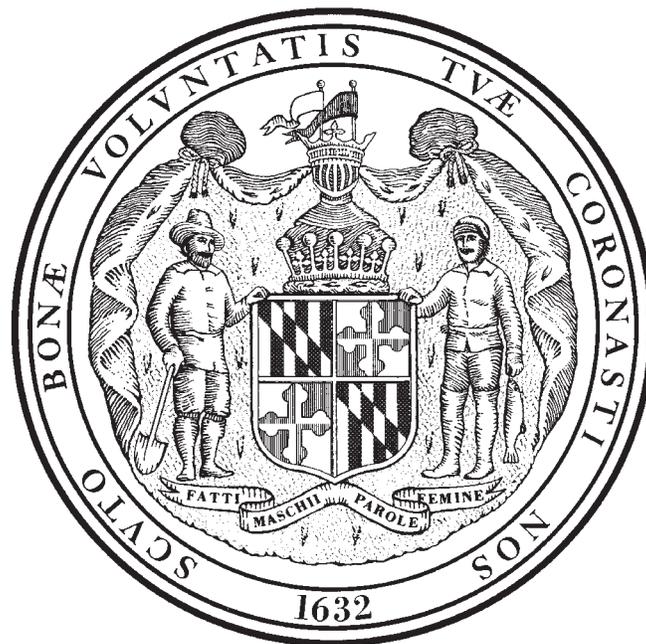


Report of the  
**HOUSE APPROPRIATIONS COMMITTEE**  
to the Maryland House of Delegates



**2010 SESSION**

Recommendations, Reductions, and Summary of  
Action Pertaining to:  
**SENATE BILL 140**

**For further information concerning this document contact:**

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

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

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

TDD: 410-946-5401 • 301-970-5401

Maryland Relay Service: 1-800-735-2258

E-mail: [libr@mlis.state.md.us](mailto:libr@mlis.state.md.us)

Home Page: <http://mlis.state.md.us>

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

**Maryland General Assembly  
House Appropriations Committee**

**2010 Session Membership Roster**

---

**Delegate Norman H. Conway, Chairman**  
**Delegate James E. Proctor, Jr., Vice Chairman**

**Subcommittee on Education and Economic Development**

Delegate John L. Bohanan, Jr., Chairman  
Delegate Henry B. Heller, Vice Chairman

Delegate Melony G. Griffith  
Delegate Guy J. Guzzone  
Delegate Adrienne A. Jones  
Delegate Nancy R. Stocksdales

**Subcommittee on Health and Human Resources**

Delegate Mary-Dulany James, Chairman  
Delegate Keith E. Haynes, Vice Chairman

Delegate Adelaide C. Eckardt  
Delegate Ana Sol Gutierrez  
Delegate Heather R. Mizeur  
Delegate Steven R. Schuh

**Subcommittee on Public Safety and Administration**

Delegate Galen R. Clagett, Chairman  
Delegate Steven J. DeBoy, Sr., Vice Chairman

Delegate Gail H. Bates  
Delegate James E. Proctor, Jr.  
Delegate Barbara A. Robinson  
Delegate Theodore J. Sophocleus  
Delegate John F. Wood, Jr.

**Subcommittee on Transportation and the Environment**

Delegate Tawanna P. Gaines, Chairman  
Delegate Murray D. Levy, Vice Chairman

Delegate Susan L. M. Aumann  
Delegate Wendell R. Beitzel  
Delegate Talmadge Branch  
Delegate William A. Bronrott



# Department of Legislative Services

---

## Executive Director, Department of Legislative Services

Karl S. Aro

## Director, Office of Policy Analysis

Warren G. Deschenaux

## Coordinator, Fiscal and Policy Analysis

John W. Rohrer

## Operating Budget Managers

Mary E. Clapsaddle

David B. Juppe

## Capital Budget Manager

Matthew D. Klein

## Information Systems Support

Patrick S. Frank

Jaclyn D. Hartman

## Committee Report Coordinator

Steven D. McCulloch

## Committee Staff

Nicole M. McCann

Joshua A. Watters

Dana K. Tagalicod

## Budget Subcommittee Coordinators

Patrick S. Frank

Simon G. Powell

Monica L. Kearns

Rebecca J. Ruff

Jonathan D. Martin

## Other Analysts

Flora M. Arabo

Andrew D. Gray

Rachel N. Silberman

Dylan R. Baker

Chantelle M. Green

Jody J. Sprinkle

Sara J. Baker

Richard H. Harris

Kathleen K. Wunderlich

Erin Dorrien

Rachel H. Hise

Tonya D. Zimmerman

## Support Staff

Lauren A. Bigelow

Maria S. Hartlein

Karen A. Maupai

Judith A. Callahan

E. Cathy Kramer

Kamar Merritt

Joyce H. Fowler

Kimberly J. Landry

Maureen R. Merzlak



# Department of Legislative Services

## 2010 Budget Assignments

---

<b>Flora M. Arabo</b>	Department of Housing and Community Development Judiciary Maryland State Board of Contract Appeals Office of Administrative Hearings Office of the Attorney General Office of the Public Defender Office of the State Prosecutor Property Tax Assessment Appeals Boards State Archives
<b>Dylan R. Baker</b>	Department of Budget and Management – Office of the Secretary Department of Budget and Management – Personnel Maryland Supplemental Retirement Plans State Retirement Agency Subsequent Injury Fund Uninsured Employers’ Fund Workers’ Compensation Commission
<b>Sara Jean Baker</b>	Morgan State University University System of Maryland Frostburg State University Office Overview Towson University University of Maryland Baltimore County University of Maryland, College Park University of Maryland Center for Environmental Science
<b>Mary E. Clapsaddle</b>	Maryland General Assembly
<b>Erin M. Dorrien</b>	Department of Health and Mental Hygiene Alcohol and Drug Abuse Administration Chief Medical Examiner Chronic Diseases Services Health Occupation Boards Infectious Disease and Environmental Health Administration Laboratories Administration
<b>Patrick S. Frank</b>	Department of Information Technology Public Debt State Reserve Fund
<b>Andrew D. Gray</b>	Chesapeake Bay Overview Department of Agriculture Department of Natural Resources Department of Planning Maryland Department of the Environment

**Chantelle M. Green**

Board of Public Works  
Comptroller of the Treasury  
Department of General Services  
Department of State Police  
Executive Department – Governor  
Governor’s Office of Crime Control and Prevention  
Maryland Emergency Medical System Operations Fund  
Military Department  
State Department of Assessments and Taxation

**Richard H. Harris**

Aid to Community Colleges  
Baltimore City Community College  
Executive Department – Boards, Commissions, and Offices  
Higher Education Overview  
Historic St. Mary’s Commission  
Maryland Commission on Human Relations  
Secretary of State  
St. Mary’s College of Maryland  
University System of Maryland  
    University of Maryland, Baltimore  
    University of Maryland University College

**Jaclyn D. Hartman**

Maryland Department of Transportation  
    Maryland Aviation Administration  
    Maryland Port Administration  
    Maryland Transportation Authority  
    Overview (shared)

**David B. Juppe**

Payments to Civil Divisions of the State

**Monica L. Kearns**

Interagency Committee on School Construction  
Maryland Public Broadcasting Commission  
Maryland School for the Deaf  
Maryland State Department of Education  
    Aid to Education  
    Early Childhood Development  
    Funding for Educational Organizations  
    Headquarters

**Matthew D. Klein**

Capital Fiscal Briefing (PAYGO Overview)

**Jonathan D. Martin**

Maryland Department of Transportation  
    Debt Service Requirements  
    Maryland Transit Administration  
    Motor Vehicle Administration  
    Overview (shared)  
    Secretary’s Office  
    State Highway Administration  
    Washington Metropolitan Area Transit Authority

**Steven D. McCulloch**

Children’s Cabinet Interagency Fund  
Department of Aging  
Department of Human Resources  
Family Investment  
Overview  
Social Services Administration  
Governor’s Office for Children  
Maryland Insurance Administration  
State Treasurer

**Simon G. Powell**

Department of Health and Mental Hygiene  
Administration  
Medical Care Programs Administration  
Mental Hygiene Administration  
Overview  
Department of Juvenile Services  
Maryland Health Insurance Plan

**Rebecca J. Ruff**

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  
Overview  
Patuxent Institution  
Police and Correctional Training Commissions  
Local Jails

**Rachel N. Silberman**

Maryland Higher Education Commission (MHEC)  
MHEC Scholarship Programs  
University System of Maryland  
Bowie State University  
Coppin State University  
Salisbury University  
University of Baltimore  
University of Maryland Eastern Shore

**Jody J. Sprinkle**

Canal Place Preservation and Development Authority  
Department of Business and Economic Development  
Department of Labor, Licensing, and Regulation  
Business Regulation  
Workforce Development  
Maryland Economic Development Corporation  
Maryland Stadium Authority  
Maryland Technology Development Corporation  
State Lottery Agency

**Kathleen K. Wunderlich**

Department of Health and Mental Hygiene  
Developmental Disabilities Administration  
Family Health Administration  
Health Regulatory Commissions  
Office of Health Care Quality  
Department of Veterans Affairs  
Maryland Institute for Emergency Medical Services Systems

**Tonya D. Zimmerman**

Department of Disabilities  
Department of Human Resources  
Administration  
Child Support Enforcement  
Office of Home Energy Programs  
Maryland Automobile Insurance Fund  
Maryland Energy Administration  
Maryland Food Center Authority  
Public Service Commission  
State Board of Elections

# Contents

---

	<u>Budget Code</u>	<u>Page</u>
Senate Budget and Taxation Committee Reductions		xv
 <b>Payments to Civil Divisions of the State</b>		
Payments to Civil Divisions of the State .....	A00	1
 <b>Legislative and Judicial</b>		
Judiciary .....	C00A	2
Office of the Public Defender .....	C80B	6
Office of the Attorney General .....	C81C	7
Office of the State Prosecutor .....	C82D	8
 <b>Executive and Administrative Control</b>		
Board of Public Works.....	D05E	9
Department of Disabilities .....	D12A	10
Maryland Energy Administration .....	D13A	11
Boards, Commissions, and Offices .....	D15A	14
Secretary of State .....	D16A	16
Historic St. Mary’s Commission.....	D17B	17
Governor’s Office for Children .....	D18A	18
Interagency Committee for School Construction .....	D25E	19
Department of Aging .....	D26A	21
State Board of Elections.....	D38I	22
Department of Planning .....	D40W	25
Military Department.....	D50H	27
Department of Veteran Affairs .....	D55P	29
Maryland Automobile Insurance Fund .....	D70J	30
 <b>Financial and Revenue Administration</b>		
Comptroller of Maryland .....	E00A	32
State Department of Assessments and Taxation .....	E50C	34
State Lottery Agency .....	E75D	35
 <b>Budgetary and Personnel Administration</b>		
Department of Budget and Management .....	F10	36
Department of Information Technology .....	F50A	37
 <b>Personnel Administration and Retirement</b>		
Maryland State Retirement and Pension Systems		
State Retirement Agency .....	G20J	39

	<u>Budget Code</u>	<u>Page</u>
<b>General Services</b>		
Department of General Services .....	H00	41
<b>Transportation</b>		
Department of Transportation.....	J00	45
The Secretary’s Office .....	J00A01	48
Debt Service Requirements.....	J00A04	52
State Highway Administration.....	J00B	54
Maryland Port Administration .....	J00D	56
Motor Vehicle Administration.....	J00E	60
Maryland Transit Administration .....	J00H	62
Maryland Aviation Administration.....	J00I	65
Maryland Transportation Authority .....	J00J	68
<b>Natural Resources</b>		
Department of Natural Resources .....	K00A	72
<b>Agriculture</b>		
Department of Agriculture .....	L00A	76
<b>Health and Mental Hygiene</b>		
Department of Health and Mental Hygiene		
Office of the Secretary .....	M00A	82
Deputy Secretary for Public Health Services.....	M00F01	84
Infectious Disease and Environmental Health Administration....	M00F02	85
Family Health Administration .....	M00F03	88
Mental Hygiene Administration .....	M00L	90
Developmental Disabilities Administration.....	M00M	93
Medical Care Programs Administration .....	M00Q	96
<b>Human Resources</b>		
Department of Human Resources .....	N00	102
Office of the Secretary .....	N00A	103
Operations Office.....	N00E	105
Office of Technology for Human Services .....	N00F	106
Local Department Operations .....	N00G	107
Child Support Enforcement Administration .....	N00H	111
Family Investment Administration .....	N00I	112

	<u>Budget Code</u>	<u>Page</u>
<b>Labor, Licensing, and Regulation</b>		
Department of Labor, Licensing, and Regulation.....	P00	113
<b>Public Safety and Correctional Services</b>		
Department of Public Safety and Correctional Services		
Office of the Secretary .....	Q00A	116
Maryland Parole Commission.....	Q00C01	119
Division of Parole and Probation.....	Q00C02	120
Patuxent Institution .....	Q00D	123
Police and Correctional Training Commissions .....	Q00G	124
Criminal Injuries Compensation Board .....	Q00K	126
<b>Public Education</b>		
State Department of Education		
Headquarters .....	R00A01	128
Aid to Education .....	R00A02	134
Funding for Educational Organizations .....	R00A03	136
Children’s Cabinet Interagency Fund .....	R00A04	137
<b>Higher Education</b>		
Morgan State University .....	R13M	139
St. Mary’s College of Maryland .....	R14D	141
University System of Maryland .....	R30B00	142
University of Maryland, Baltimore.....	R30B21	143
Bowie State University .....	R30B23	145
University of Maryland Eastern Shore .....	R30B25	146
Coppin State University .....	R30B27	147
University System of Maryland Office.....	R30B36	149
Maryland Higher Education Commission .....	R62I	151
Higher Education .....	R75T	160
Maryland School for the Deaf.....	R99E	165
<b>Housing and Community Development</b>		
Department of Housing and Community Development .....	S00A	167
<b>Business and Economic Development</b>		
Department of Business and Economic Development.....	T00	168
Maryland Technology Development Corporation .....	T50	171
<b>Environment</b>		
Department of the Environment.....	U00A	172

	<b><u>Budget Code</u></b>	<b><u>Page</u></b>
<b>Juvenile Services</b>		
Department of Juvenile Services .....	V10A	177
<b>State Police</b>		
Department of State Police .....	W10A	181
<b>State Reserve Fund</b>		
State Reserve Fund .....	Y01A	185
<b>Deficiencies</b>		
Fiscal 2010 Deficiencies .....		186
<b>Sections</b>		
Sections .....		191
<b>Technical Amendment</b>		
Technical Amendment .....		215

## House Appropriations Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
<b>2011 Budget Request:</b>						
Payments to Civil Divisions of the State	\$2,575,000	\$0	\$0	\$0	\$2,575,000	
Judiciary	21,072,837	0	0	0	21,072,837	
Office of the Attorney General	150,000	0	0	0	150,000	
Office of the State Prosecutor	0	0	0	0	0	1.0
Board of Public Works (BPW)	250,000	0	0	0	250,000	
BPW – Public School Construction PAYGO	6,109,000	0	0	0	6,109,000	
Department of Disabilities	0	0	0	0	0	1.0
Governor’s Office of Crime Control and Prevention	18,955,972	0	0	0	18,955,972	
Secretary of State	25,000	0	0	0	25,000	
Governor’s Office for Children	0	0	0	0	0	5.0
State Board of Elections	0	2,000,000	0	0	2,000,000	
Department of Planning	709,899	29,250	5,850	0	744,999	
Military Department	68,614	0	90,986	0	159,600	
Department of Veterans Affairs	25,106	0	0	0	25,106	
Comptroller of the Treasury	35,294	57,785	0	0	93,079	
Department of Assessments and Taxation	100,000	0	0	0	100,000	
Department of Information Technology	739,037	0	0	0	739,037	
State Retirement Agency	0	159,500	0	0	159,500	
Department of General Services	295,353	72,600	0	0	367,953	
Maryland Department of Transportation (MDOT) – The Secretary’s Office	0	304,298	0	0	304,298	

## House Appropriations Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
MDOT – State Highway Administration	0	237,770,895	0	0	237,770,895	
MDOT – Maryland Port Administration	0	40,478,243	0	0	40,478,243	48.0
MDOT – Maryland Port Administration PAYGO Capital	0	160,389	0	0	160,389	1.0
MDOT – Motor Vehicle Administration	0	241,568	0	0	241,568	
MDOT – Maryland Aviation Administration	0	1,134,202	0	0	1,134,202	
Department of Natural Resources	0	32,101,428	0	0	32,101,428	
Department of Natural Resources PAYGO	0	46,157,608	0	0	46,157,608	
Department of Agriculture	0	675,000	0	0	675,000	
Department of Agriculture PAYGO	0	11,814,797	0	0	11,814,797	
Department of Health and Mental Hygiene (DHMH) – Administration	59,000	0	5,000	0	64,000	
DHMH – Infectious Disease and Environmental Health Administration	3,716,516	0	0	0	3,716,516	
DHMH – Family Health Administration	296,840	58,497	0	0	355,337	1.0
DHMH – Mental Hygiene Administration	750,000	0	0	0	750,000	
DHMH – Medical Care Programs Administration	24,000,000	0	0	0	24,000,000	
Department of Human Resources (DHR) – Administration	451,015	0	1,822,249	0	2,273,264	10.0
DHR – Child Support Enforcement	0	69,417	134,751	0	204,168	
DHR – Family Investment	5,450,000	0	0	0	5,450,000	
Department of Labor, Licensing, and Regulation (DLLR) – Workforce Development	455,110	0	0	0	455,110	
DLLR – Business Regulation	51,927	400,000	0	0	451,927	
Department of Public Safety and Correctional Services (DPSCS) – Office of the Secretary	1,767,538	0	0	0	1,767,538	2.0

LX.

## House Appropriations Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
DPSCS – Maryland Parole Commission	83,821	0	0	0	83,821	
DPSCS – Division of Parole and Probation	710,064	0	0	0	710,064	
DPSCS – Police and Correctional Training Commissions	254,601	0	0	0	254,601	2.0
Maryland State Department of Education (MSDE) – Headquarters	200,711	24,168	525,897	0	750,776	
MSDE – Aid to Education	300,000	0	0	0	300,000	
University System of Maryland Office	2,000,000	0	0	2,000,000	4,000,000	
Maryland Higher Education Commission	14,069,853	0	0	0	14,069,853	
Aid to Community Colleges	23,085,062	0	0	0	23,085,062	
IIAX: Maryland School for the Deaf	2,001,101	0	0	0	2,001,101	
Department of Business and Economic Development	382,222	0	0	0	382,222	
Department of the Environment	1,000,000	1,350,000	0	0	2,350,000	
Department of the Environment PAYGO	0	1,880,000	0	0	1,880,000	
Department of Juvenile Services	465,671	0	0	0	465,671	
Department of State Police	148,201	2,409,056	0	0	2,557,257	5.0
Across-the-board Reduction for Electricity	2,800,000	0	0	0	2,800,000	
Across-the-board Reduction for Furloughs	4,723,800	200,080	10,017,643	0	14,941,523	
Across-the-board Reduction for Statewide Position Abolitions	12,000,000	0	0	0	12,000,000	500.0
Less Higher Education Double Count	0	0	0	-2,000,000	-2,000,000	
<b>Subtotal Fiscal 2011 Regular Budget</b>	<b>\$152,334,165</b>	<b>\$379,548,781</b>	<b>\$12,602,376</b>	<b>\$0</b>	<b>\$544,485,322</b>	<b>576.0</b>
<b>Fiscal 2011 Total Budget</b>	<b>\$152,334,165</b>	<b>\$379,548,781</b>	<b>\$12,602,376</b>	<b>\$0</b>	<b>\$544,485,322</b>	<b>576.0</b>

## House Appropriations Committee – Reductions

Agency	General Funds	Special Funds	Federal Funds	Higher Ed Funds	Total Funds	Positions
<u>Fiscal 2010 Deficiency Budget:</u>						
DHMH – Medical Care Programs Administration	41,450,000	0	0	0	41,450,000	
DHR – Child Support Enforcement	0	76,008	0	0	76,008	
DHR – Family Investment	1,450,000	0	0	0	1,450,000	
MSDE – Headquarters	75,000	0	0	0	75,000	
<b>Subtotal Fiscal 2010 Deficiency Budget</b>	<b>\$42,975,000</b>	<b>\$76,008</b>	<b>\$0</b>	<b>\$0</b>	<b>\$43,051,008</b>	
<b>Grand Total Budget Bill</b>	<b>\$195,309,165</b>	<b>\$379,624,789</b>	<b>\$12,602,376</b>	<b>\$0</b>	<b>\$587,536,330</b>	<b>576.0</b>



**A00**  
**Payments to Civil Divisions of the State**

**Budget Amendments**

**A11K00.01 Miscellaneous Grants**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Delete mandated grant to Baltimore City. The State needs to reduce its cost structure to address the structural general fund deficit. A provision to delete the mandate is included in the Budget Reconciliation and Financing Act of 2010.</i>	2,575,000	GF

<i>Total Reductions</i>	2,575,000	
-------------------------	-----------	--

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>		<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>General Fund</i>	2,575,000	0		2,575,000	
<b><i>Total Funds</i></b>	<b>2,575,000</b>	<b>0</b>		<b>2,575,000</b>	

Amendment No. **1**

## C00A Judiciary

### Budget Amendments

Amend the following language:

Provided that a ~~\$1,371,000~~ \$6,371,000 reduction in general funds is made for operating expenditures. This reduction shall be allocated among the divisions.

**Explanation:** ~~The Governor's proposed budget assumes a fiscal 2011 reversion of \$5.0 million. Of this amount, it is anticipated that \$3.6 million represents the employee furlough. Those funds are deleted in the back of the bill. This action deletes the remainder of the \$5.0 million to reflect the entire anticipated reversion. This action reduces general fund operating expenditures by \$6.4 million. The reduction may be applied among the divisions.~~

Amendment No. 2

Add the following language:

Further provided that contingent on enactment of SB 141 or HB 151 creating a special fund in the Judiciary, \$1,513,437 in general funds shall be deleted from the budget. Further provided that no part of the reduction may be allocated to Comptroller Object 01 Salaries and Wages. The Chief Judge is authorized to process a Special Fund budget amendment of up to \$1,513,437 to replace the amount reduced on a dollar-for-dollar basis. It is the intent of the General Assembly that the Chief Judge of the Court of Appeals shall encourage the judges of the Maryland Court of Appeals, Court of Special Appeals, District Court, and Circuit Courts to make a financial contribution to a special fund equal to 10 days of pay in response to the furlough of State employees in all three branches of government, including the Judicial Branch. Furthermore, it is the intent of the General Assembly that the budget amendment shall replace funds reduced from nonpersonnel expenses and shall not be used to increase the appropriation for Comptroller Object 01 Salaries and Wages.

**Explanation:** The fiscal 2010 furlough was implemented across all three branches of government and was equivalent to 10 days of pay for State employees making more than \$100,000 per year. However, the Maryland Constitution prohibits any branch of government from reducing the salary of a member of the General Assembly or a Maryland judge. In fiscal 2010, the leadership of the Maryland General Assembly responded by encouraging its members to make a financial contribution to the general fund as a method of participating in the statewide furlough impacting its own employees. However, judges lost vacation days. As such, they did not participate financially unless they voluntarily bought back vacation days. A similar furlough plan is expected to be implemented in fiscal 2011 as proposed in the Governor's budget. This action encourages judges to participate in the fiscal 2011 furlough similar to the participation of members of the General Assembly. The Chief Judge is authorized to process a

## C00A

*special fund budget amendment to make use of any funds made available in the newly created special fund.*

Amendment No. **3**

### C00A00.01 Court of Appeals

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete additional funds for retired judge use. This action funds the use of retired judges at the fiscal 2009 actual levels.	374,000	GF
 Total Reductions	 374,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	78.00	78.00		0.00
General Fund	13,480,900	13,106,900	374,000	
<b>Total Funds</b>	<b>13,480,900</b>	<b>13,106,900</b>	<b>374,000</b>	

### C00A00.02 Court of Special Appeals

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete additional funds for temporary staff attorneys. This action level funds additional assistance in the Court of Special Appeals.	580,000	GF
 Total Reductions	 580,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	79.50	79.50		0.00
General Fund	9,212,206	8,632,206	580,000	
<b>Total Funds</b>	<b>9,212,206</b>	<b>8,632,206</b>	<b>580,000</b>	

## C00A

### C00A00.06 Administrative Office of the Courts

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funds for a pilot interpreter program in Prince George's County. This action will help address the State's budgetary shortfall.	335,000	GF
Total Reductions	335,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	121.75	121.75		0.00
General Fund	24,083,836	23,748,836	335,000	
Special Fund	10,100,000	10,100,000	0	
Federal Fund	74,114	74,114	0	
<b>Total Funds</b>	<b>34,257,950</b>	<b>33,922,950</b>	<b>335,000</b>	

### C00A00.09 Judicial Information Systems

Add the following language to the general fund appropriation:

*provided that \$257,825 of this appropriation may only be used for the purpose of automating changes to traffic citations and the reprinting of paper traffic citations contingent upon the enactment of HB 829. Funds unexpended at the end of the fiscal year shall revert to the General Fund.*

**Explanation:** This action directs \$257,825 of the general fund appropriation to be used for one-time computer programming changes to the Judiciary's existing case management system and changes to written and electronic citations. This action is contingent upon enactment of HB 829, which proposes to alter the manner in which a person complies upon receiving a traffic citation for a non-incarcerable offense.

Amendment No. 4

## C00A

### C00A00.12 Major Information Technology Development Projects

Add the following language to the general fund appropriation:

, provided that a reduction of \$11,899,400 is made for major information technology development (IT) projects contingent upon the enactment of SB 141 or HB 151 removing the sunset of funding major IT from the Land Records Improvement Fund.

**Explanation:** This action reduces the Judiciary's allowance for major IT development projects. The reduction is contingent upon legislation that amends Section 13-604 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland to remove the sunset on funding major IT from the Land Records Improvement Fund.

**C80B**  
**Office of the Public Defender**

**Committee Narrative**

**Progress on Implementation of the Office of Legislative Audits Recommendations:** During the 2008 session, the budget committees requested the Office of Legislative Audits (OLA) to conduct a follow-up performance audit to assess the effectiveness of the budgetary and financial management practices of the Office of the Public Defender (OPD). OLA released its findings in November 2009. The committees request that OPD establish policies and procedures to implement the recommendations set forth in the OLA audit and provide a report to the committees on its progress. These actions will improve OPD's overall financial and case management.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Established policies and procedures implementing the recommendations of OLA	OPD	November 1, 2010

**C81C**  
**Office of the Attorney General**

**Budget Amendments**

**C81C00.01 Legal Counsel and Advice**

Add the following language to the general fund appropriation:

, provided that this appropriation is reduced by \$150,000. The Governor is authorized to process a Special Fund budget amendment for \$150,000 to make use of the available balance in the Consumer Protection Recoveries Account.

Further provided that the Office of the Attorney General shall submit a report that provides estimates for indirect cost recoveries to the division of Legal Counsel and Advice associated with the oversight of its programs. The report shall be submitted to the budget committees by November 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** This action reduces general funds in the division of Legal Counsel and Advice. The Governor is authorized to process a budget amendment transferring special funds in the amount of \$150,000 from the Consumer Protection Recoveries Account to the division of Legal Counsel and Advice. This action also requires a report estimating the indirect cost recovery to the division for personnel, training, information technology, financial management, and administrative support to other divisions within the Office of the Attorney General (OAG). The division of Legal Counsel and Advice provides administrative support to all the divisions within OAG, so it is appropriate to estimate the expenses related to the operation and oversight of each division.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Estimates of indirect cost recovery of other divisions to the division of Legal Counsel and Advice	OAG	November 1, 2010

**C82D**  
**Office of the State Prosecutor**

**Budget Amendments**

Add the following language:

Provided that position identification number 086522 is abolished to reflect the loss of funds for the position. The Governor is authorized to process a budget amendment for a contractual full-time equivalent if the Office of the State Prosecutor secures alternative grant funding.

**Explanation:** The fiscal 2011 allowance eliminates \$54,490 in funding due to the loss of grant funds for the salary and fringe benefits of 1 position. Although the funding was deleted, the position was not. This action deletes the position. The Governor is authorized to process a budget amendment if the Office of the State Prosecutor is able to secure alternative grant funding to support a contractual full-time equivalent in fiscal 2011.

**D05E  
Board of Public Works**

**Budget Amendments**

**D05E01.02 Contingent Fund**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for contingent fund. This action is based on the following considerations: (1) the appropriation has only been fully exhausted once since fiscal 2001; (2) a review of prior usages indicates that many of fund's previous expenditures were non-emergency in nature; and (3) a heightened review of contingent fund expenditures is appropriate given the current fiscal climate. This action will appropriate \$500,000 in fiscal 2011.	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	750,000	500,000	250,000	
<b>Total Funds</b>	<b>750,000</b>	<b>500,000</b>	<b>250,000</b>	

**Committee Narrative**

**Improving Operational Reporting:** Given the zoo's continued financial difficulties, the committees request that the Maryland Zoological Society submit:

- audited financial statements for fiscal 2010; ~~and~~
- year-to-date monthly attendance figures for the zoo for fiscal 2011, in continuance of the practice begun in July 2008; *and*
- *a five-year financial plan that includes reducing the zoo's reliance on State funds.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Audited financials <i>and</i> <i>five-year financial plan</i>	Maryland Zoological Society	November 1, 2010
Attendance report	Maryland Zoological Society	Monthly

**D12A**  
**Executive Department**  
**Department of Disabilities**

**Budget Amendments**

**D12A02.01 General Administration**

Add the following language:

Provided that 1 regular position in this budget shall be deleted.

**Explanation:** This action is a technical amendment that deletes 1 regular position (PIN 083086). This vacant position was previously supported through reimbursable funds from the Department of Health and Mental Hygiene for emergency preparedness activities. The reimbursable funds that supported this position are no longer available.

