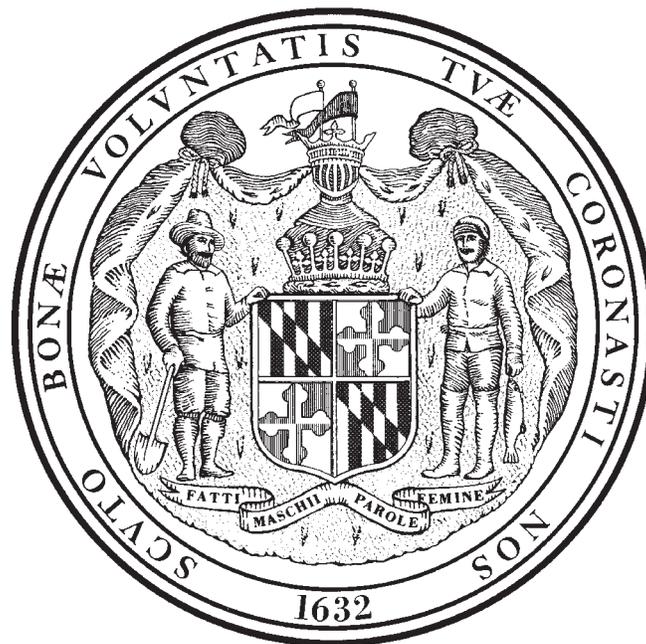


Report of the
SENATE BUDGET AND TAXATION COMMITTEE
to the Maryland Senate



2008 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
SENATE BILL 90

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Dylan R. Baker	Board of Public Works Department of Budget and Management – Personnel Maryland Supplemental Retirement Plans State Retirement Agency Subsequent Injury Fund Uninsured Employers’ Fund Workers’ Compensation Commission
Sara Jean Baker	University System of Maryland Frostburg State University Office Overview Towson University University of Maryland Baltimore County University of Maryland Biotechnology Institute University of Maryland, College Park University of Maryland Center for Environmental Science
Hiram L. Burch, Jr.	Payments to the Civil Divisions of the State
Keshia E. Cheeks	Historic St. Mary’s Commission Maryland Higher Education Commission (MHEC) MHEC Scholarship Programs Morgan State University St. Mary’s College of Maryland University System of Maryland Bowie State University Coppin State University Salisbury University University of Baltimore University of Maryland Eastern Shore
Jaclyn D. Dixon	Maryland Department of Transportation Maryland Aviation Administration Maryland Port Administration Maryland Transportation Authority Overview (shared)

Erin M. Dorrien	Maryland School for the Deaf Maryland State Department of Education Aid to Education Early Childhood Development Funding for Educational Organizations Headquarters Public School Construction State-Aided Educational Institutions
Patrick S. Frank	Department of Budget and Management – Office of the Secretary Public Debt
Andrew D. Gray	Department of Agriculture Department of Natural Resources Department of Planning Maryland Department of the Environment Maryland Energy Administration
Chantelle M. Green	Judiciary Maryland State Board of Contract Appeals Maryland Tax Court Office of Administrative Hearings Office of the Attorney General Office of the Public Defender Office of the State Prosecutor Property Tax Assessment Appeals Boards Public Service Commission State Archives
Richard H. Harris	Aid to Community Colleges Baltimore City Community College Boards, Commissions, and Offices Higher Education Overview Maryland Public Broadcasting Commission University System of Maryland University of Maryland, Baltimore University of Maryland University College
David B. Juppe	General Assembly State Reserve Fund
Monica L. Kearns	Canal Place Preservation and Development Authority Maryland Economic Development Corporation
Matthew D. Klein	Department of General Services PAYGO Overview

Jonathan D. Martin

Maryland Department of Transportation
Debt Service Requirements
Maryland State Highway Administration
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Motor Vehicle Administration
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Secretary's Office
Washington Metropolitan Area Transit Authority

Steven D. McCulloch

Children's Cabinet Interagency Fund
Department of Aging
Department of Human Resources
Child Welfare
Family Investment
Overview
Governor's Office for Children
State Treasurer

Alison Mitchell

Department of Health and Mental Hygiene
AIDS Administration
Community and Family Health Administration
Laboratories Administration
Medical Care Programs Administration
Maryland Insurance Administration

Amanda M. Mock

Department of Natural Resources PAYGO

Rebecca J. Moore

Department of Public Safety and Correctional Services
Criminal Injuries Compensation Board
Division of Correction
Division of Parole and Probation
Division of Pretrial Detention and Services
Maryland Parole Commission
Office of the Secretary
Patuxent Institution
Police and Correctional Training Commissions
Local Jails

Simon G. Powell

Department of Budget and Management – Information Technology
Department of Health and Mental Hygiene
Administration
Alcohol and Drug Abuse Administration
Mental Hygiene Administration
Overview
Department of Juvenile Services
Maryland Institute for Emergency Medical Services Systems
State Board of Elections

Jody J. Sprinkle

Comptroller of the Treasury
Department of Labor, Licensing, and Regulation
Department of State Police/Fire Marshal
Executive Department – Governor
Maryland Emergency Medical System Operating Fund
Military Department
Secretary of State
State Department of Assessments and Taxation
State Lottery Agency

Kathleen K. Wunderlich

Aid to University of Maryland Medical System
Department of Health and Mental Hygiene
Chief Medical Examiner
Chronic Diseases Services
Developmental Disabilities Administration
Health Occupation Boards
Health Regulatory Commission
Office of Health Care Quality
Department of Veterans Affairs

Tonya D. Zimmerman

Department of Disabilities
Department of Human Resources
Administration
Adult Services
Child Support Enforcement
Maryland Automobile Insurance Fund
Maryland Commission on Human Relations
Maryland Food Center Authority

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Senate Budget and Taxation Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
Judiciary	\$19,332,839	-\$6,571,055	\$105,200	0	\$12,866,984	66.5
Office of the Attorney General	642,487	0	0	0	642,487	0.0
Executive Department – Governor	116,805	0	0	0	116,805	0.0
Maryland Energy Administration	250,423	0	0	0	250,423	5.0
Executive Department – Boards, Commissions, and Offices	143,000	0	0	0	143,000	0.0
Secretary of State	5,525	0	0	0	5,525	0.0
Maryland Stadium Authority	0	625,000	0	0	625,000	0.0
State Board of Elections	0	1,626,500	0	0	1,626,500	0.0
Department of Planning	216,214	0	0	0	216,214	0.0
ΔX Military Department	75,000	0	75,000	0	150,000	3.0
Department of Veterans Affairs	52,514	0	0	0	52,514	2.0
Maryland Insurance Administration	0	20,000,000	0	0	20,000,000	0.0
Comptroller of the Treasury	364,602	406,650	0	0	771,252	0.0
Department of Assessments and Taxation	1,020,006	100,000	0	0	1,120,006	1.0
Property Tax Assessment Appeals Boards	2,000	0	0	0	2,000	0.0
Department of Budget and Management (DBM) – Personnel	0	25,000,000	0	0	25,000,000	0.0
DBM – Information Technology	9,326,500	0	0	0	9,326,500	0.0
State Retirement Agency	0	356,400	0	0	356,400	0.0
Maryland Department of Transportation (MDOT) – The Secretary’s Office	0	177,590	0	0	177,590	0.0
MDOT – The Secretary’s Office PAYGO	0	155,492	0	0	155,492	3.0
MDOT – Washington Metropolitan Area Transit Authority	0	5,000,000	0	0	5,000,000	0.0
MDOT – State Highway Administration	0	394,233	0	0	394,233	0.0
MDOT – Maryland Port Administration	0	181,464	0	0	181,464	0.0
MDOT – Maryland Port Administration PAYGO	0	150,000	0	0	150,000	0.0

Senate Budget and Taxation Committee – Reductions

	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
MDOT – Motor Vehicle Administration	0	409,543	0	0	409,543	0.0
MDOT – Maryland Transit Administration	0	500,000	0	0	500,000	0.0
MDOT – Maryland Transit Administration PAYGO	0	50,000,000	0	0	50,000,000	0.0
MDOT – Maryland Aviation Administration	0	661,429	0	0	661,429	0.0
MDOT – Maryland Aviation Administration PAYGO	0	1,679,649	0	0	1,679,649	0.0
Department of Natural Resources	55,811	0	0	0	55,811	1.0
Department of Agriculture	281,825	0	300,000	0	581,825	0.0
Department of Health and Mental Hygiene (DHMH) – Administration	30,000	0	0	0	30,000	0.0
LXX. DHMH – Health Occupation Boards	0	695,036	0	0	695,036	0.0
DHMH – Community and Family Health Administration	73,000	0	0	0	73,000	0.0
DHMH – Mental Hygiene Administration	6,256,000	2,500	41,208	0	6,299,708	78.5
DHMH – Medical Care Programs Administration	20,210,328	9,275,000	29,604,396	0	59,089,724	1.0
DHMH – Health Regulatory Commissions	0	15,000,000	0	0	15,000,000	0.0
Department of Human Resources – Administration	169,078	0	132,847	0	301,925	0.0
Department of Labor, Licensing, and Regulation	89,776	0	0	0	89,776	2.0
Department of Public Safety and Correctional Services (DPSCS) – Office of the Secretary	269,032	0	0	0	269,032	0.0
DPSCS – Division of Correction	950,000	0	0	0	950,000	0.0
DPSCS – Division of Parole and Probation	0	0	0	0	0	53.0
DPSCS – Police and Correctional Training Commissions	112,278	0	0	0	112,278	0.0
Maryland State Department of Education – Aid to Education	150,000	0	0	0	150,000	0.0
Children’s Cabinet Interagency Fund	9,441,450	0	0	0	9,441,450	0.0
Morgan State University	0	0	0	1,103,146	1,103,146	0.0
St. Mary’s College of Maryland	0	0	0	189,445	189,445	8.0
University System of Maryland Overview	0	0	0	21,798,929	21,798,929	0.0

Senate Budget and Taxation Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
Aid to University of Maryland Medical System	0	3,500,000	0	0	3,500,000	0.0
Maryland Higher Education Commission	3,096,198	0	0	0	3,096,198	0.0
Aid to Community Colleges	7,912,985	0	0	0	7,912,985	0.0
State Support for Higher Education	23,586,780	0	0	0	23,586,780	0.0
Baltimore City Community College	0	0	0	495,260	495,260	0.0
Department of Housing and Community Development	5,050,000	0	0	0	5,050,000	0.0
Department of Housing and Community Development PAYGO	1,000,000	1,000,000	0	0	2,000,000	0.0
Department of Business and Economic Development	1,205,919	10,000,000	0	0	11,205,919	1.0
Department of Business and Economic Development PAYGO	2,000,000	0	0	0	2,000,000	0.0
XVI: Maryland Technology Development Corporation	18,000,000	0	0	0	18,000,000	0.0
Department of Juvenile Services	1,500,000	0	0	0	1,500,000	0.0
Department of State Police	880,205	0	0	0	880,205	1.0
State Reserve Fund	32,000,000	0	0	0	32,000,000	0.0
Across the Board Other Post Employment Benefit Reduction	34,208,377	9,993,970	6,739,288	5,563,365	56,505,000	0.0
Less Higher Education Double-count	0	0	0	-25,599,855	-25,599,855	0.0
Total	\$200,076,957	\$150,319,401	\$36,997,939	\$3,550,290	\$390,944,587	226.0

C00A
Judiciary

Budget Amendments

Add the following language:

Provided that a reduction of \$1,219,756 is made for employee turnover (comptroller subobject 0189). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$1,147,847</u>
<u>Federal</u>	<u>\$15,122</u>
<u>Special</u>	<u>\$56,787</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance to reflect a turnover rate increase to approximately 3%. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **1**

Add the following language:

Further provided that a reduction of \$133,885 is made for postage expenses (comptroller subobject 0301). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$114,303</u>
<u>Federal</u>	<u>\$895</u>
<u>Special</u>	<u>\$18,687</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for postage expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **2**

C00A

Add the following language:

Further provided that a reduction of \$514,978 is made for telephone expenses (comptroller subobject 0302). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$440,927</u>
<u>Federal</u>	<u>\$5,325</u>
<u>Special</u>	<u>\$68,726</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for telephone expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **3**

Add the following language:

Further provided that a reduction of \$28,009 is made for cell phone expenditures (comptroller subobject 0306). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$26,232</u>
<u>Special</u>	<u>\$1,777</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for cell phone expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **4**

C00A

Add the following language:

Further provided that a reduction of \$137,158 is made for travel expenses (comptroller object 04). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$119,751</u>
<u>Federal</u>	<u>\$13,909</u>
<u>Special</u>	<u>\$3,498</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for travel expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **5**

Add the following language:

Further provided that a reduction of \$33,349 is made for advertising and publication expenses (comptroller subobject 0801). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$32,588</u>
<u>Special</u>	<u>\$761</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for advertising and publication expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **6**

C00A

Add the following language:

Further provided that a reduction of \$225,938 is made for printing expenses (comptroller subobject 0804). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$181,943</u>
<u>Federal</u>	<u>\$261</u>
<u>Special</u>	<u>\$43,734</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for printing expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **7**

Add the following language:

Further provided that a reduction of \$278,525 is made for equipment repairs and maintenance expenses (comptroller subobject 0809). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$208,539</u>
<u>Special</u>	<u>\$69,986</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for equipment repairs and maintenance expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **8**

C00A

Add the following language:

Further provided that a reduction of \$415,357 is made for building repairs and maintenance expenditures (comptroller subobject 0812). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$394,378</u>
<u>Special</u>	<u>\$20,979</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for building repairs and maintenance expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **9**

Add the following language:

Further provided that a reduction of \$47,753 is made for legal services (comptroller subobject 0817). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$45,843</u>
<u>Special</u>	<u>\$1,910</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for legal services expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **10**

Add the following language:

Further provided that a reduction of \$183,296 is made for education and training expenses (comptroller subobject 0819). This reduction shall be allocated among the divisions according to the following fund types:

C00A

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$180,107</u>
<u>Special</u>	<u>\$3,189</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for education and training expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. **11**

Add the following language:

Further provided that a reduction of \$383,544 is made for office assistance (comptroller subobject 0828). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$204,121</u>
<u>Federal</u>	<u>\$50,117</u>
<u>Special</u>	<u>\$129,306</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for office assistance expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. **12**

C00A

Add the following language:

Further provided that a reduction of \$561,447 is made for office supplies (comptroller subobject 0902). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$404,998</u>
<u>Federal</u>	<u>\$16,469</u>
<u>Special</u>	<u>\$139,980</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for office supplies expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. 13

Add the following language:

Further provided that a reduction of \$49,068 is made for audio visual expenses (comptroller subobject 0903). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$35,709</u>
<u>Special</u>	<u>\$13,359</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for audio visual expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. 14

C00A

Add the following language:

Further provided that a reduction of \$63,488 is made for equipment under \$500 (comptroller subobject 0912). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$57,165</u>
<u>Special</u>	<u>\$6,323</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for equipment under \$500. The total reduction should be split as indicated above among general and special funds.

Amendment No. 15

Add the following language:

Further provided that a reduction of \$620,451 is made for replacement office equipment expenditures (comptroller subobject 1015). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$493,445</u>
<u>Federal</u>	<u>\$3,102</u>
<u>Special</u>	<u>\$123,904</u>

Explanation: This action reduces the Judiciary's fiscal 2009 allowance for replacement office equipment expenditures. The total reduction should be split as indicated above among general, federal, and special funds.

Amendment No. 16

C00A

C00A00.01 Court of Appeals

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete grant funds for the Maryland Legal Assistance Network. As of November 2007, the State Law Library has assumed responsibility for the People's Law Library web site.	250,000	GF
 Total Reductions	 250,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	81.00	81.00		0.00
General Fund	9,930,422	9,680,422	250,000	
Total Funds	9,930,422	9,680,422	250,000	

Amendment No. 17

C00A00.04 District Court

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete funding to purchase a new vehicle. This action funds one of the two new vehicles requested.	16,000	GF
2. Delete funds for attendance incentives.	345,984	GF
3. Delete 15.5 new positions and deny 9 contractual conversions for the District Court. This action mitigates statewide position growth while funding 36 new positions and 16 contractual conversions within the District Court.	686,887	GF 24.50
<ul style="list-style-type: none"> • Anne Arundel County – 1.5 administrative assistants, 1 regional program director, and 1 stock clerk; • Baltimore County – 1 civil clerk; • Carroll County – 1 civil clerk; 		

C00A

- Dorchester County – 1 accounting associate;
- Frederick County – 1 accounting associate;
- Howard County – 1 civil clerk;
- Montgomery County – 3 criminal/traffic clerks;
- Prince George’s County – 1 landlord tenant clerk;
- Washington County – 1 accounting associate;
- Wicomico County – 1 supervisor;
- Worcester County – 1 expungement clerk; and
- 9 contractual conversions – 5 civil clerks, 3 records room clerks, and 1 stock clerk.

Total Reductions 1,048,871 24.50

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1431.50	1407.00		24.50
General Fund	148,584,266	147,535,395	1,048,871	
Federal Fund	42,574	42,574	0	
Total Funds	148,626,840	147,577,969	1,048,871	

Amendment No. **18**

C00A

C00A00.05 Maryland Judicial Conference

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for annual judicial conference as a cost containment measure. This reduction will appropriate \$189,750.	169,750	GF
Total Reductions	169,750	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	359,500	189,750	169,750	
Total Funds	359,500	189,750	169,750	

Amendment No. 19

C00A00.06 Administrative Office of the Courts

Add the following language:

Provided that the Judiciary shall utilize the Case/Time Standards adopted by the Maryland Judicial Council as part of its annual Managing for Results data. The report shall be submitted to the budget committees by November 1, 2008.

Explanation: This language requires the Administrative Office of the Courts to submit the results of the court performance measures adopted by the Maryland Judicial Council as part of its annual Managing for Results data.

Information Request	Author	Due Date
Report on court performance measures	Judiciary	November 1, 2008, and annually thereafter

Amendment No. 20

C00A

Add the following language:

Further provided that the Judiciary shall develop a statistical methodology for determining annual magisterial need. A status report shall be submitted to the budget committees by November 1, 2008, and the budget committees shall have 45 days to review and comment following the receipt of the report.

Explanation: This language requires the submission of a status report by the Judiciary's Administrative Office of the Courts regarding the development of a statistical methodology for determining annual magisterial needs.

Information Request	Author	Due Date
Report on the development of a statistical methodology for magisterial needs	Judiciary	November 1, 2008

Amendment No. **21**

Add the following language:

Further provided that the General Assembly is concerned about whether the cost benefit methodology utilized by the Judiciary to determine Maryland's drug court programs' net return on investment is appropriate. Beginning May 1, 2008, cost benefit evaluations published by the Maryland Judiciary shall calculate drug court programs' net return on investment based on appropriated cost savings throughout the Maryland State budget. Future drug court evaluations shall:

- (1) identify and calculate the net return on investment based solely on hard costs;
- (2) calculate business as usual costs by identifying the variable costs associated with providing services to drug court participants; and
- (3) to the extent possible, calculate income tax savings using Maryland treatment data.

The Judiciary shall consult with the Department of Legislative Services regarding the appropriate methodology for calculating the net return on investment as it relates to State budgeting.

Explanation: This action requires the Judiciary to calculate drug court programs' net return on investment based on appropriated cost savings throughout the Maryland State budget.

Amendment No. **22**

C00A

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Delete two new positions and three contractual conversions in the Administrative Office of the Courts. This action funds three new positions and three contractual conversions.	125,630	GF	5.00
<ul style="list-style-type: none"> • 1 grants specialist; • 1 administrative specialist; and • contractual conversions – 1 finance assistant, 1 administrative specialist, and 1 warehouse assistant. 			
2. Reduce drug court funding by \$664,771. This action will fund an additional \$1,024,518 in drug court funding in fiscal 2009. The remaining drug court appropriation will total \$6,792,776.	664,771	GF	
Total Reductions	790,401		5.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	116.75	111.75		5.00
General Fund	23,992,200	23,201,799	790,401	
Special Fund	15,500,000	15,500,000	0	
Total Funds	39,492,200	38,701,799	790,401	

Amendment No. **23**

C00A

C00A00.07 Court Related Agencies

Add the following language:

Provided that the Judiciary shall study the impact of the Mediation and Conflict Resolution Office's Alternative Dispute Resolution Program on the courts' overall caseload. A report outlining the Judiciary's findings shall be submitted to the budget committees by November 1, 2008. The budget committees shall have 45 days to review and comment following the receipt of the report.

Explanation: This language requires the Judiciary to study the impact of the Mediation and Conflict Resolution Office's Alternative Dispute Resolution Program on the courts' overall caseload.

Information Request	Author	Due Date
Study on the impact of alternative dispute resolution	Judiciary	November 1, 2008

Amendment No. **24**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for Maryland Reports expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$216,680. This reduction shall be allocated among the divisions.	56,320	GF
 Total Reductions	 56,320	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	21.75	21.75		0.00
General Fund	6,297,803	6,241,483	56,320	
Total Funds	6,297,803	6,241,483	56,320	

Amendment No. **25**

C00A

C00A00.08 State Law Library

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete enhancement funding for county law library grants. This action will appropriate \$380,000 in grant funds for 19 counties.	38,000 GF	
2. Delete Web Specialist position in the State Law Library Program. This action will fund one of the two new positions requested – web site content coordinator.	50,009 GF	1.00
Total Reductions	88,009	1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	14.00	13.00		1.00
General Fund	3,167,045	3,079,036	88,009	
Special Fund	11,500	11,500	0	
Total Funds	3,178,545	3,090,536	88,009	

Amendment No. **26**

C00A00.09 Judicial Information Systems

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete two new Java Engineer positions in the Judicial Information Services Program. This action will fund two of the four Java Engineer positions requested.	117,373 GF	2.00
Total Reductions	117,373	2.00

C00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	130.75	128.75		2.00
General Fund	28,007,760	27,890,387	117,373	
Special Fund	10,630,379	10,630,379	0	
Total Funds	38,638,139	38,520,766	117,373	

Amendment No. **27**

C00A00.10 Clerks of the Circuit Court

Strike the following language:

~~, provided that this appropriation shall be reduced by \$500,000 contingent on the enactment of legislation to cap Circuit Court rental payments to local governments.~~

Explanation: Because the committee adopted a reduction for circuit court rent, this technical amendment strikes language making a reduction in circuit court rental payments contingent upon the enactment of legislation.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete 27 new positions and deny 7 contractual conversions for the circuit court clerk of the court. This action will mitigate statewide position growth while funding 28 of the new positions requested within the circuit court clerk of the court.	1,026,924 GF 26,108 SF	34.00

- Anne Arundel County – 1 courtroom clerk;
- Baltimore County – 1 family law clerk;
- Calvert County – 1 courtroom clerk;
- Carroll County – 2 courtroom clerks and 1 civil clerk;
- Charles County – 1 civil/case processor;
- Harford County – 1 criminal clerk;

C00A

- Howard County – 2 courtroom clerks;
 - Prince George’s County – 3 civil clerks; 3 courtroom clerks; 2 mailroom clerks; 1 juvenile clerk; and 1 microfilm lead worker;
 - Queen Anne’s County – 1 courtroom/criminal clerk;
 - St. Mary’s County – 1 criminal clerk;
 - Talbot County – 1 courtroom clerk;
 - Wicomico County – 1 accounting associate and 1 juvenile clerk;
 - Baltimore City – 1 documents and 1 courtroom clerk; and
 - 7 contractual conversions – 2 land records clerks; 1 courtroom clerk; 1 criminal/juvenile clerks; 1 cashier/criminal clerk; and 2 documents clerks.
2. Reduce funding for circuit court lease space. This action will level fund State support for circuit court lease payments by holding grants at the fiscal 2008 level. 500,000 GF
3. Reduce allowance for additional office equipment expenditures based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$1,564,544. This reduction shall be allocated among the divisions. 12,852 GF
1,674 SF
4. Reduce allowance for janitorial services based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$439,487. This reduction shall be allocated among the divisions. 7,633 GF
2,087 SF
5. Reduce allowance for housekeeping expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$44,046. This reduction shall be allocated among the divisions. 5,602 GF
3,509 SF

C00A

6. Reduce allowance for freight and delivery expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$88,320. This reduction shall be allocated among the divisions.	8,000 GF 9,345 SF	
7. Reduce allowance for trash and garbage removal expenses based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$18,101. This reduction shall be allocated among the divisions.	3,501 GF 1,400 SF	
Total Reductions	1,608,635	34.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1392.50	1358.50		34.00
General Fund	81,385,851	79,821,339	1,564,512	
Special Fund	18,543,861	18,499,738	44,123	
Federal Fund	2,738,374	2,738,374	0	
Total Funds	102,668,086	101,059,451	1,608,635	

Amendment No. **28**

C00A00.11 Family Law Division

Reduce appropriation for the purposes indicated:		<u>Funds</u>	<u>Positions</u>
1. Delete discretionary grant funds in the Family Services Program.		50,000 GF	
Total Reductions		50,000	0.00

C00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	13.00	13.00		0.00
General Fund	18,145,720	18,095,720	50,000	
Federal Fund	644,222	644,222	0	
Total Funds	18,789,942	18,739,942	50,000	

Amendment No. **29**

JUDICIARY

C00A00.12 Major Information Technology Development Projects

Add the following language:

Provided that the Judiciary shall not expend money for any major information technology development project (Program 12) until the Judiciary provides the budget committees with copies of all Independent Validation and Verification (IV&V) reports previously prepared by outside consultants. Further provided that the Judiciary shall provide the committees with copies of all future IV&V reports upon their release. The committees shall have 45 days to review and comment upon receipt of each report.

Explanation: This action restricts funding for major information technology (IT) development until the Judiciary submits copies to the budget committees of IV&V reports previously prepared by outside consultants. This action also requires the Judiciary to submit all future IV&V reports to the committees upon their release.

