675,164	129,602,798
N00I00.07 Office of Grants Management		
General Fund Appropriation	6,772,801	
Federal Fund Appropriation	668,976	7,441,777

SUMMARY

Total General Fund Appropriation	16,395,015
Total Special Fund Appropriation	61,494,092
Total Federal Fund Appropriation	110,467,461
Total Appropriation	188,356,568

1 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

2 OFFICE OF THE SECRETARY

3 P00A01.01 Executive Direction		
4 General Fund Appropriation	8,533,797	
5 Special Fund Appropriation	1,501,877	
6 Federal Fund Appropriation	1,202,923	11,238,597
7		
8 P00A01.02 Program Analysis and Audit		
9 General Fund Appropriation	63,992	
10 Special Fund Appropriation	72,611	
11 Federal Fund Appropriation	266,241	402,844
12		
13 P00A01.05 Legal Services		
14 General Fund Appropriation	1,247,247	
15 Special Fund Appropriation	1,626,688	
16 Federal Fund Appropriation	1,244,848	4,118,783
17		
18 P00A01.08 Office of Fair Practices		
19 General Fund Appropriation	54,797	
20 Special Fund Appropriation	62,303	
21 Federal Fund Appropriation	229,428	346,528
22		
23 P00A01.09 Governor's Workforce Development		
24 Board		
25 General Fund Appropriation		308,977

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 P00A01.11 Board of Appeals		
32 Special Fund Appropriation	520,207	
33 Federal Fund Appropriation	844,920	1,365,127
34		
35 P00A01.12 Lower Appeals		
36 Special Fund Appropriation	2,044,058	
37 Federal Fund Appropriation	3,595,650	5,639,708
38		

SUMMARY

Total General Fund Appropriation	10,208,810
Total Special Fund Appropriation	5,827,744
Total Federal Fund Appropriation	7,384,010
Total Appropriation	23,420,564

DIVISION OF ADMINISTRATION

P00B01.01 Office of Administration		
General Fund Appropriation	1,226,192	
Special Fund Appropriation	1,333,916	
Federal Fund Appropriation	4,500,276	7,060,384
P00B01.04 Office of General Services		
General Fund Appropriation	751,142	
Special Fund Appropriation	875,102	
Federal Fund Appropriation	3,210,980	4,837,224

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.

P00B01.05 Office of Information Technology		
General Fund Appropriation	120,648	
Special Fund Appropriation	2,014,476	
Federal Fund Appropriation	2,987,276	5,122,400

SUMMARY

Total General Fund Appropriation	2,097,982
Total Special Fund Appropriation	4,223,494
Total Federal Fund Appropriation	10,698,532
Total Appropriation	17,020,008

1 DIVISION OF FINANCIAL REGULATION

2 P00C01.02 Financial Regulation		
3 General Fund Appropriation, provided that		
4 $1,258,607 of this appropriation shall be		
5 reduced contingent upon the enactment of		
6 legislation authorizing the deposit of		
7 Financial Regulation licensing and		
8 examination fees into a Non–Depository		
9 Special Fund. Authorization is granted to		
10 process a special fund budget amendment		
11 of $1,258,607 to replace the		
12 aforementioned general fund amount	1,280,845	
13 Special Fund Appropriation	9,943,365	11,224,210
14		

15 DIVISION OF LABOR AND INDUSTRY

16 P00D01.01 General Administration		
17 General Fund Appropriation	61,196	
18 Special Fund Appropriation	713,865	
19 Federal Fund Appropriation	260,697	1,035,758
20		
21 P00D01.02 Employment Standards		
22 General Fund Appropriation	933,919	
23 Special Fund Appropriation	708,084	1,642,003
24		
25 P00D01.03 Railroad Safety and Health		
26 Special Fund Appropriation		361,658
27 P00D01.05 Safety Inspection		
28 Special Fund Appropriation		5,254,374
29 P00D01.07 Prevailing Wage		
30 General Fund Appropriation	785,811	
31 Special Fund Appropriation	70,816	856,627
32		
33 P00D01.08 Occupational Safety and Health		
34 Administration		
35 Special Fund Appropriation	4,606,008	
36 Federal Fund Appropriation	5,027,904	9,633,912
37		

38 SUMMARY

Total General Fund Appropriation		1,780,926
Total Special Fund Appropriation		11,714,805
Total Federal Fund Appropriation		5,288,601
Total Appropriation		18,784,332

DIVISION OF RACING

P00E01.02 Maryland Racing Commission		
General Fund Appropriation	452,940	
Special Fund Appropriation, provided that this appropriation shall be reduced by $350,000 contingent upon the enactment of legislation repealing the revenue transfer from the State Lottery Fund for sports marketing	61,795,813	62,248,753
P00E01.03 Racetrack Operation		
General Fund Appropriation	2,123,572	
Special Fund Appropriation	600,000	2,723,572
P00E01.05 Maryland Facility Redevelopment Program		
Special Fund Appropriation		9,795,608
P00E01.06 Share of Video Lottery Terminal Revenue for Local Impact Grants		
Special Fund Appropriation		87,243,800

SUMMARY

Total General Fund Appropriation	2,576,512
Total Special Fund Appropriation	159,435,221
Total Appropriation	162,011,733

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

P00F01.01 Occupational and Professional

Licensing		
General Fund Appropriation	948,054	
Special Fund Appropriation	11,590,168	12,538,222

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.

DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

P00G01.07 Workforce Development		
General Fund Appropriation	2,608,839	
Special Fund Appropriation	1,786,376	
Federal Fund Appropriation	~~61,929,387~~	~~66,324,602~~
	61,718,387	66,113,602

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.

P00G01.12 Adult Education and Literacy Program		
General Fund Appropriation	888,781	
Special Fund Appropriation	29,782	
Federal Fund Appropriation	2,358,490	3,277,053

P00G01.13 Adult Corrections Program		
General Fund Appropriation		14,723,138

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.

P00G01.14 Aid to Education		
General Fund Appropriation	8,011,986	
Federal Fund Appropriation	8,200,000	16,211,986

SUMMARY

Total General Fund Appropriation		26,232,744
Total Special Fund Appropriation		1,816,158
Total Federal Fund Appropriation		72,276,877
Total Appropriation		100,325,779

DIVISION OF UNEMPLOYMENT INSURANCE

P00H01.01 Office of Unemployment Insurance		
Special Fund Appropriation	14,167,587	
Federal Fund Appropriation	56,914,413	71,082,000
P00H01.02 Major Information Technology Development Projects		
Special Fund Appropriation	1,000,000	
Federal Fund Appropriation	1,153,575	2,153,575

SUMMARY

Total Special Fund Appropriation	15,167,587
Total Federal Fund Appropriation	58,067,988
Total Appropriation	73,235,575

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Provided that 100 vacant positions are abolished in the Department of Public Safety and Correctional Services. General Fund savings from these positions will be utilized for overtime.

OFFICE OF THE SECRETARY

Q00A01.01 General Administration		
General Fund Appropriation		35,813,940
Q00A01.02 Information Technology and Communications Division		
General Fund Appropriation	27,532,506	
Special Fund Appropriation	7,220,000	
Federal Fund Appropriation	900,000	35,652,506

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	9,863,808

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	56,894,547
Q00A01.06 Division of Capital Construction and Facilities Maintenance	
General Fund Appropriation	4,647,624

SUMMARY

Total General Fund Appropriation	77,857,878
Total Special Fund Appropriation	64,114,547

Total Federal Fund Appropriation		900,000
Total Appropriation		142,872,425

DEPUTY SECRETARY FOR OPERATIONS

Q00A02.01 Administrative Services		
General Fund Appropriation		7,977,678
Q00A02.03 Field Support Services		
General Fund Appropriation	4,852,096	
Special Fund Appropriation	25,000	4,877,096

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.

Q00A02.04 Security Operations		
General Fund Appropriation		34,749,763
Q00A02.05 Central Home Detention Unit		
General Fund Appropriation	8,138,484	
Special Fund Appropriation	85,000	8,223,484

SUMMARY

Total General Fund Appropriation	55,718,021
Total Special Fund Appropriation	110,000
Total Appropriation	55,828,021

MARYLAND CORRECTIONAL ENTERPRISES

Q00A03.01 Maryland Correctional Enterprises	
Special Fund Appropriation	59,206,618

DIVISION OF CORRECTION – HEADQUARTERS

Q00B01.01 General Administration		
General Fund Appropriation		15,506,008

MARYLAND PAROLE COMMISSION

Q00C01.01 General Administration and Hearings		
General Fund Appropriation		6,002,820

DIVISION OF PAROLE AND PROBATION

Q00C02.01 Division of Parole and Probation – Support Services		
General Fund Appropriation	18,978,217	
Special Fund Appropriation	86,500	19,064,717

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.

PATUXENT INSTITUTION

Q00D00.01 Patuxent Institution		
General Fund Appropriation	53,065,753	
Special Fund Appropriation	66,300	53,132,053

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.

INMATE GRIEVANCE OFFICE

Q00E00.01 General Administration		
Special Fund Appropriation		811,267

POLICE AND CORRECTIONAL TRAINING COMMISSIONS

Q00G00.01 General Administration		
General Fund Appropriation	7,704,162	

Special Fund Appropriation	365,200	
Federal Fund Appropriation	580,425	8,649,787

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.

CRIMINAL INJURIES COMPENSATION BOARD

Q00K00.01 Administration and Awards

Special Fund Appropriation	2,902,035	
Federal Fund Appropriation	1,700,000	4,602,035

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 COMMISSION ON CORRECTIONAL STANDARDS

Q00N00.01 General Administration

General Fund Appropriation		552,923

DIVISION OF CORRECTION – WEST REGION

Q00R02.01 Maryland Correctional Institution – Hagerstown

General Fund Appropriation	55,709,114	
Special Fund Appropriation	49,200	55,758,314

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.

Q00R02.02 Maryland Correctional Training Center

General Fund Appropriation	81,089,295	
Special Fund Appropriation	445,700	81,534,995

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.

Q00R02.03 Roxbury Correctional Institution		
General Fund Appropriation	57,055,642	
Special Fund Appropriation	144,500	57,200,142

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.

Q00R02.04 Western Correctional Institution		
General Fund Appropriation	62,390,367	
Special Fund Appropriation	133,900	62,524,267

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.

Q00R02.05 North Branch Correctional Institution		
General Fund Appropriation	63,877,161	
Special Fund Appropriation	101,500	63,978,661

SUMMARY

Total General Fund Appropriation	320,121,579
Total Special Fund Appropriation	874,800
Total Appropriation	320,996,379

DIVISION OF PAROLE AND PROBATION – WEST REGION

Q00R03.01 Division of Parole and Probation – West Region

General Fund Appropriation	18,707,965	
Special Fund Appropriation	2,798,104	21,506,069

DIVISION OF CORRECTION – EAST REGION

Q00S02.01 Jessup Correctional Institution

General Fund Appropriation	77,677,368	
Special Fund Appropriation	137,500	77,814,868

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.

Q00S02.02 Maryland Correctional Institution – Jessup

General Fund Appropriation	44,781,742	
Special Fund Appropriation	85,200	44,866,942

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.

Q00S02.03 Maryland Correctional Institution for Women

General Fund Appropriation	41,126,871	
Special Fund Appropriation	127,200	41,254,071

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.

Q00S02.04 Brockbridge Correctional Facility

General Fund Appropriation	26,007,987	
Special Fund Appropriation	50,800	26,058,787

Q00S02.06 Southern Maryland Pre–Release Unit

General Fund Appropriation	5,505,053	
Special Fund Appropriation	149,400	5,654,453

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.

Q00S02.07 Eastern Pre–Release Unit

General Fund Appropriation	5,774,765	
Special Fund Appropriation	157,500	5,932,265

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.

Q00S02.08 Eastern Correctional Institution

General Fund Appropriation	118,989,920	
Special Fund Appropriation	421,450	
Federal Fund Appropriation	1,455,000	120,866,370

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.

Q00S02.09 Dorsey Run Correctional Facility

General Fund Appropriation	34,944,224	
Special Fund Appropriation	203,700	35,147,924

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.

Q00S02.10 Central Maryland Correctional Facility

General Fund Appropriation	16,607,854	
Special Fund Appropriation	40,200	16,648,054

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	371,415,784
Total Special Fund Appropriation	1,372,950
Total Federal Fund Appropriation	1,455,000
Total Appropriation	374,243,734

DIVISION OF PAROLE AND PROBATION – EAST REGION

Q00S03.01 Division of Parole and Probation – East Region

General Fund Appropriation	26,052,781	
Special Fund Appropriation	2,168,576	28,221,357

DIVISION OF PAROLE AND PROBATION – CENTRAL REGION

Q00T03.01 Division of Parole and Probation – Central Region

General Fund Appropriation, provided that $100,000 of this appropriation provided for the purpose of establishing the new Community Adult Rehabilitation Center (CARC) may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on the timeline for establishing the new CARC, criteria for selection of offenders who are admitted, the number of employees needed, proposed location and/or lease arrangements, total costs, and the possibility of locating the facility within the Baltimore City Jail complex. The report should also include information on how DPSCS plans to keep the budget committees informed about the CARC

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population, progress, and performance measures in the future. The report shall be submitted no later than December 1, 2018. 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 to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees 39,580,986

Special Fund Appropriation 1,622,749 41,203,735

DIVISION OF PRETRIAL DETENTION

Q00T04.01 Chesapeake Detention Facility

Special Fund Appropriation 36,900

Federal Fund Appropriation 25,086,434 25,123,334

Q00T04.02 Pretrial Release Services

General Fund Appropriation 6,146,647

Q00T04.04 Baltimore Central Booking and Intake Center

General Fund Appropriation 65,359,002

Special Fund Appropriation 214,243 65,573,245

Q00T04.05 Baltimore Pretrial Complex

General Fund Appropriation 40,640,917

Special Fund Appropriation 4,100 40,645,017

Q00T04.06 Maryland Reception, Diagnostic and Classification Center

General Fund Appropriation 39,978,410

Special Fund Appropriation 54,900

Federal Fund Appropriation 5,000 40,038,310

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.

Q00T04.07 Baltimore City Correctional Center		
General Fund Appropriation	15,518,015	
Special Fund Appropriation	357,200	15,875,215

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.

Q00T04.08 Metropolitan Transition Center		
General Fund Appropriation	50,940,480	
Special Fund Appropriation	312,196	51,252,676

Q00T04.09 General Administration	
General Fund Appropriation	1,890,084

SUMMARY

Total General Fund Appropriation	220,473,555
Total Special Fund Appropriation	979,539
Total Federal Fund Appropriation	25,091,434
Total Appropriation	246,544,528

STATE DEPARTMENT OF EDUCATION

HEADQUARTERS

R00A01.01 Office of the State Superintendent		
General Fund Appropriation	9,706,095	
Special Fund Appropriation	2,186,882	
Federal Fund Appropriation	1,769,976	13,662,953

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.

R00A01.02 Division of Business Services		
General Fund Appropriation	968,730	
Special Fund Appropriation	206,105	
Federal Fund Appropriation	10,733,210	11,908,045

R00A01.04 Division of Accountability and Assessment		
General Fund Appropriation	38,044,797	
Special Fund Appropriation	476,902	
Federal Fund Appropriation	11,113,064	49,634,763

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.

R00A01.05 Office of Information Technology		
General Fund Appropriation	3,768,235	
Special Fund Appropriation	140,824	
Federal Fund Appropriation	3,174,018	7,083,077

R00A01.06 Major Information Technology Development Projects		
Federal Fund Appropriation		769,208

R00A01.07 Office of School and Community Nutrition Programs

General Fund Appropriation	255,583	
Federal Fund Appropriation	7,483,258	7,738,841

R00A01.10 Division of Early Childhood Development

General Fund Appropriation	12,543,154	
Federal Fund Appropriation, provided that $800,000 for the purpose of contractual services for research, research support, planning, and budgeting tasks for the Child Care Subsidy Program may not be used for contractual services through an interagency agreement and instead may be used only for contractual services that are competitively bid. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled	44,476,351	57,019,505

R00A01.11 Division of Curriculum, Assessment, and Accountability

General Fund Appropriation	1,809,571	
Special Fund Appropriation	1,530,642	
Federal Fund Appropriation	3,552,073	6,892,286

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.

R00A01.12 Division of Student, Family and School Support

General Fund Appropriation	2,214,296	
Federal Fund Appropriation	6,471,603	8,685,899

R00A01.13 Division of Special Education/Early Intervention Services

General Fund Appropriation	551,472	
Special Fund Appropriation	1,086,729	
Federal Fund Appropriation	12,472,250	14,110,451

R00A01.14 Division of Career and College Readiness		
General Fund Appropriation	1,130,652	
Federal Fund Appropriation	2,254,909	3,385,561
R00A01.15 Juvenile Services Education Program		
General Fund Appropriation	15,953,211	
Federal Fund Appropriation	1,475,974	17,429,185

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.