**Committee Narrative**

**Plan for the Inclusion of Washington Metropolitan Area Transit Authority Performance Measures:** Beginning with the fiscal 2008 Managing for Results (MFR) submission by the Maryland Department of Disabilities (MDOD), the department attempted to include information on transportation services provided through the Washington Metropolitan Area Transit Authority (WMATA). However, the data has not been consistently included, and the fiscal 2011 submission includes no measures related to WMATA services. The committees request that MDOD, WMATA, and the Maryland Department of Transportation (MDOT) work together to develop a plan for the consistent inclusion of data associated with the WMATA service provision in MDOD's MFR to enable a more complete understanding of progress in public transportation options in Maryland.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Plan for the inclusion of WMATA measures	MDOD WMATA MDOT	September 1, 2010

**D13A**  
**Executive Department**  
**Maryland Energy Administration**

**Budget Amendments**

**D13A13.02 The Jane E. Lawton Conservation Loan Program – Capital Appropriation**

Add the following language to the federal fund appropriation:

, provided that \$2,562,075 of this appropriation made for the purpose of the Jane E. Lawton Conservation Loan Program – Capital Appropriation, may not be expended for that purpose but instead may be transferred by budget amendment to program D13A13.03 to be used only for the State Agency Loan Program – Capital Appropriation. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This language requires the federal fund appropriation of the Jane E. Lawton Loan Program available from the American Recovery and Reinvestment Act of 2009 to be transferred to the State Agency Loan Program (SALP). If these funds are not expended for SALP, the funds may only be cancelled. The Maryland Energy Administration (MEA) intended to use these funds to support energy conservation projects for commercial and industrial customers. MEA advises that it works with the Department of General Services to identify energy performance contracts for State agencies that could benefit from a SALP loan. The additional federal funds will provide additional funding to help reduce State agency energy consumption in fiscal 2011 and going forward as these funds are repaid into the revolving loan account.

**D13A13.07 Energy Efficiency and Conservation Programs, All Other Sectors**

Add the following language to the federal fund appropriation:

, provided that \$1,000,000 of this appropriation from the American Recovery and Reinvestment Act of 2009 (ARRA) made for the purpose of Energy Efficiency and Conservation Programs, All Other Sectors, may not be expended for that purpose but instead may only be used to provide a grant to the Maryland Clean Energy Center to assist local governments to develop and implement energy efficiency and conservation projects using funding received through the ARRA or Strategic Energy Investment Fund. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This language restricts \$1 million of the federal fund appropriation from the ARRA within the Energy Efficiency and Conservation Programs, All Other Sectors to be used for a grant to the Maryland Clean Energy Center (MCEC). This grant to MCEC is to be used to assist local governments in developing and implementing energy efficiency and conservation

## D13A

*projects from the Strategic Energy Investment Funds or ARRA funding received by the local government.*

Amendment No. 5

### Committee Narrative

**Program Funding Allocation:** In fiscal 2010, the appropriation for the Maryland Energy Administration (MEA) was based on a certain projection of revenue available from the Strategic Energy Investment Fund (SEIF) that has not been achieved in recent auctions. In addition, MEA has experienced delays in spending funds available through the American Recovery and Reinvestment Act of 2009 (ARRA). These changes are expected to impact the actual allocation of funding to specific program activities by an as yet unknown amount. The fiscal 2011 allowance of MEA is based on a particular level of revenue anticipated to be available from SEIF and a certain level of funding available from the ARRA. It is uncertain whether more or fewer funds will be available from these sources as a result of similar conditions as fiscal 2010. As a result, the committees request MEA submit the actual fiscal 2010 program activity expenditures, a revised fiscal 2011 program allocation, and a fiscal 2012 program allocation concurrent with the submission of the fiscal 2012 allowance to provide the committees a clearer picture of the year-to-year funding changes and changes in program priority for specific programs of MEA.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Program funding allocation for fiscal 2010 actual expenditures and 2011 revised spending plan	MEA	September 15, 2010
Program funding allocation for fiscal 2012 and updated spending plan for fiscal 2011	MEA	Concurrent with the submission of the fiscal 2012 allowance

***Plan to Address Long-term Funding Needs:*** *The committees are concerned about the impact that federal climate change legislation or federal cap and trade legislation would have on programs funded through the Strategic Energy Investment Fund (SEIF), especially if federal legislation would prohibit Regional Greenhouse Gas Initiative (RGGI) carbon dioxide emission allowance auctions. The committees request that the Maryland Energy Administration (MEA), in conjunction with the Maryland Department of the Environment, the Department of General Services, the Department of Human Resources, and the Department of Housing and Community Development, develop a plan to address the funding needs of programs currently supported through SEIF in the event that RGGI auctions are prohibited. The plan should also address the impact on these programs if the funding allocation returns to the allocation from Chapters 127*

## **D13A**

*and 128 of 2008 or remains under the allocation from Chapter 487 of 2009 beginning on July 1, 2011. It is the intent of the committees that the allocation of SEIF return to the allocation from Chapters 127 and 128 of 2008 beginning in either fiscal 2012 or 2013.*

<b><i>Information Request</i></b>	<b><i>Author</i></b>	<b><i>Due Date</i></b>
<i>Plan to address long-term funding needs</i>	<i>MEA</i>	<i>November 1, 2010</i>

**D15A**  
**Executive Department**  
**Boards, Commissions, and Offices**

**Budget Amendments**

**BOARDS, COMMISSIONS, AND OFFICES**

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

Strike the following language:

~~, provided that \$18,955,972 of this appropriation shall be reduced contingent upon the enactment of legislation to reduce funding for State Aid for Police Protection.~~

**Explanation:** This action constitutes a technical amendment to strike language authorizing a reduction to the State Aid for Police Protection Grant Program contingent upon the enactment of legislation to level-fund the program in fiscal 2011 and 2012.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Delete funding budgeted to restore the Director of Communications position. The office has functioned without a full time Director of Communications since fiscal 2007. Funding for such a position should be deferred to a future fiscal year given the current fiscal environment.</del>	96,885	GF
2. Reduce funding for State Aid for Police Protection grants. This action would level fund the grant program in fiscal 2011.	18,955,972	GF
Total Reductions	<del>19,052,857</del> 18,955,972	

**D15A**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	39.00	39.00		0.00
General Fund	88,360,811	<del>69,307,954</del> 69,404,839	<del>19,052,857</del> 18,955,972	
Special Fund	2,266,254	2,266,254	0	
Federal Fund	24,289,222	24,289,222	0	
<b>Total Funds</b>	<b>114,916,287</b>	<del><b>95,863,430</b></del> <b>95,960,315</b>	<del><b>19,052,857</b></del> <b>18,955,972</b>	

Amendment No. **6**

**D16A**  
**Secretary of State**

**Budget Amendments**

**D16A06.01 Office of the Secretary of State**

Reduce appropriation for the purposes indicated:

1. Reduce general funds for turnover expectancy to more closely align with the current vacancy rate. While the agency has a vacancy rate of 11%, the allowance assumes a turnover rate of 3%.

	<u>Funds</u>	<u>Positions</u>
25,000 GF		

Total Reductions	25,000	0.00
------------------	--------	------

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	25.00	25.00		0.00
General Fund	2,000,377	1,975,377	25,000	
Special Fund	349,507	349,507	0	
<b>Total Funds</b>	<b>2,349,884</b>	<b>2,324,884</b>	<b>25,000</b>	

**D17B**  
**Historic St. Mary's City Commission**

**Budget Amendments**

**D17B01.51 Administration**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Delete 4 vacant positions from the Historic St. Mary's City Commission budget. There are a total of 8 positions currently vacant in the commission's budget and a vacancy rate of 21.62%.</del>	172,981 GF	4.00
Total Reductions	172,981 0	4.00 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	37.00	33.00 37.00		4.00 0.00
General Fund	2,140,597	1,967,616 2,140,597	172,981 0	
Special Fund	712,255	712,255	0	
<b>Total Funds</b>	<b>2,852,852</b>	<b>2,679,871</b> <b>2,852,852</b>	<b>172,981</b> <b>0</b>	

Amendment No. **7**

**D18A**  
**Governor's Office for Children**

**Budget Amendments**

**D18A18.01 Governor's Office for Children**

Add the following language to the general fund appropriation:

, provided that \$390,000 of this appropriation made for the purpose of funding five new contract monitoring and evaluation positions, may not be expended for that purpose but instead may be transferred by budget amendment to the State Department of Education program R00A04.01 Children's Cabinet Interagency Fund to be used only for Local Management Board administration. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that these five new contract monitoring and evaluation positions are deleted.

**Explanation:** Five new positions created in the Governor's Office for Children were to have administered the contracts for early intervention and prevention programs on a unified basis. This language restricts the funding intended for these new positions to be used for Local Management Board administration with the intent that the Local Management Boards continue to perform the contract administration for early intervention and prevention programs. The positions are also deleted.

**D25E**  
**Board of Public Works**  
**Interagency Committee for School Construction**

**Budget Amendments**

**D25E03.01 General Administration**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended subject to the items below:

- (1) \$50,000 of this appropriation shall be released upon submission of a report to the budget committees certifying the completion of 115 maintenance surveys in public schools;
- (2) \$50,000 of this appropriation shall be released upon submission of a report to the budget committees certifying the completion of 230 maintenance surveys in public schools; and
- (3) the budget committees shall have 45 days to review and comment from the date of receipt of each report outlined in items (1) and (2) above.

Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The Interagency Committee on School Construction (IAC) has a Managing for Results objective to conduct maintenance surveys, or inspections, in at least 230 public schools each year. In fiscal 2007, the agency's two inspectors surveyed 233 schools, and in 2008 the number was 250. The number dropped to 145 in 2009 and is expected to be approximately 187 in fiscal 2010 and 2011 because of cost containment reductions. The agency reports that reductions of \$4,000 for fiscal 2010 were applied to fuel expenditures for the two maintenance inspectors to travel to schools and conduct inspections.

The General Assembly believes the agency should reprioritize expenditures to ensure that the inspectors have adequate funds to travel to schools and ensure they are safe for students, and to protect the more than \$5 billion investment the State has made in Maryland public schools.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report certifying 115 maintenance surveys	IAC	45 days before release of funds
Report certifying 230 maintenance surveys	IAC	45 days before release of funds

## D25E

### D25E03.02 Aging Schools Program

Amend the following language on the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$6,108,990 contingent upon the enactment of legislation to reduce the required appropriation for the Aging Schools program.~~

, provided that this appropriation is reduced by \$6,109,000 contingent on enactment of legislation authorizing bond proceeds to provide the required appropriation for the Aging Schools program.

**Explanation:** This action provides a technical correction to authorize the Aging Schools program to be funded with proceeds from bonds. As such, the bonds could be general obligation bonds or Qualified Zone Academy Bonds.

**D26A**  
**Department of Aging**

**Budget Amendments**

**D26A07.02 Senior Centers Operating Fund**

Reduce appropriation for the purposes indicated:

1. ~~Reduce Senior Activities Centers funding to continue cost containment. The reduction would fund fiscal 2011 at the reduced fiscal 2010 level.~~

**Funds**                      **Positions**

50,000    GF

Total Reductions

50,000  
0

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	500,000	450,000 500,000	50,000 0	
<b>Total Funds</b>	<b>500,000</b>	<b>450,000</b> <b>500,000</b>	<b>50,000</b> <b>0</b>	

Amendment No. **8**

**D38I**  
**State Board of Elections**

**Budget Amendments**

**D38I01.01 General Administration**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of General Administration may not be expended until the State Board of Elections submits a report to the budget committees. This report shall include:

- (1) for each multi-year contract it holds, the starting date, expected end date, number and length of option periods, estimated cost of the contract in each year of the contract including option periods, the Comptroller subobject where the contract is budgeted, a brief explanation of the services provided for contracts over \$25,000 in effect in fiscal 2010 and 2011, and planned for fiscal 2012; and
- (2) the estimated need for additional funding required for fiscal 2011 to administer the 2010 gubernatorial elections in addition to the funding provided in the fiscal 2011 appropriation.

The report shall be submitted by August 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The 2009 Joint Chairmen’s Report included committee narrative requesting the State Board of Elections (SBE) to provide the budget committees a report on existing and planned multi-year contracts in effect in fiscal 2009 and 2010. The report was expected to include information on the starting date of the contract, expected end date of the contract, number and length of option periods if applicable, and the estimated cost of the contract in each year of the contract including optional periods if applicable. This report has not been submitted. In addition, SBE has not been able to provide full information on the funding available in the fiscal 2011 allowance to support the 2010 gubernatorial elections and early voting. This language restricts \$100,000 of general funds in SBE until a report is submitted on the existing and planned major contracts and the estimated need for additional funding required to administer the 2010 gubernatorial elections.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on existing and planned multi-year contracts and estimated funding need for the 2010 elections	SBE	August 1, 2010

## D38I

Add the following language to the general fund appropriation:

Further provided that \$500,000 of this appropriation made for the purpose of General Administration in the State Board of Elections (SBE) may not be expended until the independent consultant retained by the Department of Legislative Services (DLS) to review voting system issues provides a written certification to DLS that SBE has provided all information necessary to complete the review. The budget committees shall have 45 days to review and comment upon receipt of the certification. Funds restricted pending the receipt of the certification may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the certification is not submitted to the budget committees.

**Explanation:** This language restricts \$500,000 of the general fund appropriation in the General Administration of SBE until the independent consultant retained by DLS provides written certification to DLS that SBE has provided all necessary information to conduct the review of implementation of the optical scan voting system, existing touchscreen voting system, and voting system support contract approved by the Board of Public Works on February 24, 2010, articulated in the Budget Reconciliation and Financing Act of 2010.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Certification that information has been received from SBE	Independent consultant of DLS	45 days prior to the release of funds

Amendment No. **9**

### D38I01.02 Help America Vote Act

Reduce appropriation for the purposes indicated:

	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce appropriation for capital lease payments for the ePollbooks by \$2.0 million. The \$2.0 million of special funds for this purpose are composed of funds from the Fair Campaign Financing Fund that was authorized to be transferred to the Major Information Technology Development Fund in the Budget Reconciliation and Financing Act (BRFA) of 2009 for the purpose of an optical scan voting system. Funds that were not used for this purpose could only be transferred to the Election Modernization Fund. These funds would be retained for future purchase of an optical scan voting system under a BRFA amendment. Approximately \$1.8 million of general funds are available in the fiscal 2011 allowance to	2,000,000	SF

## D38I

*support the capital lease payments for ePollbooks. General funds of an additional \$2.0 million will be required to fully fund the capital lease payments in fiscal 2011 and may be brought in through a deficiency appropriation or supplemental deficiency appropriation.*

*Total Reductions* 2,000,000

<u><i>Effect</i></u>	<u><i>Allowance</i></u>	<u><i>Appropriation</i></u>	<u><i>Amount Reduction</i></u>	<u><i>Position Reduction</i></u>
<i>Position</i>	2.00	2.00		0.00
<i>General Fund</i>	4,581,938	4,581,938	0	
<i>Special Fund</i>	6,978,724	4,978,724	2,000,000	
<i>Federal Fund</i>	3,670,186	3,670,186	0	
<b><i>Total Funds</i></b>	<b>15,230,848</b>	<b>13,230,848</b>	<b>2,000,000</b>	

Amendment No. 10

**D40W**  
**Department of Planning**

**Budget Amendments**

**D40W01.01 Administration**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce general funds to reflect replacement of what was intended to be ongoing November 18, 2009 Board of Public Works reductions that temporarily were ameliorated by the use of federal funds and special funds.</i>	400,000	GF
<i>Total Reductions</i>	400,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	31.00	31.00		0.00
<i>General Fund</i>	2,887,548	2,487,548	400,000	
<b><i>Total Funds</i></b>	<b>2,887,548</b>	<b>2,487,548</b>	<b>400,000</b>	

Amendment No. **11**

**D40W01.07 Management Planning and Educational Outreach**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding for the Non-capital Historic Preservation Grant Program grant funding as a cost-saving measure.	227,999	GF
2. Increase budgeted turnover expectancy to 5% to better reflect trends in vacancies. The reduction should be allocated among all programs within the Maryland Department of Planning.	81,900	GF
	29,250	SF
	5,850	FF
<i>Total Reductions</i>	344,999	0.00

## D40W

<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	1,227,308	917,409	309,899	
Special Fund	3,113,473	3,084,223	29,250	
Federal Fund	223,382	217,532	5,850	
<b>Total Funds</b>	<b>4,564,163</b>	<b>4,219,164</b>	<b>344,999</b>	

### **D40W01.12 Heritage Structure Rehabilitation Tax Credit**

Add the following language to the general fund appropriation:

Further provided that this appropriation shall be reduced by \$5,000,000 contingent upon the failure of legislation reauthorizing the program as a budgeted tax credit.

**Explanation:** This action deletes the appropriation if legislation reauthorizing the Maryland Heritage Structure Rehabilitation Tax Credit as a budgeted tax credit fails. In combination with the existing budget bill language, the appropriation is deleted if legislation reauthorizing the program as a nonbudgeted tax credit is enacted or if legislation reauthorizing the program as a nonbudgeted tax credit fails. Therefore, the \$5 million appropriation will be deleted if it is not needed for the program.

**D50H**  
**Military Department**

**Budget Amendments**

Add the following language:

Provided that a reduction of \$66,600 is made for deferred compensation (Comptroller subobject 0172). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$36,856</u>
<u>Federal</u>	<u>\$29,744</u>

**Explanation:** Funding for deferred compensation was inadvertently budgeted in the fiscal 2011 allowance. The total reduction should be split as indicated above among general and federal funds.

Add the following language:

Further provided that a reduction of \$74,000 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>\$21,705</u>
<u>Federal</u>	<u>\$52,295</u>

**Explanation:** This action reduces the Military Department's fiscal 2011 allowance for telephone expenditures. The total reduction should be split as indicated above among general and federal funds.

## D50H

### MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

#### D50H01.05 State Operations

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for in-state travel expenses based on fiscal 2009 actual expenditures plus inflation. This reduction will appropriate \$58,596. This reduction shall be allocated among the divisions.	5,500 GF 5,500 FF	
2. Reduce allowance for office supplies. This action will appropriate \$45,595 for office supplies in fiscal 2011.	4,553 GF 3,447 FF	
<b>Total Reductions</b>	<b>19,000</b>	<b>0.00</b>

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	72.00	72.00		0.00
General Fund	3,194,144	3,184,091	10,053	
Federal Fund	2,444,427	2,435,480	8,947	
<b>Total Funds</b>	<b>5,638,571</b>	<b>5,619,571</b>	<b>19,000</b>	

**D55P**  
**Department of Veteran Affairs**

**Budget Amendments**

**D55P00.08 Executive Direction**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce the salary of the Chief of Staff to the Secretary of the agency to \$97,000.</i>	25,106	GF
<i>Total Reductions</i>	25,106	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	7.00	7.00		0.00
<i>General Fund</i>	836,403	811,297	25,106	
<i>Special Fund</i>	100,000	100,000	0	
<b><i>Total Funds</i></b>	<b><i>936,403</i></b>	<b><i>911,297</i></b>	<b><i>25,106</i></b>	

Amendment No. **12**

**D70J**  
**Maryland Automobile Insurance Fund**

**Committee Narrative**

**D70J00.42 Insured Division**

**Annual Report on the Reasonableness of the Surplus of the Insured Division of the Maryland Automobile Insurance Fund:** The response to the 2008 Joint Chairmen’s Report (JCR) request by the Maryland Automobile Insurance Fund (MAIF) and the Maryland Insurance Administration (MIA) indicated that MIA will annually produce a report on the determination of the reasonableness of the surplus of the Insured Division of MAIF. The first of these annual reports was submitted on July 16, 2009, to the budget committees in response to the 2009 JCR. The committees request MIA again submit this report to the budget committees concurrent with its submission to the Presiding Officers of the General Assembly and the Chair and Vice Chair of the Senate Finance and House Economic Matters committees.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Annual report on the reasonableness of the surplus of the Insured Division of MAIF	MIA	Concurrent with submission to the Presiding Officers of the General Assembly and the Chair and Vice Chair of the Senate Finance and House Economic Matters committees

**Strategic Consulting Expenditures:** In November 2009, the Office of Legislative Audits (OLA) released a fiscal compliance audit for the Maryland Automobile Insurance Fund (MAIF). Finding Two of this audit stated that certain expenditures should be disclosed to the legislative budget committees as part of the annual budget submission process. These expenditures include strategic consulting, marketing, public relations, advertising, lobbying services, and producer appreciation events. MAIF provided information on the expenditures associated with marketing, public relations, advertising, lobbying services, and producer appreciation events. MAIF indicates that contracts it deems to be strategic consulting have a value over \$10 million and consists of more than 140 contracts. However, the audit notes only \$96,000 for these types of expenditures during calendar 2008 and 2009 (through May 31). The committees request that MAIF work with OLA to develop a uniform understanding of strategic consulting expenditures and submit a report containing this definition and detail on MAIF’s strategic consulting expenditures in calendar 2009 and 2010. This detail should include the dollar value of the contract budgeted in each calendar year, type of service provided, vendor providing the service, and the Comptroller Object where the activity is budgeted.

**D70J**

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Strategic consulting expenditures for calendar 2009 and 2010	MAIF	August 1, 2010
Strategic consulting, lobbying, marketing, public relations, advertising, and producer appreciation event expenditures in calendar 2011	MAIF	Concurrent with submission of the calendar 2011 budget

**E00A**  
**Comptroller of Maryland**

**Budget Amendments**

**BUREAU OF REVENUE ESTIMATES**

**E00A03.01 Estimating of Revenues**

Amend the following language:

~~, provided that this appropriation shall be reduced by \$103,000 contingent upon the enactment of legislation to suspend the production of the Statistics of Income report.~~

, provided that \$103,000 of this appropriation made for the purpose of producing the Statistics of Income report may only be used for this purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** The Statistics of Income Report provides the State with invaluable data regarding Maryland's income tax structure. This action strikes language authorizing a reduction in funding within the Bureau of Revenue Estimates program contingent upon the enactment of a provision in the Budget Reconciliation and Financing Act of 2010 that suspends the production of the Statistics of Income Report. This language further requires that funding appropriated for the production of the Statistics of Income Report be used solely for that purpose.

**COMPLIANCE DIVISION**

**E00A05.01 Compliance Administration**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Delete funding to purchase two new vehicles in the Compliance Division. The replacement of motor vehicles is not an essential need and can therefore be deferred to a future fiscal year.	22,490	SF
Total Reductions	22,490	0.00

## E00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	364.00	364.00		0.00
General Fund	21,398,290	21,398,290	0	
Special Fund	8,020,468	7,997,978	22,490	
<b>Total Funds</b>	<b>29,418,758</b>	<b>29,396,268</b>	<b>22,490</b>	

### FIELD ENFORCEMENT DIVISION

#### E00A06.01 Field Enforcement Administration

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for motor vehicle gas and oil expenses based on fiscal 2009 actual expenditures plus inflation. This reduction will appropriate \$122,420.	7,500 GF 7,500 SF	
2. Delete funding to purchase four new vehicles and related equipment in the Field Enforcement Division. The replacement of motor vehicles is not essential and can therefore be deferred to a future fiscal year.	27,794 GF 27,795 SF	
Total Reductions	70,589	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	56.00	56.00		0.00
General Fund	2,509,439	2,474,145	35,294	
Special Fund	2,638,938	2,603,643	35,295	
<b>Total Funds</b>	<b>5,148,377</b>	<b>5,077,788</b>	<b>70,589</b>	

**E50C**  
**State Department of Assessments and Taxation**

**Budget Amendments**

**E50C00.06 Tax Credit Payments**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce tax credit payments for Renters' Tax Credit Program based on prior years' actual expenditures. This action will appropriate \$2.2 million for renters' tax credit payments in fiscal 2011.	100,000	GF
 Total Reductions	 100,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	73,611,677	73,511,677	100,000	
<b>Total Funds</b>	<b>73,611,677</b>	<b>73,511,677</b>	<b>100,000</b>	

**E75D**  
**State Lottery Agency**

**Budget Amendments**

**E75D00.02 Video Lottery Terminal Operations**

Add the following language to the special fund appropriation:

, provided that the Governor is authorized to transfer an amount of this appropriation sufficient to fulfill the funding requirements specified in State Government Article Section 9-1A-27 to program D05E01.01 within the Board of Public Works for the purposes of a small, minority, and women-owned business investment account and to program P00E01.04 within the Department of Labor, Licensing, and Regulation's Division of Racing for the purposes of purse dedication and racetrack redevelopment.

**Explanation:** This language authorizes the Governor, as per the State Finance and Procurement Article Section 7-209(e), to transfer funds associated with video lottery terminal revenue to the appropriate agencies. Chapter 4 of the 2007 special session requires a certain percentage of revenues be dedicated to a small, minority, and women-owned business account and purse dedication and a racetrack facility redevelopment account. The budget as introduced includes these funds within the allowance of the State Lottery Agency, which has no particular expertise in disseminating grant funds. This language authorizes the transfer of these funds to the Board of Public Works and to the Maryland Racing Commission.

**F10**  
**Department of Budget and Management**

**Committee Narrative**

**OFFICE OF THE SECRETARY**

**F10A01.04 Division of Procurement Policy and Administration**

***Costs and Benefits of Synthetic Motor Oil:*** *The committees are concerned that the State vehicle fleet may not be maximizing savings in cases where synthetic motor oil may be an effective alternative to petroleum-based motor oil. The Department of Budget and Management (DBM) is requested to prepare a report on the costs and benefits, including environmental benefits, of using synthetic motor oil vs. petroleum-based motor oil; the vehicles for which synthetic oil is appropriate and cost-effective; and the experience to date of agencies which use synthetic oil. The report should also include ways that DBM or the Department of General Services can encourage agency use of synthetic oil when appropriate and any recommended statutory changes to facilitate the procurement of synthetic oil made in the U.S.A. The report shall be submitted by October 1, 2010.*

<b><i>Information Request</i></b>	<b><i>Author</i></b>	<b><i>Due Date</i></b>
<i>Report on the costs and benefits of using synthetic motor oil</i>	<i>Department of Budget and Management</i>	<i>October 1, 2010</i>

**OFFICE OF PERSONNEL SERVICES AND BENEFITS**

**F10A02.08 Statewide Expenses**

**Controls on Employee Compensation:** Given the fiscal outlook for the State in fiscal 2012 and beyond, it is the intent of the committees that in preparing the fiscal 2012 budget, the Governor shall take all necessary measures to constrain employee compensation with the goal of limiting the amount appropriated for regular and contractual employee salaries and wages to an amount not exceeding that allowed for fiscal 2011. Nothing in this statement of intent shall interfere with the collective bargaining process as currently specified in statute.

**Aligning Retiree Benefits with Medicare Part D:** The Blue Ribbon Commission to Study Retiree Health Care Funding Options shall evaluate alternatives for reducing the State's long term liability and ongoing cost by incorporating Medicare Part D into the State retiree health insurance prescription plan.

**F50**  
**Department of Information Technology**

**Budget Amendments**

**MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND**

**F50A01.01 Major Information Technology Development Project Fund**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding for enhancements to the Maryland Children’s Electronic Social Services Information Exchange. The fiscal 2011 allowance includes funding for five major information technology projects including two projects involving modifications to the WORKS system, one project for modifications to the Client Automated Resource and Eligibility System, and an enterprise content management system. Concerns have been raised about the Department of Human Resources’ (DHR) ability to manage all these projects in fiscal 2011. This project should be deferred to enable DHR to focus its resources on properly completing the remaining projects.	739,037	GF
Total Reductions	739,037	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	22,161,244	21,422,207	739,037	
<b>Total Funds</b>	<b>22,161,244</b>	<b>21,422,207</b>	<b>739,037</b>	

**Committee Narrative**

*Six-year Information Technology Spending Plan: The Department of Information Technology (DoIT) is responsible for the oversight of major information technology (IT) projects. DoIT has developed the Systems Development Life Cycle (SDLC) methodology to establish procedures and practices governing the initiation, definition, design, development, deployment, operation, maintenance, enhancement, and eventual retirement of IT systems. The SDLC methodology begins evaluating projects at the initiation phase, when an agency identifies a need or opportunity. Often these projects progress to other phases and are funded by the General Assembly in the State budget. DoIT provides the General Assembly with reports that update the status of funded projects. The State’s general fund forecast considers the out-year costs of major IT projects that have been funded. The budget committees are concerned that the reports provided by DoIT do not include all SDLC projects since projects that have not been funded are*

## F50

*excluded from DoIT reports. The committees recognize that the costs projected early in the SDLC can vary substantially from the final project costs. Nonetheless, to provide a complete listing of possible major IT projects, DoIT should include a list of projects and projected costs for all major IT projects in any phase of SDLC. This should be included with the Report on the Major Information Technology Development Project Fund prepared at the end of each fiscal year.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Six-year IT Project Plan</i>	<i>DoIT</i>	<i>Report on the Major Information Technology Development Project Fund</i>

**G20J**  
**Maryland State Retirement and Pension Systems**  
**State Retirement Agency**

**Budget Amendments**

**STATE RETIREMENT AGENCY**

**G20J01.01 State Retirement Agency**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funds for the IRS Service Locator. This service would utilize State funds to locate “missing” former members in order to pay benefits or return contributions. Leaving the funds in the trust to earn 7.75% per year on the \$46.7 million these members represent outweighs the liability of 5.0% annual interest earnings to be repaid, and any negligible administrative cost for maintaining existing records.	73,200	SF
2. Reduce funds for “Alive and Well” audit. In fiscal 2010, \$96,000 was appropriated for this overseas retiree locator service. The contract will most likely not be awarded until April 2010. Another \$96,000 is included in the fiscal 2011 allowance for this contract, but \$72,000 of the fiscal 2010 amount can be encumbered to cover the cost of this service.	72,000	SF
 Total Reductions	145,200	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	190.00	190.00		0.00
Special Fund	25,389,961	25,244,761	145,200	
<b>Total Funds</b>	<b>25,389,961</b>	<b>25,244,761</b>	<b>145,200</b>	

**Committee Narrative**

**Study of System Funding:** The Joint Committee on Pensions should analyze all items that have a material impact on the funding status of the State Retirement and Pension System and the employer contribution rates for the Employees’ Pension System and Teachers’ Pension System during the 2010 interim. The focus of study will be to detail the comparability, competitiveness,

## G20J

affordability, and sustainability of State-funded retirement benefits in relation to the system's long-term funding outlook. The Joint Committee should present its findings and recommendations to the budget committees on or before January 1, 2011.

