

SENATE BILL 370

B1, E4

6lr0628
CF HB 368

By: **Senators Madaleno, Feldman, Ferguson, Guzzone, Kelley, Lee, Peters, Raskin,
Rosapepe, and ~~Young~~ Young, and McFadden**

Introduced and read first time: January 28, 2016

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2016

CHAPTER _____

1 AN ACT concerning

2 **Board of Public Works Transparency Act of 2016**

3 FOR the purpose of requiring the Secretary of Budget and Management to provide certain
4 public notice within a certain period of time before the Board of Public Works may
5 approve a reduction of appropriations; requiring the Secretary to provide certain
6 notice within a certain period of time to the Board of Public Works and certain
7 committees of the General Assembly; and generally relating to the State budget and
8 the Department of Budget and Management.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 7–213
12 Annotated Code of Maryland
13 (2015 Replacement Volume)

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

16 **Article – State Finance and Procurement**

17 7–213.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) [Except] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND
2 EXCEPT as provided in subsection (b) of this section, with the approval of the Board of
3 Public Works, the Governor may reduce, by not more than 25%, any appropriation:

4 [(1)] (I) that the Governor considers unnecessary; or

5 [(2)] (II) that is subject to budgetary reductions required under the budget
6 bill as approved by the General Assembly.

7 (2) AT LEAST ~~10 CONSECUTIVE~~ 3 BUSINESS DAYS BEFORE THE
8 BOARD OF PUBLIC WORKS MAY APPROVE A PROPOSED REDUCTION OF AN
9 APPROPRIATION UNDER THIS SUBSECTION, THE SECRETARY OF BUDGET AND
10 MANAGEMENT SHALL:

11 (I) PUBLISH ON THE DEPARTMENT OF BUDGET AND
12 MANAGEMENT'S WEB SITE, IN A MACHINE-READABLE FORMAT, NOTICE OF THE
13 PROPOSED REDUCTION, INCLUDING:

14 1. THE NAME OF THE STATE AGENCY OR PROGRAM FOR
15 WHICH THE APPROPRIATION IS INTENDED AND A BRIEF NARRATIVE SUMMARY OF
16 THE IMPACT OF THE PROPOSED REDUCTION ON THE STATE AGENCY OR PROGRAM;

17 2. THE AMOUNT OF THE PROPOSED REDUCTION IN BOTH
18 DOLLAR AND PERCENTAGE VALUES;

19 3. THE FUND SOURCE OF THE APPROPRIATION SUBJECT
20 TO THE PROPOSED REDUCTION; AND

21 4. ANY PROJECTED REDUCTIONS IN WORKFORCE AS A
22 RESULT OF THE PROPOSED REDUCTION;

23 (II) PROVIDE THE NOTICE REQUIRED UNDER SUBPARAGRAPH
24 (I) OF THIS PARAGRAPH TO THE BOARD OF PUBLIC WORKS FOR PUBLICATION, IN A
25 MACHINE-READABLE FORMAT, ON THE BOARD'S WEB SITE; AND

26 (III) PROVIDE WRITTEN NOTICE OF THE PROPOSED REDUCTION,
27 INCLUDING THE ITEMS SPECIFIED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,
28 TO:

29 1. THE LEGISLATIVE POLICY COMMITTEE;

30 2. THE SENATE BUDGET AND TAXATION COMMITTEE;

31 AND

3. THE HOUSE APPROPRIATIONS COMMITTEE.

(b) (1) The Governor may not reduce an appropriation to the Legislative Branch or the Judicial Branch of the State government.

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

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

(3) Except as provided in § 8–109 of the State Personnel and Pensions Article, the Governor may not reduce an appropriation for the salary of any nontemporary employee in the State Personnel Management System.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.