Information Request	Authors	Due Date
IV&V reports	Judiciary IT consultants	Ongoing

Amendment No. **30**

C00A

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Delete the general fund appropriation for major information technology (IT) development and replace it with special funds. Legislation passed during the 2007 special session expanded the scope of the Circuit Court Real Property Records Improvement Fund to include major IT development for fiscal 2009 and 2010.	7,318,084	GF	
	-7,318,084	SF	
 Total Reductions	 0		 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	7,318,084	0	7,318,084	
Special Fund	2,368,000	9,686,084	-7,318,084	
Total Funds	9,686,084	9,686,084	0	

Amendment No. **31**

C80B
Office of the Public Defender

Committee Narrative

Submission of an Annual Report on Administrative Fee Billings: The committees are concerned about the Office of the Public Defender's (OPD) untimely recordation of administrative fee billings. By October 1, 2008, and annually thereafter, OPD shall submit a report to the committees and the Office of Legislative Audits outlining the status of the agency's accounts receivable, including any unrecorded client billings.

Information Request	Author	Due Date
Status report on administrative fee billings	OPD	October 1, 2008, and annually thereafter

Report on the Fiscal Impact of Fully Funding the Office of the Public Defender's (OPD) Operating Needs: OPD shall submit a report to the committees regarding the fiscal impact of fully funding the agency's operating needs in fiscal 2010. The report shall include the fiscal impact of (1) reducing the agency's turnover rate to 3%; (2) bringing attorney caseloads into full compliance with Maryland caseloads standards; and (3) increasing the panel attorney fee from \$50 to \$75 per hour. OPD shall submit the report by August 1, 2008.

Information Request	Author	Due Date
Report on the fiscal impact of funding OPD's operating needs	OPD	August 1, 2008

C81C
Office of the Attorney General

Budget Amendments

C81C00.01 Legal Counsel and Advice

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for telephone expenditures based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$238,700. This reduction shall be allocated among the divisions.	12,000	GF
2. Reduce allowance for cell phone expenditures based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$27,131. This reduction shall be allocated among the divisions.	10,000	GF
3. Reduce allowance for office supplies based on fiscal 2007 actual expenditures plus inflation. This reduction will appropriate \$153,200. This reduction shall be allocated among the divisions.	7,000	GF
4. Reduce general funds for turnover expectancy to better reflect historical vacancy rates. This increases the turnover rate to 4.5%. The general fund reduction shall be allocated among the divisions.	96,500	GF
 Total Reductions	 125,500	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	53.00	53.00		0.00
General Fund	6,971,766	6,846,266	125,500	
Total Funds	6,971,766	6,846,266	125,500	

Amendment No. **32**

C81C

C81C00.04 Securities Division

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds within the Securities Division. The Office of the Attorney General should utilize the remaining balance within its nonbudgeted securities account to backfill the loss in general funds. The agency is authorized to increase its fiscal 2009 special fund appropriation by \$216,987.	216,987	GF
 Total Reductions	 216,987	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	26.00	26.00		0.00
General Fund	1,912,274	1,695,287	216,987	
Special Fund	754,013	754,013	0	
Total Funds	2,666,287	2,449,300	216,987	

Amendment No. 33

C81C00.05 Consumer Protection Division

Add the following language:

Provided that it is the intent of the General Assembly that the budget of the Office of the Attorney General appropriate a certain amount of special funds on an annual basis. The annual special fund appropriation shall be at least 75 percent of the 5-year average of nonbudgeted consumer protection recoveries for the 5 years preceding the year in which the budget is considered.

Explanation: This action requires the Office of the Attorney General to appropriate a certain level of nonbudgeted consumer recoveries annually.

Amendment No. 34

C81C

Add the following language:

Further provided that it is the intent of the General Assembly to address the needs of the citizens of Maryland by studying the impact of opening a consumer protection office in suburban Maryland. The Office of the Attorney General (OAG) shall submit a report to the budget committees outlining what efforts the agency has taken to study the impact of opening an office of similar size and scope (two to three employees) to its small offices located in Western and Southern Maryland. At a minimum, the report shall provide:

- (1) the projected fiscal impact of opening a new location in suburban Maryland;
- (2) the projected number of customers that will be served by opening a new office; and
- (3) the projected number of employees required to establish the new office location.

The report shall be submitted by November 1, 2008, and the budget committees shall have 45 days to review and comment following the receipt of the report.

Explanation: The budget committees are supportive of studying the impact of opening a consumer protection office in suburban Maryland. This language requires OAG to study the impact of opening a consumer protection office in suburban Maryland.

Information Request	Author	Due Date
Report on opening a new consumer protection office	OAG	November 1, 2008

Amendment No. 35

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds within the Consumer Protection Division by \$300,000. The Office of the Attorney General should utilize the remaining balance within its nonbudgeted consumer protection account to backfill the general funds loss. The agency is authorized to increase its fiscal 2009 special fund appropriation by \$300,000.	300,000	GF
Total Reductions	300,000	0.00

C81C

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	48.00	48.00		0.00
General Fund	2,060,913	1,760,913	300,000	
Special Fund	2,062,957	2,062,957	0	
Total Funds	4,123,870	3,823,870	300,000	

Amendment No. 36

Committee Narrative

Submission of an Annual Report on Nonbudgeted Special Account Funds: The Office of the Attorney General shall submit a report to the committees by November 1, 2008, and annually thereafter, detailing the fund balance within its nonbudgeted accounts. The report shall also include projected recoveries for at least three fiscal years (the current fiscal year and two subsequent fiscal years) based on a five-year historical average.

Information Request	Author	Due Date
Report on nonbudgeted accounts	OAG	November 1, 2008, and annually thereafter

C98F
Workers' Compensation Commission

Committee Narrative

Examine Personnel Needs for Interpreters: The committees are concerned by the growing demand for interpreters at workers' compensation hearings and the increasing agency expense associated with utilizing interpreters through contractual services. The Workers' Compensation Commission shall submit a report by September 1, 2008, that examines the cost effectiveness of creating another 0.5 full-time equivalent position to handle hearing interpretations compared to costs borne from using the State contract. The report should also detail the costs and benefits an extra interpreter would yield in terms of hearing scheduling flexibility and reduced travel costs.

Information Request	Author	Due Date
Report on cost effectiveness of hearing interpreter services	Workers' Compensation Commission	September 1, 2008

D05E
Board of Public Works

Committee Narrative

D05E01.10 Miscellaneous Grants to Private Non-Profit Groups

Improving Financial Reporting and the Link between Grant Funds and Revenue Generation: Given the Zoo's recent financial difficulties, the committees request that the Maryland Zoological Society (MZS) submit:

- (1) a report by November 1, 2008 containing its proposal for an incentive-based operating revenue funding formula. The proposal shall examine options for developing a formula based on historical State operating grant funding that creates matching funds incentives related to operating revenue improvements in the areas of earned income and private support. Formula components should correspond to verifiable line items in the MZS' audited financial statements;
- (2) audited financial statements for fiscal 2008; and
- (3) year-to-date monthly attendance figures for the Zoo, beginning with attendance for the month of July 2008.

Information Request	Author	Due Date
Audited financials and grant formula options report	Maryland Zoological Society	November 1, 2008
Attendance report	Maryland Zoological Society	Monthly

D06E02.01
Board of Public Works – Capital Appropriation

Budget Amendments

D06E02.01 Morgan State University – New School of Business Complex

Add the following language to the special fund appropriation:

, provided that no funds may be expended on this project until:

- (1) the Part I Program Plan has been approved by the Department of Budget and Management; and
- (2) the budget committees have been notified in writing of the approval of the Part I Program.

Explanation: Currently, this project does not have an approved Part I Program Plan. This language restricts funding until the Part I Program Plan is approved by the Department of Budget and Management and the budget committees are notified.

Amendment No. **37**

D06E02.01
Board of Public Works – Capital Appropriation

Budget Amendments

D06E02.01 State Police – Helicopter Replacement

Add the following language to the special fund appropriation:

, provided that it is the intent of the General Assembly that proceeds from the sale of any of the current Department of State Police helicopters be deposited into the State Police Helicopter Replacement Fund established under Section 2-801 of the Public Safety Article to defray a portion of the total costs of the replacement of the fleet. Further provided that the Department of Budget and Management include in the annual budget submission a fund summary of the State Police Helicopter Replacement Fund including each revenue source and expenditure.

Explanation: This language expresses the intent of the General Assembly that proceeds from the resale of the Department of State Police’s current fleet of helicopters be used to fund, in part, the purchase of the replacement fleet. The language also requests that the inputs and outputs of the fund be explicitly reported in the annual budget submission.

Information Request	Author	Due Date
State Police Helicopter Replacement Fund Summary	Department of Budget and Management	With the submission of the fiscal 2010 budget allowance and each year thereafter

Amendment No. **38**

D10A
Executive Department – Governor

Budget Amendments

Add the following language:

Provided that it is the intent of the General Assembly that all positions working on behalf of the Executive Department – Governor be reflected in the allowance for Executive Department – Governor. It is the intent of the General Assembly that all positions detailed to the department from other agencies be transferred as soon as feasible.

Explanation: In the fiscal 2009 allowance, the Office of the Governor has taken significant steps in curtailing the practice of utilizing positions from other agencies within the Office of the Governor. However, 4 positions, assigned to StateStat responsibilities and housed within the Office of the Governor, are budgetarily assigned to other agencies. Transferring the positions to the Executive Department – Governor would provide a truer account of the budgetary and personnel needs of the office.

Amendment No. **39**

D10A01.01 General Executive Direction and Control

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover for new and existing positions to better reflect actual vacancies. This recommendation increases turnover for new positions to 25.0% and for existing positions to 2.5%.	100,005	GF
2. Reduce the net increase in equipment expenditures. This returns funding for replacement and additional equipment to fiscal 2008 levels.	16,800	GF
Total Reductions	116,805	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	87.50	87.50		0.00
General Fund	9,896,637	9,779,832	116,805	
Total Funds	9,896,637	9,779,832	116,805	

Amendment No. **40**

D10A

Committee Narrative

StateStat Reporting: The committees are encouraged that StateStat is underway and would like to use it as a mechanism to enhance their oversight of executive agencies. The committees request that the Department of Legislative Services and the Governor's staff collaborate on establishing a mechanism for reporting on the focus and accomplishments of the StateStat process for each agency under review.

D13A
Executive Department
Maryland Energy Administration

Budget Amendments

D13A13.01 General Administration

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete five new positions and associated funding. This action will delete five of the seven new positions in the allowance as follows: program manager II (#NEW002), program manager II (#NEW003), lead agency grants specialist (#NEW004), industrial development officer IV (#NEW005), and research statistician IV (#NEW007). The State energy baseline has not been completed and so the first step in the EmPower Maryland initiative is not in place. Therefore, these positions are not warranted at this time. This reduction still leaves two new positions – statistician IV (#NEW001) administrator V (#NEW006) – which will help develop a State comprehensive energy plan.	250,423 GF	5.00
 Total Reductions	 250,423	 5.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	25.00	20.00		5.00
General Fund	1,610,164	1,359,741	250,423	
Special Fund	1,425,485	1,425,485	0	
Federal Fund	1,298,299	1,298,299	0	
Total Funds	4,333,948	4,083,525	250,423	

Amendment No. **41**

D15A
Executive Department
Boards, Commissions and Offices

Budget Amendments

D15A05.16 Governor's Office of Crime Control and Prevention

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce the Baltimore City War Room general fund grant within the Governor's Office of Crime Control and Prevention in order to moderate budget growth.	143,000	GF
 Total Reductions	 143,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	40.00	40.00		0.00
General Fund	24,899,893	24,756,893	143,000	
Special Fund	1,598,926	1,598,926	0	
Federal Fund	13,360,176	13,360,176	0	
Total Funds	39,858,995	39,715,995	143,000	

Amendment No. 42

D16A
Secretary of State

Budget Amendments

D16A06.01 Office of the Secretary of State

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete the increase in cell phone expenses. This reduction will return budgeted expenditures to fiscal 2008 working appropriation levels.	5,525	GF
Total Reductions	5,525	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	29.50	29.50		0.00
General Fund	2,313,733	2,308,208	5,525	
Special Fund	510,143	510,143	0	
Total Funds	2,823,876	2,818,351	5,525	

Amendment No. **43**

D26A
Department of Aging

Budget Amendments

D26A07.01 General Administration

Add the following language to the general fund appropriation:

, provided that:

(1) \$442,210 of this appropriation for “Hold Harmless” shall be allocated as follows:

<u>Area Agency on Aging</u>	<u>Hold Harmless Allocation</u>
<u>Allegany</u>	<u>\$80,373</u>
<u>Baltimore City</u>	<u>113,654</u>
<u>MAC, Inc.</u>	<u>179,242</u>
<u>Queen Anne’s</u>	<u>13,025</u>
<u>Upper Shore Aging, Inc.</u>	<u>36,419</u>
<u>Washington</u>	<u>19,497.</u>

(2) Notwithstanding paragraph (1), if the amount of Older American Act funding received by the Department of Aging in fiscal 2009 exceeds the amount received in fiscal 2008, then the amounts shown for each area agency on aging listed above, except Baltimore City, may be reduced by an amount equal to the amount of additional Older American Act funding allocated to that area agency on aging in fiscal 2009.

(3) The amount of Hold Harmless funding reduced pursuant to paragraph (2) shall be credited to the Baltimore City Area Office on Aging.

Explanation: Hold Harmless funding is included in the budget to ensure rural area agencies on aging receive funding at least equal to the amount of Older American Act funding they received prior to the update of the funding distribution formula to use the 2000 Census population figures. Increases in Older American Act funding has allowed some of the hold harmless funding to be distributed to Baltimore City which was not held harmless when the formula was updated. This language provides for the same distribution of the hold harmless funding in fiscal 2009 as occurred in fiscal 2008 but allows these amounts to be reduced to the extent additional Older American Act funding is received by these area agencies on aging. The funds freed up by such increases in Older American Act funding are to be credited to the Baltimore City Area Agency on Aging.

Amendment No. 44

D26A

Committee Narrative

Report on Independent Evaluation of the Ombudsman: The committees heard testimony during the 2008 budget hearings for the Department of Aging that Ombudsman services were inconsistent among local jurisdictions. The Department of Aging has indicated its intention to have an outside consultant examine the Long-term Care Ombudsman Program to identify deficiencies and recommend changes to improve the program. The committees request that the department provide them with a copy of the consultant's report by November 1, 2008.

Information Request	Author	Due Date
Copy of consultant's report on Long-term Care Ombudsman Program	Department of Aging	November 1, 2008

D28A
Maryland Stadium Authority

Budget Amendments

Add the following language:

The Maryland Stadium Authority is authorized to expend \$150,000 from the Stadium Facilities Fund for the purpose of conducting a feasibility study examining sports facilities in Maryland and how they may be better utilized to attract sporting events to the State.

Explanation: Chapter 445 of 2005 authorizes the Maryland Stadium Authority (MSA) to expend up to \$500,000 in each fiscal year for feasibility studies approved by the budget committees. This language would allow the MSA to expend \$150,000 on a study to examine the sports facilities throughout the State to determine a strategy for attracting sporting events to Maryland, in conjunction with the Department of Business and Economic Development.

Amendment No. **45**

D28A03.02 Maryland Stadium Facilities Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce lottery proceeds. Lottery funds in the amount of \$22,375,000 are sufficient, when combined with other Maryland Stadium Authority revenues, to cover debt service payments on properties other than Camden Station.	625,000	SF
Total Reductions	625,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	23,000,000	22,375,000	625,000	
Total Funds	23,000,000	22,375,000	625,000	

Amendment No. **46**

D38I
State Board of Elections

Budget Amendments

D38I01.02 Help America Vote Act

Add the following language to the general fund appropriation:

, provided that \$3,848,860 of this appropriation may only be expended to support the voting system services contract. Any unexpended funds may not be reprogrammed or transferred but shall only revert to the general fund.

Explanation: The language restricts general funds appropriated to support the voting system services contract with Premier Election Solutions to that purpose.

Amendment No. **47**

Add the following language to the special fund appropriation:

, provided that \$3,848,860 of this appropriation may only be expended to support the voting system services contract. Any unexpended funds may not be reprogrammed or transferred but shall be canceled at the end of the fiscal year.

Explanation: The language restricts special funds appropriated to support the voting system services contract with Premier Election Solutions to that purpose.

Amendment No. **48**

D38I01.03 Major Information Technology Development Projects

Add the following language to the special fund appropriation:

, provided that \$1,000,000 of this appropriation may not be expended until the State Board of Elections has submitted to the budget committees:

- (1) The final Request for Proposals (RFP) that the board intends to issue for the new voting system in order to ensure that the voting system to be procured under the RFP meets the requirements of Chapter 548 of 2007. The budget committees shall have 15 days for review and comment.
- (2) Concurrent with any public submission to the Board of Public Works, any proposed contract award for a new voting system that is made as a result of the RFP.

D38I

Explanation: The language provides for additional legislative oversight of the procurement of a new voting system.

Information Request	Author	Due Date
RFP for New Voting System	State Board of Elections	15 days prior to issuance of RFP
Proposed Contract Award for New Voting System	State Board of Elections	Concurrent with any public submission of a contract award to the Board of Public Works

Amendment No. **49**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete funds for voting system software upgrade. Upgrades to the existing voting system are not necessary if the funding is provided for a new voting system.	256,500 SF	
2. Reduce funding for new voting system based on the use of a five-year capital lease agreement.	1,370,000 SF	
Total Reductions	1,626,500	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	3,656,500	2,030,000	1,626,500	
Total Funds	3,656,500	2,030,000	1,626,500	

Amendment No. **50**

D40W
Department of Planning

Budget Amendments

D40W01.03 Planning Data Services

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the general fund appropriation for three new contractual full-time equivalents (FTEs) in Planning Data Services. The Maryland Department of Planning (MDP) has a demonstrated need for positions in Planning Data Services in order to prepare for the 2010 census and redistricting and to help local jurisdictions meet the requirements of Chapter 381 of 2006. MDP should transfer three unfilled positions from the Office of Smart Growth to Planning Data Services to fulfill these needs instead of hiring contractual FTEs.	216,214	GF
Total Reductions	216,214	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	21.00	21.00		0.00
General Fund	1,542,508	1,326,294	216,214	
Special Fund	375,180	375,180	0	
Total Funds	1,917,688	1,701,474	216,214	

Amendment No. **51**

D50H
Military Department

Budget Amendments

MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

D50H01.06 Maryland Emergency Management Agency

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Military Department provides, within the submission of the fiscal 2010 budget volumes, the line item detail for the revenues and expenditures associated with the Maryland State Firemen's Association grant program. The submission shall include line item detail for the administrative expenses, the Trustee's Relief Account (Widows and Orphans Fund), and the Volunteer Company Assistance Fund's grants and loans. The submission shall include the revenue sources that support each expenditure and 3 years of detail showing the most recent actual expenditure, the current year working appropriation, and the allowance. The budget committees shall have 45 days from the date of receipt of the report to review and comment.

Explanation: This language restricts funds until the Military Department clearly enumerates the expenditures and the revenue sources for the Maryland State Firemen's Association grant program in the fiscal 2010 budget volumes.

Information Request	Author	Due Date
Budget submission detail	Military Department	With the submission of the fiscal 2010 allowance and each year thereafter

Amendment No. **52**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete three positions and associated funding in anticipation of the streamlining of administrative functions within the Maryland Emergency Management Agency.	75,000 GF 75,000 FF	3.00
Total Reductions	150,000	3.00

D50H

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	80.00	77.00		3.00
General Fund	2,612,025	2,537,025	75,000	
Special Fund	13,050,000	13,050,000	0	
Federal Fund	36,781,086	36,706,086	75,000	
Total Funds	52,443,111	52,293,111	150,000	

Amendment No. **53**

Add the following language to the special fund appropriation:

. provided that \$200,000 of this appropriation may not be expended until the Maryland Emergency Management Agency and the Maryland State Firemen’s Association submit a report by September 1, 2008, to the Senate Budget and Taxation Committee and the House Committee on Appropriations on a full accounting of the financial activities under the Volunteer Company Assistance Fund. Specifically, the report shall provide an accounting of all current loan receivables, including any receivables outstanding for the Fire Truck Revolving Loan Fund. The report shall also include a full description of the use of administrative funds by the Maryland State Firemen’s Association. The budget committees shall have 45 days from the date of receipt of the report to review and comment.

Explanation: There have been persistent accounting discrepancies regarding the Maryland State Firemen’s Association (MSFA) grant program. This language restricts funds for the administration of the program until a report is submitted by the Maryland Emergency Management Agency (MEMA) and the MSFA that addresses the discrepancies.

Information Request	Authors	Due Date
Report on the MSFA grant program	MEMA MSFA	September 1, 2008

Amendment No. **54**

D50H

Committee Narrative

Review of Maryland State Firemen's Association Grant Program: The committees direct the Office of Legislative Audits (OLA) to review the outstanding loans in the Volunteer Company Assistance Fund and the Fire Truck Revolving Loan Fund; document fund receivables and balances in each fund; and track repayment schedules. A report shall be submitted to the committees by November 1, 2008.

Information Request	Author	Due Date
Review of the Maryland State Firemen's Association Grant Program	OLA	November 1, 2008

D53T
Maryland Institute for Emergency Medical Services Systems

Budget Amendments

D53T00.01 General Administration

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation shall not be spent until the Maryland Institute for Emergency Medical Services Systems (MIEMSS) convenes an All-terrain Vehicle (ATV) Safety Task Force comprised of all interested parties to develop a consensus approach for improvements in Maryland laws to reduce risks associated with ATV use. In developing this approach, the task force shall consider:

- (1) implementing registration requirements to facilitate the tracking of ATVs and dissemination of safety material;
- (2) requiring ATV owners and operators to meet certain safety requirements;
- (3) broadening current regulation of ATVs beyond Department of Natural Resources-owned land;
- (4) imposing age limits on the use of ATVs;
- (5) improving data collection on ATV-related incidents; and
- (6) increasing public awareness on the risks associated with ATVs.

The task force shall also consider, as a starting point for review, the model legislation on ATVs developed by the Specialty Vehicle Institute of America. MIEMSS and the task force shall submit a report to the budget committees by December 1, 2008. The budget committees shall have 45 days to review and comment on the plan.

Explanation: The language restricts funds pending the establishment of a task force to consider the regulation of ATV use and a report from that task force.

Information Request	Author	Due Date
ATV Regulation	MIEMSS	December 1, 2008

Amendment No. **55**

D55P
Department of Veterans Affairs

Budget Amendments

D55P00.01 Service Program

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce one new veterans service officer I and one new office secretary II and associated funding.	52,514 GF	2.00
Total Reductions	52,514	2.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	18.00	16.00		2.00
General Fund	1,204,955	1,152,441	52,514	
Total Funds	1,204,955	1,152,441	52,514	

Amendment No. **56**

Committee Narrative

D55P00.05 Veterans Home Program

Performance Measures for the Management Contract of Charlotte Hall: The present contract for the management of Charlotte Hall Veterans Home (Charlotte Hall) expires in June 2009. The department is currently revising the Request for Proposal (RFP) for the new contract and has indicated that the RFP will contain more stringent performance standards. The committees request that the Department of Veterans Affairs (DVA) report on the specific performance measures, including any fiscal incentives, which will be included in the RFP for the new contract for managing Charlotte Hall. The report shall be submitted to the committees at least 30 days prior to issuing the RFP.

Information Request	Author	Due Date
Performance Contracting Report	DVA	30 days prior to issuance of Request for Proposal

D70J
Maryland Automobile Insurance Fund

Committee Narrative

D70J00.42 Insured Division

Report on a Policy to Address Excess Surplus in the Insured Division of MAIF: The committees direct the Maryland Automobile Insurance Fund (MAIF) and the Maryland Insurance Administration (MIA) to study issues related to the surplus in the Insured Division of MAIF. In recent years, the surplus for this division has grown rapidly. Recent rate changes and changes in the market may limit this growth. However, at the end of calendar 2008, the projected surplus will be more than five times the estimated assessment threshold. While the statute governing MAIF contains a policy focused on the problem of a surplus that is too small, no such policy exists for a surplus that is too large. MAIF and MIA should work together to identify options on methods of determining the reasonableness of the surplus in the Insured Division, who should be responsible for making this determination, and methods of reducing the surplus if it is determined to be excessive.

Information Request	Authors	Due Date
Report on a policy to address excess surplus	MAIF MIA	October 1, 2008

D80Z
Maryland Insurance Administration

Budget Amendments

D80Z01.05 Rate Stabilization Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce fiscal 2009 funding for medical malpractice subsidies. In fiscal 2008, the largest medical malpractice insurance carrier, Medical Mutual, refunded the Maryland Insurance Administration the subsidy payments paid in previous fiscal years and agreed to no longer participate in the medical malpractice subsidy program. In fiscal 2009, only \$5 million of the \$25 million appropriated is anticipated to be used to pay for medical malpractice subsidies.	20,000,000	SF
Total Reductions	20,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	25,350,000	5,350,000	20,000,000	
Total Funds	25,350,000	5,350,000	20,000,000	

Amendment No. **57**

E00A
Comptroller of Maryland

Budget Amendments

Add the following language:

Provided that funds appropriated within the Comptroller of Maryland may only be expended for the constitutional responsibility of managing State revenue including prompt collection of taxes and revenue, collection of delinquent taxes, maintenance of State accounts, the allocation of State appropriations, the preparation of a report of the State treasury within 10 days of the start of each legislative session, and other duties as prescribed by law.

Explanation: This language restricts the Comptroller from expending any funds except in furtherance of the office's constitutional responsibilities.

