

# SENATE BILL 831

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By: **Senators Kasemeyer, Currie, DeGrange, King, Klausmeier, Manno, and McFadden**

Introduced and read first time: February 1, 2013

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Budget – Evidence–Based Policy Options**

3 FOR the purpose of establishing the Committee on State Budget Evidence–Based  
4 Policy Options; providing for the composition, chair, and staffing of the  
5 Committee; prohibiting a member of the Committee from receiving certain  
6 compensation, but authorizing the reimbursement of certain expenses;  
7 requiring the Committee annually to determine the policy areas in the State  
8 operating budget that should receive an analysis of evidence–based policy  
9 options and requiring the Committee to determine the data to be used in the  
10 analysis; requiring the Committee to enter into a certain agreement with the  
11 Pew Center on the States; authorizing the Committee to continue certain work  
12 with the Pew Center on the States; requiring the Committee to report on or  
13 before a certain date each year to the Governor and to certain committees of the  
14 General Assembly on the Committee’s work on the analysis of State operating  
15 budget evidence–based policy options; requesting the Governor to review a  
16 certain report during the preparation of a proposed budget; requiring the  
17 Secretary of Budget and Management to include consideration of a certain  
18 report in certain studies of certain State units; requiring that a certain policy  
19 area be the first area of the State operating budget to be analyzed; and  
20 generally relating to an analysis of evidence–based policy options in the  
21 preparation of the State budget.

22 BY repealing and reenacting, with amendments,  
23 Article – State Finance and Procurement  
24 Section 7–102 and 7–103  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2012 Supplement)

27 BY adding to  
28 Article – State Finance and Procurement

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 7–107  
2 Annotated Code of Maryland  
3 (2009 Replacement Volume and 2012 Supplement)

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

6 **Article – State Finance and Procurement**

7 7–102.

8 (a) The General Assembly desires that, during preparation of a proposed  
9 budget, the Governor review, thoroughly and in [detail,] **DETAIL:**

10 **(1)** the recommendations of the Spending Affordability Committee;  
11 **AND**

12 **(2) THE ANNUAL REPORT OF THE COMMITTEE ON STATE BUDGET**  
13 **EVIDENCE–BASED POLICY OPTIONS ESTABLISHED UNDER § 7–107 OF THIS**  
14 **SUBTITLE.**

15 (b) To have the complete financial program of the Governor early in a  
16 regular session, the General Assembly desires that the Governor:

17 (1) submit with the proposed budget for a fiscal year:

18 (i) the Governor’s complete financial program for that fiscal  
19 year; and

20 (ii) each bond or revenue bill proposed to carry out the program;  
21 and

22 (2) use a supplemental budget amendment only to:

23 (i) correct a mechanical error in the proposed budget; or

24 (ii) provide funding for legislation enacted during the session.

25 7–103.

26 (a) (1) The Secretary shall continually conduct studies on the needs of  
27 units of the Executive Branch of the State government and of private entities to which  
28 the State appropriates money.

29 (2) To obtain the information that the Secretary wants in estimating  
30 the needs of the unit or entity, the Secretary may:

1 (i) question any officer or employee of the unit or entity; and

2 (ii) examine the records of the unit or entity.

3 (b) The Secretary shall:

4 (1) continually compare the needs of the units of the Executive Branch  
5 of the State government and of the private entities with the revenues that are  
6 collected;

7 (2) prepare estimates of revenues that will be available for the State  
8 budget;

9 (3) prepare any other estimates of revenues that the Governor  
10 requests;

11 (4) study the revenue structure of the State;

12 (5) evaluate the sources of State revenues; and

13 (6) recommend to the Governor:

14 (i) appropriate changes in the revenue structure of the State;  
15 and

16 (ii) new sources of State revenues.

17 (c) (1) The studies of the units of the Executive Branch of the State  
18 government shall include:

19 (i) program analyses; [and]

20 (ii) careful consideration of the administration, organization,  
21 functions, and duties of the units, to identify duplication or overlap; AND

22 **(III) CONSIDERATION OF THE ANNUAL REPORT OF THE**  
23 **COMMITTEE ON STATE BUDGET EVIDENCE-BASED POLICY OPTIONS**  
24 **ESTABLISHED UNDER § 7-107 OF THIS SUBTITLE.**

25 (2) On the basis of the studies, the Secretary shall report to the  
26 Governor on changes that the Secretary believes would result in economy or efficiency  
27 or otherwise would be in the State's best interest, including:

28 (i) elimination or reduction of State programs;

- 1 (ii) abolition of positions;
- 2 (iii) changes in procedures; and
- 3 (iv) reorganization or consolidation of units.