R00A01.18 Division of Certification and Accreditation		
General Fund Appropriation	2,331,236	
Special Fund Appropriation	282,880	
Federal Fund Appropriation	128,628	2,742,744
R00A01.20 Division of Rehabilitation Services – Headquarters		
General Fund Appropriation	1,481,852	
Special Fund Appropriation	109,354	
Federal Fund Appropriation	12,791,814	14,383,020
R00A01.21 Division of Rehabilitation Services – Client Services		
General Fund Appropriation	10,269,601	
Federal Fund Appropriation	33,646,394	43,915,995
R00A01.22 Division of Rehabilitation Services – Workforce and Technology Center		
General Fund Appropriation	1,665,980	
Federal Fund Appropriation	8,059,770	9,725,750
R00A01.23 Division of Rehabilitation Services – Disability Determination Services		
Federal Fund Appropriation		45,017,110

R00A01.24 Division of Rehabilitation Services – Blindness and Vision Services		
General Fund Appropriation	1,449,730	
Special Fund Appropriation	3,751,351	
Federal Fund Appropriation	5,059,688	10,260,769

SUMMARY

Total General Fund Appropriation	104,144,195
Total Special Fund Appropriation	9,771,669
Total Federal Fund Appropriation	210,449,298
Total Appropriation	324,365,162

AID TO EDUCATION

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.

R00A02.01 State Share of Foundation Program		
General Fund Appropriation	2,838,328,683	
Special Fund Appropriation	502,907,270	3,341,235,953
R00A02.02 Compensatory Education		
General Fund Appropriation		1,305,052,312
R00A02.03 Aid for Local Employee Fringe Benefits		
General Fund Appropriation		732,920,781
R00A02.04 Children at Risk		
General Fund Appropriation	10,450,207	
Special Fund Appropriation	5,091,840	
Federal Fund Appropriation	35,581,464	51,123,511

R00A02.05 Formula Programs for Specific

1 Populations
2 General Fund Appropriation 2,000,000

3 R00A02.06 Maryland Prekindergarten Expansion
4 Program Financing Fund
5 General Fund Appropriation 27,377,176
6 Federal Fund Appropriation 16,000,000 43,377,176
7

8 R00A02.07 Students With Disabilities
9 General Fund Appropriation 449,073,658

10 To provide funds as follows:
11 Formula 290,812,794
12 Non–Public Placement
13 Program 123,500,000
14 Infants and Toddlers Program ...10,389,104
15 Autism Waiver 24,371,760

16 Provided that funds appropriated for
17 nonpublic placements may be used to
18 develop a broad range of services to assist
19 in returning children with special needs
20 from out–of–state placements to Maryland;
21 to prevent out–of–state placements of
22 children with special needs; to prevent
23 unnecessary separate day school,
24 residential or institutional placements
25 within Maryland; and to work with local
26 jurisdictions in these regards. Policy
27 decisions regarding the expenditures of
28 such funds shall be made jointly by the
29 Executive Director of the Governor's Office
30 for Children and the Secretaries of Health,
31 Human Services, Juvenile Services,
32 Budget and Management, and the State
33 Superintendent of Education.

34 R00A02.08 Assistance to State for Educating
35 Students With Disabilities
36 Federal Fund Appropriation 210,977,204

37 R00A02.12 Educationally Deprived Children
38 Federal Fund Appropriation 237,289,438

39 R00A02.13 Innovative Programs
40 General Fund Appropriation, provided that

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~~this appropriation shall be reduced by $5,000,000 contingent upon the enactment of legislation altering the mandate that funding be provided for the Public Schools Opportunities Enhancement Program~~ $5,000,000 of this appropriation made for the purpose of providing funding for the Public School Opportunities Enhancement Program may not be expended for that purpose but instead may be used only for the Learning in Extended Academic Programs grant program contingent on the enactment of SB 1092 or HB 1415. 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.

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Further provided that this appropriation shall be reduced by ~~$5,000,000~~ $300,000 contingent upon the enactment of legislation ~~repealing~~ altering the mandate that funding be provided for the Next Generation Scholars Program.

Further provided that this appropriation shall be reduced by $250,000 contingent upon the enactment of legislation repealing the mandate that funding be provided for the Robotics Program 25,133,599

Federal Fund Appropriation 19,852,100 44,985,699

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 10,443,044

R00A02.18 Career and Technology Education

Federal Fund Appropriation 14,429,645

R00A02.24 Limited English Proficient

General Fund Appropriation		288,041,382
R00A02.25 Guaranteed Tax Base		
General Fund Appropriation		48,169,682
R00A02.27 Food Services Program		
General Fund Appropriation	11,236,664	
Federal Fund Appropriation	383,364,620	394,601,284
R00A02.39 Transportation		
General Fund Appropriation		282,585,211
R00A02.52 Science and Mathematics Education Initiative		
Federal Fund Appropriation		1,543,100
R00A02.55 Teacher Development		
General Fund Appropriation, provided that this appropriation shall be reduced by ~~$5,000,000~~ $2,000,000 contingent upon the enactment of legislation ~~repealing~~ altering the mandate that funding be provided for the Teacher Induction, Retention, and Advancement Pilot Program.		
Further provided that this appropriation shall be reduced by $1,900,000 contingent upon the enactment of legislation repealing the stipend for specific Anne Arundel County Public School teachers.		
~~Further provided that this appropriation shall be reduced by $2,100,000 contingent upon the enactment of legislation reducing the mandated stipend for teachers who hold a certificate issued by the National Board for Professional Teaching Standards~~	~~11,700,000~~ 10,420,000	
Special Fund Appropriation	300,000	
Federal Fund Appropriation	29,999,542	~~41,999,542~~ 40,719,542
R00A02.57 Transitional Education Funding Program		
General Fund Appropriation	10,575,000	

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Special Fund Appropriation	1,320,000	11,895,000

R00A02.58 Head Start

General Fund Appropriation		1,800,000

R00A02.59 Child Care Subsidy Program

General Fund Appropriation	43,547,835	
Federal Fund Appropriation	47,119,830	90,667,665

SUMMARY

Total General Fund Appropriation	6,086,712,190
Total Special Fund Appropriation	509,619,110
Total Federal Fund Appropriation	1,006,599,987
Total Appropriation	7,602,931,287

FUNDING FOR EDUCATIONAL ORGANIZATIONS

R00A03.01 Maryland School for the Blind

General Fund Appropriation	23,346,757

R00A03.02 Blind Industries and Services of Maryland

General Fund Appropriation	531,115

R00A03.03 Other Institutions

General Fund Appropriation	6,276,446

Alice Ferguson Foundation	79,378
Alliance of Southern Prince George's Communities, Inc.	31,752
American Visionary Art Museum	15,040
Arts Excel – Baltimore Symphony Orchestra	63,503
B&O Railroad Museum	60,161
Baltimore Museum of Industry	80,214
Best Buddies International (MD Program)	158,756
Calvert Marine Museum	50,000
Chesapeake Bay Foundation	416,945
Chesapeake Bay Maritime	

Museum	20,053
Citizenship Law–Related Education	29,244
College Bound	35,930
The Dyslexia Tutoring Program, Inc.	35,930
Echo Hill Outdoor School	53,476
Fire Museum of Maryland	10,000
Imagination Stage	238,136
Jewish Museum of Maryland	12,533
Junior Achievement of Central Maryland	40,106
Living Classrooms Foundation	304,145
Maryland Academy of Sciences	873,169
Maryland Historical Society	119,484
Maryland Humanities Council	41,777
Maryland Leadership Workshops	43,450
Maryland Mathematics, Engineering and Science Achievement	76,035
Maryland Zoo in Baltimore – Education Component	812,171
National Aquarium in Baltimore	474,601
National Great Blacks in Wax Museum	40,106
National Museum of Ceramic Art and Glass	20,053
Northbay Adventure	927,558
Olney Theatre	139,539
Outward Bound	127,006
Port Discovery	111,130
Salisbury Zoological Park	17,546
Sotterley Foundation	12,533
South Baltimore Learning Center	40,106
State Mentoring Resource Center	76,036
Sultana Projects	20,053
Super Kids Camp	391,043
The Village Learning Place, Inc.	43,450
Walters Art Museum	15,875
Ward Museum	33,423
Young Audiences of Maryland	85,000

R00A03.04 Aid to Non–Public Schools

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. To be eligible to participate, a nonpublic school shall:

(1) Hold a certificate of approval from or be registered with the State Board of Education;

(2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department; and

(3) Comply with Title VI of the Civil Rights Act of 1964, as amended.

The department shall establish a process to ensure that the local education agencies are effectively and promptly working with the nonpublic schools to assure that the nonpublic schools have appropriate access to federal funds for which they are eligible.

Further provided that the Maryland State

Department of Education shall:

(1) Assure that the process for textbook, computer hardware, and computer software acquisition uses a list of qualified textbook, computer hardware, and computer software vendors and of qualified textbooks, computer hardware, and computer software; uses textbooks, computer hardware, and computer software that are secular in character and acceptable for use in any public elementary or secondary school in Maryland; and

(2) Receive requisitions for textbooks, computer hardware, and computer software to be purchased from the eligible and participating schools, and forward the approved requisitions and payments to the qualified textbook, computer hardware, or computer software vendor who will send the textbooks, computer hardware, or computer software directly to the eligible school, which will:

(i) Report shipment receipt to the department;

(ii) Provide assurance that the savings on the cost of the textbooks, computer hardware, or computer software will be dedicated to reducing the cost of textbooks, computer hardware, or computer software for students; and

(iii) Since the textbooks, computer hardware, or computer software shall remain property of the State, maintain appropriate

shipment receipt records for audit purposes. 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 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 6,040,000

R00A03.05 Broadening Options and Opportunities for Students Today

Special Fund Appropriation, provided that this appropriation shall be for a Broadening Options and Opportunities for Students Today (BOOST) Program that provides scholarships for students who are eligible for the free or reduced–price lunch program to attend eligible nonpublic schools. The Maryland State Department of Education (MSDE) shall administer the grant program in accordance with the following guidelines

(1) To be eligible to participate in the

BOOST Program, a nonpublic school must:

(a) participate in Program R00A03.04 Aid to Non–Public Schools Program for textbooks and computer hardware and software administered by MSDE;

(b) provide more than only prekindergarten and kindergarten programs;

(c) administer assessments to all students in accordance with federal and State law; and

(d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions 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 expressed as a percent of the most recent federal poverty levels.

(4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.

(5) There is a BOOST Advisory Board that shall be appointed as follows: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.

(6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts.

(7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.

(8) The amount of a scholarship award may not exceed the lesser of:

(a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or

(b) the tuition of the nonpublic school.

(9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.

(10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that no scholarship awards shall be made after March 1, 2018. Any unexpended funds not awarded to students for scholarships in the 2017–2018 school year shall be encumbered at the end of the fiscal year and available for scholarships in

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the 2018–2019 school year.

Further provided that MSDE shall submit a report to the budget committees by December 15, 2018, 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. For nonpublic schools administering norm referenced assessments, the nonpublic schools shall provide to MSDE the results for all students receiving BOOST Program scholarships to whom assessments were administered. For those nonpublic schools administering nonstandardized assessments, the nonpublic schools shall provide to MSDE the results for all students receiving BOOST Program scholarships to whom assessments were administered and how students receiving BOOST Program scholarships performed in comparison to students who did not receive BOOST Program scholarships. MSDE shall report these assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;

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(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 2018–2019 school year by the student; and (3) if the student attended the same nonpublic school in the 2017–2018 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2017–2018 school year and will receive in the 2018–2019 school year;

(6) the average household income of students receiving BOOST Program scholarships;

(7) the racial breakdown of students receiving BOOST Program scholarships;

(8) the number of students designated as English language learners receiving BOOST Program scholarships;

(9) the number of special education students receiving BOOST Program scholarships;

(10) the county in which students receiving BOOST Program scholarships reside;

(11) the number of students who were offered BOOST Program scholarships but declined them, as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships; and

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(12) the number of students who received BOOST Program scholarships for the 2017–2018 school year who are attending public school for the 2018–2019 school year, as well as their reasons for returning to public schools..... 8,850,000

SUMMARY

Total General Fund Appropriation	30,154,318
Total Special Fund Appropriation	14,890,000
Total Appropriation	45,044,318

CHILDREN'S CABINET INTERAGENCY FUND

R00A04.01 Children's Cabinet Interagency Fund

General Fund Appropriation		18,490,376

MARYLAND LONGITUDINAL DATA SYSTEM CENTER

R00A05.01 Maryland Longitudinal Data System Center

General Fund Appropriation	1,995,051	
Federal Fund Appropriation	2,500,000	4,495,051

MARYLAND STATE LIBRARY AGENCY

MARYLAND STATE LIBRARY

R01A11.01 Maryland State Library

General Fund Appropriation	3,243,553	
Federal Fund Appropriation	949,332	4,192,885

R01A11.02 Public Library Aid

General Fund Appropriation	41,932,865	
Federal Fund Appropriation	2,420,000	44,352,865

R01A11.03 State Library Network

General Fund Appropriation		18,380,048

R01A11.04 Aid for Local Library Employee Fringe Benefits
General Fund Appropriation 20,645,413

SUMMARY

Total General Fund Appropriation 84,201,879
Total Federal Fund Appropriation 3,369,332

Total Appropriation 87,571,211

MORGAN STATE UNIVERSITY

R13M00.00 Morgan State University
Current Unrestricted Appropriation, provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions that will be converted by August 1, 2018.

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until MSU submits a report to the budget committees documenting positions that were converted by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted 206,726,022
Current Restricted Appropriation 54,625,697 261,351,719

ST. MARY'S COLLEGE OF MARYLAND

R14D00.00 St. Mary's College of Maryland
Current Unrestricted Appropriation 65,964,437
Current Restricted Appropriation 5,300,000 71,264,437

1

2 MARYLAND PUBLIC BROADCASTING COMMISSION

3 R15P00.01 Executive Direction and Control		
4 Special Fund Appropriation		893,934
5 R15P00.02 Administration and Support Services		
6 General Fund Appropriation	8,311,867	
7 Special Fund Appropriation	950,175	9,262,042
8		
9 R15P00.03 Broadcasting		
10 Special Fund Appropriation		9,991,302
11 R15P00.04 Content Enterprises		
12 Special Fund Appropriation	6,327,861	
13 Federal Fund Appropriation	508,434	6,836,295
14		
15 R15P00.05 Capital Appropriation		
16 Federal Fund Appropriation		2,847,000

17 SUMMARY

18 Total General Fund Appropriation	8,311,867
19 Total Special Fund Appropriation	18,163,272
20 Total Federal Fund Appropriation	3,355,434
21	
22 Total Appropriation	29,830,573
23	

24 UNIVERSITY SYSTEM OF MARYLAND

25 UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS

26 R30B21.00 University of Maryland, Baltimore		
27 Campus		
28 Current Unrestricted Appropriation	663,530,194	
29 Current Restricted Appropriation	519,430,988	1,182,961,182
30		

31 UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS

32 R30B22.00 University of Maryland, College Park
33 Campus

Current Unrestricted Appropriation, provided that this appropriation shall be reduced by $2,000,000 contingent upon the enactment of legislation repealing the requirement that additional funding be provided to the University of Maryland Center for Economic and Entrepreneurship Development	1,682,197,991	
Current Restricted Appropriation	462,679,791	2,144,877,782

BOWIE STATE UNIVERSITY

R30B23.00 Bowie State University		
Current Unrestricted Appropriation	108,575,063	
Current Restricted Appropriation	22,962,077	131,537,140

TOWSON UNIVERSITY

R30B24.00 Towson University		
Current Unrestricted Appropriation	458,954,703	
Current Restricted Appropriation	50,108,941	509,063,644

UNIVERSITY OF MARYLAND EASTERN SHORE

R30B25.00 University of Maryland Eastern Shore		
Current Unrestricted Appropriation, provided that $1,400,000 of the appropriation may be used only to match federal funding for the 1890 Extension Program. The University of Maryland Eastern Shore (UMES) shall submit a report to the budget committees detailing how the funds will be used by August 1, 2018. Funds not used for this purpose will revert to the General Fund.		
Further provided that funding for the 1890 Extension Program and Evans–Allen Program and the McIntire–Stennis Program at the Agriculture Experiment Stations shall be separately identified in the UMES budget beginning with the fiscal 2020 budget	103,847,840	
Current Restricted Appropriation	26,346,974	130,194,814

76

1

2 FROSTBURG STATE UNIVERSITY

3 R30B26.00 Frostburg State University
4 Current Unrestricted Appropriation 104,381,011
5 Current Restricted Appropriation 14,497,972 118,878,983
6

7 COPPIN STATE UNIVERSITY

8 R30B27.00 Coppin State University
9 Current Unrestricted Appropriation 76,535,027
10 Current Restricted Appropriation 17,999,204 94,534,231
11

12 UNIVERSITY OF BALTIMORE

13 R30B28.00 University of Baltimore
14 Current Unrestricted Appropriation 114,699,607
15 Current Restricted Appropriation 24,852,554 139,552,161
16

17 SALISBURY UNIVERSITY

18 R30B29.00 Salisbury University
19 Current Unrestricted Appropriation 198,021,556
20 Current Restricted Appropriation 12,953,099 210,974,655
21

22 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE

23 R30B30.00 University of Maryland University
24 College
25 Current Unrestricted Appropriation 402,196,664
26 Current Restricted Appropriation 42,273,666 444,470,330
27

28 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 $4,000,000 contingent upon the enactment
34 of legislation repealing the requirement
35 that additional funding be provided to

increase funding guideline attainment	366,204,130	
Current Restricted Appropriation	90,668,786	456,872,916

UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE

R30B34.00 University of Maryland Center for Environmental Science		
Current Unrestricted Appropriation	29,814,699	
Current Restricted Appropriation	18,201,310	48,016,009

UNIVERSITY SYSTEM OF MARYLAND OFFICE

R30B36.00 University System of Maryland Office

Current Unrestricted Appropriation, provided that if SB 903 or HB 1143 authorizing the merger of the University System of Maryland Office and the Southern Maryland Higher Education Center (SMHEC) are not enacted, $512,739 may not be expended for any program or purpose and may be transferred to the Maryland Higher Education Commission Educational Grants (R62I00.07) for the operation of SMHEC. 77

Further provided that $5,000,000 of this appropriation made for the computer science education initiative is contingent on the enactment of SB 300 or HB 350. 78

Further provided that $500,000 of this appropriation may not be expended until the University System of Maryland Board of Regents submits the revised debt management and fund balance policies and procedures. The policies should be submitted to the budget committees by June 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending receipt of the policies may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the policies are not submitted. 79

80

Further provided that $500,000 of this appropriation made for the purpose of administration at the University System of Maryland Office may not be expended until the University System of Maryland (USM) Board of Regents (BOR) submits a report on how the consolidation of the University of Maryland Center for Environmental Science (UMCES) with the appropriate USM institution(s) could be accomplished in a manner that advances the research conducted and maintains and elevates the impact of the role of UMCES in the research and protection of Maryland's environmental resources while also obtaining cost savings. The report should detail cost savings to be realized from the relocation of UMCES, or its laboratories, information on the rationale on why the selected academic institution(s) most closely aligns with UMCES and/or its laboratories, and a schedule for when the transfer(s) will be completed. BOR should find at least $3,000,000 in ongoing savings for the State as a result of the transfer(s). The report should also include how a portion of the cost savings might be used to enhance and advance the research activities under a more efficient model. The report should be submitted to the budget committees by December 1, 2018. 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.