Amendment No. **58**

OFFICE OF THE COMPTROLLER

E00A01.01 Executive Direction

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for a vacant part-time contractual position within the Executive Direction division that serves as an environmental advisor.	41,846 GF	
2. Reduce funds for the replacement of furniture. This reduction still allows for a 27% increase within the Office of the Comptroller for office equipment over the fiscal 2008 appropriation.	25,000 GF	
 Total Reductions	 66,846	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	32.00	32.00		0.00
General Fund	2,978,641	2,911,795	66,846	
Special Fund	487,638	487,638	0	
Total Funds	3,466,279	3,399,433	66,846	

Amendment No. **59**

E00A

COMPLIANCE DIVISION

E00A05.01 Compliance Administration

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover expectancy for the new revenue examiner positions to 50%. These positions are included in the allowance to, in part, manage the additional tax caseload of under-reporters and non-filers generated by the agency's new Modernized Integrated Tax System. It is unlikely that any part of the new system will be operational by the start of the fiscal year. As such, funding for the positions should be delayed reflecting the delayed implementation of the new system.	248,363	GF
2. Increase turnover expectancy for six new positions to the standard 25%.	26,000	GF
3. Reduce funds for an outside personal income tax collection agency. Internal tax collections enhancements should reduce the need for an outside collection agency contract.	400,000	SF
Total Reductions	674,363	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	369.10	369.10		0.00
General Fund	21,006,958	20,732,595	274,363	
Special Fund	7,849,962	7,449,962	400,000	
Total Funds	28,856,920	28,182,557	674,363	

Amendment No. **60**

E00A

E00A10.02 Comptroller IT Services

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for a contractual position within the Comptroller's Information Technology division.	23,393 GF 6,650 SF	
Total Reductions	30,043	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	67.00	67.00		0.00
General Fund	12,427,218	12,403,825	23,393	
Special Fund	1,701,547	1,694,897	6,650	
Total Funds	14,128,765	14,098,722	30,043	

Amendment No. **61**

E50C
State Department of Assessments and Taxation

Budget Amendments

E50C00.01 Office of the Director

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete a position within the Office of the Director that has been vacant for over one year.	43,492 GF	1.00
2. Increase turnover expectancy to better reflect historical trends in actual vacancies. The general fund reduction may be allocated amongst divisions. The effect on the turnover rate is to increase it from 5% to 6%.	376,514 GF	
Total Reductions	420,006	1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	30.00	29.00		1.00
General Fund	2,694,700	2,274,694	420,006	
Total Funds	2,694,700	2,274,694	420,006	

Amendment No. **62**

E50C00.06 Tax Credit Payments

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in the Urban Enterprise Zone Tax Credit. The department has recently revised downward the estimated credits for fiscal 2008. Consistent with this downward revision, this reduction still allows a 10% increase in the program in fiscal 2009.	600,000 GF	
Total Reductions	600,000	0.00

E50C

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	64,878,259	64,278,259	600,000	
Total Funds	64,878,259	64,278,259	600,000	

Amendment No. **63**

E50C00.10 Charter Unit

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in printing under the Charter Unit. Fiscal estimates of the new legislation that affects the department did not include a significant increase in printing costs.	100,000 SF	
 Total Reductions	 100,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	68.00	68.00		0.00
General Fund	50,550	50,550	0	
Special Fund	4,764,604	4,664,604	100,000	
Total Funds	4,815,154	4,715,154	100,000	

Amendment No. **64**

E80E
Property Tax Assessment Appeals Boards

Budget Amendments

E80E00.01 Property Tax Assessment Appeals Boards

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for customer surveys. The boards distributed 4,850 surveys in calendar 2006. Only 165 surveys, or 3%, were returned.	2,000	GF
 Total Reductions	 2,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	9.00	9.00		0.00
General Fund	1,008,120	1,006,120	2,000	
Total Funds	1,008,120	1,006,120	2,000	

Amendment No. **65**

F
Department of Budget and Management

Budget Amendments

OFFICE OF PERSONNEL SERVICES AND BENEFITS

F10A02.08 Statewide Expenses

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for Chesapeake Bay 2010 Trust Fund. Chapter 6 of the 2007 special session directs a portion of motor fuel taxes and sales and use taxes on short-term rental vehicles to the Chesapeake Bay 2010 Trust Fund. These revenues are projected to generate \$50 million annually beginning in fiscal 2009. This reduction provides \$25 million for the Chesapeake Bay 2010 Trust Fund.	25,000,000	SF
Total Reductions	25,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	72,163,471	72,163,471	0	
Special Fund	66,710,896	41,710,896	25,000,000	
Total Funds	138,874,367	113,874,367	25,000,000	

Amendment No. **66**

F50A01.01 Major Information Technology Development Project Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Computerized Health Record Information System. The project is running behind schedule due to issues developing a Request for Proposals (RFP) and retaining a program manager. When the RFP is completed, the project has almost \$4.3 million in prior year obligations with which to move forward.	750,000	GF

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2. Delete funds for voting system software upgrade. Upgrades to the existing voting system are not necessary if the funding is provided for a new voting system.	256,500	GF
3. Reduce funding for new voting system based on the use of a five-year capital lease agreement.	1,370,000	GF
4. Delete general fund support for the proposed Maryland Outdoor Service Delivery System and defer the project to a later date.	1,950,000	GF
5. Reduce funds for a Computer Aided Dispatch/Records Management System. To date, this project has been developed outside of the statutory framework for major information technology development projects. It is not clear if the current project schedule justifies funding in fiscal 2009. Funding is retained for independent verification and validation.	5,000,000	GF
Total Reductions	9,326,500	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	23,639,907	14,313,407	9,326,500	
Special Fund	23,286,926	23,286,926	0	
Total Funds	46,926,833	37,600,333	9,326,500	

Amendment No. **67**

Committee Narrative

Semi-Annual Health Insurance Cost and Payment Reporting: The committees request that the Department of Budget and Management (DBM) submit reports to the Department of Legislative Services and the budget committees concerning the employees' and retirees' health insurance and prescription drug programs by September 15, 2008, and January 15, 2009. The report due on September 15, 2008, shall provide the requested information for the entire fiscal year ending June 30, 2008, and the report due on January 15, 2009, shall provide the requested information for the first five months of fiscal 2009. The reports shall include the information specified below.

F

- (1) A reporting of all health and dental maintenance organizations, preferred provider, and point-of-service plan options that shows:
 - (a) premiums to be paid for all categories of membership; and
 - (b) enrollment figures for all categories of membership.
- (2) A reporting listing weekly totals of payroll contributions toward prescription, dental, and health insurance payments made by
 - (a) the State for its subsidy;
 - (b) employees;
 - (c) retirees; and
 - (d) subobject 0153 agency transfers.
- (3) A reporting listing quarterly totals of costs paid to vendors for health insurance, dental insurance, and prescriptions, by plan category for:
 - (a) active employees;
 - (b) retirees;
 - (c) satellite members; and
 - (d) direct pay members.
- (4) A reporting of the prescription drug program that includes data on:
 - (a) total expenditures;
 - (b) the number of prescriptions filled;
 - (c) total out-of-pocket costs paid for by members;
 - (d) total number of families reaching the \$700 out-of-pocket payment cap; and
 - (e) total out-of-pocket payments made toward the \$700 cap.

Data for the same periods in fiscal 2007 shall also be provided.

F

Information Request	Author	Due Date
Semi-Annual Health Insurance Cost and Payment Reports	DBM	September 15, 2008 January 15, 2009

Major Information Technology Development Projects: The committees are interested in receiving more regular updates on the status of major information technology (IT) development projects. The committees request that the Office of Information Technology (OIT) provide the committees with an additional report on project status, schedule, cost, and scope changes, risk and monitoring/oversight status for each ongoing major IT development project. That report, to be submitted by January 15, 2009, shall include the most up-to-date available project information.

Information Request	Author	Due Date
Update on Major IT Development Projects	OIT	January 15, 2009

G20J
Maryland State Retirement and Pension Systems
State Retirement Agency

Budget Amendments

G20J01.02

Add the following language to the special fund appropriation:

, provided that no funds may be expended for the first phase of the Maryland Pension Administration System (MPAS) information technology project until:

- (1) an independent verification and validation (IV&V) review of the MPAS design and architecture is completed; and
- (2) the Department of Budget and Management provides a written summary of the IV&V report to the budget committees detailing potential problems and suggested corrective actions, and the committees shall have had 45 days to review and comment on the report.

Further provided that no funds may be expended on the second phase of the MPAS project until the budget committees receive verification of 100 percent completion and implementation of the first phase of MPAS.

Further provided that \$950,000 for the second phase of the MPAS project funds may not be expended until the SRA:

- (1) completes the initial scoping of the clean-up that will determine the parameters of the second phase and the associated Request for Proposals; and
- (2) provides a definitive accounting of total estimated MPAS-2 project costs, adjusted for the findings of the scope, to the budget committees. The committees shall have 45 days to review and comment on the report.

Explanation: The first phase of the MPAS project has met with significant time delays and budget overages. An independent review that could have helped alleviate these problems, which was initially urged by the Department of Legislative Services in January 2007, is only beginning in February 2008, after the aforementioned project delayed the project launch date. This language is recommended to prevent further project problems.

Information Request	Author	Due Date
Phase One IV&V Report	Department of Budget and Management	45 days prior to expenditure
Phase Two Project Scoping Report	State Retirement Agency	45 days prior to expenditure

Amendment No. **68**

G20J

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. The State Retirement Agency project management staff has assigned the .Net code review function to L3 Titan within the confines of its large \$3.6 million contract; therefore, additional funds for this purpose are not needed.	356,400	SF
 Total Reductions	 356,400	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	4,761,478	4,405,078	356,400	
Total Funds	4,761,478	4,405,078	356,400	

Amendment No. **69**

H
Department of General Services

Committee Narrative

Procurement Requirements Concerning Use of Maryland Correctional Enterprises and Blind Industries and Services of Maryland: The committees continue to be concerned that State agencies properly follow the procurement requirements concerning the use of the Maryland Correctional Enterprises (MCE) and the Blind Industries and Services of Maryland (BISM). The committees therefore request Department of General Services (DGS) utilize MCE and BISM for as much of its procurement needs as possible, subject to Section 14-103 of the State Finance and Procurement Article. DGS is requested to prepare a report on its procurement activities for fiscal 2009 listing the items procured and the vendor used. For any procurement in which the MCE and BISM were not used, DGS should provide an explanation. The report is due to the budget committees by August 31, 2009.

Information Request	Author	Due Date
Procurement activities for 2009 and explanation if MCE and BISM were not used	DGS	August 31, 2009

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Department of Transportation

Budget Amendments

Add the following language:

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 (CTP), 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 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 percent, 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.

Notification of changes in scope shall be made to the General Assembly concurrent with the submission of the draft and final CTP. Notification of new construction project additions, as outlined in paragraph (1) above, shall be made to the General Assembly 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 2008 CTP or will increase a total project’s cost by more than 10%, or \$1.0 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 2008 session CTP as the basis for comparison.

Information Request	Author	Due Date
Capital budget changes	Maryland Department of Transportation	With draft CTP With final CTP

Amendment No. **70**

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Add the following language:

The Maryland Department of Transportation (MDOT) shall not expend funds on any job or position of employment approved in this budget in excess of 9,200.50 positions and 167.89 contractual full-time equivalents 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 2009. The level of contractual full-time equivalents may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

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

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 50 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2009 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 50.

Explanation: The General Assembly has established a position ceiling for MDOT each year to limit growth in regular positions and contractual full-time equivalents.

Information Request	Author	Due Date
Additional regular positions and contractual full-time equivalents	MDOT	As needed

Amendment No. 71

Add the following language:

It is the intent of the General Assembly that funds dedicated to the Transportation Trust Fund shall be applied to purposes bearing direct relation to the State transportation program, unless directed otherwise by legislation. To implement this intent for the Maryland Department of Transportation (MDOT) in fiscal 2009, no commitment of funds in excess of \$250,000 may be made nor such an amount may be transferred, by budget amendment or otherwise, for any project or purpose not normally arising in connection with the ordinary ongoing operation of MDOT and not contemplated in the approved budget or the last published Consolidated

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Transportation Program without 45 days of review and comment by the budget committees.

Explanation: This annual language prohibits MDOT from using transportation funds for uses other than transportation-related purposes without review and comment by the budget committees.

Information Request	Author	Due Date
Information on non-transportation expenditures exceeding \$250,000	MDOT	As needed

Amendment No. **72**

J00A01
Department of Transportation
The Secretary's Office

Budget Amendments

J00A01.01 Executive Direction

Add the following language to the special fund appropriation:

, provided that \$1,000,000 of this appropriation may not be expended until the Maryland Department of Transportation (MDOT) submits a report to the budget committees that shall include the following information pertaining to the I-270/Corridor Cities Transitway project:

- (1) what actions have been taken during calendar 2008 regarding toll revenue and cost estimates and what those estimates are for each option;
- (2) what locally preferred options may have been identified;
- (3) what potential segmentations are available for the project as well as tolling options;
- (4) what is the interest of the counties in the project and its potential level of support;
- (5) whether a public-private partnership agreement is still an option, and if so, what that agreement may involve; and
- (6) whether or not a solicitation will be made to the public sector for assistance in the development and financing of this project, and if so, when.

The report is due by November 1, 2008, and the budget committees shall have 45 days from the date of submission for review and comment.

Further provided that no funds may be expended and no contracts may be awarded through the Board of Public Works or otherwise for any portion of the I-270/Corridor Cities Transitway project until the budget committees have received and commented on the above mentioned report.

Explanation: This language restricts \$1.0 million from the Secretary's Office allowance contingent upon submission of a report that provides additional information regarding the I-270/Corridor Cities Transitway project by November 1, 2008.

Information Request	Author	Due Date
Request for additional information on the I-270/Corridor Cities Transitway project	MDOT	November 1, 2008

Amendment No. **73**

J00A01

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for in-state travel to conferences and seminars. This reduction provides funding equal to the fiscal 2008 working appropriation which still provides for a \$29,802, or 121%, increase over actual expenditures in fiscal 2007.	27,590	SF
2. Reduce funds for consulting. Due to the upcoming federal transportation reauthorization, the Secretary's Office (TSO) has contracted with a consulting firm to assist with technical knowledge regarding the transportation reauthorization process. The Governor's Office has staff in Washington, DC to lobby the federal government and assist TSO in the reauthorization process. The Maryland Department of Transportation also has a governmental relations office to assist in the federal reauthorization process. The General Assembly made a similar reduction of \$350,000 from TSO for consulting in the 2005 legislative session for the reasons indicated above.	150,000	SF
Total Reductions	177,590	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	202.50	202.50		0.00
Special Fund	26,029,044	25,851,454	177,590	
Total Funds	26,029,044	25,851,454	177,590	

Amendment No. **74**

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$4,035,182 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

J00A01

existing grantee; and
Further provided that no expenditures in excess of \$4,035,182 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either provision (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 grants-in-aid	Maryland Department of Transportation	As needed

Amendment No. **75**

J00A01.03 Facilities and Capital Equipment

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete three new regular positions. The Secretary's Office (TSO) capital budget includes three new positions to implement a department environmental system. These positions were proposed in the fiscal 2008 allowance and deleted by the General Assembly due to the agency's high vacancy rate. Currently TSO has a vacancy rate of 9.0%, or 30 positions. The department may reclassify existing vacant positions from across TSO or other modes, to add the three new positions if necessary.	155,492 SF	3.00
Total Reductions	155,492	3.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	20.00	17.00		3.00
Special Fund	22,411,686	22,256,194	155,492	
Federal Fund	2,214,000	2,214,000	0	
Total Funds	24,625,686	24,470,194	155,492	

Amendment No. **76**

J00A01

J00A01.04 Washington Metropolitan Area Transit-Operating

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for the operating budget subsidy for the Washington Metropolitan Area Transit Authority (WMATA). Due to the department developing its allowance for WMATA prior to WMATA developing its proposed budget, the allowance currently overstates the amount required to be paid to WMATA. The department may process a budget amendment should additional funds be needed to pay for Maryland's share of the operating deficit.	5,000,000	SF
Total Reductions	5,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	218,300,000	213,300,000	5,000,000	
Total Funds	218,300,000	213,300,000	5,000,000	

Amendment No. 77

J00A04
Department of Transportation
Debt Service Requirements

Budget Amendments

Add the following language:

Consolidated Transportation Bonds may be issued in any amount provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues shall not exceed \$1,620,850,000 as of June 30, 2009. Provided, however, that the debt service shall be reduced by any proceeds generated from net bond sale premiums. To achieve this reduction, the Maryland Department of Transportation may either use projected proceeds from bond sale premiums to reduce the size of the bond issuance or apply the proceeds from the premium to debt service for that bond issuance provided that those revenues are recognized by the department and reflected in the Transportation Trust Fund forecast.

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, 2008, plus projected debt issued during fiscal 2009 in support of the transportation capital program.

Amendment No. 78

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by the Maryland Department of Transportation (MDOT), may not exceed \$693,780,000 as of June 30, 2009. Provided, however, that in addition to the limit established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Committee on Appropriations 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, 2009, and the total amount by which the fiscal 2009 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Committee on Appropriations 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 Committee on Appropriations may hold a public hearing to discuss the proposed increase and must signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

J00A04

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2009 to the total amount that is projected to be outstanding from all previous nontraditional debt issuances as of June 30, 2008, and all anticipated sales in fiscal 2009. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2009 by providing notification to the budget committees regarding the reason that the additional issuances are required.

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

Amendment No. 79

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2008 through 2019. 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 budget committees are 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.

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

Amendment No. 80

J00B
Department of Transportation
State Highway Administration

Budget Amendments

Add the following language:

It is the intent of the General Assembly that the State Highway Administration introduce legislation during the 2009 session that resolves any conflicts within the Transportation Article or the State Procurement and Finance Article regarding the process of disposing land.

Explanation: This language expresses the intent of the General Assembly that the State Highway Administration introduce legislation that would resolve the problems of disposing land that were identified in a report to the budget committees during the 2007 interim.

Amendment No. **81**

J00B01.02 State System Maintenance

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover expectancy rate. This action increases the turnover rate to 4.3%, or 139 positions, to more accurately reflect the historical trend in the vacancy rate. Currently the vacancy rate is 6.92%, or 224 positions, before 40 positions are abolished. The vacancy rate was budgeted at 5.5% in fiscal 2008, or 178.5 positions.	394,233	SF
Total Reductions	394,233	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1522.00	1522.00		0.00
Special Fund	202,258,496	201,864,263	394,233	
Federal Fund	6,754,390	6,754,390	0	
Total Funds	209,012,886	208,618,653	394,233	

Amendment No. **82**

J00B

Committee Narrative

State Plan on Congestion: The committees are concerned about the growing level of congestion in the State and what is being done to address this issue. As a result, the State Highway Administration (SHA) and the Maryland Department of Transportation (MDOT) shall submit a report by November 14, 2008, to the committees that details what the State plan is to address congestion. The report shall include the following:

- (1) What are MDOT's long-term outlooks of congestion in the State?
- (2) What steps MDOT is currently taking to address congestion beyond road or transit construction activities?
- (3) How the additional revenues provided for in the 2007 special session will be used to address congestion?
- (4) How highway and/or transit investment decisions are based upon the need to address congestion?

Information Request	Authors	Due Date
Report on State plan to address congestion	MDOT SHA	November 14, 2008

J00D
Department of Transportation
Maryland Port Administration

Budget Amendments

J00D00.01 Port Operations

Add the following language to the special fund appropriation:

, provided that the Maryland Port Administration (MPA) shall not enter into a long-term lease of Seagirt Marine Terminal without providing the General Assembly ample time to review the proposed lease. Therefore, the General Assembly requires a report from MPA:

- (1) not less than 30 days before issuing a public notice of procurement related to a public-private partnership arrangement, subject to Section 2-1246 of the State Government Article. The report shall include a summary of the proposed procurement document to be used for solicitation of the public-private partnership arrangement; and
- (2) not less than 30 days before entering into any public-private partnership arrangement, subject to Section 2-1246 of the State Government Article, MPA shall provide a description of the proposed lease agreement and a financing plan, including:
 - (A) the length of the proposed lease;
 - (B) the scope of payments to MPA from the proposed public-private partnership arrangement;
 - (C) a cost-benefit analysis of the proposed public-private partnership arrangement;
 - (D) evidence of the financial stability of the private partner;
 - (E) requirements pertaining to the ongoing operation and maintenance of the facility and contract oversight;
 - (F) requirements pertaining to capital investment in the facility and timeline for completion of that investment;
 - (G) a description of performance measures utilized in the contract, as well as actions that may be taken if performance goals are not met;
 - (H) the impact of the proposed agreement on revenues received, debt issued, and land owned by the State, Maryland Department of Transportation, or Maryland Transportation Authority; and
 - (I) the impact, if any, on federal funds.

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These reports shall be submitted to the Senate Budget and Taxation Committee, the House Committee on Ways and Means, the House Committee on Appropriations, and to the Department of Legislative Services. Upon submission, the budget committees shall have 30 days to review and comment on each report.

Explanation: MPA has decided to move forward with a long-term lease of Seagirt Marine Terminal. The budget committees are concerned that the current statutory framework for legislative notice of public-private partnerships may not include port facilities. It is the intent of the committees that MPA should follow the same legislative notice requirements as if the current statutory requirements applied. Therefore, this language requests two reports, one prior to issuance of a public notice of procurement of a long-term lease, and one prior to entering into an agreement.

Information Request	Author	Due Date
Report summarizing the notice of procurement that will be issued	MPA	30 days prior to issuance
Report providing a description of the proposed agreement	MPA	30 days prior to entering into agreement

Amendment No. **83**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for travel based on a three-year average of actual spending. This action also allows for 10% growth over the three-year actual.	37,918	SF
2. Delete funding for a grant to Ocean Race Chesapeake, Inc. Ocean Race Chesapeake is an international boat race that has historically included a stop in Baltimore. However, the organizers of the boat race have announced that beginning in the 2008 sailing season, they will no longer stop in Baltimore. Without the promotional opportunities that have existed in the past as a result of this stop in Baltimore, there is no reason for the Maryland Port Administration to provide funding to this organization.	35,000	SF
3. Reduce funding for two replacement vehicles to purchase pick-up trucks instead of four-wheel drive utility vehicles. Over 15% of the Maryland Port	10,000	SF

Senate Budget and Taxation Committee - Operating Budget, March 2008

J00D

Administration's (MPA) vehicle fleet is comprised of utility vehicles. This action funds replacement of pick-up trucks instead of four-wheel drive utility vehicles in an effort to reduce the number of utility vehicles in MPA's vehicle fleet.

4. Reduce funding for the replacement of five motor vehicles. These five vehicles include two sedans and three 4-wheel drive utility vehicles. All five of these vehicles are model year 2004 and are only four years old. The vehicles are all expected to exceed 100,000 miles by February 2009. However, in setting the 100,000-mile threshold, the Department of Budget and Management stresses that it is an indicator for possible replacement only, and not a benchmark that requires replacement. Given that the vehicles are only four years old, it is likely they are in very good shape except for the high mileage, and therefore should not be replaced.

98,546 SF

Total Reductions 181,464 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	249.00	249.00		0.00
Special Fund	112,627,689	112,446,225	181,464	
Total Funds	112,627,689	112,446,225	181,464	

Amendment No. **84**

Committee Narrative

Chromium Ore Processing Residue Remediation: The committees are concerned about chromium ore processing residue (COPR) contained at Dundalk Marine Terminal. The Maryland Port Administration and Honeywell International are currently reviewing options for remediation of the COPR. In addition to the obvious concerns about the health of terminal workers due to the carcinogenic properties of the COPR, the committees are concerned about the significant cost of remediation and how it will be funded. Therefore, the committees request a report summarizing:

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- the remediation options available;
- the advantages and disadvantages of each option;
- the timeline for completion of remediation; and
- proposed funding of the remediation.

Information Request	Author	Due Date
Report on remediation of chromium ore processing residue	Maryland Port Administration	April 15, 2009

Agreement with Baltimore City for Payments in Lieu of Taxes: The Maryland Port Administration (MPA) and the City of Baltimore reached an agreement many years ago regarding the Payments in Lieu of Taxes (PILOT) that MPA would pay to the city of Baltimore for its port property. Similar agreements have also been reached for MPA property located in Anne Arundel and Baltimore counties. In many cases, the PILOT agreements that have been established are significantly lower than what MPA would be paying if the property was taxed at the local property tax rate. Although 4 of the port properties located in Baltimore City have an automatic escalation clause set in statute, agreements for the remaining 11 port properties in Baltimore City and Baltimore and Anne Arundel counties do not have an escalation provision and must be renegotiated. The committees are concerned that the agreements may be outdated and do not reflect the true assessable value of the property. The committees request that MPA undertake a study of other public port agencies to determine the methodology used in determining taxable rates or PILOT agreements that are used for port property and the frequency of adjustments to the amounts. MPA shall consult with officials from the city of Baltimore, Baltimore and Anne Arundel counties as part of the analysis.

Information Request	Author	Due Date
Study of PILOT agreements in other states	MPA	November 1, 2008

Discouraging the Use of Employment Contracts: The committees are concerned about the use of employment contracts for management personnel at the Maryland Department of Transportation (MDOT), specifically executive director and administrator positions at each of the modes. These positions serve at the pleasure of the Secretary of MDOT and employment contracts may hamper the ability of the Secretary to make necessary personnel changes. It is the intent of the committees that MDOT should refrain from using employment contracts when possible. However, employment contracts may be used when necessary to attract or retain the best candidate for a position.

J00D

Budget Amendments

J00D00.02 Port Facilities and Capital Equipment

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce additional assistance to reflect actual usage. The three-year average of actual spending is \$166,586. This action reduces the appropriation to \$175,920, which still allows adequate funding for prior year actual spending as well as increases in spending.	150,000	SF
 Total Reductions	 150,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	42.00	42.00		0.00
Special Fund	127,881,000	127,731,000	150,000	
Federal Fund	754,000	754,000	0	
Total Funds	128,635,000	128,485,000	150,000	

Amendment No. 85

J00E
Department of Transportation
Motor Vehicle Administration

Budget Amendments

J00E00.01 Motor Vehicle Operations

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation is contingent upon the submission of a report on any efforts to implement the federal REAL-ID Act. The report shall include the following information:

- (1) a timeline of actions taken by the agency to implement the REAL-ID Act with a description and cost associated with those actions;
- (2) a timeline of actions necessary to comply with the deadline for State implementation of the REAL-ID Act;
- (3) any policy or operational issues that have arisen during the course of activities to implement the REAL-ID Act;
- (4) an analysis of the impact on residents of the State from implementing the REAL-ID Act in terms of cost, wait lines, and privacy; and
- (5) what steps the Motor Vehicle Administration is taking to reach the information technology requirements of the REAL-ID Act and the costs associated with those efforts.

