Operating Budget Data

(\$ in Thousands)

	FY 14 <u>Actual</u>	FY 15 Working	FY 16 Allowance	FY 15-16 Change	% Change Prior Year
General Fund	\$12,296	\$12,935	\$13,443	\$508	3.9%
Deficiencies and Reductions	0	-440	-642	-201	
Adjusted General Fund	\$12,296	\$12,495	\$12,802	\$307	2.5%
Special Fund	4,288	4,444	4,517	73	1.7%
Deficiencies and Reductions	0	-300	-26	274	
Adjusted Special Fund	\$4,288	\$4,144	\$4,491	\$347	8.4%
Federal Fund	880	1,762	1,525	-237	-13.5%
Deficiencies and Reductions	0	588	-26	-614	
Adjusted Federal Fund	\$880	\$2,350	\$1,499	-\$851	-36.2%
Reimbursable Fund	1,099	982	1,006	24	2.4%
Adjusted Reimbursable Fund	\$1,099	\$982	\$1,006	\$24	2.4%
Adjusted Grand Total	\$18,563	\$19,971	\$19,798	-\$173	-0.9%

Note: The fiscal 2015 working appropriation reflects deficiencies and the Board of Public Works reductions to the extent that they can be identified by program. The fiscal 2016 allowance reflects back of the bill and contingent reductions to the extent that they can be identified by program.

• The Governor has submitted a deficiency appropriation for the fiscal 2015 operating budget, which would increase the Maryland Department of Planning's (MDP) general fund appropriation by \$150,000 for utilities at Jefferson Patterson Park and Museum, decrease the special fund appropriation by \$300,000 for Maryland Heritage Areas Authority grants due to a reduction in transfer tax revenue, and increase the federal fund appropriation by \$587,979 for disaster relief to historic properties damaged by Hurricane Sandy and a pocket guide to the Captain John Smith Chesapeake National Historic Trail.

Note: Numbers may not sum to total due to rounding

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• The overall adjusted change in MDP's 2016 allowance is a decrease of \$173,152, or 0.9%. The major change is a decrease of \$995,889 in federal funds in the Management Planning and Educational Outreach program due to a reduction in federal Historic Preservation Fund Grants funding.

Personnel Data

	FY 14 <u>Actual</u>	FY 15 Working	FY 16 Allowance	FY 15-16 Change			
Regular Positions	152.00	151.00	151.00	0.00			
Contractual FTEs	<u>11.77</u>	<u>19.33</u>	<u>19.30</u>	<u>-0.03</u>			
Total Personnel	163.77	170.33	170.30	-0.03			
Vacancy Data: Regular Positions							
Turnover and Necessary Vacancies, Exclu Positions	iding New	6.86	4.54%				
Positions and Percentage Vacant as of 11/	1/14	10.00	6.62%				

- Regular positions do not change in the fiscal 2016 allowance.
- MDP notes that two positions have been vacant for more than a year: an administrator I since April 2, 2013 (PIN 076180) and an education and exhibition specialist I since July 1, 2013 (PIN 045699). However, these positions are being held vacant to meet turnover.
- Contractual full-time equivalents (FTEs) decrease by a net of 0.03 in the fiscal 2016 allowance. This reflects a decrease of 1.0 FTE in Planning Data Services, and a decrease of 0.03 FTE in Museum Services Jefferson Patterson Park and Museum. These reductions are offset partially by an increase of 1.0 FTE in Museum Services Jefferson Patterson Park and Museum Maryland Archaeological Conservation Laboratory.
- MDP's turnover rate has been reduced from 5.46% to 4.54% in the fiscal 2016 allowance.

Analysis in Brief

Major Trends

Number of Intergovernmental Projects Reviewed Rebounds: The number of intergovernmental projects reviewed increased between fiscal 2013 and 2014, perhaps due to greater outreach, electronic access, and a new federal requirement that may be met through the Maryland Intergovernmental Review and Coordination (MIRC) process.

Local Plan Comments Decline Relative to Smart Growth Technical Assistance: Since fiscal 2009 the Planning Services program has appeared to shift gears from (1) making comments on local plans in response to comprehensive plan requirements to (2) providing analyses with technical assistance related to smart growth in response to smart growth policies and legal requirements.

Heritage Areas Authority Grant Leveraging Spikes in Fiscal 2014: There has been a substantial increase in the amount of non-State match leveraged by Maryland Heritage Areas Authority grant funding in fiscal 2014 perhaps as a result of a capital grant eligibility requirement change, the recent commemorations of the Bicentennial of the War of 1812 and the 150th anniversary of the Civil War, and an improvement in the economy.

Issues

MdProperty View Funding: The Planning Data Services program administers MdProperty View – a visual presentation of Maryland jurisdiction tax maps and parcel information. Beginning in fiscal 2015, MDP stopped charging State agencies and the public for MdProperty View subscriptions, which means that there is no new revenue from either the State agencies or the public in fiscal 2015. In addition, in the January 7, 2015 Board of Public Works (BPW) cost containment actions, the Administration reduced general funds by \$200,000 and planned for the funding to be backfilled by the Parcel Mapping Fund, the former revenue account for MdProperty View. This \$200,000 in special funds from the fund balance was intended to be used to defray fiscal 2016 funding needs, but is instead now being used in fiscal 2015. As a result, the fiscal 2016 budget is balanced using \$200,000 in special funds that do not exist because they are being used in fiscal 2015 and so there will be a \$200,000 shortfall in fiscal 2016. **The Department of Legislative Services (DLS) recommends that MDP comment on how it plans to address the \$200,000 special fund shortfall in fiscal 2016.**

Recommended Actions

		Funds
1.	Abolish two long-term vacant positions.	
2.	Reduce special fund appropriation to reflect there are no funds supporting it.	\$ 200,000
3.	Reduce contractual full-time equivalent funding increases to reflect the fiscal 2016 salary reduction.	14,214
	Total Reductions	\$ 214,214

Updates

Reinvest Maryland Report: The Administration requested that the Maryland Sustainable Growth Commission make recommendations to accelerate infill, redevelopment, and revitalization efforts given that this will not happen without a deliberate effort. The commission published a report in September 2014 based on this charge with recommendations that include creating a Reinvest Maryland aggregate funding source of at least \$100 million annually.

Smart Growth Funding Report: There is an annual reporting requirement under State Government Article 9-1406 for growth-related capital programs. The overall trend since fiscal 2011 is an increasing percentage of State capital spending inside priority funding areas (PFA) – designated mostly urbanized areas where growth is to be focused – relative to spending outside. State spending declined to a low of 45% inside PFAs in fiscal 2011 and then increased to 87% in fiscal 2013 before declining slightly to 86% in fiscal 2014 due to the Public School Construction program funding outside the PFAs.

