



---

Report of the  
**Senate Budget and  
Taxation Committee**  
To the Maryland Senate

---

2019 SESSION

Recommendations, Reductions, and Summary of  
Action Pertaining to:  
House Bill 100

**For further information concerning this document contact:**

Library and Information Services  
Office of Policy Analysis  
Department of Legislative Services  
90 State Circle  
Annapolis, Maryland 21401

Baltimore Area: 410-946-5400 • Washington Area: 301-970-5400

Other Areas: 1-800-492-7122, Extension 5400

TTY: 410-946-5401 • 301-970-5401

TTY users may also use the Maryland Relay Service  
to contact the General Assembly.

Email: [libr@mlis.state.md.us](mailto:libr@mlis.state.md.us)

Home Page: <http://mgaleg.maryland.gov>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, gender identity, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

# **General Assembly of Maryland Senate Budget and Taxation Committee**

## **2019 Session Membership Roster**

---

**Senator Nancy J. King, Chairman**  
**Senator Bill Ferguson, Vice Chairman**

### **Capital Budget Subcommittee**

Senator Douglas J. J. Peters, Chairman  
Senator Craig Zucker, Vice Chairman

Senator George C. Edwards  
Senator Sarah K. Elfreth  
Senator Bill Ferguson  
Senator Guy Guzzone  
Senator Cory McCray

### **Education, Business, and Administration Subcommittee**

Senator Bill Ferguson, Chairman

Senator Sarah K. Elfreth  
Senator Melony Griffith  
Senator Andrew A. Serafini

### **Health and Human Services Subcommittee**

Senator Guy Guzzone, Chairman

Senator Adelaide C. Eckardt  
Senator Cory McCray  
Senator Craig Zucker

### **Public Safety, Transportation, and Environment Subcommittee**

Senator Douglas J. J. Peters, Chairman

Senator George C. Edwards  
Senator James C. Rosapepe  
Senator Johnny Ray Salling



# Department of Legislative Services

---

## **Director, Office of Policy Analysis**

Ryan Bishop

## **Coordinator, Fiscal and Policy Analysis**

David C. Romans

## **Operating Budget Managers**

Simon G. Powell

David B. Juppe

## **Capital Budget Manager**

Matthew D. Klein

## **Information Systems Support**

Patrick S. Frank

Laura M. Vykol

## **Quality Control Editor**

Maureen R. Merzlak

## **Committee Report Coordinator**

Jason A. Kramer

## **Committee Staff**

Phillip S. Anthony

Erika S. Schissler

Matthew J. Bennett

## **Budget Subcommittee Coordinators**

Sierra S. Boney

Kyle D. Siefering

Andrew D. Gray

Tonya D. Zimmerman

Rebecca J. Ruff

## **Other Analysts**

Sara J. Baker

Matthew J. Mickler

Andrew C. Garrison

Anne P. Wagner

Ian M. Klein

Kenneth B. Weaver

Steven D. McCulloch

Benjamin B. Wilhelm

## **Support Staff**

Maria S. Hartlein, Operating Budget Support Coordinator

Katylee M. Cannon, Capital Budget Support Coordinator

Marcia T. Alvarado

Kamar Merritt

Katherine K. Hayward

Brett A. Ogden

E. Cathy Kramer



# Department of Legislative Services

## 2019 Budget Assignments

---

### **Sara J. Baker**

Maryland Higher Education Commission  
Overview  
Student Financial Assistance  
University System of Maryland  
Overview  
Towson University  
University of Maryland, Baltimore Campus  
University of Maryland, College Park Campus  
University of Maryland Eastern Shore

### **Sierra S. Boney**

Comptroller of Maryland  
Department of Labor, Licensing, and Regulation  
Business Regulation  
Workforce Development  
Maryland Commission on Civil Rights  
Maryland Insurance Administration  
Maryland Public Broadcasting Commission  
Secretary of State  
State Archives  
State Treasurer

### **Patrick S. Frank**

Board of Public Works  
Department of General Services  
Department of Information Technology  
General Assembly of Maryland  
Maryland Stadium Authority  
Public Debt  
State Reserve Fund

### **Andrew C. Garrison**

Department of Veterans Affairs  
Maryland Department of Health  
Administration  
Behavioral Health Administration  
Health Professionals Boards and Commissions  
Health Regulatory Commissions  
Office of Health Care Quality

**Andrew D. Gray**

Chesapeake Bay Overview  
Department of Agriculture  
Department of Natural Resources  
Department of Planning  
Department of the Environment  
Maryland Environmental Services

**Ian M. Klein**

Baltimore City Community College  
Higher Education Overview  
Maryland State Library Agency  
Morgan State University  
St. Mary's College of Maryland  
University System of Maryland  
Frostburg State University

**Matthew D. Klein**

Capital Fiscal Briefing (PAYGO Overview)

**Jason A. Kramer**

Department of Commerce  
Department of Housing and Community Development  
Historic St. Mary's City Commission  
Maryland African American Museum Corporation  
Maryland Department of Health  
Prevention and Health Promotion Administration  
Maryland Economic Development Corporation  
Maryland Technology Development Corporation  
Payments to Civil Divisions of the State  
State Lottery and Gaming Control Agency

**Steven D. McCulloch**

Maryland Department of Transportation  
Debt Service Requirements  
Maryland Transit Administration  
Overview  
Secretary's Office  
State Highway Administration  
Washington Metropolitan Area Transit Authority



**Matthew J. Mickler**

Department of Aging  
Maryland Department of Transportation  
Maryland Aviation Administration  
Maryland Port Administration  
Motor Vehicle Administration  
Maryland Transportation Authority

**Simon G. Powell**

Maryland Department of Health  
Medical Care Programs Administration  
Overview  
Maryland Health Benefit Exchange

**Rebecca J. Ruff**

Department of Budget and Management  
Secretary  
Department of Juvenile Services  
Department of State Police  
Governor's Office of Crime Control and Prevention  
Maryland Emergency Medical System Operations Fund  
Maryland State Department of Education  
Maryland Center for School Safety  
Military Department

**Kyle D. Siefering**

Aid to Community Colleges  
Interagency Committee on School Construction  
Maryland School for the Deaf  
Maryland State Department of Education  
Aid to Education  
Funding for Educational Organizations  
Headquarters

**Laura M. Vykol**

Department of Budget and Management  
Personnel  
Maryland Supplemental Retirement Plans  
State Retirement Agency  
Uninsured Employers' Fund

**Anne P. Wagner**

Department of Human Services  
Administration  
Child Support Administration  
Governor's Office for Children and Interagency Fund  
Maryland Department of Health  
Developmental Disabilities Administration  
Maryland Institute for Emergency Medical Services Systems  
Maryland State Department of Education  
Early Childhood Development  
Office of the Deaf and Hard of Hearing

**Kenneth B. Weaver**

Department of Public Safety and Correctional Services  
Administration  
Corrections  
Division of Parole and Probation  
Division of Pretrial Detention  
Maryland Parole Commission  
Overview  
Police and Correctional Training Commissions

**Benjamin B. Wilhelm**

Executive Department  
Boards, Commissions, and Offices  
Governor  
Judiciary  
Maryland Tax Court  
Office of Administrative Hearings  
Office of the Attorney General  
Office of the Public Defender  
Office of the State Prosecutor  
State Board of Elections  
State Department of Assessments and Taxation  
Workers' Compensation Commission

**Tonya D. Zimmerman**

Department of Human Services  
Family Investment Administration  
Office of Home Energy Programs  
Overview  
Social Services Administration  
Maryland Energy Administration  
Maryland Department of Health  
Public Health Administration  
Office of People's Counsel  
Public Service Commission

# Contents

|   | <b><u>Budget Code</u></b> | <b><u>Page</u></b> |
|---|---------------------------|--------------------|
| Senate Budget and Taxation Committee – Reductions .....         |                           | xv                 |
| <b>Legislative and Judicial</b>                                 |                           |                    |
| Judiciary .....   | C00A00                    | 1                  |
| Office of the Public Defender .....                             | C80B00                    | 8                  |
| Office of the Attorney General .....                            | C81C                      | 9                  |
| Maryland Tax Court .....  | C85E00                    | 10                 |
| Public Service Commission .....                                 | C90G00                    | 11                 |
| Uninsured Employers’ Fund .....                                 | C96J00                    | 13                 |
| <b>Executive and Administrative Control</b>                     |                           |                    |
| Board of Public Works .....                                     | D05E01                    | 15                 |
| Office of the Deaf and Hard of Hearing .....                    | D11A0401                  | 17                 |
| Department of Disabilities .....                                | D12A02                    | 18                 |
| Maryland Energy Administration .....                            | D13A13                    | 19                 |
| Boards, Commissions, and Offices .....                          | D15A05                    | 20                 |
| Historic St. Mary’s City Commission .....                       | D17B0151                  | 28                 |
| Department of Aging .....                                       | D26A07                    | 29                 |
| State Board of Elections .....                                  | D38I01                    | 32                 |
| Department of Planning .....                                    | D40W01                    | 34                 |
| Military Department .....                                       | D50H01                    | 35                 |
| Maryland Institute for Emergency Medical Services Systems ..... | D53T00                    | 36                 |
| Maryland Health Benefit Exchange .....                          | D78Y01                    | 38                 |
| Maryland Insurance Administration .....                         | D80Z01                    | 40                 |
| <b>Financial and Revenue Administration</b>                     |                           |                    |
| Comptroller of Maryland .....                                   | E00A                      | 41                 |
| State Treasurer’s Officer .....                                 | E20B                      | 44                 |
| State Department of Assessments and Taxation .....              | E50C                      | 45                 |
| State Lottery and Gaming Control Agency .....                   | E75D                      | 47                 |

|   | <b><u>Budget Code</u></b> | <b><u>Page</u></b> |
|---|---------------------------|--------------------|
| <b>Budgetary and Personnel Administration</b>       |                           |                    |
| Department of Budget and Management .....           | F10A                      | 49                 |
| Department of Information Technology .....          | F50                       | 56                 |
| <b>Personnel Administration and Retirement</b>      |                           |                    |
| State Retirement Agency.....                        | G20J01                    | 58                 |
| Maryland Supplemental Retirement Plans.....         | G50L00                    | 60                 |
| <b>General Services</b>                             |                           |                    |
| Department of General Services .....                | H00                       | 61                 |
| <b>Transportation</b>                               |                           |                    |
| Department of Transportation .....                  | J00                       | 64                 |
| The Secretary's Office .....                        | J00A01                    | 66                 |
| Debt Service Requirements.....                      | J00A04                    | 70                 |
| State Highway Administration.....                   | J00B01                    | 73                 |
| Maryland Port Administration .....                  | J00D00                    | 81                 |
| Maryland Transit Administration .....               | J00H01                    | 83                 |
| Maryland Transportation Authority .....             | J00J00                    | 85                 |
| <b>Natural Resources</b>                            |                           |                    |
| Department of Natural Resources .....               | K00A                      | 88                 |
| <b>Agriculture</b>                                  |                           |                    |
| Department of Agriculture .....                     | L00A                      | 92                 |
| <b>Health</b>                                       |                           |                    |
| Maryland Department of Health                       |                           |                    |
| Office of the Secretary .....                       | M00A01                    | 94                 |
| Health Professionals Boards and Commissions.....    | M00B0104                  | 95                 |
| Prevention and Health Promotion Administration..... | M00F03                    | 96                 |
| Office of the Chief Medical Examiner.....           | M00F05                    | 98                 |
| Deputy Secretary for Behavioral Health.....         | M00K02                    | 99                 |
| Behavioral Health Administration .....              | M00L                      | 100                |

|  | <b><u>Budget Code</u></b> | <b><u>Page</u></b> |
|--|---------------------------|--------------------|
| Developmental Disabilities Administration.....             | M00M                      | 105                |
| Medical Care Programs Administration .....                 | M00Q01                    | 110                |
| Health Regulatory Commissions .....                        | M00R                      | 119                |
| <b>Human Services</b>                                      |                           |                    |
| Department of Human Services                               |                           |                    |
| Office of the Secretary .....                              | N00A01                    | 121                |
| Social Services Administration .....                       | N00B                      | 122                |
| Office of Technology for Human Services .....              | N00F00                    | 126                |
| Local Department Operations .....                          | N00G00                    | 127                |
| Child Support Administration.....                          | N00H00                    | 132                |
| Family Investment Administration .....                     | N00I00                    | 133                |
| <b>Labor, Licensing, and Regulation</b>                    |                           |                    |
| Department of Labor, Licensing, and Regulation .....       | P00                       | 139                |
| <b>Public Safety and Correctional Services</b>             |                           |                    |
| Department of Public Safety and Correctional Services..... | Q00                       | 144                |
| Office of the Secretary .....                              | Q00A                      | 147                |
| Corrections .....  | Q00B                      | 148                |
| Division of Parole and Probation.....                      | Q00C02                    | 151                |
| Police and Correctional Training Commissions .....         | Q00G                      | 154                |
| Division of Pretrial Detention .....                       | Q00T04                    | 155                |
| <b>Public Education</b>                                    |                           |                    |
| Maryland State Department of Education                     |                           |                    |
| Headquarters .....   | R00A01                    | 158                |
| Aid to Education .....                                     | R00A02                    | 159                |
| Funding for Educational Organizations .....                | R00A03                    | 164                |
| Children’s Cabinet Interagency Fund .....                  | R00A04                    | 172                |
| Maryland Center for School Safety .....                    | R00A06                    | 173                |
| Interagency Commission on School Construction.....         | R00A07                    | 175                |

|   | <b><u>Budget Code</u></b> | <b><u>Page</u></b> |
|---|---------------------------|--------------------|
| <b>Higher Education</b>                               |                           |                    |
| Morgan State University .....                         | R13M00                    | 178                |
| Maryland Public Broadcasting Commission.....          | R15P00                    | 180                |
| University System of Maryland .....                   | R30B00                    | 181                |
| University of Maryland University College .....       | R30B30                    | 182                |
| University System of Maryland Office .....            | R30B36                    | 183                |
| Maryland Higher Education Commission.....             | R62I00                    | 186                |
| Higher Education .....                                | R75T00                    | 191                |
| Baltimore City Community College .....                | R95C00                    | 197                |
| <b>Housing and Community Development</b>              |                           |                    |
| Department of Housing and Community Development ..... | S00A                      | 199                |
| <b>Commerce</b>                                       |                           |                    |
| Department of Commerce .....                          | T00                       | 201                |
| Maryland Technology Development Corporation .....     | T50T01                    | 206                |
| <b>Environment</b>                                    |                           |                    |
| Department of the Environment.....                    | U00A                      | 211                |
| Maryland Environmental Service .....                  | U10B00                    | 215                |
| <b>Juvenile Services</b>                              |                           |                    |
| Department of Juvenile Services.....                  | V00A                      | 216                |
| <b>State Police</b>                                   |                           |                    |
| Department of State Police .....                      | W00A                      | 217                |
| <b>Debt</b>   |                           |                    |
| Public Debt.....                                      | X00A00                    | 220                |
| <b>Reserve</b>  |                           |                    |
| State Reserve Fund.....                               | Y01A                      | 221                |

|                                 | <b><u>Budget Code</u></b> | <b><u>Page</u></b> |
|---------------------------------|---------------------------|--------------------|
| <b>Deficiencies</b>             |                           |                    |
| Fiscal 2019 Deficiencies .....  |                           | 228                |
| <b>Sections</b>                 |                           |                    |
| Sections .....                  |                           | 230                |
| <b>Technical Amendment</b>      |                           |                    |
| Technical Amendment No. 1 ..... |                           | 260                |
| <b>Supplemental Budget</b>      |                           |                    |
| Supplemental Budget No. 1 ..... |                           | 261                |





## Senate Budget and Taxation Committee – Reductions

|                            |   | <u>General<br/>Funds</u> | <u>Special<br/>Funds</u> | <u>Federal<br/>Funds</u> | <u>Education<br/>Funds</u> | <u>Total<br/>Funds</u> | <u>Positions</u> |
|----------------------------|---|--------------------------|--------------------------|--------------------------|----------------------------|------------------------|------------------|
| <b>2020 Budget Request</b> |   |                          |                          |                          |                            |                        |                  |
|                            | Judiciary   | \$10,661,697             | \$0                      | \$0                      | \$0                        | \$10,661,697           | 36.0             |
|                            | Uninsured Employers' Fund   | 2,000,000                | 5,246                    | 0                        | 0                          | 2,005,246              |                  |
|                            | Maryland Energy Administration  | 1,500,000                | 0                        | 0                        | 0                          | 1,500,000              |                  |
|                            | Historic St. Mary's City Commission   | 0                        | 0                        | 118,326                  | 0                          | 118,326                |                  |
|                            | Maryland Health Benefit Exchange  | 0                        | 1,000,000                | 1,400,000                | 0                          | 2,400,000              |                  |
|                            | Comptroller of Maryland   | 258,215                  | 0                        | 0                        | 0                          | 258,215                |                  |
|                            | State Lottery and Gaming Control Agency   | 0                        | 350,000                  | 0                        | 0                          | 350,000                |                  |
| H&X<br>ii:                 | Department of Budget and Management (DBM) –<br>Secretary                            | 194,375                  | 0                        | 0                        | 0                          | 194,375                | 1.0              |
|                            | DBM – Personnel   | 18,300,362               | 3,400,000                | 3,400,000                | 3,906,600                  | 29,006,962             | 1.8              |
|                            | Department of Information Technology  | 10,300,000               | 0                        | 0                        | 0                          | 10,300,000             |                  |
|                            | State Retirement Agency   | 152,444                  | 559,720                  | 50,814                   | 0                          | 762,978                |                  |
|                            | Department of General Services  | 2,056,000                | 0                        | 0                        | 0                          | 2,056,000              |                  |
|                            | Maryland Department of Health (MDH) – Health<br>Professional Boards and Commissions | 0                        | 900,000                  | 0                        | 0                          | 900,000                |                  |
|                            | MDH – Prevention and Health Promotion<br>Administration                             | 0                        | 0                        | 1,660,218                | 0                          | 1,660,218              |                  |
|                            | MDH – Medical Care Programs Administration  | 35,659,358               | 0                        | 10,134,458               | 0                          | 45,793,816             | 5.0              |
|                            | MDH – Health Regulatory Commissions   | 0                        | 8,095,519                | 0                        | 0                          | 8,095,519              |                  |
|                            | Department of Human Services – Office of Home<br>Energy Programs                    | 0                        | 6,206,999                | 0                        | 0                          | 6,206,999              |                  |
|                            | Department of Labor, Licensing, and Regulation –<br>Business Regulation             | 57,272                   | 2,042,031                | 0                        | 0                          | 2,099,303              | 1.5              |

| <u>Agency</u>  | <u>General<br/>Funds</u>    | <u>Special<br/>Funds</u>   | <u>Federal<br/>Funds</u>   | <u>Education<br/>Funds</u> | <u>Total<br/>Funds</u>      | <u>Positions</u>   |
|--|-----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|--------------------|
| Department of Public Safety and Correctional Services<br>– Corrections | 5,000,000                   | 0                          | 0                          | 0                          | 5,000,000                   |                    |
| Maryland State Department of Education (MSDE) –<br>Headquarters        | 4,720                       | 0                          | 0                          | 0                          | 4,720                       |                    |
| MSDE – Maryland Center for School Safety                               | 400,000                     | 0                          | 0                          | 0                          | 400,000                     |                    |
| Morgan State University  | 0                           | 0                          | 0                          | 600,000                    | 600,000                     |                    |
| Maryland Public Broadcasting Commission                                | 1,058,210                   | 0                          | 0                          | 0                          | 1,058,210                   |                    |
| University System of Maryland (USM) – Overview                         | 0                           | 0                          | 0                          | 6,000,000                  | 6,000,000                   |                    |
| USM – Office   | 0                           | 0                          | 0                          | 1,000,000                  | 1,000,000                   |                    |
| Maryland Higher Education Commission (MHEC)                            | 251,868                     | 0                          | 0                          | 0                          | 251,868                     |                    |
| MHEC – Student Financial Assistance                                    | 6,927,000                   | 0                          | 0                          | 0                          | 6,927,000                   |                    |
| State Support for Higher Education Institutions                        | 7,600,000                   | 0                          | 0                          | 0                          | 7,600,000                   |                    |
| Department of Commerce   | 7,540,000                   | 0                          | 0                          | 0                          | 7,540,000                   |                    |
| Maryland Technology Development Corporation                            | 10,000,000                  | 0                          | 0                          | 0                          | 10,000,000                  |                    |
| State Reserve Fund   | 10,000,000                  | 0                          | 0                          | 0                          | 10,000,000                  |                    |
| <b><i>Subtotal Fiscal 2020 Regular Budget</i></b>                      | <b><i>\$129,921,521</i></b> | <b><i>\$22,559,515</i></b> | <b><i>\$16,763,816</i></b> | <b><i>\$11,506,600</i></b> | <b><i>\$180,751,452</i></b> | <b><i>45.3</i></b> |
| <b>Supplemental Budget No. 1 – Fiscal 2020</b>                         |                             |                            |                            |                            |                             |                    |
| USM – University of Maryland, College Park Campus                      | \$0                         | \$0                        | \$0                        | \$450,000                  | \$450,000                   |                    |
| State Support for Higher Education Institutions                        | 450,000                     | 0                          | 0                          | 0                          | 450,000                     |                    |
| <b><i>Subtotal Supplemental Budget No. 1</i></b>                       | <b><i>\$450,000</i></b>     | <b><i>\$0</i></b>          | <b><i>\$0</i></b>          | <b><i>\$450,000</i></b>    | <b><i>\$900,000</i></b>     |                    |
| <b>Fiscal 2020 Total Budget</b>  | <b>\$130,371,521</b>        | <b>\$22,559,515</b>        | <b>\$16,763,816</b>        | <b>\$11,956,600</b>        | <b>\$181,651,452</b>        | <b>45.3</b>        |
| <b>Grand Total Budget Bill</b>   | <b>\$130,371,521</b>        | <b>\$22,559,515</b>        | <b>\$16,763,816</b>        | <b>\$11,956,600</b>        | <b>\$181,651,452</b>        | <b>45.3</b>        |

## C00A00 Judiciary

### Budget Amendments

Add the following language:

Provided that \$2,530,094 in general funds for new positions is reduced and 36.0 new regular positions are eliminated.

**Explanation:** This action eliminates 36.0 of the 55.0 new general funded positions in the Judiciary's fiscal 2020 budget. This expansion of services is unaffordable in light of the Judiciary's overall budget request. This action maintains funding and positions to support 7 new judgeships, consistent with the Judiciary's new judgeship request.

## JUDICIARY

### C00A00.04 District Court

Amend the following language on the general fund appropriation:

, provided that ~~\$7,750,000~~ \$8,500,000 of the general fund appropriation may be expended only for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Court of Appeals in DeWolfe v. Richmond. Any funds not expended for this purpose shall revert to the General Fund.

**Explanation:** This language restricts the use of ~~\$7.8~~ \$8.5 million of the Judiciary's general fund appropriation for the implementation of DeWolfe v. Richmond.

Amendment No.

**1**

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <del>Reduce the appropriation for self help centers due to the growth in the overall Judiciary's fiscal 2020 allowance.</del> | 664,943      | GF               |
| 2. Eliminate funding for 2 new contractual bailiffs due to the growth of the Judiciary's overall budget allowance.               | 61,852       | GF               |

## C00A00

3. ~~Reduce funding for the Appointed Attorney Program by \$750,000. This action leaves \$7.8 million for this purpose in the budget. In fiscal 2018, actual expenditures for this program were \$7.6 million.~~ 750,000 GF

Total Reductions 1,476,795  
61,852

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u>                                | <u>Amount Reduction</u>                      | <u>Position Reduction</u> |
|--------------------|--------------------|---|--|---------------------------|
| Position           | 1,588.00           | 1,588.00  |  | 0.00                      |
| General Fund       | 207,793,623        | <del>206,316,828</del><br>207,731,771               | <del>1,476,795</del><br>61,852               |                           |
| <b>Total Funds</b> | <b>207,793,623</b> | <b><del>206,316,828</del></b><br><b>207,731,771</b> | <b><del>1,476,795</del></b><br><b>61,852</b> |                           |

Amendment No.

2

### Committee Narrative

**Appointed Attorney Program Costs and Utilization:** The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report detailing the fiscal 2019 costs and utilization of the Appointed Attorney Program.

| <b>Information Request</b>                       | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Appointed Attorney Program costs and utilization | Judiciary     | October 1, 2019 |

## C00A00

**Pretrial Release Statistics:** The committees remain interested in the impact of recent changes to the Maryland Rules regarding pretrial release and the use of cash bail across the State. Therefore, the committees request a report on the implementation of the new rule from July 1, 2018, to September 30, 2019. The report should provide an update on pretrial release practices including any guidance on the new rule issued by the Judiciary and should include the following data:

- a statewide accounting, by month and jurisdiction, of all pretrial dispositions from October 2018 to September 2019, including the number of defendants held on cash bail, released without conditions or on recognizance, released with nonmonetary conditions, and held without bail;
- failure to appear rates from July 2018 to June 2019 by jurisdiction and pretrial disposition; and
- the number and percentage of defendants held in custody more than five days after a bail is set from October 2018 to September 2019.

| Information Request                         | Author    | Due Date         |
|---|-----------|------------------|
| Impact of changes to pretrial release rules | Judiciary | November 1, 2019 |

## Budget Amendments

### C00A00.06 Administrative Office of the Courts

Add the following language to the general fund appropriation:

, provided that this appropriation is increased by \$500,000 for the compensation of recalled senior judges. These funds may be expended only to enhance the resources provided to reduce the backlog of asbestos-related cases in Baltimore City by providing compensation to senior judges. Further provided that these funds may be expended only to compensate senior judges who have been selected by the Chief Judge from a list provided by the Governor no later than June 1, 2019. Further provided that it is the intent of the General Assembly that the Circuit Court for Baltimore City act in a manner that efficiently reduces this caseload by the consolidation of cases and/or the use of alternative dispute resolution.

## C00A00

**Explanation:** This language adds \$500,000 in general funds to be used only to enhance the resources devoted to the asbestos docket in Baltimore City. The language specifies that funds may only be used to compensate senior judges hearing cases on the asbestos docket, requires that the Chief Judge assign only senior judges recommended by the Governor, and expresses the intent of the General Assembly that the courts should use alternative resolution techniques to expedite the clearing of the docket.

Amendment No.

3

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>                       | <u>Positions</u>    |
|--|------------------------------------|---------------------|
| 1. Eliminate funding for the design of a new Courts of Appeal building. The construction of State buildings is an executive function, and this project should not be funded in the Judiciary's operating budget. The project is programmed for funding in the Capital Improvement Program beginning in fiscal 2022.  | 3,427,000                          | GF                  |
| 2. Reduce the appropriation for all general fund grants <del>except those for county magistrate compensation and problem solving courts to the same level as the fiscal 2019 working appropriation.</del> This action is due to the 7.7% total growth rate for these expenditures in the fiscal 2020 budget and still provides an increase of \$3.2 \$1.8 million over <del>fiscal 2018 actual expenditures the fiscal 2019 working appropriation.</del> | <del>1,641,821</del><br>891,821    | <del>GF</del><br>GF |
| 3. <del>This action reduces funds in order to increase the turnover expectancy for the Judiciary to 3.25% for fiscal 2020. On January 1, 2019, the Judiciary's vacancy rate was 3.4%. This adjustment is intended to be applied across the Judiciary.</del>  | 1,935,303                          | GF                  |
| 4. Reduce funding for subobjects related to equipment, building maintenance, supplies, postage, travel, freight hauling, and publications due to large increases over recent actual expenditures and otherwise unjustifiable spending.   | <del>7,415,987</del><br>4,250,930  | <del>GF</del><br>GF |
| Total Reductions   | <del>14,420,111</del><br>8,569,751 |                     |

## C00A00

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                        | <u>Amount<br/>Reduction</u>                | <u>Position<br/>Reduction</u> |
|--------------------|-------------------|---|--|-------------------------------|
| Position           | 242.00            | 242.00                                      |  | 0.00                          |
| General Fund       | 77,709,359        | <del>63,289,248</del><br>69,139,608         | <del>14,420,111</del><br>8,569,751         |                               |
| Special Fund       | 21,000,000        | 21,000,000                                  | 0  |                               |
| Federal Fund       | 216,615           | 216,615                                     | 0  |                               |
| <b>Total Funds</b> | <b>98,925,974</b> | <b><del>84,505,863</del><br/>90,356,223</b> | <b><del>14,420,111</del><br/>8,569,751</b> |                               |

Amendment No.