81

Further provided that $2,000,000 of this appropriation made for the purpose of workforce development initiatives at the University System of Maryland Office may not be spent for this purpose and instead may be expended only to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical

81 cont

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

Further provided that institutions shall not transfer funds from the fund balance to support the implementation of EXCEL Maryland 52,444,950

Current Restricted Appropriation 2,454,778 54,899,728

MARYLAND HIGHER EDUCATION COMMISSION

R62I00.01 General Administration

General Fund Appropriation 5,369,436

Special Fund Appropriation 911,853

Federal Fund Appropriation 300,085 6,581,374

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.

R62I00.02 College Prep/Intervention Program

General Fund Appropriation 750,000

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

General Fund Appropriation, provided that this appropriation shall be reduced by $7,364,333 contingent upon the enactment of legislation to level fund the grant to private colleges and universities at the fiscal 2018 working appropriation level 56,273,000

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

General Fund Appropriation, provided that $2,000,000 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 2018–2019 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 2017, also as determined by MHEC. Funding for the one–time grant shall not be incorporated into the Cade formula when calculating State support in fiscal 2020. 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 ... 260,993,802

82

R62I00.06 Aid to Community Colleges – Fringe Benefits
General Fund Appropriation 61,395,171

R62I00.07 Educational Grants
General Fund Appropriation, provided that this appropriation shall be reduced by ~~$5,000,000~~ $4,000,000 contingent upon the enactment of legislation altering the required appropriation for the State Contribution Program 9,610,261
Federal Fund Appropriation 30,000 9,640,261

83

To provide Education Grants to various State, Local and Private Entities

Complete College Maryland 250,000
Regional Higher Education Centers, provided that $28,353 made for the purpose of the Southern Maryland Higher Education Center may be transferred by budget amendment to the University System of Maryland Office (R30B36.04) contingent on enactment of SB 903 or HB

84

84 cont

1	1143 1,900,261		
2	Washington Center for Internships		
3	and Academic Seminars 175,000		
4	UMB–WellMobile 285,000		
5	John R. Justice Grant..... 30,000		
6	Colleges Savings Plan Match 7,000,000		
7	R62I00.09 2 + 2 Transfer Scholarship Program		
8	General Fund Appropriation		300,000
9	R62I00.10 Educational Excellence Awards		
10	General Fund Appropriation	82,871,235	
11	Special Fund Appropriation	1,836,251	84,707,486
12			
13	R62I00.12 Senatorial Scholarships		
14	General Fund Appropriation		6,486,000
15	R62I00.14 Edward T. and Mary A. Conroy		
16	Memorial Scholarship Program		
17	General Fund Appropriation		1,200,000
18	R62I00.15 Delegate Scholarships		
19	General Fund Appropriation		6,596,000
20	R62I00.16 Charles W. Riley Firefighter and		
21	Ambulance and Rescue Squad Member		
22	Scholarship Program		
23	Special Fund Appropriation		358,000
24	R62I00.17 Graduate and Professional Scholarship		
25	Program		
26	General Fund Appropriation		1,174,473
27	R62I00.21 Jack F. Tolbert Memorial Student		
28	Grant Program		
29	General Fund Appropriation		200,000
30	R62I00.26 Janet L. Hoffman Loan Assistance		
31	Repayment Program		
32	General Fund Appropriation	1,305,000	
33	Special Fund Appropriation	199,089	1,504,089
34			
35	R62I00.27 Maryland Loan Assistance Repayment		
36	Program for Foster Care Recipients		
37	General Fund Appropriation		100,000

1 R62I00.28 Maryland Loan Assistance Repayment
2 Program for Physicians and Physician
3 Assistants
4 Special Fund Appropriation 778,295

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 R62I00.33 Part–Time Grant Program
11 General Fund Appropriation 5,087,780

12 R62I00.36 Workforce Shortage Student Assistance
13 Grants
14 General Fund Appropriation 1,229,853

15 R62I00.37 Veterans of the Afghanistan and Iraq
16 Conflicts Scholarship
17 General Fund Appropriation 750,000

18 R62I00.38 Nurse Support Program II
19 Special Fund Appropriation 18,593,242

20 R62I00.44 Somerset Economic Impact Scholarship
21 General Fund Appropriation 87,659

22 R62I00.45 Workforce Development Sequence
23 Scholarships
24 General Fund Appropriation 1,000,000

25 SUMMARY

26 Total General Fund Appropriation 502,779,670
27 Total Special Fund Appropriation 22,676,730
28 Total Federal Fund Appropriation 330,085
29

30 Total Appropriation 525,786,485
31

32 HIGHER EDUCATION

33 R75T00.01 Support for State Operated Institutions
34 of Higher Education

The following amounts constitute the General Fund appropriation for the State operated institutions of higher education. The State Comptroller is hereby authorized to transfer these amounts to the accounts of the programs indicated below in four equal allotments; said allotments to be made on July 1 and October 1 of 2018 and January 1 and April 1 of 2019. Neither this appropriation nor the amounts herein enumerated constitute a lump sum appropriation as contemplated by Sections 7–207 and 7–233 of the State Finance and Procurement Article of the Code.

Program	Title	
R30B21	University of Maryland, Baltimore Campus	222,977,766
R30B22	University of Maryland, College Park Campus	501,752,942
R30B23	Bowie State University	43,553,974
R30B24	Towson University	113,611,022
R30B25	University of Maryland Eastern Shore	41,821,054
R30B26	Frostburg State University	40,138,326
R30B27	Coppin State University	44,907,879
R30B28	University of Baltimore	35,665,315
R30B29	Salisbury University	52,083,628
R30B30	University of Maryland University College	41,187,978
R30B31	University of Maryland Baltimore County	124,340,026
R30B34	University of Maryland Center for Environmental Science	21,657,941
R30B36	University System of Maryland Office	34,368,357
	Subtotal University System of Maryland	1,318,066,208
R95C00	Baltimore City Community College	40,649,547
R14D00	St. Mary's College	

of Maryland 23,338,528
R13M00 Morgan State
University..... 94,292,819

General Fund Appropriation, provided that this appropriation shall be reduced by $4,000,000 contingent on enactment of legislation repealing the requirement that additional funding be provided to increase funding guideline attainment.

Further provided that this appropriation shall be reduced by $2,000,000 contingent upon the enactment of legislation repealing the requirement that additional funding be provided to the University of Maryland Center for Economic and Entrepreneurship Development.

Further provided that this appropriation shall be reduced by $851,000 contingent upon the enactment of legislation altering the Baltimore City Community College funding formula.

Further provided that if SB 903 or HB 1143 authorizing the merger of the University System of Maryland Office and the Southern Maryland Higher Education Center (SMHEC) is not enacted, $512,739 may not be expended for any program or purpose and may be transferred to the Maryland Higher Education Commission Educational Grants (R62I00.07) for the operation of SMHEC.

Further provided that $1,400,000 of the appropriation made for the purpose of the University of Maryland Eastern Shore (UMES) may be used only to match federal funding for the 1890 Extension Program. UMES shall submit a report to the budget committees detailing how the funds will be used by August 1, 2018. Funds not used for this purpose will revert to the General Fund.

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Further provided that funding for the 1890 Extension Program and Evans–Allen Program and the McIntire–Stennis Program at the Agriculture Experiment Stations shall be separately identified in the UMES budget beginning with the fiscal 2020 budget.

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Further provided that $500,000 of this appropriation made for the purpose of the University System of Maryland Office may not be expended until the University System of Maryland Board of Regents submits the revised debt management and fund balance policies and procedures. The policies should be submitted to the budget committees by June 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending receipt of the policies may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the policies are not submitted.

88

Further provided that $5,000,000 of this appropriation made for the University System of Maryland Office for the computer science education initiative is contingent on the enactment of SB 300 or HB 350.

89

Further provided that $500,000 of this appropriation made for the purpose of administration at the University System of Maryland Office may not be expended until the University System of Maryland (USM) Board of Regents (BOR) submits a report on how the consolidation of the University of Maryland Center for Environmental Science (UMCES) with the appropriate USM institution(s) could be accomplished in a manner that advances the research conducted and maintains and elevates the impact of the role of UMCES in the research and protection of Maryland's environmental resources while also

89 cont

obtaining cost savings. The report should detail cost savings to be realized from the relocation of UMCES, or its laboratories, information on the rationale on why the selected academic institution(s) most closely aligns with UMCES and/or its laboratories, and a schedule for when the transfer(s) will be completed. BOR should find at least $3,000,000 in ongoing savings for the State as a result of the transfer(s). The report should also include how a portion of the cost savings might be used to enhance and advance the research activities under a more efficient model. The report should be submitted to the budget committees by December 1, 2018. 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.

90

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions that will be converted by August 1, 2018.

Further provided that $300,000 of this appropriation made for the purpose of converting contractual positions may not be expended until MSU submits a report to the budget committees documenting positions that were converted by December 1, 2018. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted.

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Further provided that $500,000 of this

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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 final 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 finalizing the implementation plan. The final implementation plan shall be submitted no later than July 1, 2018, and shall include completion dates for each realignment task required by Chapters 847 and 848 of 2017, and for every implementation tactic. The budget committees shall have 45 days to review and comment following receipt of the report.

Further provided that $500,000 of this appropriation made for the purpose of operations at BCCC may not be expended until the Board of Trustees of BCCC submits a report to the budget committees confirming that the components of its final implementation plan have been put into action in accordance with the recommendations of the report from the Schaefer Center and Chapters 847 and 848 of 2017 and updating the committees on the status of each realignment task and implementation tactic. The Board of Trustees shall consult with the President in preparing this report. This report shall be submitted no later than December 1, 2018. The budget committees shall have 45 days to review and comment following receipt of the report.

Funds restricted pending receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted to the budget committees 1,476,347,102

The following amounts constitute an estimate

of Special Fund revenues derived from the Higher Education Investment Fund and the Maryland Emergency Medical System Operations Fund. These revenues support the Special Fund appropriation for the State operated institutions of higher education. The State Comptroller is hereby authorized to transfer these amounts to the accounts of the programs indicated below in four allotments; said allotments to be made on July 1 and October 1 of 2018 and January 1 and April 1 of 2019. To the extent revenue attainment is lower than estimated, the State Comptroller shall adjust the transfers at year's end. Neither this appropriation nor the amounts herein enumerated constitute a lump sum appropriation as contemplated by Sections 7–207 and 7–233 of the State Finance and Procurement Article of the Code.

Program	Title	
R30B21	University of Maryland, Baltimore Campus	10,393,329
R30B22	University of Maryland, College Park Campus	32,478,114
R30B23	Bowie State University	2,031,325
R30B24	Towson University	5,329,319
R30B25	University of Maryland Eastern Shore	1,878,996
R30B26	Frostburg State University	1,861,035
R30B27	Coppin State University	2,097,367
R30B28	University of Baltimore	1,664,947
R30B29	Salisbury University	2,435,691
R30B30	University of Maryland University College	1,928,234
R30B31	University of Maryland Baltimore County	5,784,763
R30B34	University of Maryland Center for Environmental Science	1,009,627
R30B36	University System of Maryland Office	3,345,397
	Subtotal University System	

of Maryland 72,238,144

R14D00 St. Mary's College
of Maryland 2,549,840
R13M00 Morgan State
University 2,360,000

Special Fund Appropriation, provided that $9,050,144 of this appropriation shall be used by the University of Maryland, College Park (R30B22) for no other purpose than to support the Maryland Fire and Rescue Institute as provided in Section 13–955 of the Transportation Article.

Further provided that $2,000,000 of this appropriation made for the purpose of workforce development initiatives at the University System of Maryland Office may not be spent for this purpose and instead may be expended only to reimburse institutions offering programs at the Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Further provided that institutions shall not transfer funds from the fund balance to support the implementation of EXCEL Maryland 77,147,984 1,553,495,086

92

BALTIMORE CITY COMMUNITY COLLEGE

R95C00.00 Baltimore City Community College
Current Unrestricted Appropriation, provided that this appropriation shall be reduced by $851,000 contingent upon the enactment of legislation altering the Baltimore City Community College funding formula.

Further provided that $500,000 of this appropriation made for the purpose of operations at Baltimore City Community

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College (BCCC) may not be expended until the Board of Trustees of BCCC submits a final 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 finalizing the implementation plan. The final implementation plan shall be submitted no later than July 1, 2018, and shall include completion dates for each realignment task required by Chapters 847 and 848 of 2017 and for every implementation tactic. The budget committees shall have 45 days to review and comment following receipt of the report.

Further provided that $500,000 of this appropriation made for the purpose of operations at BCCC may not be expended until the Board of Trustees of BCCC submits a report to the budget committees confirming that the components of its final implementation plan have been put into action in accordance with the recommendations of the report from the Schaefer Center and Chapters 847 and 848 of 2017 and updating the committees on the status of each realignment task and implementation tactic. The Board of Trustees shall consult with the President in preparing this report. This report shall be submitted no later than December 1, 2018. The budget committees shall have 45 days to review and comment following receipt of the report.

Funds restricted pending receipt of the reports may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the reports are not submitted to the budget committees 65,009,158

Current Restricted Appropriation 20,154,151 85,163,309

MARYLAND SCHOOL FOR THE DEAF

R99E01.00 Services and Institutional Operations		
General Fund Appropriation	31,577,550	
Special Fund Appropriation	304,143	
Federal Fund Appropriation	587,521	32,469,214

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 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

2 OFFICE OF THE SECRETARY

3 S00A20.01 Office of the Secretary		
4 General Fund Appropriation	2,000,000	
5 Special Fund Appropriation	3,019,102	
6 Federal Fund Appropriation	1,412,848	6,431,950
7		
8 S00A20.03 Office of Management Services		
9 Special Fund Appropriation	3,508,217	
10 Federal Fund Appropriation	1,504,478	5,012,695
11		

12 SUMMARY

13 Total General Fund Appropriation	2,000,000
14 Total Special Fund Appropriation	6,527,319
15 Total Federal Fund Appropriation	2,917,326
16	
17 Total Appropriation	11,444,645
18	

19 DIVISION OF CREDIT ASSURANCE

20 S00A22.01 Maryland Housing Fund	
21 Special Fund Appropriation	526,540
22 S00A22.02 Asset Management	
23 Special Fund Appropriation	6,093,884
24 S00A22.03 Maryland Building Codes	
25 Special Fund Appropriation	627,490

26 SUMMARY

27 Total Special Fund Appropriation	7,247,914
28	

29 DIVISION OF NEIGHBORHOOD REVITALIZATION

30 S00A24.01 Neighborhood Revitalization		
31 General Fund Appropriation	9,682,628	
32 Special Fund Appropriation	11,799,067	
33 Federal Fund Appropriation	12,162,184	33,643,879

S00A24.02 Neighborhood Revitalization – Capital Appropriation

General Fund Appropriation, provided that this appropriation shall be reduced by ~~$9,000,000~~ $4,000,000 contingent upon the enactment of legislation altering the required appropriation for the Baltimore Regional Neighborhood Initiative.

