
By: **Senators Currie, DeGrange, Hogan, Kasemeyer, Kramer, Lawlah,
Middleton, and Ruben**

Introduced and read first time: February 4, 2005

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Budget and Management - Sharing of State Fiscal Information with the**
3 **Maryland General Assembly**

4 FOR the purpose of requiring agencies and units of State government to provide
5 certain fiscal estimates and information used to support the estimates to the
6 Secretary of Budget and Management by a certain date each year; requiring the
7 Department of Transportation to provide to the Secretary of Budget and
8 Management a certain estimate regarding the Consolidated Transportation
9 Program by a certain date each year; requiring the Secretary of Budget and
10 Management to provide certain estimates and information to the General
11 Assembly by a certain date each year; providing that certain provisions of law
12 may not be construed to require the Governor to consider certain estimates
13 when determining the State budget; requiring the Chief of Information
14 Technology in the Department of Budget and Management to provide to the
15 General Assembly copies of certain reports performed on certain information
16 technology projects within a certain time period; requiring agencies of State
17 government to report to the General Assembly by certain dates on certain
18 managing for results information; clarifying a certain statutory requirement
19 that the Governor report to the General Assembly each year on certain
20 determinations made by the Governor; and generally relating to the sharing of
21 State fiscal information with the Maryland General Assembly.

22 BY repealing and reenacting, with amendments,
23 Article - State Finance and Procurement
24 Section 3-205 and 8-113
25 Annotated Code of Maryland
26 (2001 Replacement Volume and 2004 Supplement)

27 BY adding to
28 Article - State Finance and Procurement
29 Section 3-410.2(o) and 3-1002(f)
30 Annotated Code of Maryland
31 (2001 Replacement Volume and 2004 Supplement)

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

3 **Article - State Finance and Procurement**

4 3-205.

5 (A) The Secretary or staff of the Secretary shall be subject to call by the Senate
6 or the House of Delegates or any of their committees, to provide information that the
7 Secretary has.

8 (B) (1) ON OR BEFORE SEPTEMBER 15 OF EACH YEAR, AFTER THE
9 CLOSEOUT OF THE PRIOR FISCAL YEAR, EACH AGENCY AND UNIT OF STATE
10 GOVERNMENT SHALL SUBMIT TO THE SECRETARY AN ESTIMATE OF THE FUNDING
11 REQUIRED TO CONTINUE EXISTING PROGRAMS IN THE FISCAL YEAR BEGINNING ON
12 JULY 1 OF THE FOLLOWING YEAR.

13 (2) THE ESTIMATES UNDER THIS SUBSECTION SHALL INCLUDE ANY
14 INFLATIONARY INCREASES OR CASELOAD FACTORS USED TO DETERMINE THE
15 ESTIMATE OF REQUIRED FUNDING.

16 (C) (1) ON OR BEFORE SEPTEMBER 15 OF EACH YEAR, THE DEPARTMENT OF
17 TRANSPORTATION SHALL PROVIDE THE SECRETARY WITH AN ESTIMATE OF THE
18 CHANGES TO THE CONSOLIDATED TRANSPORTATION PROGRAM FOR EACH MODAL
19 ADMINISTRATION.

20 (2) THE ESTIMATE UNDER THIS SUBSECTION SHALL INCLUDE THE
21 FORECAST USED BY THE DEPARTMENT OF TRANSPORTATION TO SUPPORT THE
22 ESTIMATED CHANGES TO THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER
23 PARAGRAPH (1) OF THIS SUBSECTION.

24 (D) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE SECRETARY SHALL
25 SUBMIT COPIES OF THE ESTIMATES PROVIDED TO THE SECRETARY UNDER
26 SUBSECTIONS (B) AND (C) OF THIS SECTION TO THE GENERAL ASSEMBLY, IN
27 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

28 (E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE THE
29 GOVERNOR TO CONSIDER ANY OF THE ESTIMATES SUBMITTED UNDER THIS SECTION
30 IN DETERMINING THE STATE BUDGET FOR THE FOLLOWING FISCAL YEAR.

31 3-410.2.

32 (O) WITHIN 30 DAYS AFTER RECEIPT BY THE DEPARTMENT OF A FINAL
33 INDEPENDENT VALIDATION AND VERIFICATION REPORT PERFORMED ON A PROJECT
34 THAT HAS RECEIVED MONEYS OR WILL RECEIVE MONEYS FROM THE FUND, THE
35 CHIEF SHALL PROVIDE THE GENERAL ASSEMBLY WITH A COPY OF THE REPORT IN
36 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

1 3-1002.

2 (F) ON MARCH 1 AND SEPTEMBER 1 OF EACH YEAR, EACH AGENCY SHALL
3 REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE
4 GOVERNMENT ARTICLE ON THE MANAGING FOR RESULTS PERFORMANCE MEASURE
5 STATISTICS FOR THE PRIOR 6-MONTH PERIOD.

6 8-113.

7 (a) On or before October 15 of each year, after considering the current
8 estimate of the Committee, the Governor shall determine:

9 (1) the total authorizations of new State debt that the Governor
10 considers advisable for the next fiscal year; and

11 (2) the preliminary allocation of new State debt for:

12 (i) general construction projects;

13 (ii) school construction projects; and

14 (iii) other special projects.

15 (b) The Governor may alter these determinations.

16 (c) An allocation of the Governor for school construction projects is advisory to
17 the Board.

18 (D) ON OR BEFORE OCTOBER 15 OF EACH YEAR, THE GOVERNOR SHALL
19 REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE
20 GOVERNMENT ARTICLE ON THE DETERMINATIONS MADE BY THE GOVERNOR AS
21 REQUIRED UNDER THIS SECTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2005.