4

### Committee Narrative

**Adult Drug Court Evaluations and Transparency:** The committees are concerned about the ongoing impact of drug addiction in the State and the role that adult drug courts can play in the State's response to this crisis. The committees request that the Office of Problem Solving Courts (OPSC) prepare a status report on how it intended to use performance evaluation benchmarks developed by the National Center for State Courts (NCSC). Specifically, the status report should address the following issues:

- the status of the implementation of a performance management system for adult drug courts in the State;
- whether and to what extent OPSC has adopted the objectives and benchmarks for adult drug courts developed by NCSC;
- whether OPSC has a plan for the evaluation of outcomes for each adult drug court at regular intervals;
- how OPSC will ensure that service providers and drug court managers are providing all data necessary for evaluation;
- whether the Judiciary intends to make results of performance evaluations available to the public; and

## C00A00

- an estimate of the variable correctional, court, and other savings associated with adult drug courts.

| <b>Information Request</b>                    | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Adult drug court evaluations and transparency | Judiciary     | July 1, 2019    |

***Baltimore City Asbestos Docket:*** *The committees are concerned about the victims of asbestos-related diseases and their families and understand that it is important that their claims are promptly adjudicated by the Judiciary. The committees acknowledge the complexities associated with the management of the asbestos docket and the significant progress that has been made in managing and addressing the volume of asbestos-related claims by the Circuit Court for Baltimore City. However, the committees also recognize that it is essential to maintain proper organization of the docket and deploy adequate resources to insure that litigants receive prompt attention to their claims.*

*Therefore, the committees request that the Judiciary submit a comprehensive report concerning the status of the asbestos docket and the measures necessary to expeditiously address the volume of asbestos-related cases. The report should include the following information:*

- *an inventory of the pending asbestos caseload, including the number of active and inactive cases by filing date;*
- *a summary of asbestos case dispositions from fiscal 2016 to 2019;*
- *an itemization of Judiciary resources, including funds, judge time, and staff time that have been assigned to the asbestos docket since fiscal 2014.*
- *a description and assessment of the specific measures that have been implemented to support the expeditious resolution of asbestos-related claims;*
- *an assessment of whether additional measures are necessary for the effective management of the asbestos docket, including a full description and cost analysis of any additional resources necessary to implement those measures; and*
- *a summary of any statutory or regulatory changes necessary to implement proposed measures to improve the management of the asbestos docket.*

| <b>Information Request</b>     | <b>Author</b> | <b>Due Date</b>  |
|--------------------------------|---------------|------------------|
| Baltimore City asbestos docket | Judiciary     | October 15, 2019 |



## **C00A00**

**Status of the Maryland Electronic Courts Rent Court Module Development:** The committees remain interested in the implementation of Maryland Electronic Courts (MDEC) and the ability of the system to process rent court filings. Given the progress that is currently being made by the Judiciary and the pending pilot in Baltimore County, the committees request that the Judiciary provide a status update on this project, including the result of the pilot, before the 2020 legislative session.

| <b>Information Request</b>                   | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Status of MDEC rent court module development | Judiciary     | October 1, 2019 |

**C80B00**  
**Office of the Public Defender**

**Committee Narrative**

**OFFICE OF THE PUBLIC DEFENDER**

**C80B00.01    General Administration**

**Contractual Staff Compensation and Pipeline to Full-time Employment:** The committees are concerned that staff hired as contractual full-time equivalents (FTE) to perform core support staff functions for the Office of the Public Defender (OPD) are compensated less than staff in regular positions, even when performing the same work. The committees request that OPD review the duties of contractual FTEs and regular employees and prepare a report that details the work functions performed by each group, including a discussion of overlaps in job responsibilities and job descriptions. The report should also provide the rate of compensation for these contractual FTEs and entry-level regular employees performing similar duties. Finally, the report should fully explain OPD's policy or strategy for moving staff from contractual FTEs into regular positions as well as the number of contractual FTEs who have been hired into regular positions since July 1, 2017.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Contractual staff compensation and pipeline to full-time employment | OPD           | August 1, 2019  |

**C81C**  
**Office of the Attorney General**

**Committee Narrative**

**OFFICE OF THE ATTORNEY GENERAL**

**C81C00.01    Legal Counsel and Advice**

***Public Information Act Transparency and Reporting:*** *The committees are interested in ensuring that the State's Public Information Act (PIA) increases government transparency through a robust review and disclosure process. The committees also understand that agencies must have sufficient resources and sufficient procedures to respond to reasonable and legal information requests from the public and press. To that end, the committees would like additional information on the volume of requests being made under PIA. The committees request that the PIA ombudsman and the PIA compliance board in the Office of the Attorney General (OAG) work with the Executive Branch cabinet-level agencies to prepare a report that provides the following data by agency for the period from July 1, 2018, to September 30, 2019:*

- *the number of PIA requests;*
- *the disposition of requests;*
- *the average response time;*
- *the number of fee waivers requested and the number granted; and*
- *the number of mediation requests and the number of mediations conducted.*

*In addition, the PIA ombudsman and PIA compliance board should include in the report an analysis of the utility and feasibility of State cabinet-level Executive Branch agencies publishing periodic self-evaluations of their PIA performance as well as the utility and feasibility of other PIA compliance/monitoring and extrajudicial enforcement processes, such as those employed by federal agencies pursuant to the Freedom of Information Act. This report should also include discussion of the current training, processes, and procedures, including, but not limited to, record retention and record management practices and technologies used by cabinet-level Executive Branch agencies to handle the PIA requests. The final report of the PIA ombudsman and the PIA compliance board shall be published and submitted to the committees by December 31, 2019. The PIA ombudsman and PIA compliance board shall set such interim deadlines as may be necessary to publish their final report.*

| <b><i>Information Request</i></b>     | <b><i>Author</i></b> | <b><i>Due Date</i></b>   |
|---------------------------------------|----------------------|--------------------------|
| <i>PIA transparency and reporting</i> | <i>OAG</i>           | <i>December 31, 2019</i> |

**C85E00**  
**Maryland Tax Court**

**Budget Amendments**

**MARYLAND TAX COURT**

**C85E00.01 Administration and Appeals**

Add the following language to the general fund appropriation:

, provided that it is the intent of the General Assembly that the agency be granted the authority to hire a deputy clerk either by the transfer of an existing position to the agency or the creation of a new position by the Board of Public Works.

**Explanation:** This action adopts language in the budget that declares that it is the intent of the General Assembly that the Maryland Tax Court should be empowered to hire a deputy clerk either by the identification and transfer of a position from elsewhere in State government or by the creation of a new position by the Board of Public Works under the Rule of 100.

## **C90G00**

### **Public Service Commission**

#### **Committee Narrative**

#### **PUBLIC SERVICE COMMISSION**

##### **C90G00.01 General Administration and Hearings**

**Energy Supplier Related Complaints:** Several reports released recently indicate that consumers may be experiencing increased costs of energy as a result of energy supplier prices. The committees are interested in understanding more about the number and resolution of complaints related to energy suppliers in recent years. The committees request that the Public Service Commission (PSC) submit a report detailing for fiscal 2014 through 2019:

- the number of complaints by energy supplier;
- the number of complaints related to energy suppliers that were closed without further investigation;
- the number of complaints related to energy suppliers with additional investigation/action;
- the average processing time for PSC review of energy supplier complaints, separately identifying processing times for complaints for which additional investigation is required and those screened out after initial review;
- the number of complaints related to energy suppliers that resulted in penalties, including refunds to customers or other actions, and information on the penalties issued to or refunds to customers, including the amount and the number of customers awarded a refund;
- the number of energy suppliers that have withdrawn from Maryland following a PSC investigation or a determination of a violation; and
- the number of energy suppliers that PSC has required to cease operations in Maryland following an investigation and, if no such orders have been made, what level/type of violation would be required to issue this type of penalty.

The committees also request information on the types of ongoing oversight of PSC related to energy suppliers including spot checks of marketing and contract materials. PSC should provide information related to current staffing for energy supplier oversight and the number of additional staff that would be required to provide additional proactive oversight including spot checking of materials on a regular basis. The committees also request that PSC provide information on the feasibility of posting the complaint data on the PSC website and altering the website to provide more clear access to the complaint forms.

## **C90G00**

| <b>Information Request</b>                                       | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Report on energy<br>supplier-related complaints<br>and oversight | PSC           | October 1, 2019 |

# C96J00

## Uninsured Employers' Fund

### Budget Amendments

#### UNINSURED EMPLOYERS' FUND

##### C96J00.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$2,000,000 of this appropriation made for the purpose of Bethlehem Steel Corporation retirees' hearing loss claims shall be reduced contingent on enactment of HB 1407 or SB 1040 authorizing the use of the special fund revenue source that supports the Uninsured Employers' Fund to pay for claims that do not currently qualify for payment from the fund.

**Explanation:** The Uninsured Employers' Fund (UEF) received \$2 million in general funds in fiscal 2020 to pay for Bethlehem Steel Corporation (BSC) retirees' hearing loss claims that are not eligible to be paid from the fund. This language reduces the \$2 million general fund appropriation contingent on enactment of HB 1407 or SB 1040, which authorizes the use of the special fund revenue source that supports UEF to pay for claims associated with BSC retirees' hearing loss claims that do not currently qualify for payment from the fund.

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Uninsured Employers' Fund submits documentation to the budget committees indicating that an actuarial contract has been awarded to conduct an actuarial study. The documentation shall be submitted by January 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the documentation may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the documentation is not submitted to the budget committees.

**Explanation:** This budget bill language restricts \$100,000 in special funds until the Uninsured Employers' Fund (UEF) submits documentation indicating that the agency has entered into a contract to conduct an actuarial study. The last actuarial study was conducted in 2014 and recommended a study every two to three years.

| Information Request  | Author | Due Date        |
|--|--------|-----------------|
| Documentation of awarded contract to conduct actuarial study | UEF    | January 1, 2020 |

## C96J00

| Reduce appropriation for the purposes indicated:                                       | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Delete funding for contractual full-time equivalents that the agency does not have. | 5,246 SF     |                  |
| Total Reductions   | 5,246        | 0.00             |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position           | 13.00            | 13.00                |                         | 0.00                      |
| General Fund       | 2,000,000        | 2,000,000            | 0                       |                           |
| Special Fund       | 1,917,573        | 1,912,327            | 5,246                   |                           |
| <b>Total Funds</b> | <b>3,917,573</b> | <b>3,912,327</b>     | <b>5,246</b>            |                           |

### Committee Narrative

**Quarterly Financial Reports:** During the 2018 session, the committees requested that the Uninsured Employers' Fund (UEF) submit quarterly financial reports in order to monitor the health of the fund. The budget committees request that UEF continue to submit quarterly financial data, providing actual revenues and expenditures, in order to monitor fund health. Additionally, the budget committees request expenditures for the third-party administrator claims processing contract be provided, given the cost of this contract is not currently accounted for in the agency's budget. The quarterly reports should also provide the most recent fund balance to date. UEF should submit reports on August 15, 2019; November 15, 2019; February 1, 2020; and May 15, 2020.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b>   |
|-----------------------------|---------------|---|
| Quarterly financial reports | UEF           | August 15, 2019<br>November 15, 2019<br>February 15, 2020<br>May 15, 2020 |

**Third-party Administrator Contract Cost Not Budgeted:** In September 2017, the Uninsured Employers' Fund (UEF) entered into an emergency contract with a third-party administrator to provide claims processing services. From September 2017 to August 2018, UEF paid the vendor \$1.1 million; however, this amount does not appear in UEF's budget. According to the agency, the cost of this contract is paid with nonbudgeted funds, which is the fund balance. Since the contract is an ongoing operational cost, there is no reason that this cost should not be included in the agency's operating expenditures. The committees request that UEF include the cost of the third-party administrator within the agency's operating budget submission, starting with the fiscal 2021 budget.



**D05E01**  
**Board of Public Works**

**Budget Amendments**

**BOARD OF PUBLIC WORKS**

**D05E01.02 Contingent Fund**

Add the following language to the general fund appropriation:

*It is the intent of the General Assembly that funds only be transferred from the contingent fund if there is a unanimous vote by the Board of Public Works in which all three members of the board support a fund transfer.*

***Explanation:*** *The General Assembly advises that the contingent fund only be used to support the higher priority needs. To ensure that the funds are used judiciously, the budget committees express their intent that funds only be transferred to State agency budgets if the transfer is supported by all three members of the board.*

Amendment No.

**5**

**Committee Narrative**

**Operational Reporting:** In continuance of the practice that began in July 2008, the committees request that the Maryland Zoological Society submit audited financial statements for fiscal 2019 and year-to-date monthly attendance figures for the zoo for fiscal 2020 by visitor group. This should include a breakdown of the kinds of passes allocated.

| <b>Information Request</b> | <b>Author</b>               | <b>Due Date</b>  |
|----------------------------|-----------------------------|------------------|
| Audited financials         | Maryland Zoological Society | November 1, 2019 |
| Monthly attendance         | Maryland Zoological Society | Monthly          |

## **D05E01**

***Changes to Laws Governing Erroneous Conviction:*** In 2017, legislation allowing the Board of Public Works (BPW) to give grants to individuals that were erroneously convicted and imprisoned was amended. Chapters 799 and 800 of 2017 authorized the State's attorney to certify that a conviction was made in error. If a conviction was made in error, an imprisoned individual could petition BPW for a grant to compensate the individual for time imprisoned. The legislation did not provide guidance about how large a grant is appropriate. The legislation could substantially expand the pool of individuals that could qualify for State awards. It is unclear how many individuals might qualify or what an appropriate award is. At this point, no individuals have received a grant on the basis of the new law. BPW should report to the committees on how to implement this legislation. This should include a discussion of administrative concerns and what an appropriate grant is. The report should also include information about the number of requests made and the amounts requested. The report should be submitted to the committees by October 1, 2019.

| <b><i>Information Request</i></b>      | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|--|----------------------|------------------------|
| <i>Report on erroneous convictions</i> | <i>BPW</i>           | <i>October 1, 2019</i> |

**D11A0401**  
**Office of the Deaf and Hard of Hearing**  
**Executive Department**

**Committee Narrative**

**D11A04.01    Executive Direction**

**Licensure Requirements for Sign Language Interpreting Contracts:** Although certified deaf interpreters are used in emergency broadcasts and public meetings, there are currently no licensure or certification requirements for State contracts for sign language interpreting services. The Governor’s Office of the Deaf and Hard of Hearing (ODHH) indicates that most other states use some method, including regulations or certification requirements, to assist state agencies in selecting qualified interpreters. ODHH should submit a report by November 1, 2019, describing other states’ licensure or certification requirements for interpreting service contracts and recommendations for licensure requirements that would be appropriate for Maryland.

| <b>Information Request</b>                      | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| Report on interpreter<br>licensure requirements | ODHH          | November 1, 2019 |

**D12A02**  
**Department of Disabilities**  
**Executive Department**

**Committee Narrative**

**D12A02.01 General Administration**

**Centers for Independent Living Oversight:** The Department of Rehabilitation Services (DORS) under the Maryland State Department of Education currently oversees seven Centers for Independent Living and the Maryland Statewide Independent Living Council (MSILC) to provide services that promote independent living for individuals with disabilities. The committees request that DORS and the Maryland Department of Disabilities (MDOD), in consultation with MSILC and Centers for Independent Living, submit a report by September 1, 2019, regarding the actions needed to transfer oversight of the centers to MDOD. The report should include all necessary actions for the transfer, an estimated timeline for implementation, and a description of any actions that MDOD and DORS plan to take in fiscal 2020.

| <b>Information Request</b>                        | <b>Authors</b> | <b>Due Date</b>   |
|---|----------------|-------------------|
| Transfer of Centers for Independent Living report | MDOD<br>DORS   | September 1, 2019 |

**Nonvisual Accessibility of State Websites:** The committees are interested in the State's efforts to improve the nonvisual accessibility of State agency websites and documents. Before November 1, 2019, the Maryland Department of Disabilities (MDOD) should submit a report providing a status update on any efforts to improve online accessibility for the blind community. The report should include:

- an assessment of the current nonvisual accessibility of websites;
- national best practices and innovative techniques to achieve better access;
- recommendations to improve accessibility that would be appropriate for State agencies in Maryland; and
- cost estimates for any recommendations made by MDOD.

| <b>Information Request</b>                              | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| State agency websites<br>nonvisual accessibility report | MDOD          | November 1, 2019 |

**D13A13**  
**Maryland Energy Administration**  
**Executive Department**

**Committee Narrative**

**MARYLAND ENERGY ADMINISTRATION**

**D13A13.01 General Administration**

**Strategic Energy Investment Fund Revenue, Spending, and Fund Balance:** The committees are interested in ensuring transparency in Regional Greenhouse Gas Initiative (RGGI) revenue assumptions and spending included in the budget as well as Strategic Energy Investment Fund (SEIF) Balance by category. The committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emission allowance auctions and set-aside allowances in conjunction with the submission of the fiscal 2021 budget as an appendix to the Governor's Budget Books. The report shall include information on the actual fiscal 2019 budget, fiscal 2020 working appropriation, and fiscal 2021 allowance. The report shall detail:

- revenue assumptions used to calculate the available SEIF from RGGI auctions for each fiscal year, including the number of auctions, the number of allowances sold, the allowance price in each auction, and the anticipated revenue from set-aside allowances;
- amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required statutory allocation, dues owed to RGGI, Inc., and transfers or diversions of revenue made to other funds; and
- fund balance for each SEIF subaccount for fiscal 2019 actual, fiscal 2020 working appropriation, and fiscal 2021 allowance.

| <b>Information Request</b>                                    | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|--|
| Report on revenue assumptions and use of RGGI auction revenue | DBM           | With the submission of the Governor's fiscal 2021 Budget Books |

**D15A05**  
**Boards, Commissions, and Offices**  
**Executive Department**

**Committee Narrative**

**BOARDS, COMMISSIONS, AND OFFICES**

**D15A05.05 Governor's Office of Community Initiatives**

***Status Update on Maintenance at the Banneker-Douglass Museum:** The committees remain interested in the progress being made to resolve staffing and maintenance issues at the Banneker-Douglass Museum in Annapolis. The committees are encouraged by reports that emergency repairs have been completed and that an assessment of critical maintenance needs for the museum was prepared as part of that emergency repair project. The committees request that the Governor's Office of Community Initiatives (GOCI) provide a copy of that maintenance assessment and a status update on additional maintenance projects that have been or will be undertaken for the museum in calendar 2019. Finally, the committees ask that GOCI discuss whether a long-term vacant maintenance position allocated to the museum will be filled in fiscal 2020.*

| <i><b>Information Request</b></i>                                   | <i><b>Author</b></i> | <i><b>Due Date</b></i> |
|---|----------------------|------------------------|
| <i>Status update on maintenance at the Banneker-Douglass Museum</i> | <i>GOCI</i>          | <i>July 1, 2019</i>    |

## D15A05

### Budget Amendments

#### D15A05.16 Governor's Office of Crime Control and Prevention

Strike the following language:

~~, provided that \$11,851,274 of this appropriation may not be expended unless the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office, submits a comprehensive annual crime strategy for the City. The strategy shall include specific measureable actions the City will take to address crime and be based on a threat assessment. The Mayor's Office of Criminal Justice shall provide quarterly performance measures. The report shall be submitted to the Governor and budget committees by August 1, 2019 and the Governor and budget committees shall have 45 days to review and comment.~~

**Explanation:** This action strikes language that would have restricted general fund law enforcement grants to Baltimore City pending receipt and approval of a crime plan and performance measures from the Mayor's Office of Criminal Justice.

Amend the following language on the general fund appropriation:

, provided that \$500,000-\$250,000 of the general fund appropriation for the Governor's Office of Crime Control and Prevention (GOCCP) may not be expended until GOCCP, in coordination with the Department of Budget and Management, creates a separate R\*Stars budget code and new name for the agency outside the Executive Department – Boards, Commissions, and Offices when submitting the fiscal 2021 allowance. The new structure shall include clearly defined programs allocating personnel and operating expenses assigned to significant initiatives overseen by GOCCP, including, but not limited to, the State Aid for Police Protection grant, the Maryland Statistical Analysis Center, the Governor's Office for Children, the Victim Services Unit, the Maryland Criminal Intelligence Network, and the Baltimore City Crime Prevention Initiative. The fiscal 2021 submission shall conform all positions and funding for the fiscal 2019 actual, fiscal 2020 working appropriation, and fiscal 2021 allowance to the new structure.

Further provided that budget data included in the Governor's budget books for GOCCP shall include a detailed reconciliation of Object 12 grant spending by grant name and fund type.

The new budget structure and Object 12 reconciliation shall be submitted with the fiscal 2021 allowance, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

## D15A05

**Explanation:** GOCCP has absorbed a sizable amount of oversight responsibility in a relatively short period of time. Being an executive-created unit within the Governor's Office limits the transparency available in the agency's budget. This language restricts funds until GOCCP undergoes a fiscal restructuring to create clearly identifiable programs for its major initiatives and provides a detailed reconciliation of its grant expenditures. The language also requires the agency to be renamed, as it will no longer be a unit within the Governor's Office, and as the primary State entity overseeing victim services, its role extends beyond crime control and prevention.

| Information Request                  | Authors                                      | Due Date                                     |
|--------------------------------------|--|--|
| Report on GOCCP fiscal restructuring | GOCCP<br>Department of Budget and Management | With submission of the fiscal 2021 allowance |

Amendment No.

6

Add the following language to the general fund appropriation:

Further provided that \$500,000 of this appropriation made for the purpose of administrative operating expenses may not be expended until the Governor's Office of Crime Control and Prevention (GOCCP), having assumed responsibility for the Governor's Office for Children, submits a report by November 1, 2019, on Children's Cabinet Interagency Fund (CCIF) grant allocations and local management board (LMB) funding following the transition to GOCCP. The report should include:

- (1) total fiscal 2020 CCIF grant allocations by priority;
- (2) a description of any guidelines used to determine how much in CCIF funds would be used for each priority;
- (3) fiscal 2020 funding to LMBs from all other sources by program;
- (4) fiscal 2020 LMB funding from existing GOCCP grant programs by program;
- (5) identification of programs that were rejected for funding;
- (6) a description of the grant management and monitoring processes, including any changes that result from the transition to GOCCP; and
- (7) how the grant programs, targeted youth populations, and funding amounts vary between fiscal 2018, 2019, and 2020.



## D15A05

The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the CCIF grants be to ensure a safe, stable, and healthy environment for all children and families in order to promote positive child well-being.

**Explanation:** The budget committees are concerned with the relocation of the Governor's Office for Children (GOC) within GOCCP. As a result of the move, GOC added three new priorities for the CCIF grant process, including juvenile justice diversion, trauma-informed care and reducing adverse childhood experiences, and preventing out-of-state placements. While providing support for at-risk youth is part of the GOC mission, and the four original strategic goals of reducing the impact of parental incarceration on children, families, and communities; the number of disconnected youth; childhood hunger; and youth homelessness are still priorities in the fiscal 2020 grant cycle, the budget committees are concerned that an agency with a decidedly criminal justice-focused mission will alter the programs and population of youth benefiting from the funds. It is important to the budget committees that the CCIF funding remain committed to ensuring proper well-being for all youth and families. This action expresses that intent and restricts funding pending receipt of information regarding the CCIF grant allocations and LMB funding.

| Information Request             | Author | Due Date         |
|---------------------------------|--------|------------------|
| Report on CCIF grant allocation | GOCCP  | November 1, 2019 |

## D15A05

Add the following language to the general fund appropriation:

Further provided that \$3,647,141 and 13 positions budgeted within subprogram 5016 for the Baltimore City Crime Prevention Initiative may not be expended by the Governor's Office of Crime Control and Prevention for that purpose but instead may only be transferred by budget amendment to the Department of State Police, program W00A01.01 Office of the Superintendent, subprogram 1806 Maryland Coordination and Analysis Center (MCAC) for the establishment of the Baltimore Regional Information Center, a regional intelligence center operating within the MCAC structure. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This action transfers the operational positions and funding associated with the Governor's Baltimore City Crime Prevention Initiative from the Governor's Office of Crime Control and Prevention (GOCCP) to the Department of State Police's (DSP) Maryland Coordination and Analysis Center, as the Administration has indicated that DSP is the State entity with the operational authority for the initiative. GOCCP retains responsibility for administering nearly \$7.0 million in general fund grants.

Amendment No.

7

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of providing local law enforcement grants may not be expended for that purpose but instead may be used only for funding anti-violence program grants that implement crime prevention and intervention strategies in Baltimore City. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts funds within the Governor's Office of Crime Control and Prevention for the sole purpose of funding anti-violence program grants in Baltimore City.

Amendment No.

8

## D15A05

### Committee Narrative

**Security Improvement Grants to Religious Institutions:** The fiscal 2020 budget provides general funds for a grant program to award grants to improve security at religious institutions at risk of hate crimes. According to the Governor's Office of Crime Control and Prevention (GOCCP), houses of worship will be eligible for funding regardless of religious affiliation. Given that this is a new program, the budget committees are concerned about ensuring that all eligible entities are aware of the funding available to them. It is the intent of the committees that GOCCP ensure that adequate outreach and advertisement have been conducted for this grant program to all eligible religious institutions.

The committees request that GOCCP provide information on the outreach and advertisement conducted by the agency, beyond posting the Notification of Funding Availability, to ensure that all eligible entities have been made aware of the potential for grant funding. In addition, the committees request information on the awards made to grantees. The report, to be submitted no later than January 15, 2020, should identify the total amount of funds requested and each grantee receiving an award along with the amount awarded and the security improvements funded delineated by category (e.g., security personnel, cameras and radios, facility improvements, training, etc.). The submitted report should also include an evaluation by GOCCP as to the overall demand for this grant program and whether this type of grant program should be one-time or ongoing funding.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Report on security improvement grants to religious institutions | GOCCP  | January 15, 2020 |

**Governor's Young Readers Program Expansion:** The Governor's Office for Children (GOC) partners with the Banneker-Douglass Museum Foundation (BDMF) and Dolly Parton's Imagination Library to administer the Governor's Young Readers Program in Baltimore City. The program provides a free book each month to all children from birth to age five, regardless of income, who register for the program. In direct partnership with the national Imagination Library Program, 12 affiliates in Maryland, apart from BDMF and GOC partnership, provide free books to children from birth to age five. Still, some regions of the State do not participate in the Governor's Young Readers Program or the Imagination Library Program.

Although GOC has stated that it is exploring the possibility of expanding the program, the office has not provided a timeline or any details for expanding the book programs. The committees request that GOC submit a report regarding program expansion to areas of the State without State-supported free book programs. The report should include the office's plan for program

## D15A05

expansion outlining which jurisdictions would begin implementing the program, whether any organizations have been identified as partners, a timeline for program expansion, and the estimated cost of serving areas that do not have State-supported book programs.

| Information Request                                  | Author | Due Date         |
|--|--------|------------------|
| Report on Governor's Young Readers Program expansion | GOC    | November 1, 2019 |

~~**Baltimore City Crime Reduction Strategy:** The budget committees are concerned with the high incidence of violent crime in Baltimore City. The committee request that the Governor's Office of Crime Control and Prevention work with the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore Police Department, to submit a comprehensive annual crime strategy for the City. The strategy shall include specific measureable actions the City will take to address crime and be based on a threat assessment. In addition, the Mayor's Office of Criminal Justice shall provide the committees with quarterly performance measures. The crime reduction strategy report shall be submitted to the Governor and budget committees by August 1, 2019. The performance measures shall be submitted to the budget committees by October 15, 2019 and quarterly thereafter.~~

| <del>Information Request</del>                     | <del>Authors</del> | <del>Due Date</del>                                  |
|--|--------------------|--|
| <del>Baltimore City Crime Reduction Strategy</del> | <del>GOCCP</del>   | <del>August 1, 2019</del>                            |
| <del>Quarterly Performance Measures</del>          | <del>GOCCP</del>   | <del>October 15, 2019 and quarterly thereafter</del> |

## D15A05

### Budget Amendments

#### D15A05.25 Governor's Coordinating Offices – Shared Services

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>            | <u>Positions</u>        |
|--|-------------------------|-------------------------|
| 1. <del>Eliminate 3 positions and associated funding for the Office of Education Accountability in the Governor's Coordinating Offices Shared Services. These positions are duplicative of positions included in the fiscal 2020 budget for a new Education Monitoring Unit and Office of Compliance and Oversight in the Maryland State Department of Education. HB 45/SB 92 is an Administration bill that would establish those offices if enacted.</del> | <del>154,414</del> GF   | <del>3.00</del>         |
| Total Reductions   | <del>154,414</del><br>0 | <del>3.00</del><br>0.00 |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>                            | <u>Amount Reduction</u>               | <u>Position Reduction</u> |
|--------------------|------------------|---|---------------------------------------|---------------------------|
| Position           | 8.00             | <del>5.00</del><br>8.00                         |                                       | <del>3.00</del><br>0.00   |
| General Fund       | 1,904,750        | <del>1,750,336</del><br>1,904,750               | <del>154,414</del><br>0               |                           |
| <b>Total Funds</b> | <b>1,904,750</b> | <b><del>1,750,336</del></b><br><b>1,904,750</b> | <b><del>154,414</del></b><br><b>0</b> |                           |

Amendment No.