### Budget Amendments

#### G20J01.02 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for the Saber contract. The agency advises that the amount required to fund information technology contractor change requests should be reduced by \$14,300 to reflect agreed upon values.	14,300 SF	
Total Reductions	14,300	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	5,725,376	5,711,076	14,300	
<b>Total Funds</b>	<b>5,725,376</b>	<b>5,711,076</b>	<b>14,300</b>	

**H00**  
**Department of General Services**

**Budget Amendments**

Add the following language:

Provided that \$300,000 of the General Fund appropriation for the Department of General Services may only be used to provide supplemental funding within the Facilities Planning, Design and Construction Program (H00G01.01) for the hiring of additional contractual construction project manager positions. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** *The General Assembly is concerned that the demand for State facility maintenance and renewal funding far exceeds the State's capacity under the current funding structure to adequately support these programs and ensure that the State's assets are properly maintained. This language requires that \$300,000 of the general fund appropriation within the Department of General Services (DGS) be used to provide supplemental funding within the Facilities Planning, Design and Construction Program for the hiring of additional contractual construction project manger positions. It is estimated that this action will fund four additional construction project managers, which will enable DGS to administer up to \$20 million in facilities renewal projects.*

Amendment No. **13**

**OFFICE OF FACILITIES SECURITY**

**H00B01.01 Facilities Security**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding for 3 long-term vacant positions in the Office of the Facilities Security. The number of thefts at the Department of General Services managed facilities has continued to trend downward. Funding is deleted for the following positions:	206,353	GF
• administrator II (position number 0766455);		
• program manager IV (position number 005975); and		

## H00

- police officer manager (position number 006020).

Total Reductions 206,353 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	181.00	181.00		0.00
General Fund	7,666,048	7,459,695	206,353	
Special Fund	73,610	73,610	0	
Federal Fund	251,583	251,583	0	
<b>Total Funds</b>	<b>7,991,241</b>	<b>7,784,888</b>	<b>206,353</b>	

### OFFICE OF FACILITIES OPERATION AND MAINTENANCE

#### H00C01.01 Facilities Operation and Maintenance

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce allowance for cell phone expenditures based on the fiscal 2010 working appropriation plus inflation. The department should reprioritize the issuance of cell phones and blackberries amongst its employees. This reduction shall be allocated among the divisions.	9,000	GF
2. Reduce allowance for janitorial services based on fiscal 2009 actual expenditures plus inflation. The department should continue to identify ways to limit the amount of janitorial expenses.	40,000 <del>80,000</del>	GF <del>GF</del>
Total Reductions	49,000 <del>89,000</del>	

**H00**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	207.00	207.00		0.00
General Fund	26,002,143	<del>25,953,143</del> 25,913,143	49,000 89,000	
Special Fund	2,692,271	2,692,271	0	
Federal Fund	783,798	783,798	0	
<b>Total Funds</b>	<b>29,478,212</b>	<b><del>29,429,212</del></b> <b>29,389,212</b>	<b>49,000</b> <b>89,000</b>	

Amendment No. 14

**OFFICE OF AND PROCUREMENT AND LOGISTICS**

**H00D01.01 Procurement and Logistics**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete 2.5 new contractual full-time equivalent positions associated with GovDeals online sales and statewide fuel management services.	72,600 SF	
Total Reductions	72,600	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	55.00	55.00		0.00
General Fund	3,049,455	3,049,455	0	
Special Fund	593,160	520,560	72,600	
<b>Total Funds</b>	<b>3,642,615</b>	<b>3,570,015</b>	<b>72,600</b>	

## H00

### OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

#### H00G01.01 Facilities Planning, Design and Construction

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of facilities planning, design, and construction may not be expended until the Department of General Services (DGS) submits a report to the budget committees outlining a proposal to fund critical maintenance projects. The report shall include a proposal to add a square foot assessment charge for critical maintenance to the current annual square footage rent calculation for each State-owned facility beginning in fiscal 2012. For critical maintenance projects, the proposal shall include a rental rate that would generate:

- (1) \$10,000,000 annually to address ongoing critical maintenance and backlog needs;
- (2) \$541,000 annually to restore the DGS assessment team; and
- (3) an amount to be determined by DGS to initiate the purchase of a computerized maintenance management system.

The report shall be submitted by July 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is concerned that the demand for State facility maintenance and renewal funding far exceeds the State's capacity under the current funding structure to adequately support these programs and ensure that the State's assets are properly maintained. This language restricts the expenditure of funds until DGS develops a proposal to fund critical maintenance and facilities renewal projects. The proposal shall entail adding a square foot assessment charge to the current annual square footage rent calculation for each State-owned facility beginning in fiscal 2012.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Facility maintenance funding proposal	DGS	July 1, 2010

**J00**  
**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%, 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 fiscal 2010-2015 CTP or will increase a total project’s cost by more than 10%, or \$1 million, due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP, with each using the 2010 session CTP as the basis for comparison.

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

## J00

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 2011, 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 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 for transportation-related purposes without review and comment by the budget committees.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Information on nontransportation expenditures exceeding \$250,000	MDOT	As needed

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 8,979.0 positions and 137.91 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 2011. 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 which demands additional personnel; or
- (2) emergency needs that must be met (such as transit security or highway maintenance).

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2011 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

## J00

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

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

Add the following language:

Further provided that the Maryland Department of Transportation shall submit a revised financial forecast to the budget committees no more than three days after the Board of Revenue Estimates releases its March 2011 revenue estimate including actual and estimated snow removal costs. The revised financial forecast shall include information on the last actual full fiscal year and the subsequent six fiscal years as well as the following:

- (1) a schedule of operating expenses for each specific modal administration;
- (2) a schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and
- (3) a summary schedule for the Transportation Trust Fund that includes the opening and closing fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

**Explanation:** Under current law, the Maryland Department of Transportation (MDOT) submits a financial forecast to the budget committees in September of each year and with the Governor's allowance. Due to the current economic environment, the budget committees request an update of the financial forecast during the 2011 legislative session. MDOT should submit a revised financial forecast, consistent with existing statutory requirements, no more than three days after the Board of Revenue Estimates releases its March 2011 revenue estimate as well as updated operating budget spending estimates.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Updated financial forecast	MDOT	Three days after Board of Revenue Estimates March 2011 revision

**J00A01**  
**Department of Transportation**  
**The Secretary's Office**

**Budget Amendments**

**THE SECRETARY'S OFFICE**

**J00A01.01 Executive Direction**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce out-of-state travel. This action reduces out-of-state travel to the fiscal 2009 level. Given the current fiscal environment, out-of-state travel should be limited.	23,121 SF	
2. Reduce funding for student interns. Funding is provided for the Secretary's Fellows program which is a program for University of Maryland Baltimore County interns to work with the department. Given the current fiscal environment and other workforce reductions, this program should be deferred until the fiscal climate improves; however, if additional funding is identified for the program the agency may continue with the program.	61,450 SF	
3. Reduce cell phone expenditures. This action provides funding equal to the fiscal 2010 working appropriation for cell phone expenditures.	4,092 SF	
Total Reductions	88,663	0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	205.50	205.50		0.00
Special Fund	25,726,972	25,638,309	88,663	
<b>Total Funds</b>	<b>25,726,972</b>	<b>25,638,309</b>	<b>88,663</b>	

## J00A01

### J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$3,790,294 of this appropriation may be expended for operating grants-in-aid, except for:

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

Further provided that no expenditures in excess of \$3,790,294 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.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Explanation of need for additional special funds for grants-in-aid	Maryland Department of Transportation	As needed

Reduce appropriation for the purposes indicated:

	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce payment in lieu of taxes (PILOT) to Baltimore City. Baltimore City receives several PILOTs for properties around the Port of Baltimore; however, not all of the funding provided for in the allowance is necessary. Specifically, the City receives funding for properties formerly known as McComas, Seagirt, and Toyota Maryland Shipping. The PILOT is reduced by \$110,465 to reflect the fiscal 2009 payment. Unless Baltimore City raises its property tax rate, the reduction allows for sufficient funding. In addition, Ports of America will begin to make the Seagirt PILOT payment as part of the long-term lease agreement. The department may process a budget amendment to fund the proper payment if necessary.	110,465	SF

**J00A01**

2. Reduce funding for payments in lieu of taxes for potential land acquisition. Funding is provided for payments in lieu of taxes for land acquisitions at Point Breeze and North Locust Point. Funding was provided in fiscal 2009, and the funds were not used. If a payment is required in fiscal 2011, the department may process a special fund budget amendment for the payment.

80,000 SF

Total Reductions 190,465 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	3,980,759	3,790,294	190,465	
Federal Fund	8,590,601	8,590,601	0	
<b>Total Funds</b>	<b>12,571,360</b>	<b>12,380,895</b>	<b>190,465</b>	

**J00A01.03 Facilities and Capital Equipment**

Add the following language to the special fund appropriation:

, provided that it is the intent of the General Assembly that the State cost of the Broening Highway project as provided for in the 2010 to 2015 Consolidated Transportation Program shall not exceed \$5,000,000 and begin in calendar 2011.

**Explanation:** The fiscal 2011 appropriation includes \$5 million for capital improvements to Broening Highway in Baltimore City. It is the intent of the General Assembly that the State share of the project cost shall not exceed \$5 million and begin in calendar 2011.

## J00A01

### Committee Narrative

#### J00A01.04 Washington Metropolitan Area Transit – Operating

**Washington Metropolitan Area Transit Authority Budget Report:** Thirty days after the Washington Metropolitan Area Transit Authority's (WMATA) Board of Directors has adopted a fiscal 2011 budget, WMATA and the Maryland Department of Transportation (MDOT) shall submit a report to the committees that explains what actions were taken to resolve the budget deficit identified by WMATA. The report shall include any information on service cuts made in the budget or fare increases and how they will impact riders. Finally, if WMATA increases the local subsidy payment, MDOT should indicate its share of the funding and what impact the funding increase will have on the department's financial forecast.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Budget report	WMATA MDOT	30 days after budget is finalized

### Budget Amendments

#### J00A01.07 Office of Transportation Technology Services

	<b><u>Funds</u></b>	<b><u>Positions</u></b>
Reduce appropriation for the purposes indicated:		
1. Reduce funding for subscriptions. The fiscal 2011 allowance increases \$25,170, or 158%, compared to the fiscal 2010 working appropriation. This action provides funding equal to the fiscal 2010 working appropriation.	25,170 SF	
Total Reductions	25,170	0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	111.50	111.50		0.00
Special Fund	35,708,372	35,683,202	25,170	
<b>Total Funds</b>	<b>35,708,372</b>	<b>35,683,202</b>	<b>25,170</b>	

**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 \$1,791,840,000 as of June 30, 2011. Further provided that the debt service appropriation 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 will be based on outstanding debt as of June 30, 2010, plus projected debt issued during fiscal 2011 in support of the transportation capital program.

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2010 through 2021. Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation, debt backed by customer facility charges, passenger facility charges, or other revenues, and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

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

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

## J00A04

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 \$628,340,000 as of June 30, 2011. Provided, however, that in addition to the limit established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2011, and the total amount by which the fiscal 2011 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and must signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

**Explanation:** This language limits the amount of nontraditional debt outstanding at the end of fiscal 2011 to the total amount that is projected to be outstanding from all previous nontraditional debt issuances as of June 30, 2010, and all anticipated sales in fiscal 2011. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2011 by providing notification to the budget committees regarding the reason that the additional issuances are required.

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

**J00B**  
**Department of Transportation**  
**State Highway Administration**

**Budget Amendments**

**STATE HIGHWAY ADMINISTRATION**

**J00B01.01 State System Construction and Equipment**

Add the following language to the special fund appropriation:

provided that \$100,000 of this appropriation may not be expended until the State Highway Administration (SHA) submits a report to the budget committees. The report shall include a revised plan as to how SHA will move a holding pond and drainage ditch associated with the following two capital projects: US 40 at the MD 715 interchange and US 40 and MD 7/MD 715. The report shall be submitted to the budget committees by November 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** Funding is restricted from SHA's pay-as-you-go budget contingent on a report being submitted to the budget committees for review and comment. The report will address changes to a holding pond and drainage ditch associated with two projects.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on capital project changes</i>	<i>SHA</i>	<i>November 1, 2010</i>

Amendment No. **15**

**J00B01.05 County and Municipality Funds**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce Highway User Revenues. This action reduces Highway User revenues equal to the amount in the Budget Reconciliation and Financing Act of 2010.	236,219,050 237,770,895	SF SF
Total Reductions	236,219,050 237,770,895	

**J00B**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	378,845,000	<del>142,625,950</del> 141,074,105	<del>236,219,050</del> 237,770,895	
<b>Total Funds</b>	<b>378,845,000</b>	<del><b>142,625,950</b></del> <b>141,074,105</b>	<del><b>236,219,050</b></del> <b>237,770,895</b>	

Amendment No. **16**

Strike the following language:

~~Further provided that \$238,336,990 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required appropriation for the local share of Highway User Revenues.~~

**Explanation:** This is a technical amendment to reflect the budget action.

**J00D**  
**Department of Transportation**  
**Maryland Port Administration**

**Budget Amendments**

Add the following language:

Provided that 16 positions at the Maryland Port Administration shall be abolished by June 30, 2011, or as soon as they are vacated, whichever occurs first.

**Explanation:** Sixteen positions have been identified as no longer being necessary as the result of a recent public-private partnership for Seagirt Marine Terminal; however, these positions are currently filled. This action allows sufficient time for current employees to transition to other positions at the Port or elsewhere before these positions are abolished.

**MARYLAND PORT ADMINISTRATION**

**J00D00.01 Port Operations**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Abolish 27 crane maintenance positions and delete associated funding. As part of the recently approved public-private partnership for Seagirt Marine Terminal, Ports America Chesapeake hired 27 crane maintenance employees from the Maryland Port Administration. This action deletes these positions and associated funding since these are now private sector employees.	1,706,597 SF	27.00
2. Delete funding for the stevedoring contract for operations at Seagirt. A public-private partnership for all Seagirt operations was approved in December 2009; therefore, this expense is no longer required.	36,392,956 SF	
3. Reduce expenditures by \$1.5 million to reflect the long-term lease of Seagirt Marine Terminal to a private company. This action reduces the fiscal 2011 allowance to more accurately reflect expected expenditures in fiscal 2011 given the recent long-term lease of Seagirt Marine Terminal. Reductions include \$200,000 for utilities, \$50,000 for communications, \$50,000 for vehicle-related expenses, \$50,000 for janitorial services, \$100,000 for information	1,548,666 SF	

## J00D

technology-related expenses, \$4,000 for medical services, \$494,666 for crane and other supplies and materials, \$50,000 for additional and replacement equipment, \$500,000 for insurance, and \$50,000 for general maintenance of the terminal.

4. Delete funds for operating lease payments to the Maryland Transportation Authority (MDTA). In 1990, MDTA invested \$208 million in the construction of Seagirt Marine Terminal and the Intermodal Container Transfer Facility (ICTF). The facilities were then leased to the Maryland Port Administration (MPA) for a term of 40 years. In December 2009, MPA entered into a public-private partnership for Seagirt, and MDTA received an upfront cash payment of \$140 million to repay its investment in the construction of Seagirt and the ICTF. In light of this payment, and the 20 years of operating lease payments previously made, MPA should no longer be required to make annual operating lease payments to MDTA. 500,000 SF
  
5. Delete 1 position that has been vacant over 12 months. This position has been vacant since March 2007 and was reclassified to Manager of Community Relations in August 2008. The position will be responsible for interacting with communities and organizations to enhance understanding of port operations; however, other people have fulfilled these job duties up until now and can continue to do so. 60,507 SF 1.00
  
6. ~~Reduce funds for travel to the fiscal 2010 working appropriation. The action deletes the increase for travel in the fiscal 2011 allowance. During fiscal 2010, the Maryland Port Administration reduced its travel budget by \$163,276 as part of one time cost containment efforts. Most of this reduction was restored in the fiscal 2011 allowance. Given the ongoing nature of this recession, this cost containment action should be continued in to fiscal 2011.~~ 148,000 SF

**J00D**

- |  |                                     |       |
|--|-------------------------------------|-------|
| 7. <del>Reduce funds for association dues to the fiscal 2010 working appropriation. This action deletes the increase included in the fiscal 2011 allowance. This item was reduced in fiscal 2010 as a one-time cost containment action, and given the ongoing nature of this economic downturn, this cost containment action should be continued into fiscal 2011.</del>   | 20,000 SF                           |       |
| 8. Delete 4 vacant positions that are no longer necessary due to a public-private partnership at Seagirt Marine Terminal. The agreement included a 50-year operating lease of Seagirt to the private sector. Since the Maryland Port Administration will no longer operate the facility, these positions are not needed. The four vacant positions have position identification numbers of 889330, 889389, 889721, and 889742. | 269,517 SF                          | 4.00  |
| Total Reductions   | 40,646,243<br><del>40,478,243</del> | 32.00 |

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	242.00	210.00		32.00
Special Fund	92,235,613	51,589,370 <del>51,757,370</del>	40,646,243 <del>40,478,243</del>	
<b>Total Funds</b>	<b>92,235,613</b>	<b>51,589,370</b> <del>51,757,370</del>	<b>40,646,243</b> <del>40,478,243</del>	

Amendment No. **17**

**J00D00.02 Port Facilities and Capital Equipment**

Reduce appropriation for the purposes indicated:

- |   | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce funds for computer replacement to reflect the long-term lease of Seagirt Marine Terminal to a private company. This action reduces the fiscal 2011 allowance to more accurately reflect expected expenditures in fiscal 2011 given the recent long-term lease of Seagirt Marine Terminal. | 75,000 SF    |                  |

**J00D**

2. Delete 1 vacant position that is no longer necessary due to a public-private partnership at Seagirt Marine Terminal. The agreement included a 50-year operating lease of Seagirt to the private sector. Since the Maryland Port Administration will no longer operate the facility, this position is not needed. The position identification number of this position is 889674.

85,389 SF 1.00

Total Reductions 160,389 1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	42.00	41.00		1.00
Special Fund	80,933,476	80,773,087	160,389	
Federal Fund	5,101,000	5,101,000	0	
<b>Total Funds</b>	<b>86,034,476</b>	<b>85,874,087</b>	<b>160,389</b>	

**J00E**  
**Department of Transportation**  
**Motor Vehicle Administration**

**Budget Amendments**

**MOTOR VEHICLE ADMINISTRATION**

**J00E00.01 Motor Vehicle Operations**

Strike the following language:

~~provided that this appropriation made for the purpose of funding the Motor Vehicle Administration's operating budget is reduced by \$903,000 and the department shall allocate the reduction as necessary across the agency to recognize the savings.~~

~~**Explanation:** This action reduces the Motor Vehicle Administration's special fund operating budget by \$903,000. The agency can allocate the reduction as necessary across the agency to recognize the savings.~~

Amendment No. **18**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce maintenance and repair for vehicles. The fiscal 2011 allowance increases \$36,502 for maintenance and repair to vehicles based upon fiscal 2009 actual expenditures. This reduction reduces spending to the fiscal 2010 working appropriation.	36,502	SF
2. Reduce funding for janitorial services. The fiscal 2011 allowance increases \$38,900 for janitorial services based upon fiscal 2009 actual expenditures. This action reduces spending equal to the fiscal 2010 working appropriation.	38,900	SF
3. Reduce funding for grounds maintenance. The fiscal 2011 allowance increases \$20,941 to reflect fiscal 2009 actual spending. This reduction provides funding equal to the fiscal 2010 working appropriation.	20,941	SF

**J00E**

4. Reduce funding for building and household supplies and materials. This action reduces funding for building and supplies and materials to actual fiscal 2009 expenditures.	34,605	SF
5. Reduce funding for overtime. This action provides funding equal to the fiscal 2009 actual level.	110,620	SF
Total Reductions	241,568	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1584.50	1584.50		0.00
Special Fund	163,557,096	163,315,528	241,568	
Federal Fund	176,500	176,500	0	
<b>Total Funds</b>	<b>163,733,596</b>	<b>163,492,028</b>	<b>241,568</b>	

**J00H**  
**Department of Transportation**  
**Maryland Transit Administration**

**Committee Narrative**

**MARYLAND TRANSIT ADMINISTRATION**

**J00H01.01 Transit Administration**

**Options for Meeting Farebox Recovery:** Operating costs for the Maryland Transit Administration (MTA) continue to increase; specifically fuel, spare parts, labor and contracted service costs have outpaced the available revenues from fares despite a continued increase in ridership over that same period. The committees are interested in understanding the financial and ridership impacts of various revenue and expenditure options that MTA might pursue in order to meet the statutory farebox recovery level. By December 15, 2010, MTA should submit a report that outlines:

- potential scenarios for increasing farebox in fiscal 2011 or 2012;
- the ridership and revenue/expenditure impact of those scenarios;
- the impact to MTA's budget and to the Transportation Trust Fund forecast of those scenarios; and
- the efficiencies in service that could be undertaken to improve the farebox.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Options for meeting farebox recovery	MTA	December 15, 2010

**Budget Amendments**

**J00H01.02 Bus Operations**

Add the following language to the special fund appropriation:

, provided that the Maryland Transit Administration and the Maryland Transportation Authority shall not consolidate their police forces prior to submitting a report to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. The report shall include information on any consolidation of police services being taken, why the consolidation is occurring, the budgetary impact, the status of collective bargaining rights for each police force, and jurisdictional responsibilities.

## J00H

**Explanation:** The Maryland Department of Transportation is investigating the consolidation of police forces to create efficiencies and savings. Prior to any efforts to consolidate or merge the Maryland Transit Administration (MTA) Police with the Maryland Transportation Authority (MDTA) Police, a report explaining why such a merger was occurring and the budget impact would be required. The budget committees would have 45 days to review and comment on the action.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Notification of police consolidation	MTA MDTA	45 days before consolidation is to occur

### Committee Narrative

#### J00H01.04 Rail Operations

**MARC Third Party Contract:** The Maryland Transit Administration (MTA) is currently in the process of identifying a third party to operate and maintain portions of the Maryland Rail Commuter (MARC) system. Using a third party to operate and maintain the MARC service represents a departure from past practice. To fully understand the impact of the third party contract, MTA should submit a report to the committees 45 days after the contract has been approved by the Board of Public Works (BPW) that addresses the following:

- the length of the contract;
- the cost of the contract in each fiscal year;
- a comparison of the cost and services provided under the old contract and new contract;
- the level of Minority Business Enterprise involvement;
- a discussion of liability insurance;
- what impact the change to a third party contractor will have on riders; and
- any other aspects of the contract of which MTA feels the committees should be made aware.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Information on third-party contract	MTA	45 days after BPW approval

## J00H

### J00H01.05 Facilities and Capital Equipment

~~**New Starts Financing Plan:** Currently, the Maryland Transit Administration (MTA) is moving forward with planning for three major transit lines, the Corridor Cities Transitway, the Purple Line, and the Red Line. Due to the existing constraints facing the Transportation Trust Fund, a major revenue increase will be required to pay for one of the transit lines. As part of the federal approval process, MTA is required to submit a New Starts application that allows them to enter into preliminary engineering and that provides detailed information on ridership and the planning of the project. Preliminary financial information regarding how the State will pay for the project will also be provided. MTA should submit a report to the committees 45 days after each New Starts submission detailing how it will pay for the Red Line, Purple Line, and Corridor Cities Transitway. The report should include copies of the financial information provided to the Federal Transit Administration (FTA) as well as a discussion of the viability of the financial information presented.~~

<del>Information Request</del>	<del>Author</del>	<del>Due Date</del>
<del>Financial information for the Red Line, Purple Line, and Corridor Cities Transitway</del>	<del>MTA</del>	<del>45 days after the New Starts application is submitted to FTA for each proposed project to enter into preliminary engineering</del>

~~**Impact of Federal Changes on New Start Projects:** The Federal Transit Administration (FTA) recently announced major changes to its New Starts justification criteria. The changes in the criteria could have impacts on the major transit lines that the Maryland Transit Administration (MTA) is currently evaluating. In light of the changes in criteria, MTA shall do a full study of any and all reasonable heavy rail or automated guide way alternatives, including alternative alignments for the Red Line, the Purple Line, and the Corridor Cities Transitway. MTA should also consult with various transit rider groups in the preparation of this study.~~

<del>Information Request</del>	<del>Author</del>	<del>Due Date</del>
<del>Report on impact of federal changes on New Starts projects</del>	<del>MTA</del>	<del>December 30, 2010</del>

**J00I**  
**Department of Transportation**  
**Maryland Aviation Administration**

**Budget Amendments**

**MARYLAND AVIATION ADMINISTRATION**

**J00I00.02     Airport Operations**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce funds for the security contract with the Maryland Transportation Authority (MDTA) Police. In fiscal 2010, the contract with MDTA Police was reduced by only 3.5% while the Maryland Aviation Administration's total budget was reduced by 5.0%. As a quasi-State agency, MDTA has not been subject to the level of cost containment actions that other State agencies have. To help in cost containment measures, the Airport Detachment of the MDTA Police should defer all vehicle replacements, defer information technology related expenses where possible, reduce overtime, and hold vacant positions open longer. Although MDTA Police follows a modified version of the furlough plan for all State employees, savings will also be realized from temporary salary reductions.	500,000	SF
2. Delete funding for 4 positions that have been vacant for 12 months or longer. Associated position identification numbers are 013234, 056277, 056278, and 075240. This action requires the positions to stay vacant in fiscal 2011 as a cost containment measure; however, should other funding be identified, these positions may be filled.	234,732	SF
3. Delete funding for employee awards programs. Given the State's current fiscal situation, this program awarding employees for submitting innovative ideas should be discontinued.	19,470	SF

**J001**

- |  |                   |
|--|-------------------|
| <p>4. Reduce funding for information technology related expenses. The fiscal 2011 allowance for information technology related expenses, including the acquisition and maintenance of software and applications, increases \$556,838 from the fiscal 2010 working appropriation. This action reduces the increase by half and still allows for an increase of \$276,838.</p> | <p>280,000 SF</p> |
| <p>5. <i>Reduce funds for building and household supplies. This action reduces the fiscal 2011 allowance to \$839,106 based on findings from the December 2009 audit that too many supplies were being accumulated and not properly inventoried.</i></p>   | <p>100,000 SF</p> |

Total Reductions	<p>1,034,202 1,134,202</p>
------------------	--------------------------------

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	455.50	455.50		0.00
Special Fund	174,189,259	173,155,057 173,055,057	1,034,202 1,134,202	
Federal Fund	656,191	656,191	0	
<b>Total Funds</b>	<b>174,845,450</b>	<b>173,811,248</b> <b>173,711,248</b>	<b>1,034,202</b> <b>1,134,202</b>	

Amendment No. 19

**Committee Narrative**

**Cost Recovery for Issuing Identification Badges:** Each year, the Maryland Aviation Administration (MAA) issues 20,000 identification badges to employees, contractors, and delivery personnel requiring access to the airport. Recent federal mandates requiring a biometric component to the badges has significantly increased the cost of issuing badges, from \$0.70 per badge to \$7.00 per badge. The fiscal 2011 allowance includes an increase of \$113,500 in MAA's operating budget for expenses related to the issuance of badges with a biometric component. Given the rising cost of issuing badges, it is the intent of the committees that MAA should implement a fee for new and/or replacement badges to recover these costs of issuance.

## J00I

### J00I00.03 Airport Facilities and Capital Equipment

**Land Determined No Longer Needed for Noise Mitigation May Not Be Noise Free:** Since 1985, the Maryland Aviation Administration (MAA) has purchased 202 parcels of land at a cost of \$36 million as part of noise mitigation efforts. Following Federal Aviation Administration guidance, MAA is currently reviewing these parcels of land to determine which are no longer needed for noise mitigation or other airport development needs. Estimates suggest that MAA may sell as much as 275 acres of land surrounding Baltimore/Washington International Thurgood Marshall Airport. Although by definition of the land no longer being needed for noise mitigation, these properties fall outside the airport's current noise contour maps, the property may still be affected by federally acceptable levels of noise. However, as the airport location is a preexisting condition known when the property is purchased, it is the intent of the committees that *in accordance with Section 5-823 of the Transportation Article* MAA should *place deed restrictions on each of these parcels of land stipulating that the land is ineligible for any type of State funded noise mitigation projects.* ~~stipulate in all contracts involving the sale of this surplus land that unless the federal noise contour maps are changed to include this property, the property is ineligible for any type of State funded noise mitigation strategies.~~

**J00J**  
**Maryland Transportation Authority**

**Committee Narrative**

**J00J00.41 Operating Program**

~~**Changes to Tolling Structure:** The Maryland Transportation Authority's (MDTA) financial forecast indicates that a substantial toll increase will take place in fiscal 2012. The current tolling structure provides extremely generous commuter discounts of up to 84% and provides a financial disincentive to consumers to use E-ZPass due to start up costs and monthly fees. It is the intent of the committees that when evaluating the tolling structure in preparation for the fiscal 2012 toll increase, MDTA should give consideration to modifying the commuter discount plans to moderate substantial commuter discounts and implementing a bifurcation of the tolling structure to offer discounted toll rates to E-ZPass users to offset start up and monthly fees imposed on E-ZPass accounts.~~

***Toll Increase Alternatives:** The Maryland Transportation Authority's (MDTA) financial forecast includes a substantial toll increase in fiscal 2012. Due to the number of different toll facilities, vehicle classes, commuter rates, and services fees, there are a multitude of toll increase scenarios that MDTA could propose. In May 2009, MDTA increased toll rates for vehicles with three or more axles by 50%. In July 2009, MDTA implemented a number of new and increased fees, including monthly E-ZPass account maintenance charges, fees for new and replacement E-ZPass transponders, notice of toll due charges, and increased violation fees. Some of these new E-ZPass fees and charges now provide a financial disincentive for drivers to use E-ZPass. Toll rates for two-axle vehicles have not changed since 2003 at most toll facilities, and commuter rates at most toll facilities have not changed since the 1980s. It is the intent of the committees that MDTA complete a comprehensive analysis of all potential revenue options and submit a report of potential options, the last time that each revenue source was modified (where applicable), and the revenue that each option would generate. Information on incremental revenue that each option would bring in should focus on revenue per unit (e.g., each \$1 increase in the two-axle rate at the Bay Bridge would generate approximately \$8 million in additional revenues) rather than aggregate revenue totals. Revenue increase options should include but not be limited to:*

- *toll rate increases for two-axle vehicles by toll facility;*
- *toll rate increases for three or more axles by toll facility;*
- *modifications to commuter discount rates by toll facility;*
- *decreases in the duration of computer plans;*
- *implementing congestion pricing at some or all toll facilities;*

## J00J

- *indexing toll rate increases to some inflation measure, such as the Consumer Price Index;*
- *implementing a bifurcated tolling structure that includes cash toll rates that are higher than E-ZPass toll rates;*
- *reevaluating non-revenue accounts for State agencies;*
- *modifying or implementing new service fees and charges;*
- *modifying volume discount plans, to include selling packaged plans similar to commuter plans rather than post-usage discounts; and*
- *establishing an agreement with the Maryland Department of Transportation (MDOT) that provides for payments from MDOT to MDTA in an amount equal to or less than the value of toll credits that MDOT receives from the Federal Highway Administration based on MDTA's investments in its facilities.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on revenue increase options</i>	<i>MDTA</i>	<i>January 15, 2011</i>

**Transportation Law Enforcement Consolidation and Legislative Oversight:** Since a 2004 executive order that expanded the primary jurisdiction of the Maryland Transportation Authority (MDTA) Police, MDTA Police have begun patrolling the Maryland Rail Commuter System and the headquarters of the Motor Vehicle Administration. In addition, MDTA Police and the Maryland Transit Administration (MTA) Police are working together to identify operational efficiencies between the agencies. Currently, three of the Maryland Department of Transportation's (MDOT) modes reimburse MDTA Police for costs totaling \$30.1 million in fiscal 2011. Cost savings may be realized by consolidating all transportation law enforcement into one law enforcement agency, as was originally proposed by the 2003 Commission on the Structure and Efficiency of State Government, chaired by former Governor Marvin Mandel. MDTA Police is the seventh largest law enforcement agency in the State; yet, it is also the only State law enforcement agency to operate off budget. The nonbudgeted status of MDTA Police limits legislative oversight of the jurisdiction, policies, and budget of MDTA Police. MDTA, in consultation with MDOT and State Police, should submit a report identifying the cost savings that may be realized by consolidating all transportation law enforcement into one unit. The report should also include an analysis of where the consolidated transportation law enforcement unit should be housed in – MDTA, MDOT, or the State Police. In considering where the unit should be housed, consideration should be given to the role of legislative oversight.