Further provided that this appropriation shall be reduced by $5,000,000 contingent upon the enactment of legislation repealing the required appropriation for the Seed Community Development Anchor Institution Fund 14,000,000

Special Fund Appropriation	2,200,000	
Federal Fund Appropriation	9,000,000	25,200,000

SUMMARY

Total General Fund Appropriation	23,682,628
Total Special Fund Appropriation	13,999,067
Total Federal Fund Appropriation	21,162,184
Total Appropriation	58,843,879

DIVISION OF DEVELOPMENT FINANCE

S00A25.01 Administration

Special Fund Appropriation		4,490,869

S00A25.02 Housing Development Program

Special Fund Appropriation		4,363,357

S00A25.03 Single Family Housing

Special Fund Appropriation	5,508,319	
Federal Fund Appropriation	758,792	6,267,111

S00A25.04 Housing and Building Energy Programs

Special Fund Appropriation	17,433,069	
Federal Fund Appropriation	2,843,993	20,277,062

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.

S00A25.05 Rental Services Programs

Special Fund Appropriation	50,000	
Federal Fund Appropriation	257,794,411	257,844,411

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.

S00A25.07 Rental Housing Programs – Capital Appropriation

Special Fund Appropriation	15,500,000	
Federal Fund Appropriation	4,500,000	20,000,000

S00A25.08 Homeownership Programs – Capital Appropriation

Special Fund Appropriation		1,500,000

S00A25.09 Special Loans Program – Capital Appropriation

Special Fund Appropriation	3,400,000	
Federal Fund Appropriation	2,000,000	5,400,000

S00A25.14 Maryland BRAC Preservation Loan Fund – Capital Appropriation

Special Fund Appropriation		2,500,000

S00A25.15 Housing and Building Energy Programs – Capital Appropriation

Special Fund Appropriation	8,350,000	
Federal Fund Appropriation	700,000	9,050,000

SUMMARY

Total Special Fund Appropriation		63,095,614
Total Federal Fund Appropriation		268,597,196
Total Appropriation		331,692,810

DIVISION OF INFORMATION TECHNOLOGY

S00A26.01 Information Technology		
General Fund Appropriation	8,182	
Special Fund Appropriation	1,905,968	
Federal Fund Appropriation	1,808,561	3,722,711

DIVISION OF FINANCE AND ADMINISTRATION

S00A27.01 Finance and Administration		
Special Fund Appropriation	9,883,020	
Federal Fund Appropriation	1,166,848	11,049,868

MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION

S50B01.01 General Administration		
General Fund Appropriation		1,959,000

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

T00A00.01 Office of the Secretary		
General Fund Appropriation	1,393,235	
Special Fund Appropriation	101,502	
Federal Fund Appropriation	33,244	1,527,981
T00A00.02 Office of Policy and Research		
General Fund Appropriation	1,353,581	
Special Fund Appropriation	265,945	
Federal Fund Appropriation	21,024	1,640,550
T00A00.03 Office of the Attorney General		
General Fund Appropriation	91,664	
Special Fund Appropriation	1,372,668	
Federal Fund Appropriation	8,564	1,472,896
T00A00.06 Division of Marketing and Communications		
General Fund Appropriation	1,784,583	
Special Fund Appropriation	555,913	2,340,496
T00A00.07 Office of International Investment and Trade		
General Fund Appropriation	2,576,391	
Special Fund Appropriation	100,000	
Federal Fund Appropriation	150,000	2,826,391
T00A00.08 Division of Administration and Technology		
General Fund Appropriation	3,185,453	
Special Fund Appropriation	564,689	
Federal Fund Appropriation	120,096	3,870,238
T00A00.09 Office of Military and Federal Affairs		
General Fund Appropriation	929,642	
Special Fund Appropriation	162,226	
Federal Fund Appropriation	499,022	1,590,890

T00A00.10 Maryland Marketing Partnership		
General Fund Appropriation	1,000,000	
Special Fund Appropriation	1,000,000	2,000,000

SUMMARY

Total General Fund Appropriation	12,314,549
Total Special Fund Appropriation	4,122,943
Total Federal Fund Appropriation	831,950
Total Appropriation	17,269,442

DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT

T00F00.01 Managing Director of Business and Industry Sector Development		
General Fund Appropriation	322,339	
Special Fund Appropriation	123,291	445,630
T00F00.02 Office of BioHealth		
General Fund Appropriation		1,329,001
T00F00.03 Maryland Small Business Development Financing Authority		
Special Fund Appropriation		1,827,716
T00F00.04 Office of Business Development		
General Fund Appropriation	3,676,010	
Special Fund Appropriation	881,954	4,557,964
T00F00.05 Office of Strategic Industries and Entrepreneurship		
General Fund Appropriation	1,390,385	
Special Fund Appropriation	243,037	1,633,422
T00F00.06 Office of Cybersecurity and Aerospace		
General Fund Appropriation		1,219,809
T00F00.07 Partnership for Workforce Quality		
General Fund Appropriation		1,000,000

T00F00.08 Office of Finance Programs		
Special Fund Appropriation		3,916,558
T00F00.09 Maryland Small Business Development Financing Authority – Business Assistance		
General Fund Appropriation	1,500,000	
Special Fund Appropriation	3,360,000	4,860,000
T00F00.11 Maryland Not–For–Profit Development Fund		
Special Fund Appropriation		337,500
T00F00.12 Maryland Biotechnology Investment Tax Credit Reserve Fund		
General Fund Appropriation		12,000,000
T00F00.16 Economic Development Opportunity Fund		
Special Fund Appropriation		10,000,000
T00F00.18 Military Personnel and Service–Disabled Veteran Loan Program		
General Fund Appropriation	100,000	
Special Fund Appropriation	300,000	400,000
T00F00.19 Cybersecurity Investment Incentive Tax Credit Program		
General Fund Appropriation, provided that $2,000,000 of this appropriation shall be contingent on the enactment of SB 228 or SB 310		2,000,000
T00F00.20 Maryland E–Nnovation Initiative		
Special Fund Appropriation		9,500,000
T00F00.21 Maryland Economic Adjustment Fund		
Special Fund Appropriation		200,000
T00F00.23 Maryland Economic Development Assistance Authority and Fund		
Special Fund Appropriation		25,000,000
T00F00.24 More Jobs for Marylanders Tax Credit Reserve Fund		

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General Fund Appropriation		9,000,000
T00F00.25 More Jobs for Marylanders Sales and Use Tax Credit Reserve Fund		
General Fund Appropriation		1,000,000

SUMMARY

Total General Fund Appropriation	34,537,544
Total Special Fund Appropriation	55,690,056
Total Appropriation	90,227,600

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.01 Office of the Assistant Secretary		
General Fund Appropriation		723,198
T00G00.02 Office of Tourism Development		
General Fund Appropriation		3,575,604
T00G00.03 Maryland Tourism Development Board		
General Fund Appropriation	9,250,000	
Special Fund Appropriation	300,000	9,550,000
T00G00.05 Maryland State Arts Council		
General Fund Appropriation~~, provided that this appropriation shall be reduced by $1,000,000 contingent upon the enactment of legislation reducing Maryland State Arts Council funding~~	20,752,833	
Special Fund Appropriation	1,300,000	
Federal Fund Appropriation	662,732	22,715,565
T00G00.06 Film Production Rebate Program		
General Fund Appropriation		5,000,000
T00G00.08 Preservation of Cultural Arts Program		
Special Fund Appropriation		1,000,000

SUMMARY

Total General Fund Appropriation	39,301,635

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Total Special Fund Appropriation	2,600,000
Total Federal Fund Appropriation	662,732
Total Appropriation	42,564,367

MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION

T50T01.01 Technology Development, Transfer and Commercialization	
General Fund Appropriation	4,574,480
T50T01.03 Maryland Stem Cell Research Fund	
General Fund Appropriation	8,200,000
T50T01.04 Maryland Innovation Initiative	
General Fund Appropriation	4,800,000
T50T01.05 Cybersecurity Investment Fund	
General Fund Appropriation	900,000
T50T01.06 Enterprise Investment Fund Administration	
Special Fund Appropriation	1,714,159
T50T01.07 Capital – Enterprise Investment Fund	
Special Fund Appropriation	6,000,000
T50T01.08 Second Stage Business Incubator	
General Fund Appropriation	1,000,000

SUMMARY

Total General Fund Appropriation	19,474,480
Total Special Fund Appropriation	7,714,159
Total Appropriation	27,188,639

DEPARTMENT OF THE ENVIRONMENT

OFFICE OF THE SECRETARY

U00A01.01 Office of the Secretary		
General Fund Appropriation	908,350	
Special Fund Appropriation	670,164	
Federal Fund Appropriation	720,173	2,298,687

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.

U00A01.03 Capital Appropriation – Water Quality Revolving Loan Fund		
Special Fund Appropriation	110,400,000	
Federal Fund Appropriation	33,000,000	143,400,000

Funds are appropriated in other units of the Department of the Environment 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.

U00A01.04 Capital Appropriation – Hazardous Substance Clean–Up Program		
General Fund Appropriation		500,000

U00A01.05 Capital Appropriation – Drinking Water Revolving Loan Fund		
Special Fund Appropriation	16,880,000	
Federal Fund Appropriation	10,300,000	27,180,000

Funds are appropriated in other units of the Department of the Environment 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.

U00A01.11 Capital Appropriation – Bay

Restoration Fund – Wastewater Special Fund Appropriation		70,000,000
U00A01.12 Capital Appropriation – Bay Restoration Fund – Septic Systems Special Fund Appropriation		15,000,000
U00A01.14 Capital Appropriation – Energy – Water Infrastructure Program Special Fund Appropriation		8,000,000

SUMMARY

Total General Fund Appropriation	1,408,350
Total Special Fund Appropriation	220,950,164
Total Federal Fund Appropriation	44,020,173
Total Appropriation	266,378,687

OPERATIONAL SERVICES ADMINISTRATION

U00A02.02 Operational Services Administration		
General Fund Appropriation	5,018,410	
Special Fund Appropriation	2,816,930	
Federal Fund Appropriation	1,373,551	9,208,891

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.

WATER AND SCIENCE ADMINISTRATION

U00A04.01 Water and Science Administration		
General Fund Appropriation	17,517,245	
Special Fund Appropriation	9,511,343	
Federal Fund Appropriation	14,376,261	41,404,849

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.

LAND AND MATERIALS ADMINISTRATION

U00A06.01 Land and Materials Administration		
General Fund Appropriation	2,301,583	
Special Fund Appropriation	20,250,038	
Federal Fund Appropriation	9,295,847	31,847,468

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.

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration		
General Fund Appropriation	1,399,510	
Special Fund Appropriation	11,250,018	
Federal Fund Appropriation	4,342,357	16,991,885

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	2,770,525	
Special Fund Appropriation	22,463,737	
Federal Fund Appropriation	2,419,575	27,653,837

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.

U00A10.02 Major Information Technology Development Projects		
Special Fund Appropriation		841,448

1 U00A10.03 Bay Restoration Fund Debt Service
2 Special Fund Appropriation 33,000,000

3 SUMMARY

4 Total General Fund Appropriation 2,770,525
5 Total Special Fund Appropriation 56,305,185
6 Total Federal Fund Appropriation 2,419,575
7

8 Total Appropriation 61,495,285
9

DEPARTMENT OF JUVENILE SERVICES

OFFICE OF THE SECRETARY

V00D01.01 Office of the Secretary		
General Fund Appropriation		4,049,552

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support		
General Fund Appropriation	24,684,353	
Federal Fund Appropriation	220,524	24,904,877

RESIDENTIAL AND COMMUNITY OPERATIONS

V00E01.01 Residential and Community Operations		
General Fund Appropriation	4,774,214	
Special Fund Appropriation	12,810	
Federal Fund Appropriation	715,385	5,502,409

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.

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Operations		
General Fund Appropriation	~~53,088,394~~	
	52,388,394	
Special Fund Appropriation	860,054	
Federal Fund Appropriation	896,050	~~54,844,498~~
		54,144,498

CENTRAL REGION

V00H01.01 Central Region Operations		
General Fund Appropriation	34,675,899	
Special Fund Appropriation	488,488	
Federal Fund Appropriation	530,330	35,694,717

97

1 WESTERN REGION

2 V00I01.01 Western Region Operations
3 General Fund Appropriation 47,442,874
4 Special Fund Appropriation 889,093
5 Federal Fund Appropriation 1,318,983 49,650,950
6

7 EASTERN SHORE REGION

8 V00J01.01 Eastern Shore Region Operations
9 General Fund Appropriation 19,656,185
10 Special Fund Appropriation 228,236
11 Federal Fund Appropriation 258,378 20,142,799
12

13 SOUTHERN REGION

14 V00K01.01 Southern Region Operations
15 General Fund Appropriation 22,962,961
16 Special Fund Appropriation 400,978
17 Federal Fund Appropriation 584,775 23,948,714
18

19 METRO REGION

20 V00L01.01 Metro Region Operations
21 General Fund Appropriation 53,193,531
22 Special Fund Appropriation 736,450
23 Federal Fund Appropriation 799,561 54,729,542
24

DEPARTMENT OF STATE POLICE

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent

General Fund Appropriation		24,076,614

W00A01.02 Field Operations Bureau

General Fund Appropriation, provided that $250,000 of this appropriation made for the purpose of funding personnel expenses may not be expended until the Department of State Police submits a report to the budget committees demonstrating that at least 15 positions currently filled by troopers have been reclassified as civilian positions by December 1, 2018. The report shall be submitted to the budget committees by December 15, 2018, and the budget committees shall have 45 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	122,802,558	
Special Fund Appropriation	62,380,713	185,183,271

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	61,208,953	
Federal Fund Appropriation	1,425,000	62,633,953

W00A01.04 Support Services Bureau

General Fund Appropriation	64,148,816	
Special Fund Appropriation	32,121,015	
Federal Fund Appropriation	5,500,000	101,769,831

Funds are appropriated in other agency 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 W00A01.08 Vehicle Theft Prevention Council
5 Special Fund Appropriation 2,000,000

6 SUMMARY

7 Total General Fund Appropriation	272,236,941
8 Total Special Fund Appropriation	96,501,728
9 Total Federal Fund Appropriation	6,925,000
10	
11 Total Appropriation	375,663,669
12	

13 FIRE PREVENTION COMMISSION AND FIRE MARSHAL

14 W00A02.01 Fire Prevention Services
15 General Fund Appropriation 9,302,159
16

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.

1 PUBLIC DEBT

2 X00A00.01 Redemption and Interest on State		
3 Bonds		
4 General Fund Appropriation	289,000,000	
5 Special Fund Appropriation	1,004,000,000	
6 Federal Fund Appropriation	12,831,083	1,305,831,083
7		

STATE RESERVE FUND

Y01A01.01 Revenue Stabilization Account

General Fund Appropriation, provided that this appropriation is reduced by ~~$193,000,000~~ $150,329,000 contingent upon the enactment of legislation to maintain the fund balance at 5% of projected fiscal 2019 General Fund revenues. Further provided that $42,671,000 of this appropriation may not be credited to the Revenue Stabilization Account and shall only be transferred by budget amendment to appropriations for the following projects or programs in the following specified amounts:

(1) $12,100,000 to Program M00Q01.03 Medical Care Provider Reimbursements to raise the fiscal 2019 nursing home provider rate increase to 3%;

(2) $5,100,000 to Program M00Q01.03 Medical Care Provider Reimbursements to raise the fiscal 2019 home– and community–based services provider rate increase to 3%;

(3) $10,000,000 to Program D15A05.16 Governor's Office of Crime Control and Prevention to support school safety grants;

(4) $5,000,000 to Program D15A05.16 Governor's Office of Crime Control and Prevention to provide grants for the Tyrone Ray Violence Intervention and Prevention Fund;

(5) $3,000,000 to Program N00G00.01 Foster Care Maintenance Payments and V00A Department of Juvenile Services to raise the fiscal 2019 residential services for children services provider rate to

100 cont

1 3%;

2 (6) $2,500,000 to Program R00A02.13
3 Innovative Programs to support the
4 Maryland Early Literacy Initiative;

5 (7) $2,000,000 to Agency R62I
6 Maryland Higher Education
7 Commission for scholarships;

8 (8) $2,000,000 to Program R00A02.13
9 Innovative Programs to support
10 career and technical education
11 innovation;

12 (9) $250,000 to Program R00A02.13
13 Innovative Programs to support
14 teacher recruitment and outreach;

15 (10) $121,000 to Program R00A01.13
16 Division of Special Education/Early
17 Intervention Services to fund
18 special education studies;

19 (11) $100,000 to the Maryland
20 Humanities Council; and

21 (12) $500,000 to Program J00D01.01
22 Maryland Port Administration to
23 support the Pride of Baltimore.

24 Funds not used for these restricted purposes
25 shall revert to the General Fund 196,345,241
26

27 Y01A02.01 Dedicated Purpose Account
28 General Fund Appropriation, provided that
29 $50,000,000 of this appropriation shall be
30 reduced contingent upon the enactment of
31 legislation reducing the amount of
32 retirement reinvestment contributions.