9

**D17B0151**  
**Historic St. Mary's City Commission**

**Budget Amendments**

**D17B01.51 Administration**

| Reduce appropriation for the purposes indicated:                           | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|--|---------------------|-------------------------|
| 1. Delete federal funds from a grant that the commission will not receive. | 118,326 FF          |                         |
| Total Reductions   | 118,326             | 0.00                    |

| <u><b>Effect</b></u> | <u><b>Allowance</b></u> | <u><b>Appropriation</b></u> | <u><b>Amount Reduction</b></u> | <u><b>Position Reduction</b></u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position             | 31.00                   | 31.00                       |                                | 0.00                             |
| General Fund         | 2,929,274               | 2,929,274                   | 0                              |                                  |
| Special Fund         | 870,851                 | 870,851                     | 0                              |                                  |
| Federal Fund         | 118,326                 | 0                           | 118,326                        |                                  |
| <b>Total Funds</b>   | <b>3,918,451</b>        | <b>3,800,125</b>            | <b>118,326</b>                 |                                  |

**D26A07**  
**Department of Aging**

**Committee Narrative**

**D26A07.01 General Administration**

***Creation of a Joint Federal and State Program Reporting Database:*** *The committees are interested in the department's new reporting database for federal programs administered by the local Area Agencies on Aging (AAA) but are uncertain why the State would maintain a separate reporting database for State programs.*

*The committees request that the Maryland Department of Aging (MDOA) submit a report identifying how its federal program reporting database could be expanded to integrate reporting functions for the State programs administered by AAAs. The report should identify the costs and timeline necessary to integrate reporting functions for the State programs, including any costs for additional software licenses and maintenance and operating fees. To the extent that a single reporting database for State and federal programs would result in additional costs or savings to the State and local jurisdictions, the report should identify this effect and provide supporting data. Finally, the report should identify how costs are divided between the State and the local jurisdictions for the operation of the current federal program reporting database and how this would change if the department added the capability to report on State programs administered by AAAs. The report should be submitted by October 31, 2019.*

| <b><i>Information Request</i></b>  | <b><i>Author</i></b> | <b><i>Due Date</i></b>  |
|--|----------------------|-------------------------|
| <i>Report on a combined federal and State program reporting database</i> | <i>MDOA</i>          | <i>October 31, 2019</i> |

## D26A07

### Budget Amendments

#### D26A07.03 Community Services

Add the following language:

Provided that the Department of Aging may not apply restrictions or conditions on the use of funds allocated to a local Area Agency on Aging through an Aging Program Directive or other means, other than those restrictions or conditions established by State or federal law or regulation.

**Explanation:** The language specifies that the Department of Aging may not add restrictions or conditions on funds allocated to the local Area Agencies on Aging other than those in current law or regulation. This language does not prevent new restrictions or conditions on allocated funds adopted by State or federal laws or regulations.

Amendment No.

10

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of issuing new grant awards under the Community for Life (CFL) program may not be expended until the Maryland Department of Aging (MDOA) submits a report to the budget committees on lessons learned through the operation of community programs supported by grant funds from CFL in fiscal 2019. The report shall specify best practices for programs, as well as how compliance with best practices will be adopted as evaluation criteria for new grant applications. Finally, the report shall address how MDOA assesses an applicant's ability to leverage State funds to initiate its local program and progress toward a self-supporting model. The report shall be submitted by September 2, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The fiscal 2020 allowance includes funds for an expansion of the CFL program to provide grants to entities developing services to support aging-in-place for older adults in areas with distinct geographic boundaries. MDOA wishes to expand CFL, despite the fact that the five community programs that are currently active have all been in existence less than one year. The language restricts funds for new grant awards under CFL pending a report that identifies lessons learned and best practices developed, based on review of the existing programs in fiscal 2019, as well as how this information will be incorporated in the development of evaluation criteria and the assessment of new applicants for CFL awards.



## D26A07

| Information Request          | Author | Due Date          |
|------------------------------|--------|-------------------|
| Report on CFL best practices | MDOA   | September 2, 2019 |

| Reduce appropriation for the purposes indicated:                                       | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <del>Reduce funding for the Durable Medical Equipment program by \$1,000,000.</del> | 1,000,000    | GE               |
| Total Reductions   | 1,000,000    | 0                |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                   | <u>Amount Reduction</u>      | <u>Position Reduction</u> |
|--------------------|-------------------|--|------------------------------|---------------------------|
| General Fund       | 23,839,196        | 22,839,196<br>23,839,196               | 1,000,000<br>0               |                           |
| Federal Fund       | 27,318,088        | 27,318,088                             | 0                            |                           |
| <b>Total Funds</b> | <b>51,157,284</b> | <b>50,157,284</b><br><b>51,157,284</b> | <b>1,000,000</b><br><b>0</b> |                           |

Amendment No.

11

### Committee Narrative

***Certification of Grant Allocations to the Local Area Agencies on Aging:*** The committees want to ensure that allocations to the local Area Agencies on Aging (AAA) from the department's fiscal 2020 appropriation for Community Services (D26A0703) are made in a timely manner so that AAAs may effectively provide services to Maryland's elderly population. It is the intent of the committees that all allocations to AAAs are made no later than September 2, 2019.

The committees request that the Maryland Department of Aging (MDOA) submit a report certifying that all allocations of Community Services funds were made to AAAs. The report should be submitted by the earlier of (1) 30 days after MDOA makes all allocations to AAAs; or (2) by October 2, 2019.

| Information Request                        | Author | Due Date   |
|--|--------|--|
| Certification of grant allocations to AAAs | MDOA   | 30 days after all allocations are made or by October 2, 2019 |

**D38I01**  
**State Board of Elections**

**Budget Amendments**

**STATE BOARD OF ELECTIONS**

**D38I01.01     General Administration**

Add the following language to the general fund appropriation:

, provided that \$1,300,000 of this appropriation made for the support of the Maryland Campaign Reporting Information System may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This action restricts \$1.3 million in general funds to be used only for the Maryland Campaign Reporting Information System (MDCRIS). The State Board of Elections will be procuring new hosting and development contracts for MDCRIS in calendar 2019, and the fiscal 2020 allowance includes an additional \$1.0 million for this purpose, four times the fiscal 2019 working appropriation for the current contract. The funds are restricted due to the large increase in the estimated cost.

**Committee Narrative**

**Election Night and the Release of Results for Local Contests:** The committees are aware that on the night of the 2018 general election, the State Administrator of Elections chose to hold the release of all election results in the State until after 10:30 p.m. because voters in several precincts were still in line and voting after the polls closed at 8:00 p.m. The committees understand and respect the general policy that no results will be released for a contest if voters anywhere in the State are still casting ballots for that contest but also believe that it should be possible to release results for local races in jurisdictions where voting has concluded. Therefore, it is the intent of the committees that, prior to the 2020 election cycle, the State Board of Elections (SBE) develop a policy detailing when local boards of elections may release results in local contests once voting in those districts is completed. The committees also request that SBE provide a status update detailing SBE's policy on releasing election night results and how it has been updated based on the events of the 2018 election.

| <b>Information Request</b>                                   | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Election night and the release of results for local contests | SBE           | October 1, 2019 |

## D38I01

**Verification and Auditing of Voter Registration Data Collected by State Agencies:** *The committees remain concerned by the failure of the State's Motor Vehicle Administration (MVA) to send all new voter registrations and voter registrations collected by the agency to the State Board of Elections (SBE). The committees are concerned not only about the initial programming error within MVA but also the fact that the error went undetected by either agency from April 2017 to June 2018. The committees are aware of the additional procedures that SBE has put in place to ensure that the agency receives all registration transactions from MVA and other agencies but would like to better understand how that process works. Therefore, the committees request that SBE submit a report detailing the data that it receives from agencies, explaining the way that it verifies that all registration transactions have been properly entered into the voter registration system and how often this verification is conducted, and attaching examples of those data reports.*

| <b><i>Information Request</i></b>   | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|---|----------------------|------------------------|
| <i>Verification and auditing of voter registration data collected by state agencies</i> | <i>SBE</i>           | <i>August 1, 2019</i>  |

**Preparation for Ballot Reprinting:** It is the intent of the committees that the State Board of Elections' ballot procurement process ensures that appropriate paper stock will be available should ballots in all or part of the State need to be reprinted prior to an election.

**D40W01**  
**Department of Planning**

**Committee Narrative**

**DEPARTMENT OF PLANNING**

**D40W01.03 Planning Data and Research**

**Census Outreach Efforts Report:** The fiscal 2020 budget includes \$5.0 million in general funds for the 2020 Census Grant Program created by Chapter 18 of 2018 (2020 Census Grant Program – Establishment and Funding) and an additional \$1.0 million for the Maryland Department of Planning (MDP) to conduct statewide outreach on census preparation. The committees are concerned that there is a substantial amount of funding for the two programs that may be duplicative and that there is a lack of specificity on how the \$1.0 million in outreach program funding will be managed by MDP. Therefore, the committees request that MDP submit a report on both the 2020 Census Grant Program and the MDP outreach program. The report shall include the following:

- **2020 Census Grant Program:** The number of applicants, the amount of funding requested, the criteria under which projects were chosen, the number of applicants awarded funding, the amount of funding allocated, and the estimated outcomes from the projects selected for funding in terms of outreach to hard-to-count communities; and
- **MDP Outreach Program:** The types of outreach conducted, the amount of funding expended for each type of outreach, and the expected outcomes from the outreach conducted in terms of outreach to hard-to-count communities.

The report is requested to be submitted with the fiscal 2021 budget submission.

| <b>Information Request</b>     | <b>Author</b> | <b>Due Date</b>               |
|--------------------------------|---------------|-------------------------------|
| Census outreach efforts report | MDP           | Fiscal 2021 budget submission |

# **D50H01 Military Department**

## **Committee Narrative**

### **MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE**

#### **D50H01.01 Administrative Headquarters**

**Improving the Functionality of Army National Guard Facilities:** It is the intent of the committees that the Spending Affordability Committee consider identifying Army National Guard maintenance funding dedicated to improving facility functionality, as identified by the department's Managing for Results performance measure, as an eligible exclusion from the State's calculation of the spending affordability limit as a means of encouraging additional general fund spending on maintenance in order to better leverage federal resources for the same purpose.

In order to more easily identify these expenses for exclusion, it is the intent of the committees that the Military Department create a separate subprogram for maintenance expenses specifically dedicated to improving the functionality of Army National Guard facilities.

#### **D50H01.06 Maryland Emergency Management Agency**

**Opioid Crisis Fund:** The committees request quarterly reports for fiscal 2020 on the funding plan for the funds contained in the Opioid Crisis Fund (OCF) from the Opioid Operational Command Center (OCCC) as well as the Maryland Department of Health (MDH). These reports are to include the spending plan for these funds, including the fund source for each line item, as well as any changes to the spending plan and any performance metrics that have been gathered by OCCC from programs receiving this funding.

| <b>Information Request</b> | <b>Authors</b> | <b>Due Date</b>  |
|----------------------------|----------------|--|
| OCF quarterly reports      | OCCC<br>MDH    | September 30, 2019<br>December 31, 2019<br>March 31, 2020<br>June 30, 2020 |

## **D53T00**

# **Maryland Institute for Emergency Medical Services Systems**

### **Committee Narrative**

#### **D53T00.01 General Administration**

**Emergency Department Overcrowding Update:** In response to the 2017 Joint Chairmen's Report, the Maryland Institute for Emergency Medical Services Systems (MIEMSS) described multiple strategies for addressing the increasing emergency department (ED) overcrowding in the State. The committees are interested in the status of the following steps that the Health Services Cost Review Commission (HSCRC) and/or MIEMSS could take to mitigate overcrowding:

- adding an ED performance measure in the quality-based reimbursement program;
- requesting hospital efficiency improvement action plans from hospitals that have poor ED performance measures coupled with reduced patient days;
- reevaluating the use of yellow alerts or determining a standard criteria for going on diversionary status;
- developing and expanding new models of emergency medical services (EMS) care delivery, especially mobile integrated healthcare, EMS without transport, and EMS with transport to an alternative destination;
- identifying a reasonable standard for ambulance off-load time; and
- incorporating EMS in new care delivery programs under the State's Total Cost of Care All-Payer Model.

MIEMSS should work with HSCRC to submit a report to the committees detailing the progress and implementation of the above strategies in addition to any new approaches that have been considered or implemented.

| <b>Information Request</b>                      | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| Report on strategies to address ED overcrowding | MIEMSS        | November 1, 2019 |

## D53T00

**Reimbursement for New Models of Care Delivery:** Maryland continues to have longer emergency department (ED) wait times than the national average, which reflects ED overcrowding in hospitals. Increased calls for emergency medical services (EMS) transport by low-acuity patients have contributed to the increased overcrowding in recent years. The Maryland Institute for Emergency Medical Services Systems (MIEMSS) has identified three models of care delivery that would improve ED overcrowding by treating low-acuity patients in settings other than the ED. The models include:

- mobile integrated health services;
- EMS without transport; and
- EMS with transport to an alternative destination.

Currently, EMS are considered a transportation benefit and only receive reimbursement when patients are transported to EDs. Chapter 605 of 2018 required MIEMSS and the Maryland Health Care Commission (MHCC) to develop a statewide plan for the reimbursement of the three new models of care. MIEMSS, in consultation with MHCC and the Health Services Cost Review Commission, should submit a report ~~regarding the progress in implementing a~~ *that outlines the State's plan for reimbursing the three models of care. The report should create a timeline for projected milestones in determining sustainable fund sources for the models. Additionally, the report should describe any new fund sources, grant programs, and pilot programs. Additionally,* ~~The report should include cost estimates for implementing reimbursement for each of the models.~~

| Information Request      | Author | Due Date         |
|--------------------------|--------|------------------|
| EMS reimbursement report | MIEMSS | December 1, 2019 |

## D78Y01 Maryland Health Benefit Exchange

### Budget Amendments

#### D78Y01.01 Maryland Health Benefit Exchange

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>                 | <u>Positions</u> |
|--|------------------------------|------------------|
| 1. Reduce funding for the service center based on actual spending levels. The Maryland Health Benefit Exchange negotiated a favorable rate for the operation of its service center. Spending on the contract in fiscal 2018 was \$6.7 million lower than budgeted, and the fiscal 2020 budget recognizes some savings from the contract but still allows for spending growth. The reduction aligns contract spending closer to the fiscal 2018 actual. | 1,000,000 SF<br>1,400,000 FF |                  |
| Total Reductions   | 2,400,000                    | 0.00             |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position           | 67.00             | 67.00                |                         | 0.00                      |
| Special Fund       | 23,488,042        | 22,488,042           | 1,000,000               |                           |
| Federal Fund       | 23,592,899        | 22,192,899           | 1,400,000               |                           |
| <b>Total Funds</b> | <b>47,080,941</b> | <b>44,680,941</b>    | <b>2,400,000</b>        |                           |

### Committee Narrative

**Potential Federal Liability:** The Fiscal 2018 State Closeout audit report identified a potential liability of \$28.4 million pertaining to certain misallocated expenditures under federal establishment grants expended by the Maryland Health Benefit Exchange (MHBE). The finding was made by the U.S. Department of Health and Human Service Office of the Inspector General (HHS-OIG). While the Maryland Department of Health and MHBE dispute the finding and the Centers for Medicare and Medicaid Services (CMS) has written to HHS-OIG confirming the cost allocation methodology used by MHBE, the finding remains on the HHS-OIG website in a report as recent as July 2018. The committees request MHBE to obtain written confirmation from CMS that this finding has been resolved and submit that documentation to the committees. In any event, MHBE should send an update to the budget committees by September 1, 2019.



## **D78Y01**

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b>   |
|-----------------------------|---------------|---|
| Potential federal liability | MHBE          | On receipt of written confirmation of resolution of the issue from CMS or September 1, 2018 |

**D80Z01**  
**Maryland Insurance Administration**

**Committee Narrative**

***Report on Trends in Health Insurance:*** *The committees request a report on the trends and changes of health insurance benefit design and actuarial value, including cost-sharing and deductibles, of plans offered in the individual and small group market, on and off exchange, for all years between 2013 and 2018, and the impact of these changes on the utilization trends, by service category, reported by carriers.*

| <b><i>Information Request</i></b>        | <b><i>Author</i></b>                     | <b><i>Due Date</i></b> |
|--|--|------------------------|
| <i>Report on health insurance trends</i> | <i>Maryland Insurance Administration</i> | <i>October 1, 2019</i> |

# E00A Comptroller of Maryland

## Budget Amendments

### OFFICE OF THE COMPTROLLER

#### E00A01.01 Executive Direction

Amend the following language on the general fund appropriation:

, provided that ~~\$250,000~~ \$200,000 of this appropriation made for the purpose of operating expenses, may not be expended for that purpose but instead may be used only to implement a Cash Campaign of Maryland program to promote the financial capability of low-income individuals and families by providing outreach, education, and free tax preparation services. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts ~~\$250,000~~ \$200,000 in the Comptroller's Office to only be used to implement a program promoting financial capabilities for low-income individuals and families.

Amendment No. **12**

Reduce appropriation for the purposes indicated:

|   | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <i>Reduce administrative costs in Executive Direction.</i> | 258,215      | GF               |
| <i>Total Reductions</i>                                       | 258,215      |                  |

| <u>Effect</u>       | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------------|------------------|----------------------|-------------------------|---------------------------|
| <i>Position</i>     | 35.00            | 35.00                |                         | 0.00                      |
| <i>General Fund</i> | 4,185,020        | 3,926,805            | 258,215                 |                           |
| <i>Special Fund</i> | 762,013          | 762,013              | 0                       |                           |
| <i>Total Funds</i>  | 4,947,033        | 4,688,818            | 258,215                 |                           |

Amendment No. **13**

## E00A

### Committee Narrative

**Report on Filling Vacant Positions:** *The committees request a report on the number of vacant positions as of July 1, 2019, the job description for each vacant positions, and the plan for reducing vacancies within the Department including quarterly goals for positions filled in each department and vacancy targets for fiscal 2020 and 2021.*

| <b>Information Request</b> | <b>Author</b>                  | <b>Due Date</b>        |
|----------------------------|--------------------------------|------------------------|
| <i>Vacant positions</i>    | <i>Comptroller of Maryland</i> | <i>October 1, 2019</i> |

### Budget Amendments

#### REVENUE ADMINISTRATION DIVISION

##### E00A04.01 Revenue Administration

Add the following language to the general fund appropriation:

, provided that \$255,946 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only for the purpose of implementing a private letter ruling process. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This action restricts administrative funding to support the implementation of a private letter ruling process within the agency. A private letter ruling is a written statement issued to a taxpayer that interprets and applies tax laws to the taxpayer's represented set of facts.

### Committee Narrative

##### E00A04.02 Major Information Technology Development Projects

**Report on the Integrated Tax System:** *The committees request a report on the current status, cost projections, timeline for each System Development Life Cycle phase, and contractual obligations for the Integrated Tax System (ITS). The report should also include the ongoing maintenance plan for the project as well as quarterly goals for the project.*

| <b>Information Request</b>              | <b>Author</b>                  | <b>Due Date</b>                               |
|---|--------------------------------|---|
| <i>Report on the ITS project status</i> | <i>Comptroller of Maryland</i> | <i>September 1, 2019<br/>December 1, 2019</i> |

## **E00A**

### **COMPLIANCE DIVISION**

#### **E00A05.01 Compliance Administration**

***Report on Partnership with University of Baltimore:*** *The committees request a report on the partnership between the University of Baltimore and the Office of the Comptroller to train and recruit auditors in the State. The report should include an overview of the partnership, metrics for success, the number of personnel in the Comptroller's Office utilized to implement the program, and a breakdown of costs associated with implementation.*

| <b><i>Information Request</i></b>                         | <b><i>Author</i></b>           | <b><i>Due Date</i></b> |
|---|--------------------------------|------------------------|
| <i>Report on partnership with University of Baltimore</i> | <i>Comptroller of Maryland</i> | <i>October 1, 2019</i> |

**E20B**  
**State Treasurer's Office**

**Committee Narrative**

**Alternative Financial Investment Bonds in Maryland:** It is the intent of the General Assembly that the State Treasurer study adoption and implementation of alternative financial investment bonds in the State. Alternative Financial Investment bonds are certificates of equal value representing undivided shares of ownership of tangible assets, usufructs, and services, or assets of particular projects or special investment activity.

| <b>Information Request</b>                       | <b>Author</b>            | <b>Due Date</b> |
|--|--------------------------|-----------------|
| Report on alternative financial investment bonds | State Treasurer's Office | October 1, 2019 |

**E50C**  
**State Department of Assessments and Taxation**

**Budget Amendments**

**E50C00.01 Office of the Director**

Add the following language to the general fund appropriation:

, provided that \$300,000 of this appropriation may not be expended until the State Department of Assessments and Taxation, the Department of Budget and Management, and the Maryland State Department of Education submit a report to the budget committees on the calculation of the amount of funding to be provided as tax increment financing grants to local boards of education for fiscal 2020. The report shall be submitted by July 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The budget committees are concerned that funding provided for tax increment financing (TIF) grants to local boards of education may be based on a calculation that utilizes a valuation of real property for TIF districts that is too large for certain jurisdictions. Supplemental Budget No. 1 for fiscal 2020 includes adjustments to the funding for TIF grants based on the potential overvaluation, as well as related adjustments to funding for grants for jurisdictions with declining enrollment, net taxable income grants, and supplemental grants to ensure that all local education agencies receive an increase of at least \$100,000 in direct education aid. This action restricts \$300,000 until the State Department of Assessment and Taxation (SDAT), the Department of Budget and Management (DBM), and the Maryland State Department of Education (MSDE) submit a report to the budget committees on how TIF grants were calculated for fiscal 2020. This report should be submitted no later than July 1, 2019.

| <b>Information Request</b>      | <b>Authors</b>      | <b>Due Date</b> |
|---------------------------------|---------------------|-----------------|
| Report on TIF grant calculation | SDAT<br>DBM<br>MSDE | July 1, 2019    |

## E50C

### Committee Narrative

#### E50C00.02 Real Property Valuation

**Annual Salary Reviews for Real Property Valuation Program:** The committees are concerned by the noncompetitive compensation that the State currently offers to real property assessors in the State Department of Assessments and Taxation. It is the intent of the committees that, in order to begin to work toward resolving this issue, real property assessors and office clerks should receive a grade increase as part of the fiscal 2021 Annual Salary Review.

**Status Updates on Staffing in the Real Property Valuation Program:** The committees are concerned about reports of the serious staffing and hiring problems in the Real Property Valuation Program since the start of fiscal 2018 due to noncompetitive salary, a high number of employees leaving State service, and inadequate recruiting and hiring. It is essential that the State Department of Assessments and Taxation (SDAT) work aggressively to resolve this issue. The committees wish to remain apprised of this situation throughout the coming year and request quarterly updates on SDAT's efforts. In addition to a narrative description of SDAT's efforts to increase hiring for this program, these reports shall include the following information by employee class title and jurisdiction for the quarter preceding the due date of the report:

- the number of employees in the program that have left State service;
- the number of new hires;
- the number of positions posted;
- the number of qualifying applications received in response to each posting; and
- the length of time from posting of each position to the acceptance of an offer of employment.

| Information Request   | Author | Due Date  |
|---|--------|---|
| Status updates on staffing<br>in the Real Property<br>Valuation Program | SDAT   | July 15, 2019<br>October 15, 2019<br>January 15, 2020<br>April 15, 2020 |



**E75D**  
**State Lottery and Gaming Control Agency**

**Budget Amendments**

**E75D00.01 Administration and Operations**

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>       | <u>Positions</u> |
|--|--------------------|------------------|
| 1. <del>Eliminate funding for 4 long term vacant positions in Administration and Operations (PINs 004833, 047804, 056127, and 064839).</del> | 281,425 SF         | 4.00             |
| 2. <i>This action increases turnover rate to approximately 4.85%, which results in personnel cost savings.</i>                               | 280,000 SF         |                  |
| Total Reductions   | 281,425<br>280,000 | 4.00<br>0.00     |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                   | <u>Amount Reduction</u>          | <u>Position Reduction</u> |
|--------------------|-------------------|--|----------------------------------|---------------------------|
| Position           | 163.10            | 159.10<br>163.10                       |                                  | 4.00<br>0.00              |
| Special Fund       | 86,003,221        | 85,721,796<br>85,723,221               | 281,425<br>280,000               |                           |
| <b>Total Funds</b> | <b>86,003,221</b> | <b>85,721,796</b><br><b>85,723,221</b> | <b>281,425</b><br><b>280,000</b> |                           |

Amendment No.

**14**

**STATE LOTTERY AND GAMING CONTROL AGENCY**

**E75D00.02 Video Lottery Terminal and Gaming Operations**

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>     | <u>Positions</u> |
|--|------------------|------------------|
| 1. <del>Eliminate funding for 1 long term vacant position in Video Lottery Terminal Operations (PIN 087338).</del> | 69,210 SF        | 1.00             |
| 2. <i>This action increases turnover rate to approximately 4.85%, which results in personnel cost savings.</i>     | 70,000 SF        |                  |
| Total Reductions   | 69,210<br>70,000 | 1.00<br>0.00     |

**E75D**

| <b><u>Effect</u></b> | <b><u>Allowance</u></b> | <b><u>Appropriation</u></b>                       | <b><u>Amount<br/>Reduction</u></b>        | <b><u>Position<br/>Reduction</u></b> |
|----------------------|-------------------------|---|---|--------------------------------------|
| Position             | 161.00                  | <del>160.00</del><br>161.00                       |   | <del>1.00</del><br>0.00              |
| General Fund         | 6,943,445               | 6,943,445   | 0   |                                      |
| Special Fund         | 11,205,629              | <del>11,136,419</del><br>11,135,629               | <del>69,210</del><br>70,000               |                                      |
| <b>Total Funds</b>   | <b>18,149,074</b>       | <b><del>18,079,864</del></b><br><b>18,079,074</b> | <b><del>69,210</del></b><br><b>70,000</b> |                                      |

Amendment No.

**15****Committee Narrative**

***Report on Casino Revenue Received by Local Governments:*** The committees request that the Joint Committee on Gaming Oversight study the use of and restrictions on revenue from video lottery terminals (VLTs) and table games that is received by local governments. The Joint Committee on Gaming Oversight should make recommendations regarding changes that would make restrictions on the local governments' use of the revenue more consistent across jurisdictions.

| <b><i>Information Request</i></b>                              | <b><i>Author</i></b>                       | <b><i>Due Date</i></b>   |
|--|--|--------------------------|
| <i>Report on casino revenues received by local governments</i> | <i>Joint Committee on Gaming Oversight</i> | <i>September 1, 2019</i> |

**F10A**  
**Department of Budget and Management**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**F10A01.01 Executive Direction**

Strike the following language:

~~, provided that \$194,735 of this appropriation for the purpose of funding PIN #005524 may not be expended for that purpose but instead the funding, and this position, may only be transferred by budget amendment to the Maryland Tax Court program C85E00.01 Administration and Appeals and reclassified to be used to hire a deputy clerk of the Tax Court. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

~~**Explanation:** This action restricts funding for a long-term vacant position and directs that the funds may be transferred to the Maryland Tax Court for the hiring of a deputy clerk. The Tax Court does not currently have funding or a PIN for a deputy clerk and is unable to create a proper succession without a deputy clerk in place. The action also includes an expression of the General Assembly's intent that the Governor also transfer the identified vacant PIN to the Tax Court.~~

Amendment No. **16**

Reduce appropriation for the purposes indicated:

|   | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|---|---------------------|-------------------------|
| 1. <i>Delete 1 long-term vacant position. This position has been vacant for more than one year and the assigned responsibilities can be achieved through the existing staff and functional units.</i> | 194,375 GF          | 1.00                    |
| <i>Total Reductions</i>   | 194,375             | 1.00                    |

## F10A

| <u>Effect</u>             | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount<br/>Reduction</u> | <u>Position<br/>Reduction</u> |
|---------------------------|------------------|----------------------|-----------------------------|-------------------------------|
| <i>Position</i>           | 16.00            | 15.00                |                             | 1.00                          |
| <i>General Fund</i>       | 2,786,388        | 2,592,013            | 194,375                     |                               |
| <b><i>Total Funds</i></b> | <b>2,786,388</b> | <b>2,592,013</b>     | <b>194,375</b>              |                               |

Amendment No.