## J00J

Information Request	Authors	Due Date
Report on consolidating transportation law enforcement into one unit and whether that unit should be housed in MDTA, MDOT, or State Police	MDTA MDOT State Police	November 1, 2010

### J00J00.42 Capital Program

**Legislative Review of Travel Plaza Proposal:** The Maryland Transportation Authority (MDTA) is current preparing a request for proposals to issue in March 2010 for the redevelopment of the Maryland House and Chesapeake House travel plazas along I-95. The public-private partnership will involve a long-term lease of the facilities and private investment in the redevelopment. Current law and regulations provide some ambiguity about what notice and approval is required for this transaction. It is the intent of the committee that 45 days prior to entering into an agreement, MDTA should provide:

- the length of the proposed agreement;
- the scope of payments to MDTA from the private partner;
- a cost benefit analysis of the proposal;
- evidence of the financial stability of the private partner;
- requirements pertaining to the ongoing operation and maintenance of the facility and contract oversight;
- requirements pertaining to capital investment in the facility and timeline for completion of that investment;
- a description of any performance measures utilized in the contract, as well as actions that may be taken if performance goals are not met;
- contract provisions relating to the variety of brands and competitiveness of prices at the travel plazas;
- provisions allowing the State right of first refusal prior to a reassignment of the lease to another entity;

## **J00J**

- the estimated dollar amount of any bonds to be used to finance the agreement; and
- a description, including the estimated value, of any land, buildings, or other structures or assets that are to be transferred, leased, or exchanged with the private partner.

Furthermore, it is the intent of the committees that all contract provisions, including the ground lease agreement and the concession contract, should be approved by the Board of Public Works.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on the proposed contract provisions	MDTA	45 days prior to entering into an agreement

**K00**  
**Department of Natural Resources**

**Budget Amendments**

Strike the following language:

~~Provided that \$2,696,006 of the General Fund appropriation within this agency, made for the purpose of general operating expenses, may not be expended for that purpose but instead may be used only to provide operating expenses for and installation of 50 water quality monitoring stations to measure ambient nitrogen and phosphorus concentrations as well as flow data for water bodies entering Maryland but that currently are not being monitored. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

~~**Explanation:** This action restricts \$2,696,006 of the general fund appropriation in the Department of Natural Resources for the installation of 50 water quality monitoring stations along fourth order stream border crossings that enter Maryland and empty into a Maryland tributary of the Chesapeake Bay but that currently are not being monitored. The stations are to be placed at the site where each of these fourth order streams not currently being monitored enter Maryland and where the fourth order streams empty into a Maryland tributary of the Chesapeake Bay. The full cost is anticipated to be \$2,696,006 in fiscal 2011 with salaries and fringe benefits (\$192,262), equipment (\$103,744), contractual full-time equivalents (\$150,000), and stream gauges (\$2,250,000 or \$45,000 per gauge).~~

Amendment No. **20**

**WILDLIFE AND HERITAGE SERVICE**

**K00A03.01 Wildlife and Heritage Service**

Add the following language:

*It is the intent of the General Assembly that the Department of Natural Resources (DNR) evaluate potential deer hunting opportunities on public lands managed by DNR in Calvert, Charles, and St. Mary's counties in order to minimize deer-related crop damage impacts on agricultural lands and maintain a local deer population appropriate for the natural environment.*

**Explanation:** *This language states the intent of the General Assembly that DNR evaluate ways to manage the deer populations on public lands it manages in Southern Maryland to the benefit of both agriculture and the deer population.*

Amendment No. **21**

## K00

### Committee Narrative

**Future of Maryland's Furbearer Management Program:** The Department of Natural Resources (DNR) has a game management program, which lost a furbearer biologist position in the November 18, 2009 Board of Public Works actions. Given this position reduction and a reduction in associated funding, the committees are concerned about the future State oversight and management of Maryland's furbearer populations and the attendant impact of furbearer species on the integrity of natural resources, public and private property assets, and human health. Therefore, the committees request a report by DNR and the Maryland Department of Agriculture (MDA), in cooperation with the Maryland Legislative Sportsmen's Foundation, assessing the future of Maryland's furbearer management program by (1) developing alternative funding policies for helping to underwrite the State's oversight and management responsibility; and (2) recommending the unit within the Executive Branch of State government best capable of fulfilling this responsibility. The report should be submitted to the committees by December 1, 2010.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on future of Maryland's furbearer management program	DNR MDA Maryland Legislative Sportsmen's Foundation	December 1, 2010

### Budget Amendments

#### LAND ACQUISITION AND PLANNING

##### K00A05.10 Outdoor Recreation Land Loan

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
Reduce appropriation for the purposes indicated:		
1. This action reduces the Outdoor Recreation Land Loan special fund appropriation by \$42,223,608 to reflect a \$42,221,000 general obligation bond authorization in the capital budget. The reduction is allocated as follows: Program Open Space – State Acquisition (\$13,082,995), Program Open Space – Local Share (\$12,352,843), Program Open Space – Capital Improvements (\$4,150,000), and Rural Legacy (\$12,637,770).	42,223,608	SF
Total Reductions	42,223,608	0.00

**K00**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	44,940,608	2,717,000	42,223,608	
Federal Fund	11,095,962	11,095,962	0	
<b>Total Funds</b>	<b>56,036,570</b>	<b>13,812,962</b>	<b>42,223,608</b>	

Strike the following language:

~~Further provided, that notwithstanding the appropriations above, the Special Fund appropriation for the Outdoor Recreation Land Loan Program shall be reduced by \$42,223,608 contingent upon the enactment of legislation crediting transfer tax revenues to the General Fund. The reduction shall be distributed in the following manner:~~

<del>Program Open Space— State Acquisition.....</del>	<del>\$13,082,995</del>
<del>Program Open Space— Local Share.....</del>	<del>\$12,352,843</del>
<del>Program Open Space— Capital Improvements.....</del>	<del>\$ 4,150,000</del>
<del>Rural Legacy.....</del>	<del>\$12,637,770</del>
<del>Total.....</del>	<del>\$42,223,608</del>

**Explanation:** This action strikes the contingent reduction on the Outdoor Recreation Land Loan special fund appropriation in order to be able to make the reduction directly.

**BOATING SERVICES**

**K00A11.02 Waterway Improvement Capital Program**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. This action reduces the Waterway Improvement Program special fund appropriation to reflect a \$3,934,000 general obligation bond authorization in the capital budget.	3,934,000	SF
Total Reductions	3,934,000	0.00

## K00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	5,000,000	1,066,000	3,934,000	
Federal Fund	500,000	500,000	0	
<b>Total Funds</b>	<b>5,500,000</b>	<b>1,566,000</b>	<b>3,934,000</b>	

### WATERSHED SERVICES

#### K00A14.02 Watershed Services

Strike the following language:

~~, provided that this appropriation shall be reduced by \$22,101,428 contingent upon the enactment of legislation to allocate Chesapeake Bay 2010 Trust Fund revenue to the General Fund.~~

**Explanation:** Technical amendment.

Amend the following language:

, provided that this appropriation shall be reduced by \$32,101,428 contingent on enactment of SB 141 or HB 151 that contains a provision to allocate Chesapeake and Atlantic Coastal Bays 2010 Trust Fund revenue to the General Fund.

Further provided that \$5,000,000 \$9,520,000 of this appropriation made for the purpose of reducing non-point source nutrient loading to the Chesapeake Bay, may not be expended for that purpose in the Department of Natural Resources' budget but instead may be transferred by budget amendment to the Maryland Department of Agriculture's program L00A15.04 Resource Conservation Grants to be used only for planting cover crops. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This action reduces Chesapeake and Atlantic Coastal Bays 2010 Trust Fund expenditures from \$42.1 million to \$10.0 million contingent on the enactment of a provision in the Budget Reconciliation and Financing Act of 2010 transferring \$32.1 million in revenue to the general fund. In addition, this action restricts ~~\$5.0~~ \$9.5 million of the remaining \$10.0 million to cover crops in the Maryland Department of Agriculture. The remaining ~~\$5.0~~ \$0.5 million may be used for other non-point source nutrient loading reduction programs benefiting the Chesapeake Bay.

Amendment No. 22

**L00  
Department of Agriculture**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**L00A11.11 Capital Appropriation**

Strike the following language:

~~, provided that this appropriation shall be reduced by \$11,814,797 contingent upon the enactment of legislation crediting transfer tax revenues to the General Fund.~~

**Explanation:** This action strikes the contingent reduction on the Maryland Agricultural Land Preservation Foundation Capital Appropriation in order to be able to make the reduction directly.

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce special funds in the Maryland Agricultural Land Preservation Foundation allowance by \$11,814,797 to reflect a \$11,814,000 general obligation bond authorization in the capital budget.	11,814,797	SF
Total Reductions	11,814,797	0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Special Fund	23,874,797	12,060,000	11,814,797	
Federal Fund	2,000,000	2,000,000	0	
<b>Total Funds</b>	<b>25,874,797</b>	<b>14,060,000</b>	<b>11,814,797</b>	

**Committee Narrative**

**Easement Monitoring Compliance Report:** *The committees are concerned about the status of the Maryland Agricultural Land Preservation Foundation's (MALPF) easement monitoring due to multiple audit findings citing the lack of procedures for ensuring that required annual inspections of easement properties are performed. MALPF has two inspection policies: (1) the Board of Trustees policy for inspections of State-funded purchases; and (2) the federal grant agreement policy for federal-funded purchases. MALPF submitted a report indicating that for fiscal 2009 the State easement monitoring policy goal was met, and the federal policy almost was met. By December 1, 2010, MALPF shall submit a report on the current status of its compliance*

## L00

*with the Board of Trustees and federal grant agreement inspection policies, including a summary of the policies and procedures put in place by MALPF to ensure full compliance with both inspection policies.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Easement monitoring compliance report</i>	<i>MALPF</i>	<i>December 1, 2010</i>

### **Budget Amendments**

#### **OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES**

##### **L00A12.08 Maryland Horse Industry Board**

Add the following language to the general fund appropriation:

. provided that this appropriation made for the purpose of funding the general operations of the Maryland Horse Industry Board shall be reduced by \$63,068 contingent on enactment of SB 62, which would increase the revenue collected from licensing and inspection of horse stables and redirect those funds to the Maryland Horse Industry Board.

**Explanation:** Senate Bill 62 is a departmental bill which would increase the revenue collected by the Maryland Horse Industry Board by allowing for the board to retain revenue it generates from licensing and inspection of horse stables. The increased revenue is anticipated to defray the need for the general fund appropriation.

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

Strike the following language:

~~., provided that this appropriation shall be reduced by \$1,900,000 contingent upon the enactment of legislation reducing the mandated amount of funds for the Maryland Agricultural and Resource-Based Industry Development Corporation.~~

**Explanation:** Technical amendment.

**L00**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce the Maryland Agricultural and Resource-Based Industry Development Corporation operating budget grant as proposed in the Budget Reconciliation and Financing Act of 2010.</del>	1,900,000	GF
 Total Reductions	 1,900,000 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,750,000	850,000 2,750,000	1,900,000 0	
<b>Total Funds</b>	<b>2,750,000</b>	<b>850,000 2,750,000</b>	<b>1,900,000 0</b>	

Amendment No. **23**

**L00A12.22 MARBIDCO Next Generation Farmland Acquisition Program**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete the Maryland Agricultural and Resource-Based Industry Development Corporation's Next Generation Farmland Acquisition Program Funding. There is not anticipated to be any agricultural transfer tax revenue available to support this program after the allocation to the Maryland Agricultural Land Preservation Fund. A budget amendment may be processed if sufficient revenues are available.	675,000	SF
 Total Reductions	 675,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	675,000	0	675,000	
<b>Total Funds</b>	<b>675,000</b>	<b>0</b>	<b>675,000</b>	

**L00**

**OFFICE OF RESOURCE CONSERVATION**

**L00A15.03 Resource Conservation Operations**

Strike the following language:

~~, provided that this appropriation shall be reduced by \$400,000 and 7 new positions contingent upon the enactment of legislation reducing the mandated amount of funds for the Resource Conservation Operations.~~

**Explanation:** Technical amendment.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Delete 7 new soil conservation district field personnel positions and operating expenses as proposed in the Budget Reconciliation and Financing Act of 2010.</del>	400,000 GF	7.00
Total Reductions	400,000 0	7.00 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	115.50	108.50 115.50		7.00 0.00
General Fund	8,548,307	8,148,307 8,548,307	400,000 0	
Special Fund	214,956	214,956	0	
Federal Fund	205,221	205,221	0	
<b>Total Funds</b>	<b>8,968,484</b>	<b>8,568,484</b> <b>8,968,484</b>	<b>400,000</b> <b>0</b>	

Amendment No. 24

## L00

### Committee Narrative

**Soil Conservation District Field Personnel Summary Information:** Section 8-405 of the Agriculture Article mandates that the Governor shall include in the annual budget bill an amount sufficient to employ not less than 110 field personnel in the soil conservation districts and that the appropriation for fiscal 2011 shall be \$10 million. The committees are concerned that it is difficult to independently verify funding for the 110 soil conservation field personnel and \$10 million funding level for soil conservation district field personnel in the fiscal 2011 allowance. Therefore, the committees request that the Maryland Department of Agriculture include with its fiscal 2012 budget submission information on the fiscal 2010 actual, fiscal 2011 working appropriation, and fiscal 2012 allowance data on the following:

- the number of contractual and regular soil conservation district field personnel positions (defined as soil conservation planner, soil conservation associate, and soil conservation engineering technician positions); and
- the amount of funding budgeted by fund for Comptroller Object 01 expenses directly attributable to field personnel and, separately, operating expenses indirectly associated with field personnel.

Information Request	Author	Due Date
Report on soil conservation district field personnel position counts and funding	Maryland Department of Agriculture	Fiscal 2012 State budget submission and annually thereafter

### Budget Amendments

#### L00A15.04 Resource Conservation Grants

Add the following language to the special fund appropriation:

, provided that when expenditures or encumbrances for the Cover Crop Program may be charged to either Bay Restoration Funds or Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, spending shall be charged to Chesapeake and Atlantic Coastal Bays 2010 Trust Fund revenues before Bay Restoration Funds are charged. It is the intent of the General Assembly that appropriations for the Cover Crop Program exhaust all Chesapeake and Atlantic Coastal Bays 2010 Trust Fund revenues before using any revenues from the Bay Restoration Fund.

Further provided that any Bay Restoration Funds that remain unexpended for the Cover Crop Program as of April 1, 2011, may not be expended for any other purpose except for enhanced nutrient removal PAYGO upgrades to wastewater treatment plants. Provided that no portion of these unexpended funds may be applied to debt service. The Governor is authorized to process a

## L00

budget amendment to transfer remaining Bay Restoration Funds from the Maryland Department of Agriculture to the Maryland Department of the Environment. Funds not transferred to the Maryland Department of the Environment may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This action expresses the intent that all of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund revenues received in Resource Conservation Grants for cover crops be expended on cover crops before the Bay Restoration Fund revenues are used for cover crops. In addition, any Bay Restoration Fund revenues not expended for cover crops by April 1, 2011, may only be transferred to the Maryland Department of the Environment to be used only for wastewater treatment plant PAYGO upgrades to enhanced nutrient removal technology. The funding is not allowed to be used for debt service on bonds issued for wastewater treatment plant upgrades.

Amendment No. 25

Add the following language:

Authorization to expend reimbursable funds received from the Department of Natural Resources for the Cover Crop Program is reduced by \$8,245,048.

**Explanation:** The BayStat agencies anticipate requesting a special fund budget amendment after the 2010 session and before the start of fiscal 2011 in order to allocate the revenues from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. Therefore, this reimbursable fund appropriation for the Maryland Department of Agriculture's Resource Conservation Grants is unnecessary.

**M00A**  
**Department of Health and Mental Hygiene**  
**Office of the Secretary**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**M00A01.01 Executive Direction**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce funding for in-state travel in the Office of the Inspector General and audit function to the most recent actual.	15,000 GF 5,000 FF	
Total Reductions	20,000	0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	99.60	99.60		0.00
General Fund	7,235,499	7,220,499	15,000	
Federal Fund	1,668,971	1,663,971	5,000	
<b>Total Funds</b>	<b>8,904,470</b>	<b>8,884,470</b>	<b>20,000</b>	

**M00A01.02 Operations**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. <del>Delete funding for online training courses. Although utilized by the department for seven years as a training tool, deletion is recommended as an additional cost containment measure.</del>	38,000 GF	
Total Reductions	38,000 0	

## M00A

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	317.90	317.90		0.00
General Fund	15,404,190	<del>15,366,190</del> 15,404,190	38,000 0	
Special Fund	410,000	410,000	0	
Federal Fund	12,760,044	12,760,044	0	
<b>Total Funds</b>	<b>28,574,234</b>	<del><b>28,536,234</b></del> <b>28,574,234</b>	<b>38,000</b> <b>0</b>	

Amendment No. 26

### Committee Narrative

#### REGULATORY SERVICES

##### M00B01.03 Office of Health Care Quality

**Incomplete Survey Activities Resulting from Insufficient Staffing Level:** The combination of increased workload, a structural deficiency in positions allotted for survey and inspection activities, and chronic vacancies among surveyor positions prevent the Office of Health Care Quality (OHCQ) from conducting all of the survey activities for which the agency is responsible. The committees request that OHCQ submit a written report on the activities that the agency has had to eliminate or not fully complete due to insufficient staffing levels in fiscal 2010. The report should address survey and inspection requirements for each unit, including which activities were prioritized and which were foregone due to insufficient staff.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Incomplete survey and inspection activities	OHCQ	October 1, 2010

**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><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce funding for outside patient advocacy legal contracts to reflect lower institutional enrollment and a favorable contract environment. This represents a 10% reduction from fiscal 2010 levels.	44,000	GF
 Total Reductions	 44,000	 0.00

<u><b>Effect</b></u>	<u><b>Allowance</b></u>	<u><b>Appropriation</b></u>	<u><b>Amount Reduction</b></u>	<u><b>Position Reduction</b></u>
Position	4.00	4.00		0.00
General Fund	1,258,058	1,214,058	44,000	
<b>Total Funds</b>	<b>1,258,058</b>	<b>1,214,058</b>	<b>44,000</b>	

**M00F02**  
**Department of Health and Mental Hygiene**  
**Infectious Disease and Environmental Health Administration**

**Budget Amendments**

**INFECTIOUS DISEASE AND ENVIRONMENTAL HEALTH ADMINISTRATION**

**M00F02.03 Infectious Disease and Environmental Health Services**

Amend the following language:

. provided that ~~\$100,000~~ \$50,000 of this appropriation made for the purpose of licensure and inspection of food processing facilities, may not be expended until the Department of Health and Mental Hygiene, in conjunction with the Department of Agriculture, submits a report to the budget committees on the progress of a rabbit and poultry certification program that ensures rabbit and poultry producers in this State that are exempt from regulation by the U.S. Department of Agriculture may sell their products at farmers' markets in the State without being required to have a license from a local jurisdiction provided the producer has completed this program. The report shall be submitted by September 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The language withholds funds pending the receipt of a report on a plan to ensure that no jurisdiction requires a license for the sale of poultry or rabbit products at a farmers market if the farm on which the product was produced is exempt from regulation by the United States Department of Agriculture.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
A plan on licensing regulations	Department of Health and Mental Hygiene Department of Agriculture	September 1, 2010

Amendment No. **27**

## M00F02

### M00F02.07 Core Public Health Services

Strike the following language from the general fund appropriation:

~~, provided that \$3,716,516 of this appropriation shall be reduced contingent upon the enactment of legislation reducing funding for Core Public Health Services.~~

**Explanation:** This language is unnecessary as the General Assembly can choose to reduce funding for the Core Public Health Services Targeted Local Health Department formula without legislation.

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Department of Health and Mental Hygiene, in conjunction with the local health departments, provides a report to the budget committees on the budgets of the 24 local health departments. Specifically, the report shall outline how State funds were used programmatically by the departments in fiscal 2010 and how they will be used in fiscal 2011. Lastly, the report shall describe programmatic and budgetary changes made in response to cost containment measures in fiscal 2010 and 2011. The report shall be submitted by January 1, 2011, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** Since 1997, the State has been providing funds to local health departments through the Core Public Health formula. During fiscal 2010, these funds were reduced by \$20.1 million. The budget committees should be informed on how the funds are being used and how the reductions have affected the local health services.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on local health department funding	Department of Health and Mental Hygiene	January 1, 2011

	<b><u>Funds</u></b>	<b><u>Positions</u></b>
Reduce appropriation for the purposes indicated:		
1. Reduce the general fund appropriation for the targeted local health formula.	3,716,516	GF
Total Reductions	3,716,516	0.00

**M00F02**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	41,000,000	37,283,484	3,716,516	
Federal Fund	4,493,000	4,493,000	0	
<b>Total Funds</b>	<b>45,493,000</b>	<b>41,776,484</b>	<b>3,716,516</b>	

**M00F03**  
**Department of Health and Mental Hygiene**  
**Family Health Administration**

**Budget Amendments**

**FAMILY HEALTH ADMINISTRATION**

**M00F03.06 Prevention and Disease Control**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for activities aimed at reducing tobacco use in Maryland and for grants to Statewide Academic Health Centers to correspond to mandated levels proposed by the Budget Reconciliation and Financing Act (BRFA) of 2010. If enacted, the legislation would mandate an appropriation level of \$6.0 million for activities aimed at reducing tobacco use and \$2.4 million for grants to Statewide Academic Health Centers. This reduction would result in a decrease in general funds in the amount necessary to bring the appropriation level for the tobacco cessation programs and Statewide Academic Health Centers to the level specified in the BRFA of 2010. The agency can utilize special funds from other programs to backfill this reduction to general funds.	296,840	GF
Total Reductions	355,337	1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	72.00	71.00		1.00
General Fund	12,181,749	11,884,909	296,840	
Special Fund	43,980,871	43,922,374	58,497	
Federal Fund	11,893,279	11,893,279	0	
<b>Total Funds</b>	<b>68,055,899</b>	<b>67,700,562</b>	<b>355,337</b>	

## M00F03

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation, made for the purpose of awarding grants to Statewide Academic Health Centers, may not be used for that purpose but instead shall be transferred to other tobacco cessation programs within the department, including the Tobacco Quitline. Funds not used for this restricted purpose shall be cancelled.

**Explanation:** This language allows the department to utilize special funds intended for grants to Statewide Academic Health Centers in order to fund the Tobacco Quitline.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete 1 long-term vacancy from the Office of Minority Health and Health Disparities. This position has been vacant for over two years and is not necessary for the operation of the office.	58,497 SF	1.00
Total Reductions	355,337	1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	72.00	71.00		1.00
General Fund	12,181,749	11,884,909	296,840	
Special Fund	43,980,871	43,922,374	58,497	
Federal Fund	11,893,279	11,893,279	0	
<b>Total Funds</b>	<b>68,055,899</b>	<b>67,700,562</b>	<b>355,337</b>	

**M00L**  
**Department of Health and Mental Hygiene**  
**Mental Hygiene Administration**

**Budget Amendments**

**MENTAL HYGIENE ADMINISTRATION**

**M00L01.01 Program Direction**

Add the following language to the general fund appropriation:

. provided that \$100,000 of this appropriation made for the purpose of administration of the public mental health system may not be expended until the Mental Hygiene Administration (MHA), in consultation with other child-serving agencies, interested provider groups, and the advocacy community representing children's mental health needs, submits a report to the budget committees concerning the treatment of children and adolescents in residential treatment centers (RTCs). For the purpose of this report, MHA's estimates and recommendations shall be based on private and public RTC capacity. Specifically, the report shall provide information on:

- (1) the current capacity of RTCs, by region and by treatment specialty, including but not limited to court-involved youth and youth with co-occurring illness;
- (2) an estimate of demand over the next three years for RTC-level care, by region and by treatment specialty, including court involved;
- (3) the methodology used to estimate the demand for RTC-level care and including in that methodology the total and regional availability of current and proposed RTC-diversion programming;
- (4) a plan for realizing any capacity changes proposed to RTC capacity and RTC-diversion programming; and
- (5) in developing any plan for capacity changes, the role of private RTCs and public RTCs shall be clearly delineated and justified.

The report shall be submitted by November 15, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The language withholds funds pending the receipt of a report on current and future RTC capacity.

## M00L

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
RTC capacity	MHA	November 15, 2010

### M00L01.02 Community Services

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce grant funding by \$750,000. In order to stay within its fiscal 2010 budget for community mental health grant funding, rather than making ongoing program reductions the Mental Hygiene Administration (MHA) intends to claw-back carryover funding from the Core Service Agencies as a one-time cost containment measure. The fiscal 2011 budget provides additional funding to allow MHA to make this a one-time action in fiscal 2010. The reduction requires MHA to make a change to its fiscal 2011 grants budget to generate savings of \$750,000.	750,000	GF

Total Reductions	750,000	0.00
------------------	---------	------

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	7.00	7.00		0.00
General Fund	79,713,595	78,963,595	750,000	
Special Fund	158,605	158,605	0	
Federal Fund	32,239,653	32,239,653	0	
<b>Total Funds</b>	<b>112,111,853</b>	<b>111,361,853</b>	<b>750,000</b>	

### Committee Narrative

**Community Services Expansion on the Eastern Shore:** The committees are concerned that the roll-out of expanded community services on the Eastern Shore related to the closure of the Upper Shore Community Mental Health Center (USCMHC) has occurred in a timely manner and not left service gaps. The committees request the Mental Hygiene Administration (MHA) to report on:

## M00L

- The status, in the aggregate, of clients who were at USCMHC on November 1, 2009, or admitted to USCMHC after November 1, 2009.
- A fiscal 2010 accounting of costs and savings associated with the closure of USCMHC and the expansion of community services (including expenditures incurred by private hospitals). To the maximum extent possible, community service expansion data should include in-state and out-of-state expenditures.
- A projection of fiscal 2011 of costs and savings associated with the closure of USCMHC and the expansion of community services.
- The feasibility of utilizing the one remaining unit at USCMHC as a satellite of the Eastern Shore Hospital Center.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Community service expansion on the Eastern Shore related to the closure of USCMHC	MHA	October 1, 2010

***Core Service Agency Grants:** In order to facilitate decision-making on the out-year service priorities for Core Service Agencies (CSA) grant funding, the committees request that the Mental Hygiene Administration (MHA) and CSAs review the current grant funded services and administrative costs provided by MHA to CSAs, identify other service needs not currently funded, and prioritize those services for out-year funding. In reporting back to the committees, MHA shall include specific cost information by administrative function and type of service by CSA and prioritization by CSA.*

<b><i>Information Request</i></b>	<b><i>Author</i></b>	<b><i>Due Date</i></b>
<i>Core Service Agency Grants</i>	<i>MHA</i>	<i>December 1, 2010</i>

**M00M**  
**Department of Health and Mental Hygiene**  
**Developmental Disabilities Administration**

**Budget Amendments**

**DEVELOPMENTAL DISABILITIES ADMINISTRATION**

**M00M01.01 Program Direction**

Add the following language to the general fund appropriation:

. provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Developmental Disabilities Administration (DDA) submits a report detailing:

- (1) the disposition of the approximately 5,547 individuals that are proposed to be removed from the waiting list because they currently receive at least one waiver service while continuing to wait for additional services;
- (2) the total number of individuals on the waiting list (including those that are being proposed for removal) by county, type of service(s) requested, priority category, and projected cost to provide these services;
- (3) a description of the manner in which the department notifies individuals who are waiting for services from DDA of their change in status (if any), their appeal rights, and how to access additional services for those individuals who have already been determined eligible for and in need of additional DDA-waiver services; and
- (4) for individuals whom DDA could not locate through its process of verifying the status of people waiting for services, the steps taken to locate these individuals, the manner in which it will maintain identifying information for these individuals in the event they contact DDA in the future, and how DDA will ensure their waiting list status will be restored if they again contact DDA.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that it is the intent of the General Assembly that the 5,547 individuals who had been determined by DDA to be eligible for the waiting list and in need of additional services shall not be removed from the waiting list until they have received the additional services.

**Explanation:** The language restricts funds pending the receipt of a report concerning individuals on the waiting list as well as proposed changes recently made by DDA. Intent language is also added with regard to individuals DDA proposes to remove from the waiting list.

