

---

By: **Delegates Conway, Hixson, Barkley, Bohanan, Bozman, Branch, Busch, Cadden, Cane, Cardin, G. Clagett, DeBoy, Franchot, Gaines, Gilleland, Goodwin, Griffith, Haynes, Healey, Howard, James, Jones, Kaiser, King, Madaleno, Marriott, Mitchell, Niemann, Paige, Proctor, Ramirez, Rudolph, and F. Turner**

Introduced and read first time: February 4, 2004  
Assigned to: Appropriations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Public Works - Reductions in Appropriations - Public Notice and**  
3 **Hearing Process**

4 FOR the purpose of requiring the Board of Public Works to provide certain public  
5 notice and hold a certain public hearing prior to approving a reduction in  
6 appropriations; requiring the Board of Public Works to provide notice of  
7 proposed reductions in appropriations to certain committees in the General  
8 Assembly; requiring the Board of Public Works to publish certain public notices  
9 in a certain number of publications of statewide circulation; requiring the  
10 Department of Legislative Services to provide certain committees in the General  
11 Assembly and the Board of Public Works with an analysis of certain proposed  
12 reductions in appropriations; and generally relating to the approval by the  
13 Board of Public Works of certain proposed reductions in appropriations.

14 BY repealing and reenacting, with amendments,  
15 Article - State Finance and Procurement  
16 Section 7-213  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2003 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - State Finance and Procurement**

22 7-213.

23 (a) [Except] SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS  
24 SECTION, AND EXCEPT as provided in subsection (b) of this section, with the approval  
25 of the Board of Public Works, the Governor may reduce, by not more than 25%, any  
26 appropriation:

- 1 (1) that the Governor considers unnecessary; or
- 2 (2) that is subject to budgetary reductions required under the budget bill
- 3 as approved by the General Assembly.

4 (b) (1) The Governor may not reduce an appropriation to the Legislative

5 Branch or the Judicial Branch of the State government.

6 (2) The Governor may not reduce an appropriation for:

- 7 (i) payment of the principal of or interest on the State debt;
- 8 (ii) public schools, including the Maryland School for the Deaf;
- 9 (iii) the Maryland School for the Blind; or
- 10 (iv) the salary of a public officer, during the term of office.

11 (3) Except as provided in § 8-109 of the State Personnel and Pensions

12 Article, the Governor may not reduce an appropriation for the salary of any

13 nontemporary employee in the State Personnel Management System.

14 (C) (1) PRIOR TO APPROVING THE REDUCTION OF ANY APPROPRIATIONS

15 UNDER THIS SECTION, THE BOARD OF PUBLIC WORKS SHALL:

16 (I) PROVIDE AT LEAST A 30-DAY PUBLIC NOTICE AND AN

17 INVITATION TO COMMENT ON THE PROPOSED REDUCTIONS IN APPROPRIATIONS TO

18 THE LEGISLATIVE POLICY COMMITTEE, THE SENATE BUDGET AND TAXATION

19 COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE; AND

20 (II) HOLD A PUBLIC HEARING NO EARLIER THAN 15 DAYS AFTER

21 PROVIDING THE PUBLIC NOTICE REQUIRED UNDER SUBPARAGRAPH (I) OF THIS

22 PARAGRAPH TO ALLOW FOR PUBLIC TESTIMONY ON THE PROPOSED REDUCTIONS IN

23 APPROPRIATIONS.

24 (2) THE PUBLIC NOTICE REQUIRED IN PARAGRAPH (1) OF THIS

25 SUBSECTION SHALL BE PUBLISHED AT LEAST ONCE IN AT LEAST THREE

26 NEWSPAPERS IN GENERAL CIRCULATION IN THE STATE AND SHALL INCLUDE:

27 (I) FOR EACH PROPOSED REDUCTION, A DETAILED DESCRIPTION

28 OF THE SOURCE AND NATURE OF THE BUDGETARY SAVINGS TO BE DERIVED AND AN

29 IMPACT STATEMENT DESCRIBING THE PROBABLE EFFECT ON PUBLIC SERVICES AND

30 THE POPULATIONS SERVED; AND

31 (II) THE TIME, DATE, AND LOCATION OF THE PUBLIC HEARING.

32 (3) WITHIN 15 DAYS AFTER THE PUBLIC NOTICE HAS BEEN PROVIDED

33 UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF LEGISLATIVE

34 SERVICES SHALL PREPARE AN ANALYSIS OF THE PRACTICAL AND FISCAL EFFECTS

35 OF EACH OF THE PROPOSED REDUCTIONS IN APPROPRIATIONS AND, WHEN

36 APPROPRIATE, ALTERNATIVES TO THE PROPOSED REDUCTIONS, FOR THE

1 LEGISLATIVE POLICY COMMITTEE, THE SENATE BUDGET AND TAXATION  
2 COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE BOARD OF PUBLIC  
3 WORKS.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 June 1, 2004.