17

### OFFICE OF PERSONNEL SERVICES AND BENEFITS

#### F10A02.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$50,000 of this appropriation may not be expended until the Department of Budget and Management submits a report on the fiscal 2019 closeout of the Employee and Retiree Health Insurance Account. This report shall include (1) closing fiscal 2019 fund balance; (2) actual provider payments due in the fiscal year broken out by medical payments for active employees, medical payments for non-Medicare-eligible retirees, medical payments for Medicare-eligible retirees, prescription drug payments for active employees, prescription drug payments for non-Medicare-eligible retirees, and prescription drug payments for Medicare-eligible retirees; (3) State employee and retiree contributions, broken out by active employees, non-Medicare-eligible retirees and Medicare-eligible retirees; (4) an accounting of rebates, recoveries, and other costs, broken out into rebates, recoveries, and other costs associated with active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; (5) any closeout transactions processed after the fiscal year ended; and (6) actual incurred but not received costs. The report shall be submitted to the budget committees by October 1, 2019. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This annual budget bill language requires the Department of Budget and Management (DBM) to submit a report with fiscal 2019 closeout data for the Employee and Retiree Health Insurance Account. This annual language is updated to request the information be provided in categories of active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Report on fiscal 2019 closeout data for the Employee and Retiree Health Insurance Account | DBM           | October 1, 2019 |

## F10A

Add the following language to the general fund appropriation:

Further provided that \$50,000 of this appropriation may not be expended until the Department of Budget and Management submits a report to the budget committees detailing how the department intends to notify State employees and retirees of upcoming changes to State prescription drug coverage, and how materials offered to new State employee hires that detail State-offered benefits will reflect those changes. The report shall be submitted by September 1, 2019. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language requires the Department of Budget and Management (DBM) to submit a report detailing how the department intends to notify State employees and retirees of upcoming changes to prescription drug coverage for Medicare-eligible retirees. The language also expresses intent that new hire information be updated to reflect these changes.

### **Information Request**

### **Author**

### **Due Date**

Report on the department's plan to notify State employees and retirees of upcoming changes to State prescription drug coverage

DBM

September 1, 2019

Amendment No.

18

## **Committee Narrative**

### **F10A02.02 Division of Employee Benefits**

**Quarterly Prescription Drug Plan Performance:** The State entered into a pharmacy benefit manager contract with CVS Caremark effective January 1, 2018. The contract is expected to generate savings through better prices, enhanced rebates, and a new drug formulary. The budget committees request that the Department of Budget and Management (DBM) provide quarterly prescription drug plan performance data to the committees in order to monitor the trends of prescription drug utilization and costs. The report should provide information on the highest cost prescription drugs by category of treatment; the prescription drugs accounting for the largest increases in drug spending; the top 25 most costly individual prescription drugs in generic, brand, and specialty drug categories; recent drug patent expirations; and upcoming new drug patent approvals. Additionally, the reports should include data on the cost drivers and drug trends by actives, non-Medicare retirees, and Medicare retirees.

## F10A

| Information Request                                      | Author | Due Date   |
|--|--------|--|
| Quarterly State<br>prescription drug plan<br>performance | DBM    | September 15, 2019<br>December 15, 2020<br>March 15, 2020<br>June 15, 2020 |

**Quarterly Medical and Dental Plan Performance:** In recent years, the State has implemented different strategies to contain medical costs and, as a result, has shown favorable trends in fiscal 2017 and 2018. Medical costs are anticipated to continue growing at a reduced rate in fiscal 2019. The committees request that the Department of Budget and Management (DBM) submit quarterly reports on plan performance of the State's medical and dental plans. Reports should provide utilization and cost data broken out by plans as well as actives, non-Medicare-eligible retirees, and Medicare-eligible retirees. The reports should include utilization per 1,000 plan participants, unit cost and per member costs for hospital inpatient services, hospital outpatient services, professional inpatient services, professional outpatient services, and ancillary services, provided by the State's health plans.

| Information Request                                      | Author | Due Date   |
|--|--------|--|
| Quarterly medical and dental<br>plan performance reports | DBM    | September 15, 2019<br>December 15, 2020<br>March 15, 2020<br>June 15, 2020 |

## Budget Amendments

### F10A02.04 Division of Personnel Services

|   |              |                  |
|---|--------------|------------------|
| Reduce appropriation for the purposes indicated:  | <u>Funds</u> | <u>Positions</u> |
| 1. Abolish PINs 049402 and 053195. These positions have been vacant long-term, and the agency claims positions are being held vacant to meet turnover expectancy despite the agency having sufficient vacancies year-round to satisfy projected turnover. | 100,362 GF   | 1.80             |
| Total Reductions  | 100,362      | 1.80             |

## F10A

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position           | 51.60            | 49.80                |                         | 1.80                      |
| General Fund       | 3,204,460        | 3,104,098            | 100,362                 |                           |
| <b>Total Funds</b> | <b>3,204,460</b> | <b>3,104,098</b>     | <b>100,362</b>          |                           |

### F10A02.09 SmartWork

Reduce appropriation for the purposes indicated:

|   | <u>Funds</u>                            | <u>Positions</u> |
|---|---|------------------|
| 1. Delete funding for State employee student loan benefit.<br>Defer funds to fiscal 2021. | <del>6,000,000</del> GF<br>8,000,000 GF |                  |
| Total Reductions  | <del>6,000,000</del><br>8,000,000       |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>                    | <u>Amount Reduction</u>                         | <u>Position Reduction</u> |
|--------------------|------------------|---|---|---------------------------|
| General Fund       | 8,000,000        | <del>2,000,000</del><br>0               | <del>6,000,000</del><br>8,000,000               |                           |
| <b>Total Funds</b> | <b>8,000,000</b> | <b><del>2,000,000</del></b><br><b>0</b> | <b><del>6,000,000</del></b><br><b>8,000,000</b> |                           |

Amendment No.

**19**

### Committee Narrative

***Apprenticeship Programs to Address State Workforce Shortages:** The committees are interested in the progress of the Department of Budget and Management (DBM), in consultation with the Department of Labor, Licensing, and Regulation (DLLR), in responding to actions required by Chapter 149 of 2017 and Chapter 403 of 2018, pertaining to apprenticeship programs to address workforce shortages in State agencies. The committees request DBM, in consultation with DLLR, to submit a report by June 30, 2020, that provides the following information for calendar 2019:*

## F10A

- *registered apprenticeship programs created in State agencies to help address career workforce needs of the departments;*
- *position classifications, including incremental salary adjustments, for State employees who are selected to participate in the registered apprenticeship program to address career workforce needs of the State;*
- *a list of State agencies with identified work shortages and created registered apprenticeship programs for those agencies;*
- *the number and type of registered apprenticeship programs that exist for State positions; and*
- *progress in reaching goals established under Chapter 149 of 2017 and Chapter 403 of 2018.*

*Additionally, DBM shall work with DLLR and State agencies to identify, before January 1, 2020, opportunities to create registered apprenticeship programs to help address career workforce needs of those departments. The committees request that DBM submit this additional information by February 1, 2020.*

***Explanation:*** *This narrative requests DBM, in conjunction with DLLR, to submit reports pertaining to actions apprenticeship programs to address State workforce shortages. The first report requests information on additional opportunities to create registered apprenticeship programs in State agencies, and the second report requests information on actions taken by the department on apprenticeship programs to address State workforce shortages.*

| <b><i>Information Request</i></b>   | <b><i>Authors</i></b> | <b><i>Due Date</i></b>  |
|---|-----------------------|-------------------------|
| <i>Report providing additional information on opportunities to create registered apprenticeship programs to address State workforce shortages</i> | <i>DBM<br/>DLLR</i>   | <i>February 1, 2020</i> |
| <i>Report on apprenticeship programs to address State workforce shortages</i>   | <i>DBM<br/>DLLR</i>   | <i>June 30, 2020</i>    |



## F10A

### Committee Narrative

#### OFFICE OF BUDGET ANALYSIS

##### F10A05.01 Budget Analysis and Formulation

**Improving the Maryland Funding Accountability and Transparency Website:** The committees are concerned with the lengthy delay in posting data to the Maryland Funding Accountability and Transparency Website. The committees are further concerned with the low rating and lagging status assigned to the State by a recent report comparing access to government spending data for all 50 states. The committees, therefore, request the Department of Budget and Management (DBM), in consultation with the Department of Information Technology (DoIT), to study the current process for collecting, reporting, and posting payment data in an effort to identify areas of improvement. The evaluation should specifically address how to improve the expediency with which data is gathered and posted online as well as how to improve the searchability of posted information and make the website and analysis of available information more consumer friendly. The report should be submitted to the committees no later than August 15, 2019.

| Information Request                                  | Authors     | Due Date        |
|--|-------------|-----------------|
| Report on improving government spending transparency | DBM<br>DoIT | August 15, 2019 |

**F50**  
**Department of Information Technology**

**Budget Amendments**

**MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND**

**F50A01.01 Major Information Technology Development Project Fund**

Add the following language to the general fund appropriations:

Further provided that the appropriation made for the purpose of Major Information Technology Project Development Fund (MITDPF) shall be reduced by \$5,000,000 contingent on enactment of HB 1407, which requires that the Maryland Department of Transportation deposit revenues from resource sharing agreements into the MITDPF.

**Explanation:** HB 1407, the Budget Reconciliation and Financing Act of 2019, has a provision that required the Maryland Department of Transportation (MDOT) to deposit revenues from resource sharing agreements in the MITDPF. MDOT estimates that these revenues are approximately \$5 million annually.

Reduce appropriation for the purposes indicated:

|  | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|--|---------------------|-------------------------|
| 1. <del>Delete</del> <i>Reduce</i> funds for the Statewide Grant System.   | 2,000,000           | GF                      |
| This is a new initiative to develop a statewide system for tracking grants. According to the Information Technology Project Request, initial functions such as developing a project charter and project management plan are not scheduled to be completed until fiscal 2020. In spite of this late start, the project has an aggressive schedule to complete a Request for Proposals by the end of calendar 2019 and have a vendor on board at the end of the fiscal year. Since procurement is late in the year, and short delays can move the procurement into fiscal 2021, <del>it is recommended that the funds be deleted</del> <i>funds are reduced, and instead appropriated in fiscal 2021. If funds are needed in fiscal 2020, the department may transfer funds from other projects.</i> | 1,800,000           | GF                      |

## F50

2. *Reduce appropriations to the Major Information Technology Development Project Fund (MITDPF). Typically, the fund does not spend the entire appropriation and there is some carryover each year. The department is authorized to process a budget amendment from unallocated MITDPF balance available at the end of fiscal 2019 to replace these funds, if needed.* 3,500,000 GF

|                  |           |
|------------------|-----------|
| Total Reductions | 2,000,000 |
|                  | 5,300,000 |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund       | 71,802,399        | 69,802,399           | 2,000,000               |                           |
|                    |                   | 66,502,399           | 5,300,000               |                           |
| Special Fund       | 3,900,000         | 3,900,000            | 0                       |                           |
| <b>Total Funds</b> | <b>75,702,399</b> | <b>73,702,399</b>    | <b>2,000,000</b>        |                           |
|                    |                   | <b>70,402,399</b>    | <b>5,300,000</b>        |                           |

Amendment No.

20

### Committee Narrative

**Managing for Results Indicators for Major Information Technology Projects Developed Using Agile:** For major information technology (IT) development projects, the Department of Information Technology (DoIT) has transitioned from the Waterfall method to the Agile method. Some of the key Managing for Results (MFR) performance indicators measure rebaselining, which is more suited for Waterfall and less helpful with Agile. DoIT should develop performance indicators more suited to the Agile approach. This can include indicators measuring on-time delivery, product quality, business values, and project visibility. The indicators should be included in the Governor's Fiscal 2021 Budget Books.

| Information Request  | Author | Due Date                          |
|----------------------|--------|-----------------------------------|
| Agile MFR indicators | DoIT   | With the Fiscal 2021 Budget Books |

**G20J01**  
**State Retirement Agency**  
**Maryland State Retirement and Pension Systems**

**Budget Amendments**

Add the following language:

Provided that authorization to expend reimbursable funds is reduced by \$225,064 to reflect overbudgeted funding for health insurance and the statewide cost allocation expense.

**Explanation:** Funding was provided for the Investment Division health insurance that should be funded with revenue from the Pension Trust Fund instead of from administrative fees. The statewide cost allocation for indirect cost recovery is overbudgeted in fiscal 2020. These two adjustments result in a reduction of \$225,064 in reimbursable funds.

Add the following language:

Further provided that authorization to expend reimbursable funds is reduced by \$29,008 to reflect 25% turnover expectancy for new positions.

**Explanation:** The fiscal 2020 budget includes 5 new positions with a budgeted turnover rate of 5%. This language raises the turnover expectancy to 25% per fiscal 2020 budget instructions for new positions.

**STATE RETIREMENT AGENCY**

**G20J01.01 State Retirement Agency**

| Reduce appropriation for the purposes indicated:  | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|---|---------------------|-------------------------|
| 1. Reduce overbudgeted special funds for the Investment Division health insurance, which should be nonbudgeted funds, and the statewide cost allocation, which is overbudgeted in fiscal 2020.        | 450,803 SF          |                         |
| 2. Reduce overbudgeted special funds to reflect 25% turnover expectancy for new positions as provided in the fiscal 2020 budget instructions. Currently, turnover for the new positions is set at 5%. | 58,103 SF           |                         |
| Total Reductions  | 508,906             | 0.00                    |

## G20J

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u> | <u>Amount<br/>Reduction</u> | <u>Position<br/>Reduction</u> |
|--------------------|-------------------|----------------------|-----------------------------|-------------------------------|
| Position           | 176.00            | 176.00               |                             | 0.00                          |
| Special Fund       | 16,965,995        | 16,457,089           | 508,906                     |                               |
| <b>Total Funds</b> | <b>16,965,995</b> | <b>16,457,089</b>    | <b>508,906</b>              |                               |

**G50L00**  
**Maryland Supplemental Retirement Plans**  
**Maryland State Retirement and Pension Systems**

**Budget Amendments**

**TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**

**G50L00.01 Maryland Supplemental Retirement Plan Board and Staff**

Add the following language to the special fund appropriation:

, provided that \$50,000 of this appropriation made for the purpose of agency operations may not be expended until the Maryland Supplemental Retirement Plans submits a budget amendment to the budget committees to adjust the fiscal 2020 appropriation to fully cover salary and fringe benefit costs based on actual projected expenditures. The budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the budget amendment may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the budget amendment is not submitted to the budget committees.

**Explanation:** According to financial records provided by the Maryland State Retirement Plans (MSRP), the agency is projected to exceed the fiscal 2020 appropriation due to salary and fringe benefit costs coming in higher than what is appropriated. This language requires MSRP to submit a budget amendment to adjust the fiscal 2020 appropriation to fully cover the agency's actual projected costs.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>                 |
|--|---------------|---------------------------------|
| Budget amendment adjusting the fiscal 2020 appropriation to fully cover projected expenditures | MSRP          | 45 days before release of funds |

# H00 Department of General Services

## Budget Amendments

### OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

#### H00G01.01 Facilities Planning, Design and Construction

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Increase turnover rate for new positions from 5% to 25%. Project management and design is receiving 4 new regular positions. State policy is to budget a 25% turnover for all new positions. This is to recognize the time that it takes to hire new positions. The budget turnover rate is 5%. | 56,000       | GF               |
| 2. <i>Reduce critical maintenance funding. The allowance includes \$12.5 million, which is \$5 million more than the \$7.5 million appropriated in fiscal 2018.</i>  | 2,000,000    | GF               |

Total Reductions

56,000  
2,056,000

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                              | <u>Amount Reduction</u>           | <u>Position Reduction</u> |
|--------------------|-------------------|---|-----------------------------------|---------------------------|
| Position           | 81.00             | 81.00   |                                   | 0.00                      |
| General Fund       | 19,754,235        | <del>19,698,235</del><br>17,698,235               | 56,000<br>2,056,000               |                           |
| Special Fund       | 706,945           | 706,945   | 0                                 |                           |
| <b>Total Funds</b> | <b>20,461,180</b> | <b><del>20,405,180</del></b><br><b>18,405,180</b> | <b>56,000</b><br><b>2,056,000</b> |                           |

Amendment No.

**21**

## H00

### Committee Narrative

~~**Capital Grant Administration and Management:** The State annually provides capital grants to local governments and nonprofit organizations to assist in a variety of local and community projects. The administration of these grants is the responsibility of the Department of General Services (DGS). Concerns have been raised about the grant administration process. The committees request a review of the State's capital grant administration, management practices, policies, and an evaluation of best management practices with the goal of improving and streamlining the process. This should include, but not be limited to, a review of the timeline for grant administration that examines (1) the process and time frame for notifying grantees of State grant awards and the grant agreement administrative process; (2) the process and timeline for DGS to certify the evidence and expenditure of the matching funds; and (3) the process and timing of grantee reimbursement or payment. This report should be submitted to the budget committees by October 1, 2019.~~

| <b>Information Request</b>                            | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Report on capital grant administration and management | DGS           | October 1, 2019 |

**Housekeeping Staff:** The committees are concerned that the Department of General Services (DGS) may be moving toward increasing contracting out of housekeeping, maintenance, landscaping, and other services in spite of a stated policy of Maryland to utilize State employees in preference to contracting out. Recently, for example, housekeeping services in the Senate office complex were contracted out. The reason provided was the difficulty of hiring housekeepers. Other efforts appear to include contracting out various maintenance projects and landscaping. The committees would ask the department to revisit this plan and report on (1) progress of hiring housekeepers to fill positions in the Senate Office Building before the expiration of the six-month contract; and (2) specific State jobs that are contemplated for outsourcing along with efforts that have been made to continue the use of State employees prior to outsourcing.

| <b>Information Request</b>                              | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Report on Senate Office Building housekeeping positions | DGS           | July 1, 2019    |
| Report on jobs contemplated for outsourcing             | DGS           | October 1, 2019 |



## H00

**Minority Business Enterprise Participation Rates:** *The committees are concerned about low levels of Minority Business Enterprise (MBE) participation rates. The State goal is MBE participation in 29% of procurement contracts. The Department of General Services (DGS) reports that MBE participation rates declined from 19% in fiscal 2017 to 15% in fiscal 2018. The Board of Public Works (BPW) reports that 64% of procurement contracts did not have any MBE participation in fiscal 2018. Chapter 590 of 2017 reformed procurement by reducing the number of control agencies and creating a chief procurement officer within DGS. The law also consolidated procurement in DGS. Reform's goal is to make procurement more effective, through improved tracking and monitoring, and more efficient, through training, streamlining, and standardization. In addition, DGS is implementing a new procurement system that should enhance the department's ability to manage the procurement process. Since the State is implementing these procurement reforms, this is an ideal time for the State to renew its efforts to meet MBE goals. As new work processes and systems are being developed, they should be designed to meet MBE goals. DGS, in consultation with BPW, should report to the committees on its efforts to improve MBE participation. This should include a discussion of how the new procurement system supports a robust MBE program. The report should be submitted to the committees by November 1, 2019.*

| <b><i>Information Request</i></b>                  | <b><i>Authors</i></b> | <b><i>Due Date</i></b>  |
|--|-----------------------|-------------------------|
| <i>Report on improving MBE participation rates</i> | <i>DGS<br/>BPW</i>    | <i>November 1, 2019</i> |

**J00**  
**Department of Transportation**

**Budget Amendments**

Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year;  
or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in item (1) above; changes in the scope of a project, as outlined in item (2) above; or moving projects from the development and evaluation program to the construction program shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

**Explanation:** This annual budget bill language requires the department to notify the budget committees of proposed changes to the transportation capital program that will add a new project that was not in the fiscal 2019-2024 Consolidated Transportation Program (CTP) or will increase a total project’s cost by more than 10%, or \$1 million, due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP, with each using the 2019 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

## J00

| Information Request                                     | Author                                | Due Date  |
|---|---------------------------------------|---|
| Capital budget changes from one CTP version to the next | Maryland Department of Transportation | With draft CTP<br>With final CTP  |
| Capital budget changes throughout the year              | Maryland Department of Transportation | 45 days prior to the expenditure of funds or seeking Board of Public Works approval |

Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,059.5 positions and 122.2 contractual full-time equivalents (FTE) paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2020. The level of contractual FTEs may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport that demands additional personnel; or
- (2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2020 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

**Explanation:** This annual budget bill language establishes a position ceiling for MDOT each year to limit growth in regular positions and contractual FTEs.

| Information Request                                       | Author | Due Date  |
|---|--------|-----------|
| Need for additional regular positions or contractual FTEs | MDOT   | As needed |

**J00A01**  
**The Secretary's Office**  
**Department of Transportation**

**Budget Amendments**

**THE SECRETARY'S OFFICE**

**J00A01.01     Executive Direction**

Strike the following language:

~~, provided that \$300,000 of this appropriation made for the purpose of administration of the department may not be expended until:~~

~~(1) — the Maryland Department of Transportation (MDOT) withdraws the I-495 and I-270 P3 Program Presolicitation report that it submitted to the General Assembly in December 2018;~~

~~(2) — the Final Environmental Impact Statement (FEIS) identifying and evaluating the locally preferred alternative is complete;~~

~~(3) — MDOT submits a new presolicitation report based on the FEIS;~~

~~(4) — MDOT submits a report based on the FEIS to the budget committees and the House Environment and Transportation Committee that analyzes the cost of the project, identifies the right of way acquisition needs, and indicates the projected tolls that will be charged to use the facilities; and~~

~~(5) — the committees have had 45 days to review and comment on the MDOT report.~~

~~Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.~~

**Explanation:** More information related to the proposal to add toll lanes to I-495 and I-270 is needed before the General Assembly can adequately assess whether this project should proceed. This language restricts funding until the FEIS is complete and MDOT provides project information to the budget committees.

## J00A01

| <b>Information Request</b>                          | <b>Author</b> | <b>Due Date</b>                                     |
|---|---------------|---|
| Report on the I-495 and I-270<br>P3 program project | MDOT          | 45 days prior to expenditure<br>of restricted funds |

Amendment No.

22

### J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$5,667,276 of this appropriation may be expended for operating grants-in-aid, except for:

- (1) any additional special funds necessary to match unanticipated federal fund attainments;  
or
- (2) any proposed increase either to provide funds for a new grantee or to expand funds for an existing grantee.

Further provided that no expenditures in excess of \$5,667,276 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees.

**Explanation:** This annual language caps the level of special funds provided for operating grants-in-aid. The cap may be increased to match unanticipated federal dollars or to provide new or expanded grant funding upon notification to the budget committees.

| <b>Information Request</b>   | <b>Author</b>                         | <b>Due Date</b>              |
|--|---------------------------------------|------------------------------|
| Explanation of need for additional special funds for operating grants-in-aid | Maryland Department of Transportation | 45 days prior to expenditure |

## J00A01

Add the following language to the special fund appropriation:

Further provided that \$168,000 of this appropriation made for the purpose of providing grants to non-State organizations may not be expended for that purpose but instead may be used only to provide grants to Montgomery and Prince George's counties to cover transit fare costs for youth participating in summer employment programs. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled. Authorization is hereby given to increase this appropriation by budget amendment in an amount equal to the grants provided under this paragraph.

**Explanation:** This language restricts funding to be used only to cover transit fare costs for youth participating in summer employment programs in Montgomery and Prince George's counties.

Amendment No.

23

Add the following language to the special fund appropriation:

Further provided that \$45,000 of this appropriation made for the purpose of providing grants to non-State organizations may not be expended for that purpose but instead may be used only to provide a grant to the Baltimore Metropolitan Council to conduct a study of regional transportation authorities. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled. Authorization is hereby given to increase this appropriation by budget amendment in an amount equal to the grant provided under this paragraph.

**Explanation:** This language restricts funding to be used to provide a grant to the Baltimore Metropolitan Council for a study of regional transportation authorities.

Amendment No.

24

## J00A01

### J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2019-2024 Consolidated Transportation Program, except as outlined below:

- (1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of \$500,000, including the need and justification for the project and its total cost; and
- (2) the budget committees shall have 45 days to review and comment on the proposed system preservation or minor project.

**Explanation:** This language provides legislative oversight of grants exceeding \$500,000 that are not listed in the current Consolidated Transportation Program (CTP).

| Information Request  | Author                                | Due Date                     |
|--|---------------------------------------|------------------------------|
| Notification of the intent to fund a capital grant exceeding \$500,000 that is not listed in the current CTP | Maryland Department of Transportation | 45 days prior to expenditure |

**J00A04**  
**Debt Service Requirements**  
**Department of Transportation**

**Budget Amendments**

Add the following language:

Consolidated Transportation Bonds may be issued in any amount, provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues may not exceed \$3,773,000,000 as of June 30, 2020.

**Explanation:** Section 3-202 of the Transportation Article requires the General Assembly to establish the maximum debt outstanding each year in the budget bill. The level is based on outstanding debt as of June 30, 2018, plus projected debt to be issued during fiscal 2019 and 2020 in support of the transportation capital program.

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on:

- (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and
- (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2019 through 2029.

Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation, debt backed by customer facility charges, passenger facility charges or other revenues, and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

**Explanation:** The General Assembly is interested in monitoring the use of nontraditional debt by MDOT. The information requested provides the budget committees with additional information on the usage and annual costs of nontraditional debt.



## J00A04

| Information Request   | Author | Due Date                    |
|---|--------|-----------------------------|
| Nontraditional debt outstanding and anticipated debt service payments | MDOT   | With the September forecast |
| Nontraditional debt outstanding and anticipated debt service payments | MDOT   | With the January forecast   |

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by MDOT, exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed \$951,000,000 as of June 30, 2020. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed \$925,315,170 as of June 30, 2020. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2020, and the total amount by which the fiscal 2020 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

**Explanation:** This language limits the amount of nontraditional debt outstanding at the end of fiscal 2020 for non-TIFIA debt to the total amount that was outstanding from all previous nontraditional debt issuances as of June 30, 2018, plus anticipated issuances of \$35.9 million for shuttle bus acquisitions for the Baltimore-Washington International Thurgood Marshall Airport (BWI Marshall Airport) and \$120.0 million for improvements and renovations to Pier A at BWI Marshall Airport. TIFIA debt outstanding for the Purple Line Project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line

## **J00A04**

Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2020 by providing notification to the budget committees regarding the reason that the additional debt is required.

| <b>Information Request</b>                                   | <b>Author</b> | <b>Due Date</b>  |
|--|---------------|--|
| Justification for increasing nontraditional debt outstanding | MDOT          | 45 days prior to publication of a preliminary official statement |

**J00B01**  
**State Highway Administration**  
**Department of Transportation**

**Budget Amendments**

Add the following language:

It is the intent of the General Assembly that the State Highway Administration increase its budget for snow removal to more accurately reflect actual expenditures. Therefore, funds budgeted for snow removal shall be increased by \$5,000,000 in each fiscal year of the fiscal 2021 to 2025 financial forecast. In addition, each subsequent financial forecast shall increase the budgeted level of snow removal by \$5,000,000 in each fiscal year until the budgeted level reflects the rolling 5-year average of actual snow removal expenses.

**Explanation:** In the fiscal 2010 Budget Bill, the General Assembly stated its intent that the amount included in the State Highway Administration budget for snow removal expenses be increased by \$5 million each year until the budgeted amount reflected the five-year average of actual snow removal expenditures. The Maryland Department of Transportation elected not to continue this practice in the fiscal 2020 budget despite the budgeted level for snow removal being well below the five-year average and despite having spent more on snow removal, in all but one of the previous five years, than the \$76 million level called for under the policy that it had adhered to until this year. This language restates the intent of the General Assembly.

**STATE HIGHWAY ADMINISTRATION**

**J00B01.01     State System Construction and Equipment**

Add the following language to the special fund appropriation:

, provided that \$5,000,000 of this appropriation made for the purpose of capital construction may not be expended for that purpose but instead may be used only for snow removal. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

**Explanation:** In the fiscal 2010 Budget Bill, the General Assembly stated its intent that the amount included in the State Highway Administration budget for snow removal expenses be increased by \$5 million each year until the budgeted amount reflected the five-year average of actual snow removal expenditures. The Maryland Department of Transportation elected not to continue this practice in the fiscal 2020 budget despite the budgeted level for snow removal being well below the five-year average and despite having spent more on snow removal, in all but one of the previous five years, than the \$76 million level called for under the policy it had adhered to until this year.

Amendment No.