The report shall be submitted by November 3, 2008, and the budget committees shall have 45 days to review and comment.

Explanation: The committees would like for the Motor Vehicle Administration (MVA) to report on any activities it has taken to implement the REAL-ID Act. In addition the committees request information regarding the impacts of the federal REAL-ID and issues that may arise during the course of implementing the requirement.

Information Request	Author	Due Date
Report on efforts to implement REAL-ID Act	MVA	November 3, 2008

Amendment No. **86**

J00E

Add the following language to the special fund appropriation:

Further provided that the Maryland Department of Transportation and the Motor Vehicle Administration as part of its submission of the draft and final fiscal 2009 to 2014 financial forecast shall include the detailed information regarding the fees and expenditures applied to the statutory cost recovery requirement for each fiscal year of the financial forecast.

Explanation: This language requires the Maryland Department of Transportation (MDOT) and the Motor Vehicle Administration (MVA) to submit as part of its financial forecast for fiscal 2009 to 2014 detail of revenues and expenditures for the purpose of calculating cost recovery for each fiscal year of the forecast period.

Information Request	Authors	Due Date
Six-year report on cost recovery	MDOT MVA	Draft financial forecast Final financial forecast

Amendment No. **87**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover expectancy. This action increases the turnover rate to 3.0% and will require 50 vacant positions. In increasing the rate, this returns turnover expectancy to a more historical level of vacancies for the department.	409,543	SF
Total Reductions	409,543	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1600.50	1600.50		0.00
Special Fund	157,488,610	157,079,067	409,543	
Federal Fund	176,500	176,500	0	
Total Funds	157,665,110	157,255,567	409,543	

Amendment No. **88**

J00E

Committee Narrative

Report on Data Privacy and Information Security: The committees are concerned about protecting the information that is required under the federal REAL-ID Act to obtain a driver's license or personal identification card. States must enact and enforce their own standards to protect the privacy and data security of highly personal information of their residents. Therefore, the committees request that the Motor Vehicle Administration (MVA) write a report by December 1, 2008, that includes a proposal for ensuring the data privacy and security of information and electronic documents contained on the REAL-ID compliant driver's license and identification cards, including the machine readable strip, and in MVA databases. The report shall include draft proposed legislation and regulations to protect data privacy and security of information including standards for information technology systems, datasharing with other jurisdictions, limitations on access, limitations on use, limitations on collection and sharing or selling by others. The report shall include a cost-estimate for implementing proposed protections.

Information Request	Author	Due Date
Report on Data Privacy Standards	MVA	December 1, 2008

J00H
Department of Transportation
Maryland Transit Administration

Budget Amendments

Add the following language:

Provided that the Maryland Transit Administration (MTA) shall notify the budget committees prior to a contract extension or enhancement being approved by the Board of Public Works. MTA shall provide the following information to the committees:

- (1) what additional service will be provided;
- (2) a justification for the need for additional service and why the service cannot be considered as part of the normal budget process; and
- (3) an estimate as to what ridership for the new service will be, the operating and any capital costs associated with the additional service, and any other budgetary impacts associated with the additional service.

The committees shall have 45 days to review and comment upon submission.

Explanation: In December 2007, the Maryland Transit Administration (MTA) submitted contract additions to existing Maryland Rail Commuter (MARC) contracts to provide additional service. These contracts had an operating budget impact, and the budget committees were not given the opportunity to comment prior to the contracts being approved by the Board of Public Works (BPW). This language would require MTA to give the committees notification of service enhancements and expansions prior to approval by BPW. This language applies to MARC, Commuter Bus, and Mobility services.

Information Request	Author	Due Date
Request on service enhancements and expansions	MTA	As needed

Amendment No. **89**

J00H01.01 Transit Administration

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for consulting fees. The fiscal 2009 allowance includes \$1.0 million in consulting fees to implement additional bus service in Baltimore City. The Maryland Transit Administration should use existing resources to fund these consulting fees.	500,000	SF

J00H

Total Reductions			500,000	0.00
	<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>
			<u>Position Reduction</u>	
Position		291.00	291.00	0.00
Special Fund		49,723,089	49,223,089	500,000
Total Funds		49,723,089	49,223,089	500,000

Amendment No. 90

Committee Narrative

Maryland Transit Administration Union Pension and Other Post Employment Benefits:

The committees request that the Maryland Transit Administration (MTA) submit a report regarding its union pension system and Other Post Employment Benefits (OPEB). The report should include the following information:

- (1) background information regarding the funding and benefits provided under the union pension system including retiree health insurance;
- (2) at what level the pension plan OPEB is funded in the most recent calculation;
- (3) what the current OPEB obligation is;
- (4) what actions or steps MTA plans to take to address this unfunded liability; and
- (5) what impact the OPEB liability may have on the balance sheet of the Maryland Department of Transportation, the State, and the budget of MTA.

Information Request	Authors	Due Date
Report on MTA OPEB obligation	MTA MDOT	September 15, 2008

J00H01.02 Bus Operations

Report on new Mobility Contract: The committees are concerned about the cost and service provisions of the upcoming Mobility contract. Therefore, the committees request that the Maryland Transit Administration (MTA) submit a report to the committees 45 days after the contract is approved by the Board of Public Works (BPW) that includes the following information:

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- (1) the length of the contract and cost in each fiscal year of the contract;
- (2) the terms of the contract and in particular the obligations of the contractor and the State;
- (3) general information regarding the contract and major changes from the existing contract;
and
- (4) any impacts on service as a result of the new contract.

Information Request	Author	Due Date
Report on new Mobility Paratransit contract	MTA	45 days after BPW approval

J00H01.04 Rail Operations

Report on MARC Third Party Contract: The committees are concerned about the cost and implications of the upcoming third party contract for Maryland Rail Commuter (MARC) Service. Therefore the committees request that the Maryland Transit Administration (MTA) submit a copy of the Request for Information is issued for industry review.

In addition MTA should submit a report to the committees 45 days after the contract is approved by the Board of Public Works (BPW). The report should include the following information:

- (1) a summary of the terms and length of the contract agreement;
- (2) the projected annual cost of the contract;
- (3) the projected cost increases or savings associated with the contract compared to current contract costs; and
- (4) the operating impacts associated with the third party contract.

Information Request	Author	Due Date
Copy of Request for Information	MTA	When Request for Information issued
Report on new MARC third party contract		45 days after BPW approval

J00H

Purple Line Report: Traffic congestion on Interstate 495 between its intersection with I-95 and its intersection with State Route 185 (Connecticut Avenue) is some of the worst in the nation. Projections are for the number of vehicle trips in this area to increase. Contributing to that increase is the location of a number of new employees at the National Naval Medical Center in Bethesda due to the decisions made in the Base Relocation and Closure.

The proposed new mass transit facility called the “Purple Line” is planned to travel on an east-west alignment from Bethesda to New Carrollton in Prince George’s County. It will be the largest capital expenditure made by Maryland to the Washington Area Metropolitan Transit Authority (WMATA) system since its initial construction.

The committees request the Maryland Department of Transportation (MDOT) and the Maryland Transit Administration (MTA) report by December 1, 2008, on the following issues concerning the Purple Line:

- (1) looking at forecasted ridership, the number of projected riders who are currently not taking mass transit and the number of riders who currently utilize other forms of mass transit to travel to destinations;
- (2) the impact the Purple Line will have on the projected increase in traffic to the National Naval Medical Center in Bethesda;
- (3) the effect the Purple Line would have on travel times of vehicular traffic on State Routes 185 (Connecticut Avenue), 193 (University Boulevard) 410 (East-West Highway), 97 (Georgia Ave.), 29 (Coleville Road), 650 (New Hampshire Ave.), 1 (Baltimore Ave.) and 201 (Kenilworth Avenue);
- (4) the impact, in terms of numbers of vehicle trips, the completed Purple Line would have between the intersection of I-95 and I-495 and State Route 185 and I-495;
- (5) the operational and fiscal challenges of adding a light rail line to WMATA current heavy rail only system as well as the potential cost impact for the State; and
- (6) the outlook for receiving federal assistance for this project in light of the recent U.S. Department of Transportation decision to not fund the Dulles rail extension due to the challenges facing the operation and maintenance of the current Metrorail system.

Information Request	Authors	Due Date
Report on Purple Line	MTA MDOT	December 1, 2008

J00H

Budget Amendments

J00H01.05 Facilities and Capital Equipment

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce special funds in the capital program to more accurately reflect cash flow needs. The agency reduced the fiscal 2008 working appropriation by \$140 million compared to the legislative appropriation to more accurately reflect cash flow needs for projects. The fiscal 2009 allowance increases by \$183 million compared to the working appropriation. Given the large number of projects added in fiscal 2009 and the agency's past problems with estimating cash flow, this reduction provides a more accurate portrayal of capital spending. Should the agency require additional funding beyond the appropriation for the capital program, a budget amendment may be processed.	50,000,000	SF
Total Reductions	50,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	138.00	138.00		0.00
Special Fund	193,688,751	143,688,751	50,000,000	
Federal Fund	144,579,000	144,579,000	0	
Total Funds	338,267,751	288,267,751	50,000,000	

Amendment No. **91**

J00I
Department of Transportation
Maryland Aviation Administration

Budget Amendments

J00I00.02 Airport Operations

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for turnover based on historical vacancy rates. The turnover rate is currently budgeted at 5.7%. Since January 2007, the vacancy rate has hovered near 10.5% and has ranged from a low of 9.56% to a high of 13.69%. This action increases the turnover rate to 7.0% to better reflect these high vacancy rates.	389,645	SF
2. Reduce funds for a contract to repair and maintain light- and heavy-duty vehicles. In April 2006, the Maryland Aviation Administration entered into a contract to perform scheduled maintenance and authorized repairs for 85 light-duty vehicles and 17 heavy-duty fire rescue vehicles. The allowance includes funding matching the fiscal 2007 actual, as well as a nearly 60% increase. This action reduces funding to a more reasonable growth rate of 8% over the 2007 actual.	161,537	SF
3. Reduce funding for pest extermination based on actual spending. The fiscal 2009 allowance for extermination is \$80,539. Fiscal 2007 actual spending was \$47,550. This reduction allows for a 10% increase over fiscal 2007 spending.	28,234	SF
4. Reduce funds for trash and garbage removal based on actual spending. The fiscal 2009 allowance for trash and garbage removal is \$1.9 million. Fiscal 2007 spending totaled \$1.7 million. This reduction allows for a 10% increase over fiscal 2007 spending.	82,013	SF
Total Reductions	661,429	0.00

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<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	477.00	477.00		0.00
Special Fund	187,087,543	186,426,114	661,429	
Federal Fund	350,000	350,000	0	
Total Funds	187,437,543	186,776,114	661,429	

Amendment No. **92**

J00I00.03 Airport Facilities and Capital Equipment

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover rate to 7.0% based on historical vacancy rates. The turnover rate is currently budgeted at 5.7%. Since January 2007, the vacancy rate has hovered near 10.5% and has ranged from a low of 9.56% to a high of 13.69%. This action increases the turnover rate to 7.0% to better reflect these high vacancy rates.	56,301	SF
2. Reduce funds for additional assistance. The fiscal 2009 allowance includes a \$22,800 increase to fund a new graduate student internship program. This fiscal 2008 appropriation for additional assistance was \$11,135, and no money was spent for this purpose in fiscal 2007. The Maryland Aviation Administration (MAA) should use existing resources to fund part of this internship program. This reduction leaves a remaining appropriation of \$22,800, the amount needed to fund the internship program.	11,135	SF
3. Reduce funds for legal service support based on actual spending. The fiscal 2009 allowance includes \$146,128 for legal service support. The three-year average of actual spending totals \$61,910. This action reduces funding to the three-year average actual spending.	84,218	SF

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4. Reduce funds for communications based on actual spending. The fiscal 2009 allowance includes \$62,129 for communications. Actual fiscal 2007 spending was only \$34,304. This reduction allows for a 10% increase over fiscal 2007 actual spending.	24,395	SF
5. Delete funding for converting paper documents to microfilm or microfiche. This same amount has been appropriated the prior three fiscal years, and no money has been spent in any of those years. With the growing ease and use of computer scanners to preserve documents, scanned documents would provide a more accessible historical record.	58,600	SF
6. Reduce funds for the Protective Land Acquisition program. This program involves the purchase of property in the immediate vicinity of Baltimore/Washington International Thurgood Marshall Airport to ensure its availability in future years for potential aviation purposes. This is an ongoing program where funds are made available should potential purchases arise. The fiscal 2008 appropriation was \$1.5 million, and the fiscal 2009 allowance includes \$4.1 million for this purpose. This action leaves \$3.1 million in funding for fiscal 2009.	1,000,000	SF
7. Delete funding for a new air traffic control tower at Martin State Airport (MTN). This project has been in the Consolidated Transportation Program (CTP) since 2000 and still is not under construction. In the 2008-2013 CTP, it was moved from the Construction program back to the Development and Evaluation program and \$4.2 million of funding associated with the project was reprogrammed to system preservation projects. Moving the project forward is dependent on negotiations with the Federal Aviation Administration (FAA) and FAA approval of MTN's airport layout plan. This action deletes funding for the project, but the funding may be restored through budget amendment if the Maryland Aviation Administration can provide proof to the budget committees that they have reached an agreement with FAA over location and funding and MTN's airport layout plan is approved.	445,000	SF
Total Reductions	1,679,649	0.00

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<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	58.00	58.00		0.00
Special Fund	53,901,000	52,221,351	1,679,649	
Federal Fund	4,342,000	4,342,000	0	
Total Funds	58,243,000	56,563,351	1,679,649	

Amendment No. 93

K
Department of Natural Resources

Budget Amendments

Add the following language:

Provided that \$2,715,000 in special funds from the increase in non-tidal angler and sport fishing license fees may not be expended until the submission of a comprehensive plan to the budget committees on how the new revenues will be used.

Explanation: The increase in non-tidal angler and sport fishing license fees is projected to generate \$2,715,000 for the Fisheries Management and Protection Fund and Fisheries Research and Development Fund. However, the Department of Natural Resources (DNR) does not appear to have a comprehensive plan for the expenditure of this additional revenue. Therefore, the budget committees restrict the \$2,715,000 in special funds until DNR submits a report on how the additional revenue will be spent. The budget committees will have 45 days to review and comment.

Information Request	Author	Due Date
Report on how the non-tidal and angler and sport fishing license fees increase will be spent	DNR	Prior to the expenditure of the \$2,715,000 angler and sport fishing license fees revenue increase

Amendment No. **94**

OFFICE OF THE SECRETARY

K00A01.04 Human Resource Service

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete a position vacant for longer than 12 months. This personnel administrator I position (PIN 057385) is in the Human Resource Service and has been vacant since June 6, 2006.	55,811 GF	1.00
Total Reductions	55,811	1.00

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<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	15.00	14.00		1.00
General Fund	554,001	498,190	55,811	
Special Fund	527,270	527,270	0	
Federal Fund	32,469	32,469	0	
Total Funds	1,113,740	1,057,929	55,811	

Amendment No. **95**

CAPITAL GRANTS AND LOAN ADMINISTRATION

Add the following language:

Provided that the Department of Natural Resources (DNR) and the Department of General Services shall submit a report by September 2, 2008, that outlines a strategy for funding the design, construction, and capital equipping of DNR capital development projects in one year in cases where the project schedule would allow for one-year funding; discusses the benefits and disadvantages of a one-year capital development funding strategy; and explains the department's position concerning whether it will implement a one-year funding approach.

Explanation: This language requires DNR and the Department of General Services (DGS) to submit a report (1) outlining a strategy for funding DNR capital development projects in one year, (2) discussing the benefits and disadvantages of a one-year capital development funding strategy, and (3) explaining whether DNR intends to implement this approach.

Information Request	Authors	Due Date
One-year capital development funding	DNR DGS	September 2, 2008

Amendment No. **96**

L
Department of Agriculture

Budget Amendments

L00A11.03 Central Services

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for an office secretary III position because the position has been vacant since December 29, 2006 (over 12 months).	31,825	GF
 Total Reductions	 31,825	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	12.00	12.00		0.00
General Fund	1,030,072	998,247	31,825	
Special Fund	648,882	648,882	0	
Federal Fund	375,000	375,000	0	
Total Funds	2,053,954	2,022,129	31,825	

Amendment No. **97**

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

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in the appropriation for the Maryland Agricultural and Resource-Based Industry Development Corporation. This action allows for a \$250,000 increase from the fiscal 2008 appropriation of \$3.0 million.	250,000	GF
 Total Reductions	 250,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	3,500,000	3,250,000	250,000	
Total Funds	3,500,000	3,250,000	250,000	

Amendment No. **98**

L

OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT

L00A14.02 Forest Pest Management

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the federal fund appropriation in Forest Pest Management. The Maryland Department of Agriculture (MDA) overbudgeted the amount of federal funds it expects to receive. This reduction leaves MDA with a \$200,000 appropriation in Forest Pest Management, which MDA advises is sufficient for the anticipated non-gypsy moth grants.	300,000	FF
Total Reductions	300,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	19.00	19.00		0.00
General Fund	1,950,933	1,950,933	0	
Special Fund	296,226	296,226	0	
Federal Fund	1,090,059	790,059	300,000	
Total Funds	3,337,218	3,037,218	300,000	

Amendment No. **99**

Committee Narrative

OFFICE OF RESOURCE CONSERVATION

L00A15.03 Resource Conservation Operations

Soil Conservation District and Field Personnel Status: The committees are concerned that it is difficult to track the progress toward funding the mandated 110 soil conservation field personnel and the funding for soil conservation districts at \$9.2 million in fiscal 2009. Therefore, the committees request that the Maryland Department of Agriculture (MDA) include with the submission for the annual State budget the status of the following:

- the number of authorized soil conservation district field personnel positions, the number of vacant authorized field personnel positions, the funding source, and amount for each authorized position; and

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- the source of funding and the amount as well as what subprograms and subobjects are covered under soil conservation district funding.

Information Request	Author	Due Date
Status of soil conservation district funding and field personnel requirements	MDA	Fiscal 2010 State budget submission and annually thereafter

M00A
Department of Health and Mental Hygiene
Office of the Secretary

Budget Amendments

OFFICE OF THE SECRETARY

M00A01.05 Board of Nursing

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Decrease funding for additional office and computer equipment associated with additional positions since new positions for the State Board of Nursing were contractual conversions.	95,036 SF	
Total Reductions	95,036	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	64.00	64.00		0.00
Special Fund	6,578,966	6,483,930	95,036	
Total Funds	6,578,966	6,483,930	95,036	

Amendment No. **100**

M00A01.06 State Board of Physicians

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete funding designated for an information technology project for the State Board of Physicians. The State Board of Physicians requested that this appropriation be taken out of the fiscal 2009 allowance due to an insufficient fund balance. It is understood, however, that should a more economical option become available to the Board of Physicians, the Administration may submit a budget amendment authorizing an information technology project in fiscal 2009 subject to proper oversight guidelines for a major information technology project.	600,000 SF	
Total Reductions	600,000	0.00

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<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	72.00	72.00		0.00
Special Fund	8,838,986	8,238,986	600,000	
Total Funds	8,838,986	8,238,986	600,000	

Amendment No. **101**

M00F01
Department of Health and Mental Hygiene
Deputy Secretary for Public Health Services

Budget Amendments

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for patient advocate legal contracts. These contracts (a combination of fixed price and hourly) are awarded to private attorneys in order to provide independent legal representation and advocacy for patients in State institutions. The allowance provides a \$144,000 increase in funding for these contracts over fiscal 2008 (26%). The proposed reduction is based on current utilization estimates. It should be noted that the Department of Health and Mental Hygiene estimates that fiscal 2008 funds for the program are inadequate. However, using the higher projected fiscal 2008 costs, the reduction still allows for a \$73,000 increase (12%).	30,000	GF
Total Reductions	30,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	21.00	21.00		0.00
General Fund	3,300,124	3,270,124	30,000	
Total Funds	3,300,124	3,270,124	30,000	

Amendment No. **102**

M00F03
Department of Health and Mental Hygiene
Family Health Administration

Budget Amendments

FAMILY HEALTH ADMINISTRATION

M00F03.02 Family Health Services and Primary Care

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general fund support for the Women, Infant, and Children Food (WIC) Program. Statute mandates that the Governor include in the budget allowance at least \$250,000 in general funds to support the administrative and food costs of the WIC Program. The Family Health Administration (FHA) uses \$65,000 of this appropriation to receive a federal fund match for the Farmers Market Coupon Program, which is dually administered by FHA and the Maryland Department of Agriculture. In addition, FHA uses \$112,000 to fund expenses related to networkMaryland, which are expenses that cannot be covered by federal funds. The remaining general funds are used to supplement the federal funding for the program, which has been sufficient in recent years to cover the cost of the program.	73,000	GF
Total Reductions	73,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	108.30	108.30		0.00
General Fund	20,705,966	20,632,966	73,000	
Special Fund	106,192	106,192	0	
Federal Fund	102,247,098	102,247,098	0	
Total Funds	123,059,256	122,986,256	73,000	

Amendment No. **103**

M00F03

M00F03.06 Prevention and Disease Control

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation for the Office of Minority Health and Health Disparities to reduce infant mortality may not be expended for that purpose and may only be used to fund the expansion of the Family Health Administration's Babies Born Healthy program and funds not spent for this purpose shall revert to the general fund.

Explanation: The Governor's allowance provides new general funds in the amount of \$1.0 million for the Office of Minority Health and Health Disparities to reduce infant mortality. However, by statute, the General Assembly has expressed intent that the Office of Minority Health and Health Disparities be funded with federal and special fund sources. Also, in anticipation of receiving additional general funds in fiscal 2009, the Family Health Administration (FHA) has a comprehensive plan to utilize the funding in the manner intended in the allowance through the expansion of the Babies Born Healthy program. Therefore, the \$1.0 million would be best utilized through the Babies Born Healthy program that is administered by FHA.

Amendment No. 104

Committee Narrative

Stockpile of Antiviral Treatments: The committees note the federal government is offering to sell the states enough antiviral treatments to treat 25 percent of each state's population at a significantly reduced price. To date, the department has purchased 36 percent of the antiviral treatments allotted to the State under the federal subsidized price. To take advantage of the federal government's offer, the Department of Health and Mental Hygiene (DHMH) must purchase the antiviral treatments by June 29, 2008. The committees request that DHMH provide a report by August 1, 2008 detailing how much of the antiviral treatments were purchased at the federal subsidized price and the source of funding the purchases.

Information Request	Author	Due Date
Report on the antiviral treatments purchased	DHMH	August 1, 2008

M00F04
Department of Health and Mental Hygiene
AIDS Administration

Committee Narrative

M00F04.01 AIDS Administration

Status Report on the Transition to Name-based HIV Reporting: The committees would like to monitor the Department of Health and Mental Hygiene’s AIDS Administration’s transition to name-based HIV reporting. The federal reauthorization of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act, which is a major funding source of the AIDS Administration, changed the basis for the funding distribution to name-based HIV reporting. This means the AIDS Administration must change from a code-based to a name-based system to continue to receive Ryan White CARE funding. The AIDS Administration needs to complete the transition to a name-based system by December 31, 2008, in order to sustain federal funding at a level comparable to the current level. The AIDS Administration should report on the status of the transition by January 10, 2009.

Information Request	Author	Due Date
Status report on the transition to name-based HIV reporting	AIDS Administration	January 10, 2009

M00K
Department of Health and Mental Hygiene
Alcohol and Drug Abuse Administration

Budget Amendments

M00K02.01 Alcohol and Drug Abuse Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Alcohol and Drug Abuse Administration submits a report to the budget committees outlining actions it intends to take to maximize the utilization of local addictions prevention and treatment awards. The actions shall be specific to individual jurisdictions as appropriate. The report shall be submitted by December 1, 2008, and the budget committees shall have 45 days to review and comment.

Explanation: There are a number of jurisdictions that regularly under-utilize their local addictions prevention and treatment awards. The Alcohol and Drug Abuse Administration (ADAA) notes that it is working with all jurisdictions in order to both maximize the utilization of awards and also to ensure that these dollars are spent as efficaciously as possible. However, some jurisdictions regularly leave funding unspent. The language restricts funds until ADAA reports to the budget committees on actions that will occur, specific to relevant jurisdictions, to resolve this problem.

Information Request	Author	Due Date
Maximizing the utilization of local prevention and treatment awards	ADAA	December 1, 2008

Amendment No. **105**

M00L
Department of Health and Mental Hygiene
Mental Hygiene Administration

Budget Amendments

Add the following language:

It is the intent of the General Assembly that funding for Community Services (M00L01.02) and Community Services for Medicaid Recipients (M00L01.03) be expended in accordance with budget detail presented to, and approved by, the General Assembly. If the department wishes to make a regulatory, policy, or procedural change which increases or decreases the budget by a sum greater than \$500,000, it shall inform the budget committees of the change and the committees shall have 30 days to review and comment before it becomes effective. In reporting any change, the department shall also include an assessment of the impact on clients and providers.

Explanation: The language requires the Department of Health and Mental Hygiene (DHMH) to notify the budget committees of any regulatory, policy, or procedural changes which increase or decrease funding for community mental health services by more than \$500,000. The report should include the potential impact on clients and providers.