Operating Budget Analysis

Program Description

The Maryland Department of Planning (MDP) provides information and services that aid State and local governments and nonprofit organizations in supporting desirable growth in Maryland. MDP consists of an administrative unit and the programmatic units as described as follows.

- Communications and Intergovernmental Affairs incorporates the State Clearinghouse for Intergovernmental Assistance as well as MDP's intergovernmental affairs unit, which guides education and outreach efforts. The Clearinghouse facilitates intergovernmental review and coordinates review of applications for federal and State financial assistance, proposals for direct federal development programs, drafts of environmental impact statements, State plans requiring gubernatorial review, and other actions requiring intergovernmental coordination.
- Planning Data Services collects, analyzes, and publishes social, economic, and geographic information relating to the State and its political subdivisions; identifies and evaluates development issues; and prepares reports and studies on specific topics for the Governor and General Assembly. The program also disseminates U.S. Census and U.S. Department of Commerce information to State and local governments and the private sector. This program also develops and sells computerized property maps to the public, although this will be phased out beginning in fiscal 2015.
- **Planning Services** provides technical services to improve the planning and management capacity of local governments. The program's Centreville, Cumberland, and Salisbury regional offices help local governments with land-use planning, zoning, and urban design issues.
- Management Planning and Educational Outreach provides administrative support for the Division of Historical and Cultural Programs and administers noncapital grants and the Maryland Heritage Areas Authority (MHAA) Program.
- Office of Museum Services provides financial and technical assistance to approximately 220 historic and cultural museums and operates the Jefferson Patterson Park and Museum in Calvert County.
- Office of Research, Survey, and Registration seeks to advance research, documentation, evaluation, and retrieval of information about Maryland's historical and cultural resources through the Maryland Inventory of Historic Properties and National Register of Historic Places. The program also handles nominations to the National Register of Historic Places.

• Office of Preservation Services seeks to protect and enhance historical and cultural properties in Maryland through State and federal regulatory reviews, historic preservation easements, and historic rehabilitation tax credits. The program also administers capital loans and grants.

The Division of Historical and Cultural Programs and the MHAA were merged with MDP in fiscal 2006. However, the Administration has not updated MDP's goals in its Managing for Results (MFR) submission in order to reflect the merger. MDP's primary goals are as follows:

- preserving valuable natural resources including forest and farmland;
- supporting existing communities by targeting resources to areas where infrastructure exists;
- increasing infrastructure investment returns by encouraging growth in priority funding areas (PFA); and
- providing web-enabled information and services to the public over the Internet.

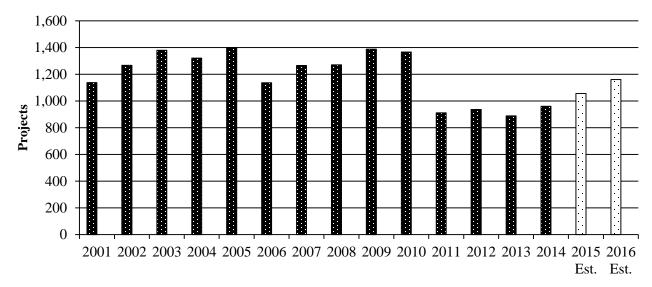
Performance Analysis: Managing for Results

MDP's fiscal 2016 MFR submission reflects an increase in the number of intergovernmental projects reviewed between fiscal 2013 and 2014, perhaps due to greater outreach, electronic access, and a new federal requirement that may be met through the Maryland Intergovernmental Review and Coordination (MIRC) process. A second measure shows that since fiscal 2009 the Planning Services program has appeared to shift gears from (1) making comments on local plans in response to comprehensive plan requirements to (2) providing analyses with technical assistance related to smart growth in response to smart growth policies and legal requirements. Finally, the MFR measures show that there has been a substantial increase in the amount of non-State match leveraged by Maryland Heritage Areas Authority grant funding in fiscal 2014 perhaps as a result of a capital grant eligibility requirement change, the recent commemorations of the Bicentennial of the War of 1812 and the 150th anniversary of the Civil War, and an improvement in the economy.

1. Number of Intergovernmental Projects Reviewed Rebounds

MDP's Communications and Intergovernmental Affairs program includes the State Clearinghouse for Intergovernmental Assistance. The Clearinghouse's goal is to efficiently manage the MIRC process to ensure increased consistency of plans and proposed development projects with federal, State, and local plans, programs, objectives, smart growth policies, Priority Places strategies, and permitting requirements. For instance, MDP's calendar 2014 annual report notes that Clearinghouse staff facilitated review of a Frostburg Enterprise Zone Application that incentivizes local businesses and was found to align redevelopment and investment with the city's comprehensive plan and smart growth principles. As shown in **Exhibit 1**, there was a substantial decline in the number of projects received and reviewed between fiscal 2010 (1,366) and 2011 (911), a trend which appears to have been reversed starting in fiscal 2014.

Exhibit 1
Maryland Intergovernmental Review and Coordination Projects
Received and Reviewed
Fiscal 2001-2016 Estimated



MIRC: Maryland Intergovernmental Review and Coordination

Source: Governor's Budget Books, Fiscal 2004-2016

In the past, MDP has attributed the decrease in the number of MIRC projects to a reduction in federal grant dollars since this is the majority of funding that is available to State agencies, universities, and local governments for direct development and research, and to a lack of State employee awareness of the MIRC process and the requirement to submit projects for review. Now MDP explains that the following actions have and will continue to increase the projects reviewed.

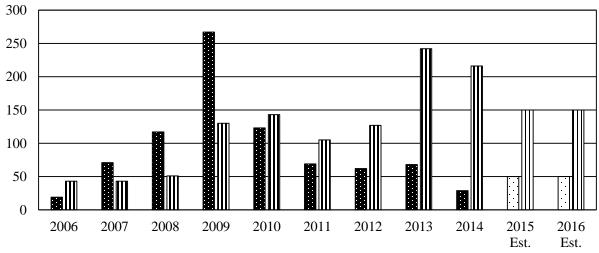
- Clearinghouse Outreach MDP is conducting training sessions on the MIRC process, distributing rack cards, maintaining a Twitter page, speaking at relevant conferences about the MIRC process, and collaborating more with other agencies.
- **Electronic Access** State agencies now may enter projects at any time directly into the Clearinghouse database for intergovernmental review and later in fiscal 2015 local governments will have the same access.
- **Federal Requirement** There is a new update to a federal Office of Management and Budget rule Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards which became effective December 26, 2014, for nonfederal agencies. This update requires applicants for federal funding to have a "Merit Review" of their proposal, which can be satisfied by a MIRC review.