33 Further provided that $15,000,000 of this
34 appropriation shall be reduced contingent
35 upon the enactment of legislation
36 adjusting the repayment schedule for
37 programs supported by the transfer tax ... 71,000,000

Retirement Reinvestment Contributions	50,000,000	
Program Open Space Repayment	21,000,000	
Y01A03.01 Economic Development Opportunities Program Account		
General Fund Appropriation, provided that $10,000,000 of this appropriation shall be contingent on the enactment of HB 989 or SB 877		15,000,000
Marriott International, Inc.	5,000,000	
Amazon	10,000,000	

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OFFICE OF THE PUBLIC DEFENDER

FY 2018 Deficiency Appropriation

C80B00.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund case–related and operating expenses incurred in fiscal 2017 that exceeded the fiscal 2017 appropriation.

General Fund Appropriation 15,258

C80B00.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund the relocation of information technology facilities.

General Fund Appropriation 639,337

C80B00.01 General Administration
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund increased hiring for vacant administrative positions.

General Fund Appropriation 15,563

C80B00.02 District Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund case–related and operating expenses incurred in fiscal 2017 that exceeded the fiscal 2017 appropriation.

General Fund Appropriation 2,470,153

C80B00.02 District Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund increased hiring for vacant administrative positions.

General Fund Appropriation 197,420

C80B00.02 District Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide additional funds for panel attorney fees.

General Fund Appropriation 130,987

C80B00.03 Appellate and Inmate Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund case–related and operating expenses incurred in fiscal 2017 that exceeded the fiscal 2017 appropriation.

General Fund Appropriation 94,989

C80B00.03 Appellate and Inmate Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund increased hiring for vacant administrative positions.

General Fund Appropriation 13,305

C80B00.04 Involuntary Institutionalization Services
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to fund increased hiring for vacant administrative positions.

General Fund Appropriation 3,388

MARYLAND ENERGY ADMINISTRATION

FY 2018 Deficiency Appropriation

D13A13.01 General Administration
To become available immediately upon passage of this budget to reduce the appropriation for fiscal 2018 to recognize contractual salary and office equipment savings.

Special Fund Appropriation ..... –103,338

D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors

To become available immediately upon passage of this budget to increase the appropriation for fiscal 2018 to recognize Most Favored Nation payments as the result of the Exelon/Pepco merger settlement.

Special Fund Appropriation 1,500,000

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

FY 2018 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 2018 to provide funds for the Banneker–Douglas Museum to address maintenance and safety issues.

General Fund Appropriation 165,268

D15A05.16 Governor's Office of Crime Control and Prevention

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for two new positions to support the Maryland Criminal Intelligence Network.

General Fund Appropriation ..... ~~50,974~~
0

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SECRETARY OF STATE

FY 2018 Deficiency Appropriation

D16A06.01 Office of the Secretary of State

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for personnel expenses.

1 General Fund Appropriation 197,000
2

3 STATE BOARD OF ELECTIONS

4 FY 2018 Deficiency Appropriation

5 D38I01.02 Help America Vote Act
6 To become available immediately upon passage of this
7 budget to supplement the appropriation for fiscal 2018
8 to provide funds for voting equipment for the 2018
9 Gubernatorial election.

10 General Fund Appropriation 239,301
11 Special Fund Appropriation 239,301
12
13 478,602
14

15 D38I01.02 Help America Vote Act
16 To become available immediately upon passage of this
17 budget to supplement the appropriation for fiscal 2018
18 to provide funding for Oracle software licenses.

19 General Fund Appropriation 249,705
20 Special Fund Appropriation 249,706
21
22 499,411
23

24 MILITARY DEPARTMENT

25 FY 2018 Deficiency Appropriation

26 D50H01.02 Air Operations and Maintenance
27 To become available immediately upon passage of this
28 budget to reduce the appropriation for fiscal 2018 to
29 reflect fuel and utility savings.

30 General Fund Appropriation ..... –8,971
31

32 D50H01.03 Army Operations and Maintenance
33 To become available immediately upon passage of this
34 budget to reduce the appropriation for fiscal 2018 to
35 reflect fuel and utility savings.

1 General Fund Appropriation ..... –41,029
2

3 DEPARTMENT OF VETERANS AFFAIRS

4 FY 2018 Deficiency Appropriation

5 D55P00.05 Veterans Home Program
6 To become available immediately upon passage of this
7 budget to reduce the appropriation for fiscal 2018 for
8 excess special fund appropriation that is no longer
9 needed due to a delayed contract effective date.

10 Special Fund Appropriation ..... –301,500
11

12 D55P00.08 Executive Direction
13 To become available immediately upon passage of this
14 budget to supplement the appropriation for fiscal 2018
15 to provide funds to support personnel costs.

16 General Fund Appropriation 98,046
17

18 CANAL PLACE PRESERVATION AND
19 DEVELOPMENT AUTHORITY

20 FY 2018 Deficiency Appropriation

21 D90U00.01 General Administration
22 To become available immediately upon passage of this
23 budget to reduce fiscal 2018 appropriation to reflect the
24 cancellation of a capital lease agreement in fiscal 2018.

25 General Fund Appropriation ..... –33,553
26

27 STATE DEPARTMENT OF ASSESSMENTS AND
28 TAXATION

29 FY 2018 Deficiency Appropriation

30 E50C00.02 Real Property Valuation
31 To become available immediately upon passage of this
32 budget to reduce the appropriation for fiscal 2018 to
33 match special funds to general funds reduced by the
34 Board of Public Works meeting on September 6, 2017.

1 Special Fund Appropriation ..... –50,472
2

3 E50C00.04 Office of Information Technology
4 To become available immediately upon passage of this
5 budget to reduce the appropriation for fiscal 2018 to
6 match special funds to general funds reduced by the
7 Board of Public Works meeting on September 6, 2017.

8 Special Fund Appropriation ..... –136,800
9

10 E50C00.05 Business Property Valuation
11 To become available immediately upon passage of this
12 budget to reduce the appropriation for fiscal 2018 to
13 match special funds to general funds reduced by the
14 Board of Public Works meeting on September 6, 2017.

15 Special Fund Appropriation ..... –41,162
16

17 E50C00.06 Tax Credit Payments
18 To become available immediately upon passage of this
19 budget to supplement the appropriation for fiscal 2018
20 to provide funds for anticipated tax credit
21 disbursements for Enterprise Zones.

22 General Fund Appropriation 2,118,199
23

24 MARYLAND LOTTERY AND GAMING CONTROL
25 AGENCY

26 FY 2018 Deficiency Appropriation

27 E75D00.01 Administration and Operations
28 To become available immediately upon passage of this
29 budget to supplement the appropriation for fiscal 2018
30 to provide funds to update the lottery ticket central
31 system.

32 Special Fund Appropriation 2,833,333
33

34 E75D00.02 Video Lottery Terminal and Gaming Operations
35 To become available immediately upon passage of this

budget to reduce the appropriation for fiscal 2018 related to divesting the operation and maintenance of video lottery terminals.

General Fund Appropriation	–10,217,724
Special Fund Appropriation	–1,746,692
	–11,964,416

E75D00.02 Video Lottery Terminal and Gaming Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for negotiated personnel costs.

General Fund Appropriation	78,757

DEPARTMENT OF BUDGET AND MANAGEMENT

FY 2018 Deficiency Appropriation

F10A02.08 Statewide Expenses
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide federal reimbursement for Maryland Correctional Enterprises and State Treasurer's Insurance fund balance transfers to the General Fund from fiscal 2012 through 2014.

General Fund Appropriation	60,041

DEPARTMENT OF INFORMATION TECHNOLOGY

FY 2018 Deficiency Appropriation

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for the ONE Portal project.

General Fund Appropriation	1,000,000

OFFICE OF INFORMATION TECHNOLOGY

F50B04.04 Infrastructure
To become available immediately upon passage of this budget to reduce the appropriation for fiscal 2018 to reflect nine positions that were transferred from the Department of Information Technology to the Department of Juvenile Services in fiscal 2018. Provided that the transfer of up to $172,000 in general funds to other State agencies is authorized.

General Fund Appropriation ..... –516,251

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

FY 2018 Deficiency Appropriation

G20J01.01 State Retirement Agency
To become available immediately upon passage of this budget to realign the appropriation for fiscal 2018 from the agency's operating budget to cover costs related to MPAS–3.

Special Fund Appropriation ..... –845,000

G20J01.02 Major Information Technology Development Projects
To become available immediately upon passage of this budget to realign the appropriation for fiscal 2018 from the agency's operating budget to cover costs related to MPAS–3.

Special Fund Appropriation 845,000

TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLAN

FY 2018 Deficiency Appropriation

G50L00.01 Maryland Supplemental Retirement Plan Board and Staff

1 To become available immediately upon passage of this
2 budget to supplement the appropriation for fiscal 2018
3 to provide funds for agency operations.

4 Special Fund Appropriation 57,300
5

6 DEPARTMENT OF GENERAL SERVICES

7 FY 2018 Deficiency Appropriation

8 H00C01.01 Facilities Operation and Maintenance
9 To become available immediately upon passage of this
10 budget to reduce the appropriation for fiscal 2018 to
11 reflect lower energy costs.

12 General Fund Appropriation ..... –601,343
13 Special Fund Appropriation ..... –17,214
14 Federal Fund Appropriation ..... –37,689
15
16 –656,246
17

18 OFFICE OF PROCUREMENT AND LOGISTICS

19 H00D01.01 Procurement and Logistics
20 To become available immediately upon passage of this
21 bill to reduce the appropriation for fiscal 2018 to reflect
22 deferred revenues that should be reverted to the
23 General Fund.

24 General Fund Appropriation ..... –934,328
25

26 OFFICE OF REAL ESTATE

27 H00E01.01 Real Estate Management
28 To become available immediately upon passage of this
29 bill to reduce the appropriation for fiscal 2018 to reflect
30 deferred revenues that should be reverted to the
31 General Fund.

32 General Fund Appropriation ..... –387,126
33
34
35 DEPARTMENT OF NATURAL RESOURCES

104

FY 2018 Deficiency Appropriation

FOREST SERVICE

K00A02.09 Forest Service
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for the replacement of fire suppression equipment.

Federal Fund Appropriation 80,040

MARYLAND PARK SERVICE

K00A04.01 Statewide Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for design and construction of improvements for the Fair Hill Natural Resource Management Area (NRMA).

Special Fund Appropriation 2,500,000

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for repairs at Brownsville Pond under an agreement with Washington County.

Special Fund Appropriation 43,348

K00A05.10 Outdoor Recreation Land Loan
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for the replacement of the Captain John Smith Plaza Playground at Sandy Point State Park.

Federal Fund Appropriation 200,000

NATIONAL RESOURCES POLICE

1 K00A07.01 General Direction
2 To become available immediately upon passage of this
3 budget to supplement the appropriation for fiscal 2018
4 to provide funds for equipment replacement funded by
5 High Intensity Drug Trafficking Agreements (HIDTA)
6 with the Department of Justice.

7 Federal Fund Appropriation 380,000
8

9 K00A07.04 Field Operations
10 To become available immediately upon passage of this
11 budget to reduce the appropriation for fiscal 2018 to
12 recognize fiscal 2018 salary savings.

13 General Fund Appropriation ..... –500,000
14

15 CHESAPEAKE AND COASTAL SERVICE

16 K00A14.02 Chesapeake and Coastal Service
17 To become available immediately upon passage of this
18 budget to supplement the appropriation for fiscal 2018
19 to provide funds for projects implemented by the
20 Coastal Zone Management Program.

21 Federal Fund Appropriation 169,205
22

23 DEPARTMENT OF AGRICULTURE

24 FY 2018 Deficiency Appropriation

25 OFFICE OF PLANT INDUSTRIES AND PEST
26 MANAGEMENT

27 L00A14.03 Mosquito Control
28 To become available immediately upon passage of this
29 budget to supplement the appropriation for fiscal 2018
30 to provide funds for black fly eradication and control
31 activities.

32 General Fund Appropriation 190,000
33

34 MARYLAND DEPARTMENT OF HEALTH

FY 2018 Deficiency Appropriation

OFFICE OF THE SECRETARY

M00A01.02 Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds to replace a declining share of indirect cost recoveries.

General Fund Appropriation 1,924,819

M00A01.02 Operations
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for facility maintenance across the Maryland Department of Health.

General Fund Appropriation 1,719,300

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for the development of an integrated electronic birth, death, and fetal death registration and cost accounting system.

General Fund Appropriation, provided that this funding may not be expended until the Department of Information Technology (DoIT) reviews the project and makes a determination on whether the project should be included as a Major Information Technology Project and the Maryland Department of Health submits a report that details the DoIT determination. The budget committees shall have 15 days to review and comment. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted 486,661

105

M00F01.01 Executive Direction

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for the digitization of records at the Vital Statistics Administration that are currently contained on microfilm.

General Fund Appropriation 200,000

BEHAVIORAL HEALTH ADMINISTRATION

M00L01.02 Community Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for increasing capacity in the community to accommodate court–ordered placements for treatment.

General Fund Appropriation 334,679

M00L01.02 Community Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for fee–for–service residential treatment services.

General Fund Appropriation 3,264,681

M00L01.03 Community Services for Medicaid State Fund Recipients

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for increasing capacity in the community to accommodate court–ordered placements for treatment.

General Fund Appropriation 1,640,656

REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS – BALTIMORE

M00L05.01 Regional Institute for Children and Adolescents

– Baltimore
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for operations costs associated with increased bed capacity.

General Fund Appropriation 223,866

EASTERN SHORE HOSPITAL CENTER

M00L07.01 Eastern Shore Hospital Center
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for operations costs associated with increased bed capacity.

General Fund Appropriation 392,289

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 2018 to provide funds for operations costs associated with increased bed capacity.

General Fund Appropriation 135,871

M00L10.01 Clifton T. Perkins Hospital Center
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for non–general funded positions that transferred into the facility to enable bed expansion.

General Fund Appropriation 423,220

JOHN L. GILDNER REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS

M00L11.01 John L. Gildner Regional Institute for Children and Adolescents
To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018

1 to provide funds for operations costs associated with
2 increased bed capacity.

3 General Fund Appropriation 102,752
4

5 BEHAVIORAL HEALTH ADMINISTRATION
6 FACILITY MAINTENANCE

7 M00L15.01 Behavioral Health Administration Facility
8 Maintenance
9 To become available immediately upon passage of this
10 budget to supplement the appropriation for fiscal 2018
11 to provide funds for fuel, utilities, security services, and
12 other operational costs at Crownsville Hospital Center.

13 General Fund Appropriation 733,593
14 Special Fund Appropriation 6,273
15
16 739,866
17

18 POTOMAC CENTER

19 M00M07.01 Potomac Center
20 To become available immediately upon passage of this
21 budget to supplement the appropriation for fiscal 2018
22 to provide funds for operations costs associated with
23 increased bed capacity.

24 General Fund Appropriation 361,958
25

26 M00M07.01 Potomac Center
27 To become available immediately upon passage of this
28 budget to supplement the appropriation for fiscal 2018
29 to provide funds for non–general funded positions that
30 transferred into the facility to enable bed expansion.

31 General Fund Appropriation 130,555
32

33 MEDICAL CARE PROGRAMS ADMINISTRATION

34 M00Q01.03 Medical Care Provider Reimbursements
35 To become available immediately upon passage of this
36 budget to supplement the appropriation for fiscal 2018

to provide funds for medical provider reimbursements.

General Fund Appropriation	~~29,500,000~~
	21,400,000
Special Fund Appropriation	–10,650,000
	~~18,850,000~~
	10,750,000

M00Q01.09 Office of Eligibility Services

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide additional positions to conduct Medicaid eligibility determination for individuals leaving DPSCS custody.

General Fund Appropriation	33,680
Federal Fund Appropriation	74,744
	108,424

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for service year 2017 medical provider reimbursements and contractual services.

General Fund Appropriation	17,000,000
Federal Fund Appropriation	34,460,000
	51,460,000

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

To become available immediately upon passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for service year 2018 medical provider reimbursements and contractual services.

General Fund Appropriation	7,800,000
Federal Fund Appropriation	50,360,000
	58,160,000

1

2 DEPARTMENT OF HUMAN SERVICES

3 FY 2018 Deficiency Appropriation

4 FAMILY INVESTMENT ADMINISTRATION

5 N00I00.06 Office of Home Energy Programs
6 To become available immediately upon passage of this
7 budget to reduce the appropriation for fiscal 2018 to
8 align appropriations with available Strategic Energy
9 Investment Fund revenues.

10 Special Fund Appropriation ..... –10,000,000
11

12 DEPARTMENT OF PUBLIC SAFETY AND
13 CORRECTIONAL SERVICES

14 FY 2018 Deficiency Appropriation

15 OFFICE OF THE SECRETARY

16 Q00A01.01 General Administration
17 To become available immediately upon passage of this
18 budget to reduce the appropriation for fiscal 2018 to
19 reflect fuel and utility savings.