Information Request	Author	Due Date
Notification of changes impacting the funding of community mental health services	DHMH	As needed, with 30-day review prior to implementation

Amendment No. **106**

M00L01.02 Community Services

Add the following language to the general fund appropriation:

, provided that \$3,325,475 of this appropriation is contingent on enactment of SB 210 or HB 372 establishing a program for behavioral health services for Maryland veterans of the Afghanistan and Iraq conflicts.

Further provided that:

- (1) no funding may be expended for services under the program until the Department of Health and Mental Hygiene submits to the budget committees, the Senate Finance Committee, and the House Health and Government Operations Committee, a detailed report specifying how the department intends to satisfy the provisions of SB 210 or HB 372 requiring service coordination for veterans and eligibility and medical necessity criteria. The budget committees shall have 30 days to review and comment;

M00L

- (2) funding for the behavioral health services program for Maryland veterans of the Afghanistan and Iraq conflicts may only be expended to support that program. Any unexpended funds may not be reprogrammed or transferred but shall only revert to the general fund. In order to meet the requirements of this paragraph, the department shall separately account for services provided to Maryland veterans;
- (3) the Department of Health and Mental Hygiene shall seek reimbursement from the United States Department of Veterans Affairs or any other responsible payer for behavioral health services provided under SB 210 or HB 372. The department shall submit to the budget committees, within one month of the close of each quarter, actual services expenditures in the prior quarter and evidence that it has tried to seek reimbursement for these expenditures; and
- (4) the Department of Health and Mental Hygiene in conjunction with the Veterans Behavioral Health Advisory Board established under SB 210 or HB 372 shall, by September 1, 2008, submit a grant application to the United States Department of Veterans Affairs or other appropriate federal agency, seeking a minimum of \$3,500,000 in federal funds to support this program in each of fiscal 2010 and 2011. A copy of that request shall be provided to the Maryland congressional delegation and the budget committees.

Explanation: The language adds restrictions and reporting requirements to the funding for behavioral services for Maryland veterans of the Afghanistan and Iraq conflicts.

Information Request	Authors	Due Date
Implementation Plan	Department of Health and Mental Hygiene (DHMH)	30 days prior to expenditure of funds for services
Reimbursement of Expenditures	DHMH	Within 30 days of the close of each quarter of the fiscal year
Grant application for federal funding of services in fiscal 2010 and 2011	DHMH Veterans Behavioral Health Advisory Board	September 1, 2008

Amendment No. **107**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete six new regular positions but retain sufficient funding to allow the equivalent level of contractual support for the Veterans Behavioral Health Initiative	146,000 GF	6.00
Total Reductions	146,000	6.00

M00L

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	17.00	11.00		6.00
General Fund	87,675,206	87,529,206	146,000	
Special Fund	31,119	31,119	0	
Federal Fund	30,261,247	30,261,247	0	
Total Funds	117,967,572	117,821,572	146,000	

Amendment No. **108**

WALTER P. CARTER COMMUNITY HEALTH CENTER

M00L03.01 Services and Institutional Operations

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on sharing maintenance and related costs with tenants at the Carter Center. The maintenance budget for the Carter Center (maintenance, utilities, security, housekeeping, etc.) is just over \$2.4 million. Some of the costs are fully shared with tenants (for example, the new housekeeping contract) while others are either shared only with some tenants or not at all. This reduction simply shares all maintenance costs with tenants based on the amount of leased space (19.31% of total available space). The reduction in general funds can be back-filled by special fund attainment from tenants. Tenants include the University of Maryland Medical System and Baltimore City.	330,000 GF	
Total Reductions	330,000	0.00

M00L

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	128.30	128.30		0.00
General Fund	13,798,149	13,468,149	330,000	
Special Fund	152,783	152,783	0	
Total Funds	13,950,932	13,620,932	330,000	

Amendment No. **109**

CROWNSVILLE HOSPITAL CENTER

M00L06.01 Services and Institutional Operations

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for Maryland Environmental Service (MES) charges. The allowance includes just under \$900,000 in MES charges for the operations of water and wastewater plants. This represents an increase of 24% over charges for Crownsville in the last year when the site operated a psychiatric hospital with over 200 beds and water flows were four times current levels. The reduction aligns charges with the most recent actual.	280,000	GF
 Total Reductions	 280,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,291,920	1,011,920	280,000	
Special Fund	493,950	493,950	0	
Total Funds	1,785,870	1,505,870	280,000	

Amendment No. **110**

M00L

Committee Narrative

Transition Plan for Developmentally Disabled-eligible and Pending Eligibility Individuals in State-run Psychiatric Facilities: The committees are concerned about the number of developmentally disabled-eligible or pending eligibility individuals in State-run psychiatric facilities and the long delays often facing these individuals before they can be appropriately placed. Such individuals enter State-run psychiatric facilities dually diagnosed with mental illness and developmental disability and, after treatment, are developmentally disabled-eligible or pending eligibility. The Department of Health and Mental Hygiene (DHMH) shall develop a transition plan to facilitate the movement of these individuals into appropriate placements. The transition plan shall be provided to the committees by December 1, 2008.

Information Request	Author	Due Date
Transition plan for developmentally disabled-eligible and pending eligibility individuals in State-run psychiatric facilities	DHMH	December 1, 2008

Pilot Integrated Care Management Program: The committees are interested in examples from other states where groups of Medicaid-eligible high-cost users of mental health and physical health services enter intensive care management programs aimed at improving health outcomes as well as reducing overall health costs. The committees request that the Department of Health and Mental Hygiene (DHMH) develop a pilot integrated care management program for persons with serious mental illness and chronic physical health issues for implementation in fiscal 2010. DHMH should update the committees on the status of plans to develop such a program by January 1, 2009.

Information Request	Author	Due Date
Pilot integrated care management program	DHMH	January 1, 2009

Crisis Response System: The committees request that the Maryland Health Care Commission-convened (MHCC) task force that is developing a plan for the appropriate continuum of mental health services in Maryland, include in the plan the ideal components of Maryland's mental health crisis response system; and, on a county by county basis, identification of the components of the mental health crisis response system that are in place and what additionally is needed.

M00M
Department of Health and Mental Hygiene
Developmental Disabilities Administration

Budget Amendments

Add the following language:

Provided that (1) \$2,542,577 of general fund appropriation of M00M0201, (2) \$864,527 of general fund appropriation of M00M0701, and (3) \$1,525,630 of general fund appropriation of M00M0901 shall not be expended until the Department of Health and Mental Hygiene submits a written report on the plan to orderly transfer and care for court-ordered individuals that will be relocated due to the closure of Rosewood. The budget committees shall have 45 days from receipt of the report to review and comment.

Explanation: The budget plan, as submitted by the Department of Health and Mental Hygiene (DHMH) to close Rosewood and transition its residents is no longer applicable. A major component of the plan transitioning the Brandenburg Center from an Intermediate Care Facility for the Mentally Retarded to a facility dedicated solely to the treatment of court-involved individuals is no longer a valid option. The department must finalize an alternate plan for the care and treatment of court-ordered individuals including a viable State facility that can serve individuals on a long-term basis.

Information Request	Author	Due Date
Budget plan for the closure of the Rosewood Center	DHMH	45 days prior to the expenditure of funds

Amendment No. **111**⁰⁰

Committee Narrative

M00M01.01 Program Direction

Placement of Court-ordered Individuals: In fiscal 2009, the Developmental Disabilities Administration (DDA) will implement a new system for serving court-ordered individuals with developmental disabilities. Individuals will first be evaluated for behavioral issues to determine an appropriate placement either at a facility or at a community placement. DDA has identified a number of barriers associated with serving individuals in the community. The agency is asked to submit a report by July 1, 2008 that provides a clear and comprehensive policy on the treatment of court-involved individuals in facility and community settings. The report shall address solutions for the problems identified in the agency's response to Chapter 445 of 2007.

M00M

Information Request	Author	Due Date
Policy and procedure report for safely and effectively serving court-ordered individuals	DDA	July 1, 2008

M00Q
Department of Health and Mental Hygiene
Medical Care Programs Administration

Budget Amendments

M00Q01.02 Office of Operations, Eligibility, and Pharmacy

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Reduce funding for contractual employees to recognize actual expenditures. While the fiscal 2009 allowance reduces the number of contractual positions by nine, the funding for contractual positions is nearly 50.0% higher than the fiscal 2007 actual costs. The reduction still provides a 9.5%, or \$119,571 increase over actual spending for contractual positions in fiscal 2007.	200,000	GF	
	300,000	FF	
2. Delete one new position and associated funding. The Medical Care Programs Administration has two vacancies for the same position in the same subprogram and one of the vacancies has been vacant for more than a year and the other has been vacant for more than eight months.	10,328	GF	1.00
	29,396	FF	
Total Reductions	539,724		1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	220.50	219.50		1.00
General Fund	7,471,061	7,260,733	210,328	
Federal Fund	17,715,971	17,386,575	329,396	
Total Funds	25,187,032	24,647,308	539,724	

Amendment No. **112**

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Reduce funding for inpatient hospital costs recognizing lower than anticipated utilization rates. The reduction assumes an average inpatient hospital utilization rate of 1.9 services per fee-for-service enrollee.	20,000,000	GF	
	20,000,000	FF	
Total Reductions	40,000,000		0.00

M00Q

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,319,249,044	2,299,249,044	20,000,000	
Special Fund	246,692,501	246,692,501	0	
Federal Fund	2,517,612,861	2,497,612,861	20,000,000	
Total Funds	5,083,554,406	5,043,554,406	40,000,000	

Amendment No. 113

Add the following language:

All appropriations provided for program M00Q01.03 are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose, and there shall be no budgetary transfer to any other program or purpose, except that \$1,000,000 in Cigarette Restitution Funds may be transferred to the Maryland State Department of Education program R00A03.04 Aid to Non-public Schools for the purpose of purchasing textbooks. Further provided that the transfer of Cigarette Restitution Funds to the Maryland State Department of Education is contingent on:

- (1) the enactment of legislation authorizing any over-attainment of revenues into the Cigarette Restitution Fund up to \$1,000,000 to be added by budget amendment to the Medicaid budget to offset this transfer; and
- (2) the actual realization of those additional revenues.

Explanation: The language restricts funds for Medicaid provider reimbursements to that purpose with the exception of \$1 million in Cigarette Restitution Funds (CRF) which may be transferred to the Maryland State Department to augment the existing \$3,598,000 special fund appropriation for the purchase of textbooks by non-public schools. That transfer is contingent on legislation authorizing the transfer of over-attained CRF dollars to back-fill the Medicaid program and the actual realization of those revenues.

Amendment No. 114

Committee Narrative

Copay for HIV drugs for HealthChoice Enrollees: The budget committees request that the Department of Health and Mental Hygiene (DHMH) examine the impact that copays for HIV drugs for HealthChoice enrollees have had on the HIV disease management of those individuals. In July 2007, the budget reductions approved by the Board of Public Works (BPW) included carving HIV drugs out of the HealthChoice program. The action had an adverse impact on the HealthChoice enrollees that rely on

M00Q

HIV drugs because none of the managed care organizations currently require copays for prescription drugs. However, under the Medicaid fee-for-service program the State charges copays for all drugs. So after the BPW actions, the HealthChoice enrollees that receive HIV drugs pay a \$1 copay for the HIV drugs and no copay for any other prescription drugs. HIV drugs are an essential component of the disease management for individuals that are HIV positive, and the copay requirement may be an impediment for some HealthChoice enrollees to obtain the necessary HIV drugs. The department should submit the report by December 1, 2008.

Information Request	Author	Due Date
Report on the impact of HIV drug copays for HealthChoice enrollees	DHMH	December 1, 2008

Services for Hard of Hearing and Deaf Children: The committees are concerned that the hard of hearing and deaf children enrolled in Medicaid and the Maryland Children's Health Program (MCHP) are not receiving appropriate audiologic services and nearly all private practice sites are no longer providing hearing aid services for children enrolled in Medicaid and MCHP. The Department of Health and Mental Hygiene (DHMH) should report to the committees on the benefits provided to hard of hearing and deaf children through Medicaid and MCHP. In addition, DHMH should discuss the adequacy of reimbursement levels for audiologic services and the availability of Medicaid and MCHP providers for those services.

Information Request	Author	Due Date
Report on services for hard of hearing and deaf children	DHMH	November 1, 2008

Medicaid Pharmacy Dispensing Fees: It is the intent of the budget committees that the Department of Health and Mental Hygiene (DHMH) determine a reasonable level for the Medicaid pharmacy dispensing fees. In determining a reasonable level for the dispensing fee, the department shall take into consideration the findings of the 2006 cost of dispensing survey conducted by the University of Maryland School of Pharmacy on behalf of the department. In addition, a reasonable Medicaid pharmacy dispensing fee should be a level that is:

- (1) fair, transparent, and reasonable and provides a reasonable profit;
- (2) adequate to ensure that an individual covered under the Medical Assistance program has access to prescription drugs and pharmacy services at the same level as those services are available for Maryland residents who are not individuals enrolled in the Medical Assistance program; and
- (3) consistent with efficiency, economy, and quality of care.

M00Q

Information Request	Author	Due Date
Report on the reasonable level of dispensing fees	DHMH	November 1, 2008

Budget Amendments

M00Q01.10 Medicaid Expansion

Add the following language:

All appropriations provided for program M00Q01.10 are to be used only for the purposes herein appropriated and for specialty mental health services, and there shall be no budgetary transfer to any other program or purpose other than M00Q01.03 and the Mental Hygiene Administration.

Explanation: The language restricts funds for Health Care Coverage Fund provider reimbursements to that purpose.

Amendment No. **115**

Amend the following language in the special fund appropriation:

, provided that ~~\$14,275,000~~ \$3,000,000 of this appropriation is contingent upon the enactment of legislation authorizing the use of additional funding from the Rate Stabilization Fund during fiscal year 2009.

Explanation: The action amends the existing language making the special funds from the Rate Stabilization Fund contingent on the enactment of legislation. The amendment reduces the available special funds to reflect the decision to delay the implementation of the Medicaid expansion to parents for six months. As a result, the expansion will be effective as of January 1, 2009.

Add the following language to the special fund appropriation:

Further provided that this appropriation is contingent on the enactment of SB 974 or HB 1587.

Explanation: This language makes the special fund appropriation for the Medicaid expansion to parents contingent on the passage of SB 974 or HB 1587.

Amendment No. **116**

M00Q

Add the following language to the special fund appropriation:

Further provided that \$19,000,000 of this appropriation may only be expended to end hospital day limits effective July 1, 2008.

Explanation: Language restricts \$19 million of the special fund appropriation to end hospital day limits effective July 1, 2008.

Amendment No. 117

Add the following language to the special fund appropriation:

Further provided that \$1,000,000 of this appropriation is contingent upon the Department of Health and Mental Hygiene submitting an interim report to the budget committees by December 31, 2008 concerning the implementation of the Medicaid expansion to parents and their children. The budget committees shall have 45 days to review and comment. The report shall include:

- (1) an explanation of the method used to collect hospital uncompensated care, the Maryland Health Insurance Plan assessments, or any other revenues used to fund the health care expansion efforts and the recovery of federal Medicaid funds based on those disparate revenue sources;
- (2) an update regarding the Medical Care Programs Administration recovered federal Medicaid funds for the expenditure of the \$33,000,000 in special funds transferred from the Maryland Health Insurance Plan;
- (3) a detailed account of how the eligibility of the new parents and children is determined and how the new parents and children are being tracked by the department; and
- (4) the number of new parents and children enrolled in Medicaid and the cost and utilization of inpatient hospital care and specialty mental health services of the new enrollees.

Further provided that the Department of Health and Mental Hygiene shall submit a final report to the budget committees by June 30, 2009 detailing the program experience of the Medicaid expansion to parents and their children through the first year of implementation.

Explanation: This language restricts \$1.0 million until the Department of Health and Mental Hygiene (DHMH) submits an interim report regarding the implementation of the Medicaid expansion to parents with household incomes up to 116% of the federal poverty level. Fiscal 2009 is the first year of a multi-year Medicaid expansion, and for the first

M00Q

couple of years the health care expansion is expected to be funded with uncompensated care savings from the hospital system and other special fund sources. The report should explain the method planned to collect the uncompensated care savings, the Maryland Health Insurance Plan assessments, or any other revenues used to fund the health care expansion efforts and the recovery of federal Medicaid funds based on those disparate revenue sources. Also, the department should report on other aspects of the implementation of the Medicaid expansion in the interim report and at the end of the first year of the program's experience.

Information Request	Author	Due Date
Interim report concerning the implementation of the Medicaid expansion to parents and their children	DHMH	December 31, 2008
Final report on the experience of the Medicaid expansion throughout the first year of implementation	DHMH	June 30, 2009

Amendment No. **118**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce the special and federal fund appropriations for the Medicaid expansion to parents to reflect a six month delay in the implementation of the expansion.	9,275,000 SF 9,275,000 FF	
Total Reductions	18,550,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	14,275,000	14,275,000	0	
Special Fund	47,275,000	38,000,000	9,275,000	
Federal Fund	47,275,000	38,000,000	9,275,000	
Total Funds	108,825,000	90,275,000	18,550,000	

Amendment No. **119**

M00Q

Add the following language to the federal fund appropriation:

, provided that this appropriation is contingent on the enactment of SB 974 or HB 1587.

Explanation: This language makes the federal fund appropriation for the Medicaid expansion to parents contingent on the passage of SB 974 or HB 1587.

Amendment No. 120

Add the following language to the federal fund appropriation:

Further provided that \$19,000,000 of this appropriation may only be expended to end hospital day limits effective July 1, 2008.

Explanation: This language restricts \$19 million of the federal fund appropriation to fund ending hospital day limits effective July 1, 2008.

Amendment No. 121

M00R
Department of Health and Mental Hygiene
Health Regulatory Commissions

Budget Amendments

M00R01.01 Maryland Health Care Commission

Add the following language to the special fund appropriation:

, provided that \$15,000,000 of this appropriation to implement the Small Employer Health Benefit Plan Premium Subsidy Program is contingent on the enactment of SB 974 or HB 1587.

Explanation: This language makes the fiscal 2009 appropriation to fund the Small Employer Health Benefit Plan Premium Subsidy Program contingent on the enactment of SB 974 or HB 1587, which establishes a uniform hospital assessment to collect uncompensated care savings.

Amendment No. **122**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Small Employer Health Benefit Plan Premium Subsidy Program.	15,000,000 SF	
Total Reductions	15,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	58.60	58.60		0.00
Special Fund	53,920,777	38,920,777	15,000,000	
Total Funds	53,920,777	38,920,777	15,000,000	

Amendment No. **123**

N00A
Department of Human Resources
Office of the Secretary

Budget Amendments

OFFICE OF THE SECRETARY

N00A01.01 Office of the Secretary

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase budgeted turnover expectancy to 5.5% to better reflect trends in vacancies. The reduction should be allocated among all programs within the Department of Human Resources Administration.	169,078 GF 132,847 FF	
Total Reductions	301,925	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	114.00	114.00		0.00
General Fund	5,427,902	5,258,824	169,078	
Federal Fund	5,719,960	5,587,113	132,847	
Total Funds	11,147,862	10,845,937	301,925	

Amendment No. **124**

N00C
Department of Human Resources
Community Services Administration

Budget Amendments

COMMUNITY SERVICES ADMINISTRATION

N00C01.12 Office of Home Energy Programs

Add the following language to the general fund appropriation:

, provided that \$21,700,000 of the general fund appropriation for the Office of Home Energy Programs may not be expended until all special funds available to the Universal Service Benefit Program have been exhausted.

Explanation: This language restricts the use of the \$21.7 million in general fund appropriation for the State Special Benefit Program of the Office of Home Energy Programs until all special funds have been exhausted.

Amendment No. **125**¹²⁵

Add the following language to the general fund appropriation:

Further provided that \$21,700,000 of the general fund appropriation for the Office of Home Energy Programs be used only for the purpose herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds unexpended at the end of the fiscal year shall revert to the general fund.

Explanation: This language restricts the general fund appropriation made for the purpose of low-income energy assistance to that purpose. It also requires that all unexpended funds be reverted at the end of the fiscal year. The funding available for the Electric Universal Services Program through ratepayer funding has been inadequate in recent years to meet the needs of households. As a result, additional funding has been available for low income energy assistance, through the Dedicated Purpose Account in prior years and general funds in the fiscal 2009 allowance. All funding available for the purpose of helping to meet the energy assistance demand should be used for this purpose to ensure all households who qualify and apply receive a benefit. If reduced demand lessens the need for additional assistance the money should revert to the general fund.

Amendment No. **126**¹²⁶

N00G
Department of Human Resources
Local Department Operations

Budget Amendments

LOCAL DEPARTMENT OPERATIONS

N00G00.01 Foster Care Maintenance Payments

Add the following language:

Provided that all appropriations provided for Program N00G00.01 Foster Care Maintenance Payments 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 N00G00.03 Child Welfare Services.

Explanation: This language restricts funds appropriated for foster care payments to that use only or for transfer to N00G00.03 Child Welfare Services which is where child welfare caseworker positions are funded.

Amendment No. **127**

N00G00.03 Child Welfare Services

Add the following language:

Provided that:

- (1) all appropriations for program N00G00.03 Child Welfare Services 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; and
- (2) notwithstanding paragraph (1) above, general funds of \$8,900,000 in object 01 Salaries, Wages, and Fringe Benefits may be transferred to other units within the Department of Human Resources' Local Government Operations for employee and retiree health and other fringe benefits.

Explanation: This language restricts funds appropriated for child welfare services to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments. However, the language allows the general funds included in this program and intended to pay for employee and retiree health and other fringe benefits for other units of the Local Government Operations to be transferred to the other Local Government Operations programs as needed up to \$8.9 million.

Amendment No. **128**

N00G

Add the following language to the general fund appropriation:

, provided that:

- (1) \$500,000 of this appropriation may not be expended unless the Department of Human Resources has on December 1, 2008, at least 2,071 filled child welfare caseworker and supervisor positions;
- (2) \$500,000 of this appropriation may not be expended unless the Department of Human Resources has on March 1, 2009, at least 2,071 filled child welfare caseworker and supervisor positions; and
- (3) in addition to having at least the number of filled caseworker and supervisor positions indicated in paragraphs (1) and (2), the funds restricted in paragraphs (1) and (2) may not be expended unless the Department of Human Resources also reports, at each date, on the actual number of cases and filled positions assigned, by jurisdiction, for the following caseload types using data current within 60 days:
 - (i) Intake Screening;
 - (ii) Child Protective Investigation;
 - (iii) Continuing Child Protective Services;
 - (iv) Intensive Family Services;
 - (v) Families NOW Levels II – III;
 - (vi) In-home Family Services;
 - (vii) Foster Care;
 - (viii) Kinship Care;
 - (ix) Adoption Services;
 - (x) Interstate Compact for the Placement of Children;
 - (xi) Court-ordered Home Studies;
 - (xii) Resource Family Development and Support – New Applicants;
 - (xiii) Resource Family Development and Support – Ongoing and License Renewals/Kinship Caregivers; and
 - (xiv) Casework Supervisors.

Further provided that it is the intent of the General Assembly that the Department of Human Resources focus specifically on increasing the number of filled child welfare caseworker and supervisor positions in those jurisdictions that do not meet the staff to caseload ratios recommended by the Child Welfare League of America.

N00G

Explanation: The Child Welfare Workforce Initiative of 1998 and the Child Accountability Act of 2006 require the Department of Human Resources to work toward maintaining sufficient filled child welfare caseworker and supervisor positions to meet the staffing standards recommended by the Child Welfare League of America (CWLA). As of December 1, 2007, the department was 145 filled positions short of this goal with only 2,026 filled positions. The new target would require the department to increase the number of filled positions by 50 more than were filled as of December 1, 2007. The language also requires that the department report on the caseloads and filled positions assigned by jurisdiction for the 14 caseload types identified by the department in consultation with the CWLA, and states intent that the department focus its efforts in those jurisdictions not meeting the staffing ratios recommended by the CWLA.

Information Request	Author	Due Date
Reports on caseload by caseload type and filled positions assigned by caseload type	DHR	December 1, 2008 March 1, 2009

Amendment No. 129

P
Department of Labor, Licensing, and Regulation

Budget Amendments

DIVISION OF LABOR AND INDUSTRY

P00D01.02 Employment Standards Services

Reduce appropriation for the purposes indicated:	<u>Funds</u>		<u>Positions</u>
1. Delete two new positions within the Employment Standards Services Unit. Any new positions within this unit should be delayed until such time that performance standards return to the level achieved prior to a temporary lapse in funding.	79,776	GF	2.00
2. Reduce the increase in in-state travel and computer equipment associated with new positions under the Employment Standards Services Unit.	10,000	GF	
Total Reductions	89,776		2.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	7.00	5.00		2.00
General Fund	441,625	351,849	89,776	
Total Funds	441,625	351,849	89,776	

Amendment No. **130**

Committee Narrative

P00D01.05 Safety Inspection

Safety Inspector Salary Reclassification: The persistent vacancies that exist within the Division of Labor and Industry and the backlog of inspections caused by those vacancies compromise the safety of Marylanders. The committees request that the Department of Labor, Licensing, and Regulation review the salary structure of safety inspection positions within the division, specifically boiler inspection positions. The department should appeal to the Department of Budget and Management (DBM) for reclassification of inspection positions to aid in retention. To facilitate the reclassification, the committees further request that DBM place special focus on inspection positions during the next statewide annual salary review.

