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2004 Regular Session 4lr1296

By: **Delegate Morhaim**

Introduced and read first time: January 29, 2004

Assigned to: Appropriations

A BILL ENTITLED

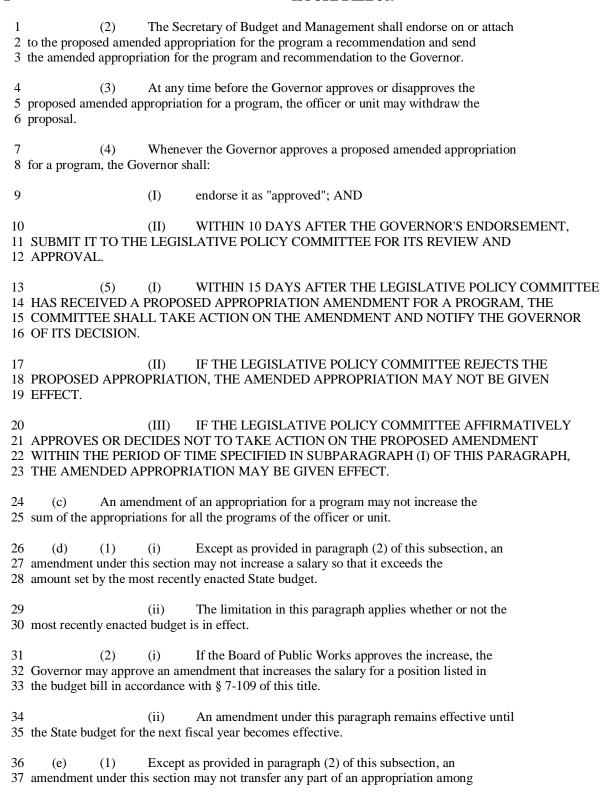
1 AN ACT cor	ncerning
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- State Budget Postsession Amendments to and Reductions in
 Appropriations for Executive Branch Programs
- 4 FOR the purpose of requiring the approval of the Legislative Policy Committee before
- an appropriation amendment to an Executive Branch program endorsed by the
- 6 Governor may be given effect; requiring the prior approval of the Legislative
- 7 Policy Committee before the Governor may reduce any appropriation that the
- 8 Governor considers unnecessary or that is subject to budgetary reductions
- 9 required under the budget bill as approved by the General Assembly; and
- 10 generally relating to amendments to and reductions in appropriations for
- 11 Executive Branch programs.
- 12 BY repealing and reenacting, with amendments,
- 13 Article State Finance and Procurement
- 14 Section 7-209 and 7-213
- 15 Annotated Code of Maryland
- 16 (2001 Replacement Volume and 2003 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:
- 19 Article State Finance and Procurement

20 7-209.

- 21 (a) [The] SUBJECT TO THE PROVISIONS OF SUBSECTION (B) (4) AND (5) AND
- 22 SUBSECTION (G) OF THIS SECTION, THE Governor may amend an appropriation for a
- 23 program of the Office of the Governor.
- 24 (b) (1) Except as provided in § 7-212 of this subtitle, whenever an officer or
- 25 unit of the Executive Branch of the State government wants the appropriation for a
- 26 program of the officer or unit amended, the officer or unit shall submit a proposed
- 27 amended appropriation for the program to the Secretary of Budget and Management.

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	not assigned to a principal department.				
3	(2)	This sub	osection does not prevent a transfer that:		
4 5	Government Article;	(i)	is part of a reorganization under § 8-301 of the State		
6 7	federal unit that relate	(ii) es to the u	is needed to comply with federal law or a policy directive of a use of federal funds;		
8 9	protect the health, wel	(iii) lfare, or p	because of an emergency declared by the Governor, is needed to property of the public; or		
10		(iv)	is specifically authorized by the budget bill or other law.		
	AMENDMENT TO	THE LE	TION TO SENDING A COPY OF A PROPOSED APPROPRIATION GISLATIVE POLICY COMMITTEE, THE Governor shall send a ended appropriation for a program to:		
14	(1)	the Con	nptroller; and		
15	(2)	the Dep	artment of Legislative Services.		
18	An amended appropriation for a program is effective when the LEGISLATIVE POLICY COMMITTEE APPROVES OR FAILS TO TAKE ACTION ON THE AMENDED APPROPRIATION AND THE Governor sends notice of the APPROVED amended appropriation to the Comptroller.				
20	7-213.				
	(a) Except as provided in subsection (b) of this section, with the PRIOR approval of the Board of Public Works AND THE LEGISLATIVE POLICY COMMITTEE, the Governor may reduce, by not more than 25%, any appropriation:				
24	(1)	that the	Governor considers unnecessary; or		
25 26	(2) as approved by the G		ubject to budgetary reductions required under the budget bill ssembly.		
27 28	(b) (1) Branch or the Judicia		vernor may not reduce an appropriation to the Legislative of the State government.		
29	(2)	The Go	vernor may not reduce an appropriation for:		
30		(i)	payment of the principal of or interest on the State debt;		
31		(ii)	public schools, including the Maryland School for the Deaf;		
32		(iii)	the Maryland School for the Blind; or		

- 1 (iv) the salary of a public officer, during the term of office.
- 2 (3) Except as provided in § 8-109 of the State Personnel and Pensions
- 3 Article, the Governor may not reduce an appropriation for the salary of any 4 nontemporary employee in the State Personnel Management System.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 6 June 1, 2004.