## M00M

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Waiting list issues	DDA	October 1, 2010

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Developmental Disabilities Administration submits a report detailing:

- (1) a projection of the service needs and associated costs, including residential costs, for students transitioning from educational services at age 21 years in fiscal 2012, 2013, and 2014, who are also transitioning from foster care and education nonpublic placements and who will require residential supports upon transition; and
- (2) a projection of the service needs and associated costs of children and youth in the Autism Waiver who are aging out in fiscal 2012, 2013, and 2014.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The language restricts funds pending the receipt of a report concerning projected service demand and costs associated with transitioning youth and individuals currently in the Autism Waiver for fiscal 2012 through 2014.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Various fiscal 2012 through 2014 projected service needs and costs	Developmental Disabilities Administration	October 1, 2010

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Department of Health and Mental Hygiene submits a report detailing its performance in conducting annual Level of Care Re-evaluations in accordance with its federal Home and Community-based Waiver. The report shall include:

- (1) the method and documents used in conducting annual Level of Care Re-evaluations;
- (2) aggregate data on the numbers of individuals re-evaluated and a summary of the aggregate changes in level of care; and

## M00M

- (3) the manner in which the department provides notice of appeal rights under the Medicaid Fair Hearing Appeal process.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The language restricts funds pending the receipt of a report concerning annual Level of Care Re-evaluations.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Annual Level of Care Re-evaluations	Department of Health and Mental Hygiene	October 1, 2010

### **Committee Narrative**

**Transitioning Youth Program:** *The committees are interested in reconciling appropriations made for the Transitioning Youth program and actual expenditures under the program. The committees request the Developmental Disabilities Administration (DDA) to submit a report by October 1, 2010, detailing the following information for fiscal 2008, 2009 and 2010:*

- *legislative appropriations for the program;*
- *actual expenditures (by number of youth and category of service provided);*
- *to the extent that actual expenditures were less than the legislative appropriation, how that excess funding was spent; and*
- *to the extent that the legislative appropriation was less than actual expenditures, what other services were not provided in order to support the transitioning youth program.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
<i>Reconciliation of fiscal 2008, 2009, and 2010 transitioning youth expenditures</i>	<i>DDA</i>	<i>October 1, 2010</i>

**M00Q**  
**Department of Health and Mental Hygiene**  
**Medical Care Programs Administration**

**Budget Amendments**

**MEDICAL CARE PROGRAMS ADMINISTRATION**

**M00Q01.01 Deputy Secretary for Health Care Financing**

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of administering Medical Care Programs may not be expended until the Medical Care Programs Administration submits a report detailing estimated savings, program impact, and effects on utilization of implementing:

- (1) limitations on services including outpatient hospital, physician, clinics, federally qualified health centers, non-hospital and clinic laboratory and x-rays, nurse practitioner, targeted case management, and other services that are subject to material limits in other states. The analysis shall be based on the range of mandatory limitations in use in other states and up to the maximum in use in other states and allowable by federal law;
- (2) co-payments, to the extent permitted by federal law. The analysis shall be based on the range of co-payments currently applied in other states and up to the maximum in use in other states and allowable by federal law; and
- (3) premiums, to the extent permitted by federal law. The analysis shall be based on the range of premiums currently imposed in other states and up to the maximum in use in other states and allowable by federal law.

The report shall be submitted by November 15, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** *The language withholds funds pending the receipt of a report detailing the costs, program impacts, and effects on utilization of implementing various service limitations, co-payments, and premiums.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Savings and program impacts of various program changes	Medical Care Programs Administration	November 15, 2010

Amendment No. **28**

## M00Q

### M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on the applicability of the enhanced federal match to the State's Medicare clawback payment. On February 18, 2010, the United States Department of Health and Human Services announced that it would apply the American Recovery and Reinvestment Act of 2009 Medicaid enhanced federal match to state "clawback payments." These payments are made by the states to the federal government to offset the cost of Medicare coverage for prescription drugs for state residents eligible for both Medicare and Medicaid. This results in general fund savings to the fiscal 2010 and 2011 Medicaid budget. The proposed reduction is based on the assumption built into the Governor's allowance that the enhanced federal match will be in place for the whole of fiscal 2011.	24,000,000	GF
Total Reductions	24,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,742,174,807	1,718,174,807	24,000,000	
Special Fund	410,564,395	410,564,395	0	
Federal Fund	3,707,023,970	3,707,023,970	0	
<b>Total Funds</b>	<b>5,859,763,172</b>	<b>5,835,763,172</b>	<b>24,000,000</b>	

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. Funds not expended for these purposes shall revert to the General Fund or be cancelled.

**Explanation:** The language restricts funds for Medicaid provider reimbursements to that purpose.

## M00Q

Add the following language:

Provided that \$250,000 of this appropriation (\$125,000 in general funds and \$125,000 in federal funds) made for the purpose of provider reimbursements may not be expended for that purpose but instead may only be used for the procurement of an independent report detailing how the Medical Care Programs Administration can maximize savings from minimizing claims processing and eligibility payment errors, and employing additional utilization review strategies beyond efforts already undertaken by the Administration. The report shall include:

- (1) an assessment of the Administration's current strategies to reduce claims processing and eligibility payment errors and undertake utilization review;
- (2) the extent of claims processing and eligibility payment errors within the Medicaid program;
- (3) the identification of the reasons for claims processing and eligibility payment errors;
- (4) strategies to reduce claims processing and eligibility payment errors;
- (5) potential savings associated with reducing claims processing and eligibility payment errors;
- (6) potential savings from employing additional and/or different utilization review strategies; and
- (7) the resources required and associated costs to implementing strategies to reduce claims processing and eligibility payment errors and undertake different utilization review strategies.

The report, together with recommendations from the Departments of Health and Mental Hygiene and Human Resources to implement strategies identified in the report, shall be submitted to the budget committees by December 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund or be cancelled if the report is not submitted to the budget committees.

**Explanation:** The language restricts \$250,000 in the Medical Care Programs Administration for the purpose of obtaining an independent report providing an assessment of the administration's current strategies to minimize claims processing and eligibility payment errors in Medicaid and undertake utilization review and strategies for improvement in these areas.

## M00Q

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Independent report on claims processing and eligibility payment error reduction and utilization review strategies</i>	<i>Department of Health and Mental Hygiene Department of Human Resources</i>	<i>December 1, 2010</i>

Amendment No. 29

### M00Q01.06 Kidney Disease Treatment Services

Amend the following language to the special fund appropriation:

, provided that \$12,000,000 of this appropriation is contingent upon the enactment of legislation authorizing the use of ~~revenue from a nonprofit health service plan~~ Special Funds from the Community Health Resources Commission Fund for this purpose

**Explanation:** *This is a technical amendment to complement actions taken in the Budget and Reconciliation and Financing Act of 2010 that funds the Kidney Disease Program in fiscal 2011 only through a one-time transfer from the Community Health Resources Commission Fund.*

Amendment No. 30

### M00Q01.08 Major Information Technology Development Projects

Add the following language to the federal fund appropriation:

It is the intent of the General Assembly that in order to improve service delivery, generate savings through optimizing operational efficiency, and maximize federal fund claims, in replacing the current Medicaid Management Information System (MMIS) the Department of Health and Mental Hygiene (DHMH) fully implement the scope of work reflected in the fiscal 2011 Information Technology Project Request Form. That scope of work includes, but is not limited to, the replacement of the core MMIS, enhancements to the Pharmacy e-Prescriber system and Client Automated Resource and Eligibility System, and the addition of a Decision Support System.

Further provided that \$100,000 of the Federal Fund appropriation made for the purpose of replacing MMIS, may not be expended until the Department of Information Technology (DoIT) and DHMH submit to the budget committees reports on the following:

- (1) the extent of DoIT oversight, fulltime dedicated DHMH project and contract management being provided to the MMIS replacement project, detailing internal and external project and contract support, and the extent of subject matter expertise being dedicated to the

## M00Q

project, including how internal subject matter experts may be freed from their current responsibilities to dedicate time to the MMIS replacement project. The report shall be submitted by July 1, 2010, and the budget committees shall have 45 days to review and comment; and

- (2) if a contract award has not been made by November 1, 2010, an update on the status of the vendor selection process and any known adjustment to implementation deadlines. The report shall be submitted by November 15, 2010, and the budget committees shall have 45 days to review and comment. Nothing in this report request shall be considered as requiring the submission of information that may be considered prejudicial to the making of any subsequent award.

Funds restricted pending the receipt of these reports may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the reports are not submitted to the budget committees.

**Explanation:** The language adds legislative intent and requires two reports to be submitted concerning the proposed MMIS replacement project. The first concerns DHMH project and contract management and the availability of subject matter expertise and DoIT oversight. The second requires a project status report if the currently anticipated contract award date has not been met.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
MMIS project management oversight and subject matter expert availability	DoIT DHMH	July 1, 2010
MMIS project status if November 1, 2010 award date is not met	DoIT DHMH	November 15, 2010

Amendment No. 31

### Committee Narrative

**Reconciliation of Certain Hospital Assessment Revenue:** An important and growing revenue source for the expansion of Medicaid services to certain parents as well as emergency room services for childless adults, is the hospital assessment that is based on projected savings in hospital uncompensated care. Given the increasing reliance on this revenue source, the committees request the Department of Health and Mental Hygiene (DHMH) submit a report reconciling the hospital assessment revenue assumed in the fiscal 2009 budget to actual savings in uncompensated care for that same period.

## M00Q

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Reconciliation of certain hospital assessment revenue	DHMH	July 1, 2010

**N00**  
**Department of Human Resources**

**Committee Narrative**

**No Wrong Door Project:** The committees request that the Department of Human Resources (DHR), in consultation with the Advisory Board for Maryland Access Point, convene a committee comprised of representatives from DHR; the Department of Health and Mental Hygiene; the Department of Housing and Community Development; the Department of Aging; the Department of Labor, Licensing, and Regulation; the Department of Disabilities; and the Maryland State Department of Education, local departments of social services representatives, state elected officials, community organizations and advocates to investigate and recommend legislation, policies, procedures and technologies to deliver public assistance and in-kind assistance timely, accurately, efficiently, and in a manner that enhances customer dignity and community-based access. The committee should consider utilization of a uniform application for all benefits; enhanced or new information and case management technology; customer information sharing; partnerships with community organizations; multiple community-based service access points; expedited eligibility processing; and other means of service delivery consistent with its responsibility. DHR should report to the budget committees on the progress and initial outcomes of this No Wrong Door Project by December 31, 2010, and should provide a final report on these efforts no later than June 30, 2011.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Progress/initial outcome report	DHR	December 31, 2010
Final report	DHR	June 30, 2011

**N00A**  
**Department of Human Resources**  
**Office of the Secretary**

**Committee Narrative**

**OFFICE OF THE SECRETARY**

**N00A01.01 Office of the Secretary**

**Performance Measures Related to the Citizen’s Review Board for Children and Office of Grants Management:** In fiscal 2011, the Department of Human Resources (DHR) submitted revised Managing For Results goals and measures for the Citizen’s Review Board for Children (CRBC) and Office of Grants Management. The committees are concerned that focusing on the activities of the programs rather than outcomes of those programs limits the ability of the General Assembly to ensure that these programs are achieving the overall goals of the programs. The committees request that DHR include in the annual budget beginning with the fiscal 2012 budget allowance additional or alternative performance measures for CRBC and Office of Grants Management to reflect the outcomes these programs are designed to achieve.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Performance measures related to outcomes for CRBC and Office of Grants Management	DHR	With the submission of the fiscal 2012 budget allowance

**N00A01.02 Citizen’s Review Board for Children**

**Plan to Alter Case Reviews in the Citizen’s Review Board for Children:** Chapters 629 and 630 of 2009 altered the requirements for the review of out-of-home placement cases. These new requirements allow local boards to review cases based on priorities agreed upon by the Department of Human Resources (DHR) and Citizen’s Review Board for Children (CRBC). This change was expected to reduce the number of cases reviewed and as a result reduce salary expenditures of CRBC. DHR indicates it is still evaluating how the reviews will be conducted. The committees request that DHR submit a report on the changes to case reviews that occur as a result of Chapters 629 and 630 of 2009 and the related reductions in positions.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Plan to alter case reviews in CRBC	DHR	July 15, 2010

## N00A

### Budget Amendments

#### N00A01.05 Office of Grants Management

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce grant funding for the Child First Authority. This grant supports activities of the organization that includes after school and summer school programs in the Baltimore City Public School System. In recent years, this program has also received a federal sub-grant through the Maryland State Department of Education.	59,594	GF
Total Reductions	59,594	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	11,489,661	11,430,067	59,594	
Federal Fund	12,130,686	12,130,686	0	
<b>Total Funds</b>	<b>23,620,347</b>	<b>23,560,753</b>	<b>59,594</b>	

**N00E**  
**Department of Human Resources**  
**Operations Office**

**Budget Amendments**

**OPERATIONS OFFICE**

**N00E01.01 Division of Budget, Finance, and Personnel**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Delete funding for tuition assistance. This reduction removes the remaining funding for stipends and tuition assistance from the Department of Human Resources Administration.	141,421 GF 97,830 FF	
Total Reductions	239,251	0.00

<u><b>Effect</b></u>	<u><b>Allowance</b></u>	<u><b>Appropriation</b></u>	<u><b>Amount Reduction</b></u>	<u><b>Position Reduction</b></u>
Position	151.00	151.00		0.00
General Fund	9,380,365	9,238,944	141,421	
Federal Fund	6,705,250	6,607,420	97,830	
<b>Total Funds</b>	<b>16,085,615</b>	<b>15,846,364</b>	<b>239,251</b>	

**N00F**  
**Department of Human Resources**  
**Office of Technology for Human Services**

**Budget Amendments**

**OFFICE OF TECHNOLOGY FOR HUMAN SERVICES**

**N00F00.02 Major Information Technology Development Projects**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Delete funding for enhancements to Maryland Children’s Electronic Social Services Information Exchange. The fiscal 2011 allowance includes funding for five major information technology projects including two projects involving modifications to the WORKS system, one project for modifications to the Client Automated Resource and Eligibility System, and an enterprise content management system. This project should be deferred to enable the Department of Human Resources to complete the remaining projects. The general fund reduction occurs in the Major Information Technology Development Project Fund in the Department of Information Technology.	1,724,419	FF
Total Reductions	1,724,419	0.00

<u><b>Effect</b></u>	<u><b>Allowance</b></u>	<u><b>Appropriation</b></u>	<u><b>Amount Reduction</b></u>	<u><b>Position Reduction</b></u>
Federal Fund	18,342,830	16,618,411	1,724,419	
<b>Total Funds</b>	<b>18,342,830</b>	<b>16,618,411</b>	<b>1,724,419</b>	

**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. Funds not expended or transferred shall revert to the General Fund or be cancelled.

**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.

**N00G00.03 Child Welfare Services**

Add the following language:

Provided that all appropriations provided 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. Funds not expended or transferred shall be reverted to the General Fund or be cancelled.

**Explanation:** This language restricts funds appropriated for child welfare services to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

**Committee Narrative**

**Child Welfare Caseload Data:** The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Resources, on December 1, 2010, and March 1, 2011, report to the committees on the actual number of cases and filled positions assigned, by jurisdiction, for the following caseload types using data current within 70 days:

## N00G

1. Intake Screening;
2. Child Protective Investigation;
3. Continuing Child Protective Services;
4. Intensive Family Services;
5. Families NOW Levels II – III;
6. In-home Family Services;
7. Foster Care;
8. Kinship Care;
9. Adoption Services;
10. Interstate Compact for the Placement of Children;
11. Court-ordered Home Studies;
12. Resource Family Development and Support – New Applicants;
13. Resource Family Development and Support – Ongoing and License Renewals/Kinship Caregivers; and
14. Casework Supervisors.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types	Department of Human Resources	December 1, 2010 March 1, 2011

**Monthly Child Welfare Statistics – Internet Posting:** In the interest of transparency in government, the committees request that the Department of Human Resources (DHR) begin posting on the department’s web site basic caseload statistics for child welfare by jurisdiction on a monthly basis. The committees note that the DHR Family Investment Administration does a good job of posting data relating to assistance on the DHR web site in a timely fashion and encourage the DHR Social Services Administration to do the same.

## N00G

### N00G00.05 General Administration

**Implementation of Consolidation of Administrative Functions:** Section 24 of the fiscal 2011 budget bill contains a reduction, in part, to implement a consolidation of some administrative functions in the local departments of social services. As part of this consolidation, the Department of Human Resources (DHR) is expected to produce a plan on how this consolidation will be implemented. The committees request a copy of this plan to better understand how this action will be implemented and impact the local departments.

Information Request	Author	Due Date
Plan for the implementation of the consolidation of administrative functions	DHR	June 1, 2010

### Budget Amendments

#### N00G00.08 Assistance Payments

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00G00.04 Adult Services to be used only for respite care services. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts \$500,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for respite care services in the Department of Human Resources' Adult Services. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

Add the following language to the general fund appropriation:

Further provided that \$550,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00A01.05 Office of Grants Management to be used only for the Service-linked Housing Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

## N00G

**Explanation:** This language restricts \$550,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for the Service-Linked Housing Program in the Department of Human Resources' Office of Grants Management. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Temporary Disability Assistance Program to reflect slowing caseload growth. The rate of caseload increase in the first six months of fiscal 2010 is half that experienced in fiscal 2009. This reduction leaves \$1 million more than current projections indicate will be needed.	5,450,000	GF
Total Reductions	5,450,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	59,279,808	53,829,808	5,450,000	
Special Fund	16,410,790	16,410,790	0	
Federal Fund	816,220,679	816,220,679	0	
<b>Total Funds</b>	<b>891,911,277</b>	<b>886,461,277</b>	<b>5,450,000</b>	

**N00H**  
**Department of Human Resources**  
**Child Support Enforcement Administration**

**Budget Amendments**

**CHILD SUPPORT ENFORCEMENT ADMINISTRATION**

**N00H00.08 Support Enforcement – State**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce funding for the child support privatization contract to recognize additional savings from transitioning child support operations in Queen Anne’s County back to State operations. This reduction makes the transition cost neutral in fiscal 2011.	69,417 SF 134,751 FF	
 Total Reductions	 204,168	 0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	89.00	89.00		0.00
General Fund	1,066,577	1,066,577	0	
Special Fund	12,255,615	12,186,198	69,417	
Federal Fund	27,688,675	27,553,924	134,751	
<b>Total Funds</b>	<b>41,010,867</b>	<b>40,806,699</b>	<b>204,168</b>	

**N00I**  
**Department of Human Resources**  
**Family Investment Administration**

**Budget Amendments**

**FAMILY INVESTMENT ADMINISTRATION**

**N00I00.06 Office of Home Energy Programs**

Add the following language:

Provided that \$1,020,000 of the Special Fund appropriation and \$980,000 of the Federal Fund appropriation made for the purpose of software maintenance and systems support for application software development for the Office of Home Energy Programs (OHEP) data system may not be expended for that purpose in OHEP but instead may be transferred by budget amendment to N00F00.04 Office of Technology for Human Services program to be used only for the purpose of software maintenance and systems support for application software development for the OHEP data system. Funds not expended for this restricted purpose in N00F00.04 may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This language transfers the appropriation for the software maintenance, support, and system development for the OHEP data system to Office of Technology for Human Services (OTHS) consistent with the budgeting of the other information technology projects in the Department of Human Resources (DHR). DHR advises that OTHS manages and procures contracts for the OHEP data system. Funds not transferred for this purpose to OTHS shall be cancelled.

**P00**  
**Department of Labor, Licensing, and Regulation**

**Budget Amendments**

**DIVISION OF RACING**

**P00E01.03 Racetrack Operation**

Reduce appropriation for the purposes indicated:	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Delete the funds for 3 long-term vacant positions under the Division of Racing. The harness racing judge positions are assigned to a racetrack that is not currently providing racing activities. The positions will remain with the department in the event that live racing resumes.	51,927 GF	
Total Reductions	51,927	0.00

<u><b>Effect</b></u>	<u><b>Allowance</b></u>	<u><b>Appropriation</b></u>	<u><b>Amount Reduction</b></u>	<u><b>Position Reduction</b></u>
Position	9.00	9.00		0.00
General Fund	1,540,837	1,488,910	51,927	
Special Fund	527,342	527,342	0	
<b>Total Funds</b>	<b>2,068,179</b>	<b>2,016,252</b>	<b>51,927</b>	

**P00E01.04 Share of Racing Revenue to Local Subdivisions**

Reduce appropriation for the purposes indicated:	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce horse racing impact aid to the fiscal 2010 cost containment level. This action reduces the aid by half. The Budget Reconciliation and Financing Act of 2010 should be amended to transfer these special funds to the general fund.	602,800 SF 400,000 SF	
Total Reductions	602,800 400,000	

**P00**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	1,205,600	<del>602,800</del> 805,600	<del>602,800</del> 400,000	
<b>Total Funds</b>	<b>1,205,600</b>	<b><del>602,800</del></b> <b>805,600</b>	<b><del>602,800</del></b> <b>400,000</b>	

Amendment No. **32**

**DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING**

**P00G01.01 Office of the Assistant Secretary**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce general funds for the Maryland Summer Youth Program. The Workforce Investment Act provides significant federal funds for services related to youth employment.</del>	<del>60,000</del>	<del>GF</del>
2. <del>Reduce Delete</del> two general fund grants aimed at urban youth employment. The Workforce Investment Act provides significant federal funds for services for youth employment.	<del>177,555</del> 355,110	<del>GF</del> GF
3. <del>Delete funds for the foreign trained nursing program. This program has already been scaled back due to the cost containment effort.</del>	<del>100,000</del>	<del>GF</del>
Total Reductions	<del>237,555</del> 455,110	

**P00**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	18.00	18.00		0.00
General Fund	575,110	<del>337,555</del> 120,000	<del>237,555</del> 455,110	
Federal Fund	33,916,500	33,916,500	0	
<b>Total Funds</b>	<b>34,491,610</b>	<del><b>34,254,055</b></del> <b>34,036,500</b>	<del><b>237,555</b></del> <b>455,110</b>	

Amendment No. **33**

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

**Budget Amendments**

Add the following language:

Provided that the Department of Public Safety and Correctional Services shall not employ more than 2 assistant secretary positions and that additional assistant secretary positions shall not be created unless both statutory deputy secretary positions are filled.

**Explanation:** This language ensures that the Department of Public Safety and Correctional Services (DPSCS) maintains executive administration in accordance with what is prescribed in statute and within the departmental budget. DPSCS is provided, in statute, 2 deputy secretary positions. The department is currently reviewing its leadership structure and this language ensures that changes are not implemented without going through the appropriate budgetary and statutory processes.

**OFFICE OF THE SECRETARY**

**Q00A01.01 General Administration**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Delete funding for 1 deputy secretary position (036330) which has been vacant for more than 24 months. Statutorily, the department is authorized 2 deputy secretary positions. This position, historically utilized for overseeing correctional operations and special assignments as dictated by the Secretary, has been vacant since September 2007. During that same time period, the department has experienced significant reductions in contraband and assaults, while improving efficiency of operations.</i>	112,645 GF	
2. Delete 1 deputy director position (002664) within the Legislative Liaison Unit. This position has been vacant since December 2006, more than 36 months.	59,863 GF	1.00
3. <del>Delete</del> Reduce funding for the Public Safety Death Benefits program. As of fiscal 2009, this program has accrued \$4.2 million. Even with the fiscal 2010 cost containment action to revert \$2.1 million, the program will still have accrued \$2.1 million, which is adequate to fund the average number of claims received each	1,945,000 GF 1,500,000 GF	

**Q00A**

year. This action also leaves \$445,000 in the fiscal 2011 allowance for this purpose.

Total Reductions	<del>2,004,863</del>	1.00
	1,672,508	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	169.50	168.50		1.00
General Fund	22,411,319	<del>20,406,456</del>	<del>2,004,863</del>	
		20,738,811	1,672,508	
Special Fund	507,493	507,493	0	
Federal Fund	850,000	850,000	0	
<b>Total Funds</b>	<b>23,768,812</b>	<del><b>21,763,949</b></del>	<del><b>2,004,863</b></del>	
		<b>22,096,304</b>	<b>1,672,508</b>	

Amendment No. 34

**Q00A01.09 Professional Development and Training Division**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>		<u>Positions</u>
1. Delete funding associated with an executive assistant position (036689) within the Professional Development and Training Division. This position has been vacant since September 2008, more than 16 months.	44,554	GF	
2. Delete 1 functional analyst position (057659) which has been vacant for more than 16 months. This position, responsible for developing distance learning programs, has been vacant since September 2008.	50,476	GF	1.00
Total Reductions	95,030		1.00

**Q00A**

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	14.00	13.00		1.00
General Fund	1,783,314	1,688,284	95,030	
Special Fund	8,000	8,000	0	
<b>Total Funds</b>	<b>1,791,314</b>	<b>1,696,284</b>	<b>95,030</b>	

**Q00C01**  
**Department of Public Safety and Correctional Services**  
**Maryland Parole Commission**

**Budget Amendments**

**MARYLAND PAROLE COMMISSION**

**Q00C01.01 General Administration and Hearings**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Increase turnover expectancy to 6%. This would place the fiscal 2011 turnover rate more in line with historical vacancy rates.	83,821 GF	
 Total Reductions	 83,821	 0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	74.00	74.00		0.00
General Fund	5,255,829	5,172,008	83,821	
<b>Total Funds</b>	<b>5,255,829</b>	<b>5,172,008</b>	<b>83,821</b>	

**Committee Narrative**

**Impact of Parole Guidelines on Parole Rates and Rates of Return:** The committees direct the Maryland Parole Commission to conduct and report the findings of a comparative assessment of its current parole guidelines after three years of implementation. The report should provide a comparison of the number of paroles and parolee return rates for fiscal 2005 through 2008. The report should also compare the one and two-year return rates of parolees who had an education, substance abuse, or vocation program completion versus those who did not. The report shall be submitted to the budget committees no later than November 1, 2010.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Impact of parole guidelines on parole rates and rates of return	Maryland Parole Commission	November 1, 2010

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

**Budget Amendments**

**DIVISION OF PAROLE AND PROBATION**

**Q00C02.02 Field Operations**

Add the following language to the general fund appropriation:

provided that \$714,480 of this appropriation made for the purpose of supporting Community Adult Rehabilitation Centers (CARCs) may only be expended in support of locally sentenced inmates housed at the CARC in Cecil County. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that it is the intent of the General Assembly that inmates sentenced to the Division of Correction shall not be housed in CARC facilities and that fiscal 2011 be the final year that State funding is provided to support CARC operations.

**Explanation:** Established in statute in 1976, CARCs house inmates who are residents of the county where the CARC is located and have been sentenced for three years or less with less than six months remaining until parole or the end of a sentence. CARCs house both State-sentenced inmates under the jurisdiction of the Division of Correction and locally sentenced inmates ordered to the CARC by the overseeing court. The State provides supporting for all operating expenses in excess of available federal grant funding and inmate contributions toward room and board. Given the current overcrowding experienced by Cecil County, this action restricts the amount of funding necessary to support housing the locally sentenced inmate population at the Cecil County CARC for that purpose only. This action also expresses the intent of the General Assembly that State-sentenced inmates be transferred to State-operated facilities and that fiscal 2011 be the final year of providing State support for CARC facilities.

Amendment No. 35

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding for the Community Adult Rehabilitation Centers (CARC) in Montgomery County and funding for State-sentenced inmates housed in the CARC in Cecil <del>counties</del> County. The State currently funds the full cost of operating these facilities, paid on a per diem basis, yet not all inmates housed at the CARCs are State-sentenced inmates.	1,424,544 710,064	GF GF

## Q00C02

This action requires a corresponding action in the Budget Reconciliation and Financing Act of 2010. *This action still provides \$714,480 in fiscal 2011 to support locally sentenced inmates housed at the Cecil County CARC.*

Total Reductions 1,424,544  
710,064

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1144.00	1144.00		0.00
General Fund	82,689,617	81,265,073 81,979,553	1,424,544 710,064	
Special Fund	7,860,276	7,860,276	0	
Federal Fund	3,936,345	3,936,345	0	
<b>Total Funds</b>	<b>94,486,238</b>	<b>93,061,694 93,776,174</b>	<b>1,424,544 710,064</b>	

Amendment No. **36**

### Committee Narrative

**Drinking Driver Monitor Program Active Cases under Supervision:** The committees direct the Division of Parole and Probation (DPP), as part of its Managing For Results performance measures, to report the number of active cases under supervision within the Drinking Driver Monitor Program (DDMP). The division currently reports active cases for parolees, probationers, and mandatory releases. Providing the number of active cases for DDMP would provide a more accurate indication of the supervision population.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
DDMP Active Cases	DPP	With the annual budget submission

**Consolidating Office Space in the Division of Parole and Probation:** The committees direct the Division of Parole and Probation (DPP), in coordination with the Department of General

## Q00C02

Services (DGS), to conduct an analysis reviewing the potential for consolidating office space for Drinking Driver Monitor Program and DPP field offices. The report should take into account agent to caseload ratios, size of personnel at each location, and the impact of expanding the Kiosk program. The report should also compare current office space to the potential for moving to new locations. DPP and DGS should take into account the impact of breaking current leases and whether consolidation will be the most cost effective. The report should be submitted to the budget committees no later than September 1, 2010.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Consolidating office space	DPP DGS	September 1, 2010

**Q00D**  
**Department of Public Safety and Correctional Services**  
**Patuxent Institution**

**Committee Narrative**

**PATUXENT INSTITUTION**

**Q00D00.01 Services and Institutional Operations**

**Analysis of Consolidating the Patuxent Institution within the Division of Correction:** The committees direct the Department of Public Safety and Correctional Services (DPSCS) to conduct a cost-benefit analysis of incorporating the Patuxent Institution into the Division of Correction (DOC). A significant portion of the offenders housed at the Jessup facility are DOC-sentenced inmates, and the department is already in the process of moving toward a mission-specific institution format. The committees believe consolidating the Patuxent Institution to be a DOC facility could result in improved efficiency of departmental operations, expanded and better coordinated mental health services, and significant cost savings. The analysis should specifically examine the operational and legislative changes necessary to incorporate the Patuxent Institution into the DOC and identify potential cost-savings and operational efficiencies. The report should also address any concerns or obstacles the department has regarding a potential consolidation. The report should be submitted to the budget committees no later than October 1, 2010.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Analysis of consolidating the Patuxent Institution within DOC	DPSCS	October 1, 2010

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

**Budget Amendments**

**POLICE AND CORRECTIONAL TRAINING COMMISSIONS**

**Q00G00.01 General Administration**

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Professional Development Fund. This action level-funds the fiscal 2011 allowance in line with the fiscal 2010 appropriation and still allows \$50,000 for providing training grants to criminal justice professionals.	50,000 GF	
2. Delete funding for replacement equipment. Funds appropriated for this purpose were not spent in both fiscal 2008 and 2009.	18,747 GF	
3. Delete funding for Annapolis office space. The purpose of the Public Safety Education and Training Center (PSETC) in Sykesville was to consolidate training in one central location. The Advanced and Specialized Training Unit, currently using the Annapolis space, should be relocated to PSETC.	33,150 GF	
4. Reduce funding for motor vehicle purchases. This still allows a \$5,000 increase over fiscal 2009 actual expenditures.	45,942 GF	
5. Delete 2.0 vacant positions. The agency only needs 4.8 vacant positions to meet budgeted turnover for fiscal 2011 but currently has 10.2 vacancies. This reduction is reflective of the average salary and fringe benefits for the current vacancy pool.	96,762 GF	2.00
6. Reduce building and household supplies in line with fiscal 2009 actual expenditures.	10,000 GF	
Total Reductions	254,601	2.00

**Q00G**

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	80.00	78.00		2.00
General Fund	7,163,519	6,908,918	254,601	
Special Fund	352,000	352,000	0	
Federal Fund	42,089	42,089	0	
<b>Total Funds</b>	<b>7,557,608</b>	<b>7,303,007</b>	<b>254,601</b>	

**Q00K**  
**Department of Public Safety and Correctional Services**  
**Criminal Injuries Compensation Board**

**Budget Amendments**

**CRIMINAL INJURIES COMPENSATION BOARD**

**Q00K00.01 Administration and Awards**

Add the following language to the special fund appropriation:

. provided that \$250,000 of this appropriation made for the purpose of funding administrative operating expenses within the Criminal Injuries Compensation Board (CICB) may not be expended until CICB provides the following information:

- (1) confirmation that all staff and board members have completed training on maintaining compliance with the State Open Meetings Law and the Administrative Procedure Act;
- (2) confirmation that all staff and board members who have interaction with victims and their families have completed sensitivity training;
- (3) a report on each case in fiscal 2010 where statutory timeline provisions were violated and the number of claims where the claimant was requested to resubmit information;
- (4) the potential for providing a victim advocate within existing agency resources to assist with victims' needs, and if existing resources are inadequate, the cost of creating a victim advocate position; and
- (5) proposed solutions for addressing the fiscal concerns regarding the amount of funding available for making awards to victims of crime, including potential legislation.