**25**

## J00B01

Add the following language to the special fund appropriation:

Further provided that:

- (1) \$2,500,000 of this appropriation made for the purpose of funding Safety, Congestion Relief, and Community Enhancements projects may not be expended for that purpose but instead may be used only for right-of-way acquisition and/or preliminary engineering for the Southern Maryland Rapid Transit Project;
- (2) Expenditure of the funds restricted in item (1) is contingent on Charles and Prince George's counties each providing matching funds of \$1,250,000. If either county has not certified its matching funds by September 1, 2019, the funds restricted in item (1) may be used for their original purpose. If the matching funds are certified by September 1, 2019, funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled; and
- (3) The Maryland Department of Transportation shall submit a report to the budget committees by October 1, 2019, indicating whether the local matching funds have been certified. If the matching funds from both counties have been certified, the report shall also provide a summary of how the restricted funds and matching funds will be spent.

**Explanation:** The Southern Maryland Rapid Transit Study identified the need for separated high capacity transit system to accommodate travel demand within the Southern Maryland Rapid Transit Project corridor. This language restricts funds to be used only for right-of-way acquisition and/or preliminary engineering for a rapid transit system contingent on matching funds from Charles and Prince George's counties.

| <b>Information Request</b>   | <b>Author</b>                         | <b>Due Date</b> |
|--|---------------------------------------|-----------------|
| Report on certification of local matching funds and how funds will be expended | Maryland Department of Transportation | October 1, 2019 |

Amendment No.

26

## J00B01

### Committee Narrative

**Smart Traffic Signals:** In October 2017, the Traffic Relief Plan Smart Traffic Signals initiative was announced in which smart signals with adaptive signal control systems would be installed along 14 corridors to help improve traffic flow. The Maryland Department of Transportation (MDOT) has not yet moved beyond the initial 14 corridors, but it has indicated that smart traffic signals will be expanded to other corridors and will be utilized on arterial roads along the planned I-495 and I-270 priced managed toll lane corridor to address traffic backups related to the construction of the toll lanes. The committees request that MDOT provide a report:

- summarizing the progress that has been made on the initial 14 corridors and identifying lessons learned in that effort, costs incurred, and impact on traffic;
- identifying the next group of corridors along which smart traffic signals will be installed; and
- providing estimated costs and a timeline for completing the initial corridors and subsequent additional corridors.

MDOT should submit this report no later than October 1, 2019.

| Information Request          | Author | Due Date        |
|------------------------------|--------|-----------------|
| Smart traffic signals report | MDOT   | October 1, 2019 |

***Transportation Capital Projects – Legislative Priorities:*** *The committees have identified several transportation priorities and want to understand the best way to move these projects forward. The Maryland Department of Transportation (MDOT) should prepare a report that provides the following information for each project listed below:*

- *the current status and schedule of the project;*
- *expected benefits of the project;*
- *the total cost for the project, with costs categorized by project phase;*
- *the funded status of the project;*
- *the prioritization of the project in the county’s most recent priority letter, if applicable;*
- *the project’s score under the Chapter 30 of 2017 scoring model, if applicable;*

## **J00B01**

- *challenges in moving the project forward, if applicable; and*
- *potential options to accelerate the project schedule.*

*The report should include information for the following projects:*

- *Southern Maryland Rapid Transit;*
- *addition of a new stop on the MARC Camden Line at Cheverly;*
- *streetscape improvements on MD 193 from MD 201 to US 1;*
- *widening of MD 197;*
- *completing improvements to US 1 (Segment 1) in College Park by 2023;*
- *MD 202 and Arena Drive; and*
- *a study of the use of red light and speed cameras in Maryland to include (1) a comparison among jurisdictions using red light and/or speed cameras of the revenue raised and the impacts they have had on accident levels; and (2) a discussion of other technologies that could be employed to improve road safety.*

*It is the intent of the committees that MDOT give these projects additional consideration when developing the Consolidated Transportation Program (CTP). The report shall be submitted by July 15, 2019, and the committees will have 45 days to review and comment prior to the publication of the draft fiscal 2020 to 2025 CTP.*

| <b><i>Information Request</i></b>                               | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|---|----------------------|------------------------|
| <i>Report on the status of selected transportation projects</i> | <i>MDOT</i>          | <i>July 15, 2019</i>   |

## J00B01

***Materials Technology and Construction Techniques to Reduce the Incidence of Pothole Formation:*** *The State Highway Administration (SHA) has reported that the repeated cycle of rain followed by a hard freeze experienced during the 2019 winter is especially conducive to the formation of potholes in roadways as water seeps into cracks in the roadway surface and causes potholes when it expands when temperatures drop below freezing. Climate change may increase the frequency of these cycles, so it is important that SHA keep abreast of new materials technology and/or construction techniques that can be employed to make roadways resistant to pothole formation. The committees request that SHA provide a report identifying and evaluating materials and techniques that could be utilized to reduce the incidence of pothole formation with emphasis on solutions with a positive benefit to cost ratio. The report should be submitted by November 1, 2019.*

| <b><i>Information Request</i></b>                                  | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|--|----------------------|------------------------|
| <i>Report on ways to reduce the incidence of pothole formation</i> | SHA                  | November 1, 2019       |

### **Budget Amendments**

#### **J00B01.05 County and Municipality Funds**

Add the following language to the special fund appropriation:

, provided that \$29,777 of this appropriation made for the purpose of providing transportation aid to Deer Park in Garrett County may not be expended until the town has submitted the audit reports and the Uniform Financial Reports as required under Sections 16-304 and 16-306 of the Local Government Article for fiscal 2015, 2016, 2017, and 2018. Funds restricted pending the receipt of these documents may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

**Explanation:** Deer Park has not submitted the required audit reports and the Uniform Financial Reports for several years. This language restricts transportation aid to Deer Park until the required documents have been submitted for all delinquent years.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>                |
|--|---------------|--------------------------------|
| Audit reports and Uniform Financial Reports for fiscal 2015 through 2018 | Deer Park     | Prior to distribution of funds |

## J00B01

Strike the following language:

~~Further provided that \$600,000 of this appropriation made for the purpose of providing transportation aid to Baltimore City may be expended only for repairs and improvements to Frederick Road and North Bend Road in Baltimore City to address damage caused by flooding. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.~~

**Explanation:** ~~This language restricts a portion of the transportation aid to Baltimore City to be used only to make improvements to specific roads.~~

Amendment No.

27

Strike the following language:

~~Further provided that \$1,750,000 of this appropriation made for the purpose of providing transportation aid to Baltimore City may be expended only for improvements to Fort Smallwood Road in Baltimore City. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.~~

**Explanation:** ~~This language restricts a portion of the transportation aid to Baltimore City to be used only to make improvements to a specific road.~~

Amendment No.

28

Add the following language to the special fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of providing transportation aid to Baltimore City may not be expended until the Baltimore City Department of Transportation (BCDOT):

- (1) creates a webpage on the BCDOT website that provides project and scheduling information on street paving, streetlight replacement under the B'More Bright initiative, and traffic signal upgrade installations; and
- (2) submits a report to the budget committees and the Baltimore City legislative delegation detailing how the webpage is accessed on the BCDOT website and how often the webpage will be updated.



## J00B01

The budget committees shall have 45 days to review and comment on the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

It is the intent of the General Assembly that BCDOT publish quarterly updates for the public on the items in item (1) until the webpage providing this information is created and available to the public.

**Explanation:** This language restricts transportation aid funding to Baltimore City until BCDOT creates a webpage showing various project information and scheduling and submits a report related to the new webpage.

| Information Request                          | Author | Due Date                          |
|--|--------|-----------------------------------|
| Report on transportation information webpage | BCDOT  | 45 days prior to release of funds |

Add the following language to the special fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of providing transportation aid to Baltimore City may not be expended until:

- (1) the Baltimore City Department of Transportation submits a report by July 1, 2019, to the budget committees and members of the Baltimore City legislative delegation on a plan to update truck route signage in Baltimore City and a plan and timeline for the creation of a Global Positioning System truck route map; and
- (2) progress reports on the effort to update truck route signage are submitted by October 1, 2019; January 1, 2020; and March 1, 2020.

The budget committees shall have 45 days to review and comment on each report. One-fourth of the restricted funds shall be released upon completion of the review for each report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

**Explanation:** Truck route signage in Baltimore City is inadequate. As a consequence, trucks often drive through neighborhoods on streets not designed for truck traffic. This language restricts transportation aid funding to Baltimore City pending reports on updating truck signage and development of a Global Positioning System truck route map.

## J00B01

| Information Request   | Author                                      | Due Date  |
|---|---|---|
| Report on truck signage and Global Positioning System truck route map | Baltimore City Department of Transportation | July 1, 2019  |
| Progress reports on updating truck route signage                      | Baltimore City Department of Transportation | October 1, 2020<br>January 1, 2020<br>March 1, 2020 |

### Committee Narrative

**Bicycle and Pedestrian Plans:** The Baltimore City legislative delegation is interested in the progress being made in Baltimore City on various initiatives relating to bicycles and pedestrians. Therefore, the committees request that the Baltimore City Department of Transportation provide to the Baltimore City legislative delegation:

- a report no later than October 1, 2019, that includes:
  - the schedule for the development and implementation of its complete streets plan; and
  - the status of implementation of and adherence to a Vision Zero plan to eliminate traffic-related bicycle and pedestrian fatalities; and
- quarterly reports on detailed progress being made in developing a bicycle master plan and progress being made in constructing separated bike lanes.

**J00D00**  
**Maryland Port Administration**  
**Department of Transportation**

**Budget Amendments**

**MARYLAND PORT ADMINISTRATION**

**J00D00.01 Port Operations**

Add the following language to the special fund appropriation:

, provided that \$300,000 of this appropriation made for the purpose of Maryland Port Administration operations may not be expended for that purpose but instead may be used only to provide a one-time grant to Baltimore Operation Sail, Ltd., also known as Sail Baltimore, to pay for the tipping fees owed by Baltimore Operation Sail, Ltd. for the placement of material dredged from the Baltimore Harbor in fiscal 2020. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

**Explanation:** This language restricts \$300,000 in special funds in the operating budget of the Maryland Port Administration for a one-time grant for costs associated with the placement of dredged material, also known as tipping fees, anticipated for Sail Baltimore's Baltimore Harbor dredging efforts in fiscal 2020. For the purpose of this language, "Baltimore Harbor" has the meaning indicated in Section 5-1101 of the Environment Article.

**Committee Narrative**

**Intermodal Trucking Activity at the Seagirt Marine Terminal and Related Depots:** The committees are concerned about productivity losses due to cargo volume, vessel bunching, workforce challenges, terminal congestion, inclement weather, and/or information system failures and the impact that these conditions have on the Port of Baltimore's intermodal trucking community. Intermodal trucking companies, their drivers, and their customers incur considerable financial consequences when productivity declines at the Seagirt Marine Terminal due to factors outside of the intermodal trucking industry's control.

The committees request that the Maryland Port Administration (MPA) report on:

- total truck queue (time spent waiting to get to the pedestals) and turn-times for the Seagirt Marine Terminal, the off-dock chassis depot, and the empty container depot;
- total number of transactions, by type (e.g., single/dual moves) at each of these locations;

## **J00D00**

- total number of those transactions in excess of two hours, broken down by one hour increments (e.g., two to three hours, three to four hours, etc.);
- total number of containers not picked up by the Last Free Day; and
- whether the throughput of 20-foot equivalent units at the Seagirt Marine Terminal has exceeded 80% of the design throughput capacity in fiscal 2019.

This report should be submitted by November 1, 2019.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>  |
|--|---------------|------------------|
| Report on intermodal trucking activity at the Seagirt Marine Terminal, off-dock chassis depot, and empty container depot | MPA           | November 1, 2019 |

**J00H01**  
**Maryland Transit Administration**  
**Department of Transportation**

**Budget Amendments**

Add the following language:

It is the intent of the General Assembly that the Maryland Transit Administration (MTA) increase its contributions to the MTA Pension Plan to improve the funded ratio of that plan. Therefore, funds budgeted for pension contributions shall be increased by \$5,000,000 in each fiscal year of the fiscal 2021 to 2025 financial forecast. In addition, each subsequent financial forecast shall increase the budgeted level of pension contributions by \$5,000,000 in each fiscal year until the budgeted level reflects at least the most recent actuarially determined contribution.

**Explanation:** The MTA Pension Plan had a funded ratio of only 43.01% as of July 1, 2018, and the funding for pension contributions to the MTA Pension Plan in fiscal 2020 was only 70.4% of the actuarially determined contribution. This language requires MTA to increase its budgeted pension contributions by \$5 million annually until it reflects the actuarially determined contribution level.

**Committee Narrative**

**MARYLAND TRANSIT ADMINISTRATION**

**J00H01.01 Transit Administration**

**Fare Capping Study:** The committees are interested in ensuring equity among users of public transit systems with respect to the fares paid. The committees therefore request that the Maryland Department of Transportation (MDOT) and the Maryland Transit Administration (MTA):

- study the feasibility of implementing a fare-capping system across:
  - State-funded commuter rail services; and
  - public transportation services that receive funding from the Transportation Trust Fund or the General Fund of the State;
- conduct research and develop recommendations on implementing a fare-capping system, including recommendations on policies, costs, barriers, and a projected implementation schedule; and

## **J00H01**

- provide a report to the committees by June 30, 2020, summarizing the findings and recommendations related to implementing a fare-capping system.

| <b>Information Request</b> | <b>Authors</b> | <b>Due Date</b> |
|----------------------------|----------------|-----------------|
| Report on fare capping     | MDOT<br>MTA    | June 30, 2020   |

**J00J00**  
**Maryland Transportation Authority**

**Committee Narrative**

**J00J00.41      Operating Program**

**I-95 Northbound Express Toll Lanes Expansion Financial Plan and Forecast:** The Maryland Transportation Authority (MDTA) plans to expand the northbound Express Toll Lanes (ETL) from the current northernmost terminus to MD 24. Given the total estimated cost of the project as programmed in the Maryland Department of Transportation fiscal 2019 to 2024 Consolidated Transportation Program as well as the initial toll revenue projections for the expanded facility, there is concern that continued expansion of the I-95 ETL is unaffordable and not in the best interest of MDTA. As such, MDTA should provide a financing plan for the northbound I-95 ETL expansion project, including a cash flow analysis for the project and source of funds, annual debt service, and anticipated revenues from the facility. Projections should be made for the entire term of the bonds to be issued. For the same term, MDTA should provide a forecast of revenues, expenses, and financial coverage ratios on outstanding debt, identifying any toll increases necessary to cover its expenses and maintain coverage ratios in line with current law and agency administrative policy. Toll increases should be identified by the year in which they occur as well as the value of the estimated toll increase required. The forecast should account for both inclusion of the northbound I-95 ETLs expansion and the no-build scenario. Finally, MDTA should identify all assumptions on which the forecast is based.

The report should be submitted by November 1, 2019. It is the intent of the General Assembly that no work should be performed on and no funds should be spent in furtherance of this project until the report has been received by the committees, and the committees have had reasonable time to review and provide comment on the contents of the report to MDTA.

| <b>Information Request</b>                             | <b>Author</b> | <b>Due Date</b>  |
|--|---------------|------------------|
| Report on I-95 northbound ETL expansion financial plan | MDTA          | November 1, 2019 |

**Multi-jurisdiction Reciprocal Toll Enforcement Agreements:** The Maryland Transportation Authority (MDTA) operates a series of transportation facilities in the State, supported by toll revenues generated from the facilities. While provisions exist to enforce collection of past due tolls from Marylanders, collection of tolls from nonresident drivers who fail to pay is more challenging. Though authorized under the Transportation Article to enter into reciprocal toll enforcement agreements with other jurisdictions, MDTA has not entered into any such agreements. As such, MDTA should provide a report to the committees on efforts to form reciprocal agreements with other jurisdictions for the collection of tolls and enforcement of toll violations committed by nonresident drivers. The report should identify efforts to create effective collection methods without exposing nonresident drivers to enforcement measures applicable to the member jurisdictions' resident drivers who fail to pay for their use of toll facilities. Where

## J00J00

examples of multi-jurisdiction reciprocal toll agreements exist nationally, the report should identify these agreements and the impact of the agreements on the collection of toll revenues, administrative fees, and penalties owed by nonresident drivers to the member jurisdictions. This report shall be submitted by September 2, 2019.

| Information Request   | Author | Due Date          |
|---|--------|-------------------|
| Report on multi-jurisdiction reciprocal toll enforcement agreements | MDTA   | September 2, 2019 |

***Report on Publicly operated Ferry Service for Chesapeake Bay Crossings:*** *The committees wish to ensure that the Maryland Transportation Authority (MDTA) considers all alternatives for a third Chesapeake Bay crossing, given that this will represent a substantial investment in transportation infrastructure for the State. While prior reports on a ferry service have stressed that a privately operated ferry service is of limited feasibility, these reports do not consider new developments in technology and alternative forms of management. For example, all-electric ferries have become realistic alternatives to more traditional designs for short haul operation, having been successfully adopted both nationally and internationally. Such vessels eliminate the impact of the variable rate of fuel, resulting in a reduced cost of operation and limited environmental impact.*

*The committees request a report on the feasibility of an MDTA-operated ferry service utilizing all-electric ferries as an alternative to a third bridge crossing for the Chesapeake Bay. The report should include the following:*

- *the level of service required to make an appreciable impact on traffic congestion at the William Preston Lane Jr. Memorial Bridge, including the number of ferries required and the frequency of operation;*
- *required infrastructure to support operations, including terminals necessary to support docking and loading/off-loading of ferries, as well as the development of access to these terminals;*
- *direct and indirect services required to support the operation of a ferry service, including but not limited to vessel crew, ticketing, and security; and*
- *operating and capital cost estimates for an all-electric ferry service alternative.*

*The report should consider alternative operating schedules, including seasonal service, and the impact varying schedules would have on the estimated total cost of a ferry service and congestion relief. Further, the report should address how current MDTA services and equipment*



## **J00J00**

*could be adapted to minimize the costs to develop a ferry service. Finally, the report should identify whether a ferry service is an alternative in the Bay Crossing Study being developed pursuant to the National Environmental Policy Act. This report should be submitted by December 31, 2019.*

| <b><i>Information Request</i></b>  | <b><i>Author</i></b> | <b><i>Due Date</i></b>   |
|--|----------------------|--------------------------|
| <i>Feasibility report on an MDTA-operated ferry service as an alternative to a third Chesapeake Bay crossing</i> | <i>MDTA</i>          | <i>December 31, 2019</i> |

**K00A**  
**Department of Natural Resources**

**Budget Amendments**

**LAND ACQUISITION AND PLANNING**

**K00A05.10 Outdoor Recreation Land Loan**

Amend the following language on the special fund appropriation:

Further provided that \$6,000,000 of this appropriation made for the purpose of providing funding to Baltimore City from the Program Open Space State allocation shall be allocated as follows:

- (1) ~~\$4,700,000~~ \$4,635,000 for projects that meet park purposes;
- (2) \$500,000 for Ambrose Kennedy Park;
- (3) \$250,000 for Garrett Park;
- (4) \$250,000 for Herring Run Park;
- (5) \$150,000 for creation of a memorial park to fallen firefighters;
- (6) \$100,000 for Cylburn Arboretum; and
- (7) \$50,000 for Warwick Park;:
- (8) \$50,000 for Bond Street Park; and
- (9) \$15,000 for Johnson Square Greenspace.

**Explanation:** Statute allocates \$6,000,000 for the Baltimore City Direct Grant from the Program Open Space State allocation in fiscal 2020. This action specifies how the funding is to be allocated.

Amendment No.

**29**

Add the following language to the special fund appropriation:

Further provided that expenditures from the \$6,052,000 allocation for the Natural Resources Development Fund attributable to a project detailed in the Fiscal 2020 Budget Books under the program UB00 Maryland Environmental Service (MES) State Water and Sewer Infrastructure

## K00A

Improvement Fund may not exceed the amount listed therein by more than 7.5% without notification to the General Assembly. Funds may be spent only on the projects listed under the program UB00 MES State Water and Sewer Infrastructure Improvement Fund in the Fiscal 2020 Budget Books or on prior or future authorized water and wastewater upgrade projects located at Department of Natural Resources' facilities. Expenditures of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly.

**Explanation:** This action adds language to the Outdoor Recreation Land Loan appropriation attributable to the amount allocated for water and wastewater projects to be completed by MES. The language mirrors existing language on MES's general obligation bond authorization.

| Information Request  | Author | Due Date  |
|--|--------|-----------|
| Notification of specified project cost increases and changes | MES    | As needed |

### Committee Narrative

**Natural Resources Development Fund and Critical Maintenance Program Capital Improvement Program:** The committees are concerned about the impact of the inclusion of large unplanned projects on the ability of the Natural Resources Development Fund to provide for amenities at Department of Natural Resources' (DNR) facilities and the Critical Maintenance Program to reduce the project and funding backlog. Therefore, the committees request that DNR and the Department of Budget and Management (DBM) develop a capital improvement program for both the Natural Resources Development Fund and the Critical Maintenance Program that is updated to conform with the statewide 2020 Capital Improvement Program. DNR's capital improvement program shall include project estimates of planning, construction, and equipment funding by fiscal year for all projects; project prioritizations; explanations for any changes in project scheduling or amount; and a general depreciation schedule for DNR's facilities. The narrative shall be submitted with the fiscal 2021 budget submission.

| Information Request   | Authors    | Due Date                      |
|---|------------|-------------------------------|
| Natural Resources Development Fund and the Critical Maintenance Program capital improvement program | DNR<br>DBM | Fiscal 2021 budget submission |

**Baltimore City Direct Grant Spending Spreadsheet:** The committees are concerned that Chapter 10 of 2016 increased the Program Open Space Stateside allocation to the Baltimore City Direct Grant and that certain projects have been specified for this funding but the status of

## K00A

spending and project progress is not clear. Therefore, the committees request that the Department of Natural Resources (DNR) provide an editable electronic spreadsheet showing each year of Baltimore City Direct Grant funding, the projects funded by each year of funding broken down by projects specified by the legislature and specified by Baltimore City, and the status of each project in terms of reimbursement sought and project stage. The report is requested to be submitted by *October 1, 2019, and December 31, 2019.*

| Information Request                              | Author | Due Date               |
|--|--------|------------------------|
| Baltimore City Direct Grant spending spreadsheet | DNR    | <i>October 1, 2019</i> |
|  |        | December 31, 2019      |

**Critical Maintenance Program Report:** The committees are concerned about the growing backlog of deferred, critical maintenance projects on public lands managed by the Department of Natural Resources (DNR). The total backlog of projects and associated costs have increased from an estimated \$44 million and 602 projects in February 2018 to a new total estimated at \$52.6 million and 634 projects in February 2019. In addition, the growing backlog is exacerbated by the increased emphasis in DNR's capital plan on new park facilities as compared to critical maintenance.

The growing backlog creates public safety and health issues for staff and the millions of citizens and tourists who recreate on the State's public lands and increasingly diminishes the public's experiences when visiting the State's public lands. If new, innovative, and expeditious solutions and funding are not developed and implemented, it is expected that visitation to the State's public lands will gradually diminish, compounding the situation.

Therefore, the committees request that DNR, in coordination with the Department of Budget and Management (DBM) and the Department of General Services (DGS), submit a Critical Maintenance Program report to the committees and the Governor by October 15, 2019. The report should include, but not be limited to, the following:

- an update of the Maryland Park Service's 2016 Strategic Park Investment Plan summarizing the best practices of comparable federal, State, and local park systems as well as private-sector systems and recommendations of any practices that should be adapted and implemented on DNR's public lands;
- a discussion of ways to expedite the completion of critical maintenance projects, including the delegation of additional procurement authority to DNR from DGS;
- a comparative analysis of adding maintenance technicians at parks and other public lands with large acreage or high visitation or both and recommendations for establishing construction crews in each region;

## **K00A**

- an assessment of the costs and benefits of enhancing DNR’s asset management system in order to track the useful life of critical maintenance and park improvement projects and forecast when preventive maintenance or replacements are due to be made; and
- a discussion of ways to enhance funding to achieve a greater reduction in the growing backlog of maintenance projects and to maintain a much lower backlog thereafter.

| <b>Information Request</b>          | <b>Authors</b>    | <b>Due Date</b>  |
|-------------------------------------|-------------------|------------------|
| Critical maintenance program report | DNR<br>DBM<br>DGS | October 15, 2019 |

**L00A**  
**Department of Agriculture**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**L00A11.02 Administrative Services**

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Maryland Department of Agriculture, in coordination with the Harry R. Hughes Center for Agro-Ecology, Inc., submits a comprehensive Maryland agriculture strategic plan to the budget committees. The plan shall include, but not be limited to, an analysis of the demographics of farmers, the affordability and quality of food for consumers, the affordability of farms for the next generation of farmers, nutrient and sediment loading reductions for Chesapeake Bay restoration, and economic development programs supporting agriculture, such as the work of the Maryland Agricultural and Resource-Based Industry Development Corporation. The plan shall be submitted by December 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a plan may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** This action restricts funding until the Maryland Department of Agriculture (MDA), in coordination with the Harry R. Hughes Center for Agro-Ecology, submits a Maryland agriculture strategic plan.

| <b>Information Request</b>          | <b>Authors</b>                                 | <b>Due Date</b>  |
|-------------------------------------|--|------------------|
| Maryland agriculture strategic plan | MDA<br>Harry R. Hughes Center for Agro-Ecology | December 1, 2019 |

**Committee Narrative**

**OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES**

**L00A12.18 Rural Maryland Council**

**Rural Maryland Council Managing for Results Measures:** The fiscal 2020 budget includes \$5.8 million for the Rural Maryland Council to provide grants to improve outcomes in rural communities. However, the Managing for Results (MFR) measures provided with the fiscal 2020 budget submission are too general to reflect any meaningful impact by the Rural Maryland Council's grants. Therefore, the committees request that the Rural Maryland Council

## **L00A**

submit a report by September 1, 2019, on input, output, outcome, and efficiency measures that show the direct connection between the funding that it provides in grants and the improvement in quality of life in rural communities.

| <b>Information Request</b>          | <b>Author</b>          | <b>Due Date</b>   |
|-------------------------------------|------------------------|-------------------|
| Rural Maryland Council MFR measures | Rural Maryland Council | September 1, 2019 |

**M00A01**  
**Office of the Secretary**  
**Maryland Department of Health**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**M00A01.01 Executive Direction**

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health, in consultation with the Maryland Health Care Commission, conducts an assessment of, and submits an accompanying report on, the types, quality, and level of services provided at the University of Maryland Shore Medical Center in Chestertown. This assessment shall include a comparison of the services currently provided to the services provided in fiscal 2015 and identify whether, on or after July 1, 2015, any services from the University of Maryland Shore Medical Center in Chestertown were reduced or transferred to the University of Maryland Shore Medical Center in Easton. The report shall be submitted by January 1, 2020, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the report is not submitted.

**Explanation:** This language restricts funding in the Office of the Secretary until the Maryland Department of Health (MDH), in consultation with the Maryland Health Care Commission, undertakes an assessment on the services offered at the University of Maryland Shore Medical Center in Chestertown, including the change of services offered since fiscal 2015, and submits a report on those findings.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Services provided at the University of Maryland Shore Medical Center | MDH           | January 1, 2020 |

Amendment No.

**30**



**M00B0104**  
**Health Professionals Boards and Commissions**  
**Maryland Department of Health**

**Budget Amendments**

**REGULATORY SERVICES**

**M00B01.04 Health Professionals Boards and Commissions**

|   |                     |                         |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated:  | <b><u>Funds</u></b> | <b><u>Positions</u></b> |
| 1. Reduce the fiscal 2020 special fund appropriation by \$900,000, currently budgeted as the State Board of Pharmacy's share of the Enterprise Board Licensure System. The funding for this project is already included elsewhere in the department's budget. | 900,000             | SF                      |
| Total Reductions  | 900,000             | 0.00                    |

| <b><u>Effect</u></b> | <b><u>Allowance</u></b> | <b><u>Appropriation</u></b> | <b><u>Amount<br/>Reduction</u></b> | <b><u>Position<br/>Reduction</u></b> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position             | 134.10                  | 134.10                      |                                    | 0.00                                 |
| General Fund         | 552,846                 | 552,846                     | 0                                  |                                      |
| Special Fund         | 22,649,676              | 21,749,676                  | 900,000                            |                                      |
| <b>Total Funds</b>   | <b>23,202,522</b>       | <b>22,302,522</b>           | <b>900,000</b>                     |                                      |

**M00F03**  
**Prevention and Health Promotion Administration**  
**Maryland Department of Health**

**Budget Amendments**

**M00F03.01 Infectious Disease and Environmental Health Services**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended for that purpose and instead may be used only to provide additional tuberculosis grants to local health departments in the State. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language restricts funds in the Infectious Disease and Environmental Health Services program to be used for additional tuberculosis grants to local health departments.