20 General Fund Appropriation ..... –5,000
21

22 Q00A01.02 Information Technology and Communications
23 Division
24 To become available immediately upon passage of this
25 budget to reduce the appropriation for fiscal 2018 to
26 reflect fuel and utility savings.

27 General Fund Appropriation ..... –10,000
28

29 DEPUTY SECRETARY FOR OPERATIONS

30 Q00A02.01 Administrative Services
31 To become available immediately upon passage of this
32 budget to reduce the appropriation for fiscal 2018 to
33 reflect fuel and utility savings.

1 General Fund Appropriation ..... –20,000
2

3 DIVISION OF CORRECTION – WEST REGION

4 Q00R02.04 Western Correctional Institution
5 To become available immediately upon passage of this
6 budget to reduce the appropriation for fiscal 2018 to
7 reflect fuel and utility savings.

8 General Fund Appropriation ..... –105,000
9

10 Q00R02.05 North Branch Correctional Institution
11 To become available immediately upon passage of this
12 budget to reduce the appropriation for fiscal 2018 to
13 reflect fuel and utility savings.

14 General Fund Appropriation ..... –105,000
15

16 DIVISION OF CORRECTION – EAST REGION

17 Q00S02.01 Jessup Correctional Institution
18 To become available immediately upon passage of this
19 budget to reduce the appropriation for fiscal 2018 to
20 reflect fuel and utility savings.

21 General Fund Appropriation ..... –325,000
22

23 Q00S02.06 Southern Maryland Pre–Release Unit
24 To become available immediately upon passage of this
25 budget to reduce the appropriation for fiscal 2018 to
26 reflect fuel and utility savings.

27 General Fund Appropriation ..... –10,000
28

29 Q00S02.07 Eastern Pre–Release Unit
30 To become available immediately upon passage of this
31 budget to reduce the appropriation for fiscal 2018 to
32 reflect fuel and utility savings.

33 General Fund Appropriation ..... –55,000
34

1 Q00S02.09 Dorsey Run Correctional Facility
2 To become available immediately upon passage of this
3 budget to reduce the appropriation for fiscal 2018 to
4 reflect fuel and utility savings.

5 General Fund Appropriation ..... –50,000
6

7 DIVISION OF PRETRIAL DETENTION

8 Q00T04.04 Baltimore Central Booking and Intake Center
9 To become available immediately upon passage of this
10 budget to reduce the appropriation for fiscal 2018 to
11 reflect fuel and utility savings.

12 General Fund Appropriation ..... –80,000
13

14 Q00T04.05 Baltimore Pretrial Complex
15 To become available immediately upon passage of this
16 budget to reduce the appropriation for fiscal 2018 to
17 reflect fuel and utility savings.

18 General Fund Appropriation ..... –505,000
19

20 Q00T04.06 Maryland Reception, Diagnostic and
21 Classification Center
22 To become available immediately upon passage of this
23 budget to reduce the appropriation for fiscal 2018 to
24 reflect fuel and utility savings.

25 General Fund Appropriation ..... –400,000
26

27 Q00T04.07 Baltimore City Correctional Center
28 To become available immediately upon passage of this
29 budget to reduce the appropriation for fiscal 2018 to
30 reflect fuel and utility savings.

31 General Fund Appropriation ..... –30,000
32

33 Q00T04.08 Metropolitan Transition Center
34 To become available immediately upon passage of this
35 budget to reduce the appropriation for fiscal 2018 to

reflect fuel and utility savings.

General Fund Appropriation	–200,000

MARYLAND STATE DEPARTMENT OF EDUCATION

FY 2018 Deficiency Appropriation

AID TO EDUCATION

R00A02.01 State Share of Foundation Program

To become available immediately upon passage of this budget to adjust the appropriation for fiscal 2018 to replace Education Trust Fund revenues with general funds due to revised Video Lottery Terminal revenue projections in fiscal 2018.

General Fund Appropriation	40,564,582
Special Fund Appropriation	–40,564,582
	0

R00A02.01 State Share of Foundation Program

To become available immediately upon passage of this budget to supplement the fiscal 2018 appropriation to replace Education Trust Fund revenues with general funds due to a Video Lottery Terminal revenue shortfall in fiscal 2017.

General Fund Appropriation	5,732,481
Special Fund Appropriation	–5,732,481
	0

MARYLAND PUBLIC BROADCASTING COMMISSION

FY 2018 Deficiency Appropriation

R15P00.02 Administration and Support Services

To become available immediately upon passage of this budget to adjust the fiscal 2018 appropriation to realign funding for FCC Spectrum Repack capital expenditures.

Federal Fund Appropriation ..... –3,000,000

R15P00.05 Capital Appropriation
To become available immediately upon passage of this budget to adjust the fiscal 2018 appropriation to realign funding for FCC Spectrum Repack capital expenditures.

Federal Fund Appropriation 3,000,000

MARYLAND HIGHER EDUCATION COMMISSION

FY 2018 Deficiency Appropriation

R62I00.09 2 + 2 Transfer Scholarship Program
To become available immediately upon passage of this budget to adjust the appropriation for fiscal 2018 to transfer funds from the Need–Based Student Financial Assistance Fund to the 2+2 Transfer Scholarship to provide awards to eligible students.

Special Fund Appropriation 525,000

R62I00.14 Edward T. and Mary A. Conroy Memorial Scholarship Program
To become available immediately upon passage of this budget to adjust the appropriation for fiscal 2018 to transfer funds from the Need–Based Student Financial Assistance Fund to the Edward T. and Mary A. Conroy Memorial Scholarship Program to provide awards to eligible students.

Special Fund Appropriation 750,000

BALTIMORE CITY COMMUNITY COLLEGE

FY 2018 Deficiency Appropriation

R95C00.06 Institutional Support
To become available immediately upon passage of this budget to reduce the fiscal 2018 appropriation to bring funding in line with projected revenues.

1 Current Unrestricted Fund Appropriation ..... –1,500,000
2

3 DEPARTMENT OF HOUSING AND COMMUNITY
4 DEVELOPMENT

5 FY 2018 Deficiency Appropriation

6 DIVISION OF DEVELOPMENT FINANCE

7 S00A25.04 Housing and Building Energy Programs
8 To become available immediately upon passage of this
9 budget to supplement the appropriation for fiscal 2018
10 from the Strategic Energy Investment Fund (SEIF) for
11 weatherization projects.

12 Special Fund Appropriation 415,606
13

14 DEPARTMENT OF COMMERCE

15 FY 2018 Deficiency Appropriation

16 DIVISION OF BUSINESS AND INDUSTRY SECTOR
17 DEVELOPMENT

18 T00F00.18 Military Personnel and Service – Disabled
19 Veteran Loan Program
20 To become available immediately upon passage of this
21 budget to supplement the appropriation for fiscal 2018
22 to spend available funds for no–interest loans.

23 Special Fund Appropriation 100,000
24

25 T00F00.23 Maryland Economic Development Assistance
26 Authority and Fund (MEDAAF)
27 To become available immediately upon passage of this
28 budget to supplement the appropriation for fiscal 2018
29 to spend available funds for loans.

30 Special Fund Appropriation 2,500,000
31

32 DEPARTMENT OF JUVENILE SERVICES

33 FY 2018 Deficiency Appropriation

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support
To become available immediately upon the passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for personnel expenses associated with the transfer of nine positions from the Department of Information Technology.

General Fund Appropriation 407,080

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Operations
To become available immediately upon the passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for personnel expenses associated with the transfer of nine positions from the Department of Information Technology.

General Fund Appropriation 53,033

V00G01.01 Baltimore City Region Operations
To become available immediately upon passage of this budget to reduce the fiscal 2018 appropriation for residential per diems to bring funding in line with projected population declines.

General Fund Appropriation ..... –1,250,000

METRO REGION

V00L01.01 Metro Region Operations
To become available immediately upon the passage of this budget to supplement the appropriation for fiscal 2018 to provide funds for personnel expenses associated with the transfer of nine positions from the Department of Information Technology.

General Fund Appropriation 56,138

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

(a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense ~~and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted~~.

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury ~~a schedule of allotments, if any~~ a list limited to the appropriations restricted in this Act, to be placed in contingency reserve. The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

~~(b) To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.~~

~~(c)~~ (b) The Secretary is authorized to ~~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.

SECTION 3. AND BE IT FURTHER ENACTED, That in accordance with Section 7–109 of the State Finance and Procurement Article of the Annotated Code of Maryland, it is the intention of the General Assembly to include herein a listing of nonclassified flat rate or per diem positions by unit of State government, job classification, the number in each job classification and the amount proposed for each classification. The Chief Judge of the Court of Appeals may make adjustments to positions contained in the Judicial portion of this section (including judges) that are impacted by changes in salary plans or by salary actions in the executive agencies.

1 JUDICIARY

2 Chief Judge, Court of Appeals	1	205,433
3 Judge, Court of Appeals (@ 186,433)	6	1,118,598
4 Chief Judge, Court of Special Appeals	1	176,633
5 Judge, Court of Special Appeals (@ 173,633)	14	2,430,862
6 Judge, Circuit Court (@ 164,433)	173	28,446,909
7 Chief Judge, District Court of Maryland	1	173,633
8 Judge, District Court (@ 151,333)	117	17,705,961
9 Judiciary Clerk of Court A (@ 113,985)	7	797,895
10 Judiciary Clerk of Court B (@ 117,134)	6	702,804
11 Judiciary Clerk of Court C (@ 118,341)	6	710,046
12 Judiciary Clerk of Court D (@ 120,177)	5	600,885

13 OFFICE OF THE PUBLIC DEFENDER

14 Public Defender	1	154,433

15 OFFICE OF THE ATTORNEY GENERAL

16 Attorney General	1	149,500

17 OFFICE OF THE STATE PROSECUTOR

18 State Prosecutor	1	154,433

19 MARYLAND TAX COURT

20 Chief Judge, Tax Court	1	43,413
21 Judge, Tax Court (@ 37,170)	4	148,680

22 PUBLIC SERVICE COMMISSION

23 Commissioner (@ 139,364)	4	557,456

24 WORKERS' COMPENSATION COMMISSION

25 Chairman	1	143,033
26 Commissioner (@ 141,333)	9	1,271,997

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	300,225

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	309,466
3 Deputy Executive Director, Development and 4 Administration	1	172,264
5 Director, Operations	1	133,000
6 Director, Marketing	1	147,761
7 CFO and Treasurer (MIT)	1	137,299
8 Director, Maritime Commercial Management	1	140,630
9 General Manager Intermodal Trade Development	1	125,000
10 Director, Security	1	110,000
11 Director, Harbor Development	1	140,000
12 BCO Trade Development Executive	1	98,940
13 General Manager, Cruise MD Marketing	1	105,000
14 Deputy Executive Director, Logistics/Port Ops	1	190,000

15 Maryland Transit Administration

16 Maryland Transit Administrator	1	215,200
17 Senior Deputy Administrator, Transit Operations	1	147,696
18 Executive Director of Safety and Risk Management	1	139,265
19 Executive Project Director, New Starts	1	150,032
20 Executive Project Director, New Starts	1	124,454
21 MTA Police Chief	1	129,355

22 Maryland Aviation Administration

23 Executive Director	1	294,304
24 Chief Engineer	1	151,356
25 Chief Administrative Officer	1	148,250
26 Chief Financial Officer	1	165,565
27 Director, Planning and Environmental Services	1	134,486
28 Director, Commercial Management	1	135,000
29 Director, Marketing, Communications and Customer 30 Service	1	130,570
31 Director, Regional Aviation Assistance	1	110,313
32 Chief Operating Officer	1	168,655
33 Director of Engineering and Construction	1	137,000
34 Director of Martin State Airport	1	117,176
35 Director of Maintenance and Utilities	1	127,500

36 MARYLAND DEPARTMENT OF HEALTH

37 Office of the Chief Medical Examiner

38 Resident Forensic Pathologist (@ 57,115)	3	171,345

1 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

2 Maryland Parole Commission

3 Chairman	1	106,452
4 Member (@ 94,214)	9	847,926

5 PUBLIC EDUCATION

6 State Department of Education – Headquarters

7 State Superintendent of Schools	1	236,000

8 MARYLAND SCHOOL FOR THE DEAF

9 MSD Non–Faculty Manager III	1	106,026
10 MSD Non–Faculty Manager I	1	89,126

11 SECTION 4. AND BE IT FURTHER ENACTED, That if any person holding an office
12 of profit within the meaning of Article 35 of the Declaration of Rights, Constitution of
13 Maryland, is appointed to or otherwise becomes the holder of a second office within the
14 meaning of Article 35 of the Declaration of Rights, Constitution of Maryland, then no
15 compensation or other emolument, except expenses incurred in connection with attendance
16 at hearings, meetings, field trips, and working sessions, shall be paid from any funds
17 appropriated by this bill to that person for any services in connection with the second office.

18 SECTION 5. AND BE IT FURTHER ENACTED, That amounts received pursuant
19 to Sections 2–201 and 7–217 of the State Finance and Procurement Article may be
20 expended by approved budget amendment.

21 SECTION 6. AND BE IT FURTHER ENACTED, That funds appropriated by this
22 bill may be transferred among programs in accordance with the procedure provided in
23 Sections 7–205 through 7–212, inclusive, of the State Finance and Procurement Article.

24 SECTION 7. AND BE IT FURTHER ENACTED, That, except as otherwise provided,
25 amounts received from sources estimated or calculated upon in the budget in excess of the
26 estimates for any special or federal fund appropriations listed in this bill may be made
27 available by approved budget amendment.

28 SECTION 8. AND BE IT FURTHER ENACTED, That authorization is hereby
29 granted to transfer by budget amendment General Fund amounts for the operations of
30 State office buildings and facilities to the budgets of the various agencies and departments
31 occupying the buildings.

32 SECTION 9. AND BE IT FURTHER ENACTED, That $11,535,100 is appropriated
33 in the various agency budgets for tort claims (including motor vehicles) under the

provisions of the State Government Article, Title 12, Subtitle 1, the Maryland Tort Claims Act (MTCA). These funds are to be transferred to the State Insurance Trust Fund; these funds, together with funds appropriated in prior budgets for tort claims but unexpended, are the only funds available to make payments under the provisions of the MTCA.

(A) Tort claims for incidents or occurrences occurring after October 1, 1999, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $200,000 to a single claimant for injuries arising from a single incident or occurrence.

(B) Tort claims for incidents or occurrences occurring after July 1, 1996, and before October 1, 1999, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $100,000 to a single claimant for injuries arising from a single incident or occurrence.

(C) Tort claims for incidents or occurrences resulting in death on or after July 1, 1994, and before July 1, 1996, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $75,000 to a single claimant. All other tort claims occurring on or after July 1, 1994, and before July 1, 1996, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $50,000 to a single claimant for injuries arising from a single incident or occurrence.

(D) Tort claims for incidents or occurrences occurring prior to July 1, 1994, paid from the State Insurance Trust Fund, are limited hereby and by State Treasurer's regulations to payments of no more than $50,000 to a single claimant for injuries arising from a single incident or occurrence.

SECTION 10. AND BE IT FURTHER ENACTED, That authorization is hereby granted to transfer by budget amendment General Fund amounts, budgeted to the various State agency programs and subprograms which comprise the indirect cost pools under the Statewide Indirect Cost Plan, from the State agencies providing such services to the State agencies receiving the services. It is further authorized that receipts by the State agencies providing such services from charges for the indirect services may be used as special funds for operating expenses of the indirect cost pools.

SECTION 11. AND BE IT FURTHER ENACTED, That certain funds appropriated to the various State agency programs and subprograms in Comptroller Object 0882 (In–State Services – Computer Usage – ADC Only) shall be utilized to pay for services provided by the Comptroller of the Treasury, Data Processing Division, Computer Center Operations (E00A10.01) consistent with the reimbursement schedule provided for in the supporting budget documents. 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 Object 0882 between State departments and agencies by approved budget amendment in fiscal 2019.