It is the intent of the General Assembly that CICB improve its efficiency of operations and alter its agency culture in order to better address the needs of Maryland's crime victim population and create a more victim-friendly environment.

The report shall be submitted by October 15, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise for any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is concerned that CICB has not been operating in an efficient or victim friendly manner. Most notably, the agency may not always be compliant with the State Open Meetings Law and Administrative Procedures Act or timely in its processing of victims' claims. This action requires CICB to provide training on relevant State laws, in addition to providing sensitivity training for personnel who work directly with victims, in order to

## Q00K

improve agency operations. The agency is also required to submit information regarding cases that are not addressed within the statutory timeframe, the potential for maintaining a victim advocate position, and possible solutions for increasing the amount of funding available to victims of crime.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Improving CICB operations	CICB	October 15, 2010

**R00A01**  
**State Department of Education**  
**Headquarters**

**Budget Amendments**

Add the following language:

Provided that a reduction of \$524,776 is made for the Deferred Compensation Match (Comptroller subobject 0172). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$132,638</u>
<u>Special</u>	<u>\$6,911</u>
<u>Federal</u>	<u>\$385,227</u>

**Explanation:** This action deletes the Maryland State Department of Education fiscal 2011 allowance for the Deferred Compensation Match, which should be deleted in all agencies. The total reduction should be split as indicated above among general, special, and federal funds.

Add the following language:

Further provided that a \$225,000 reduction is made to implement furloughs for loaned educator contracts (Comptroller subobject 0885). This reduction shall be allocated among the divisions according to the following fund types:

<u>Fund</u>	<u>Amount</u>
<u>General</u>	<u>\$67,073</u>
<u>Federal</u>	<u>\$140,670</u>
<u>Special</u>	<u>\$17,257</u>

**Explanation:** The loaned educator program at the Maryland State Department of Education (MSDE) allows local school system employees to work for MSDE on special projects. These personnel should incur salary reductions equivalent to furloughs incurred by State employees in similar positions.

As of January 2010, MSDE has 44 loaned educators who earn more than \$100,000 annually, and it is assumed that their salaries average \$125,000. There are 5 loaned educators who earn between \$50,000 and \$100,000, and it is assumed their salaries average \$75,000. The furlough

## R00A01

for State employees earning more than \$100,000 is roughly 3.84% of their salary, and the amount for those earning between \$50,000 and \$100,000 is roughly 3.45%.

### HEADQUARTERS

#### R00A01.01 Office of the State Superintendent

Amend the following language:

Provided that it is the intent of the General Assembly that no individual loaned educator be engaged by the Maryland State Department of Education (MSDE) for more than ~~five~~ six years. For loaned educators engaged in fiscal 2010, the time already served at MSDE shall not be counted toward the six-year limit.

Further provided that it is the intent of the General Assembly that all loaned educators submit annual financial disclosure statements, as is required by State employees in similar positions.

Further provided that MSDE shall provide an annual census report on the number of loaned educator contracts and any conversion of these personnel to regular positions to the General Assembly by December 15, 2010. The annual report shall include job function, title, salary, fund source(s) for the contract, the first year of the contract and the number of years that each loaned educator has been employed by the State, and whether the educator files a financial disclosure statement. MSDE shall also provide a report to the budget committees prior to entering into any new loaned educator contract to provide temporary assistance to the State. The budget committees shall have 45 days to review and comment from the date of receipt of any report on new contracts.

**Explanation:** The loaned educator program at MSDE allows local school system employees to work for MSDE on special projects. If these personnel need to be engaged for more than ~~five~~ six years, they should be hired as regular MSDE personnel and not through loaned educator contracts.

Information Request	Author	Due Date
Report on loaned educator contracts	MSDE	December 15, 2010

Amendment No. 37

## R00A01

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete remaining funds for the Share the State Fair program. Statute requires the agency to budget \$25,000 annually for the program, but demand is low. Only one local education agency has applied for fiscal 2010 funds (each local education agency may apply for up to \$1,000 per year). A separate recommendation will propose eliminating the statutory mandate.	1,000	GF
Total Reductions	1,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	81.10	81.10		0.00
General Fund	4,884,031	4,883,031	1,000	
Special Fund	576,929	576,929	0	
Federal Fund	5,373,780	5,373,780	0	
<b>Total Funds</b>	<b>10,834,740</b>	<b>10,833,740</b>	<b>1,000</b>	

### Committee Narrative

**Report on High School Dropouts:** *The committees are encouraged by the decrease of 1,900 in the number of high school dropouts from the 2007-2008 school year to the 2008-2009 school year but are concerned that dropout rates are still too high in many areas of the State. The committees request that the Maryland State Department of Education submit a report on the number of dropouts during the 2009-2010 school year and the number of dropouts through January 31 of the 2010-2011 school year. The report should include dropout numbers and rates by school system for the 2009-2010 school year, the number of dropouts by school system through January 31, 2011, for the 2010-2011 school year, and best practices being implemented in Maryland school systems or other states to reduce dropout rates. The report should be submitted to the committees by March 1, 2011.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on high school dropouts	Maryland State Department of Education	March 1, 2011

## R00A01

### R00A01.04 Division of Accountability and Assessment

**Legislative Auditor Review of Assessment Contracts:** In the 2009 legislative session, the General Assembly added language to the budget bill that directed the Maryland State Department of Education (MSDE) to submit a report on the cash flow needed for assessment contracts for fiscal 2009, 2010, and 2011. The committees are concerned that MSDE's cash flow report for fiscal 2010 and 2011 does not reconcile with the amounts budgeted for assessment contracts in those years.

The assessment contracts total at least \$30 million annually. Given the magnitude of these contracts, the committees request that the legislative auditors review assessment contracts and related documents and provide a report to the committees by December 1, 2010. The report should include the amount owed by month for each contract currently in effect, taking into account that these contracts extend over multiple years.

Information Request	Author	Due Date
Legislative auditor review of MSDE assessment contracts	Office of Legislative Audits	December 1, 2010

**Major Information Technology Projects on Longitudinal Data:** The Maryland State Department of Education (MSDE) has major information technology (IT) projects underway to gather longitudinal data about student performance from pre-kindergarten through college and the workplace. Detailed teacher data also will be gathered.

At this point, information technology and budget documents associated with the effort do not match. Frequent changes in these documents make it difficult to track overall progress on the longitudinal data effort. The committees request that MSDE, the Maryland Higher Education Commission (MHEC), and the Department of Information Technology (DoIT) jointly submit a report by December 1, 2010, about the overall design and requirements of the longitudinal data effort. The report should describe the anticipated number of IT projects and phases involved, the projected schedule, and available federal funds. Project cost estimates should be provided to the extent possible.

Information Request	Authors	Due Date
Major IT projects related to longitudinal data	MSDE MHEC DoIT	December 1, 2010

## R00A01

### Budget Amendments

#### R00A01.12 Division of Student, Family and School Support

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce the general fund increase for management studies (subobject 0821). The reduction still leaves \$2.5 million for these studies in fiscal 2011, including the increase of \$1.1 million from special and federal funds. The reduction may be allocated among the department's divisions.</del>	<del>225,309</del>	<del>GF</del>
Total Reductions	<del>225,309</del> 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	48.50	48.50		0.00
General Fund	2,501,156	<del>2,275,847</del> 2,501,156	<del>225,309</del> 0	
Special Fund	25,000	25,000	0	
Federal Fund	4,636,124	4,636,124	0	
<b>Total Funds</b>	<b>7,162,280</b>	<del><b>6,936,971</b></del> <b>7,162,280</b>	<del><b>225,309</b></del> <b>0</b>	

Amendment No. **38**

### Committee Narrative

#### R00A01.17 Division of Library Development and Services

***Funds for the Library for the Blind and Physically Handicapped:** The Maryland State Department of Education (MSDE) is working to institute a new textbook program in its Library for the Blind and Physically Handicapped. The Higher Education Textbook Coordination Program procures digital texts from publishers and distributes them to students or higher education institutions. The program initially was budgeted at \$200,000 for fiscal 2010. Cost containment reductions of \$150,000 were made, but MSDE identified internal efficiencies that allowed a transfer of \$120,000 from other programs to support the new textbook program.*

## **R00A01**

*Therefore, the textbook program currently is funded at \$170,000 for 2010, or 85% of the initial budget.*

*The committees strongly encourage MSDE to fully fund the Library for the Blind and Physically Handicapped, including the Higher Education Textbook Coordination Program.*

### **R00A01.19 Home and Community Based Waiver for Children with Autism Spectrum Disorder**

**Additional Funds Needed for Waiver Program for Children with Autism:** The committees are concerned about the long waiting list for the Autism Waiver Program. The Home and Community Based Waiver for Children with Autism Spectrum Disorder currently serves 900 children who are at risk of institutional placement. More than 3,000 children are on the waiting list for the program. However, only 50 to 75 slots become available each year from turnover. As a result, even though early intervention is important, children may spend years on the waiting list. Many children may age out before they ever receive services.

The committees strongly encourage the Governor to provide approximately \$1.2 million in additional State funds that would leverage federal matching funds for up to 100 additional slots per year. The State currently is in year one of a five-year federal contract through which Medicaid provides a 50% match to State funds for the program. The contract authorizes federal matching funds if State funds are provided. The Autism Waiver Program has been level funded at \$10.8 million in general funds since fiscal 2008, which is not enough to meet increased demand for these critical services.

**R00A02**  
**State Department of Education**  
**Aid to Education**

**Budget Amendments**

Add the following language:

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

**Explanation:** *The Maryland State Department of Education should not transfer any funds from Aid to Education until the transfer is reviewed and approved by the budget committees. This includes additional federal funds available through the American Recovery and Reinvestment Act of 2009.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
<i>Report on any transfer of funds from R00A02</i>	<i>Maryland State Department of Education</i>	<i>45 days prior to transfer</i>

Amendment No. **39**

**AID TO EDUCATION**

**R00A02.04 Children at Risk**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. <del>Reduce general funds for the SEED School of Maryland. This reduction represents 5% of the fiscal 2011 allowance. The school still would receive \$5.7 million in general funds. General funds should be reduced to help address the State's current fiscal constraints.</del>	300,000	GF
 Total Reductions	300,000	0

**R00A02**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	6,000,000	5,700,000 6,000,000	300,000 0	
Special Fund	2,387,838	2,387,838	0	
Federal Fund	21,962,842	21,962,842	0	
<b>Total Funds</b>	<b>30,350,680</b>	<b>30,050,680</b> <b>30,350,680</b>	<b>300,000</b> <b>0</b>	

Amendment No. 40

**R00A02.13 Innovative Programs**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce Fine Arts grants. These funds were transferred into the Aid to Education budget for fiscal 2011 from the Maryland State Department of Education Headquarters budget. These funds should be reduced to help address the State's current fiscal constraints.	563,060 GF 300,000 GF	
Total Reductions	563,060 300,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	3,929,266	3,366,206 3,629,266	563,060 300,000	
Federal Fund	14,874,166	14,874,166	0	
<b>Total Funds</b>	<b>18,803,432</b>	<b>18,240,372</b> <b>18,503,432</b>	<b>563,060</b> <b>300,000</b>	

Amendment No. 41

**R00A03**  
**State Department of Education**  
**Funding for Educational Organizations**

**Budget Amendments**

**FUNDING FOR EDUCATIONAL ORGANIZATIONS**

**R00A03.04 Aid to Non – Public Schools**

Add the following language to the special fund appropriation:

*Further provided that \$853,993 of this appropriation made for the purpose of providing grants for nonpublic school textbooks and technology may not be expended for that purpose, but instead may only be transferred by budget amendment to the Medical Care Provider Reimbursements program – M00Q01.03. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled and revert to the Cigarette Restitution Fund.*

***Explanation:*** The nonpublic school textbook and technology program is budgeted to receive \$4.44 million in the fiscal 2011 allowance. This action reduces funding to the fiscal 2009 level of \$3.6 million and authorizes the \$853,993 reduction to instead be transferred to support Medicaid expenditures.

Amendment No. **42**

**R00A04**  
**State Department of Education**  
**Children's Cabinet Interagency Fund**

**Budget Amendments**

**R00A04.01 Children's Cabinet Interagency Fund**

Add the following language:

Local Management Boards shall report to the Governor's Office for Children all funding from non-Children's Cabinet Interagency Fund sources and shall report how the funds were expended.

**Explanation:** This language requires Local Management Boards to include all funding budgeted and expended from non-Children's Cabinet Interagency Fund sources when submitting their financial reports to the Governor's Office for Children.

Amendment No. **43**

Add the following language to the general fund appropriation:

, provided that \$210,000 of this appropriation made for the purpose of funding early intervention and prevention programs may not be expended for that purpose but instead may only be used to supplement funding of Local Management Board administration. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts a portion of the \$15.7 million intended for early intervention and prevention programs to be used to supplement funding for Local Management Board (LMB) administration. Together with funding restricted in the budget for the Governor's Office for Children and LMB funding included in this budget as originally introduced, this additional funding brings the total for LMB administration to \$3.0 million.

Add the following language to the federal fund appropriation:

, provided that \$1,823,709 of this appropriation made for the purpose of early intervention and prevention activities may only be used to fund these activities through Youth Services Bureaus. Further provided that the allocation of funding among Youth Services Bureaus shall be distributed in the same proportions as provided in fiscal 2010. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

## R00A04

**Explanation:** This language restricts funds to only be used for Youth Services Bureaus and requires the funding to be distributed among the bureaus in the same proportion as in fiscal 2010.

### Committee Narrative

**Out-of-home Placements:** To facilitate evaluation of Maryland's family preservation programs in stemming the flow of children from their homes, the Governor's Office for Children (GOC), on behalf of the Children's Cabinet, is requested to prepare and submit to the budget committees a report on out-of-home placements containing data on the total number of out-of-home placements and entries by jurisdiction over the previous three years and similar data on out-of-state placements. The report should also provide information on the costs associated with out-of-home placements, the reasons for new placements, and an evaluation of data derived from the application of the Maryland Family Risk Assessment. Data should also be collected concerning indicated findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of case closure. Each agency or administration that funds or places children and youth in out-of-home placements is requested to work closely with GOC and comply with any data requests necessary for the production of the report. The report should be submitted to the committees by December 1, 2010.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on out-of-home placements	GOC	December 1, 2010

**R13M**  
**Morgan State University**

**Committee Narrative**

**Faculty Instructional Workload Report:** 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 institution. Additional information may be included in the report at MSU's discretion.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Annual report on instructional workload for tenured and tenure-track faculty	MSU	December 1, 2010

**Institutional Aid Report:** The committees request that Morgan State University (MSU) submit all categories (need-based, merit, mission, and athletic) of institutional aid data. The report should be in the same format it is submitted to the Maryland Higher Education Commission (MHEC) and should include prior year actual, current year working, and allowance. The report should be submitted by January 10, 2011.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on all categories of institutional aid provided in the same format submitted to MHEC	MSU	January 10, 2011

**Report on Outcomes of Students Participating in Access and Success Programs by Cohort:** The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBI). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

## R13M

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs	BSU CSU MSU UMES	August 15, 2010
Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs	MHEC	October 15, 2010

**R14D**  
**St. Mary's College of Maryland**

**Budget Amendments**

**ST. MARY'S COLLEGE OF MARYLAND**

**R14D00.00 Operation And Maintenance Of Plant**

Add the following language to the unrestricted fund appropriation:

, provided that \$250,000 of this appropriation may not be expended until St. Mary's College of Maryland submits a report updating the budget committees on progress toward addressing findings raised by the Office of Legislative Audits in the February 2010 audit. The report shall include changes made to the college's internal controls and how the Board of Trustees may be more proactive in responding to audit findings. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** *The General Assembly is interested in the progress St. Mary's College of Maryland (SMCM) is making toward addressing findings raised by its most recent audit and how it can better respond to findings raised by the Office of Legislative Audits. The SMCM Board of Trustees shall submit a report to the budget committees on progress made toward addressing the most recent audit's findings and also outline how the Board of Trustees can be more proactive in responding to audit findings. The report shall be submitted by September 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.*

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
<i>Report on addressing audit findings and on Board of Trustees oversight</i>	<i>SMCM Board of Trustees</i>	<i>September 1, 2010</i>

Amendment No. **44**

**R30B00**  
**University System of Maryland**

**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. Furthermore, 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.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Annual report on instructional workload for tenured and tenure-track faculty	USM	December 1, 2010

**Institutional Aid Report:** The committees request that data be submitted for each University System of Maryland (USM) institution on all categories of institutional aid (need-based, merit, mission, and athletic). Data on tuition remission should be submitted as a separate category. The report should be in the same format it is submitted to the Maryland Higher Education Commission (MHEC) and include prior year actual, current year working, and allowance. The report should be submitted by January 10, 2011.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on all categories of institutional aid provided in the same format submitted to MHEC	USM	January 10, 2011

**R30B21**  
**University System of Maryland**  
**University of Maryland, Baltimore**

**Budget Amendments**

**UNIVERSITY OF MARYLAND, BALTIMORE**

**R30B21.00 Instruction**

Amend the following language:

. provided that ~~\$250,000~~ \$500,000 of this appropriation may not be expended until the University of Maryland, Baltimore School of Law submits a report containing complete information, to the extent possible, from each law school clinic the Environmental Law Clinic listing and describing each legal case in the past five two years in which they participated in a court action, including the client represented, complete delineation of the non-privileged expenditures for each case, and the source of funds for each expenditure. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in the cases pursued by the University of Maryland, Baltimore (UMB) ~~School of Law clinics~~ Environmental Law Clinic. The School of Law shall submit a report with information, to the extent possible, of each case in which they participated in a court action, including non-privileged expenditures and the source of funds for each expenditure. The report shall be submitted by August 1, 2010, and ~~\$250,000~~ \$500,000 of the unrestricted fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on the activities of the UMB <del>School of Law clinics</del> Environmental Law Clinic	UMB	August 1, 2010

Amendment No. **45**

Add the following language to the unrestricted fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the University of Maryland, Baltimore submits a report updating the budget committees on progress toward addressing findings raised by the Office of Legislative Audits in the February 2010 audit. The

## R30B21

report shall include updated policies regarding the kinds of special compensation payments made to faculty and the justifications for making such payments. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in the progress the University of Maryland, Baltimore (UMB) is making in addressing the findings from its most recent Office of Legislative Audits report. UMB shall submit a report updating the budget committees on its progress as well as new policies regarding special compensation payments made to faculty. The report shall be submitted by September 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on progress toward addressing audit findings	UMB	September 1, 2010

Amendment No. 46

### Committee Narrative

**Report on Special Compensation:** The committees request that the University of Maryland, Baltimore (UMB) submit information regarding compensation paid to employees for sabbatical leave, summer research, and bonus payments. This information should list the value of each payment, for what purpose it was made, and the base salary of the employee earning the payment. The information shall be included with the university's annual budget submission to the General Assembly.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Information on compensation paid to employees for sabbatical leave, summer research, and bonus payments	UMB	With the fiscal 2012 allowance

**R30B23**  
**University System of Maryland**  
**Bowie State University**

**Committee Narrative**

**Report on Outcomes of Students Participating in Access and Success Programs by Cohort:** The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBI). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the committees by October 15, 2010.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs	BSU CSU MSU UMES	To MHEC by August 15, 2010
Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs	MHEC	October 15, 2010

**R30B25**  
**University System of Maryland**  
**University of Maryland Eastern Shore**

**Committee Narrative**

**Report on Outcomes of Students Participating in Access and Success Programs by Cohort:**  
The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBI). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs	BSU CSU MSU UMES	To MHEC by August 15, 2010
Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs	MHEC	October 15, 2010

**R30B27**  
**University System of Maryland**  
**Coppin State University**

**Committee Narrative**

**Report on Outcomes of Students Participating the Access and Success Programs by Cohort:** The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES), each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions. Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs	BSU CSU MSU UMES	To MHEC by August 15, 2010
Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs.	MHEC	October 15, 2010

**Report on the Implementation of Recommendations Made by the 2001 Independent Study Team on the Revitalization of Coppin State College:** The University System of Maryland (USM), in partnership with the Maryland Higher Education Commission (MHEC), should establish an independent team to assess the implementation of recommendations from the 2001 Independent Study Team on the Revitalization of Coppin State College (CSU). This new team should determine which have been fully, partially, and not yet implemented. The study team should also provide technical assistance in implementing recommendations that have not been executed or effective. The 2011 study team should include members of USM, MHEC, CSU, outside experts, and members of the General Assembly, with administrative coordination provided by USM. The team should submit an interim report on its progress to the budget committees by December 15, 2010, and a final report on July 15, 2011, to the budget committees.

**R30B27**

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Interim report on the implementation of recommendations made by the 2001 CSU study team	USM	December 15, 2010
Final report on the implementation of recommendations made by the 2001 CSU study team	USM	July 15, 2011

**R30B36**  
**University System of Maryland**  
**University System of Maryland Office**

**Budget Amendments**

**UNIVERSITY SYSTEM OF MARYLAND OFFICE**

**R30B36.00 University System of Maryland Office**

Add the following language to the unrestricted fund appropriation:

. provided that \$250,000 of this appropriation may not be expended until the University System of Maryland submits a report on law school clinics operated out of public higher education institutions in other states. The report shall describe the criteria used to select the legal cases handled by law school clinics and funding sources of the programs. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in how the cases pursued by public law school clinics in other states are chosen. The University System of Maryland shall submit a report explaining the criteria used to select the cases for public law school clinics to pursue and the funding sources of the programs. The report shall be submitted by August 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on cases pursued by public law school clinics nationwide	University System of Maryland Office	August 1, 2010

Add the following language to the unrestricted fund appropriation:

Further provided that the appropriation for the University System of Maryland Office shall be reduced by \$2,000,000 reflecting the cost savings achieved by the reorganization of the University of Maryland Biotechnology Institute.

**Explanation:** In June 2009, the Board of Regents approved the reallocation and reorganization of the University of Maryland Biotechnology Institute (UMBI). As a result, a cost savings of \$2.8 million should have been realized through the merging of UMBI's administrative functions with other institutions. Of the \$2.8 million in general fund savings, \$0.8 million is associated with increases in mandatory costs (\$0.5 million) and salaries of four positions to be transferred

## R30B36

to other University System of Maryland institutions (\$0.3 million). The remaining \$2.0 million represents a savings to the State and, therefore, should revert to the general fund.

Amendment No. 47

Add the following language to the unrestricted fund appropriation:

Further provided that \$250,000 of this appropriation for the University System of Maryland Office may not be expended until the University System of Maryland Board of Regents submits a report updating the budget committees on how it is working to improve the system's response to audit findings reported by the Office of Legislative Audits. The report shall include how the system and Board of Regents may be more proactive when receiving preliminary findings from the Office of Legislative Audits and how the information may be shared among the Board of Regents, Chancellor, and constituent institutions of the University System of Maryland. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in how the University System of Maryland (USM) can better respond to findings raised by the Office of Legislative Audits. The USM Board of Regents shall submit a report to the budget committees outlining how it can be more proactive when receiving preliminary findings and how the information can be shared among the Board of Regents, the Chancellor, and the constituent institutions of the University System of Maryland. The report shall be submitted by September 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on improving responses to Office of Legislative Audit findings	USM Board of Regents USM Office	September 1, 2010

Amendment No. 48

**R62I**  
**Maryland Higher Education Commission**

**Committee Narrative**

**R62I00.01 General Administration**

~~**Feasibility of Co-locating the Maryland Higher Education Commission Headquarters with the Maryland State Department of Education:** The committees are interested in enhancing the ongoing efforts of the Governor's P-20 Leadership Council to increase student access to post-secondary education, especially for disadvantaged and minority students, by aligning high school expectations with college admissions requirements; improving the quantity and quality of teacher candidates; and strengthening communication and collaborative decision-making between the Maryland Higher Education Commission (MHEC) and the Maryland State Department of Education (MSDE). Therefore, the committees request that MHEC, in partnership with MSDE, study the feasibility and logistical costs and benefits of co-locating the MHEC headquarters with MSDE headquarters at 200 West Baltimore Street in Baltimore, Maryland in fiscal 2012 to facilitate increased collaboration and planning between the agencies. The report shall be submitted to the committees by September 15, 2010.~~

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Study examining the feasibility of co-locating MHEC with MSDE	MHEC MSDE	September 15, 2010

**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 \$21,983,458 contingent upon the enactment of legislation to reduce the required appropriation for the support of non-public institutions of higher education.~~

**Explanation:** Strike contingent reduction language on Sellinger formula.

Reduce appropriation for the purposes indicated:	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce Sellinger aid to nonpublic institutions.	13,537,500	GF
Total Reductions	13,537,500	0.00

**R62I**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	51,983,458	38,445,958	13,537,500	
<b>Total Funds</b>	<b>51,983,458</b>	<b>38,445,958</b>	<b>13,537,500</b>	

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

Strike the following language:

~~, provided that this appropriation shall be reduced by \$23,085,062 contingent upon the enactment of legislation to reduce the required appropriation for the support of community colleges.~~

**Explanation:** Technical amendment striking contingent reduction because the reduction is being made directly.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce the formula grant by \$23,085,062. This is consistent with the Administration's proposed reduction to the community college formula in the Budget Reconciliation and Financing Act of 2010.	23,085,062	GF
Total Reductions	23,085,062	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	231,663,764	208,578,702	23,085,062	
<b>Total Funds</b>	<b>231,663,764</b>	<b>208,578,702</b>	<b>23,085,062</b>	

**Committee Narrative**

**The Costs of Developmental Education:** The committees are concerned about how much Maryland's colleges and universities and students are spending on developmental education. The Maryland Higher Education Commission (MHEC), in conjunction with the Maryland Association of Community Colleges (MACC), the University System of Maryland (USM), and Morgan State University (MSU) should submit a report detailing the instruction costs of

## R62I

developmental education at each of the State's colleges and universities.

The report should include comparable developmental education costs on a per section, per full-time equivalent student, and per hour basis and an explanation of what the costs pay for and how the courses are delivered. The report should also include a review of best practices nationwide and at Maryland's higher education institutions, and a discussion of institutions that are most successful at providing quality developmental education programs efficiently as measured by student progression and cost.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
The cost of developmental education at Maryland's colleges and universities	MHEC MACC USM MSU	November 1, 2010

**Report on Incentives for Community College Students to Complete Associate's Degree Prior to Transfer:** The budget committees are interested in increasing the number of students who complete an associate's degree prior to transferring to a four-year institution. The Maryland Association of Community Colleges (MACC), in conjunction with the Maryland Higher Education Commission (MHEC), the University System of Maryland (USM), Morgan State University (MSU) and St. Mary's College of Maryland (SMCM), should submit a report outlining the kinds of incentives Maryland's higher education system can offer community college students to increase associate's degree attainment prior to transferring to a four-year institution. The report should include options for the State to consider and a review of best practices from across the nation.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on incentives to increase associate's degree attainment among community college students prior to transfer to a four-year institution	MACC MHEC USM MSU SMCM	October 1, 2010

**Residency Requirements:** *The committees recognize the increasingly transient nature of its citizens as well as the need for each community college to serve its respective jurisdiction. To that end, the committees request that the Maryland Association of Community Colleges (MACC), in conjunction with the Maryland Higher Education Commission (MHEC) and the State's 16 community colleges, establish uniform residency requirements for both nonresidents of their respective subdivision and nonresidents of the State.*

## R62I

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Policy on uniform residency requirements for enrollments at the 16 community colleges</i>	<i>MACC MHEC</i>	<i>September 1, 2010</i>

**Cade Funding Formula:** *The committees recognize the tremendous growth in student enrollments at Maryland's community colleges and the importance of the community colleges to assist in the State's economic recovery. It is the intent of the committees that the State maintains student access to postsecondary education for all Marylanders by keeping tuition as low as possible. Therefore, the committees reaffirm that it is the policy of the General Assembly to reach an average of one-third State funding of the cost of a community college education, as soon as practicable. To that end, the committees support the Senator John A. Cade Funding Formula that ties State aid for community colleges to the appropriation per full-time equivalent student at selected public four-year colleges and universities. It is the intent of the committees that the Cade formula reach the full statutory level such that the community colleges receive 29% of the funding per full-time equivalent student at the selected institutions by fiscal 2019.*

### Budget Amendments

#### R62I00.07 Educational Grants

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce educational grants.	200,000 GF	
	532,353 GF	
Total Reductions	200,000	
	532,353	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	7,999,081	7,799,081	200,000	
		7,466,728	532,353	
Federal Fund	1,693,077	1,693,077	0	
<b>Total Funds</b>	<b>9,692,158</b>	<b>9,492,158</b>	<b>200,000</b>	
		<b>9,159,805</b>	<b>532,353</b>	

## R62I

Amend the following language:

To provide Education Grants to various State, Local and Private Entities

Improving Teacher Quality.....	1,693,077
OCR Enhancement Fund .....	4,900,000
Washington Center for Internships & Academic Seminars .....	25,000
Interstate Educational Compacts in Optometry .....	124,125
UMB – WellMobile Program .....	285,250
Regional Higher Education Centers.....	1,500,000
Academy of Leadership .....	100,000
	<u>0</u>
Harry Hughes Center for Agro-Ecology.....	200,000
	<u>100,000</u>
	<u>200,000</u>
Higher Education Investment Workforce Initiatives .....	864,706
	<u>432,353</u>

**Explanation:** Reduce general fund support for educational grants.

Amendment No. 49

### Committee Narrative

#### **Report on Outcomes of Students Participating in Access and Success Programs by Cohort:**

The committees request that the Maryland Higher Education Commission (MHEC) develop a framework to facilitate the collection and analysis of data to evaluate the impact of Access and Success programs across the historically black institutions (HBI). MHEC should collect progression, retention, and graduation data from each public HBI on all students participating in Access and Success programs in fiscal 2009 and 2010 and submit a report by October 15, 2010, on these findings.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs	MHEC	October 15, 2010

## R62I

### Budget Amendments

#### R62I00.12 Senatorial Scholarships

Add the following language to the general fund appropriation:

, provided that funds appropriated for Senatorial Scholarships may not be expended for any purpose except to support other State scholarship programs established in Title 18 of the Education Article. Further provided that it is the intent of the General Assembly that students who are eligible for State scholarships administered under the Education Article and received Senatorial Scholarships in fiscal 2010 be given priority, when appropriate, for other scholarship funds in fiscal 2011.