The Department of Legislative Services (DLS) recommends that MDP comment on what types of new projects it expects to review as part of the "Merit Review" process for federal funding applicants.

2. Local Plan Comments Decline Relative to Smart Growth Technical Assistance

The Administration has made smart growth a signature effort, and MDP is the main coordinator of the effort. To this end, one of the Planning Services program's goals is to preserve State natural resources, including forests and farmland, by increasing technical assistance on smart growth issues to local governments. Technical assistance includes analyses of rural preservation and new household capacity. In addition, the Administration measures the number of local plans/amendments analyzed to which they have added comments. Local plans and amendments include comprehensive plans, water and sewer plans, educational facilities master plans, annexations, County Watershed Implementation Plans, and PlanMaryland Planning Area applications (in recent years). **Exhibit 2** shows the substantial increase in the analyses with technical assistance related to smart growth conducted between fiscal 2012 (127) and 2013 (242), and even into fiscal 2014 (216). This is in contrast to the decrease in the number of local plans/amendments commented on between fiscal 2009 (267) and 2014 (29).

Exhibit 2
Local Plan Comments Decline Relative to Smart Growth Technical Assistance
Fiscal 2006-2016 Est.



[■] Number of Local Plans/Amendments Analyzed and Commented on

Source: Governor's Budget Books, Fiscal 2009-2016

[■] Analyses with Completed Technical Assistance Related to Smart Growth, Including Rural Preservation and New Household Capacity

The apparent shift from comments on local plans/amendments to technical assistance on smart growth issues to local governments appears to be due to a couple of factors as follows.

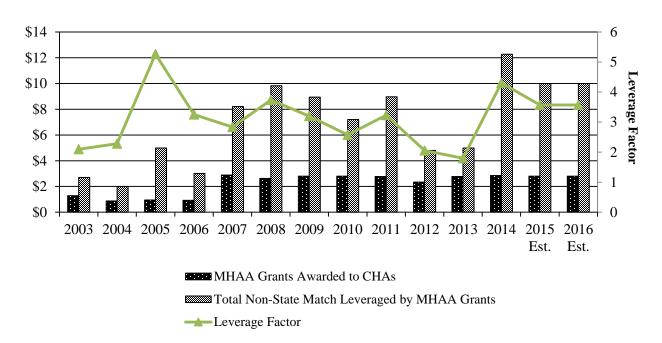
- Comprehensive Plan Mandates The State imposed comprehensive plan mandates the Municipal Growth Element and the Water Resources Element in the 2006 legislative session with an incorporation deadline in comprehensive plans by October 1, 2009. This accounts for the spike of 267 local plans/amendments analyzed and commented on in fiscal 2009. MDP notes that since then there have been no major planning initiatives and none are anticipated in the near future. In fact, MDP notes that Chapter 520 of 2013 (Land Use Local Comprehensive Planning and Zoning Cycle) extended the mandatory comprehensive plan review period for municipalities and noncharter counties from every 6 years to every 10 years. Going forward there may be a drop in the number of local plans/amendments analyzed and commented on.
- New Smart Growth Requirements MDP notes that during fiscal 2013 and 2014 it provided more technical assistance on smart growth issues to local governments than it normally would and this was in response to three specific State initiatives: (1) the Sustainable Growth and Agricultural Preservation Act of 2012 (Chapter 149), for which MDP provided analysis and mapping assistance to jurisdictions required to designate growth tiers in order to define where growth on septic systems would occur; (2) Smart, Green, and Growing The Sustainable Communities Act of 2010 (Chapter 487), for which MDP's local planners provided assistance to jurisdictions required to designate sustainable communities; and (3) PlanMaryland Planning Areas, which were laid out as part of Executive Order 01.01.2011.22 on December 19, 2011. MDP noted that it has passed the peak of technical assistance as noted by the 242 analyses completed in fiscal 2013 and does not anticipate any new policy initiatives.

DLS recommends that MDP comment on how it will use its Planning Services resources given that it does not anticipate any new comprehensive plan mandates or smart growth requirements.

3. Heritage Areas Authority Grant Leveraging Spikes in Fiscal 2014

The Management Planning and Educational Outreach program has the goal to encourage economic development by enhancing historical resources and leveraging non-State investment in heritage tourism and preservation activities within Certified Heritage Areas. In fiscal 2014, MDP issued almost \$2.9 million in grants and leveraged \$12.3 million in non-State match funding, which is the highest amount leveraged over the time period shown in **Exhibit 3**.

Exhibit 3
Maryland Heritage Areas Authority Grant Leveraging Factor
Fiscal 2003-2016 Estimated
(\$ in Millions)



CHA: Certified Heritage Areas

MHAA: Maryland Heritage Areas Authority

Note: Funding increased from \$1 million in fiscal 2006 to \$3 million in fiscal 2007. In fiscal 2012, a combined operating budget reduction and a Budget Reconciliation and Financing Act of 2011 (Chapter 397 of 2011) statutory change effectively reduced the funding available for grants by \$500,000. In fiscal 2015, a \$300,000 negative efficiency reduces the grant funding available to \$2.5 million, which is not reflected here.

Source: Governor's Budget Books, Fiscal 2006 -2016

MDP attributes the substantial increase in leveraging to two factors as follows.

- Capital Grant Eligibility Requirements Change MDP changed its capital grant eligibility requirements in or around calendar 2012, which is thought to have increased the number of project applications for fiscal 2014 and the amount leveraged. It is also thought that the improving economy encouraged more large-scale capital projects and may have tapped some pent-up demand.
- Commemorations MDP also notes that in fiscal 2014 and 2015 there have been a number of projects submitted that are associated with the commemoration of the Bicentennial of the War of 1812 and the 150th anniversary of the Civil War, which presumably may leverage more funding than projects not connected to major commemorations.

DLS recommends that MDP comment on what other upcoming commemorations could be expected to increase the leveraging of Maryland Heritage Areas Authority capital grants as have the Bicentennial of the War of 1812 and the 150th anniversary of the Civil War.

Fiscal 2015 Actions

A number of actions have been taken on MDP's fiscal 2015 budget. These actions include July 2, 2014 Board of Public Works (BPW) cost containment actions, January 7, 2015 BPW specific cost containment actions, a 2% across-the-board reduction, and fiscal 2015 deficiencies, which include a cost containment action as well. These actions are reflected in **Exhibit 4** and total to the fiscal 2015 adjusted working appropriation that is used for comparison of the budget in this analysis.