Q00A
Department of Public Safety and Correctional Services
Office of the Secretary

Budget Amendments

OFFICE OF THE SECRETARY

Q00A01.01 General Administration

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Increase the turnover expectancy from 4.87% to 5.65%. The current vacancy rate is 10.49%. This may be artificially high due to the hiring freeze; however, since 2003 the department has been averaging a vacancy rate of 9.4%.	269,032	GF
 Total Reductions	 269,032	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	162.50	162.50		0.00
General Fund	22,163,028	21,893,996	269,032	
Special Fund	583,476	583,476	0	
Total Funds	22,746,504	22,477,472	269,032	

Amendment No. **131**

Committee Narrative

Q00A01.08 Office of Treatment Services

Alternative Plan for the Assessment of Inmates: Section 10-814 of the Health-General Article requires the Mental Hygiene Administration (MHA) to compensate case managers or other appropriate community mental health providers for conducting initial assessment of inmates who are (1) identified by the Department of Public Safety and Correctional Services (DPSCS) as having a serious mental illness; and (2) expected to be within three months of release. However, the committees are concerned that conducting initial assessments within DPSCS facilities have not proven feasible because resources for implementation are unavailable; and significant geographic challenges exist because inmates often return to a home community that is not in close proximity to the correctional institution they are leaving. The committees understand that MHA and DPSCS have developed an alternative plan to secure an appointment for a seriously mentally ill individual within two weeks of release. The committees request DPSCS and MHA report back to them on the implementation and results of this alternative plan.

Q00A

Information Request	Authors	Due Date
Alternative plan for the assessment of inmates	DPSCS MHA	December 1, 2008

Benefit Restoration and Medication Supply for Inmates Returning to the Community: House Bill 990 (2005) required the Department of Health and Mental Hygiene to suspend rather than terminate Medicaid benefits while an individual is incarcerated once a new eligibility system for the Medical Assistance Program was established. That eligibility system is pending, but in the interim the Departments of Public Safety and Correctional Services (DPSCS) and Human Resources (DHR) have established several Memorandum of Understanding (MOU) to expedite benefits applications so that eligible inmate can secure benefits within 48 hours of release. Additionally, House Bill 281 (2007) required that DPSCS provide certain inmates with access to a 30-day supply of medication for their mental illness upon release of the inmates.

The committees are interested in knowing how successful the MOUs and medication benefits have been and ask DPSCS and DHR to report back to them by December 1, 2008 on the following information:

- (1) How many inmates with serious mental illnesses have submitted complete applications to receive state or federal entitlement/benefits prior to release, as a result of the MOUs between DPSCS and DHR; of this total, how many successfully secured benefits; and reporting of the reasons why applications were denied, to the degree this is known.
- (2) The criteria used to determine if an inmate diagnosed with a mental illness was subject to the medication provision in House Bill 281; how many individuals who met the criteria received a 30-day supply of medication upon release (or a prescription for that supply); how many individuals met the criteria by received less than a 30-day supply of medication, and the reasons for the reduced provision of medication to these individuals; what additional costs were incurred as a result of the mandate; and how many individuals who received medication treatment for a mental health condition while incarcerated were discharged in the year and did not meet the definitional criteria of mental illness as established and applied by DPSCS, and as a result, were ineligible for the 30-day supply.

Information Request	Authors	Due Date
Benefit restoration and medication supply for inmates returning to the community	DPSCS DHR	December 1, 2008

Q00B
Department of Public Safety and Correctional Services
Division of Correction - Headquarters

Budget Amendments

Add the following language:

Provided that funds for correctional education services within this budget may not be expended by the division but may only be transferred via budget amendment under one of the following two scenarios:

- (1) contingent on the enactment of SB 203 or HB 367, the designated funds shall be transferred to the Department of Labor, Licensing, and Regulation (DLLR); or
- (2) contingent on the failure of SB 203 or HB 367, all funding designated for education programs shall be transferred to the Maryland State Department of Education (MSDE), Division of Correctional Education, for the provision of educational services in the Department of Public Safety and Correctional Services.

Further provided that it is the intent of the General Assembly that all funding for correctional education purposes be appropriated within one agency, either entirely within the Department of Public Safety and Correctional Services and then accounted for as reimbursable funds within either DLLR or MSDE, or entirely within DLLR or MSDE. The General Assembly is concerned that the practice of partially budgeting correctional education funds in more than one agency obscures the true level of spending for this purpose; therefore all funds shall be budgeted within one agency beginning in the fiscal 2010 allowance.

Explanation: The General Assembly has expressed its intent that the Department of Public Safety and Correctional Services (DPSCS) not be responsible for providing educational services at correctional institutions. This language restricts DPSCS from expending funds for education programs at Division of Correction institutions. The language instead allows DPSCS to transfer education funding to the Maryland State Department of Education, or contingent on the enactment of Senate Bill 203 or House Bill 367, to the Department of Labor, Licensing, and Regulation for the provision of educational services at correctional institutions. This language also expresses the General Assembly's intent that future funding for correctional education be budgeted within one agency beginning in fiscal 2010 in order to eliminate the process of an annual budget amendment and to better assess the amount of resources annually appropriated for correctional education services.

Amendment No. **132**

Q00B

EASTERN SHORE REGION

Q00B07.01 Eastern Correctional Institution

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the appropriation for Maryland Environmental Services (MES) charges. Funds were included in the fiscal 2009 allowance for MES revenue bond debt service to fund the Eastern Correctional Institution water and wastewater projects. These projects are being funded using general obligation bonds and therefore the debt service funding is no longer needed.	950,000	GF
Total Reductions	950,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	858.00	858.00		0.00
General Fund	94,875,956	93,925,956	950,000	
Special Fund	2,744,103	2,744,103	0	
Federal Fund	850,000	850,000	0	
Total Funds	98,470,059	97,520,059	950,000	

Amendment No. 133

Committee Narrative

Report on the Provision of Reentry Services to Inmates: The committees direct the Department of Public Safety and Correctional Services (DPSCS) to submit a report evaluating the impact of reentry services on the offender population. As the department revises its reentry program to focus on employment, education, and traditional reentry service provision, it is important to understand the impact of those services on the offender population and the level of service provision the department is able to provide with available resources. This report will allow the General Assembly to monitor the types of reentry services provided and the number of participants in order to ensure that reentry service resources are being effectively utilized. In submitting the report, the department should provide:

- (1) one, two, and three year recidivism rates for offenders who received specialized reentry and rehabilitative programming from fiscal 2005 through 2007;

Q00B

- (2) a list of all reentry services provided during fiscal 2007, the number of participants, and the graduation/completion rate for each service;
- (3) indicators of any impact the programming may have had on inmate behavior;
- (4) the number of individuals eligible for and receiving a 30-day supply, or prescription for that supply, of medication upon release; and
- (5) the number of individuals with a valid Maryland identification card at time of release.

Furthermore, performance measures assessing the effectiveness and efficiency of the department's provision of reentry services should be developed and discussed in the report. These performance measures should also be included in the Division of Correction's fiscal 2010 Managing for Results Measures. The report shall be submitted to the committees no later than October 1, 2008.

Information Request	Author	Due Date
Report on the Provision of Reentry Services to Inmates	DPSCS	October 1, 2008

Q00C01
Department of Public Safety and Correctional Services
Maryland Parole Commission

Committee Narrative

MARYLAND PAROLE COMMISSION

Q00C01.01 General Administration and Hearings

Reporting Initial Parole Hearings for Inmates Held at Local Detention Centers: The committees direct the Maryland Parole Commission, as part of its Managing for Results performance measures, identify the percentage of initial parole hearings scheduled and docketed for inmates held at facilities other than the Division of Correction (DOC). The agency currently reports this measure for DOC inmates; however, it is responsible for paroling inmates sentenced to a term of confinement of six months or more from any correctional institution in Maryland, except the Patuxent Institution. Inclusion of this data in the annual Managing for Results submission will assist the General Assembly in ensuring the commission is properly reviewing parole for all eligible inmates in the State.

Information Request	Author	Due Date
Initial parole hearings for inmates at local detention centers	Maryland Parole Commission	With submission of Governor's budget

Q00C02
Department of Public Safety and Correctional Services
Division of Parole and Probation

Budget Amendments

Add the following language:

Provided that 53.0 regular positions shall be reduced from the Division of Parole and Probation budget.

Explanation: The action deletes the new positions in the Division of Parole and Probation, but leaves in place the approximately \$2.1 million to fund the positions. The agency currently has 194 vacancies, of which 118 are parole and probation agent and field supervisor positions. It is not certain that the agency will be able to fill such a high number of vacancies by the end of fiscal year 2008. Leaving the funding allows the division to fill more of its current vacancies in fiscal 2009 in order to reduce caseload ratios instead of receiving additional positions and maintaining a higher vacancy rate to meet budgeted turnover requirements.

Amendment No. **134**

DIVISION OF PAROLE AND PROBATION

Q00C02.03 Community Surveillance and Enforcement Program

Add the following language:

Provided that no funds in the budget may be expended to implement the Baltimore Phase of the community corrections reorganization, which involves transferring management of pre-release facilities from the Division of Correction (DOC) to the Division of Parole and Probation (DPP), until a report is submitted to the budget committees providing significant detail about the reorganization. The report shall include:

- (1) a timeline for implementing each stage of the reorganization;
- (2) an explanation of how the transition is to occur;
- (3) a description of any operational changes to DOC and DPP;
- (4) a review of how other states have implemented and operated a similar community corrections system and what success has been had;
- (5) a detailed explanation of who will be responsible for hiring, training, and assigning both the custodial and supervision staff under the community corrections system and how those two functions will interact; and

Q00C02

- (6) a fiscal analysis of the potential cost increases or savings generated by transitioning to the new system.

The report shall also specifically address the fiscal and operational costs and benefits the new system will have on technical parole and probation violators. The report shall be submitted no later than July 30, 2008. The budget committees shall have 45 days to review and comment on this report.

Explanation: DPP has begun the process of creating a community corrections system designed to enhance the coordination and provision of reentry services for pre-release and recently released offenders with little input from the General Assembly. The plan involves a significant shift in the way operations are currently conducted both within DOC and DPP. This action prohibits DPP from spending any funds associated with the next phase of the community corrections reorganization until the agency can provide a significant amount of detail regarding how the reorganization will work and its benefits to pre-release and recently released offenders.

Information Request	Author	Due Date
Report on Creating a More Comprehensive Community Corrections System	Department of Public Safety and Correctional Services	July 30, 2008

Amendment No. 135

Q00D
Department of Public Safety and Correctional Services
Patuxent Institution

Committee Narrative

Q00D00.01 Services and Institutional Operations

Reporting Participation in the Patuxent Eligible Person Remediation Program: The committees direct the Patuxent Institution, as part of its Managing for Results performance measures, to specifically identify the number of participants in the Patuxent Eligible Person remediation program when reporting its average daily population (ADP). Correctional Services Article 4-202 states that no more than 350 offenders may be enrolled in this program, although the institution is allowed to administer other remediation programs. The current ADP reporting includes the total for all Patuxent Institution inmates. Delineation of participants in this particular program will enable the General Assembly to monitor the institution's compliance with the law.

Information Request	Author	Due Date
Eligible person participants	Patuxent Institution	With submission of the Governor's budget

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

Budget Amendments

Q00G00.01 General Administration

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Increase contractual turnover expectancy from 25% to 33% to better reflect historical trends. Contractual turnover has been budgeted at 40% for the past two years, and the agency did not fill all of its authorized contractual positions for fiscal 2007.	104,278	GF
2. Reduces funding for in-state routine and conference travel in line with fiscal 2007 actual expenditures.	8,000	GF
Total Reductions	112,278	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	82.00	82.00		0.00
General Fund	7,783,435	7,671,157	112,278	
Special Fund	300,000	300,000	0	
Total Funds	8,083,435	7,971,157	112,278	

Amendment No. **136**

R00A02
State Department of Education
Aid to Education

Budget Amendments

R00A02.04 Children at Risk

Add the following language to the general fund appropriation:

, provided that \$2,000,000 of this appropriation may not be expended until the Maryland State Department of Education submits a report to the budget committees, no later than July 1, 2008, on the student selection and enrollment process of the SEED School of Maryland. The report shall include a description of the process for informing eligible students about the school, the total number of applications, the number of students enrolled, and a description of the selection process. The budget committees shall have 45 days from the date of receipt of the report to review and comment.

Explanation: A report must be provided by the Maryland State Department of Education (MSDE) on the selection and enrollment process for the SEED School of Maryland to ensure students from across the State are informed of the availability of the school. The budget committees shall have 45 days from the receipt of the report to review and comment.

Information Request	Authors	Due Date
A report on the selection and enrollment process for the SEED School of Maryland	MSDE; The SEED School of Maryland	July 1, 2008

Amendment No. **137**

R00A02

R00A02.10 Environmental Education

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Environmental Education program. This program is one of the discretionary programs that the Bridge to Excellence in Public Schools Act folded into a more streamlined school finance structure until separate funding was reintroduced in fiscal 2006.	150,000 GF	
Total Reductions	150,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,700,000	1,550,000	150,000	
Total Funds	1,700,000	1,550,000	150,000	

Amendment No. 138

Committee Narrative

R00A02.59 Child Care Subsidy Program

Report on Increased Reimbursement Rates for the Child Care Subsidy Program: The committees, concerned with the number of accredited child care providers participating in the subsidy program across the State, request the Maryland State Department of Education (MSDE) to submit a report on the number of accredited providers available since the subsidy rate increase went into effect in November 2007. The report should also include the number of children enrolled in programs run by accredited and non-accredited providers.

Information Request	Author	Due Date
Report on accredited child care providers	MSDE	December 1, 2008

R00A04
State Department of Education
Children's Cabinet Interagency Fund

Budget Amendments

R00A04.01 Children's Cabinet Interagency Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Rehab Option funding to the planned ongoing level of \$10.0 million per year. The reduction leaves an appropriation of \$9.25 million in recognition that \$750,000 in fiscal 2008 funding for the Rehab 1915 Waiver (Family of One) will be available to be spent in fiscal 2009.	9,441,450	GF
 Total Reductions	9,441,450	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	49,182,542	39,741,092	9,441,450	
Special Fund	710,000	710,000	0	
Federal Fund	7,323,989	7,323,989	0	
Total Funds	57,216,531	47,775,081	9,441,450	

Amendment No. **139**

Committee Narrative

Out-of-home Placements: To facilitate evaluation of Maryland's family preservation programs in stemming the flow of children from their homes, the Governor's Office for Children (GOC) shall submit to the committees 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. GOC 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 North Carolina Family Assessment Scale. 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. The report should include a three-year funding history of family preservation efforts listing funding by agency and program. GOC should submit this report by December 1, 2008.

R00A04

Information Request	Author	Due Date
Out-of-home placement data and evaluation	GOC	December 1, 2008

R13M
Morgan State University

Budget Amendments

R13M00.00 Morgan State University

Add the following language to the current unrestricted fund appropriation:

, provided that the appropriation herein for Morgan State University shall be reduced by \$1,103,146 in current unrestricted funds. The reduction shall not reduce the number of students projected to be enrolled.

Explanation: Excluding Other Post Employment Benefits and tuition replacement funds, the fiscal 2009 allowance provides a 5.6% growth in general funds and Higher Education Investment Fund (HEIF) revenues per full-time equivalent student (FTES) over fiscal 2008. This language reduces the current unrestricted funds (general funds) by \$1,103,146, allowing general funds and HEIF revenues to grow 4.0% per FTES over fiscal 2008. This allows Morgan State University to increase spending per FTES while accommodating enrollment growth.

Amendment No. **140**

Add the following language to the current unrestricted fund appropriation:

Further provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Morgan State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Morgan State University (MSU) submits a report on how the funds will be spent to improve the retention and graduation rate for students

Information Request	Author	Due Date
Access and Success expenditures and measures report	MSU	August 1, 2008

Amendment No. **141**

R13M

Committee Narrative

Faculty Workload Reports: The committees request that Morgan State University (MSU) continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular, core faculty at the institutions. Additional information may be included in the report at MSU's discretion.

Information Request	Author	Due Date
Annual report on instructional workload for tenured and tenure-track faculty	MSU	December 1, 2008

Institutional Aid Report: The committees request that Morgan State University (MSU) submit all categories (need-based, merit, mission, and athletic) of institutional aid data with the budget request and allowance, including prior year actual, current year working, and allowance.

Information Request	Author	Due Date
Reports on all categories of institutional aid need-based, merit, mission, and athletic	MSU	With request and allowance

R14D
St. Mary's College of Maryland

Budget Amendments

Add the following language:

Provided that 8.0 regular positions in this budget shall be deleted.

Explanation: This is a technical amendment deleting eight erroneously budgeted positions.

Amendment No. **142**

R14D00.00 St. Mary's College of Maryland

Add the following language to the current unrestricted fund appropriation:

, provided that the appropriation for St. Mary's College of Maryland shall be reduced by \$189,445 in current unrestricted funds.

Explanation: The fiscal 2009 allowance provides a 4.6% increase in general funds based on an incorrect price inflator (3.8%) used in error and includes an additional \$131,000 for Other Post Employment Benefits (OPEB). The mandated formula should increase by 2.7% and the language reduces the current unrestricted (general) funds by \$189,445. The reduction retains general funds for OPEB and provides an overall 3.5% increase over fiscal 2008.

Amendment No. **143**

Committee Narrative

Faculty Workload Reports: The committees request that St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular, core faculty at institutions. Additional information may be included in the report at SMCM's discretion.

Information Request	Author	Due Date
Annual report on instructional workload for tenured and tenure-track faculty	SMCM	December 1, 2008

R14D

Institutional Aid Report: The committees request that St. Mary's College of Maryland (SMCM) submit all categories (need-based, merit, mission, and athletic) of institutional aid data with the budget request and allowance, including prior year actual, current year working and allowance.

Information Request	Author	Due Date
Report on all categories of institutional aid	SMCM	With request and allowance

R30B00
University System of Maryland

Budget Amendments

Add the following language:

Provided that the appropriation herein for the University System of Maryland (USM) institutions shall be reduced by \$15,000,000 in general funds. USM is authorized to transfer up to \$15,000,000 from the Higher Education Investment Fund by budget amendment to replace the general funds.

Explanation: The Higher Education Investment Fund (HEIF) is projected to have a balance of \$15,385,000 at the end of fiscal 2009. This language reduces current unrestricted revenues (general funds) by \$15,000,000 and allows the University System of Maryland to transfer \$15,000,000 from the HEIF by budget amendment thereby replacing the general funds with HEIF funds.

Amendment No. **144**

Add the following language:

Further provided that \$10,555,683 of current unrestricted revenue allocated to the enrollment funding initiative may not be expended until:

- (1) the University System of Maryland (USM) submits a report by December 1, 2008 on fall semester enrollment for each institution. The report shall include, by institution, the enrollment funding initiative attainment level by full-time equivalent student (FTES) and associated FTES funding as established by USM; number of undergraduate FTES and graduate FTES; and the number of FTES by which an institution meets, exceeds, or does not meet the attainment level. Funds will be released to those institutions that meet or exceed the attainment level; and
- (2) USM submits a report by May 1, 2009 for spring semester enrollment and includes any proposed re-allocation of funds from institutions that did not meet the attainment level to institutions exceeding the attainment level. Funds will be released:
 - (a) to those institutions that did not previously meet the attainment level but now meet or exceed the attainment level;
 - (b) on a pro-rata basis to those institutions that did not meet the attainment level; and
 - (c) from any remaining funds, to those institutions that exceed their attainment level.

The budget committees shall have 45 days to review and comment on each report.

R30B00

Explanation: The language restricts the expenditure of general funds allocated to the enrollment funding initiative until the University System of Maryland (USM) submits a report on the enrollment attainment levels achieved by each institution, as established under the enrollment funding initiative. The report should include for each institution the enrollment funding initiative attainment level by full-time equivalent student (FTES) including the number of undergraduate FTES and graduate FTES; the number of FTES by which an institution meets, exceeds, or does not meet the attainment level; and the funds associated with each FTES. Institutions that meet or exceed enrollment attainment levels established under the enrollment funding initiative will receive full funding. Institutions that do not achieve enrollment attainment levels will receive funds on a pro-rated basis. USM may propose re-allocation of the enrollment funding initiative funds allocated to institutions that do not achieve their targets to institutions that exceed their targets.

Information Request	Author	Due Date
Report on the enrollment attainment level achieved by each institution as established by the enrollment funding initiative	USM	December 1, 2008 May 1, 2009

Amendment No. 145

Add the following language:

Further provided that the appropriation herein for the University System of Maryland institutions shall be reduced by \$6,798,929 in current unrestricted funds. This reduction shall be allocated to each institution to allow general funds and Higher Education Investment Fund spending per full-time equivalent student to increase at least 4 percent in fiscal 2009. This reduction shall not reduce the number of students projected to be enrolled.

Explanation: The fiscal 2009 allowance provides for a 4.7% growth in general fund and Higher Education Investment Fund (HEIF) revenues per full-time equivalent student (FTES) over fiscal 2008 once Other Post Employment Benefits and tuition replacement funds are excluded. This language reduces the current unrestricted revenues (general funds) by \$6,798,929, allowing general funds and HEIF revenues in fiscal 2009 to grow at least 4.0% per FTES over fiscal 2008. This allows the University System of Maryland institutions to increase spending per FTES while accommodating enrollment growth of 1.5%, or 1,529 FTES, in fiscal 2009.

Amendment No. 146

R30B00

Committee Narrative

Faculty Workload Report: The committees request that the University System of Maryland (USM) continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular, core faculty at the institutions. Additional information may be included in the report at USM's discretion. Additionally, the report should include the percent of faculty meeting or exceeding teaching standards for tenured and tenure-track faculty for the University of Maryland, Baltimore's programs.

Information Request	Author	Due Date
Annual report on instructional workload for tenured and tenure-track faculty	USM	December 1, 2008

R30B21
University System of Maryland
University of Maryland, Baltimore

Committee Narrative

Institutional Aid Report: The committees request that the Maryland Higher Education Commission submit with the budget request and allowance all categories (need-based, merit, and mission) of institutional aid data for graduate students at the University of Maryland, Baltimore, in the same format as that which is submitted for undergraduate students, as well as institutional aid awarded by school, average award by school, and percent of aid given in the same format as that which is submitted for undergraduate students by expected family contribution, including prior year actual, current year working, and allowance.

Information Request	Author	Due Date
Report institutional aid provided to graduate students	Maryland Higher Education Commission	With request and allowance

R30B23
University System of Maryland
Bowie State University

Budget Amendments

R30B23.00 Bowie State University

Add the following language to the current unrestricted fund appropriation:

, provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Bowie State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Bowie State University (BSU) submits a report on how the funds will be spent to improve the retention and graduation rates for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	BSU	August 1, 2008

Amendment No. **147**

R30B25
University System of Maryland
University of Maryland Eastern Shore

Budget Amendments

R30B25.00 University of Maryland Eastern Shore

Add the following language to the current unrestricted fund appropriation:

, provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until the University of Maryland Eastern Shore has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until the University of Maryland Eastern Shore submits a report on how the funds will be spent to improve the retention and graduation rates for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	University of Maryland Eastern Shore	August 1, 2008

Amendment No. **148**

R30B27
University System of Maryland
Coppin State University

Budget Amendments

R30B27.00 Coppin State University

Add the following language to the current unrestricted fund appropriation:

, provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Coppin State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Coppin State University submits a report on how the funds will be spent to improve the retention and graduation rates for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	Coppin State University	August 1, 2008

Amendment No. **149**

R30B34
University System of Maryland
University of Maryland Center for Environmental Science

Budget Amendments

Add the following language:

Provided that it is the intent of the General Assembly that one-third of the increase in indirect cost recovery revenue associated with the use of a new research vessel be applied to future repayment installments to the master lease program. The University of Maryland Center for Environmental Science shall also submit a report to the budget committees by December 1, 2008, on active grants and the corresponding indirect cost recovery. The report shall include the prior year actual and the current year working awards.

Explanation: The language expresses the intent of the General Assembly that a portion of any increases in indirect cost recovery revenue that results from increased grant awards be applied to future repayment installments to the master lease program. The University of Maryland Center for Environmental Science (UMCES) expects grant revenues to increase since the new research vessel will have improved capabilities for research. These improvements will allow UMCES to compete for grants for which they would otherwise not be eligible. When grant funding increases, it is expected that indirect cost recovery revenue will also increase. One-third (33%) of this increase should be applied to the repayments. UMCES should also submit a report to the budget committees by December 1, 2008, on active grants and the corresponding indirect cost recovery revenue. The report should identify the grant money associated with the current research vessel. The report should include the prior actual and the current year active awards.

Information Request	Author	Due Date
Report on total grants awarded and the corresponding indirect cost recovery revenue associated with the grants	UMCES	December 1, 2008

Amendment No. **150**

R62I
Maryland Higher Education Commission

Budget Amendments

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

Strike the following language:

~~provided that this appropriation shall be reduced by \$5,624,749 contingent upon the enactment of legislation to reduce the required appropriation for the support of non-public institutions of higher education.~~

Explanation: Technical amendment to reflect budget action.

Amendment No. **151**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Sellinger program aid to nonpublic institutions. This action allows a 4% increase to the grant per full-time equivalent students over fiscal 2008. This increase will allow for an overall 4.51% over fiscal 2008.	3,096,198	GF
Total Reductions	3,096,198	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	61,675,814	58,579,616	3,096,198	
Total Funds	61,675,814	58,579,616	3,096,198	

Amendment No. **152**

R62I

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

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Cade formula grants by \$7.9 million. This action allows a 4.0% increase to the grant per full-time equivalent student over fiscal 2008. This will allow for an overall increase of 8.4% over fiscal 2008.	7,912,985	GF
Total Reductions	7,912,985	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	234,646,067	226,733,082	7,912,985	
Total Funds	234,646,067	226,733,082	7,912,985	

Amendment No. **153**

R62I00.07 Educational Grants

Add the following language to the general fund appropriation:

, provided that \$4,900,000 in general funds designated to enhance the State's four historically black institutions may not be expended until the Maryland Higher Education Commission submits a report to the budget committees prior to July 1, 2008, outlining how the funds will be spent. The budget committees shall have 45 days to review and comment on the report.

Explanation: The language restricts the expenditure of funds until the commission reports to the budget committees on the plans for spending funds designated to enhance the State's four historically black institutions.