SECTION 12. AND BE IT FURTHER ENACTED, That, pursuant to Section 8–102 of the State Personnel and Pensions Article, the salary schedule for the 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 Sections 8–108 and 8–109 of the State Personnel and Pensions Article. Notwithstanding the inclusion of salaries for positions which 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 2019
Executive Salary Schedule

	Scale	Minimum	Maximum
EPP 0001	9904	79,953	106,604
EPP 0002	9905	85,902	114,600
EPP 0003	9906	92,333	123,236
EPP 0004	9907	99,275	132,569
EPP 0005	9908	106,773	142,646
EPP 0006	9909	114,874	153,532
EPP 0007	9910	123,618	165,281
EPP 0008	9911	133,069	177,977
EPP 0009	9991	153,027	256,866

Classification Title	Scale
OFFICE OF THE PUBLIC DEFENDER	
Deputy Public Defender	9909
Executive VI	9906
OFFICE OF THE ATTORNEY GENERAL	
Deputy Attorney General	9909
Deputy Attorney General	9909
Senior Executive Associate Attorney General	9908
Senior Executive Associate Attorney General	9908
Senior Executive Associate Attorney General	9908
PUBLIC SERVICE COMMISSION	
Chair	9991
OFFICE OF THE PEOPLE'S COUNSEL	
People's Counsel	9906
SUBSEQUENT INJURY FUND	

Executive Director	9906

UNINSURED EMPLOYERS' FUND

Executive Director	9906

EXECUTIVE DEPARTMENT – GOVERNOR

Executive Senior	9991
Executive Aide XI	9911
Executive Aide XI	9911
Executive Aide X	9910
Executive Aide X	9910
Executive Aide X	9910
Executive Aide X	9910
Executive Aide IX	9909
Executive Aide IX	9909
Executive Aide IX	9909
Executive Aide IX	9909
Executive VIII	9908

DEPARTMENT OF DISABILITIES

Secretary	9909
Deputy Secretary	9906

MARYLAND ENERGY ADMINISTRATION

Executive Aide VIII	9908

EXECUTIVE DEPARTMENT – BOARDS, COMMISSIONS AND OFFICES

Executive Aide IX	9909
Executive Aide VIII	9908
Executive Aide VIII	9908

GOVERNOR'S OFFICE FOR CHILDREN

Executive Aide VIII	9908

INTERAGENCY COMMITTEE FOR SCHOOL CONSTRUCTION

Executive VII	9907

DEPARTMENT OF AGING

Secretary	9909
Deputy Secretary	9906

MARYLAND COMMISSION ON CIVIL RIGHTS

Executive Director	9906
Deputy Director	9904

STATE BOARD OF ELECTIONS

State Administrator of Elections	9907

DEPARTMENT OF PLANNING

Secretary	9909
Deputy Director	9906
Executive V	9905

MILITARY DEPARTMENT

Military Department Operations and Maintenance

The Adjutant General	9909
Executive IX	9909
Executive VII	9907
Executive VII	9907

DEPARTMENT OF VETERANS AFFAIRS

Secretary	9905

STATE ARCHIVES

State Archivist	9907

MARYLAND HEALTH BENEFIT EXCHANGE

Executive Senior	9991
Health Benefit Exchange Executive XI	9911
Health Benefit Exchange Executive XI	9911
Health Benefit Exchange Executive X	9910
Executive Aide IX	9909
Executive Aide VIII	9908

MARYLAND INSURANCE ADMINISTRATION

Maryland Insurance Commissioner	9911

1 Maryland Deputy Insurance Commissioner 9908

2 OFFICE OF ADMINISTRATIVE HEARINGS

3 Chief Administrative Law Judge 9908

4 COMPTROLLER OF MARYLAND

5 Office of the Comptroller

6 Chief Deputy Comptroller 9911
7 Executive Aide XI 9911

8 General Accounting Division

9 Assistant State Comptroller VII 9907

10 Bureau of Revenue Estimates

11 Assistant State Comptroller VII 9907

12 Revenue Administration Division

13 Assistant State Comptroller VII 9907

14 Compliance Division

15 Assistant State Comptroller VII 9907

16 Field Enforcement Division

17 Assistant State Comptroller VI 9906

18 Central Payroll Bureau

19 Assistant State Comptroller VI 9906

20 Information Technology Division

21 Assistant State Comptroller VII 9907

22 STATE TREASURER'S OFFICE

23 Chief Deputy Treasurer 9909
24 Executive VIII 9908
25 Executive VI 9906
26 Executive V 9905

Executive V	9905
Executive V	9905
Executive V	9905
Executive IV	9904

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION

Director	9908
Deputy Director	9906
Executive V	9905

MARYLAND LOTTERY AND GAMING CONTROL AGENCY

Director	9911
Executive VIII	9908
Executive VII	9907
Executive VII	9907
Executive VII	9907
Executive VII	9907

DEPARTMENT OF BUDGET AND MANAGEMENT

Office of the Secretary

Secretary	9911
Deputy Secretary	9909

Office of Personnel Services and Benefits

Executive VIII	9908

Office of Budget Analysis

Executive VIII	9908

Office of Capital Budgeting

Executive VII	9907

DEPARTMENT OF INFORMATION TECHNOLOGY

Secretary	9911
Deputy Secretary	9909
Executive IX	9909
Executive VIII	9908

MARYLAND STATE RETIREMENT AND PENSION SYSTEMS

1 Executive Director 9909

2 TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS

3 Executive VII 9907

4 DEPARTMENT OF GENERAL SERVICES

5 Office of the Secretary

6 Secretary 9909
7 Executive VII 9907

8 Office of Facilities Operation and
9 Maintenance

10 Executive V 9905

11 Office of Procurement and Logistics

12 Executive VI 9906

13 Office of Real Estate

14 Executive V 9905

15 Office of Facilities Planning, Design
16 and Construction

17 Executive VI 9906
18 Executive VI 9906
19 Executive V 9905

20 DEPARTMENT OF NATURAL RESOURCES

21 Office of the Secretary

22 Secretary 9910
23 Deputy Secretary 9908
24 Executive VI 9906
25 Executive VI 9906

26 Critical Area Commission

27 Chairman 9906

1 DEPARTMENT OF AGRICULTURE

2 Office of the Secretary

3 Secretary	9909
4 Deputy Secretary	9907
5 Executive V	9905

6 Office of Marketing, Animal Industries and Consumer Services

7 Executive V	9905

8 Office of Plant Industries and Pest Management

9 Executive V	9905

10 Office of Resource Conservation

11 Executive V	9905

12 MARYLAND DEPARTMENT OF HEALTH

13 Office of the Secretary

14 Secretary	9911
15 Deputy Secretary	9908
16 Executive VII	9907
17 Executive V	9905

18 Office of the Chief Medical Examiner

19 Chief Medical Examiner Post Mortem	9991

20 Laboratories Administration

21 Executive VI	9906

22 Deputy Secretary for Behavioral Health

23 Executive V	9905

24 Behavioral Health Administration

25 Executive IX	9909

26 Developmental Disabilities Administration

1 Executive IX 9909

2 Medical Care Programs Administration

3 Deputy Secretary 9910
4 Executive VI 9906
5 Executive VI 9906
6 Executive VI 9906

7 Health Regulatory Commissions

8 Executive VIII 9908

9 DEPARTMENT OF HUMAN SERVICES

10 Office of the Secretary

11 Secretary 9911
12 Deputy Secretary 9908
13 Deputy Secretary 9908
14 Deputy Secretary 9908

15 Social Services Administration

16 Executive VI 9906

17 Child Support Administration

18 Executive Director 9906

19 Family Investment Administration

20 Executive VI 9906

21 DEPARTMENT OF LABOR, LICENSING AND REGULATION

22 Office of the Secretary

23 Secretary 9910
24 Deputy Secretary 9908

25 Division of Labor and Industry

26 Executive VI 9906

27 Division of Occupational and Professional Licensing

1 Executive VI 9906

2 Division of Workforce Development and Adult Learning

3 Executive VII 9907

4 Division of Unemployment Insurance

5 Executive VII 9907

6 DEPARTMENT OF PUBLIC SAFETY AND
7 CORRECTIONAL SERVICES

8 Office of the Secretary

9 Secretary 9911
10 Deputy Secretary 9908
11 Executive VII 9907
12 Executive VII 9907

13 Deputy Secretary for Operations

14 Deputy Secretary 9908

15 Division of Correction – Headquarters

16 Commissioner of Correction 9907

17 Division of Parole and Probation

18 Director, Division of Parole and Probation 9907

19 Division of Pretrial Detention

20 Commissioner 9907

21 PUBLIC EDUCATION

22 State Department of Education – Headquarters

23 Deputy State Superintendent of Schools 9909
24 Deputy State Superintendent of Schools 9909
25 Deputy State Superintendent of Schools 9909
26 Executive VII 9907
27 Executive VII 9907
28 Assistant State Superintendent 9906
29 Assistant State Superintendent 9906

Assistant State Superintendent	9906
Assistant State Superintendent	9906
Assistant State Superintendent	9906
Assistant State Superintendent	9906
Assistant State Superintendent	9906
Assistant State Superintendent	9906

Maryland Longitudinal Data System Center

Executive VI	9906

Maryland Higher Education Commission

Secretary	9910
Assistant Secretary	9907

Maryland School for the Deaf

Superintendent	9907

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Office of the Secretary

Secretary	9910
Deputy Secretary	9908
Executive VIII	9908

Division of Credit Assurance

Executive VI	9906

Division of Neighborhood Revitalization

Executive VI	9906

Division of Development Finance

Executive VI	9906

DEPARTMENT OF COMMERCE

Office of the Secretary

Secretary	9911
Deputy Secretary	9909

1 Division of Business and Industry Sector Development

2 Executive VIII 9908

3 Division of Tourism, Film and the Arts

4 Executive VIII 9908

5 DEPARTMENT OF THE ENVIRONMENT

6 Office of the Secretary

7 Secretary 9910
8 Deputy Secretary 9908
9 Executive VII 9907

10 Water and Science Administration

11 Executive VI 9906

12 Land and Materials Administration

13 Executive VI 9906

14 Air and Radiation Administration

15 Executive VI 9906

16 DEPARTMENT OF JUVENILE SERVICES

17 Office of the Secretary

18 Secretary 9911

19 Departmental Support

20 Deputy Secretary 9908

21 Residential and Community Operations

22 Deputy Secretary 9908
23 Assistant Secretary 9905

24 DEPARTMENT OF STATE POLICE

25 Maryland State Police

Superintendent	9911
Executive VIII	9908
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 2019 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 2019
Executive Salary Schedule

	Scale	Minimum	Maximum
ES 4	9904	79,953	106,604
ES 5	9905	85,902	114,600
ES 6	9906	92,333	123,236
ES 7	9907	99,275	132,569
ES 8	9908	106,773	142,646
ES 9	9909	114,874	153,532
ES 10	9910	123,618	165,281
ES 11	9911	133,069	177,977
ES 91	9991	153,027	256,866

DEPARTMENT OF TRANSPORTATION

The Secretary's Office

Secretary	9911
Deputy Secretary	9909
Deputy Secretary	9909

Motor Vehicle Administration

Motor Vehicle Administrator	9909

SECTION 14. AND BE IT FURTHER ENACTED, That if a person is placed by the Department of Health, Department of Human Services, or Department of Juvenile Services or the State Department of Education in a facility or program that becomes eligible for Medical Assistance Program (Medicaid) participation, and the Medical Assistance Program makes payment for such services, general funds equal to the general funds paid by the Medical Assistance Program to such a facility or program may be transferred from the previously mentioned departments to the Medical Assistance Program. Further, should the

facility or program become eligible subsequent to payment to the facility or program by any of the previously mentioned departments, and the Medical Assistance Program makes subsequent additional payments to the facility or program for the same services, any recoveries of overpayment, whether paid in this or prior fiscal years, shall become available to the Medical Assistance Program for provider reimbursement purposes.

SECTION 15. AND BE IT FURTHER ENACTED, That all funds appropriated to the various State departments and agencies in Comptroller Object 0831 (Office of Administrative Hearings) to conduct administrative hearings by the Office of Administrative Hearings are to be transferred to the Office of Administrative Hearings (D99A11.01) on July 1, 2018, and may not be expended for any other purpose.

SECTION 16. AND BE IT FURTHER ENACTED, That funds budgeted in the State Department of Education and the Department of Health, Department of Human Services, and Department of Juvenile Services may be transferred by budget amendment to the Children's Cabinet Interagency Fund (R00A04.01). Funds transferred would represent costs associated with local partnership agreements approved by the Children's Cabinet Interagency Fund.

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 2018 and fiscal 2019. 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.

<u>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.</u>

SECTION 18. AND BE IT FURTHER ENACTED, That all funds appropriated to the various State departments and agencies in Comptroller Object 0875 (Retirement Administrative Fee) to support the Maryland State Retirement agency operations are to be transferred to the Maryland State Retirement agency (G20J01.01) on July 1, 2018, and may not be expended for any other purpose.

SECTION 19. AND BE IT FURTHER ENACTED, That for fiscal 2018 funding for health insurance shall be reduced by ~~$78,621,256~~ $84,411,780 in Executive Branch, Legislative Branch, and Judicial Branch agencies to reflect health insurance savings due to two additional payroll health deduction holidays. Funding for this purpose shall be reduced in Comptroller Objects 0152 Health Insurance and 0154 – Retirees Health Insurance – 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, the Presiding Officers, and the Chief Judge:

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	Agency	General Funds
B75	General Assembly of Maryland	950,942
C00	Judiciary	4,549,245
C80	Office of the Public Defender	1,175,606
C81	Office of the Attorney General	200,543
C82	State Prosecutor	9,923
C85	Maryland Tax Court	8,205
D05	Board of Public Works (BPW)	13,298
D10	Executive Department – Governor	86,894
D11	Office of the Deaf and Hard of Hearing	4,109
D12	Department of Disabilities	19,677
D15	Boards and Commissions	85,026
D16	Secretary of State	28,521
D17	Historic St. Mary's City Commission	32,416
D18	Governor's Office for Children	19,295
D25	BPW Interagency Committee for School Construction	29,710
D26	Department of Aging	31,080
D27	Maryland Commission on Civil Rights	32,406
D38	State Board of Elections	48,630
D40	Department of Planning	152,918
D50	Military Department	109,478
D55	Department of Veterans Affairs	73,266
D60	Maryland State Archives	63,678
E00	Comptroller of Maryland	1,107,271
E20	State Treasurer's Office	33,032
E50	Department of Assessments and Taxation	363,118
E75	State Lottery and Gaming Control Agency	179,441
E80	Property Tax Assessment Appeals Board	12,846
F10	Department of Budget and Management	180,046
F50	Department of Information Technology	230,159
H00	Department of General Services	498,745
K00	Department of Natural Resources	671,475

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L00	Department of Agriculture	307,432
M00	Maryland Department of Health	6,428,546
N00	Department of Human Services	3,905,266
P00	Department of Labor, Licensing and Regulation	327,431
Q00	Department of Public Safety and Correctional Services	18,577,426
R00	State Department of Education	618,524
R15	Maryland Public Broadcasting Commission	86,174
R62	Maryland Higher Education Commission	51,644
R75	Support for State Operated Institutions of Higher Education	12,453,948
R99	Maryland School for the Deaf	406,919
S00	Department of Housing and Community Development	5,109
T00	Department of Commerce	207,606
U00	Department of the Environment	328,246
V00	Department of Juvenile Services	2,505,930
W00	Department of State Police	2,788,800
	Total General Funds	~~54,499,813~~ 60,000,000

	Agency	Special Funds
C00	Judiciary	290,337
C81	Office of the Attorney General	77,939
C90	Public Service Commission	183,320
C91	Office of the People's Council	30,541
C94	Subsequent Injury Fund	26,063
C96	Uninsured Employers Fund	17,061
C98	Workers' Compensation Commission	152,014
D12	Department of Disabilities	1,406
D13	Maryland Energy Administration	18,491
D15	Boards and Commissions	1,116
D16	Secretary of State	3,382
D17	Historic St. Mary's City Commission	5,954
D26	Department of Aging	6,536
D38	State Board of Elections	5,247
D40	Department of Planning	11,961
D53	Maryland Institute for Emergency Medical Services Systems	121,425
D55	Department of Veterans Affairs	7,683
D60	Maryland State Archives	21,226
D78	Maryland Health Benefit Exchange	60,410
D80	Maryland Insurance Administration	359,204
D90	Canal Place Preservation and Development Authority	2,546
E00	Comptroller of Maryland	220,530
E20	State Treasurer's Office	3,571
E50	Department of Assessments and Taxation	389,781

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E75	Maryland Lottery and Gaming Control Agency	180,549
F10	Department of Budget and Management	153,947
F50	Department of Information Technology	8,148
G20	State Retirement Agency	186,053
G50	Teachers and State Employees Supplemental Retirement Plans	17,023
H00	Department of General Services	17,977
J00	Department of Transportation	8,292,612
K00	Department of Natural Resources	924,335
L00	Department of Agriculture	132,258
M00	Maryland Department of Health	527,685
N00	Department of Human Services	113,283
P00	Department of Labor, Licensing and Regulation	350,379
Q00	Department of Public Safety and Correctional Services	390,618
R00	State Department of Education	34,659
R15	Maryland Public Broadcasting Commission	111,468
R62	Maryland Higher Education Commission	9,496
S00	Department of Housing and Community Development	322,263
T00	Department of Commerce	61,604
U00	Department of the Environment	561,129
W00	Department of State Police	678,229
	Total Special Funds	~~14,801,122~~ 15,091,459

	Agency	Federal Funds
C81	Office of the Attorney General	40,933
C90	Public Service Commission	5,842
D12	Department of Disabilities	13,633
D13	Maryland Energy Administration	3,772
D15	Boards and Commissions	22,876
D26	Department of Aging	19,026
D27	Maryland Commission on Civil Rights	7,777
D40	Department of Planning	12,465
D50	Military Department	193,647
D55	Department of Veterans Affairs	12,891
D78	Maryland Health Benefit Exchange	45,913
D80	Maryland Insurance Administration	1,398
H00	Department of General Services	7,841
J00	Department of Transportation	343,195
K00	Department of Natural Resources	142,111
L00	Department of Agriculture	21,013
M00	Maryland Department of Health	1,192,729
N00	Department of Human Services	3,984,459
P00	Department of Labor, Licensing and Regulation	1,207,889
Q00	Department of Public Safety and Correctional Services	426,722

R00	State Department of Education	1,173,752
R62	Maryland Higher Education Commission	3,572
R99	Maryland School for the Deaf	8,312
S00	Department of Housing and Community Development	85,760
T00	Department of Commerce	8,622
U00	Department of the Environment	301,183
V00	Department of Juvenile Services	32,988
	Total Federal Funds	9,320,321

	Agency	Current Unrestricted Funds
R13	Morgan State University	724,016
R14	St. Mary's College of Maryland	291,792
R30	University System of Maryland	11,118,193
R95	Baltimore City Community College	319,947
	Total Current Unrestricted Funds	12,453,948
	Less: General Funds in Higher Education	12,453,948
	Net Current Unrestricted Funds	0

SECTION 20. AND BE IT FURTHER ENACTED, That for fiscal 2019, the Governor is authorized to transfer positions and funding, by approved budget amendment, from the Department of Housing and Community Development (DHCD) to the Department of Labor, Licensing and Regulation (DLLR) contingent upon the passage of legislation transferring Maryland Building Codes Administration from DHCD to DLLR.