**Explanation:** The General Assembly is concerned that funding for certain State scholarship programs is insufficient to meet pressing demand for greater access and affordability to higher education in the State of Maryland. This language restricts the expenditure of \$6,486,000 for Senatorial Scholarships to be used only to support other State scholarship programs administered by the Maryland Higher Education Commission under Title 18 of the Education Article. The language also expresses intent that students who received Senatorial Scholarship funds in fiscal 2010 be given priority for funds through other State scholarship programs when appropriate. Carry forward funds may be used to make awards in fiscal 2011.

Amendment No. 50

#### R62I00.15 Delegate Scholarships

Add the following language to the general fund appropriation:

, provided that funds appropriated for Delegate Scholarships may not be expended for any purpose except to support other State scholarship programs established in Title 18 of the Education Article. Further provided that it is the intent of the General Assembly that students who are eligible for State scholarships administered under the Education Article and received Delegate Scholarships in fiscal 2010 be given priority, when appropriate, for other scholarship funds in fiscal 2011.

**Explanation:** The General Assembly is concerned that funding for certain State scholarship programs is insufficient to meet pressing demand for greater access and affordability to higher education in the State of Maryland. This language restricts the expenditure of \$4,996,530 for Delegate Scholarships to be used only to support other State scholarship programs administered by the Maryland Higher Education Commission under Title 18 of the Education Article. The language also expresses intent that students who receive Delegate Scholarship funds in

## R62I

*fiscal 2010 be given priority for funds through other State scholarship programs when appropriate. Carry forward funds may be used to makes awards in fiscal 2011.*

Amendment No. **51**

### R62I00.17 Graduate and Professional Scholarship Program

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce general fund support for the Graduate and Professional Scholarship Program. New federal Income Based Repayment and Public Service Loan Forgiveness programs reduce the need for this scholarship.</del>	589,152	GF
Total Reductions	589,152 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,178,303	589,151 1,178,303	589,152 0	
<b>Total Funds</b>	<b>1,178,303</b>	<b>589,151</b> <b>1,178,303</b>	<b>589,152</b> <b>0</b>	

Amendment No. **52**

### R62I00.20 Distinguished Scholar Program

Strike the following language:

~~provided that \$1,050,000 of this appropriation shall be reduced contingent upon the enactment of legislation to reduce the required appropriation for the support of the Distinguished Scholar Program.~~

**Explanation:** This is a technical amendment. The language is not required since the related language in the Budget Reconciliation and Financing Act is also struck.

## R62I

Add the following language to the general fund appropriation:

, provided that it is the intent of the General Assembly that scholarship funds committed by the State be fully funded in the budget. If sufficient funds are not available, the Department of Budget and Management shall alert the Maryland Higher Education Commission before scholarship funds are committed.

**Explanation:** *The General Assembly is concerned that recent budget reductions proposed by the Governor would eliminate scholarship funds already committed by the State, such as the Distinguished Scholar Program. This language expresses the General Assembly's intent that if sufficient funds are not available to award scholarships, the Department of Budget and Management should alert the Maryland Higher Education Commission before those funds are committed.*

Amendment No. 53

### R62I00.21 Jack F. Tolbert Memorial Student Grant Program

Strike the following language:

~~, provided that \$200,000 of this appropriation shall be reduced contingent upon the enactment of legislation to repeal the program.~~

**Explanation:** This is a technical amendment. The language is not required since the related language in the Budget Reconciliation and Financing Act is also struck.

### Committee Narrative

**Report on the Current Fiscal Year Working Appropriation for the Maryland Higher Education Commission:** The committees request that the Maryland Higher Education Commission (MHEC) submit reports by October 15, 2010, and January 15, 2011, on the current fiscal year working appropriation for MHEC scholarships by program. MHEC frequently moves money between scholarship programs to ensure that available funds are fully spent. A significant lag time often exists between when funds are moved and when the move is recognized through budget amendment. As a result, it is difficult to monitor the use of scholarship funds across fiscal years. The current year working appropriation reported by MHEC in the Governor's budget books is often not reflective of the actual working appropriation. These reports on the current working appropriation would ensure that the committees have access to the most updated data available.

## R62I

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on current fiscal year working appropriation for Maryland Higher Education Program scholarships by program	MHEC	October 15, 2010 January 15, 2011

**R75T**  
**Higher Education**

**Budget Amendments**

**R75T00.01 Support for State Operated Institutions of Higher Education**

Amend the following language:

Further provided that ~~\$250,000~~ \$500,000 of this appropriation may not be expended until the University of Maryland, Baltimore School of Law submits a report containing complete information, to the extent possible, from each law school clinic the Environmental Law Clinic listing and describing each legal case in the past five two years in which they participated in a court action, including the client represented, complete delineation of the non-privileged expenditures for each case, and the source of funds for each expenditure. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in the cases pursued by the University of Maryland, Baltimore ~~School of Law clinics~~ Environmental Law Clinic. The School of Law shall submit a report with information, to the extent possible, of each case in which they participated in a court action, including non-privileged expenditures and the source of funds for each expenditure. The report shall be submitted by August 1, 2010, and ~~\$250,000~~ \$500,000 of the general fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on the activities of the University of Maryland, Baltimore <del>School of Law Clinics</del> Environmental Law Clinic	University of Maryland, Baltimore	August 1, 2010

Amendment No. 54

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the University System of Maryland submits a report on law school clinics operated out of public higher education institutions in other states. The report shall describe the criteria used to select the legal cases handled by law school clinics and funding sources of the programs. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have

## R75T

45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in how the cases pursued by public law school clinics in other states are chosen. The University System of Maryland shall submit a report explaining the criteria used to select the cases for public law school clinics to pursue and the funding sources of the programs. The report shall be submitted by August 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on cases pursued by public law school clinics nationwide	University System of Maryland Office	August 1, 2010

Add the following language to the general fund appropriation:

Further provided that the appropriation for the University System of Maryland Office shall be reduced by \$2,000,000 reflecting the cost savings achieved by the reorganization of the University of Maryland Biotechnology Institute.

**Explanation:** In June 2009, the Board of Regents approved the reallocation and reorganization of the University of Maryland Biotechnology Institute (UMBI). As a result a cost savings of \$2.8 million was realized through the merging of UMBI's administrative functions with other institutions. Of the \$2.8 million in general fund savings, \$0.8 million is associated with increases in mandatory costs (\$0.5 million) and salaries of four positions to be transferred to other USM institutions (\$0.3 million). The remaining \$2.0 million represents a savings to the State and therefore should revert to the general fund.

Amendment No. **55**

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until St. Mary's College of Maryland submits a report updating the budget committees on progress toward addressing findings raised by the Office of Legislative Audits in the February 2010 audit. The report shall include changes made to the college's internal controls and how the Board of Trustees may be more proactive in responding to audit findings. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by

## R75T

budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in the progress St. Mary's College of Maryland (SMCM) is making toward addressing findings raised by its most recent audit and how it can better respond to findings raised by the Office of Legislative Audits. The SMCM Board of Trustees shall submit a report to the budget committees on progress made toward addressing the most recent audit's findings and also outline how the Board of Trustees can be more proactive in responding to audit findings. The report shall be submitted by September 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on addressing audit findings and on Board of Trustees oversight	SMCM Board of Trustees	September 1, 2010

Amendment No. **56**

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the University of Maryland, Baltimore submits a report updating the budget committees on progress toward addressing findings raised by the Office of Legislative Audits in the February 2010 audit. The report shall include updated policies regarding the kinds of special compensation payments made to faculty and the justifications for making such payments. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in the progress the University of Maryland, Baltimore (UMB) is making in addressing the findings from its most recent Office of Legislative Audits report. UMB shall submit a report updating the budget committees on its progress as well as new policies regarding special compensation payments made to faculty. The report shall be submitted by September 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

## R75T

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on progress toward addressing audit findings</i>	<i>UMB</i>	<i>September 1, 2010</i>

Amendment No. **57**

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation for the University System of Maryland Office may not be expended until the University System of Maryland Board of Regents submits a report updating the budget committees on how it is working to improve the system's response to audit findings reported by the Office of Legislative Audits. The report shall include how the system and Board of Regents may be more proactive when receiving preliminary findings from the Office of Legislative Audits and how the information may be shared among the Board of Regents, Chancellor, and constituent institutions of the University System of Maryland. The report shall be submitted to the budget committees by September 1, 2010, and the budget committees shall have 45 days for review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The General Assembly is interested in how the University System of Maryland (USM) can better respond to findings raised by the Office of Legislative Audits. The USM Board of Regents shall submit a report to the budget committees outlining how it can be more proactive when receiving preliminary findings and how the information can be shared among the Board of Regents, the Chancellor, and the constituent institutions of the University System of Maryland. The report shall be submitted by September 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on improving responses to Office of Legislative Audit findings</i>	<i>USM Board of Regents USM Office</i>	<i>September 1, 2010</i>

Amendment No. **58**

## R75T

### Committee Narrative

**Report on Policies Regarding Interactions with the Community When Considering Construction Projects:** The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) submit a report on institutional policies regarding interactions with the surrounding community before a new building is designed or prior to exterior modifications to an existing building.

Information Request	Authors	Due Date
Report on policies pertaining to interactions with the community prior to the design of a building or modification to existing building	USM MSU SMCM	September 1, 2010

**Constraining the Growth in Public Higher Education:** *If the State's economic condition does not improve, then it is the intent of the committees that for fiscal 2012, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland should receive the same amount of State funding (general funds and Higher Education Investment Funds) per full-time equivalent student as provided in fiscal 2011.*

**R99E**  
**Maryland School for the Deaf**

**Budget Amendments**

**FREDERICK CAMPUS**

**R99E01.00 Services and Institutional Operations**

Amend the following language:

, provided that this appropriation shall be reduced by ~~\$500,000~~ \$1,000,000 contingent upon the enactment of legislation to transfer funds from the Universal Services Trust Fund to the Maryland School for the Deaf.

**COLUMBIA CAMPUS**

**R99E02.00 Services and Institutional Operations**

Amend the following language:

, provided that this appropriation shall be reduced by ~~\$500,000~~ \$1,000,000 contingent upon the enactment of legislation to transfer funds from the Universal Services Trust Fund to the Maryland School for the Deaf.

**Explanation:** This action increases to \$2 million the funds from the Universal Services Trust Fund directed to the operating budget of the Maryland School for the Deaf in lieu of general funds.

**COLUMBIA CAMPUS**

**R99E02.00 Services and Institutional Operations**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Delete funds for deferred compensation match. These funds should be deleted in all State agencies.	1,101 GF	
Total Reductions	1,101	0.00

**R99E**

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	111.50	111.50		0.00
General Fund	8,886,809	8,885,708	1,101	
Special Fund	101,964	101,964	0	
Federal Fund	495,580	495,580	0	
<b>Total Funds</b>	<b>9,484,353</b>	<b>9,483,252</b>	<b>1,101</b>	

**S00A**  
**Department of Housing and Community Development**

**Budget Amendments**

Add the following language:

It is the intent of the General Assembly that the General Bond Reserve Fund Indenture maintain an ending fund balance of at least \$32,000,000 by the close of fiscal 2012, \$34,000,000 by the close of fiscal 2014, and no less than \$35,000,000 in subsequent years; provided, however, that any increases or decreases be consistent with the obligations of the Community Development Administration (CDA) to its bondholders and other parties, as determined at the sole discretion of CDA.

**Explanation:** The General Assembly is concerned with the fund balance of the General Bond Reserve Fund and the continued use of fund balance to support operations of the Department of Housing and Community Development (DHCD) in lieu of general funds. It is the intent of the General Assembly that DHCD endeavor to increase the fund's ending balance to at least \$32 million by the end of fiscal 2012, \$34 million by the end of 2013, and no less than \$35 million in subsequent years.

**T00**  
**Department of Business and Economic Development**

**Committee Narrative**

**DIVISION OF ECONOMIC DEVELOPMENT**

**T00F00.03 Maryland Small Business Development Financing Authority**

**Maryland Small Business Development Financing Authority Fund Summaries:** The committees request that the Department of Business and Economic Development (DBED), the Department of Budget and Management (DBM), and the Department of Legislative Services (DLS) collaborate and develop a plan to accurately and clearly reflect the annual financial activity of the Maryland Small Business Development Financing Authority (MSBDFFA). The plan should contemplate the appropriate manner of reporting on the use of State funds under the program. The resulting fund summaries should include data that demonstrates the amount of funds available for guarantees, lines of credit, and equity investments. Further, the data should show the extent to which funds are repaid and then lent again over the course of a fiscal year.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
MSBDFFA fund summaries	DBED DBM In collaboration with DLS	Annually with the budget submission

**Budget Amendments**

**T00F00.09 Maryland Small Business Development Financing Authority – Business Assistance**

Reduce appropriation for the purposes indicated:	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce general funds from the Maryland Small Business Development Financing Authority Fund. This is the only financing program under the department to receive general funds. Further, the fund has not participated in any cost containment measures as have other departmental programs.	382,222 GF	
Total Reductions	382,222	0.00

**T00**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,882,222	2,500,000	382,222	
Special Fund	14,523,528	14,523,528	0	
<b>Total Funds</b>	<b>17,405,750</b>	<b>17,023,528</b>	<b>382,222</b>	

**Budget Amendments**

**DIVISION OF TOURISM, FILM AND THE ARTS**

**T00G00.03 Maryland Tourism Board**

Amend the following language:

. provided that ~~\$300,000~~ ~~\$420,000~~ \$250,000 of this appropriation made for the purpose of statewide marketing initiatives may not be expended for that purpose but instead may be transferred by budget amendment to T00G00.02 Office of Tourism Development to be used to prevent the closure of the welcome centers located on US-13, Crain Memorial Highway, and I-70 East and West; and to reopen the Mason Dixon welcome center on US-15, ~~the Bay Country welcome center on US 301, and the Youghiogheny Overlook welcome center on Interstate 68.~~ Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund.

**Explanation:** The cost containment initiative of fiscal 2010 resulted in the closure of 6 of the 12 welcome centers in the State. This language would dedicate a portion of the funding under the Maryland Tourism Board to prevent the closure of four additional centers as assumed in the fiscal 2011 allowance and to reopen ~~one three~~ *one* centers closed during the fiscal 2010 cost containment effort.

Amendment No. **59**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce general funds for the Maryland Tourism Board. This leaves \$4,000,000 in general funds and \$300,000 in special funds for the board in fiscal 2011.</del>	1,000,000	GF
Total Reductions	1,000,000	0

## T00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	5,000,000	<del>4,000,000</del> 5,000,000	<del>1,000,000</del> 0	
Special Fund	300,000	300,000	0	
<b>Total Funds</b>	<b>5,300,000</b>	<b><del>4,300,000</del></b> <b>5,300,000</b>	<b><del>1,000,000</del></b> <b>0</b>	

Amendment No. 60

### T00G00.08 Preservation of Cultural Arts Program

Strike the following language:

~~provided that this appropriation shall be reduced by \$500,000 contingent on the enactment of SB 141 or HB 151 which creates a special fund to provide local impact grants to jurisdictions with electronic bingo and tip jar machines.~~

~~**Explanation:** An amendment to the Budget Reconciliation and Financing Act of 2010 (SB 141/HB 151) would establish a new special fund for fiscal 2011 only to provide grants to local jurisdictions with electronic bingo and tip jar machines, which would reduce the amount of funding available for the Special Fund for the Preservation of the Cultural Arts.~~

Amendment No. 61

**T50**  
**Maryland Technology Development Corporation**

**Budget Amendments**

**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**

**T50T01.01 Technology Development, Transfer and Commercialization**

Add the following language to the general fund appropriation:

*, provided that it is the intent of the General Assembly that eligibility for funds awarded under the Maryland Industrial Partnership Program be expanded to include all State public four-year institutions.*

**Explanation:** *Funds for the Maryland Industrial Partnership Program (MIPS) are housed under the Maryland Technology Development Corporation, which provides technology commercialization services across the State. However, the MIPS program is limited to only University System of Maryland institutions. This language expresses the intent of the General Assembly that the program be open to all State public four-year institutions.*

Amendment No. **62**

**T50T01.03 Maryland Stem Cell Research Fund**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Reduce funds under the Maryland Stem Cell Research program as a cost containment measure. This action will assist in alleviating the State's current budgetary concerns, while still allowing the continuance of this discretionary program at a more modest level.</del>	6,200,000	GF
Total Reductions	6,200,000 0	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	12,400,000	6,200,000 12,400,000	6,200,000 0	
<b>Total Funds</b>	<b>12,400,000</b>	<b>6,200,000</b> <b>12,400,000</b>	<b>6,200,000</b> <b>0</b>	

Amendment No. **63**

**U00A**  
**Department of the Environment**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**U00A01.13 Chesapeake – Coastal – Non-Point Source Fund**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. This action deletes the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund appropriation. The funding for this appropriation comes from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and the BayStat agencies anticipate bringing in a budget amendment to disburse funding when the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund appropriation is known.	1,880,000 SF	
Total Reductions	1,880,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	1,880,000	0	1,880,000	
<b>Total Funds</b>	<b>1,880,000</b>	<b>0</b>	<b>1,880,000</b>	

**Committee Narrative**

*Funding the Bay Restoration Fund Deficit: It is the intent of the committees that the Bay Restoration Fund Advisory Committee work in consultation with the Maryland Department of the Environment and the Department of Budget and Management during the 2010 legislative interim on a plan to eliminate the \$659 million deficit for funding the upgrade of the State's 67 major wastewater treatment plants to enhanced nutrient removal technology. In addition, it is the intent of the committees that this funding plan be implemented during the 2011 legislative session.*

**U00A**

**Budget Amendments**

**WATER MANAGEMENT ADMINISTRATION**

**U00A04.01 Water Management Administration**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Delete</del> <i>Reduce</i> the appropriation for the Coastal Plain Aquifer Study and Fractured Rock Water Supply Study. The estimated cost is \$18 million over six years, and so a <i>reduction in funding</i> <del>one-year hiatus</del> extends the project <i>timeline</i> <del>to seven years</del> . In addition, it is possible that local governments could fund this study.	1,000,000 GF 500,000 GF	
 Total Reductions	 1,000,000 500,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	278.50	278.50		0.00
General Fund	13,422,755	<del>12,422,755</del> 12,922,755	1,000,000 500,000	
Special Fund	8,699,827	8,699,827	0	
Federal Fund	6,113,612	6,113,612	0	
<b>Total Funds</b>	<b>28,236,194</b>	<b><del>27,236,194</del></b> <b>27,736,194</b>	<b>1,000,000</b> <b>500,000</b>	

Amendment No. 64

## U00A

### SCIENCE SERVICES ADMINISTRATION

#### U00A05.01 Science Services Administration

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds for Total Maximum Daily Load. There is approximately \$1,000,000 in prior year funding encumbered for this purpose. The prior year encumbered funding could be used to replace the general fund reduction.	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>
Position	92.00	92.00		0.00
General Fund	5,939,005	5,439,005	500,000	
Special Fund	1,179,564	1,179,564	0	
Federal Fund	5,748,230	5,748,230	0	
<b>Total Funds</b>	<b>12,866,799</b>	<b>12,366,799</b>	<b>500,000</b>	

#### Committee Narrative

### LAND MANAGEMENT ADMINISTRATION

#### U00A06.01 Land Management Administration

**Report on Status of Voluntary Cleanup Program:** The Voluntary Cleanup Program is a hybrid environmental remediation and economic development program and has smart growth components because of the focus on the remediation of blighted properties in urban areas. However, there is insufficient information available concerning the status of the program because Managing for Results measures are not included in the fiscal 2011 budget submission. In addition, applications have dropped between fiscal 2007 (72), fiscal 2008 (59), fiscal 2009 (31), and fiscal 2011 projected (30). Finally, the Voluntary Cleanup Fund balance is projected to be reduced to zero at the end of fiscal 2010, although additional revenue is anticipated in fiscal 2011. Therefore, the Maryland Department of the Environment (MDE) is requested to submit a report on the number of applications the program has received for each year since fiscal 2001; the geographic location of applications; the number of acres and properties in the program completed and a No Further Requirements Determination or a Certificate of Completion issued and where they are located; the cumulative number of properties remediated/completed

## U00A

since the beginning of the program; the number of jobs created each year as a result of the program; the amount of capital investment in program sites that have been cleaned up; and the increase in the tax base from job creation or capital investment resulting from cleanup of program sites. In addition, MDE is requested to comment in the report on why applications have decreased and whether the program should be improved, and how, or whether it should be ended.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on status of Voluntary Cleanup Program	MDE	September 1, 2010

### AIR AND RADIATION MANAGEMENT ADMINISTRATION

#### U00A07.01 Air and Radiation Management Administration

**Report on Strategic Energy Investment Fund Expenditures:** The Maryland Department of the Environment (MDE) receives funding from the Strategic Energy Investment Fund that is deposited into the Maryland Clean Air Fund. The committees are concerned that the revenues from the Strategic Energy Investment Fund – the sale of carbon dioxide allowances – is subject to uncertainty and year-to-year variability despite the need for MDE to recoup the costs of managing Maryland’s role in the quarterly carbon dioxide allowance auctions and the expenses associated with implementing Chapters 171 and 172 of 2009. In addition, the committees are concerned that it is not clear how the revenues received from the Strategic Energy Investment Fund are being used. Therefore, the committees request a report on how MDE is using the revenues from the Strategic Energy Investment Fund to further climate change work, in general, and to meet the requirements of Chapters 171 and 172. The report is requested to cover the fiscal 2010 actual, fiscal 2011 working, and fiscal 2012 allowance funding period.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on Strategic Energy Investment Fund expenditures	MDE	Fiscal 2012 budget submission and annually thereafter

**U00A**

**Budget Amendments**

**COORDINATING OFFICES**

**U00A10.01 Coordinating Offices**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding to improve the functionality of the Enterprise Environmental Management System software system. The agency was requested to provide updates on the status of information technology projects given concerns about how information technology projects were funded in the past. The fiscal 2011 allowance funding reflects a \$120,000 increase from the fiscal 2010 working appropriation level with no such notification.	350,000 SF	
2. Delete operation and maintenance funding for wastewater treatment plants upgraded to enhanced nutrient removal technology. The agency is required to use up to 10% of the annual fee revenue from wastewater treatment plant users for this purpose. However, the draft January 2010 Bay Restoration Fund Advisory Committee report notes that one option to reduce the funding gap for upgrading the State's 67 major wastewater treatment plants to enhanced nutrient removal technology would be to discontinue the annual operation and maintenance grants. This action executes that option for fiscal 2011 and reduces operation and maintenance funding for approximately 14 wastewater treatment plants.	1,000,000 SF	
 Total Reductions	 1,350,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	119.50	119.50		0.00
General Fund	4,023,904	4,023,904	0	
Special Fund	8,629,765	7,279,765	1,350,000	
Federal Fund	2,980,763	2,980,763	0	
<b>Total Funds</b>	<b>15,634,432</b>	<b>14,284,432</b>	<b>1,350,000</b>	

**V10A**  
**Department of Juvenile Services**

**Budget Amendments**

**BALTIMORE CITY REGION**

**V00G01.01 Baltimore City Region Administrative**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Delete funding for a long-term vacant non-direct care position.	66,258	GF
Total Reductions	66,258	0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Position	46.00	46.00		0.00
General Fund	3,060,891	2,994,633	66,258	
<b>Total Funds</b>	<b>3,060,891</b>	<b>2,994,633</b>	<b>66,258</b>	

**V00G01.02 Baltimore City Region Community Operations**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Delete funding for a long-term vacant non-direct care position.	82,808	GF
2. <del>Reduce funding for contractual support. This reduction level funds general fund support for contractual assistance in fiscal 2011 compared to fiscal 2010. To date in fiscal 2010, the department has been able to stay within its contractual employee budget. Additionally, as of December 31, 2009, the department had 139 vacant positions, over 50 more than needed to meet it fiscal 2011 turnover rate. The priority should be filling those positions rather than creating additional contractual positions. This reduction is taken in the Baltimore region but may be allocated by the department across all regions.</del>	550,000	GF

**V10A**

3. *Reduce funds for contractual support. This reduction still provides for a \$498,000 increase in general fund support for contractual assistance in fiscal 2011 compared to fiscal 2010. This reduction is taken in the Baltimore region but may be allocated by the department across all regions.* 250,000 GF

Total Reductions 632,808  
332,808

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	242.90	242.90		0.00
General Fund	40,519,666	39,886,858 40,186,858	632,808 332,808	
Federal Fund	3,193,008	3,193,008	0	
<b>Total Funds</b>	<b>43,712,674</b>	<b>43,079,866</b> <b>43,379,866</b>	<b>632,808</b> <b>332,808</b>	

**V00G01.03 Baltimore City Region State Operated Residential**

Reduce appropriation for the purposes indicated:

- |  | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <del>Reduce funding for contractual support. This reduction level funds general fund support for contractual assistance in fiscal 2011 compared to fiscal 2010. To date in fiscal 2010, the department has been able to stay within its contractual employee budget. Additionally, as of December 31, 2009, the department had 139 vacant positions, over 50 more than needed to meet its fiscal 2011 turnover rate. The priority should be filling those positions rather than creating additional contractual positions. This reduction is taken in the Baltimore region but may be allocated by the department across all regions.</del> | 198,000 GF   |                  |

Total Reductions 198,000  
0

**V10A**

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	218.10	218.10		0.00
General Fund	22,095,647	<del>21,897,647</del> 22,095,647	<del>198,000</del> 0	
Special Fund	20,000	20,000	0	
Federal Fund	259,551	259,551	0	
<b>Total Funds</b>	<b>22,375,198</b>	<b><del>22,177,198</del></b> <b>22,375,198</b>	<b><del>198,000</del></b> <b>0</b>	

Amendment No. **65**

**CENTRAL REGION**

**V00H01.01 Central Region Administrative**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding for a long-term vacant non-direct care position.	66,605 GF	
Total Reductions	66,605	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	16.00	16.00		0.00
General Fund	1,332,096	1,265,491	66,605	
<b>Total Funds</b>	<b>1,332,096</b>	<b>1,265,491</b>	<b>66,605</b>	

**Committee Narrative**

**Substance Abuse Options for Court-involved Youth:** The committees are concerned about the ongoing underutilization of limited substance abuse treatment options for court-involved youth. Participation in juvenile drug courts is particularly low, and the Department of Juvenile Services (DJS) recently suspended programming at one of its two residential drug treatment programs pending a review of that programming. The committees request that DJS, the Office of Problem-solving Courts (OPC), and the Alcohol and Drug Abuse Administration (ADAA), in

## V10A

consultation with substance abuse providers that work with adolescents with substance abuse issues, jointly prepare a report assessing what range of treatment options should be available to court-involved youth. In making this assessment, the response should identify demand for substance abuse services from within the juvenile justice system both at the State and local level as well as the evidence-based practice program options available for the different levels of substance abuse treatment considered appropriate.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Substance abuse options for court-involved youth	DJS OPC ADAA	November 1, 2010

**W10A**  
**Department of State Police**

**Budget Amendments**

Strike the following language:

~~Provided that a reduction of \$44,284 is made for cell phone expenditures (Comptroller subject 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>\$24,309</u>
<u>Special</u>	<u>\$19,975</u>

~~**Explanation:** This action reduces the Department of State Police's fiscal 2011 allowance for cell phone expenditures. The total reduction should be split as indicated above among general and special funds.~~

Amendment No. **66**

Add the following language:

Further provided that a reduction of \$179,340 is made for printing and duplication expenses (Comptroller subject 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>\$148,201</u>
<u>Special</u>	<u>\$31,139</u>

**Explanation:** This action reduces the Department of State Police's fiscal 2011 allowance for printing and duplication expenditures. The total reduction should be split as indicated above among general and special funds.

## W10A

### 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 made for the purpose of providing police protection grants may not be expended until the Department of State Police (DSP) submits the Crime in Maryland, 2009 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that 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, DSP shall request that the Governor's Office of Crime Control and Prevention withhold a portion, totaling no more than 50%, of that jurisdiction's State Aid for Police Protection grant for fiscal 2011 until such time that the jurisdiction submits its crime data to DSP.

**Explanation:** This annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2009 Uniform Crime Report. The language also permits the Governor's Office of Crime Control and Prevention to withhold a portion of the State Aid to Police Protection grant until certain crime data is submitted.

Information Request	Author	Due Date
2009 Uniform Crime Report	DSP	45 days prior to the expenditure of funds

#### W00A01.02 Field Operations Bureau

Add the following language:

Provided that it is the intent of the General Assembly that for any special funds earned in excess of \$5,000,000 for speed monitoring revenues, the Department of State Police shall revert an equivalent dollar amount in general funds at the end of fiscal 2011.