Exhibit 4 Fiscal 2015 Reconciliation to Adjusted Working Appropriation

Action	Description	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>
Legislative Approp	oriation with Budget	\$13,031	\$4,444	\$1,762	\$982	\$20,219
July BPW	Delete position and reduce funding for a vacant administrator III in the Communications and Intergovernmental Affairs program (\$69,258 general funds) and reduce funding for the Maryland Humanities Council grant (\$26,750 general funds)	-96	0	0	0	-96
Working Appropri	iation	\$12,935	\$4,444	\$1,762	\$982	\$20,123
January BPW	Reduce general funds and substitute excess special funds in the Parcel Mapping Fund to cover certain operating expenses (\$200,000 general funds) and delete funding for research on the Battle of Brooklyn as the project cannot be pursued at this time (\$131,694 general funds)	-332	0	0	0	-332

D40W01 - Department of Planning

Action	Description	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	Total
January BPW Across the Board	2% across-the-board reduction	-259	0	0	0	-259
Deficiency Appropriations	Increase funding for utilities at the Jefferson Patterson Park and Museum (\$150,000 general funds), reduce funding for Maryland Heritage Areas Authority grants (\$300,000 special funds), increase funding for disaster relief to historic properties damaged in Maryland by Hurricane Sandy (\$545,889 federal funds), and increase funding for a pocket guide to the Captain John Smith Chesapeake National Historic Trail (\$42,090 federal funds)	150	-300	588	0	438
Total Actions since	January 2015	-\$440	-\$300	\$588	\$0	-\$152
Adjusted Working	g Appropriation	\$12,495	\$4,144	\$2,350	\$982	\$19,971

BPW: Board of Public Works

Source: Department of Legislative Services

Other Cost Containment Actions

Among other actions, the July 2, 2015 BPW cost containment actions included the plan to revert \$209,000 in prior year unspent Maryland Heritage Area Authority funds and \$58,000 in excess operating revenue from the Sustainable Communities Tax Credit administrative fees collected in fiscal 2014. These actions are reflected in Appendix A – General Fund Budget Summary of the Fiscal 2016 Governor's Budget Highlights. However, reversion to the general fund does not appear to be the appropriate method by which to handle this transfer of funding given that both funds are nonlapsing special funds, and thus would require transfer provisions in SB 75/HB 72 (Budget Reconciliation and Financing Act of 2015). This concern will be addressed as part of the analysis of the Budget Reconciliation and Financing Act of 2015.

Proposed Deficiency

The Governor has submitted deficiency appropriations for the fiscal 2015 operating budget which would increase MDP's general fund appropriation by \$150,000, decrease the special fund appropriation by \$300,000, and increase the federal fund appropriation by \$587,979 as follows.

- General Fund The \$150,000 increase in general fund appropriation would pay for utilities at the Jefferson Park and Museum. The Department of Budget and Management (DBM) notes that the Jefferson Patterson Park and Museum is working with the Maryland Energy Administration and the Department of General Services to procure an energy performance contract to upgrade building envelopes, replace outdated controls, upgrade lighting, and other actions to improve energy efficiency at the Jefferson Patterson Park and Museum's aging complex. DBM also notes that while the energy performance contract will lower utility costs in the long-term, over the next 76 months the utility savings realized will pay for the contract costs and so there will be no immediate budget savings.
- **Special Fund** A \$300,000 decrease in special fund appropriation would reduce Maryland Heritage Areas Authority grants from the Maryland Heritage Areas Authority Financing Fund due to reduced transfer tax revenue supporting the grants. DBM notes that one option for addressing the funding decrease would be to reduce the amount of each grant by approximately 10%.
- **Federal Fund** The \$587,979 increase in federal fund appropriation from U.S. Department of the Interior National Park Service would be used in the Management Planning and Educational Outreach program for two purposes. The first purpose is to provide disaster relief to historic properties damaged by Hurricane Sandy using \$545,889 in Historic Preservation Fund Grants. The second purpose is to provide funds for a pocket guide to the Captain John Smith Chesapeake National Historic Trail from \$42,090 in National Trails System Project funding.

Proposed Budget

MDP's fiscal 2016 adjusted allowance decreases by \$173,152, or 0.9%, relative to the fiscal 2015 working appropriation, as shown in **Exhibit 5**. The changes by fund in Exhibit 5 reflect an increase of \$306,732 in general funds, an increase of \$347,330 in special funds, a decrease of \$851,081 in federal funds, and an increase of \$23,867 in reimbursable funds. Fiscal 2016 personnel changes and operating expenditures are discussed as follows with cost containment discussed in each section as appropriate.

Exhibit 5 Proposed Budget Department of Planning (\$ in Thousands)

How Much It Grows:	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>
Fiscal 2014 Actual	\$12,296	\$4,288	\$880	\$1,099	\$18,563
Fiscal 2015 Working Appropriation	12,495	4,144	2,350	982	19,971
Fiscal 2016Allowance	<u>12,802</u>	<u>4,491</u>	<u>1,499</u>	<u>1,006</u>	19,798
Fiscal 2015-2016 Amt. Change	\$307	\$347	-\$851	\$24	-\$173
Fiscal 2015-2016 Percent Change	2.5%	8.4%	-36.2%	2.4%	-0.9%
Where It Goes:					
Personnel Expenses					
Increments and other compensation					\$418
Employee and retiree health insurance					
Retirement contribution					
Turnover adjustments					83
Social Security contribution					43
Other fringe benefit adjustments					-5
Fiscal 2015 cost-of-living adjustment	reduction in f	Fiscal 2016			-214
Fiscal 2016 increments reduction					-213
Other Changes					
Programmatic Funding					
Hurricane Sandy work in Crisfield					34
Management Planning and Educational Outreach special projects					
Cultural resource hazard mitigation grant program					
Lost Towns Project at Pig Point					-125
Management Planning and Educational Outreach grants					

Where It Goes:

Cost Containment Maryland Heritage Areas Authority grants..... 300 Cost containment for computer equipment purchases -56 Fiscal 2016 2% across-the-board reduction net of fiscal 2015 -8 **Routine Operations** Contractual full-time equivalents.... 48 Fiscal 2014 actual for contractual services in Museum Services – JPPM -70 Jefferson Patterson Park and Museum Utilities -104 Other 84 **Total** -\$173

JPPM – Jefferson Patterson Park and Museum

Note: Numbers may not sum to total due to rounding. The fiscal 2015 working appropriation reflects deficiencies and the Board of Public Works reductions to the extent that they can be identified by program. The fiscal 2016 allowance reflects back of the bill and contingent reductions to the extent that they can be identified by program.