Amendment No.

**31**

Add the following language to the general fund appropriation:

Further provided that \$150,000 of this appropriation made for the purpose of administration shall be used only to provide funding for the development of a strategy to address the high number of people with HIV and AIDS in Prince George's County. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This action would restrict a portion of funding for administration in the Prevention and Health Promotion Administration to be used to develop a strategy to combat HIV and AIDS in Prince George's County.

Amendment No.

**32**

## M00F03

| Reduce appropriation for the purposes indicated:  | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete federal funds from a grant double budgeted at the Prevention and Health Promotion Administration. | 1,660,218    | FF               |
| Total Reductions  | 1,660,218    | 0.00             |

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position           | 286.80             | 286.80               |                         | 0.00                      |
| General Fund       | 15,936,864         | 15,936,864           | 0                       |                           |
| Special Fund       | 99,084,102         | 99,084,102           | 0                       |                           |
| Federal Fund       | 76,428,721         | 74,768,503           | 1,660,218               |                           |
| <b>Total Funds</b> | <b>191,449,687</b> | <b>189,789,469</b>   | <b>1,660,218</b>        |                           |

### Committee Narrative

#### M00F03.04 Family Health and Chronic Disease Services

**Training on Integration of Family Planning and Preconception Counseling into Primary Care:** The committees request that the Maryland Department of Health (MDH) work with interested stakeholders to identify training options that encourage primary care and other appropriate health care providers to integrate family planning counseling and preconception counseling into routine care. MDH should report on recommendations for implementing a training program.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Training on integration of family planning and preconception counseling into primary care | MDH    | December 1, 2019 |

**M00F05**  
**Office of the Chief Medical Examiner**  
**Maryland Department of Health**

**Committee Narrative**

**OFFICE OF THE CHIEF MEDICAL EXAMINER**

**M00F05.01 Post Mortem Examining Services**

**Office of the Chief Medical Examiner Accreditation Status and Staffing:** The Office of the Chief Medical Examiner (OCME) was placed on provisional accreditation status in May 2018 due to the cases examined per medical examiner exceeding accreditation limits. Accreditation may remain in provisional status for 12 months or longer with extensions. In addition, OCME indicates that its current accreditation cycle ends in May 2019. Given the ongoing deficiency in caseload ratios, the accreditation status following the review is of concern. OCME anticipates per diem pathologists will assist in reducing caseload ratios that could increase the ability of the office to hire staff. These per diem pathologists are also expected to assist in resolving the Phase II violation and allow the office to return to full accreditation. The committees request that the Maryland Department of Health (MDH) provide:

- an update on the accreditation status of OCME following the full review in May 2019;
- information on the use of per diem pathologists to assist in meeting caseload standards;
- the status of filling vacant medical examiner positions;
- information on other efforts to increase staffing to ensure that OCME can return to or maintain full accreditation in the future; and
- provide a comparison of salaries offered by OCME for board-certified medical examiners compared to other pathology jobs available in Maryland and comparable medical examiner offices in other jurisdictions.

| <b>Information Request</b>                       | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Report on OCME accreditation status and staffing | MDH           | October 1, 2019 |

**M00K02**  
**Deputy Secretary for Behavioral Health**  
**Maryland Department of Health**

**Budget Amendments**

**M00K01.01 Executive Direction**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees outlining the establishment of staffing committees at each State-run psychiatric facility. The staffing committees established shall include (1) at least three nurses, including one registered nurse, chosen by the nurses employed at the facility; and (2) at least three representatives of management staff, chosen by the administrative head of the facility. The staffing committees shall have an equal number of nurses and representatives of management staff. The staffing committees shall develop a staffing plan for each facility, and the report submitted to the budget committees shall include the staffing plans as developed by the staffing committees. The report shall be submitted by December 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** The budget committees are concerned about the staffing levels and staff to patient ratios at State-run psychiatric facilities. The budget committees request that each State-run psychiatric facility establish staffing committees that will be able to create staffing plans for their respective facilities. The staffing committees will have equal representation from nursing and administrative staff.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| Report on the establishment of staffing committees and respective staffing plans at each State-run psychiatric facility | BHA           | December 1, 2019 |

Amendment No.

**33**

**M00L**  
**Behavioral Health Administration**  
**Maryland Department of Health**

**Budget Amendments**

**M00L01.01 Program Direction**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only to plan and create a statewide bed registry system for all inpatient psychiatric beds. This bed registry will include total, operational, and vacant inpatient psychiatric beds in all State-run psychiatric facilities, acute general hospitals, and private psychiatric hospitals in Maryland. The bed registry will provide up-to-date information on bed availability statewide. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** The committees are interested in the full scope of inpatient psychiatric capacity services statewide and the ability of the current number of operational beds in the State to meet the needs of Marylanders. This language restricts \$100,000 of Program Direction funding to be used only for the planning and creation of a bed registry system that would allow for State-run psychiatric facilities, acute general hospitals, and private psychiatric facilities to communicate regarding the availability of inpatient psychiatric beds in Maryland. Further, the bed registry system would provide a better understanding of the adequacy of the current inpatient psychiatric capacity in the State.

**Committee Narrative**

**Serious and Persistent Mental Illness Technology:** The committees are interested in technology that can improve medication adherence for the State's most expensive patients suffering from severe and persistent mental illnesses (SPMI). The committees request that the Behavioral Health Administration (BHA) submit a report by December 1, 2019, on individuals within the Public Behavioral Health System (PBHS) with SPMIs such as schizophrenia, bipolar disorder, or major depression, including individuals dually eligible for Medicare and Medicaid. This report should also include expenses related to treating this population, impact on expenditures due to nonadherence to medication, and potential patient benefits and cost savings from use of advanced medication adherence technology for the SPMI patient population.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>  |
|--|---------------|------------------|
| Report on medication adherence for the SPMI patient population in PBHS | BHA           | December 1, 2019 |

## M00L

**Ibogaine Treatment Study:** The committees are interested in the uses of naturally occurring treatments addressing opioid-use disorder, specifically ibogaine, a naturally occurring psychoactive substance found in the root bark of the iboga plant. The committees request that the Behavioral Health Administration (BHA) conduct an analysis of existing scientific research and evidence surrounding the safety and efficacy of ibogaine treatment for individuals with opioid-use disorders and the feasibility of future scientific research within existing institutions and research facilities.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Study on the existing research, evidence, efficacy, safety, and future feasibility and efficacy of ibogaine treatment for individuals with opioid-use disorders | BHA    | December 1, 2019 |

**Occupational Therapy in Behavioral Health Services:** The committees are interested in the availability of occupational therapy services within the Public Behavioral Health System (PBHS). The committees request that the Behavioral Health Administration (BHA) submit a report to the committees by October 1, 2019, on occupational therapy services within PBHS. This report should identify (1) current practices for reimbursing licensed occupational therapy practitioners; (2) which licensed behavioral health programs are reimbursed for occupational therapy services; and (3) what barriers exist to reimbursing occupational therapy practitioners.

| Information Request  | Author | Due Date        |
|--|--------|-----------------|
| Report on occupational therapy in behavioral health services | BHA    | October 1, 2019 |

***Certified Community Behavioral Health Clinics:*** *The committees are interested in Certified Community Behavioral Health Clinics (CCBHC), a federal demonstration program modeled from Federally Qualified Health Centers. CCBHCs require the integration of behavioral health and somatic care for all individuals regardless of their ability to pay. Maryland was initially selected for a CCBHC planning grant in 2015 but decided not to pursue implementation. Two Maryland providers were awarded two-year CCBHC grants from the federal government in federal fiscal 2018. The committees request a report that highlights the progress of the two Maryland CCBHC grantees and explores the potential for broader implementation of this model throughout the State.*

## M00L

| <i>Information Request</i> | <i>Author</i>                               | <i>Due Date</i>         |
|----------------------------|---|-------------------------|
| <i>Report on CCBHCs</i>    | <i>Behavioral Health<br/>Administration</i> | <i>December 1, 2019</i> |

### Budget Amendments

#### M00L01.02 Community Services

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for State Medicaid Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

**Explanation:** This language restricts the entire appropriation for substance use disorder treatment, uninsured treatment, or other community service grants for that purpose or for provider reimbursements in M00L01.03 Community Services for State Medicaid Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

Add the following language to the general fund appropriation:

, provided that \$750,000 of this appropriation made for the purpose of community services may not be expended for that purpose and instead may be expended only to provide a grant to a not-for-profit 501(c)(3) organization providing chronic pain management treatment to individuals up to 21 years of age through intensive rehabilitation and behavioral therapies rather than through the prescription of opioids. Further provided that, if the grant is made, the Maryland Department of Health shall report to the budget committees by December 1, 2019, on the efficacy of the program receiving the grant and plans to continue funding that program as well as replicating the program if results are promising. Funds restricted to provide the grant may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the grant is not made.

**Explanation:** The language restricts funds to be used only for a grant to a not-for-profit program that treats chronic pain management for children and youth through therapies other than opioid prescription drugs and adds a reporting requirement.



## M00L

| <i>Information Request</i>                         | <i>Author</i>                        | <i>Due Date</i>         |
|--|--------------------------------------|-------------------------|
| <i>Alternative chronic pain management program</i> | <i>Maryland Department of Health</i> | <i>December 1, 2019</i> |

Amendment No.

34

Add the following language to the general fund appropriation:

Further provided that \$1,800,000 of this appropriation made for the purpose of community services may not be expended for that purpose and instead may be expended only to provide a grant to a not-for-profit 501(c)(3) organization providing a tele-education-based curriculum on children's neurodevelopmental and mental health identification and management for rural and school-based healthcare clinicians. Further provided that, if the grant is made, the Maryland Department of Health shall report to the budget committees by December 1, 2019, on the efficacy of the program receiving the grant and plans to continue funding that program as well as replicating the program if results are promising. The report shall be submitted to the budget committees by December 1, 2019. Funds restricted to provide the grant may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the grant is not made.

**Explanation:** The language restricts funds to be used only for a grant to a not-for-profit program that educates Maryland's rural and school-based clinicians in identification and management of childhood neurodevelopmental and mental health disorders through an integrated tele-education model.

| <i>Information Request</i>  | <i>Author</i>                        | <i>Due Date</i>         |
|---|--------------------------------------|-------------------------|
| <i>Report on the development of rural tele-education for childhood neurodevelopmental and mental health disorders</i> | <i>Maryland Department of Health</i> | <i>December 1, 2019</i> |

Amendment No.

35

### Committee Narrative

**Substance Use Disorder Residential Treatment for Women with Children:** The committees are interested in the availability and treatment capacity of substance use disorder (SUD) residential treatment for women that allow their children to stay with them when receiving treatment. The committees request a report on the number of women who are in need of this type

## M00L

of family-centered treatment, how many women are able to receive this form of treatment, barriers to establishing these types of treatment facilities, and the funding supporting SUD residential treatment for women with children. In the report, the Behavioral Health Administration (BHA), in consultation with the Department of Human Services, should also consider the impact of SUD residential treatment on the child welfare system and how expanded capacity could allow for increased placements of youth with their parent/caregiver.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Study on the availability, capacity, and potential impacts of family-centered SUD residential treatment in Maryland | BHA    | December 1, 2019 |

***Site of Use Drug Disposal:** The committees are interested in technologies that can be used for the disposal and deactivation of pharmaceutical drugs at the site of use. The committees request that the Behavioral Health Administration (BHA) evaluate the cost and potential effectiveness of distributing site of use technologies that would allow for the safe and environmentally friendly manner of disposal. This report should compare site of use disposal solutions to other pharmaceutical disposal solutions that aim to reduce pharmaceutical diversions. If BHA identifies a cost effective solution, the report should identify potential funding sources and a time line for procuring the solution.*

| Information Request                           | Author | Due Date         |
|---|--------|------------------|
| Report on site of use drug disposal solutions | BHA    | December 1, 2019 |

## Budget Amendments

### M00L01.03 Community Services for Medicaid State Fund Recipients

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted.

**Explanation:** This language restricts the entire appropriation for Medicaid State Funded Mental Health Services for that purpose or for provider reimbursements in M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

**M00M**  
**Developmental Disabilities Administration**  
**Maryland Department of Health**

**Budget Amendments**

**DEVELOPMENTAL DISABILITIES ADMINISTRATION**

**M00M01.01 Program Direction**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the department submits a report to the budget committees including recommendations for expanded uses of the Waiting List Equity Fund and an estimate of the number of individuals on the waiting list for community services that would be served under the expanded uses. The report shall be submitted by November 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted.

**Explanation:** Since fiscal 2011, revenues have outpaced expenditures in the waiting list Equity Fund (WLEF). This resulted in a fund balance of \$7.9 million at the close of fiscal 2018. The budget committees are concerned that the growing fund balance can be used more effectively to provide services for more individuals on the waiting list for community services. The Maryland Department of Health (MDH) has indicated that it is engaging stakeholders and will develop specific recommendations for changes in the allowable use of the WLEF.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b>  |
|----------------------------|---------------|------------------|
| Report on WLEF uses        | MDH           | November 1, 2019 |

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of program direction may not be expended until the Maryland Department of Health submits a report to the budget committees on the Office of the Attorney General's recommendation regarding Montgomery County's proposed plan to secure federal funds through a Medical Assistance Program match for funding to pay direct service providers. The report shall be submitted by September 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** Until fiscal 2000, the Montgomery County Department of Health and Human Services had an agreement with the State that allowed matching federal funds from the Medical

## **M00M**

Assistance (Medicaid) Program to be passed through the Developmental Disabilities Administration (DDA) to the county. To pass through the Medicaid federal fund participation, DDA advised the county that the proposed plan needs to be reviewed by the Office of the Attorney General (OAG). There has been no response from DDA about the Attorney General's review of a proposed plan since January 2018.

| <b>Information Request</b>                                  | <b>Author</b> | <b>Due Date</b>   |
|---|---------------|-------------------|
| Recommendation from OAG regarding county federal fund match | DDA           | September 1, 2019 |

### **Committee Narrative**

**Community Services Performance Measures Report:** The Developmental Disabilities Administration (DDA) under the Maryland Department of Health (MDH) is implementing a new community services system as part of the Home and Community-based Services Waiver renewal. DDA formerly offered 20 services and will now fund 40 services, including some new services. The agency provided counts of the annualized number of clients receiving community services and the average annual cost per client in its Managing for Results (MFR) submissions. Before December 1, 2019, MDH should submit a report to the committees with descriptions of each of the community services funded by DDA and which services are eligible for funding through each waiver. MDH should provide these descriptions for the services that were available prior to the waiver renewal and the services following implementation of the new system. Additionally, MDH should explain how the performance measures in prior fiscal years, specifically the number of annualized clients and average cost per client, will compare to the measures submitted with the fiscal 2021 MFR submission.

| <b>Information Request</b>                            | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| Report on performance measures for community services | MDH           | December 1, 2019 |

### **M00M01.02 Community Services**

**Performance Measures Related to Waiver Programs:** Beginning in fiscal 2018, the Developmental Disabilities Administration (DDA) administers three waiver programs for community-based services. The Maryland Department of Health (MDH) submitted the number and percent of individuals served by DDA in all of its waiver programs in the Managing for Results (MFR) submission in fiscal 2020. Beginning in the fiscal 2021 MFR submission, MDH should provide the number of individuals served by DDA in each waiver program separately in addition to the aggregated measures that were provided for fiscal 2020.

## M00M

| Information Request                     | Author | Due Date   |
|---|--------|--|
| Enrollment data for each waiver program | MDH    | With the submission of the fiscal 2021 allowance |

**Monthly Caseload and Average Cost Data Submissions:** The Maryland Department of Health (MDH) is implementing a new rate-setting process for the Developmental Disabilities Administration (DDA) that will fundamentally alter the way that DDA makes payments to community providers. Additionally, DDA has received approval for a Community Pathways Waiver renewal application from the Centers for Medicare and Medicaid Services. As a result, DDA will reclassify and expand community services from 20 to 40 service types. MDH should submit quarterly reports with monthly data, including the total number of clients by service type, the number of clients receiving services under each of DDA's three waiver programs, and the average cost of each service provided.

| Information Request                                    | Author | Due Date  |
|--|--------|---|
| Quarterly community services caseload and cost reports | MDH    | August 1, 2019<br>November 1, 2019<br>February 1, 2020<br>May 1, 2020 |

**Reducing the Waiting List for Community Services:** The committees are concerned that the Developmental Disabilities Administration (DDA) maintains a waiting list for community services that included 4,819 individuals as of January 31, 2019. DDA should submit a report by December 1, 2019, evaluating any changes in policy, current provider capacity, and the amount of funds that would be needed for the agency to serve enough individuals off the waiting list to reduce the waiting list by 25%, 50%, and 75%.

| Information Request  | Author | Due Date         |
|--|--------|------------------|
| Report on reducing the waiting list for community services | DDA    | December 1, 2019 |

**Early Outreach for Community Services:** *The committees are concerned that families with school-age children who may be eligible for community services through the Developmental Disabilities Administration (DDA) are not aware of the agency's services. Before October 1, 2019, the Maryland State Department of Education (MSDE) should work with DDA to submit a report that describes the methods currently used by both agencies to inform families of DDA services. The report should include examples of outreach material or notices provided to families and students specifically about services for children with developmental disabilities.*

## M00M

*Additionally, the report should describe how the regional DDA offices work with local school systems to connect families to applicable services.*

| <b><i>Information Request</i></b>                                    | <b><i>Authors</i></b> | <b><i>Due Date</i></b> |
|--|-----------------------|------------------------|
| <i>Report on early outreach for DDA's community services program</i> | <i>DDA<br/>MSDE</i>   | <i>October 1, 2019</i> |

***Job Coaching Opportunities for Individuals with Developmental Disabilities:*** *The committees are concerned that the availability of certain employment supports services, specifically ongoing job coaching, currently funded by the Developmental Disabilities Administration (DDA), may be limited or changed. DDA should submit a report by September 1, 2019, that provides the funding level and enrollment of each employment supports service between fiscal 2018 through 2020 year to date. The report should also describe how DDA defines employment outcomes and whether any changes to this definition have resulted in a loss of funding for job coaching services. Additionally, the report should include a list of providers receiving funds from DDA in fiscal 2018 through 2020 year to date for job coaching services for individuals with developmental disabilities in paid employment programs.*

| <b><i>Information Request</i></b>      | <b><i>Author</i></b> | <b><i>Due Date</i></b>   |
|--|----------------------|--------------------------|
| <i>Report on job coaching services</i> | <i>DDA</i>           | <i>September 1, 2019</i> |

***Services for Transitioning Youth:*** *The committees are concerned that youth with developmental disabilities receiving services through the Department of Rehabilitation Services (DORS) under the Maryland State Department of Education or the Department of Human Services (DHS) age out and do not always transition to similar adult services funded by the Developmental Disabilities Administration (DDA). Before November 1, 2019, DDA should work with DORS and DHS to submit a report regarding the transition process for these individuals. The report should:*

- *describe how the agencies interact with each other to ensure that youth continue to receive the appropriate level of services;*
- *clarify at what age youth with developmental disabilities are identified as transitioning youth and what steps are taken by each agency to begin the transition to DDA-funded services;*
- *provide the actual number of transitioning youth with developmental disabilities, separated by age, served by each agency in fiscal 2017 through 2019;*

## **M00M**

- *provide the actual number of transitioning youth who aged out of DORS and/or DHS programs in fiscal 2017 through 2019 and, of these youth, the number that received DDA services in the following year;*
- *provide the actual number of youth who aged out of DORS and/or DHS programs that were not eligible for DDA services; and*
- *list the services provided to transitioning youth who aged out of DORS and/or DHS programs in fiscal 2017 through 2019 before and after they aged out.*

| <b><i>Information Request</i></b>                                     | <b><i>Authors</i></b>       | <b><i>Due Date</i></b>  |
|---|-----------------------------|-------------------------|
| <i>Report on process for transitioning youth to continue services</i> | <i>DDA<br/>DORS<br/>DHS</i> | <i>November 1, 2019</i> |

**M00Q01**  
**Medical Care Programs Administration**  
**Maryland Department of Health**

**Budget Amendments**

**MEDICAL CARE PROGRAMS ADMINISTRATION**

**M00Q01.01 Deputy Secretary for Health Care Financing**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees on the possibility of expanding the Baltimore City Capitation Project. The report shall be submitted by October 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The Maryland Department of Health (MDH) has long operated a capitation project in Baltimore City for individuals with serious mental illness. The project includes linkages to a wide range of services other than psychiatric care and includes earned incentives. The language withholds funding until the department submits a report detailing potential expansion of the capitation project. Consideration should be given to expanding the size of the program generally and also expanding into additional jurisdictions.

| <b>Information Request</b>                      | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Report on the Baltimore City Capitation Project | MDH           | October 1, 2019 |

**M00Q01.03 Medical Care Provider Reimbursements**

Add the following language:

All appropriations provided for program M00Q01.03 Medical Care Provider Reimbursements are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

**Explanation:** The annual budget bill language restricts Medicaid provider reimbursements to that purpose.



## M00Q01

Add the following language to the general fund appropriation:

Further provided that \$500,000 of this appropriation made for the purpose of nursing home provider reimbursements may not be expended until the Maryland Department of Health submits a report to the budget committees on a plan to implement, beginning in fiscal 2021, a nursing home quality program valued at least at 1% of total nursing home provider reimbursements that is patient outcome-specific and includes a system of incentives and penalties. The report shall identify outcomes to be included in the program as well as the mechanism for providing incentives and disincentives. The report shall be submitted by October 30, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The language restricts funding pending the receipt of a plan to increase the size of the nursing facility quality program, refocus the program on reportable patient outcomes, and also include incentives and disincentives.

| Information Request          | Author                        | Due Date         |
|------------------------------|-------------------------------|------------------|
| Nursing home quality program | Maryland Department of Health | October 30, 2019 |

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation made for the purpose of managed care organization (MCO) provider reimbursements may not be expended until the Maryland Department of Health submits a report to the budget committees detailing performance targets to be included in the calendar 2020 MCO rate-setting process against which the individual MCO will be measured to determine profit margins utilized in calendar 2021 rate setting. The report shall be submitted by October 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** A consultant review of Maryland's managed care system made a number of recommendations, including incorporating variable profit margins into rate-setting as a reward for quality. The language requests a report detailing how this recommendation can be implemented in the calendar 2021 rate-setting cycle.

## M00Q01

| Information Request   | Author                        | Due Date        |
|---|-------------------------------|-----------------|
| Incorporating variable profit margins into the managed care rate-setting system | Maryland Department of Health | October 1, 2019 |

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation made for the purpose of provider reimbursements may not be expended until the Maryland Department of Health submits a report to the budget committees with a detailed plan to begin the implementation of a Duals Accountable Care Organization by July 1, 2020. The report shall be submitted by November 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The Maryland Department of Health (MDH) spent considerable time beginning in calendar 2016 investigating different proposals for more effective management of individuals dually eligible for Medicaid and Medicare and concluded that an accountable care organization (ACO) model was feasible in the State's more populous jurisdictions. For a variety of reasons the proposal has languished. The language requests the department develop a plan for the implementation of a Duals ACO effective July 1, 2020.

| Information Request           | Author | Due Date         |
|-------------------------------|--------|------------------|
| Implementation of a Duals ACO | MDH    | November 1, 2019 |

Strike the following language:

~~Further provided that \$2,000,000 of this appropriation shall be reduced contingent upon the enactment of HB 1407 or SB 1040 authorizing the use of the Maryland Trauma Physician Services Fund for Medicaid Provider Reimbursements. Authorization is granted to process a special fund budget amendment up to \$2,000,000 from the Maryland Trauma Physician Services Fund to support Medicaid provider reimbursements.~~

## M00Q01

**Explanation:** ~~This language adds a contingent reduction of \$2.0 million in general funds for Medical Care Provider Reimbursements. The reduction is contingent on HB 1407 or SB 1040 (the Budget Reconciliation and Financing Act of 2019) authorizing the use of funds from the Maryland Trauma Physician Services Fund for provider reimbursements.~~

Amendment No. **36**

Amend the following language to the general fund appropriation:

Further provided that ~~\$20,000,000~~ \$15,000,000 of this appropriation shall be reduced contingent upon the enactment of HB 1407 or SB 1040 reducing the Medicaid Deficit Assessment reduction amount for fiscal 2020 from \$40,000,000 to ~~\$20,000,000~~ \$25,000,000. Authorization is granted to process a special fund budget amendment up to ~~\$20,000,000~~ \$15,000,000 from Hospital Assessments to support Medicaid provider reimbursements.

**Explanation:** This language adds a contingent reduction of ~~\$20.0 million~~ \$15.0 million in general funds for Medical Care Provider Reimbursements. The reduction is contingent on HB 1407 or SB 1040 (the Budget Reconciliation and Financing Act of 2019) reducing the required Medicaid Deficit Assessment reduction amount in fiscal 2020 from \$40.0 million to ~~\$20.0 million~~ \$25.0 million.

Amendment No. **37**

Add the following language to the general fund appropriation:

Further provided that \$10,000,000 of this appropriation shall be reduced contingent upon the enactment of HB 1407 or SB 1040 authorizing the use of unexpended funds from the former Maryland Health Insurance Plan Fund for Medicaid Provider Reimbursements. Authorization is granted to process a special fund budget amendment up to \$10,000,000 from these unexpended funds to support Medicaid provider reimbursements.

**Explanation:** This language adds a contingent reduction of \$10.0 million in general funds for Medical Care Provider Reimbursements. The reduction is contingent on HB 1407 or SB 1040 (the Budget Reconciliation and Financing Act of 2019) authorizing the use of unexpended funds from the former Maryland Health Insurance Plan Fund for provider reimbursements.

## M00Q01

| Reduce appropriation for the purposes indicated:   | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <del>Reduce general funds based on the availability of special funds from the Cigarette Restitution Fund.</del>   | 4,500,000    | GF               |
| 2. Delete funding for estimated additional value-based purchasing (VBP) funds for the calendar 2018 program. This funding is included in the fiscal 2020 budget as an estimate of the amount of funding required to keep managed care organizations actuarially sound after calculating VBP penalties. The calendar 2018 VBP results will not be known until the end of 2019, and deficiency appropriations can be included in the fiscal 2021 budget if they are required.  | 2,880,000    | GF               |
|  | 4,320,000    | FF               |
| 3. Delete fiscal 2020 funding for Money Follows the Person Rebalancing Initiatives. These initiatives can be accelerated and funded with available fiscal 2019 funding.  | 5,307,500    | GF               |
|  | 3,282,500    | FF               |
| 4. Reduce funding for health homes based on enrollment expectations. The reduction still allows for average monthly enrollment growth of 17% over fiscal 2019 year to date and expenditure growth more than double the most recent actual.   | 1,809,705    | GF               |
|  | 1,809,705    | FF               |
| 5. Reduce funding for nonemergency transportation grants due to an expectation of savings from changing the service delivery model for the program. A recent consultant report noted that Maryland's administration of nonemergency transportation services is counter to that in most other States. The report recommended that the State carve the services into the managed care organization capitated rates, implement a statewide broker contract, or develop a claims-based system if the first two options are not considered. Any of these proposals should generate savings. | 500,000      | GF               |
|  | 500,000      | FF               |
| Total Reductions   | 24,909,410   |                  |
|  | 20,409,410   |                  |

## M00Q01

| <u>Effect</u>      | <u>Allowance</u>     | <u>Appropriation</u>                                    | <u>Amount<br/>Reduction</u>                       | <u>Position<br/>Reduction</u> |
|--------------------|----------------------|---|---|-------------------------------|
| General Fund       | 2,983,861,955        | <del>2,968,864,750</del><br>2,973,364,750               | <del>14,997,205</del><br>10,497,205               |                               |
| Special Fund       | 844,311,045          | 844,311,045   | 0   |                               |
| Federal Fund       | 5,622,348,175        | 5,612,435,970   | 9,912,205   |                               |
| <b>Total Funds</b> | <b>9,450,521,175</b> | <b><del>9,425,611,765</del></b><br><b>9,430,111,765</b> | <b><del>24,909,410</del></b><br><b>20,409,410</b> |                               |

Amendment No.

**38**

Strike the following language:

~~, provided that authorization is hereby provided to process a special fund budget amendment of up to \$4,500,000 from the Cigarette Restitution Fund to support Medicaid provider reimbursements.~~

~~**Explanation:** The language authorizes the transfer of up to \$4.5 million from the Cigarette Restitution Fund to support Medicaid reimbursements. This transfer is related to a reduction of a like amount of special funds for nonpublic schools.~~

Amendment No.