Information Request	Author	Due Date
Enhancement expenditure report	Maryland Higher Education Commission	July 1, 2008

Amendment No. **154**

R75T
Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

, provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Bowie State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Bowie State University submits a report on how the funds will be spent to improve the retention and graduation rate for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	BSU	August 1, 2008

Amendment No. **155**

Add the following language to the general fund appropriation:

Further provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until the University of Maryland Eastern Shore has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Bowie State University (BSU) submits a report on how the funds will be spent to improve the retention and graduation rate for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	University of Maryland Eastern Shore	August 1, 2008

Amendment No. **156**

R75T

Add the following language to the general fund appropriation:

Further provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Coppin State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Coppin State University submits a report on how the funds will be spent to improve the retention and graduation rate for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	Coppin State University	August 1, 2008

Amendment No. 157

Add the following language to the general fund appropriation:

Further provided that the appropriation for St. Mary's College of Maryland shall be reduced by \$189,445 in general funds.

Explanation: The fiscal 2009 allowance provides a 4.6% increase in general funds based on an incorrect price inflator (3.8%) used in error and includes an additional \$131,000 for Other Post Employment Benefits (OPEB). The mandated formula should increase by 2.7% and the language reduces the current unrestricted (general) funds by \$189,445. The reduction retains general funds for OPEB and provides an overall 3.5% increase over fiscal 2008.

Amendment No. 158

R75T

Add the following language to the general fund appropriation:

Further provided that the appropriation herein for Morgan State University shall be reduced by \$1,103,146 in general funds. The reduction shall not reduce the number of students projected to be enrolled.

Explanation: Excluding Other Post Employment Benefits and tuition replacement funds, the fiscal 2009 allowance provides a 5.6% growth in general funds and Higher Education Investment Fund (HEIF) revenues per full-time student (FTES) over fiscal 2008. This language reduces the current unrestricted funds (general funds) by \$1,103,146, allowing general funds and HEIF revenues to grow 4.0% per FTES over fiscal 2008. This allows Morgan State University to increase spending per FTES while accommodating enrollment growth.

Amendment No. 159

Add the following language to the general fund appropriation:

Further provided that \$1,500,000 of this appropriation, for the purpose of improving student retention and graduation rates, may not be expended until Morgan State University has prepared and submitted a report to the budget committees outlining how the funds will be used and the measures that will be used to evaluate performance. The report shall be submitted by August 1, 2008, and the budget committees shall have 45 days to review and comment on the report.

Explanation: This language restricts the expenditure of funds until Morgan State University submits a report on how the funds will be spent to improve the retention and graduation rate for students.

Information Request	Author	Due Date
Access and Success expenditures and measures report	Morgan State University	August 1, 2008

Amendment No. 160

Add the following language to the general fund appropriation:

Further provided that the appropriation herein for the University System of Maryland (USM) institutions shall be reduced by \$15,000,000 in general funds. USM is authorized to transfer up to \$15,000,000 from the Higher Education Investment Fund by budget amendment to replace the general funds.

R75T

Explanation: The Higher Education Investment Fund (HEIF) is projected to have a balance of \$15,385,000 at the end of fiscal 2009. This language reduces current unrestricted revenues (general funds) by \$15,000,000 and allows the University System of Maryland to transfer \$15,000,000 from the HEIF by budget amendment thereby replacing the general funds with HEIF funds.

Amendment No. 161

Add the following language to the general fund appropriation:

Further provided that the appropriation herein for the University System of Maryland institutions shall be reduced by \$6,798,929 in general funds. This reduction shall be allocated to each institution to allow general funds and Higher Education Investment Fund spending per full-time equivalent student to increase at least four percent in fiscal 2009. This reduction shall not reduce the number of students projected to be enrolled.

Explanation: The fiscal 2009 allowance provides for a 4.7% growth in general fund and Higher Education Investment Fund (HEIF) revenues per full-time equivalent student (FTES) over fiscal 2008 once Other Post Employment Benefits and tuition replacement funds are excluded. This language reduces the current unrestricted revenues (general funds) by \$6,798,929, allowing general funds and HEIF revenues in fiscal 2009 to grow at least 4.0% per FTES over fiscal 2008. This allows the University System of Maryland institutions to increase spending per FTES while accommodating enrollment growth of 1.5%, or 1,529 FTES, in fiscal 2009.

Amendment No. 162

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Baltimore City Community College formula grant. This action allows for a 4.0% increase to the grant per full-time equivalent student over fiscal 2008. This increase will allow for an overall increase of 1.4% over fiscal 2008.	495,260	GF
Total Reductions	495,260	0.00

R75T

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,188,313,089	1,187,817,829	495,260	
Special Fund	51,696,932	51,696,932	0	
Total Funds	1,240,010,021	1,239,514,761	495,260	

Amendment No. 163

Add the following language to the special fund appropriation:

Further provided that \$10,555,683 of special funds allocated to the enrollment funding initiative may not be expended until:

- (1) the University System of Maryland (USM) submits a report by December 1, 2008 on fall semester enrollment for each institution. The report shall include, by institution, the enrollment funding initiative attainment level by full-time equivalent student (FTES) and associated FTES funding as established by USM; number of undergraduate FTES and graduate FTES; and the number of FTES by which an institution meets, exceeds, or does not meet the attainment level. Funds will be released to those institutions that meet or exceed the attainment level; and
- (2) USM submits a report by May 1, 2009 for spring semester enrollment and includes any proposed re-allocation of funds from institutions that did not meet the attainment level to institutions exceeding the attainment level. Funds will be released:
 - (a) to those institutions that did not previously meet the attainment level but now meet or exceed the attainment level;
 - (b) on a pro-rata basis, to those institutions that did not meet the attainment level; and
 - (c) from any remaining funds, to those institutions that exceed their attainment level.

The budget committees shall have 45 days to review and comment on each report.

Explanation: The language restricts the expenditure of funds allocated to the enrollment funding initiative until the University System of Maryland (USM) submits a report on the enrollment attainment levels achieved by each institution, as established under enrollment funding initiative. The report should include, for each institution: the enrollment funding initiative attainment level by full time equivalent student (FTES) including the number of undergraduate FTES and

R75T

graduate FTES; the number of FTES by which an institutions meets, exceeds, or does not meet the attainment level, and the funds associated with each FTES. Institutions that meet or exceed enrollment attainment levels established under the enrollment funding initiative will receive full funding. Institutions that do not achieve enrollment attainment levels will receive funds on a pro rated basis. USM may propose re-allocation of EFI funds allocated to institutions that do not achieve their targets to institutions that exceed their targets.

Information Request	Author	Due Date
Report on the enrollment attainment level achieved by each institution as established by the enrollment funding initiative	USM	December 1, 2008; May 1, 2009

Amendment No. 164

R95C
Baltimore City Community College

Budget Amendments

R95C00.00 Baltimore City Community College

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Baltimore City Community College formula grant. This action allows a 4.0% increase to the grant per full-time equivalent student over fiscal 2008. This increase will allow for an overall increase of 2.8% over fiscal 2008.	495,260 UF	
Total Reductions	495,260	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position Unrestricted Fund	527.00	527.00		0.00
Fund	65,034,290	64,539,030	495,260	
Restricted Fund	23,779,685	23,779,685	0	
Total Funds	88,813,975	88,318,715	495,260	

Amendment No. **165**

S00A
Department of Housing and Community Development

Budget Amendments

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds by \$1 million. This reduction still provides \$1 million more in general funds for the Community Legacy Program than was appropriated for fiscal 2008.	1,000,000	GF
2. Reduce special funds by \$1 million. This reduction ensures that there are sufficient funds available in the Neighborhood Business Development Fund balance to delete the estimated use of general funds in fiscal 2010.	1,000,000	SF
 Total Reductions	 2,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	6,500,000	5,500,000	1,000,000	
Special Fund	6,000,000	5,000,000	1,000,000	
Federal Fund	9,000,000	9,000,000	0	
Total Funds	21,500,000	19,500,000	2,000,000	

Amendment No. **166**

S00A

DIVISION OF DEVELOPMENT FINANCE

S00A25.07 Rental Housing Programs – Capital Appropriation

Add the following language to the general fund appropriation:

, provided that this appropriation shall be reduced by \$2,850,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Rental Housing Programs Fund under Section 4-504 of the Housing and Community Development Article.

Explanation: Funds made available from the Maryland Housing Fund’s unallocated reserves would offset the need for general funds in Rental Housing Programs.

Amendment No. 167

Add the following language to the special fund appropriation:

, provided that authorization is hereby granted to process a special fund budget amendment in the amount of \$2,850,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Rental Housing Programs Fund under Section 4-504 of the Housing and Community Development Article.

Explanation: This language authorizes a special fund budget amendment to replace general fund reductions contingent upon the enactment of SB 983 or HB 1594 that would transfer funds from the Maryland Housing Fund’s unallocated reserves to the Rental Housing Programs Fund.

Amendment No. 168

S00A25.08 Homeownership Programs – Capital Appropriation

Add the following language to the general fund appropriation:

, provided that this appropriation shall be reduced by \$900,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Homeownership Programs Fund under Section 4-502 of the Housing and Community Development Article.

Explanation: Funds made available from the Maryland Housing Fund’s unallocated reserves would offset the need for general funds in Homeownership Programs.

Amendment No. 169

S00A

Add the following language to the special fund appropriation:

. provided that authorization is hereby granted to process a special fund budget amendment in the amount of \$900,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Homeownership Programs Fund under Section 4-502 of the Housing and Community Development Article.

Explanation: This language authorizes a special fund budget amendment to replace general fund reductions contingent upon the enactment of SB 983 or HB 1594 that would transfer funds from the Maryland Housing Fund's unallocated reserves to the Homeownership Programs Fund.

Amendment No. 170^m

S00A25.09 Special Loan Programs – Capital Appropriation

Add the following language to the general fund appropriation:

. provided that this appropriation shall be reduced by \$1,300,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Special Loan Programs Fund under Section 4-505 of the Housing and Community Development Article.

Explanation: Funds made available from the Maryland Housing Fund's unallocated reserves would offset the need for general funds in Homeownership Programs.

Amendment No. 171^m

Add the following language to the special fund appropriation:

. provided that authorization is hereby granted to process a special fund budget amendment in the amount of \$1,300,000 contingent upon the enactment of SB 983 or HB 1594 authorizing the transfer of funds from the Maryland Housing Fund unallocated reserve account under Section 3-203 of the Housing and Community Development Article to the Special Loan Programs Fund under Section 4-505 of the Housing and Community Development Article.

Explanation: This language authorizes a special fund budget amendment to replace general fund reductions contingent upon the enactment of SB 983 or HB 1594 that would transfer funds from the Maryland Housing Fund's unallocated reserves to the Special Loan Programs Fund.

Amendment No. 172^m

S50B
Maryland African American Museum Corporation

Committee Narrative

Memorandum of Understanding on Use of the General Fund Grant: The Maryland African American Museum Corporation (MAAMC) and the Department of Budget and Management (DBM) executed memorandums of understanding (MOU) governing use of MAAMC's general fund grant for fiscal 2007 and 2008. The committees request that a similar MOU be executed for fiscal 2009. The MOU should specify that the State intends to support no more than 50% of MAAMC's operating costs in fiscal 2009, which is consistent with previously expressed intent of the General Assembly.

Information Request	Authors	Due Date
MOU specifying use of the fiscal 2009 general fund grant	MAAMC DBM	July 1, 2008

T
Department of Business and Economic Development

Budget Amendments

DIVISION OF ADMINISTRATION AND INFORMATION TECHNOLOGY

T00B00.01 Office of Administration

Reduce appropriation for the purposes indicated:	<u>Funds</u>		<u>Positions</u>
1. Delete a position that has been vacant for 12 months.	60,051	GF	1.00
Total Reductions	60,051		1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	50.00	49.00		1.00
General Fund	4,136,387	4,076,336	60,051	
Special Fund	857,485	857,485	0	
Federal Fund	135,413	135,413	0	
Total Funds	5,129,285	5,069,234	60,051	

Amendment No. **173**

DIVISION OF BUSINESS DEVELOPMENT

T00E00.01 Division of Business Development

Reduce appropriation for the purposes indicated:	<u>Funds</u>		<u>Positions</u>
1. Delete Chesapeake Crescent Partnership funds. The State should participate in this initiative with existing resources. The need for additional funds has not been justified.	250,000	GF	
Total Reductions	250,000		0.00

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<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	49.00	49.00		0.00
General Fund	7,450,109	7,200,109	250,000	
Special Fund	487,829	487,829	0	
Total Funds	7,937,938	7,687,938	250,000	

Amendment No. **174**

DIVISION OF FINANCING PROGRAMS

T00F00.10 Rural Broadband Assistance Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete general funds. Budget language is adopted that would require the transfer of available Maryland Economic Development Assistance and Authority Funds to replace the general funds. The language makes the transfer contingent upon the submission of a report on project status and expenditures.	2,000,000	GF
Total Reductions	2,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,000,000	0	2,000,000	
Total Funds	2,000,000	0	2,000,000	

Amendment No. **175**

T

T00F00.23 Maryland Economic Development Assistance Authority and Fund – Capital Appropriation

Add the following language to the special fund appropriation:

, provided that \$2,000,000 of this appropriation is authorized to be transferred to the Rural Broadband Assistance Fund. This appropriation may not be expended until the Department of Business and Economic Development provides a report to the budget committees on the rural broadband project, including the status of all project phases, the use of State funds received, potential sources of private funding, and estimates for project completion. The committees shall have 45 days to review and comment.

Explanation: The Department of Business and Economic Development (DBED) and the Rural Broadband Cooperative have not provided a report on the status of the rural broadband project and the use of funds received since the Rural Broadband Fund was established. Furthermore, no additional funds are allocated for this purpose in the Capital Improvement Program beyond fiscal 2009, although the project is not nearing completion. A report of this nature would provide the budget committees with detailed information on the status of these funds and progress on the initiative.

Information Request	Authors	Due Date
Report on project status and expenditures	DBED; Rural Broadband Cooperative	45 days before release of funds

Amendment No. 176^m

Add the following language to the special fund appropriation:

Further provided that \$3,000,000 of this appropriation may only be used as operating and capital grants for the development of nanobiotechnology research and industry that shall be awarded under a competitive process developed in consultation with the Maryland Technology Development Corporation.

Explanation: The General Assembly supports the prioritizing of State resources for the development and support of nanobiotechnology research and industry. This language would provide for the use of \$3.0 million from the Maryland Economic Development Assistance Authority and Fund within the Department of Business and Economic Development for grants awarded under a competitive process for this purpose.

Amendment No. 177^m

T

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce Maryland Economic Development Assistance Authority and Fund. This reduction will allow for \$30 million in program activity, a significant increase over recent years. Limiting spending authority will also increase the fund's ending balance, further deferring any need for general funds.	10,000,000	SF
 Total Reductions	 10,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	40,000,000	30,000,000	10,000,000	
Total Funds	40,000,000	30,000,000	10,000,000	

Amendment No. **178**

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.03 Maryland Tourism Board

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce Maryland Tourism Board funds. This reduction would allow the budget to grow at a more modest rate, while still exceeding the statutorily mandated minimum allowance of \$6.0 million.	385,868	GF
 Total Reductions	 385,868	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	7,000,000	6,614,132	385,868	
Special Fund	600,000	600,000	0	
Total Funds	7,600,000	7,214,132	385,868	

Amendment No. **179**

T

T00G00.05 Maryland State Arts Council

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Maryland State Arts Council funds. The allowance increases general funds by \$1.28 million, an increase of 8.4% over the fiscal 2008 working appropriation. Although the statutory formula required funding to be increased by the growth in general fund revenues (8.1%), the level of growth is exaggerated due to the actions taken during the 2007 special session. Absent those actions, general funds are growing 5.1%, so an increase of that level is reasonable and appropriate.	510,000 GF	
Total Reductions	510,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	14.00	14.00		0.00
General Fund	16,475,167	15,965,167	510,000	
Special Fund	400,000	400,000	0	
Federal Fund	635,006	635,006	0	
Total Funds	17,510,173	17,000,173	510,000	

Amendment No. **180**

T50
Maryland Technology Development Corporation
Budget Amendments

T50T01.03

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Stem Cell Research Funds. This reduction would improve the State's ability to address an expected deficit.	18,000,000	GF
Total Reductions	18,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	23,000,000	5,000,000	18,000,000	
Total Funds	23,000,000	5,000,000	18,000,000	

Amendment No. **181**

Committee Narrative

University and Affiliated Research Park Performance Data: The State has invested over \$30.6 million in university-affiliated research parks, which bring together businesses and faculty to enhance lines of research and commercialize technology.

In order to measure the return on the State's investments and evaluate overall progress toward technology commercialization, the committees request that the Maryland Technology Development Corporation (TEDCO) report annually on performance at the State's primary public research institutions as well as the research parks affiliated with them. The following institutions should report data to TEDCO: the University of Maryland, College Park (including its research park); the University of Maryland, Baltimore (including its research park); the University of Maryland Baltimore County (including its research park); the University of Maryland Biotechnology Institute; and the University of Maryland Center for Environmental Science. Currently, neither Managing for Results nor Maryland Higher Education Commission peer data include consistent technology commercialization performance measures among these institutions.

The measure should include invention disclosures, cumulative active licenses and options, and adjusted license income received, among others. This type of information already is collected by most higher education research institutions and reported to the Association of University Technology Managers. Measures of affiliated business incubator performance should also be included. The University System of Maryland (USM) and TEDCO should work collaboratively to develop appropriate measures.

T50

Information Request	Authors	Due Date
Annual report on technology commercialization at universities and their affiliated research parks	TEDCO USM	November 1, 2008, and November 1 of each year thereafter

Fund Balances and Project Activity: The State has made significant investments in technology commercialization throughout the State. In order to measure the total investments made in research, technology, and commercialization, the committees request that the Maryland Technology Development Corporation (TEDCO) report annually on all fund balances for the Maryland Technology Transfer Fund, University Technology Development Fund, University Intellectual Property Support Fund, the Working Capital Loan Fund, and the Stem Cell Research Fund. The fund balances should include interest earnings, federal funds, and private funding leveraged to meet the agency's goals. The report should also include listings of annual award recipients for all deals closed or projects approved during the previous fiscal year.

Information Request	Author	Due Date
Annual report on fund balances and project activity	TEDCO	November 1, 2008, and November 1 of each year thereafter

V
Department of Juvenile Services

Budget Amendments

DEPARTMENT OF JUVENILE SERVICES

V00D01.01 Office of the Secretary

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for management studies. The Department of Juvenile Services has contracted with the University of Maryland, Baltimore to provide technical assistance and planning of an Interagency Child and Family Strategic Planning Process to improve collaboration, communication, and information-sharing among the four child-serving cabinet agencies (Health and Mental Hygiene, Human Resources, Juvenile Services, and Education). Current funding takes this process through June 2008 with the development of a final plan with action steps. Additional funding is proposed to translate this plan into the implementation policy, budget, and legislative proposals for the 2009 session. This reduction still leaves \$250,000 for that part of the process.	250,000	GF
 Total Reductions	 250,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	15.00	15.00		0.00
General Fund	1,996,469	1,746,469	250,000	
Special Fund	6,000	6,000	0	
Total Funds	2,002,469	1,752,469	250,000	

Amendment No. **182**

V

RESIDENTIAL OPERATIONS

V00E01.02 Residential Contractual

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce fiscal 2009 operating expenditures based on the availability of encumbered prior year funds. In fiscal 2007, the legislature approved over \$4.6 million in operating and capital funding to be awarded for gang prevention grants. To date, the department has awarded all but \$750,000 of these funds. The action provides for a one-time cost containment measure of \$500,000, allowing only \$250,000 of the funds to be awarded. The remaining \$500,000 can be used to back-fill the proposed reduction in fiscal 2009 operating expenditures.	500,000	GF
Total Reductions	500,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	30,892,394	30,392,394	500,000	
Federal Fund	4,224,000	4,224,000	0	
Total Funds	35,116,394	34,616,394	500,000	

Amendment No. **183**

V00E01.05 Maryland Youth Residence Center

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding at the Maryland Youth Residence Center (MYRC). MYRC is a shelter program in Baltimore City. The Department of Juvenile Services (DJS) has been scaling back operations at MYRC during fiscal 2008 because of the inadequacy of the physical plant. By December 2007, DJS had no youth at the facility although the electronic monitoring (EM) program remains housed there. Renovating the facility for occupation by youth will be extremely expensive. Simply installing a sprinkler system will	750,000	GF

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cost \$1.8 million. The reduction still provides DJS with over \$1,150,000 for operating expenses to continue housing the EM program at the facility (at least temporarily) as well as to support alternative programming for youth that would otherwise be served at the facility.

Total Reductions 750,000 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	28.00	28.00		0.00
General Fund	1,929,283	1,179,283	750,000	
Special Fund	5,000	5,000	0	
Total Funds	1,934,283	1,184,283	750,000	

Amendment No. 184

W
Department of State Police

Budget Amendments

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation is restricted until the Department of State Police (DSP) submits the Crime in Maryland: 2007 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment.

Further provided, if DSP encounters difficulty in obtaining the necessary crime data on a timely basis from local jurisdictions who provide this data for inclusion in the UCR, the department may withhold a portion, totaling no more than 50 percent, of that jurisdiction's State Aid for Police Protection grant for fiscal 2009 until such time that the jurisdiction submits its crime data.

Explanation: This annual language was originally added because DSP had not been submitting its annual crime report in a timely manner. As such, this language withholds a portion of the department's general fund appropriation until the budget committees receive the 2007 Uniform Crime Report.

Information Request	Author	Due Date
2007 Uniform Crime Report	DSP	45 prior to the expenditure of funds

Amendment No. **185**

W00A01.02 Field Operations Bureau

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete a police communications operator position that has been vacant for over 18 months.	30,205 GF	1.00
Total Reductions	30,205	1.00

W

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1628.00	1627.00		1.00
General Fund	91,622,084	91,591,879	30,205	
Special Fund	67,563,713	67,563,713	0	
Total Funds	159,185,797	159,155,592	30,205	

Amendment No. **186**

W00A01.04 Support Services Bureau

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the increase in funds for the replacement of patrol vehicles. The allowance provides a 97% increase in funds to replace an additional 100 vehicles a year. This action still allows for a 46% increase for the replacement of approximately 60 higher mileage patrol vehicles, in addition to the base replacement of 70 vehicles. Additionally, the Governor has issued a directive to all State agencies to reduce the size of their vehicle fleets in order to curtail expenditures. This action would be consistent with the intent of that directive.	850,000 GF	
Total Reductions	850,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	327.00	327.00		0.00
General Fund	51,832,227	50,982,227	850,000	
Special Fund	200,000	200,000	0	
Federal Fund	2,183,144	2,183,144	0	
Total Funds	54,215,371	53,365,371	850,000	

Amendment No. **187**

W

Committee Narrative

Report on Barrack Closure: The committees request that the Department of State Police report on its process for closing a barrack including which barrack will be targeted for closure; the timing of closure; the determining factors in the closure; and a complete accounting of resultant savings.

Information Request	Author	Due Date
Report on Barrack Closure	Department of State Police	September 1, 2008

X Public Debt

Committee Narrative

Efficient Debt Management: The Capital Debt Affordability Committee (CDAC) is charged with recommending affordable debt limits. To guide the process, the committee developed affordability criteria in 1978. Since they were developed, the State's financial condition and needs have changed. Given the changes over the last 30 years, it is time that CDAC reevaluate the affordability criteria to determine how well they meet the State's needs and determine if they can be better adopted to the current financial condition and needs. The General Assembly is especially concerned that State debt be managed as efficiently as possible. The State has maintained its AAA bond rating from all three major rating agencies since each began rating State debt. It is the intent of the General Assembly that the State maintains its AAA bond rating. As such, policies developed by the committee should be consistent with the goal that debt be managed as efficiently as possible.

Y
State Reserve Fund

Budget Amendments

Y01A02.01 Dedicated Purpose Account

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the InterCounty Connector (ICC). Due to uncertainty in the economy, it is prudent to have a larger general fund balance. This reduction is made in conjunction with amendments in separate legislation to modify the general fund repayments to provide \$53 million per year through fiscal 2012, and to provide the Maryland Transportation Authority with additional flexibility to use cash or short-term debt options.	32,000,000	GF
Total Reductions	32,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	85,000,000	53,000,000	32,000,000	
Total Funds	85,000,000	53,000,000	32,000,000	

Amendment No. **188**

D13A
Executive Department
Maryland Energy Administration

Fiscal 2008 Deficiency

D13A13.01 General Administration

Add the following language to the special fund appropriation:

, provided that no funds may be spent unless the Department of Budget and Management determines that such expenditures do not duplicate any function or activity of another State agency. In addition, the Maryland Energy Administration shall submit a report to the budget committees by August 1, 2008, on how the \$1,000,000 special fund deficiency appropriation is spent. The report shall include the following: the title and description of programs funded, the amount spent for each program, the individual recipients of funding within each program and the amount each recipient receives, the amount of energy reduction achieved by each recipient of funding, and the energy costs avoided by each recipient as a result of the funding.

Explanation: The budget committees are concerned that a list of projects intended to be funded with the fiscal 2008 deficiency appropriation appear to duplicate the activities and functions of other State agencies. Therefore, the budget bill language prohibits the spending of the deficiency appropriation unless the Department of Budget and Management determines that the expenditures do not duplicate any function or activity of another State agency. The budget bill language also requires the submission of a report from the Maryland Energy Administration (MEA) on how the deficiency is spent, including the title and description of programs funded, the amount spent for each program, the individual recipients of funding within each program and the amount each recipient receives, the amount of energy reduction achieved by each recipient of funding, and the energy costs avoided by each recipient as a result of the funding.

