

BY: Delegate Weldon

AMENDMENT TO SENATE BILL NO. 125, AS AMENDED

(Third Reading File Bill - Committee Reprint)

On page 220, after line 29, insert:

“SECTION 47. AND BE IT FURTHER ENACTED, That, in order to carry out the provisions of these appropriations, the Secretary of Budget and Management is authorized:

(a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary’s own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted.

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury a schedule of allotments, if any. The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

(b) To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school, or institution of the State, from sources not estimated or calculated upon in the budget.

(c) To fix the number and classes of positions, including temporary and permanent positions, or person years of authorized employment for each agency, unit, or program thereof, not inconsistent with the Public General Laws in regard to classification of positions. The Secretary shall make such determinations before the beginning of the fiscal year and shall base them on the positions or person years of employment authorized in the budget as amended by approved budgetary position actions. No payment for salaries or wages nor any request for or certification of personnel shall be made except in accordance with the Secretary’s determinations. At any time during the fiscal year, the Secretary may amend the number and classes of positions or person years of

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employment previously fixed by the Secretary; the Secretary may delegate all or part of this authority. The governing boards of public institutions of higher education shall have the authority to transfer positions between programs and campuses under each institutional board's jurisdiction without the approval of the Secretary, as provided in Section 15-105 of the Education Article.

(d) To prescribe procedures and forms for carrying out the above provisions.”;

in line 30, strike “47.” and substitute “48.”; and in line 37, strike “48.” and substitute “49.”.

Explanation: This amendment restores budget bill language authorizing the Department of Budget and Management to allot funds to agencies on a periodic basis, or to withhold allotments as necessary. It also authorizes the Secretary to submit a list of authorized allotments to the Comptroller at the start of the fiscal year, and agency expenditures may not exceed the allotted level. Finally, it authorizes the Secretary to fix the number and classifications of agency personnel, and to amend the number and classification of positions during the year. Institutions of higher education are authorized to transfer positions among institutions without the Secretary’s approval.