**39**

## M00Q01

### Committee Narrative

**Managed Care Rate-setting Outlier Adjustment:** The current managed care rate-setting outlier adjustment excludes costs in excess of 102% of the statewide average from base rate development with the intent of removing excess costs of inefficient managed care organizations from future rates. A recent consultant review of the rate-setting system noted that there are different tools that could be used to exclude outlier payments. The committees request that the Maryland Department of Health (MDH) ask its rate-setting contractor to explore the recommendations made by the consultant review and assess whether a different outlier methodology should be used and, if so, use that methodology in the calendar 2020 rate-setting cycle.

| Information Request                          | Author | Due Date     |
|--|--------|--------------|
| Managed care rate-setting outlier adjustment | MDH    | July 1, 2019 |

**Home- and Community-based Services Provider Rates:** Chapter 798 of 2018 requested that the Maryland Department of Health (MDH) review the adequacy of rates for a variety of home- and community-based services, specifically comparing the reimbursement rate to the actual cost of delivering those services. The study identified 20 distinct services (and subsets within those services). In all but one case, rates were considered below that required to cover costs. According to MDH, it is estimated that it would have cost \$214.7 million (\$99.7 million in general funds and \$115.0 million in federal funds) to raise rates to meet costs in fiscal 2018. The committees are concerned about rates for these home- and community-based services and request MDH to develop a five-year plan to bring these rates in-line with the cost of delivering services.

| Information Request                               | Author | Due Date        |
|---|--------|-----------------|
| Home- and community-based services provider rates | MDH    | October 1, 2019 |

**Linking Medicaid Recipients to Voluntary Workforce Training Opportunities:** Some states have programs that establish linkages between the Medicaid program and workforce training opportunities. These linkages are not imposed as a condition of Medicaid eligibility but rather are voluntary programs intended to provide Medicaid enrollees more direct access to workforce training in order to reduce reliance on Medicaid and other social programs. The committees are interested in the development of a workforce training program targeted at, and tailored to, Medicaid enrollees. The committees request that the Maryland Department of Health (MDH), in consultation with the Department of Labor, Licensing, and Regulation, submits a report that:

## M00Q01

- provides information on the success and problems encountered in programs from other states that link Medicaid enrollees to workforce development opportunities;
- identifies existing workforce training opportunities in Maryland and how they might serve Medicaid enrollees;
- identifies barriers to utilization of those programs by Medicaid enrollees; and
- includes recommendations to improve linkages between Medicaid enrollees and workforce training in the state.

| Information Request   | Author | Due Date        |
|---|--------|-----------------|
| Linking Medicaid recipients to voluntary workforce training opportunities | MDH    | October 1, 2019 |

***Nonemergency Transportation Grants:*** *The nonemergency transportation benefit in Medicaid provides transportation services for Medicaid enrollees without access to other means of transportation to get to medically necessary appointments. Grants are provided to local health departments, except in Montgomery County, with which the Maryland Department of Health (MDH) has a separate interagency agreement. Local health departments are responsible for screening requests to ensure recipient eligibility and transportation necessity as well as negotiating rates with local transportation providers. The committees are interested in receiving additional information regarding the program, including per capita spending per jurisdiction; the total number of trips paid for by jurisdiction and the average cost per trip; the number of trips requested but not authorized by jurisdiction; and the extent to which the department, in its subsequent review of funding awarded to local jurisdictions, claims-back improper payments. The information should be provided for the most recently completed three fiscal years.*

| Information Request                | Author | Due Date        |
|------------------------------------|--------|-----------------|
| Nonemergency transportation grants | MDH    | October 1, 2019 |

## M00Q01

### Budget Amendments

#### M00Q01.09 Office of Eligibility Services

| Reduce appropriation for the purposes indicated:  | <u>Funds</u>             | <u>Positions</u> |
|---|--------------------------|------------------|
| 1. Delete 5 long-term vacant positions (015776, 016240, 025301, 023534, and 023901). All of the positions have been vacant for over one year. | 162,153 GF<br>222,253 FF | 5.00             |
| Total Reductions  | 384,406                  | 5.00             |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position           | 170.60            | 165.60               |                         | 5.00                      |
| General Fund       | 5,281,470         | 5,119,317            | 162,153                 |                           |
| Federal Fund       | 8,119,541         | 7,897,288            | 222,253                 |                           |
| <b>Total Funds</b> | <b>13,401,011</b> | <b>13,016,605</b>    | <b>384,406</b>          |                           |

### MEDICAL CARE PROGRAMS ADMINISTRATION

#### M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for State Medicaid Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted or canceled.

**Explanation:** This language restricts the entire appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for State Medicaid Fund Recipients or M00L01.02 Community Services.



**M00R**  
**Health Regulatory Commissions**  
**Maryland Department of Health**

**Budget Amendments**

**HEALTH REGULATORY COMMISSIONS**

**M00R01.01 Maryland Health Care Commission**

Reduce appropriation for the purposes indicated:

|   | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|---|---------------------|-------------------------|
| 1. Reduce the fiscal 2020 special fund allowance by \$8,095,519, currently budgeted as Integrated Care Network (ICN) expenditures. Funds supporting some of the ICN programs are derived with funds remaining from the Maryland Health Insurance Program. Expenditures from these funds were authorized to be expended by the Budget Reconciliation and Financing Act of 2015 through fiscal 2019. Currently, the Maryland Health Care Commission does not have the authority to spend these funds without new legislation. | 8,095,519 SF        |                         |
| Total Reductions  | 8,095,519           | 0.00                    |

| <u><b>Effect</b></u> | <u><b>Allowance</b></u> | <u><b>Appropriation</b></u> | <u><b>Amount Reduction</b></u> | <u><b>Position Reduction</b></u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position             | 53.90                   | 53.90                       |                                | 0.00                             |
| Special Fund         | 42,331,523              | 34,236,004                  | 8,095,519                      |                                  |
| <b>Total Funds</b>   | <b>42,331,523</b>       | <b>34,236,004</b>           | <b>8,095,519</b>               |                                  |

**Committee Narrative**

**M00R01.02 Health Services Cost Review Commission**

***Behavioral Health Reporting in the Maryland Primary Care Program:** The committees are interested in the behavioral health outcomes of the Maryland Primary Care Program (MDPCP). MDPCP contains incentives for primary care practices to incorporate behavioral health services into their practice, either directly or through collaborative arrangements. However, MDPCP does not include reporting requirements or performance measures for participating practices. The committees request that the Maryland Department of Health (MDH) and the Health Services Cost Review Commission (HSCRC) submit a report on the process for evaluating the behavioral health provision in primary care practices and the impact that*

## **M00R**

*MDPCP has on Medicare and dually eligible Medicaid and Medicare enrollees with behavioral health needs, including those with serious mental illnesses.*

| <b><i>Information Request</i></b>                                | <b><i>Authors</i></b> | <b><i>Due Date</i></b>   |
|--|-----------------------|--------------------------|
| <i>MDPCP impact and evaluation of behavioral health services</i> | <i>MDH<br/>HSCRC</i>  | <i>September 1, 2019</i> |

***Funding Plan for the Maryland Primary Care Program:*** *The committees are interested in the funding mechanisms of the Maryland Primary Care Program (MDPCP). While the incentives for providers who participate in MDPCP are funded through Medicare, the program is also expecting ongoing State support for a variety of technical and training purposes. MDPCP is an eight-year program expected to be operational through calendar 2026. The committees request that the Maryland Health Care Commission (MHCC) and the Health Services Cost Review Commission (HSCRC) submit a report on the projected operating expenses for the MDPCP and the funding sources that will be used to support the program beginning in fiscal 2020.*

| <b><i>Information Request</i></b>                                | <b><i>Authors</i></b> | <b><i>Due Date</i></b>   |
|--|-----------------------|--------------------------|
| <i>MDPCP impact and evaluation of behavioral health services</i> | <i>MHCC<br/>HSCRC</i> | <i>September 1, 2019</i> |

**N00A01**  
**Office of the Secretary**  
**Department of Human Services**

**Committee Narrative**

**OFFICE OF THE SECRETARY**

**N00A01.01 Office of the Secretary**

**Agency Staffing and Compensation:** The committees are interested in staffing and compensation levels in the Department of Human Services (DHS), specifically the effect that staffing levels have on staff caseload and quality of services in the Social Services Administration, the Child Support Administration, and the Family Investment Administration. DHS should submit a report to the committees that provides a comparison between the salaries for licensed social workers and similar case management positions offered by human services agencies in Delaware, Pennsylvania, Virginia, and Washington, DC with the salaries offered by DHS. The report should also include a comparison of salaries for other social worker and case management positions available in Maryland. DHS should submit the report to the committees by October 1, 2019.

| <b>Information Request</b>       | <b>Author</b> | <b>Due Date</b> |
|----------------------------------|---------------|-----------------|
| Staffing and compensation report | DHS           | October 1, 2019 |

**Budget Amendments**

**N00A01.04 Maryland Legal Services Program**

Add the following language to the general fund appropriation:

, provided that \$13,160,125 of this appropriation made for the purpose of the Maryland Legal Services Program may be expended only for that purpose. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** The language restricts the general fund appropriation of the Maryland Legal Services Program (MLSP) to that purpose and if it is not needed for that purpose requires that the funds revert to the General Fund. During the fiscal 2013 closeout process, the Department of Human Services recorded an unprovided for payable in the MLSP. That was the second consecutive year an unprovided for payable was recorded and the fourth since fiscal 2007. Given the important functions of the MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last five fiscal years.

**N00B**  
**Social Services Administration**  
**Department of Human Services**

**Budget Amendments**

**SOCIAL SERVICES ADMINISTRATION**

**N00B00.04    General Administration – State**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administrative expenses in the General Administration – State program may not be expended until the Department of Human Services submits a report to the budget committees on:

- (1)    the evidence-based practices implemented under the Title IV-E Waiver that will continue after the end of the waiver;
- (2)    the evidence-based practices implemented under the Title IV-E Waiver that will expand to additional jurisdictions;
- (3)    any new evidence-based practices that are being implemented in fiscal 2020 or will be implemented in fiscal 2021;
- (4)    the source(s) of funding that will be used to continue or implement the evidence-based practices, including whether the practices will be eligible for Title IV-E funds as a result of the Family First Prevention Services Act (FFPSA); and
- (5)    any other budgetary impact for fiscal 2020 or 2021, including either the availability of additional federal fund reimbursement or additional general fund need, due to implementation of FFPSA provisions, particularly those related to the limitations on placements at residential child care institutions.

The report shall be submitted by December 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The State has operated with a Title IV-E Waiver since July 1, 2015, which allowed the Department of Human Services (DHS) and local departments of social services to implement evidence-based practices and other strategies to reduce entry and reentry into care and improve permanency and safety of youth. The waiver ends on September 30, 2019. Beginning October 1, 2019, under the FFPSA, states will be able to claim federal Title IV-E funds for certain prevention services that are evidence based. At this time, DHS is in the process of determining which practices will continue, and the U.S. Department of Health and Human

## N00B

Services is in the process of identifying which practices will be eligible for reimbursement. This language requires DHS to identify which practices will continue and/or be expanded at the end of the waiver and how these practices will be funded. Specifically, the language requests the department to identify if any of the evidence-based practices that will continue, be expanded, or be implemented will be eligible for funding as authorized in the FFPSA. The language also requires that DHS report on any other budgetary impact of the implementation of FFPSA provisions, including those related to limitations on placements at residential child care institutions.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Report on continuation or expansion of evidence-based practices | DHS    | December 1, 2019 |

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administrative expenses in the General Administration – State program may not be expended until the Department of Human Services submits a report to the budget committees detailing for each month of the period October 2018 through November 2019 and separately by type of hospital, the number of youth in out-of-home placements served in hospitals; the average hospital length of stay for youth in out-of-home placements; and the number of days that these youth were in the hospital longer than was deemed medically necessary by either the hospital or a judicial finding. The report shall include information for all youth in the care of the department, regardless of whether the youth entered out-of-home care while in the hospital or prior to entering the hospital. The report shall be submitted by January 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** In an effort to monitor whether youth in out-of-home placements were remaining in hospitals beyond the length of time that was deemed medically necessary as a result of delays in placements, this language requires the Department of Human Services (DHS) to provide an update on the number of youth in out-of-home placements in hospitals, the average length of hospital stay for these youth, and the number of days that these youth stayed in the hospital longer than was deemed necessary from a report provided in fiscal 2019 so that the General Assembly can continue to monitor progress in this area.

| Information Request   | Author | Due Date        |
|---|--------|-----------------|
| Report on hospital stays by youth in out-of-home placements | DHS    | January 1, 2020 |

## N00B

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administrative expenses in the General Administration – State program in the Department of Human Services (DHS) may not be expended until DHS submits a report to the budget committees detailing the number of accounts/trusts opened on behalf of youth as a result of the implementation of Chapters 815 and 816 of 2018 by jurisdiction and month (through October 2019), the average amount conserved in each account by age group specified in the chapters, and the total amount conserved in these accounts by age group specified in the chapters. The report shall be submitted by December 15, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** Chapters 815 and 816 reduced the amount of federal benefits received on behalf of youth in foster care that the department could use to support the cost of foster care beginning at age 14. The amounts not used for the cost of care were to be conserved. Although the department began conserving funds as required, little information was available on the number of youth that will benefit from these accounts because the chapters became effective October 1, 2018. This language restricts funds until a report is submitted providing additional information on the number of accounts opened and the amount of funds being conserved on behalf of youth.

| Information Request  | Author | Due Date          |
|--|--------|-------------------|
| Report on accounts/trusts opened as a result of Chapters 815 and 816 | DHS    | December 15, 2019 |

### Committee Narrative

**Development of a New Foster Care Rate Structure:** The fiscal 2020 allowance of the Department of Human Services (DHS) Social Services Administration includes funding to support an agreement for the development of a new foster care rate structure. DHS is working with the University of Maryland School of Social Work Institute for Innovation and Implementation and the Hilltop Institute at the University of Maryland Baltimore County on this project. DHS anticipates that the report will be completed in December 2019 with a plan to begin using this structure for fiscal 2021. The committees are interested in understanding this new rate structure and how it will impact foster care rates and federal financial participation. The committees request that the department submit a copy of the report describing the new rate structure.

## N00B

| Information Request                              | Author | Due Date                                  |
|--|--------|---|
| Report on planned new foster care rate structure | DHS    | With submission of the fiscal 2021 budget |

**Review of Foster Care Board Rate and Differential Board Rate:** The committees continue to be concerned about the difference in the foster care board rate in Maryland compared to that offered by the Child and Family Services Agency in Washington, DC, particularly in jurisdictions bordering Washington, DC. The committees request the department to submit a report on:

- how it develops the differential board rate paid in jurisdictions bordering Washington, DC, including a consideration of the rate in Washington, DC;
- how it determines in which jurisdictions the differential rate applies;
- a plan for increasing the differential board rate to a level more comparable to that offered by Washington, DC;
- the average monthly number of youth from Washington, DC placed in Maryland for fiscal 2019 and year to date in fiscal 2020, current through September 2019; and
- the current foster care board rate and differential board rate paid by the Department of Human Services (DHS).

| Information Request                               | Author | Due Date         |
|---|--------|------------------|
| Report on the differential foster care board rate | DHS    | October 31, 2019 |

**N00F00**  
**Office of Technology for Human Services**  
**Department of Human Services**

**Committee Narrative**

**OFFICE OF TECHNOLOGY FOR HUMAN SERVICES**

**N00F00.02 Major Information Technology Development Projects**

**Maryland Total Human-services Information NetworkK Quarterly Progress Report:** The Department of Human Services (DHS) is undertaking one of the largest Information Technology Projects in the history of the State, the Maryland Total Human-services Information NetworkK (MD THINK). DHS should work with the Department of Information Technology (DoIT) to submit quarterly progress reports for the project. The reports should include the status of all applications completed or in progress of being completed, an updated timeline, planned pilot and deployment dates and locations for systems launching in the next quarter, an updated estimate of total project costs and costs for each human service system, performance benchmarks, descriptions of any defects and solutions to defects, outcome measures of consumer usage of deployed systems, and a list of outcomes that will be used to track system performance.

For the period ending June 30, 2019, a report should be submitted by August 15, 2019. For the period ending September 30, 2019, a report should be submitted by November 15, 2019. For the period ending December 30, 2019, a report should be submitted by February 15, 2020. For the period ending March 30, 2020, a report should be submitted by May 15, 2020.

| <b>Information Request</b>         | <b>Authors</b> | <b>Due Date</b>   |
|------------------------------------|----------------|---|
| MD THINK quarterly progress report | DHS<br>DoIT    | August 15, 2019<br>November 15, 2019<br>February 15, 2020<br>May 15, 2020 |



**N00G00**  
**Local Department Operations**  
**Department of Human Services**

**Budget Amendments**

**LOCAL DEPARTMENT OPERATIONS**

**N00G00.01 Foster Care Maintenance Payments**

Add the following language to the general fund appropriation:

Further provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

**Explanation:** This annual language restricts general funds appropriated for foster care payments to that use only. This restriction prevents a transfer of general funds to other programs that might create, or increase, a deficit in spending in the Foster Care Maintenance Payments program (N00G00.01).

Add the following language to the general fund appropriation:

Further provided that \$1,700,000 of this appropriation made for the purpose of the Foster Youth Savings Program may not be expended until the Department of Human Services submits a report to the budget committees on (1) financial incentives to be provided to foster youth for achieving Ready by 21 benchmarks or other benchmarks to assist in ensuring a successful transition out of foster care; (2) the number of youth expected to achieve each financial incentive; and (3) other planned uses of the fiscal 2020 funding for the program, including annual deposits into the accounts, anticipated new accounts, and administration of the program. The report shall be submitted by July 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** Language in the fiscal 2019 Budget Bill restricted funding for the Foster Youth Savings Program until the Department of Human Services (DHS) submitted a report on the planned operation of the program. In the letter authorizing the release of funds, the budget committees noted that they expected the department to propose additional incentives for the program during the 2019 session. While DHS has expressed its plan to work with The CASH (Creating Assets, Savings, and Hope) Campaign of Maryland to establish additional incentives and develop a plan for program expansion in fiscal 2020, the department has not yet developed those plans. This language restricts the funding for the program until the department submits information on the planned uses of the fiscal 2020 funding, including planned new financial incentives.

## N00G00

| Information Request  | Author | Due Date     |
|--|--------|--------------|
| Report on planned uses of the fiscal 2020 funding for the Foster Youth Savings Program | DHS    | July 1, 2019 |

### N00G00.02 Local Family Investment Program

Add the following language to the general fund appropriation:

, provided that \$950,000 of this appropriation made for the purpose of administrative expenses in the Local Family Investment Program may not be expended for that purpose but instead may be used only to provide a grant for a not-for-profit 501(c)(3) association that advocates on behalf of Community Action Agencies and partnering organizations that serve individuals and families with low incomes who reside in Maryland to support the transition of Community Action Agencies or other community organizations to a Two-Generation Model of service delivery. Support may include technical assistance, strategic planning, enhanced data management, and management of information systems. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that the Department of Human Services shall submit a report to the budget committees on the effectiveness of the grant program in supporting the community action agencies and community organizations in the transition to a Two-Generation Model and a plan to continue to fund the program or replicate the program in the future. The report shall be submitted by December 1, 2019.

**Explanation:** This language restricts funds in the Local Family Investment Program to be used for a grant to an entity to support Community Action Agencies or other community organizations as the organizations transition to a Two-Generation Model of service delivery. The language also requires the department to submit a report on the effectiveness of the program to support the organizations in the transition and a plan to continue to fund the grant program or similar efforts in the future.

| Information Request  | Author | Due Date         |
|--|--------|------------------|
| Report on program to assist organizations in transitioning to a Two-Generation Model of service delivery | DHS    | December 1, 2019 |

Amendment No.

40

## N00G00

### N00G00.03 Child Welfare Services

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall revert to the General Fund.

**Explanation:** This annual language restricts general funds appropriated for the Child Welfare Services program to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

### Committee Narrative

**Child Welfare Caseload Data:** The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS), on December 1, 2019, report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America (CWLA) caseload standards, by jurisdiction, for the following caseload types using data current within 70 days:

- intake screening;
- child protective investigation;
- consolidated in-home services;
- interagency family preservation services;
- services to families with children – intake;
- foster care;
- kinship care;
- family foster care;
- family foster homes – recruitment and new applications;

## N00G00

- family foster home – ongoing and licensing;
- adoption;
- interstate compact for the placement of children; and
- caseworker supervisors.

The committees also request that DHS discuss the specific actions taken by the department and the local departments of social services to reallocate positions to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors. The report should note how many caseworker and supervisor positions were transferred to, transferred from, or reclassified within the jurisdiction to assist in meeting the caseload standard. DHS should also provide any update on efforts by CWLA to revise or update the caseworker caseload ratio standards.

| Information Request   | Author | Due Date         |
|---|--------|------------------|
| Report on caseload data and filled positions assigned by jurisdiction for specified caseload types and how shortfalls are addressed | DHS    | December 1, 2019 |

### N00G00.04 Adult Services

**Salaries for Adult Services:** In fiscal 2017, the Department of Human Services (DHS) abolished 40 regular positions. The savings from those abolitions were used to provide salary increases for child welfare services caseworkers to ensure that all caseworkers were at least at a minimum step level. While this addressed pay inequities among child welfare staff, the committees are concerned that this created new inequities between child welfare and adult services caseworkers. It is the intent of the committees that DHS provide a similar increase in salaries for adult services caseworkers to ensure that these caseworkers are at least a Step 9 in the salary schedule. The committees also request that DHS submit a report discussing actions taken or planned to increase adult services caseworker salaries and address pay inequities between child welfare and adult services caseworker staff.

| Information Request                                | Author | Due Date        |
|--|--------|-----------------|
| Report on plans to address adult services salaries | DHS    | October 1, 2019 |

## N00G00

### N00G00.08 Assistance Payments

**Temporary Cash Assistance Closures Due to Work Sanctions:** The committees are interested in better understanding the impact of case closures due to work sanctions in the Temporary Cash Assistance (TCA) program. The committees request that the Department of Human Services (DHS) submit a report detailing:

- the number of case closures by fiscal year due to work sanctions for fiscal 2014 to 2019 *and by jurisdiction*, specifying whether the sanctions were the first, second, third, or more than third sanction;
- the number of cases in which the individual returned to TCA after coming into compliance with the work requirements by year for fiscal 2014 to 2019 *and by jurisdiction*;
- the reasons that individuals' cases are most commonly closed due to work sanctions *including any differences by jurisdictions*;
- the efforts of the local department staff to work with the individual to maintain compliance with work requirements or to return the individual to benefits after a work sanction is issued *including any differences by jurisdiction*; and
- the activities and hours required of work activity for individuals to return to benefits after receiving a work sanction *including any differences by jurisdiction*.

| Information Request                  | Author | Due Date          |
|--------------------------------------|--------|-------------------|
| Information on work sanctions in TCA | DHS    | December 31, 2019 |

**N00H00**  
**Child Support Administration**  
**Department of Human Services**

**Committee Narrative**

**CHILD SUPPORT ADMINISTRATION**

**N00H00.08    Child Support – State**

**Performance Measures Related to Temporary Cash Assistance-related Child Support Cases:** Effective July 1, 2019, the Department of Human Services (DHS) will begin passing through a portion of the child support payments collected on behalf of Temporary Cash Assistance (TCA) recipients. The committees request that DHS include in its fiscal 2021 Managing for Results submission the average monthly collections for TCA-related cases, the number of families that received passed through collections, the number of children that received passed through collections, the total collections on arrears for TCA-related cases, and the percent of TCA-related cases with a support order.

| <b>Information Request</b>                               | <b>Author</b> | <b>Due Date</b>                                  |
|--|---------------|--|
| Performance measures for TCA-related child support cases | DHS           | With the submission of the fiscal 2021 allowance |

**N00I00**  
**Family Investment Administration**  
**Department of Human Services**

**Budget Amendments**

**FAMILY INVESTMENT ADMINISTRATION**

**N00I00.04     Director's Office**

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of administration in the Director's Office in the Family Investment Administration may not be expended until the Department of Human Services (DHS) submits a report including:

- (1) information on the number and share of Temporary Disability Assistance Program long-term disability recipients case closures by reason for fiscal 2019 and 2020 (current within 60 days of submission);
- (2) information on how DHS and local departments of social services staff work with recipients and applicants prior to case closure due to failure to give information to establish eligibility or noncooperation with eligibility process; and
- (3) information on the number of individuals assisted by the Disability Benefits Advocacy vendor who received Supplemental Security Income benefits in fiscal 2018 and 2019.

The report shall be submitted by December 31, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** During fiscal 2018, the share of case closures due to failure to provide information necessary to establish eligibility or noncooperation with the eligibility process increased by 60% (from 13.1% to 21%). The department indicates that this resulted from program integrity efforts. This language restricts funds until DHS submits updated information on case closures to allow the General Assembly to continue to monitor this issue. The language also requires information on how DHS works with customers prior to closing cases for these reasons and information on individuals receiving Supplemental Security Income benefits.

| <b>Information Request</b>                                      | <b>Author</b> | <b>Due Date</b>   |
|---|---------------|-------------------|
| Report on Temporary Disability Assistance Program case closures | DHS           | December 31, 2019 |

## N00I00

### Committee Narrative

**Outcome Data for Recipients of the Transitional Benefit:** The committees are interested in understanding the impact of the provision of a transitional benefit on returns to Temporary Cash Assistance, employment, and earnings. The committees request that the Department of Human Services and the University of Maryland School of Social Work track and report outcomes for these recipients as the information becomes available through the annual Life After Welfare update.

**Performance Data for the Food Supplement Employment and Training Program:** The committees continue to be interested in the participation in and performance of the Food Supplement Employment and Training (FSET) program, particularly with the planned changes to the waiver rules related to able-bodied adults without dependents (ABAWD). The committees request that the Department of Human Services (DHS) report on:

- current program offerings, including those by third-party partners, and, if available, participation by third-party partners for fiscal 2019;
- efforts to increase participation, particularly for ABAWD participants in jurisdictions without waivers;
- performance in the national performance measures for the fourth quarter after completing an employment and training program, including both the total population and the ABAWD population for federal fiscal 2017;
- performance in each of the national performance measures, including both the total population and the ABAWD population for federal fiscal 2018; and
- performance in the State option measures identified in the State plan for program components serving 100 or more individuals, including both the total population and ABAWD population for federal fiscal 2019.

| Information Request                          | Author | Due Date          |
|--|--------|-------------------|
| Report on FSET participation and performance | DHS    | December 30, 2019 |

**Impact of Proposed Changes to Benefits for Able-bodied Adults without Dependents:** The U.S. Department of Agriculture has issued proposed changes to regulations regarding the implementation of waivers for the time-limited benefits for able-bodied adults without dependents (ABAWD) recipients of the Food Supplement Program (FSP). The proposed



## N00I00

changes, which are expected to go into effect on October 1, 2019, would limit the ability of states to request waivers under certain conditions. The Department of Human Services (DHS) anticipates that only 2 of the 13 jurisdictions that currently have a waiver would still qualify under the proposed changes. The committees are concerned about the impact on ABAWD recipients of the proposed changes and are interested in understanding the number of individuals impacted by any changes in these rules. The committees request that DHS submit a report detailing:

- the jurisdictions that continue to qualify for waivers of the ABAWD rules following the publication of the final rule and whether DHS intends to request waivers for these jurisdictions;
- the jurisdictions newly impacted by the ABAWD rules following the publication of the final rule;
- the number of ABAWD recipients in the jurisdictions impacted by the ABAWD rules provided separately by jurisdiction and month for fiscal 2019 and 2020 (through November 2019);
- the number of ABAWD recipients continuing to meet eligibility rules by working or participating in an employment and training program for an average of 20 hours per week provided separately by jurisdiction and month for October and November 2019;
- the number of ABAWD recipients that were determined ineligible for benefits due to ABAWD requirements provided separately by jurisdiction for each month of fiscal 2019 and 2020 (through November 2019);
- the number of ABAWD recipients impacted by the change in available exemptions from 15% to 12% and the change in calculation of carryover exemptions included in the final rule; and
- the average length for receipt of FSP benefits (for all recipients and ABAWD recipients) in fiscal 2019.

| Information Request                    | Author | Due Date          |
|--|--------|-------------------|
| Information on ABAWD recipients of FSP | DHS    | December 31, 2019 |

## N00I00

### Budget Amendments

#### N00I00.06 Office of Home Energy Programs

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administrative expenses in the Office of Home Energy Programs may not be expended until the Department of Human Services (DHS), in coordination with the Public Service Commission, Office of People's Counsel, and other stakeholders, submits a report to the budget committees on the amount of additional funding that would be required to increase program participation to 50%, 75%, or 100% of the eligible population while providing Electric Universal Service Program benefits at the same levels. The report should include information (to the extent possible) on the impact on the ratepayer surcharge for residential and commercial customers to reach these participation levels. DHS should work with the Maryland Energy Administration to determine the estimated amount of available Strategic Energy Investment Funds for energy assistance when making this determination. The report shall be submitted by December 15, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

**Explanation:** In fiscal 2020, funding available to the Electric Universal Service Program (EUSP) is expected to significantly decrease compared to fiscal 2019. In addition, a report released on behalf of the Office of People's Counsel (OPC) in November 2018 highlighted the program's relatively low participation rates, under 30% in fiscal 2017. To the extent that DHS seeks to increase program participation, it may not have sufficient funding to provide benefits at an adequate level. This language withholds funds until DHS submits a report on the amount of additional funding that would be necessary to increase program participation, including a discussion of the impact on the EUSP ratepayer surcharge paid by residential and commercial customers. The report is to be coordinated with appropriate stakeholders, the Public Service Commission, and OPC and with the Maryland Energy Administration to determine the anticipated level of available Strategic Energy Investment Funds for the program.

| Information Request   | Author | Due Date          |
|---|--------|-------------------|
| Report on additional funding that would be needed to increase program participation | DHS    | December 15, 2019 |

## N00I00

Reduce appropriation for the purposes indicated:

|   | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce Electric Universal Service Program funds to a level in line with the statutory authorization. The fiscal 2020 allowance includes funds that the Department of Human Services indicates are from fiscal 2018 excess ratepayer collections. Section 7-512.1 of the Public Utilities Article authorizes the collection of \$37 million from commercial and industrial ratepayers for the program. Unexpended funds are to be returned to ratepayers. Chapter 777 of 2017 created an exception to allow spending of excess collections from fiscal 2010 through 2017 only. The Public Service Commission is in the process of determining how to return the excess collections from fiscal 2018. This action leaves a portion of the funding above \$37 million for use in fiscal 2020. These funds are left in recognition of the fiscal 2019 budget underfunding the authorized level of collections. As a result, some portion of the fiscal 2019 collections is available as carryover for fiscal 2020. | 6,206,999 SF |                  |

|                  |           |      |
|------------------|-----------|------|
| Total Reductions | 6,206,999 | 0.00 |
|------------------|-----------|------|

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position           | 15.87              | 15.87                |                         | 0.00                      |
| Special Fund       | 63,447,427         | 57,240,428           | 6,206,999               |                           |
| Federal Fund       | 69,698,630         | 69,698,630           | 0                       |                           |
| <b>Total Funds</b> | <b>133,146,057</b> | <b>126,939,058</b>   | <b>6,206,999</b>        |                           |

### Committee Narrative

**Energy Assistance Application Processing Times:** The committees are interested in continuing to monitor the progress of local administering agencies (LAA) at the Office of Home Energy Programs in improving energy assistance application processing timeliness. The committees request that the Department of Human Services (DHS) provide by LAAs the number of applications received; the average number of days to process applications; the number and percent of applications processed within 30 days, 55 days, and longer than 60 days; and the date of the data. The data should be current through November 1, 2019, for the report due December 30 and current through May 1, 2020, for the report due June 30.