Information Request	Author	Due Date
Report on the expenditure of the fiscal 2008 \$1.0 million special fund deficiency appropriation	MEA	August 1, 2008

Amendment No. **189**

D13A

D13A13.02 Community Energy Loan Program – Capital Appropriation

Report on Relationship with Reinvestment Fund: The Community Energy Loan Program (CELP) has heretofore provided loans directly to nonprofit organizations for energy efficiency projects. The proposed involvement of the Reinvestment Fund in a partnership with CELP appears to be a break from this pattern of practice and requires further scrutiny. Therefore, the Maryland Energy Administration should report to the committees on the nature of the projects to be supported and of the relationship between the Community Energy Loan Program and the Reinvestment Fund.

Information Request	Author	Due Date
Report on Reinvestment Fund partnership with CELP	MEA	Before any funds are encumbered for projects in partnership with the Reinvestment Fund

N00C
Department of Human Resources
Community Services Administration

Fiscal 2008 Deficiency

COMMUNITY SERVICES ADMINISTRATION

N00C01.12 Office of Home Energy Programs

Add the following language to the general fund deficiency appropriation:

, provided that \$4,943,000 of this appropriation for the Electric Universal Services Program may not be expended until the Department of Human Resources has exhausted all special funds available to the Universal Services Benefit Program, State Special Benefits Program, including the moneys appropriated to the Dedicated Purpose Account in the State Reserve Fund available for low-income energy assistance in fiscal 2008.

Explanation: The fiscal 2008 general fund deficiency appropriation provides supplemental funding for the Department of Human Resources (DHR) Office of Home Energy Programs to be used for the Electric Universal Services Program in the amount of \$4.9 million. The Department of Budget and Management indicates that in addition to the \$16.5 million that appears in the DHR working appropriation from the Dedicated Purpose Account (DPA), an additional \$4.1 million exists within the DPA. DHR should use all funding available to this program, provided through ratepayer funding and the DPA in the State Reserve Fund, for low-income energy assistance before general funds become available. This language restricts access to the general fund deficiency appropriation until these funding sources have been exhausted.

Amendment No. **190**^m

Add the following language to the general fund deficiency appropriation:

Further provided that \$4,943,000 of this appropriation for the Electric Universal Services Program may be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds unexpended at the end of the fiscal year shall revert to the general fund.

Explanation: This language restricts the deficiency appropriation for the Electric Universal Services Program (EUSP) to be used only for that purpose. The language also requires that any remaining funds unexpended at the end of fiscal 2008 be reverted to the general fund. The funding available for EUSP through ratepayer funding has been inadequate in recent years to meet the needs of households. As a result, additional funding has been available for low income energy assistance, through the Dedicated Purpose Account in fiscal 2008. This deficiency appropriation makes available general funds for this purpose. All funding available for the purpose of helping to meet the energy assistance demand should be used for this purpose to ensure that all households who qualify and apply receive a benefit. If EUSP does not meet the level of service which would require this additional funding the money should revert to the general fund at the end of the fiscal year.

Amendment No. **191**^m

R75T
Higher Education

Fiscal 2008 Deficiency

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund deficiency appropriation:

, provided that \$750,000 of this appropriation may only be expended to purchase property.

Explanation: This language restricts use of Baltimore City Community College's deficiency appropriation only to the purchase of property.

Amendment No. **192**

R95C
Baltimore City Community College

Fiscal 2008 Deficiency

R95C00.00 Baltimore City Community College

Add the following language to the current unrestricted deficiency appropriation:

, provided that \$750,000 of this appropriation may only be expended to purchase property.

Explanation: This language restricts use of Baltimore City Community College's deficiency appropriation only to the purchase of property.

Amendment No. **193**[™]

Budget Amendments

Add the following section:

Section 17 Using Funds For Their Intended Purpose

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various Executive State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0157 (Other Post Employment Benefits), 0175 (Workers' Compensation), 0217 (Health Insurance – Maryland Department of Transportation only), 0305 (DBM Paid Telecommunications) and 0322 (Capital Lease Telecommunications) 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, 0305, and 0322 between State departments and agencies by approved budget amendment in fiscal year 2008 and fiscal year 2009. 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. Any funds restricted in this budget to be utilized for other post ~~retirement~~ employment benefits (Comptroller Object 0157) that are unspent shall be credited to the Postretirement Health Benefits Trust Fund as established in accordance with Sections 34-101 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 herein 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 makes it possible for the Office of Legislative Audits to track the disposition of funds in statewide subobjects 0152, 0154, 0157, 0175, 0217, 0305, and 0322. It also clarifies which statewide subobjects can be transferred by the Secretary of the Department of Budget and Management.

Amendment No. 194

Add the following section:

Section 18 Across-the-board Reductions and Higher Education

SECTION 18. 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. 195

Add the following section:

Section 19 Injured Workers' Insurance Fund Accounts

SECTION 19. AND BE IT FURTHER ENACTED, That the Comptroller of the Treasury's General Accounting Division shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (workers' compensation coverage) and to credit all payments disbursed to the Injured Workers' Insurance Fund (IWIF) via transmittal. The control account shall also record all funds withdrawn from IWIF and returned to the State and subsequently transferred to the general fund. IWIF 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 IWIF for payment of claims, current expenses, and funded liability for incurred losses by the State.

Information Request	Author	Due Date
Report on status of ledger control account	IWIF	Monthly beginning on July 1, 2008

Amendment No. 196

Add the following section:

Section 20 Reporting Federal Funds

SECTION 20. 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
Report of components of each federal fund appropriation	DBM	With submission of fiscal 2010 budget

Amendment No. 197

Add the following section:

Section 21 PAYGO Capital Appropriations

SECTION 21. AND BE IT FURTHER ENACTED, That for fiscal 2010, capital funds shall be budgeted in separate eight-digit programs. When multiple projects and/or programs are budgeted within the same non-transportation eight-digit program, each distinct program and project shall be budgeted in a distinct subprogram. To the extent possible, subprograms for projects spanning multiple years shall be retained to preserve funding history. Furthermore, the budget detail for fiscal 2008 and 2009 submitted with the fiscal 2010 budget shall be organized in the same fashion to allow comparison between years.

Explanation: This annual language requires that capital funds be budgeted in separate eight-digit programs to aid in the identification of individual capital projects.

Amendment No. 198

Add the following section:

Section 22 Federal Fund Spending

SECTION 22. 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 2009, 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; this policy does not apply to the Department of Human Resources with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities, or to the Department of Health and Mental Hygiene with respect to funds to be carried forward into future years for the purpose of reducing the waiting list for community services for individuals with developmental disabilities or with respect to funds to be carried forward into future years for HIV/AIDS-related activities, or to the Maryland State Department of Education with respect to funds to be carried forward into future years for child care;
 - (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, whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and
 - (c) the Department of Budget and Management shall take appropriate actions to effectively establish these as policies of the State with respect to 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. 199

Add the following section:

Section 23 Indirect Costs Report

SECTION 23. 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 2009 as an appendix in the Governor's fiscal 2010 budget books. The report shall detail by agency for the actual fiscal 2008 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, it shall 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 once every three years, 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 2009, excluding the Maryland Department of Transportation, the amount of revenue received by each agency from any federal source for statewide cost recovery may only be transferred 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, requiring that recovered funds may only be transferred to the general fund.

Information Request	Author	Due Date
Annual report on indirect costs	DBM	With submission of the Governor's fiscal 2010 budget books

Amendment No. 200

Add the following section:

Section 24 Executive Long-term Forecast

SECTION 24. 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 general fund, 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 forecast and defines the conditions under which it is to be provided.

Information Request	Author	Due Date
Executive's general fund forecast	Department of Budget and Management	With submission of the Governor's fiscal 2010 budget books

Amendment No. 201

Add the following section:

Section 25 Reporting on Budget Data and Organizational Charts

SECTION 25. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2010 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of the Treasury. The presentation of budget data in the State budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2009 except as indicated elsewhere in this Act; however, this shall not preclude the placement of additional information into the budget books. For actual fiscal 2008 spending, the fiscal 2009 working appropriation, and the fiscal 2010 allowance, the budget detail shall be available from the Department of Budget and Management's (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 2008 spending, the fiscal 2009 working appropriation, and the fiscal 2010 allowance. The agencies shall exercise due diligence in reporting these data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. These data shall be made available upon 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 the Treasury.

Further provided that due diligence shall be taken to accurately report full-time equivalent position counts of contractual positions in the budget books. For the purpose of this count, contractual positions 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.

Explanation: This annual language provides for consistent reporting of fiscal 2008, 2009, and 2010 budget data, and provides for the submission of department, unit, agency, office, and institutions' organizational charts to the Department of Legislative Services with the allowance.

Amendment No. 202

Add the following section:

Section 26 Maintenance of Accounting Systems

SECTION 26. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health and Mental Hygiene shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2008 in program M00Q01.03 Medical Care Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the periodic reports required under this section for that program.
- (2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2008 to program R00A02.07 Students With Disabilities for Non-Public Placements have been disbursed for services provided in that fiscal year and to prepare periodic reports as required under this section for that program.
- (3) The Secretary of Human Resources shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2008 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year and to prepare the periodic reports required under this section for that program.
- (4) For the programs specified, reports shall indicate total appropriations for fiscal 2008 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 on November 1, 2008, March 1, 2009, and June 1, 2009.

- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2008 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

Explanation: This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Department of Health and Mental Hygiene (DHMH), the Maryland State Department of Education (MSDE), and the Department of Human Resources (DHR).

Information Request	Authors	Due Date
Report on appropriations and disbursements in M00Q01.03, R00A02.07, and N00G00.01	DHMH MSDE DHR	November 1, 2008 March 1, 2009 June 1, 2009

Amendment No. 203

Add the following section:

Section 27 Interagency Agreements

SECTION 27. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that on or before August 1, 2008, 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 2008 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; and
- (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.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2008, 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 2008.

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. Further, it requires that the Department of Budget and Management (DBM) submit a consolidated report on all agreements by December 1, 2008, to the budget committees and the Department of Legislative Services.

Information Request	Author	Due Date
Consolidated report on all interagency agreements	DBM	December 1, 2008

Amendment No. 204

Add the following section:

Section 28 Budget Amendments

SECTION 28. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor’s Office of Crime Control and Prevention or the Maryland Emergency Management Agency, made in Section 1 of this Act shall be subject to the following restrictions:

- (1) This section shall not apply to budget amendments for the sole purpose of:
 - (a) appropriating funds available as a result of the award of federal disaster assistance;
 - (b) transferring funds from the State Reserve Fund – Economic Development Opportunities Fund for projects approved by the Legislative Policy Committee; and

- (c) appropriating funds for Major Information Technology Development Project Fund projects approved by the budget committees.
- (2) Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until (i) that amendment has been submitted to the Department of Legislative Services (DLS) and (ii) the budget committees or the Legislative Policy Committee have considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of impact on budgeted or contractual position and payroll requirements.
- (3) Unless permitted by the budget bill or the accompanying supporting documentation or by 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 shall be restricted as provided in Section 1 of this Act;
 - (c) increase the scope of a capital project by an amount 7.5 percent or more over the approved estimate or 5 percent 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 the Maryland Department of Transportation; 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) Further provided that the fiscal 2009 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2009 and the supporting electronic detail shall not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the Maryland Department of Transportation PAYGO capital program.
- (8) 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 2010 allowance the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

Explanation: This revised annual language defines the process under which budget amendments may be used.

Amendment No. 205²⁰⁵

Add the following section:

Section 29 Secretary's or Acting Secretary's Nomination and Salary

SECTION 29. AND BE IT FURTHER ENACTED, That no funds in this budget may be expended to pay the salary of a Secretary or 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 2008 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2008 session.

Explanation: This language ensures that the intentions of the Senate are reflected in the payment of executive salaries.

Amendment No. 206²⁰⁶

Add the following section:

Section 30 The “Rule of 50”

SECTION 30. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 50 positions in excess of the total number of authorized State positions on July 1, 2008, 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 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 50 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. It is further provided that the limit of 50 also does not apply to the creation of caseload carrying child welfare positions within the Department of Human Resources (DHR). 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 men, which 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 full-time equivalent contractual positions 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 a contractual position for at least two years. Any position created by this method shall not be counted within the limitation of 50 under this section.

In addition to any positions created within the limitation of 50 under this section, BPW may authorize the creation of no more than 150 positions within DHR to provide services purchased by Local Management Boards through contracts with local departments of social services. If a Local Management Board terminates a contract with a local department of social services during the fiscal year, all the positions created by the BPW to provide services under the terms of that contract shall be abolished.

In addition to any positions created within the limitation of 50 under this section, BPW may authorize the creation of positions within DHR to provide services funded by grants from sources other than Local Management Boards. If any grant entity terminates a grant award with a local department of social services or other unit during the fiscal year, all positions created by BPW to provide services under the terms of the grant award shall be abolished. The employee contracts for these positions shall explicitly state that the positions are abolished at the termination of the grant award. General funds or any other State funds shall not be used to pay any of the salaries or benefits for these positions. Furthermore, DHR must provide a summary to the budget committees by December 1 of each year on the number of positions created under this section.

The numerical limitation on the creation of positions by BPW established in this section shall not apply to positions entirely supported by funds from federal or other non-State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

- (1) funds are available from non-State sources for each position established under this exception; and
- (2) any positions created will be abolished in the event that non-State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2009, the status of positions created with non-State funding sources during fiscal 2005, 2006, 2007, 2008, and 2009 under this provision as remaining authorized or abolished due to the discontinuation of funds.

Explanation: This annual language, the “Rule of 50,” limits the number of positions that may be added after the beginning of the fiscal year to 50 and provides for exceptions to the limit.

Information Request	Authors	Due Dates
Certification of the status of positions created with non-State funding sources during fiscal 2005, 2006, 2007, 2008, and 2009	Department of Budget and Management	June 30, 2009
Positions created within the Department of Human Resources with non-Local Management Board grants	Department of Human Resources	December 1, 2008

Amendment No. 207

Add the following section:

Section 31 Position Reporting Requirement

SECTION 31. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2008, 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 2008 and on the first day of fiscal 2009. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2008 and 2009 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 during fiscal 2009 a report 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 2010 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 position information in the same fashion as reported in the appendices of the fiscal 2009 Governor's budget books shall also be provided.

Explanation: This is annual language providing reporting requirements for regular and contractual State positions.

Information Request	Authors	Due Date
Total number of FTEs on June 30 and July 1, 2008	Department of Budget and Management	July 14, 2008
Report on the creation, transfer, or abolition of regular positions	Department of Budget and Management	As needed

Amendment No. 208

Add the following section:

Section 32 Executive Pay Plan Salaries

SECTION 32. 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 listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 1, 2008, October 1, 2008, January 1, 2009, and April 1, 2009; and
- (2) detail on any lump-sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat rate employees on the EPP shall be included in these reports. Each position in the report shall be assigned a unique identifier, which 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 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	Authors	Due Date
Report of all Executive Pay Plan positions	Department of Budget and Management Maryland Department of Transportation	July 15, 2008 October 15, 2008 January 15, 2009 April 15, 2009

Amendment No. 209

Add the following section:

Section 33 Positions Abolished in the Budget

SECTION 33. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

Explanation: This language prevents employees from being moved into positions abolished in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

Amendment No. **210**

Add the following section:

Section 34 Accounting of Health Plan Receipts and Spending

SECTION 34. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2010 Governor's budget books an accounting of the fiscal 2008 actual, fiscal 2009 working appropriation, and fiscal 2010 estimated revenues and expenditures associated with the employees' and retirees' health plans. 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 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.

Information Request	Author	Due Date
Accounting of the employee and retiree health plan revenues and expenditures	Department of Budget and Management	With submission of Governor's fiscal 2010 budget books

Amendment No. **211**

Add the following section:

Section 35 Other Post Employment Benefit Expenditures

SECTION 35. AND BE IT FURTHER ENACTED, That the Department of Budget and Management shall create a statewide subobject to provide for budgeting in all fund accounts in individual agency budgets for Other Post Employment Benefits expenditures.

Explanation: This section provides for the establishment of a subobject to capture Other Post Employment Benefits expenditures.

Amendment No. 212

Add the following section:

Section 36 Maryland Aviation Administration Agreement

SECTION 36. AND BE IT FURTHER ENACTED, That any agreement made through any State agency, including all promotional contracts offering money to airlines for joint marketing services, contracts that waive certain airport fees, and agreements guaranteeing an airline's profit or return on sales, that involves the payment of funds to an airline that results in a reduction in revenue to the State from any fees, rent charges, or other types of revenue charged to an airline:

- (1) may not be approved or go into effect unless the agreement is approved by the Board of Public Works, except if the Maryland Aviation Administration or the Maryland Department of Transportation is using a standard agreement previously approved by the Board of Public Works; and
- (2) must be included in the Maryland Aviation Commission's annual report submitted to the General Assembly in accordance with Section 5-201.2 of the Transportation Article. The report shall include the total number of agreements reached during the previous fiscal year, the total number of airlines involved in the agreements, and the total dollar amount for that fiscal year relating to those agreements. These summary reports shall be provided separately for agreements relating to fee waivers, joint marketing services, and agreements that guarantee an airline's profit or return on sales.

Further provided that all agreements guaranteeing an airline's profit or return on sales may not be entered into unless the executive director of the Maryland Aviation Administration or the Secretary of the Maryland Department of Transportation advises the chair of the Senate Budget and Taxation Committee, the chair of the Public Safety, Transportation, and Environment Subcommittee, the chair of the House Committee on Appropriations, the chair of the Transportation and Environment Subcommittee, and the Department of Legislative Services of the proposed agreement.

Explanation: A 2006 audit of the Maryland Aviation Administration (MAA) found that an agreement was entered into on MAA's behalf that guaranteed a certain level of profit to an airline. Unbeknownst to the General Assembly, this agreement was a potential liability of the Transportation Trust Fund of up to \$5.5 million annually. This language requires that any agreements for joint marketing services, the waiver of certain airport fees, and agreements guaranteeing an airline's profit or return on sales must be approved by the Board of Public Works (if not using the standard agreement form) and a summary of all such reports must be included in the Maryland Aviation Commission's (MAC) annual report. Additionally, for all agreements guaranteeing an airline's profit or return on sales, the executive director of MAA or the Secretary of the Maryland Department of Transportation must meet with the appropriate budget committees' and subcommittees' chairmen and the Department of Legislative Services.

Information Request	Author	Due Date
Report summarizing all agreements reached with airlines concerning fee waivers, joint marketing services, and guarantees of an airline's profits	MAC	January 15, 2009

Amendment No. **213**

Add the following section:

Section 37 Maryland Children's Electronic Social Services Information Exchange Reporting Requirements

SECTION 37. AND BE IT FURTHER ENACTED, That \$2,000,000 of federal funds in the Department of Human Resources (DHR), Office of Technology for Human Resources and \$2,000,000 of special funds in the Major Information Technology Development Fund for Maryland Children's Electronic Social Services Information Exchange (MD CHESSIE) modifications and enhancements in this budget may not be expended until DHR submits a report to the budget committees detailing the modifications and enhancements supported by these funds. In developing the report, DHR should seek input from the MD CHESSIE workgroup and local department representatives.

The report shall include:

- (1) how the identified modifications and enhancements will improve performance;
- (2) the prioritization of the identified modifications and enhancements;

- (3) the timeline for completion of each identified modification and enhancement; and
- (4) how funding will be reallocated if an identified modification and enhancement is later reprioritized or determined to be unnecessary.

The budget committees shall have 45 days from the receipt of the report to review and comment.

Explanation: The fiscal 2009 allowance provides additional funds for MD CHESSIE modifications and enhancements. While several modifications and enhancements are identified for this funding, these modifications are still under review. As a result, no timeline for these modifications and enhancements is known. Before funding becomes available, information on how the identified modifications and enhancements will improve performance, priority, and timeline for completion should be provided.

Information Request	Author	Due Date
A report on the identified modifications and enhancements planned for MD CHESSIE	DHR	45 days prior to the release of funds

Amendment No. **214**

Add the following section:

Section 38 Reduce Funding for RICA-Southern Maryland

SECTION 38. AND BE IT FURTHER ENACTED, That 72.5 full-time equivalent regular positions, \$5,500,000 in general funds, \$2,500 in special funds, and \$41,208 in federal funds shall be reduced from the budget for the Regional Institute for Children and Adolescents (RICA)-Southern Maryland (M00L14.01). Remaining funds may only be used to serve children and adolescents at other residential treatment centers or community-based services.

Explanation: The language deletes all of the positions and reduces most of the funding provided in the fiscal 2009 allowance to operate RICA-Southern Maryland. Some funding is provided to serve children and adolescents that might otherwise have been placed at RICA-Southern Maryland in alternative residential or community-based settings. General fund savings will be slightly offset by loss of hospital patient recoveries (just over \$1.3 million in fiscal 2007).

Amendment No. **215**

Add the following section:

Section 39 Delete Maryland Emergency Medical Systems Operation Funds for Capital Equipment Grant

SECTION 39. AND BE IT FURTHER ENACTED, That \$3,500,000 in special funds is deleted from R55Q00 – Aid to University of Maryland Medical Systems for the purposes of the R Adams Cowley Shock Trauma Center Capital Equipment grant. Further provided that it is the intent of the General Assembly that the \$3,500,000 in deleted special funds from R55Q00 be replaced with \$3,500,000 in general obligation bond funds from the Maryland Consolidated Capital Bond Loan of 2008.

Further provided that it is the intent of the General Assembly that the Department of Budget and Management consider including a grant from the Maryland Emergency Medical Systems Operations Fund to the R Adams Cowley Shock Trauma Center for capital equipment replacement purposes beginning in fiscal 2012.

Explanation: In order to prolong the viability of the Maryland Emergency Medical Operations Fund, funding for Shock Trauma capital needs for fiscal 2009, 2010, and 2011 should be deleted. Instead, general obligation bond funding should be increased for the current Shock Trauma capital project included in the Capital Improvement Program. This language also expresses the intent of the General Assembly that the \$3.5 million deleted from the Maryland Emergency Medical Operations Fund to fund Shock Trauma capital needs for fiscal 2009 be replaced with general obligation bond funds in the 2008 session capital budget. Finally this language also expresses the intent of the General Assembly that the Department of Budget and Management consider providing a grant from the Maryland Emergency Medical Operations Fund to fund capital equipment replacement for Shock Trauma beginning in fiscal 2012.

Amendment No. 216²⁷

Add the following section:

Section 40 National Sailing Hall of Fame Restriction

SECTION 40. AND BE IT FURTHER ENACTED, That no funds in this budget may be used to rent, lease, or purchase property from the National Sailing Hall of Fame (NSHOF) or to rent, lease, or sell property to the NSHOF until a report is submitted to the budget committees providing the following information: a full accounting of past, current, and potential costs to the State; certification in the form of a letter from the Annapolis Planning Commission, and the City of Annapolis Historic Preservation Commission expressing their support for the project; and a description of other entities that expressed interest in the Department of Natural Resources' land during the State property clearinghouse process. The budget committees shall have 45 days to review and comment upon receipt of the report.

Explanation: This language prohibits the Department of Natural Resources (DNR) (1) from renting, leasing, or purchasing property from; and (2) from renting, leasing, or selling property to the NSHOF until a report is submitted to the budget committees. The report should include the following information: a full accounting of the costs to the State; certification in the form of a letter that the Annapolis Planning Commission, and the City of Annapolis Historic Preservation Commission are supportive of the project; and a description of other entities that expressed interest in the DNR land during the State property clearinghouse process. The language provides the budget committees with 45 days to review and comment upon the report.

Information Request	Author	Due Date
NSHOF report	DNR	Prior to a land transaction with the NSHOF

Amendment No. **217**

Add the following section:

Section 41 Reduce Pre-funding of Other Post Employment Benefits

SECTION 41. AND BE IT FURTHER ENACTED, That the pre-funding of the Other Post Employment Benefits liability (subobject 0157) shall be reduced in fiscal 2009 by the following amounts:

<u>Department</u>	<u>Fund</u>	<u>Amount</u>
<u>Executive</u>	<u>General</u>	<u>\$34,208,377</u>
<u>Executive</u>	<u>Special</u>	<u>9,993,970</u>
<u>Executive</u>	<u>Federal</u>	<u>6,739,288</u>
<u>Executive</u>	<u>Current Unrestricted</u>	<u>5,563,365</u>
<u>Executive</u>	<u>Current Restricted</u>	<u>1,674,003</u>
<u>Judiciary</u>	<u>General</u>	<u>3,791,623</u>

Explanation: This language provides for a reduction in the funding for the State’s Other Post Employment Benefits (OPEB) liability pre-funding. This requires a reduction from funds budgeted for this purpose in the allowance, \$38 million of which corresponds to general funds, including \$2 million in higher education subsidies. The action also reduces special, federal, and current unrestricted funds, which includes \$2 million in general fund subsidies. Reimbursable funds of \$708,919 and nonbudgeted contributions of \$25,652 – though not explicitly budgeted – will also be reduced as a consequence of this action. The total estimated fiscal 2009 reduction is \$60,692,122.

Amendment No. **218**

Technical Amendment

Renumber SECTION 18. as SECTION 42 and SECTION 19. as SECTION 43.

Amendment No. **219**²²⁰

D06E
Board of Public Works – Capital Appropriation

Supplemental Budget No. 1

D06E02.01 Public Works Capital Appropriation

Amend the following language in the special and current unrestricted fund appropriation:

“(2) University of Maryland, College Park – ~~Biosciences Research~~ Biology-Psychology Building”

R30B22.00 University of Maryland, College Park

“To reduce the appropriation shown on page 108 of the printed bill (first reading file bill), to transfer funding for renovations to the School of Public Health and the ~~Biosciences Research~~ Biology-Psychology Building to the Board of Public Works Capital Appropriation.”

R75T00.01 Support for State Operated Institutions of Higher Education

“To reduce an appropriation shown on page 114 of the printed bill (first reading file bill), to transfer special funds for renovations to the School of Public Health and the ~~Biosciences Research~~ Biology-Psychology Building from the University of Maryland, College Park to the Board of Public Works Capital Appropriation.”

Explanation: This amendment corrects the title.

Amendment No. **220**