4 (3) The Secretary shall send a copy of each report under this  
5 subsection, subject to § 2-1246 of the State Government Article, to the Executive  
6 Director of the Department of Legislative Services.

7 **7-107.**

8 (A) **THERE IS A COMMITTEE ON STATE BUDGET EVIDENCE-BASED**  
9 **POLICY OPTIONS.**

10 (B) **THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:**

11 (1) **ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY**  
12 **THE PRESIDENT OF THE SENATE;**

13 (2) **ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY**  
14 **THE SPEAKER OF THE HOUSE;**

15 (3) **THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE**  
16 **SECRETARY'S DESIGNEE;**

17 (4) **ONE MEMBER OF THE GOVERNOR'S STATESTAT OFFICE,**  
18 **APPOINTED BY THE GOVERNOR; AND**

19 (5) **ONE MEMBER OF THE STAFF OF THE DEPARTMENT OF**  
20 **LEGISLATIVE SERVICES, APPOINTED BY THE DIRECTOR OF THE OFFICE OF**  
21 **POLICY ANALYSIS IN THE DEPARTMENT OF LEGISLATIVE SERVICES.**

22 (C) **FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A**  
23 **CHAIR.**

24 (D) **THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE**  
25 **DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE STAFF FOR THE**  
26 **COMMITTEE.**

27 (E) **A MEMBER OF THE COMMITTEE:**

28 (1) **MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
29 **COMMITTEE; BUT**

1           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
2 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**  
3 **BUDGET.**

4           **(F) (1) ANNUALLY, THE COMMITTEE SHALL:**

5                   **(I) IDENTIFY AREAS IN THE STATE OPERATING BUDGET**  
6 **THAT COULD BENEFIT FROM AN ANALYSIS OF EVIDENCE-BASED POLICY**  
7 **OPTIONS;**

8                   **(II) DETERMINE THE POLICY AREAS IN THE STATE**  
9 **OPERATING BUDGET THAT SHOULD RECEIVE AN ANALYSIS OF EVIDENCE-BASED**  
10 **POLICY OPTIONS; AND**

11                   **(III) DETERMINE THE DATA TO BE USED AS THE BASIS FOR**  
12 **THE ANALYSIS OF EVIDENCE-BASED POLICY OPTIONS IN EACH POLICY AREA.**

13           **(2) (I) THE COMMITTEE SHALL ENTER INTO AN INITIAL**  
14 **AGREEMENT WITH THE PEW CENTER ON THE STATES FOR DESIGN AND**  
15 **IMPLEMENTATION OF A SYSTEM THAT WILL PROVIDE AN ANALYSIS OF**  
16 **EVIDENCE-BASED POLICY OPTIONS.**

17                   **(II) THE COMMITTEE MAY CONTINUE TO WORK WITH THE**  
18 **PEW CENTER ON THE STATES ON THE ANALYSIS OF EVIDENCE-BASED POLICY**  
19 **OPTIONS, INCLUDING ENTERING INTO ADDITIONAL AGREEMENTS WITH THE**  
20 **PEW CENTER ON THE STATES.**

21           **(G) ON OR BEFORE OCTOBER 1, 2013, AND EACH YEAR THEREAFTER,**  
22 **THE COMMITTEE SHALL REPORT ON ITS WORK ON THE ANALYSIS OF STATE**  
23 **OPERATING BUDGET EVIDENCE-BASED POLICY OPTIONS TO THE GOVERNOR**  
24 **AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**  
25 **TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE**  
26 **APPROPRIATIONS COMMITTEE.**

27           SECTION 2. AND BE IT FURTHER ENACTED, That the first policy area of  
28 the State operating budget to receive an analysis of evidence-based policy options  
29 under this Act shall be programs related to juvenile services.

30           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 July 1, 2013.