Personnel

Changes by Category

MDP's overall personnel expenditures increase by \$737,280 in the fiscal 2016 adjusted allowance. Of note, this increase includes two across-the-board reductions that reduce MDP's personnel expenses by a total of \$426,563. The personnel changes are as follows.

- *Increments and Other Compensation* Salary expenses increase by \$417,622, which includes the annualization of the fiscal 2015 cost-of-living adjustment, increments, and an annual salary review allocation for planner positions in fiscal 2015 that carries over into fiscal 2016.
- *Employee and Retiree Health Insurance* Health insurance costs increase by \$402,592.
- *Retirement Contribution* Retirement contribution costs increase by \$222,321.
- *Turnover Adjustments* Turnover is decreased by \$83,233, a decrease from 5.46% to 4.54%, which increases available funding. DBM notes that MDP's vacancy rate has been high due to a sudden death, three retirements which required large payouts, and delays to four hiring freeze exemptions. Of the nine vacancies reported by MDP as of January 2015, one is the State Historic Preservation Officer position, which was recently vacated due to retirement and must be replaced, and the eight remaining vacancies are needed to meet MDP's fiscal 2015 budgeted turnover rate.
- Social Security Contribution Social Security contribution increases by \$43,333.

- *Fiscal 2015 Cost-of-living Adjustment Reduction in Fiscal 2016* There is an across-the-board reduction reflected in Section 20 of the budget bill that reduces MDP's general fund appropriation by a total of \$214,000 \$190,000 in general funds, \$12,000 in special funds, and \$12,000 in federal funds to reflect the deletion of the fiscal 2015 cost-of-living adjustment that was provided on January 1, 2015, and that would have been annualized in fiscal 2016.
- *Fiscal 2016 Increments Reduction* The fiscal 2016 adjusted allowance includes a provision in Section 21 that reduces increments as well. In MDP this is reflected as a reduction of \$212,563 \$184,579 in general funds, \$13,999 in special funds, and \$13,985 in federal funds.

Other Changes

Overall, the nonpersonnel portion of MDP's fiscal 2016 adjusted allowance decreases by \$910,532. The areas of change may be broadly categorized as programmatic funding, cost containment, and routine operations. The biggest change is a decrease of \$995,889 in federal funds in the Management Planning and Educational Outreach program for the Cultural Resource Hazard Mitigation Grant Program.

Programmatic Funding

The programmatic funding changes in the fiscal 2016 adjusted allowance are as follows.

- *Hurricane Sandy Work in Crisfield:* There is an increase of \$33,535 in federal funds for a total of \$63,535 from the National Park Service in order to help Crisfield deal with Hurricane Sandy by creating design guidelines and developing a Coastal Resiliency master plan.
- Management Planning and Education Outreach Special Projects: A \$6,000 increase in special funds amounts to a total of \$21,000 in fiscal 2016 for special projects such as the following fiscal 2015 projects in the Management Planning and Educational Outreach program: a National Register nomination for the African American Civil Rights Movement; an archeology field session; archival processing of the Orlando Ridout V Library; and support for Maryland Historical Trust Summer Interns program.
- Cultural Resource Hazard Mitigation Grant Program: There is a decrease of \$995,889 in federal funds in Management Planning and Educational Outreach for the Cultural Resource Hazard Mitigation Grant Program. The fiscal 2015 working appropriation was \$800,000, which is increased by \$545,889 as a fiscal 2015 deficiency appropriation yielding a fiscal 2015 adjusted working appropriation of \$1,345,889. However, the fiscal 2016 allowance is only \$350,000, which accounts for the \$995,889 decrease.
- Lost Towns Project at Pig Point: There is a reduction of \$125,000 in general funds for the archaeological work associated with the Lost Towns Project at Pig Point. This project was included in fiscal 2015 supplemental budget number 1.

• Management Planning and Educational Outreach Grants: There is a decrease of \$23,250 in general funds in Management Planning and Educational Outreach. This reflects the reduction of \$50,000 for the one-time grant to digitize the historic records and create a global positioning system database on Mount Auburn Cemetery grave locations, which is offset partially by an increase of \$26,750 for the Maryland Humanities Council grant. As noted above, the fiscal 2015 Maryland Humanities Council grant was reduced by \$26,750 as a July 2, 2014 BPW cost containment action. The Maryland Humanities Council grant funding is \$107,000 for fiscal 2016, which is equal to the fiscal 2015 legislative appropriation.

Cost Containment

There is one across-the-board reduction and two items related strictly to cost containment that affect MDP's nonpersonnel budget as follows.

- *Maryland Heritage Areas Authority Grants:* Maryland Heritage Areas Authority grants return to fiscal 2015 legislative appropriation levels in the fiscal 2016 adjusted allowance, a \$300,000 special fund increase. As noted above, these grants were reduced by \$300,000 as a negative deficiency appropriation in order to account for the decline in the fiscal 2015 transfer tax revenue estimate.
- Cost Containment for Computer Equipment Purchase: There is a reduction of \$56,300 in general funds \$48,100 in Museum Services Jefferson Patterson Park and Museum and \$8,200 in Management Planning and Educational Outreach for funding that typically would be used to replace out-of-date computer equipment.
- Fiscal 2016 2% Across-the-board Reduction Net of Fiscal 2015: The fiscal 2015 adjusted working appropriation included a 2% reduction of \$258,707 in general funds, which is raised to a \$267,000 reduction in the fiscal 2016 adjusted allowance for an overall decrease of \$8,293 between the two years. MDP notes that it has not yet determined how it will handle the fiscal 2015 reduction, which has implications for fiscal 2016. Consideration has been given to whether (1) fiscal 2015 Maryland Heritage Areas Authority grants can be deferred to fiscal 2016, and (2) savings associated with recent vacancies may yield savings for fiscal 2015. It is unclear whether these savings would be ongoing and thus address the ongoing reductions in fiscal 2016.

Routine Operations

The routine operations funding changes in the fiscal 2016 allowance are as follows.