SECTION 21. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the executive budget proposal on the long–term fiscal condition of the General Fund, the Transportation Trust Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and 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. 111

SECTION 22. AND BE IT FURTHER ENACTED, That all across–the–board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College. 112

SECTION 23. 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. **113**

SECTION 24. 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. **114**

SECTION 25. 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: **115**

(1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.

(2) For fiscal 2019, except with respect to capital appropriations, to the extent consistent with federal requirements:

(a) when expenditures or encumbrances may be charged to either State or federal fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department of Human Services with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities;

(b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management (DBM), whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and

(c) DBM shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of

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federal funds by executive agencies.

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SECTION 26. 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 2019 as an appendix in the Governor's fiscal 2020 budget books. The report must detail by agency for the actual fiscal 2018 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 2019, 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.

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SECTION 27. 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 2020 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 2019 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2018 spending, the fiscal 2019 working appropriation, and the fiscal 2020 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 2018 spending, the fiscal 2019 working appropriation, and the fiscal 2020 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.

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Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one–page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

Further provided that for each across–the–board reduction to appropriations or positions in the fiscal 2020 budget bill affecting fiscal 2019 or 2020, 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.

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SECTION 28. AND BE IT FURTHER ENACTED, That on or before August 1, 2018, 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 2018 between State agencies and any public institution of higher education involving potential expenditures in excess of $100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

(1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;

(2) the starting date for each agreement;

(3) the ending date for each agreement;

(4) a total potential expenditure, or not–to–exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;

(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

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may be applied against during the most recently closed fiscal year;

(12) actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and

(13) total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2018, 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 2018.

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 2019 without prior approval of the Secretary of Budget and Management.

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SECTION 29. 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 has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full–time equivalent payroll requirements.

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(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.

(8) Further provided that the fiscal 2019 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2019 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.

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(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 2020 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.

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SECTION 30. AND BE IT FURTHER ENACTED, That:

(1) The Secretary of Health shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2018 in program M00Q01.03 Medical Care Provider Reimbursements and M00Q01.10 Medicaid Behavioral Health Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the monthly reports 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 2018 to program R00A02.07 Students With Disabilities for nonpublic placements have been disbursed for services provided in that fiscal year and to prepare monthly reports as required under this section for that program.

(3) The Secretary of Human Services shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2018 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail by placement type for the average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the monthly reports required under this section for that program.

(4) For the programs specified, reports must indicate by fund type total appropriations for fiscal 2018 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.

(5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller beginning August 15, 2018, and submitted on a monthly basis thereafter.

(6) It is the intent of the General Assembly that general funds appropriated for fiscal 2018 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.

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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

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than 100 positions in excess of the total number of authorized State positions on July 1, 2018, 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 (FTE) are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual FTEs for at least 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 as long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

(1) funds are available from non–State sources for each position established under this exception; and

(2) any positions created will be abolished in the event that non–State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2019, the status of positions created with non–State funding sources during fiscal 2015 through 2019 under this provision as remaining, authorized, or abolished due to the discontinuation of funds.

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SECTION 32. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2018, 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 2018 and on the first day of fiscal 2019. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2018 and 2019, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self–supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare a report during fiscal 2019 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 2020 Governor's budget books. It shall note, at the program level: 122 cont

(1) where regular FTE positions have been abolished;

(2) where regular FTE positions have been created;

(3) from where and to where regular FTE positions have been transferred; and

(4) where any other adjustments have been made.

Provision of contractual FTE information in the same fashion as reported in the appendices of the fiscal 2019 Governor's budget books shall also be provided.

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: 123

(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, 2018; October 15, 2018; January 15, 2019; and April 15, 2019; and

(2) detail on any lump–sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat–rate employees in 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.

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 abolished positions may continue State employment in another position. 124

SECTION 35. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2020 Governor's budget books an accounting of the fiscal 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 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: 125

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(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.

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SECTION 36. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Planning, the Department of Natural Resources, the Department of Agriculture, the Department of the Environment, and the Department of Budget and Management provide a report to the budget committees by December 1, 2018, 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 2018 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 2019 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 2018 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay to be both written in narrative form and tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;

(4) an analysis of the various options for financing Chesapeake Bay restoration including public–private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; and

(5) an analysis on how cost effective the existing State funding sources –

such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water Quality Revolving Loan Fund among others – are for Chesapeake Bay restoration purposes.

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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 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 allowance to be included as an appendix in the fiscal 2020 budget volumes and submitted electronically in disaggregated form to DLS.

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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 2020 budget and annually thereafter as an appendix to the Governor's budget books. This report shall include information for the actual fiscal 2018 budget, fiscal 2019 working appropriation, and fiscal 2020 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.

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;

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(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 2018 actual, fiscal 2019 working appropriation, and fiscal 2020 allowance.

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SECTION 39. AND BE IT FURTHER ENACTED, That the reimbursable fund appropriation in the State Retirement Agency, G20J01.01, shall be reduced by $400,000. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

Fund	Amount
General	$240,000
Special	$80,000
Federal	$80,000

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SECTION 40. AND BE IT FURTHER ENACTED, That contingent upon the enactment of SB 899 or HB 1012, the reimbursable fund appropriation in the State Retirement Agency, G20J01.01, shall be reduced by $2,316,965. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

Fund	Amount
General	$1,390,179
Special	$463,393
Federal	$463,393

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SECTION 41. AND BE IT FURTHER ENACTED, That for fiscal 2019 funding for State health insurance contributions for employees and retirees shall be reduced by $47,300,000 in Executive Branch, Legislative Branch, and Judicial Branch agencies contingent upon the enactment of SB 187 or HB 161 to amend statute to align the elimination of Medicare–eligible retirees' prescription drug coverage with closure of the Medicare Part D coverage gap on January 1, 2019. Funding for this purpose shall be reduced in Comptroller Object 0152 (Health Insurance), and Comptroller Object 0154 (Retirees Health Insurance Premiums) within Executive Branch, Legislative Branch, and Judicial Branch agencies in fiscal 2019 by the following amounts in accordance with a schedule determined by the Governor, the Presiding Officers, and Chief Judge:

Programs	Fund	Amount
General Assembly of Maryland	General Fund	$506,305
Judiciary	General Fund	$2,231,012
Executive Branch	General Fund	$32,191,851

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Judiciary	Special Fund	$145,837
Executive Branch	Special Fund	$7,583,014
Executive Branch	Federal Fund	$4,641,981
Morgan State University	Unrestricted Fund	$640,172
St. Mary's College of Maryland	Unrestricted Fund	$235,436
University System of Maryland	Unrestricted Fund	$12,245,912
Baltimore City Community College	Unrestricted Fund	$268,495

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SECTION 42. 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, 2017 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 by November 1, 2018, 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). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2019 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP and DSP verifies the accuracy of that data. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2018, and the amount of SAPP funding withheld from each jurisdiction.

Further provided that it is the intent of the budget committees that, in the event that DSP encounters issues with submitting the complete and accurate UCR due to issues outside its control, DSP may petition the budget committees for release of the restricted general funds following submission of a report detailing the department's due diligence in attempting to collect the UCR data, including proof of competent oversight of the data contributors.

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SECTION 43. AND BE IT FURTHER ENACTED, That $100,000 of the general fund appropriation within the Department of State Police (DSP) and $100,000 of the general fund appropriation within the Governor's Office of Crime Control and Prevention (GOCCP) may not be expended until DSP and GOCCP, in consultation with Bowie State University, the Maryland State Department of Education, the Department of Budget and Management, and the Governor's Office of Homeland Security, submit a report to the budget committees evaluating how best to manage and consolidate State resources available for monitoring and improving school safety. At a minimum, the report should:

(1) identify all current State resources and entities available for ensuring, monitoring, and improving the safety of public and private schools;

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(2) evaluate the role of the State in ensuring safety at all public and private schools;

(3) establish clearly defined and measurable goals for addressing school safety concerns;

(4) evaluate the appropriate level of State funding required to effectively ensure that school safety concerns are addressed;

(5) evaluate the optimal organizational structure across State government for addressing the issue of school safety, including:

(a) which agency should host this function;

(b) whether or not other agencies should have a role, and if so, what that role should be;

(c) how many positions are needed and for what purpose;

(d) how many offices are needed statewide and where they should be located;

(e) whether all school safety grant funding should be consolidated;

(f) which agency should administer school safety grants and provide grant oversight;

(6) make a recommendation regarding the necessity for the Maryland Center for School Safety (MCSS) and the appropriate State entity to maintain oversight of the operations and funding of the Center, including any necessary statutory changes; and

(7) develop a plan for how to expend the funding allocated to MCSS, including how many positions are needed for MCSS to effectively carry out its mission.

The report shall be submitted by November 15, 2018, 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.

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SECTION 44. 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 2018 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2018 session unless the Acting Secretary is appointed under Article II, Section 11 of the Maryland Constitution prior to July 1, 2018.

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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 2017 and whose nomination as Secretary was put forward and/or was not acted upon by the Executive Nominations Committee, or whose nomination was rejected by the Executive Nominations Committee and whose nomination was withdrawn before the full Senate acted.

Further provided that no funds in this budget may be expended to pay the salary of an Assistant Secretary or Deputy Secretary who was a recess appointment as Secretary in 2017 and whose nomination was rejected by the Executive Nominations Committee and was withdrawn before the full Senate acted or whose nomination was not acted upon by the Executive Nominations Committee.

Nothing in this language may be construed to prohibit employment in State Government not serving in a leadership capacity in the agency or department in which the Secretary or Acting Secretary's nomination as Secretary was put forward and was rejected by the Executive Nominations Committee or who was not acted upon by the Executive Nominations Committee.

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SECTION 45. AND BE IT FURTHER ENACTED, That for fiscal 2019 $1,900,000 of the special fund appropriation for Land Acquisitions under K00A05.10 Outdoor Recreation Land Loan shall be reduced.

Further, it is the intent of the General Assembly that the following special fund appropriations be increased in fiscal 2019 by the amounts specified:

(1) K00A04.01 Statewide Operations – $600,000;

(2) K00A05.10 Outdoor Recreation Land Loan – Allowance, Local Projects – $900,000; and

(3) K00A05.10 Outdoor Recreation Land Loan – Department of Natural Resources Capital Improvements: Natural Resource Development Fund – $400,000.

Authorization is granted to the Department of Natural Resources to process a special fund budget amendment to increase the appropriations as noted above.

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SECTION ~~21~~. 46. AND BE IT FURTHER ENACTED, That numerals of this bill showing subtotals and totals are informative only and are not actual appropriations. The actual appropriations are in the numerals for individual items of appropriation. It is the legislative intent that in subsequent printings of the bill the numerals in subtotals and totals shall be administratively corrected or adjusted for continuing purposes of information, in order to be in arithmetic accord with the numerals in the individual items.

SECTION ~~22~~. 47. AND BE IT FURTHER ENACTED, That pursuant to the provisions of Article III, Section 52(5a) of the Maryland Constitution, the following total of all proposed appropriations and the total of all estimated revenues available to pay the

1 appropriations for the 2019 fiscal year are submitted.

BUDGET SUMMARY ($)

Fiscal Year 2018

General Fund Balance, June 30, 2017 available for 2018 Operations		258,549,955
2018 Estimated Revenues (all funds)		43,514,925,321
Reimbursement from reserve for Tax Credits		21,761,071
Transfer from other funds		9,000,000
2018 Appropriations as amended (all funds)	43,681,797,923	
2018 Deficiencies (all funds)	133,992,640	
Section 19 Health Insurance Reduction	(78,621,256)	
Specific Reversions	(42,541,437)	
Board of Public Works – September 6, 2017	(62,928,555)	
Estimated Agency Reversions	(35,000,000)	
Subtotal Appropriations (all funds)		43,596,699,315
2018 General Funds Reserved for 2019 Operations		207,537,032

Fiscal Year 2019

2018 General Funds Reserved for 2019 Operations		207,537,032
2019 Estimated Revenues (all funds)		44,284,031,868
Reimbursement from reserve for Tax Credits		25,178,233
2019 Appropriations (all funds)	44,881,801,544	
Budget Bill Reductions	(430,649,135)	
Estimated Agency General Fund Reversions	(35,000,000)	
Subtotal Appropriations (all funds)		44,416,152,409
2019 General Fund Unappropriated Balance		100,594,724

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2019

March 2, 2018

Mr. President, Mr. Speaker,
Ladies and Gentlemen of the General Assembly:

Pursuant to the authority conferred on me by Article III, Section 52, Subsection (5) of the Constitution of Maryland, and in accordance with the consent of the (State Senate) – (House of Delegates), duly granted, I hereby submit a supplement to Senate Bill 185 and/or House Bill 160 in the form of an amendment to the original budget for the Fiscal Year ending June 30, 2019.

Supplemental Budget No. 1 will affect previously estimated funds available for budget operations as shown on the following summary statement.

SUPPLEMENTAL BUDGET SUMMARY

Sources:		
Estimated general fund unappropriated balance July 1, 2019 (per Original Budget)		100,594,724
Adjustment to General Fund Appropriations:		
Medical Care Provider Reimbursements – FY 2017 Reversion	15,000,000	15,000,000
Total Available		115,594,724
Uses:		
General Funds	5,000,000	
		5,000,000
Revised estimated general fund unappropriated Balance July 1, 2019		110,594,724

BOARDS, COMMISSIONS, AND OFFICES

1. D15A05.16 Governor's Office of Crime Control and Prevention

To add an appropriation on page 13 of the printed bill (first reading file bill), to provide grants to local school systems to carry out mandated safety assessments.

Object .12 Grants, Subsidies and

Contributions 2,500,000

General Fund Appropriation, provided that $2,500,000 of this appropriation made for the purpose of funding a school safety assessment grant program within the Governor's Office of Crime Control and Prevention is contingent on the enactment of SB 1257 or HB 1816 mandating that annual school safety assessments be conducted for each public school 2,500,000

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DEPARTMENT OF STATE POLICE

2. W00A01.01 Office of the Superintendent

To add an appropriation on page 134 of the printed bill (first reading file bill), to provide additional resources to monitor school safety in the Maryland Center of School Safety.

Personnel Detail:

Assistant Attorney General VII	1.00	100,660
Program Manager Senior II	1.00	85,580
Program Manager Senior I	5.00	344,795
Administrator VI	3.00	181,629
Administrator IV	2.00	106,386
Administrative Aide	1.00	32,364
Fringe Benefits		444,419
Turnover		–75,613

Object .01 Salaries, Wages and Fringe Benefits	1,220,220
Object .02 Technical and Special Fees	160,000
Object .03 Communications	22,750
Object .04 Travel	6,557
Object .07 Motor Vehicle Operations and Maintenance	234,868
Object .08 Contractual Services	661,605
Object .09 Supplies and Materials	43,500
Object .11 Equipment – Additional	45,500
Object .13 Fixed Charges	105,000

General Fund Appropriation, provided that this appropriation of $2,500,000 in general funds and 13 positions made for the

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1 purpose of funding additional resources to
2 monitor school safety in the Maryland
3 Center for School Safety (MCSS) is
4 contingent on the enactment of SB 1257 or
5 HB 1816 expanding the role and
6 responsibilities of MCSS to include a
7 regional structure, the review of school
8 safety assessments and plans, and
9 certification and/or training of school
10 security personnel 2,500,000

SUMMARY

SUPPLEMENTAL APPROPRIATIONS

	General Funds	Special Funds	Federal Funds	Current Unrestricted Funds	Total Funds
Appropriation					
2018 FY	0	0	0	0	0
2019 FY	5,000,000	0	0	0	5,000,000
Subtotal	5,000,000	0	0	0	5,000,000
Reduction in Appropriation					
2018 FY	0	0	0	0	0
2019 FY	0	0	0	0	0
Subtotal	0	0	0	0	0
Net Change in Appropriation	5,000,000	0	0	0	5,000,000

Sincerely,

Lawrence J. Hogan, Jr.
Governor