**Explanation:** This action expresses the intent that the Department of State Police offset speed monitoring revenues earned in excess of \$5 million with a general fund reversion of an equivalent dollar amount at the close of fiscal 2011.

## W10A

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce special funds for turnover expectancy to better reflect historical turnover rate of approximately 5.5%. This reduction shall be allocated to anticipated speed monitoring system revenues.	1,964,172 SF	
2. Delete 5 new positions for speed camera operations. It is anticipated that the speed camera vendor will continue performing the majority of the work for the program. Consistent with the long-term plan to increase the number of mobile enforcement units, this action will appropriate 5 new positions for speed camera operations in fiscal 2011.	391,455 SF	5.00
Total Reductions	2,355,627	5.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	1631.00	1626.00		5.00
General Fund	79,651,613	79,651,613	0	
Special Fund	81,779,579	79,423,952	2,355,627	
Federal Fund	19,859,909	19,859,909	0	
<b>Total Funds</b>	<b>181,291,101</b>	<b>178,935,474</b>	<b>2,355,627</b>	

### Committee Narrative

**Helicopter Maintenance Study:** The 2009 Joint Chairmen’s Report directed the Department of State Police (DSP) to conduct a review of all helicopter maintenance options and to submit a report to the budget committees by October 2009. In order to respond to the committee narrative, DSP plans to develop a maintenance request for proposal (RFP) and to solicit bids for maintaining the fleet. Upon receipt of the proposals, DSP plans to compare the cost of maintaining the fleet internally to that of commercial providers. However, issuing an RFP prior to the procurement award for the new Medevac fleet would be premature as certain pertinent information (e.g., the make and model of the new aircraft) would be unavailable for inclusion in the maintenance RFP. Such information is vital when determining the maintenance requirements and costs of the fleet. In light of the ongoing Medevac procurement, the budget committees request that the helicopter maintenance study be submitted on October 1, 2010.

## W10A

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Submission of a study on helicopter maintenance	DSP	October 1, 2010

### Budget Amendments

#### W00A01.03 Criminal Investigation Bureau

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete funding to purchase a replacement vehicle. The vehicle is projected to have less than 100,000 miles at the time of replacement. If adopted, this action will appropriate \$269,290 for the purchase of 13 vehicles in fiscal 2011.	22,290 SF	
 Total Reductions	 22,290	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	282.00	282.00		0.00
General Fund	31,434,734	31,434,734	0	
Special Fund	360,000	337,710	22,290	
<b>Total Funds</b>	<b>31,794,734</b>	<b>31,772,444</b>	<b>22,290</b>	

**Y01A**  
**State Reserve Fund**

**Budget Amendments**

**Y01A02.01 Dedicated Purpose Account**

Add the following language to the general fund appropriation:

, provided that the expenditure of any State funds from this appropriation for the Prince George's County health system is contingent on satisfaction of all conditions, contingencies, and mandates imposed under both Chapter 680 of 2008 and the memorandum of understanding executed by the State and the County on July 24, 2008.

**Explanation:** The budget bill language requires that the expenditure of funds for Prince George's County health system is contingent on the State and Prince George's County satisfying conditions in the law and the memorandum of understanding.

**M00Q**  
**Department of Health and Mental Hygiene**  
**Medical Care Programs Administration**

**Fiscal 2010 Deficiency**

**MEDICAL CARE PROGRAMS ADMINISTRATION**

**M00Q01.03 Medical Care Provider Reimbursements**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds by making available additional special funds through additional program reductions supported by the Cigarette Restitution Fund (CRF). Part of the fiscal 2010 general fund deficiency in Medicaid is due to shortfalls in fiscal 2010 CRF revenue. To date, the agricultural programs supported by the CRF have not been reduced by the Board of Public Works in fiscal 2010. A <del>\$700,000</del> \$450,000 reduction in <del>agricultural</del> <i>education</i> program support would reduce the need for a fiscal 2010 deficiency in Medicaid by a corresponding <del>\$700,000</del> \$450,000. To implement this action, language is also included in the Budget and Reconciliation Financing Act of 2010.	700,000 GF 450,000 GF	
2. Reduce general funds based on the availability of Senior Prescription Drug Assistance Program fund balance.	2,000,000 GF	
Total Reductions	<del>2,700,000</del> 2,450,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	47,328,224	<del>44,628,224</del> 44,878,224	2,700,000 2,450,000	
Special Fund	39,371,776	39,371,776	0	
<b>Total Funds</b>	<b>86,700,000</b>	<b><del>84,000,000</del></b> <b>84,250,000</b>	<b>2,700,000</b> <b>2,450,000</b>	

Amendment No. **67**

## M00Q

Amend the following language to the special fund appropriation:

, provided that ~~\$3,000,000~~ \$5,000,000 of this appropriation is contingent upon the enactment of legislation authorizing the use of surplus funds from the Senior Prescription Drug Assistance Program for this purpose.

**Explanation:** Technical amendment specifying the amount of surplus funds from the Senior Prescription Drug Assistance Program that may be used to support a fiscal 2010 deficiency appropriation in Medicaid.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on the applicability of the enhanced federal match to the State's Medicare clawback payment. On February 18, 2010, the United States Department of Health and Human Services announced that it would apply the American Recovery and Reinvestment Act of 2009 Medicaid enhanced federal match to state "clawback payments." These payments are made by the states to the federal government to offset the cost of Medicare coverage for prescription drugs for state residents eligible for both Medicare and Medicaid. This results in general fund savings to the fiscal 2010 and 2011 Medicaid budget.	39,000,000	GF
Total Reductions	39,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	102,671,776	63,671,776	39,000,000	
Special Fund	31,763,224	31,763,224	0	
Federal Fund	215,565,000	215,565,000	0	
<b>Total Funds</b>	<b>350,000,000</b>	<b>311,000,000</b>	<b>39,000,000</b>	

**N00G**  
**Department of Human Resources**  
**Local Department Operations**

**Fiscal 2010 Deficiency**

**LOCAL DEPARTMENT OPERATIONS**

**N00G00.06 Local Child Support Enforcement Administration**

Reduce appropriation for the purposes indicated:	<b><u>Funds</u></b>	<b><u>Positions</u></b>
1. Reduce the special fund portion of the deficiency appropriation to more accurately reflect anticipated expenditures. The Department of Human Resources advises that only \$172,019 in special funds will be needed for these services. Additional federal funds will be required and may be added by budget amendment.	76,008	SF
 Total Reductions	 76,008	 0.00

<b><u>Effect</u></b>	<b><u>Allowance</u></b>	<b><u>Appropriation</u></b>	<b><u>Amount Reduction</u></b>	<b><u>Position Reduction</u></b>
Special Fund	248,027	172,019	76,008	
Federal Fund	257,908	257,908	0	
<b>Total Funds</b>	<b>505,935</b>	<b>429,927</b>	<b>76,008</b>	

**N00G00.08 Assistance Payments**

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00G00.04 Adult Services to be used only for respite care services. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts \$250,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for respite care services in the Department of Human Resources' Adult Services. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

**N00G**

Reduce appropriation for the purposes indicated:

	<u><b>Funds</b></u>	<u><b>Positions</b></u>
1. Reduce fiscal 2010 deficiency for the Temporary Disability Assistance Program to reflect slowing caseload growth. The rate of caseload increase in the first six months of fiscal 2010 is half that experienced in fiscal 2009. This reduction leaves \$500,000 more than current projections indicate will be needed.	1,450,000	GF
 Total Reductions	 1,450,000	 0.00

<u><b>Effect</b></u>	<u><b>Allowance</b></u>	<u><b>Appropriation</b></u>	<u><b>Amount Reduction</b></u>	<u><b>Position Reduction</b></u>
General Fund	18,778,808	17,328,808	1,450,000	
<b>Total Funds</b>	<b>18,778,808</b>	<b>17,328,808</b>	<b>1,450,000</b>	

**R00A01**  
**State Department of Education**  
**Headquarters**

**Fiscal 2010 Deficiency**

**HEADQUARTERS**

**R00A01.01 Office of the State Superintendent**

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <del>Delete</del> <i>Reduce</i> fiscal 2010 deficiency funds for a Race to the Top consultant.	200,000 GF 75,000 GF	
Total Reductions	200,000 75,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	200,000	0 125,000	200,000 75,000	
<b>Total Funds</b>	<b>200,000</b>	<b>0</b> <b>125,000</b>	<b>200,000</b> <b>75,000</b>	

Amendment No. **68**

## Sections

### Budget Amendments

Strike the following language:

#### Section 12 Executive Pay Plan

DEPARTMENT OF HUMAN RESOURCES

Social Services Administration

Executive <del>VI</del>	9906	102,000
-------------------------	------	---------

**Explanation:** This position is being reclassified and should no longer be in the Executive Pay Plan.

Amend the following section:

#### Section 17 Using Funds for Their Intended Purpose

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 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 2010 and 2011. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154, and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2-516 of the State Personnel and Pensions Article of the Annotated Code of Maryland.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects 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 cancelled.

## Sections

**Explanation:** This amendment makes it possible for the Office of Legislative Audits to track the disposition of funds in statewide subobjects 0152, 0154, 0175, 0305, and 0322.

Amend the following section:

### Section 18 Furlough Reductions

SECTION 18. AND BE IT FURTHER ENACTED, That the funding for regular and contractual salaries shall be reduced by ~~\$76,728,873~~ \$108,113,494 to reflect furlough savings in fiscal 2011. Funding for this purpose (Comptroller Objects 0101 and 0220) shall be reduced from the following branches of State government in Executive Branch agencies in fiscal 2011 by the following amounts ~~in accordance with a schedule determined by the Governor:~~

#### Executive

<u>Fund</u>	<u>Amount</u>
General Funds	43,041,095
General Funds – R75T00.01	15,275,721
Special Funds	18,353,595
Current Unrestricted Funds	15,275,721
<u>Federal Funds</u>	<u>9,970,500</u>
<u>Reimbursable Funds</u>	<u>1,225,838</u>

#### Judiciary

<u>Fund</u>	<u>Amount</u>
<u>General Funds</u>	<u>3,629,000</u>
<u>Special Funds</u>	<u>200,080</u>
<u>Federal Funds</u>	<u>47,143</u>

#### Legislative

<u>Fund</u>	<u>Amount</u>
<u>General Funds</u>	<u>1,094,800</u>

## Sections

Further provided that special funds of not less than \$5,995,218 from furlough savings shall be transferred to the General Fund contingent on the enactment of legislation authorizing the transfer of these funds to the General Fund.

**Explanation:** This section includes all fund sources to the Administration's schedule for the reductions resulting from a furlough of State employees in fiscal 2011. Reductions for the Judiciary and Legislature are also included.

Amend the following section:

### ***Section 24 Consolidation of Administrative Functions***

SECTION 24. AND BE IT FURTHER ENACTED, That for fiscal 2011, the appropriations in Section 1 of this Act for Executive Branch agencies shall be reduced through the consolidation of administrative functions. This reduction may be allocated to any subobject of expenditure related to the consolidation savings. Funding shall be reduced by ~~\$2,000,000~~ \$2,250,000 in general funds in accordance with a schedule determined by the Governor.

Further provided that the Department of Human Resources shall develop a plan by June 1, 2010 to consolidate local department administrative functions including procurement, budget, human resources and training. The plan shall include a schedule detailing General Fund savings of \$650,000 and the abolition of at least ~~15~~ 25 vacant local department administrative positions no later than October 1, 2010.

**Explanation:** *This language amends Section 24 of the fiscal 2011 budget bill to reflect additional general fund savings and an additional reduction of 10 positions from the consolidation of local department administrative savings. The language also clarifies that the positions abolished through this consolidation should be vacant.*

Amendment No. 69

Add the following section:

### **Section 25 Across-the-board Reductions and Higher Education**

SECTION 25. 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.

## Sections

**Explanation:** This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College, unless their exclusion is specifically stated.

Add the following section:

### Section 26 Injured Workers' Insurance Fund Accounts

SECTION 26. AND BE IT FURTHER ENACTED, That the Comptroller'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, 2010

Add the following section:

### Section 27 Reporting Federal Funds

SECTION 27. 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 actual fiscal 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 allowance 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.

## Sections

Information Request	Author	Due Date
Report of components of each federal fund appropriation	DBM	With submission of fiscal 2012 budget

Add the following section:

### Section 28 Federal Fund Spending

SECTION 28. 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 2011, 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 the administration of federal funds by executive agencies.

**Explanation:** This annual language defines the policies under which federal funds shall be used in the State budget.

## Sections

Add the following section:

### **Section 29 Indirect Costs Report**

SECTION 29. 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 2011 as an appendix in the Governor's fiscal 2012 budget books. The report shall detail by agency for the actual fiscal 2010 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 2011, 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.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Annual report on indirect costs	DBM	With submission of the Governor's fiscal 2012 budget books

Add the following section:

### **Section 30 Executive Long-term Forecast**

SECTION 30. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the Executive budget proposal on the long-term fiscal condition of the General Fund, Transportation Trust Fund, and higher education current unrestricted fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and four years thereafter. Expenditures shall be reported at such agency, program or unit levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

## Sections

**Explanation:** This annual language provides for the delivery of the Executive's general fund forecast and defines the conditions under which it is to be provided, while requiring that recovered funds may only be transferred to the general fund.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Executive's general fund forecast	Department of Budget and Management	With submission of the Governor's fiscal 2012 budget books

Add the following section:

### **Section 31 Reporting on Budget Data and Organizational Charts**

SECTION 31. 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 2012 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 2011 except as indicated elsewhere in this Act; however, this shall not preclude the placement of additional information into the budget books. For actual fiscal 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 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 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available 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.

## Sections

**Explanation:** This annual language provides for consistent reporting of fiscal 2010, 2011, and 2012 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.

Add the following section:

### Section 32 Interagency Agreements

SECTION 32. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that on or before August 1, 2010, 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 2010 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, 2010, 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 2010.

**Explanation:** The language requires all State agencies and public institutions of higher education to report on all interagency agreements between State agencies and public institutions of higher education having a total potential expenditure over the term of the agreement in excess

## Sections

of \$100,000. This applies only to agreements for the purchase of goods and/or services and does not apply to grants or space agreements between State agencies and public institutions of higher education. Further, it requires that DBM submit a consolidated report on all agreements by December 1, 2010, to the budget committees and the Department of Legislative Services.

Information Request	Author	Due Date
Consolidated report on all interagency agreements	DBM	December 1, 2010

Add the following section:

### Section 33 Budget Amendments

SECTION 33. 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:

## Sections

- (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% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to 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 2011 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2011 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 pay-as-you-go 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 2012 allowance the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

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

## Sections

Add the following section:

### Section 34 Maintenance of Accounting Systems

SECTION 34. 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 2010 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 2010 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 2010 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 2010 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, 2010, March 1, 2011, and June 1, 2011.
- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2010 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, the Maryland State Department of Education, and the Department of Human Resources.

## Sections

Information Request	Authors	Due Date
Report on appropriations and disbursements in M00Q01.03, R00A02.07, and N00G00.01	Department of Health and Mental Hygiene Maryland State Department of Education Department of Human Resources	November 1, 2010 March 1, 2011 June 1, 2011

Add the following section:

### **Section 35 Secretary's or Acting Secretary's Nomination and Salary**

SECTION 35. 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 2010 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2010 session.

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

Add the following section:

### **Section 36 The "Rule of 100"**

SECTION 36. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2010, 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 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of men, which are necessary to protect the health and safety of the people of Maryland.

## Sections

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 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 100 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, 2011, the status of positions created with non-State funding sources during fiscal 2007, 2008, 2009, 2010, and 2011 under this provision as remaining authorized or abolished due to the discontinuation of funds.

**Explanation:** This annual language, the “Rule of 100”, limits the number of positions that may be added after the beginning of the fiscal year to 100 and provides for exceptions to the limit.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Certification of the status of positions created with non-State funding sources during fiscal 2007, 2008, 2009, 2010, and 2011	Department of Budget and Management	June 30, 2011

Add the following section:

### **Section 37 Annual Report on Authorized Positions**

SECTION 37. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2010, 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 2010 and on the first day of fiscal 2011. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2010 and 2011 including

## Sections

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 2011 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 2012 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 2011 Governor's budget books shall also be provided.

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

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Total number of full-time equivalents on June 30 and July 1, 2010	Department of Budget and Management	July 14, 2010
Report on the creation, transfer, or abolition of regular positions	Department of Budget and Management	As needed

Add the following section:

### **Section 38 Annual Executive Pay Plan Report**

SECTION 38. AND BE IT FURTHER ENACTED, That the Department of Budget and Management and the Maryland Department of Transportation are required to submit to the Department of Legislative Services' (DLS) Office of Policy Analysis:

- (1) a report in Excel format listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 1, 2010, October 1, 2010, January 1, 2011, and April 1, 2011; and

## Sections

- (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.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report of all Executive Pay Plan positions	Department of Budget and Management	July 15, 2010
		October 15, 2010
	Maryland Department of Transportation	January 15, 2011
		April 15, 2011

Add the following section:

### **Section 39 Positions Abolished in the Budget**

SECTION 39. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

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

Add the following section:

### **Section 40 Annual Report on Health Insurance Receipts and Spending**

SECTION 40. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2012 Governor's budget books an accounting of the fiscal 2010 actual, fiscal 2011 working appropriation, fiscal 2012, and fiscal 2013 estimated revenues and expenditures associated with the employees' and retirees' health plan. This accounting shall include:

## Sections

- (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 2012 budget books

Add the following section:

### **Section 41 Chesapeake Bay Restoration Expenditures**

SECTION 41. AND BE IT FURTHER ENACTED, That \$500,000 of the General Fund appropriation for the Department of Budget and Management (DBM) and \$500,000 of the General Fund appropriation for the Department of Natural Resources (DNR) made for the purpose of general operating expenses may not be expended until DBM and DNR provide two reports on Chesapeake Bay restoration spending. The reports shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the reports is as follows:

- (1) Chesapeake Bay restoration expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2010 actual, fiscal 2011 working appropriation, and fiscal 2012 allowance, which is to be included as an appendix in the fiscal 2012 budget volumes and submitted electronically in disaggregated form to DLS; and
- (2) two-year milestone funding over the fiscal 2009 to 2012 time period by fund type and particular fund source for each best management practice along with the associated nitrogen, phosphorus, and sediment reductions as they relate to meeting the respective two-year milestone, which is to be submitted electronically to DLS at the time of the fiscal 2012 State budget submission.

## Sections

The budget committees shall have 45 days to review and comment upon the receipt of each report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** This language restricts funds until DBM and DNR provide information on (1) overall Chesapeake Bay restoration spending; and (2) two-year milestones best management practice funding at the time of the fiscal 2012 budget submission.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Summary of Chesapeake Bay restoration expenditures and two-year milestone funding	DBM DNR	Fiscal 2012 State budget submission and annually thereafter

Add the following section:

### **Section 42 Plan to Allocate Budget Reductions**

SECTION 42. AND BE IT FURTHER ENACTED, That:

- (1) the Department of Human Resources (DHR) shall submit to the Department of Budget and Management (DBM) a plan which allocates the reductions included in DHR programs and subprograms in Comptroller subobject 0193 (Health Savings) to the objects, programs, and subprograms in which the reductions will actually occur; and
- (2) after reviewing and approving the plan submitted by DHR, DBM shall reflect the allocations of the reductions as contained in the plan in the appropriations listed in the fiscal 2011 Fiscal Digest.

Further provided that DHR shall submit the report to DBM on a schedule acceptable to DBM.

Further provided that DHR shall provide a copy of the plan as approved by DBM to the Department of Legislative Services no later than July 1, 2010.

**Explanation:** The budget for DHR contains an unallocated budget reduction in Comptroller subobject 0193 (Health Savings). Until the reduction is allocated to the actual objects to be reduced, a clear picture of the DHR budget cannot be seen. This language requires DHR to report to DBM on the allocation and requires DBM to include the allocation in the fiscal 2011 Fiscal Digest.

## Sections

Information Request	Author	Due Date
Allocation plan submitted to DBM for the reductions in Comptroller subobject 0193	DHR	In sufficient time to be included in the fiscal 2011 Fiscal Digest
Copy of the plan as approved by DBM to be submitted to the Department of Legislative Services	DHR	No later than July 1, 2010

Strike the following language:

### **~~Section 43 — Report on Money Owed to the State~~**

~~SECTION 43. AND BE IT FURTHER ENACTED, That \$50,000 of the General Fund appropriation for the Interagency Committee on School Construction (IAC), program D25E03.01 General Administration, and \$50,000 of the General Fund appropriation for the Governor's Office of Crime Control and Prevention, program D15A05.16 representing a portion of Montgomery County's share of State Aid for Police Protection, may not be expended until the IAC and Montgomery County jointly prepare and submit a report to the budget committees concerning the results of negotiations on funds owed by Montgomery County to the State resulting from the sale or lease of public school properties. The report shall include a payment plan that is agreed upon by the county and IAC. The budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.~~

**Explanation:** A December 2009 legislative audit report stated that in two preceding audits, at least \$3.2 million was identified that IAC should collect from Montgomery County as a portion of proceeds from the lease or sale of 17 former school properties in which the State has a financial interest. The county has agreed that it owes funds to the State, but it has disputed the amount of \$3.2 million.

IAC reports that the \$3.2 million was calculated as of 2000 based on projected rental proceeds to lease maturity. In the intervening years, some lease agreements have changed. As a result, IAC recently recalculated the amount owed based on 2009 projected rental proceeds to lease maturity, which is \$2.1 million. On March 9, 2010, Montgomery County offered a counter proposal to pay \$1.4 million, which represents rental proceeds previously collected, and it will make an annual payment to the State for future rental proceeds collected.

## Sections

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on funds owed by Montgomery County for schools that are leased or sold	IAC Montgomery County	45 days before release of funds

Amendment No. 70

Add the following section:

### **Section 44 Speed Camera Operations**

SECTION 44. AND BE IT FURTHER ENACTED, That the Department of State Police (DSP) may not expend \$100,000 of the appropriation made for new positions associated with speed camera operations until DSP, the Department of Budget and Management, the Maryland State Highway Administration (SHA), and the Maryland Transportation Authority (MDTA) submit a joint report to the budget committees outlining the long-term plan for speed camera operations in the State of Maryland. At a minimum, the report shall include a formalized plan outlining:

- (1) the duties and responsibilities of each agency participating in the program, including a draft copy of a signed memorandum of understanding between the parties;
- (2) the number of law enforcement positions (DSP and MDTA) needed to successfully operate the program, including a spending plan that is not based on employee overtime;
- (3) the estimated annual costs of the program, including personnel and vendor costs; and
- (4) the number of mobile enforcement vehicles to be operated statewide.

The budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** Chapter 500 of 2009 authorized the use of work zone speed monitoring systems. This action restricts a portion of the funding approved in the fiscal 2011 legislative appropriation until DSP, the Department of Budget and Management (DBM), SHA, and MDTA submit a joint report outlining the long-term plan for speed camera operations.

## Sections

Information Request	Authors	Due Date
Submission of a long-term plan for speed camera operations	DSP DBM SHA MDTA	45 days prior to expending funds for new positions

Amend the following language:

### Section 45 Position Abolitions

SECTION 45. AND BE IT FURTHER ENACTED, That the Governor shall abolish 500 regular full-time equivalent positions from the Executive Branch during fiscal 2011, and the funding for salaries shall be reduced by ~~\$11,412,000~~ \$12,000,000 in general funds related to these abolitions. The abolitions shall occur on or before June 30, 2011, and an accounting of the abolished positions shall be noted in Appendix E of the fiscal 2012 budget submission. The Governor is authorized to promote these position abolitions through attrition by offering financial inducements that encourage voluntary separation, provided that any inducements are disbursed from within existing agency resources.

**Explanation:** This action abolishes 500 regular full-time positions in the Executive Branch and reduces general fund spending by ~~\$11.4~~ \$12.0 million. The action authorizes the Administration to promote voluntary employee separations through financial incentives.

Amendment No. 71

Add the following section:

### Section 46 Prohibiting Statewide Office Candidates from Appearing in State Funded Advertising

SECTION 46. AND BE IT FURTHER ENACTED, That, before January 10, 2011:

- (1) No State funds, including any State funds appropriated to any local jurisdiction or municipality, may be expended for development, production, or distribution to the public of promotional or informational materials on behalf of State programs through billboard, magazine, newspaper, electronic, radio, or television media which bear the likeness or voice, or include the name, of a person who has filed a certificate of candidacy for statewide office with the State Board of Elections for an election to occur in calendar year 2010.

## Sections

- (2) Any contracts or agreements authorizing distribution of materials or content subject to subsection (1) of this section or materials or content scheduled to run after a candidate has filed a certificate of candidacy shall be terminated for convenience or otherwise as authorized under the provisions of the State Finance and Procurement Article or otherwise and the materials or content shall be returned to the contracting agency.
- (3) This section does not apply to the use of locally derived revenues or to communications of any candidate for statewide office to the media that are directly connected to the performance of the duties of office essential to the protection of public welfare, health, or safety.

**Explanation:** This language prohibits the expenditure of State funds on promotional or information materials on behalf of State programs that include the voice, likeness, or name of a person who has filed a certificate of candidacy for statewide office with the State Board of Elections for the 2010 gubernatorial elections. The language also requires that contracts or agreements for the distribution of that material be terminated for convenience or otherwise. The language provides exceptions for this prohibition.

Add the following section:

### **Section 47 Homeland Security Spending**

SECTION 47. AND BE IT FURTHER ENACTED, That, on or before October 1, 2010, the Governor's Office of Homeland Security shall submit a written report, subject to § 2-1246 of the State Government Article, to the General Assembly. The report shall include the following information for fiscal 2009, fiscal 2010, and estimated for fiscal 2011:

- (1) specific spending for purposes related to homeland security by agency and by funding source;
- (2) information on pass-through funding made available to local jurisdictions by jurisdiction and funding sources;
- (3) the uses to which these funds have been put at the State level;
- (4) restrictions, contingencies, and any applicable expiration dates for funds made available through the federal government; and
- (5) a breakdown of the Office of Homeland Security's share of the Governor's Office budget regardless of funding source.

**Explanation:** This language requires the Governor's Office of Homeland Security (GOHS) to submit a report detailing annual expenditures for homeland security.

## Sections

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on homeland security spending	GOHS	October 1, 2010

Add the following section:

### ***Section 48 Report on Renewable Energy Policy on Agricultural Easements***

SECTION 48. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Energy Administration, in consultation with the Maryland Department of Agriculture, submit a report to the House Environmental Matters Committee; the Senate Education, Health, and Environmental Affairs Committee; the House Appropriations Committee; and the Senate Budget and Taxation Committee by December 1, 2010, on policy recommendations for allowing Maryland Agricultural Land Preservation Foundation easement holders to implement solar or wind renewable energy generation projects that may assist in contributing to the State's renewable energy goal of 20% by 2022. The committees shall have 45 days to review and comment following receipt of the report.

**Explanation:** This language states the intent of the General Assembly that the Maryland Energy Administration (MEA) work with the Maryland Department of Agriculture (MDA) on policy recommendations for allowing agricultural easement holders to implement solar or wind renewable energy generation projects in order to help meet the State's renewable energy goal.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on renewable energy policy on agricultural easements	MEA MDA	December 1, 2010

Amendment No. **72**

Add the following section:

### ***Section 49 Report on Marcellus Shale Policy on Agricultural Easements***

SECTION 49. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Department of Agriculture and Department of Natural Resources submit a report to the House Environmental Matters Committee; the Senate Education, Health, and Environmental Affairs Committee; the House Appropriations Committee; and the Senate Budget and Taxation Committee by December 1, 2010, on policy recommendations for allowing Maryland Agricultural Land Preservation Foundation and Rural Legacy Program easement

## Sections

holders to extract natural gas from the Marcellus Shale formation. The committees shall have 45 days to review and comment following receipt of the report.

**Explanation:** This language states the intent of the General Assembly that the Maryland Department of Agriculture (MDA) and Department of Natural Resources (DNR) work on policy recommendations for allowing agricultural easement holders to extract natural gas from the Marcellus Shale formation.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on Marcellus Shale energy policy on agricultural easements	MDA DNR	December 1, 2010

Amendment No. **73**

Add the following section:

### **Section 50 Procurement Preference Program**

SECTION 50. AND BE IT FURTHER ENACTED, That \$250,000 of the General Fund appropriation for the Department of Budget and Management (DBM), \$250,000 of the General Fund appropriation for the Department of General Services (DGS), and \$250,000 of the Special Fund appropriation for the Maryland Department of Transportation (MDOT) may not be expended until DBM, DGS, and MDOT submit a joint report to the budget committees by November 1, 2010, outlining the feasibility of establishing a procurement preference program for veteran- and service-disabled veteran-owned businesses. At a minimum, the report shall include the following:

- (1) a definition of the terms “veteran” and “service-disabled veteran” that may be utilized when determining eligibility for the procurement preference program;
- (2) a recommendation as to how the program may be implemented, including the advantages and disadvantages of implementing a procurement preference program for veteran- and service-disabled veteran-owned businesses;
- (3) the projected costs of implementing a procurement preference program, including training expenses, program outreach, and information technology expenses; and
- (4) the fiscal impact on statewide procurement spending of implementing a program with a procurement preference goal of awarding 0.5% of total procurements to certified veteran- and service-disabled veteran-owned businesses.

## Sections

The budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be cancelled if the report is not submitted to the budget committees.

**Explanation:** This language restricts funds until DBM, DGS, and MDOT provide a report on the feasibility of establishing a procurement preference program for veteran- and service-disabled veteran-owned businesses.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
Report on implementing procurement preference program for veteran- and service-disabled veteran-owned businesses	DBM DGS MDOT	November 1, 2010

Amendment No. **74**

Add the following section:

### **Section 51 Electricity Savings**

SECTION 51. AND BE IT FURTHER ENACTED, That on or before July 1, 2010, the Governor shall develop a schedule to allocate a reduction of \$2,800,000 in general funds for electricity (Comptroller subobject 0620) across all Executive Branch agencies.

**Explanation:** This action reduces statewide funding allocated for electricity within Executive Branch agencies by \$2.8 million in general funds. The Governor shall develop a schedule that allocations these reductions across Executive Branch agencies by July 1, 2010.

Amendment No. **75**

## Technical Amendment

### Technical Amendment

Renumber SECTION 48 as SECTION 52 and SECTION 49 as SECTION 53.

Amendment No. **76**