• Contractual Full-time Equivalents: There is an overall net decrease of 0.03 contractual full-time equivalents (FTEs) but an increase of \$48,810 – \$29,945 general fund and \$38,773 special fund increases offset partially by a \$19,908 reimbursable fund decrease. The 1.0 new FTE is in Museum Services – Jefferson Patterson Park and Museum Maryland Archaeological Conservation Laboratory and accounts for \$44,677 of the increase. There is a

reduction of 1.0 FTE in Planning Data Services and \$12,471 and a reduction of 0.03 FTE in Museum Services – Jefferson Patterson Park and Museum, which is accompanied by an increase of \$2,390. No other FTE changes are noted in the other programs, while the funding increases by \$14,214. MDP notes that there is a new salary scale effective January 1, 2015, which helps to explain the increases in funding.

- Fiscal 2014 Actual for Contractual Services in Museum Services Jefferson Patterson Park and Museum: Contractual services decreases by \$70,051 \$68,750 in reimbursable funds and \$1,301 in general funds to reflect the fiscal 2014 actual appropriation. The contractual services decrease is in Museum Services Jefferson Patterson Park and Museum.
- *Utilities Electricity at Jefferson Patterson Park and Museum:* The appropriation for utilities electricity decreases by \$103,941 \$75,000 in federal funds and \$28,941 in special funds in the Jefferson Patterson Park and Museum Operations program. This is due partially to the \$150,000 increase provided in the fiscal 2015 deficiency.

Issues

1. MdProperty View Funding

The Planning Data Services program administers MdProperty View – a visual presentation of Maryland jurisdiction tax maps and parcel information. As noted in last year's analysis, MdProperty View ideally would be self-sustaining: State government agencies (reimbursable fund revenue) and the public (special fund revenue from local governments, businesses, and citizens) would pay for subscriptions and thus defray the costs of administering the program. However, this has not been the case due to there being ways to obtain either a simplified version of the MdProperty View data or to obtain the data without becoming a subscriber. As a result, MDP's State agency and public revenues have declined.

Beginning in fiscal 2015, MDP stopped charging State agencies and the public for MdProperty View subscriptions, which means that there is no new revenue from either the State agencies or the public in fiscal 2015. In addition, in the January 7, 2015 BPW cost containment actions the Administration reduced general funds by \$200,000 and planned for the funding to be backfilled by the Parcel Mapping Fund, the former revenue account for MdProperty View. This \$200,000 in special funds from the fund balance was intended to be used to defray fiscal 2016 funding needs, but is instead now being used in fiscal 2015. As a result, the fiscal 2016 budget is balanced using \$200,000 in special funds that do not exist because they are being used in fiscal 2015 and so there will be a \$200,000 shortfall in fiscal 2016.

DLS recommends that MDP comment on how it plans to address the \$200,000 special fund shortfall in fiscal 2016.

Recommended Actions

1. Add the following language:

<u>Provided that the following two positions be abolished from the Research Survey and</u> Registration program and the Museum Services program, PINS 076180 and 045699.

Explanation: The administrator I position (PIN 076180) in the Research Survey and Registration program has been vacant since April 2, 2013, and the education and exhibition specialist I position (PIN 045699) in the Museum Services program since July 1, 2013.

		Amount Reduction	
2.	This action reduces \$200,000 in special fund appropriation attributable to the Parcel Mapping Fund. The fiscal 2016 budget is balanced using \$200,000 in special funds that do not exist because they are being used in fiscal 2015 in order to backfill for cost containment actions.	\$ 200,000	SF
3.	This action reduces contractual full-time equivalent funding increases to reflect the fiscal 2016 salary reduction. This reduction may be allocated across the following programs: Management Planning and Educational Outreach, Museum Services, Research Survey and Registration, and Preservation Services.	14,214	SF
	Total Special Fund Reductions	\$ 214,214	

Updates

1. Reinvest Maryland Report

The Administration requested that the Maryland Sustainable Growth Commission make recommendations to accelerate infill, redevelopment, and revitalization efforts given that this will not happen without a deliberate effort. The commission published a report in September 2014 based on this charge. In the report, infill is defined as development of vacant parcels within previously built areas. Redevelopment is defined as building or rebuilding to a higher and better use for the community on parcels, previously developed. Revitalization is defined as instilling new life and vitality into a community through infill or redevelopment or other activities (*e.g.*, building reuse and renovations, façade improvements, beautification efforts, small business loans, and special events). The report made recommendations as summarized below.

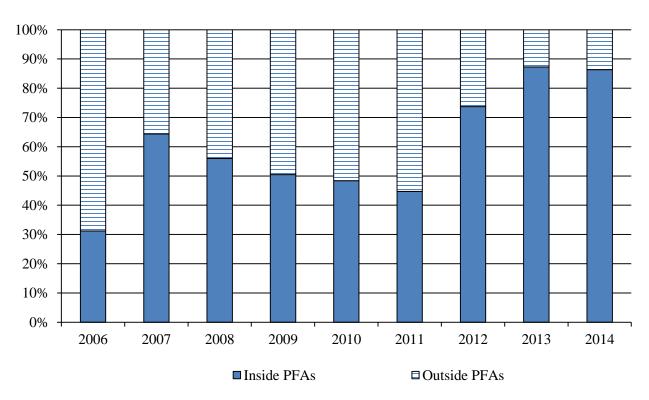
- **Establish a vision for reinvestment** Infill, redevelopment, and revitalization needs to be part of a broader vision with clear local government buy-in and marketing through a "Reinvest Maryland" brand.
- Create and better fund innovative, effective reinvestment programs A Reinvest Maryland aggregate funding source of at least \$100 million annually is needed.
- Identify and address regulations and policies that impede reinvestment State and local governments need to make reinvestment easier to achieve than greenfield development by improving regulatory review, business permitting processes, codes, and requirements.
- **Deploy targeted financial tools** State and local governments need to de-incentivize projects that do not support smart growth goals and need to create new or expand existing funding sources to incentivize reinvestment such as a State infrastructure fund, a State smart growth investment fund, a State Community Development Financing Institution Fund, tax increment financing, and New Markets Tax Credits.
- **Promote Equitable Development** Marylanders of all incomes and backgrounds must benefit from State and local reinvestment activities, whether that means addressing quality of life issues, strengthening the social fabric of the community, better access to jobs, or providing new sources of affordable housing in places that currently lack it.
- Encourage excellence in community design and preservation State and local governments must work with communities to preserve unique community character and historic assets as well as encourage new investment and jobs.
- Use metrics to gauge success and provide accountability The State, through StateStat, must develop and implement a tracking and forecasting system to measure and evaluate the effectiveness of community reinvestment.

• Accelerate transit-oriented development – Increased funding and streamlined regulations are needed for successful transit-oriented development as well as increased coordination and greater clarity regarding State, local, and private-sector roles.

2. Smart Growth Funding Report

There is an annual reporting requirement under State Government Article Section 9-1406(i) for growth-related capital programs. The overall trend since fiscal 2011 is an increasing percentage of State capital spending inside PFAs – designated mostly urbanized areas where growth is to be focused – relative to spending outside. As shown in **Exhibit 6**, State spending declined to a low of 45% inside PFAs in fiscal 2011 and then increased to 87% in fiscal 2013 before declining slightly to 86% in fiscal 2014.

Exhibit 6
State Spending Inside and Outside of the PFA
Fiscal 2006-2014



PFA: priority funding area

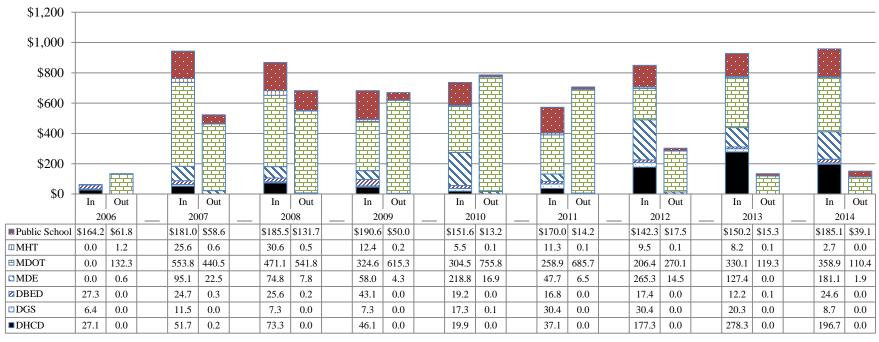
Note: The data includes Maryland Historical Trust programs and public school construction even though these expenditures are not mandated to be included in PFA's spending disclosure. The data does not include Maryland Department of Transportation spending that could not be tied to a particular place.

Source: Maryland Department of Planning

The primary reason for the slight decrease in the percentage of funding inside PFAs between fiscal 2013 and 2014 is due to spending by the Public School Construction program, as shown in **Exhibit 7**, although technically the Public School Construction program is not a required inclusion in the report. In addition, the Public School Construction program actually grew by a greater absolute amount in funding inside the PFA even though it grew by a greater percent outside of the PFA. In terms of positive trends, Maryland Department of Transportation spending increased inside the PFA and decreased outside the PFA for the second year, although the decrease outside the PFA was by a moderate amount. Over the time period shown, the primary reason for the increase in the percentage of funding inside PFAs is spending by the Maryland Department of Transportation. For instance, the Maryland Department of Transportation spent \$68.7 million outside of the PFAs in fiscal 2011, primarily due to InterCounty Connector spending, which was down to \$119.3 million in fiscal 2013.

D40W01 – Department of Planning

Exhibit 7 Funding Inside and Outside of Priority Funding Areas Fiscal 2006-2014 (\$ in Millions)



DBED: Department of Business and Economic Development

DGS: Department of General Services

DHCD: Department of Housing and Community Development

MHT: Maryland Historical Trust

MDE: Maryland Department of the Environment

MDOT: Maryland Department of Transportation

Source: Maryland Department of Planning

Current and Prior Year Budgets

Current and Prior Year Budgets Maryland Department of Planning (\$ in Thousands)

	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>
Fiscal 2014					
Legislative Appropriation	\$12,504	\$4,449	\$1,002	\$1,337	\$19,292
Deficiency Appropriation	-409	-19	652	0	224
Budget Amendments	201	328	14	0	543
Reversions and Cancellations	0	-469	-788	-238	-1,495
Actual Expenditures	\$12,296	\$4,288	\$880	\$1,099	\$18,563
Fiscal 2015					
Legislative Appropriation	\$12,879	\$4,437	\$1,755	\$982	\$20,054
Cost Containment	-96	0	0	0	-96
Budget Amendments	152	6	7	0	165
Working Appropriation	\$12,935	\$4,444	\$1,762	\$982	\$20,123

Note: Numbers may not sum to total due to rounding. The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies.

Fiscal 2014

The general fund appropriation decreased by \$208,585. The changes are as follows.

- **Deficiency Appropriation** A decrease of \$409,236 across MDP's budget for negative deficiencies associated with retirement (\$153,729), health insurance (\$216,921), and State personnel system allocation (\$38,586).
- **Budget Amendments** An increase of \$200,651 due to budget amendments allocating the cost-of-living adjustment (COLA) effective January 1, 2014 (\$133,826), employee salary increments effective April 1, 2014 (\$44,623), telecommunications expenditures (\$11,928), and personnel classifications as part of the Annual Salary Review (\$10,274).

The special fund appropriation decreased by \$160,621. The changes follow.

- **Deficiency Appropriation** A decrease of \$19,167 across MDP's budget for negative deficiencies associated with retirement (\$12,384) and health insurance (\$6,783).
- **Budget Amendments** An increase of \$327,742 due to budget amendments. The budget amendments increase the appropriation for the MHAA projects awarded funding in fiscal 2013 but funding was not encumbered, fiscal 2014 reserve list projects, and a fiscal 2014 emergency grant request from recycled MHAA financing fund monies in the Management Planning and Educational Outreach program (\$312,790); to allocate the COLA (\$10,890); and to allocate employee salary increments (\$4,062).
- Cancellations A decrease of \$469,196 primarily as a result of cancellations in the Museum Services program due to insufficient revenue for electricity/oil, building repairs, and contractual positions (\$187,173); the Management Planning and Outreach program due to the MHAA grant being declined, a part-year vacancy, a contractual FTE working less time, no publications being completed due to a staff shortage, and other operating costs being less than anticipated (\$168,184); the Planning Data Services Program due to insufficient revenue from the private sector for MdProperty View (\$61,254); and the Research Survey and Registration program due to a FTE not being filled and a State Highway Administration (SHA) archeology synthesis project not being ready for print (\$52,549).

The federal fund appropriation decreased by \$121,348. The changes are as follows.

• **Deficiency Appropriation** – A net increase of \$651,952 due to an increase of \$670,105 in the Management Planning and Educational Outreach program to provide disaster relief to historic properties damaged by Hurricane Sandy using \$598,015 in Historic Preservation Fund grants and to provide for a pocket guide to the Captain John Smith Chesapeake National Historic Trail from \$72,090 in National Trails System Projects funding from the U.S. Department of the Interior – National Park Service. These increases are partially offset by a decrease of \$18,153

across MDP's budget for negative deficiencies associated with health insurance supplemental (\$5,979) and retirement (\$12,174).

- **Budget Amendments** An increase of \$14,414 due to budget amendments allocating the COLA (\$10,710) and employee salary increments (\$3,704).
- Cancellations A decrease of \$787,714 primarily as a result of cancellations in the Management Planning and Educational Outreach program due to a Hurricane Sandy grant not able to proceed because additional approvals are needed from the National Park Service (\$721,043) and in the Research Survey and Registration program due to three positions taking longer to fill than expected (\$57,526).

The reimbursable fund appropriation decreased by \$238,191 due to cancellations. The cancellations primarily are in the Museum Services program due to lower than anticipated SHA *Scorpion* project conservation services and a Department of Business and Economic Development War of 1812 grant not being received (\$92,000); the Research Survey and Registration program due to the SHA archeology synthesis project not being ready for printing and a delay in a T-21 grant administered by SHA which meant a contractual FTE was not hired (\$53,713); the Management Planning and Educational Outreach program due to lower than anticipated SHA *Scorpion* project conservation services (\$42,550); and Planning Data Services program due to insufficient revenue being attained from State agencies for MdProperty View (\$40,015).

Fiscal 2015

MDP's general fund appropriation increases by \$56,372 as follows.

- Cost Containment A decrease of \$96,008 reflected in the July 2, 2014 BPW actions that reduce funding for a vacant administrator III position in the Communications and Intergovernmental Affairs program (\$69,258) and for reducing the Maryland Humanities Council grant (\$26,750). In addition, BPW actions include the plan to transfer \$209,000 in Maryland Heritage Area Authority Fund special funds and \$58,000 in Sustainable Communities Tax Credit fees special funds to the general fund.
- **Budget Amendments** An increase of \$152,380 due to budget amendments allocating the COLA effective January 1, 2015 (\$95,098), and personnel classifications in the Planning series in order to increase pay equal to Department of Natural Resources planners as part of the annual salary review (\$57,282).

MDP's special fund appropriation increases by \$6,401 due to a budget amendment allocating the COLA.

MDP's federal fund appropriation increases by \$6,691 due to a budget amendment allocating the COLA.

MDP's reimbursable fund appropriation has not changed.

Audit Findings

Audit Period for Last Audit:	December 13, 2010 – November 12, 2013
Issue Date:	April 2014
Number of Findings:	0
Number of Repeat Findings:	0
% of Repeat Findings:	0%
Rating: (if applicable)	n/a

This audit did not disclose any findings.

Object/Fund Difference Report Department of Planning

	Analysis of
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		FY 15			
	FY 14	Working	FY 16	FY 15 - FY 16	Percent
Object/Fund	Actual	Appropriation	Allowance	Amount Change	Change
Positions					
01 Regular	152.00	151.00	151.00	0.00	0%
02 Contractual	11.77	19.33	19.30	-0.03	-0.2%
Total Positions	163.77	170.33	170.30	-0.03	0%
Objects					
01 Salaries and Wages	\$ 12,682,921	\$ 13,607,851	\$ 14,771,794	\$ 1,163,943	8.6%
02 Technical and Spec. Fees	423,542	695,808	744,618	48,810	7.0%
03 Communication	153,920	115,410	137,145	21,735	18.8%
04 Travel	90,438	76,705	74,095	-2,610	-3.4%
06 Fuel and Utilities	430,001	340,486	356,733	16,247	4.8%
07 Motor Vehicles	85,300	64,377	93,804	29,427	45.7%
08 Contractual Services	699,810	1,084,620	720,516	-364,104	-33.6%
09 Supplies and Materials	129,232	131,925	118,593	-13,332	-10.1%
10 Equipment – Replacement	160,545	115,854	35,169	-80,685	-69.6%
11 Equipment – Additional	11,655	0	5,539	5,539	N/A
12 Grants, Subsidies, and Contributions	3,611,966	3,805,954	3,347,000	-458,954	-12.1%
13 Fixed Charges	84,124	84,209	86,182	1,973	2.3%
Total Objects	\$ 18,563,454	\$ 20,123,199	\$ 20,491,188	\$ 367,989	1.8%
Funds					
01 General Fund	\$ 12,295,698	\$ 12,935,361	\$ 13,443,271	\$ 507,910	3.9%
03 Special Fund	4,288,221	4,443,861	4,517,190	73,329	1.7%
05 Federal Fund	880,274	1,762,130	1,525,013	-237,117	-13.5%
09 Reimbursable Fund	1,099,261	981,847	1,005,714	23,867	2.4%
Total Funds	\$ 18,563,454	\$ 20,123,199	\$ 20,491,188	\$ 367,989	1.8%

Note: The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies. The fiscal 2016 allowance does not reflect contingent or across-the-board reductions.

Fiscal Summary Department of Planning

	FY 14	FY 15	FY 16		FY 15 - FY 16
Program/Unit	Actual	Wrk. Approp	Allowance	Change	% Change
01 Administration	\$ 2,873,159	\$ 2,777,162	\$ 2,927,887	\$ 150,725	5.4%
02 Communications and Intergovernmental Affairs	959,943	1,052,938	1,185,930	132,992	12.6%
03 Planning Data Services	1,918,364	2,876,512	3,013,862	137,350	4.8%
04 Planning Services	3,150,973	2,564,782	2,804,890	240,108	9.4%
07 Management Planning and Educational Outreach	4,743,303	5,506,052	5,076,002	-430,050	-7.8%
08 Museum Services	2,734,958	2,751,806	2,728,164	-23,642	-0.9%
09 Research Survey and Registration	1,080,409	1,414,015	1,464,054	50,039	3.5%
10 Preservation Services	1,102,345	1,179,932	1,290,399	110,467	9.4%
Total Expenditures	\$ 18,563,454	\$ 20,123,199	\$ 20,491,188	\$ 367,989	1.8%
General Fund	\$ 12,295,698	\$ 12,935,361	\$ 13,443,271	\$ 507,910	3.9%
Special Fund	4,288,221	4,443,861	4,517,190	73,329	1.7%
Federal Fund	880,274	1,762,130	1,525,013	-237,117	-13.5%
Total Appropriations	\$ 17,464,193	\$ 19,141,352	\$ 19,485,474	\$ 344,122	1.8%
Reimbursable Fund	\$ 1,099,261	\$ 981,847	\$ 1,005,714	\$ 23,867	2.4%
Total Funds	\$ 18,563,454	\$ 20,123,199	\$ 20,491,188	\$ 367,989	1.8%

Note: The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies. The fiscal 2016 allowance does not reflect contingent or across-the-board reductions.