## **N00I00**

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>   |
|------------------------------|---------------|-------------------|
| Application processing times | DHS           | December 30, 2019 |
| Application processing times | DHS           | June 30, 2020     |

### **N00I00.07 Office of Grants Management**

***Review of Grants Provided through the Meal Delivery to HIV/AIDS Patients Program:*** *The committees are interested in understanding the level of services provided through the Meal Delivery to Individuals with HIV/AIDS Patients program. The committees request that the Department of Human Services (DHS) provide aggregate information on:*

- *the length of time that the grant has been provided and changes in the program offerings (including expansion of illnesses);*
- *the State funding level by year and total program cost by year;*
- *the number of individuals served separately by year and by jurisdiction;*
- *the number of meals provided separately by year and by jurisdiction;*
- *the number of nutritional counseling sessions provided separately by year and by jurisdiction;*
- *the size of any waitlist for services or the number of individuals denied service due to a lack of funds by jurisdiction; and*
- *the cost of increasing the grant to ensure that all individuals on the waitlist or who have been denied service due to a lack of funds can receive services.*

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b>          |
|--|---------------|--------------------------|
| <i>Review of grants provided through Meal Delivery to Individuals with HIV/AIDS Patients program</i> | <i>DHS</i>    | <i>September 1, 2019</i> |

**P00**  
**Department of Labor, Licensing, and Regulation**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**P00A01.01 Executive Direction**

Strike the following language:

~~, provided that \$500,000 of this appropriation made for the purpose of the Employment Advancement Right Now Opportunity Zone expansion may not be expended for that purpose but instead may be used only for the purpose of providing a grant to the Baltimore YouthWorks program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

~~**Explanation:** This action restricts grant funding to support the Employment Advancement Right Now Opportunity Zone expansion and redirects it to the YouthWorks program housed in the Baltimore Mayor's Office of Employment Development.~~

Amendment No.

**41**

Add the following language to the general fund appropriation:

*, provided that \$2,500,000 of this appropriation made for the purpose of the Employment Advancement Right Now Opportunity Zone expansion may not be expended for that purpose but instead may be used only for the purpose of providing (1) a \$1,000,000 grant to the Baltimore YouthWorks program; (2) \$500,000 for the Anne Arundel County Workforce Development Corporation YouthWorks program; (3) \$500,000 for the Prince George's County Workforce Development Board; (4) \$300,000 to implement Adult High School Programs in opportunity zones; and (5) \$200,000 for the Hagerstown Community College ACT WorkKeys program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.*

**Explanation:** This action restricts grant funding for the Employment Advancement Right Now Opportunity Zone expansion and redirects it to the YouthWorks programs housed in the Baltimore Mayor's Office of Employment Development and Anne Arundel County Workforce Development Corporation, Prince George's County Workforce Development Board, adult high school programs in opportunity zones, and Hagerstown Community College ACT WorkKeys program.

Amendment No.

**42**

## P00

Add the following language:

Further provided that \$250,000 of this appropriation made for the purpose of Executive Direction may not be expended until the Department of Labor, Licensing, and Regulation submits a report to the budget committees on the implementation of Chapter 782 of 2017 and specifically (1) a list of capital projects that met the standards for this statute in fiscal 2018; (2) the number of registered apprentices that worked on those capital projects; and (3) the number of contractors or subcontractors that worked on those capital projects that paid into the Maryland Apprenticeship Training Fund in fiscal 2018.

This report shall be submitted by October 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** The language restricts \$250,000 pending the receipt of a report on the capital projects outlined in the POWER Apprenticeship Act (Chapter 782 of 2017), the number of apprentices that worked on these projects, the contractors or subcontractors on those projects, and contributions to the Maryland Apprenticeship Training Fund.

| <b>Information Request</b>                                 | <b>Author</b>                                     | <b>Due Date</b> |
|--|---|-----------------|
| Report on projects affected by<br>POWER Apprenticeship Act | Department of Labor,<br>Licensing, and Regulation | October 1, 2019 |

Amendment No.

43

## P00

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>   | <u>Positions</u> |
|--|----------------|------------------|
| 1. <del>Delete additional Employment Advancement Right</del><br><del>Now funding to be used for the Maryland opportunity</del><br><del>zone expansion program.</del> | 2,500,000      | GF               |
| Total Reductions   | 2,500,000<br>0 |                  |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                              | <u>Amount<br/>Reduction</u>             | <u>Position<br/>Reduction</u> |
|--------------------|-------------------|---|---|-------------------------------|
| Position           | 24.00             | 24.00   |   | 0.00                          |
| General Fund       | 14,544,405        | <del>12,044,405</del><br>14,544,405               | 2,500,000<br>0                          |                               |
| Special Fund       | 2,078,951         | 2,078,951   | 0                                       |                               |
| Federal Fund       | 2,821,960         | 2,821,960   | 0                                       |                               |
| <b>Total Funds</b> | <b>19,445,316</b> | <del><b>16,945,316</b></del><br><b>19,445,316</b> | <del><b>2,500,000</b></del><br><b>0</b> |                               |

Amendment No.

44

## DIVISION OF RACING

### P00E01.06 Share of Video Lottery Terminal Revenue for Local Impact Grants

Add the following language to the special fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of local impact grants to the South Baltimore Gateway Community Impact District Management Authority may not be expended until the organization submits a report to the budget committees describing how they are using the impact aid and how they are partnering with neighborhoods to enhance community safety and to improve other public services, including expanding educational opportunities for youth in the impact area, as provided for in State Government Article Section 9-1A-31(b)(3).

This report shall be submitted by October 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

## P00

**Explanation:** The language restricts \$500,000 from the South Baltimore Gateway Community Impact District Management Authority pending receipt of a report on the use of the local impact aid received and the partnerships with neighborhood to enhance safety and expand education as outlined in the statute for local impact aid use.

| <b>Information Request</b>        | <b>Author</b>  | <b>Due Date</b> |
|-----------------------------------|--|-----------------|
| Report on use of local Impact aid | South Baltimore Gateway Community Impact District Management Authority | October 1, 2019 |

Amendment No.

45

### DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

#### P00F01.01 Occupational and Professional Licensing

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>            | <u>Positions</u> |
|--|-------------------------|------------------|
| 1. Delete <del>2.5</del> 1.5 vacant positions (033048, <del>084423</del> , and 088004).  | 57,272 GF               | <del>2.50</del>  |
|  | <del>106,956</del> SF   | 1.50             |
|  | 42,032 SF               |                  |
| 2. Delete funding for the Electronic Licensing Modernization Information Technology project for fiscal 2020 based on project schedule. | <del>2,000,000</del> SF |                  |
|  | 1,999,999 SF            |                  |
| Total Reductions   | <del>2,164,228</del>    | <del>2.50</del>  |
|  | 2,099,303               | 1.50             |



**P00**

| <b><u>Effect</u></b> | <b><u>Allowance</u></b> | <b><u>Appropriation</u></b>               | <b><u>Amount<br/>Reduction</u></b>        | <b><u>Position<br/>Reduction</u></b> |
|----------------------|-------------------------|---|---|--------------------------------------|
| Position             | 68.50                   | <del>66.00</del><br>67.00                 |   | <del>2.50</del><br>1.50              |
| General Fund         | 325,455                 | 268,183                                   | 57,272                                    |                                      |
| Special Fund         | 11,048,789              | <del>8,941,833</del><br>9,006,758         | <del>2,106,956</del><br>2,042,031         |                                      |
| <b>Total Funds</b>   | <b>11,374,244</b>       | <b><del>9,210,016</del><br/>9,274,941</b> | <b><del>2,164,228</del><br/>2,099,303</b> |                                      |

Amendment No.

**46**

**Committee Narrative**

***Report on Apprenticeships for Professional Licensing in Maryland:*** *The committees request a report on the professional licenses issued by the State that can be obtained by completing a registered apprenticeship program rather than earning a non-apprentice education or training credential. The report should include each professional license issued, the requirements for licensure, and if apprenticeships are a path to licensure either directly in Maryland or by reciprocity with other states.*

| <b><i>Information Request</i></b>                           | <b><i>Authors</i></b>   | <b><i>Due Date</i></b> |
|---|---|------------------------|
| <i>Report on apprenticeships for professional licensing</i> | <i>Department of Labor,<br/>Licensing, and Regulation;<br/>Department of Health;<br/>Department of State Police</i> | <i>October 1, 2019</i> |

**Q00**  
**Department of Public Safety and Correctional Services**

**Budget Amendments**

Strike the following language:

~~Provided that \$7,000,000 of this appropriation made for the purpose of Comptroller Object 01 Salaries and Wages may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

**Explanation:** ~~The Department of Public Safety and Correctional Services had substantial salary savings in recent fiscal years due to high levels of vacancies in its correctional officer complement. The department has stated that it will use salary savings to cover shortfalls in other areas of its budget. Spending the funds in this manner, without requesting deficiency appropriations, does not provide the same level of transparency to the budget committees regarding these transactions. This language ensures that \$7 million in additional salary savings are spent for that purpose only, and necessary spending on additional overtime expenses will not be affected or precluded in any way. Finally, this language ensures that necessary spending is requested through either a supplemental budget or the deficiency appropriation process.~~

Amendment No.

**47**

**Committee Narrative**

**Justice Reinvestment Act (JRA) Report:** The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2019, on the following items:

- annual updates on the number of offenders petitioning and approved for new JRA provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation, graduated sanctions, and the number of offenders affected by new diminution and earned compliance credit rules;
- annual JRA cost savings updates along with any efforts/initiatives to increase savings; and
- an update on why the department is unable to isolate the JRA's effect on earned compliance credits and associated cost savings and efforts to obtain this data.

## Q00

| Information Request | Author | Due Date         |
|---------------------|--------|------------------|
| JRA report          | DPSCS  | December 1, 2019 |

**Inmate Medical Hepatitis C (HCV) Report:** The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by November 15, 2019, on the following items:

- a continued annual report on the number of inmates screened and treated for HCV, the number cured, and the number of inmates who have opted out of HCV screening;
- an update on the possibility of offering mandatory HCV screening and any impact that it may have on costs and/or personnel needs;
- the specific cost of treatment per inmate, separated by medication costs and laboratory, administrative, and other treatment costs; and
- continued information on inmate relapse/reinfection tracking and HCV post-release treatment options for offenders.

| Information Request       | Author | Due Date          |
|---------------------------|--------|-------------------|
| Inmate medical HCV report | DPSCS  | November 15, 2019 |

**Position Abolishments and Reclassifications Report:** *The budget committees are concerned that there is not enough recent information about substantial position changes in the Department of Public Safety and Correctional Services (DPSCS) correctional officer (CO) complement and the effect that these changes are currently having on operations. DPSCS shall submit a report to the committees by October 1, 2019, on the following items:*

- *all fiscal 2019 and 2020 abolishments, reclassifications, and transfers including the position titles, what facility or division they came from and what agency or division they are being transferred or reclassified into, along with the effect these position changes are having on operations; and*
- *a briefing on the impact of the fiscal 2019 and 2020 changes in CO compensation and the department's expectations regarding those changes on CO retention and recruitment.*

**Q00**

| <b><i>Information Request</i></b>                         | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|---|----------------------|------------------------|
| <i>Position abolishments and reclassifications report</i> | <i>DPSCS</i>         | <i>October 1, 2019</i> |

**Q00A**  
**Office of the Secretary**  
**Department of Public Safety and Correctional Services**

**Budget Amendments**

**OFFICE OF THE SECRETARY**

**Q00A01.01 General Administration**

Strike the following language:

~~, provided that \$500,000 of this appropriation made for the purpose of general operating expenses may not be expended for that purpose but instead may be used only for the purpose of hiring an outside vendor to conduct a comprehensive staffing study of the department's administrative, corrections, and detention functions. The staffing study should include (1) the number and type of correctional officer positions needed to fully staff each of the department's correctional and detention facilities; (2) the number and type of appropriate positions needed to fully staff the administrative function; (3) recommendations for a staffing model that is adequate for the department's needs; and (4) an examination of the department's personnel software and data collection abilities in order to accurately track and isolate key data by employee and facility, including regular and mandatory drafted overtime, sick leave, and leave without pay. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

**Explanation:** ~~In the interest of improving employee retention and reducing vacancies (particularly among correctional officers (CO)), the budget committees have requested data from the department in recent fiscal years. While inmate populations decline to record levels and efforts to reduce unfilled positions increase, CO vacancies have increased over 40% since fall 2017. Key data, including mandatory drafted overtime and leave without pay data, cannot be provided due to deficiencies in the Workday system. Also, a full examination of the amount of staff needed at each facility has not been provided as the department stated that it needed assistance from the National Institute of Corrections to conduct a comprehensive study. The budget committees request that an outside vendor conduct a study to help understand and resolve current vacancy and data issues.~~

Amendment No.

**48**

**Q00B**  
**Corrections**  
**Department of Public Safety and Correctional Services**  
**DIVISION OF CORRECTION – HEADQUARTERS**

**Q00B01.01    General Administration**

Add the following language to the general fund appropriation:

, provided that \$50,000 of this appropriation made for the purpose of departmental operations may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a strategic plan regarding correctional officer (CO) hiring and overtime to the budget committees. This report shall include the following:

- (1)    the department’s plan to improve hiring, with detail on current recruitment efforts, year-to-date hiring, the CO cadet program enrollment, changes in CO polygraph testing, and any other relevant initiatives;
- (2)    the department’s plans for improving CO retention, including the number of COs who received new hire, referral, or retention bonuses from the CO bonus plan since its inception, as well as the number of CO separations and the reason they left DPSCS for the last two fiscal years; and
- (3)    any departmental efforts to enhance CO health, wellness, and safety, along with efforts to reduce overtime hours, mandatory drafted overtime, and double shifts.

The report shall be submitted by November 15, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** From fiscal 2016 to 2018, despite increases in CO hiring, DPSCS continues to have a high vacancy rate. At the same time, a variety of new changes, including CO salary increases and employee bonus programs, have been in effect. The committees wish to obtain more information from the department on these items as well as the department’s plan to increase CO hiring, reduce overtime usage, and retain current employees.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b>   |
|----------------------------|---------------|-------------------|
| CO hiring strategic plan   | DPSCS         | November 15, 2019 |

## Q00B

Add the following language to the general fund appropriation:

Further provided that \$9,700,000 of this appropriation made for the purpose of departmental operations may not be expended for this purpose but instead may be expended only for salary increases for correctional officers that will make the salaries competitive with the neighboring states of Delaware, Pennsylvania, Virginia, and West Virginia. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. Further provided that it is the intent of the General Assembly that the department allocate funds in its fiscal 2020 budget to advertise open correctional officer positions.

**Explanation:** In fiscal 2019, correctional officer (CO) vacancies in the Department of Public Safety and Correctional Services continue to rise. While there are salary enhancements for these positions in fiscal 2020, the General Assembly wishes to ensure that CO salaries are substantial enough to reduce vacancies, retain current employees and to become more competitive with surrounding states. This additional salary enhancement will place Maryland entry-level CO salaries above those of Delaware, Virginia, and West Virginia. In addition, it will align the median salary for all COs in Maryland with the median salary in Pennsylvania.

Amendment No.

49

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of the general fund appropriation within the Department of Public Safety and Correctional Services (DPSCS) made available from the high number of vacant positions funded across the department may not be expended by DPSCS but instead may be transferred only by budget amendment to program R30B25 University of Maryland Eastern Shore (UMES) to be used to further develop the process to attain the accreditation for its physician's assistant (PA) program. This funding will be directed by a steering committee and be used to oversee the creation of the administrative, curricular, and faculty development infrastructure necessary to achieve and maintain accreditation of the PA program at UMES. The steering committee will be composed of the UMES president, the University of Maryland Baltimore provost, and the Senior Vice Chancellor of Academic Affairs, University System of Maryland Office. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

## Q00B

**Explanation:** This language restricts funds available within DPSCS generated from the department's high number of funded vacant positions for the sole purpose of funding the reaccreditation of the physician's assistant program at the UMES.

Amendment No. **50**

### Budget Amendments

#### DIVISION OF CORRECTION – EAST REGION

##### Q00S02.08 Eastern Correctional Institution

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>                             | <u>Positions</u> |
|--|--|------------------|
| 1. Reduce funding for personnel expenses based on current vacancy rates. This reduction is intended to be spread across the department, and the Secretary is authorized to allocate the reduction across programs. | <del>10,000,000</del> GF<br>5,000,000 GF |                  |

|                  |                                    |
|------------------|------------------------------------|
| Total Reductions | <del>10,000,000</del><br>5,000,000 |
|------------------|------------------------------------|

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u>                                | <u>Amount Reduction</u>                          | <u>Position Reduction</u> |
|--------------------|--------------------|---|--|---------------------------|
| Position           | 855.00             | 855.00  |  | 0.00                      |
| General Fund       | 117,955,851        | <del>107,955,851</del><br>112,955,851               | <del>10,000,000</del><br>5,000,000               |                           |
| Special Fund       | 828,550            | 828,550   | 0  |                           |
| Federal Fund       | 1,401,635          | 1,401,635   | 0  |                           |
| <b>Total Funds</b> | <b>120,186,036</b> | <del><b>110,186,036</b></del><br><b>115,186,036</b> | <del><b>10,000,000</b></del><br><b>5,000,000</b> |                           |

Amendment No. **51**



**Q00C02**  
**Division of Parole and Probation**  
**Department of Public Safety and Correctional Services**

**Committee Narrative**

**DIVISION OF PAROLE AND PROBATION**

**Q00C02.01 Division of Parole and Probation – Support Services**

**Division of Parole and Probation Regional and National Caseload Report:** In recent fiscal years, the Division of Parole and Probation (DPP) has been working to reduce caseloads to a manageable level for its parole and probation agents. In fiscal 2018, caseloads per agent were 81.4 – just under the national average of 82. However, some offices have over 100 cases per agent. The budget committees request a report due by November 30, 2019, from DPP on the following:

- efforts to maintain uniform caseloads in each region that are under the national average;
- the exact breakdown of general supervision caseloads by office into DPP categories (low, moderate, high risk, administrative, and Violence Prevention Initiative (VPI)) for fiscal 2016 to 2018;
- an explanation of why VPI caseload numbers are dramatically lower than during the time of the fiscal 2016 workload and staffing study;
- an evaluation of staff realignment to move regions with surplus agents to regions that are far above the national average, as well as an evaluation of whether the relatively low Central Region Operations caseload of 64 per agent is manageable given the prevalence of violent offenders and very low agent to support staff ratios; and
- an evaluation of the agent to support staff ratios in the fiscal 2018 DPP Caseloads and Vacancies Report with the goal of determining how many support staff members are needed for each office in each region.

| <b>Information Request</b>                | <b>Author</b> | <b>Due Date</b>   |
|---|---------------|-------------------|
| DPP regional and national caseload report | DPP           | November 30, 2019 |

## Q00C02

**Division of Parole and Probation Collections and Restitution Report:** The Division of Parole and Probation (DPP) collections are labor-intensive and continue to decline in recent years. Transferring collection duties to the State's Central Collection Unit (CCU) could save money and reduce parole and probation agent workloads. The budget committees request a joint report from DPP and the Department of Budget and Management (DBM) on the collection process and continued decline in restitution fees, as well as the advantages and impediments of transferring collection authority to CCU and DPP coordination with the new Victim Services Unit. This report should be submitted to the committees by August 1, 2019.

| <b>Information Request</b>             | <b>Authors</b> | <b>Due Date</b> |
|--|----------------|-----------------|
| DPP collections and restitution report | DPP<br>DBM     | August 1, 2019  |

**New Offense and Technical Violation Information:** The Division of Parole and Probation (DPP) reports the number of new offenses committed when cases are closed for revocation. In addition, it reports the number of new intakes at its facilities each year who are classified as returned from parole. To better understand this data and why offenders are returning to prison, the budget committees request that DPP submit a report that outlines how many cases were closed in fiscal 2018 due to new offenses, how many were closed due to technical violations, and what types of offenses and violations were committed. The report should be submitted to the committees by July 1, 2019.

| <b>Information Request</b>                      | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| New offense and technical violation information | DPP           | July 1, 2019    |

**Drinking Driver Monitor Program Classification and Salary Report:** The budget committees are concerned that the career path of agents in the Drinking Driver Monitor Program (DDMP) is limited. Unlike State parole and probation agents that have an agent I, II and senior classification, the DDMP only has I and II positions. The committees would like the Department of Public Safety and Correctional Services (DPSCS) to examine the feasibility and cost of providing a DDMP senior position for the full performance level and salary of the job to mirror the system for the State's parole and probation agents.

| <b>Information Request</b>            | <b>Author</b> | <b>Due Date</b> |
|---------------------------------------|---------------|-----------------|
| DDMP classification and salary report | DPSCS         | October 1, 2019 |

## Q00C02

**Drinking Driver Monitor Program Caseload Study:** The committees are concerned that Drinking Driver Monitoring Program (DDMP) caseloads have not been subject to a study. Some Monitors have caseload totals that appear to be excessive. The committees request that the Department of Public Safety and Correctional Services (DPSCS) conduct an analysis that compares DDMP caseload ratios with comparable agencies in the country and also with those of parole and probation agents within DPSCS. Additionally, the analysis should include recommendations regarding the appropriate number of cases per DDMP agent to meet the ideal caseload ratio.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b> |
|----------------------------|---------------|-----------------|
| DDMP caseload study        | DPSCS         | October 1, 2019 |

**Q00G**  
**Police and Correctional Training Commissions**  
**Department of Public Safety and Correctional Services**

**Committee Narrative**

**Police and Correctional Training Commissions Trainee Competency Report:** All of the agency's professional competency ratings for entry-level police and correctional officer (CO) trainees are based on survey responses received from supervisors who currently oversee the trainees at their place of employment after they graduate from the academies. Because a small number of supervisors complete the surveys, a proper determination of trainee competency is difficult. Therefore, the budget committees request that the department provide additional data on trainee competency ratings by December 15, 2019. The report should include the following for the last five fiscal years:

- competency ratings for Police and Correctional Training Commissions (PCTC) graduates in each police officer and CO category;
- the total number of candidates and graduates in each mandatory entry-level police and CO class;
- a copy of the survey that was sent to supervisors for each fiscal year;
- the total number of professional competency surveys returned to the agency;
- a briefing on current efforts to improve the competency survey process;
- details on whether the department evaluates its COs for competency and how often; and
- given that CO vacancies continue to rise and employee retention remains difficult, PCTC should evaluate the possibility of conducting these surveys later on in the careers of police and CO candidates to get a better idea of their competency level and present the results of that evaluation in the report.

| <b>Information Request</b>     | <b>Author</b> | <b>Due Date</b>   |
|--------------------------------|---------------|-------------------|
| PCTC trainee competency report | PCTC          | December 15, 2019 |

**Q00T04**  
**Division of Pretrial Detention**  
**Department of Public Safety and Correctional Services**

**Budget Amendments**

**DIVISION OF PRETRIAL DETENTION**

**Q00T04.09 General Administration**

Add the following language to the general fund appropriation:

, provided that \$150,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits a report to the budget committees no later than December 1, 2019, on Baltimore City arrestees and detainees. The report shall include the following information for fiscal 2019:

- (1) major offense at time of arrest (grouped by category and percentage);
- (2) major offense for the detainee population (grouped by category and percentage by facility); and
- (3) information regarding Baltimore City detainees being held outside Baltimore City, including the total number of transports and the total cost in fiscal 2018 to move these detainees back to Baltimore City for counsel, court dates, or medical reasons.

The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** In its quarterly Inmate Characteristics Report, the department's Division of Correction reports inmate age, sex, sentence, and offense distribution by count and percentage in each of its facilities. Because of the wide range of offenders being arrested and processed in Baltimore City each year and the large number of detainees held for nonviolent offenses, the budget committees request a similar report regarding the Division of Pretrial Detention's arrestee and detained populations. Transport data for detainees held outside of Baltimore City was requested for inclusion in the 2018 Joint Chairmen's Report but was not provided. This language restricts funds pending receipt of a report to ensure that the information is submitted.

| <b>Information Request</b>                 | <b>Author</b>   | <b>Due Date</b>  |
|--|---|------------------|
| Baltimore City detainee information report | Department of Public Safety and Correctional Services | December 1, 2019 |

## Q00T04

### Committee Narrative

**Division of Pretrial Detention Criminal Justice and Data Report:** Overall, the Division of Pretrial Detention (DPD) is dealing with a unique set of circumstances. The many changes caused by criminal justice reform are taking place within a difficult environment for correctional officer hiring and retention. In addition, the connection between different types of reform and the impact that they are having on detainee populations in Baltimore City is difficult to ascertain. To better understand these issues, the committees request a report from DPD, in consultation with the Judiciary, due by January 1, 2020, on key criminal justice reform data including the following:

- an evaluation of how criminal justice reforms and court-level factors are affecting DPD's population and operations. Reforms examined should include, but not be limited to, the Justice Reinvestment Act (JRA), bail reform, and changes in sentencing rules;
- an update on court case processing times and how it is affecting DPD population increases; and
- an update on the processes for reporting and sharing the JRA and any other relevant data with the Judiciary and the Governor's Office of Crime Control and Prevention, along with any data sharing impediments.

| Information Request                  | Authors          | Due Date        |
|--------------------------------------|------------------|-----------------|
| DPD criminal justice and data report | DPD<br>Judiciary | January 1, 2020 |

~~**Pretrial Release Services Program Report:** The Pretrial Release Services Program (PRSP) under the Division of Pretrial Detention (DPD) has a variety of services for defendants under its supervision. Because the budget committees wish to continue to be updated on PRSP and its progress, a report is requested, due October 30, 2019, that contains the following information:~~

- ~~• a review of PRSP client profiles, including the number of females and males; the number employed, unemployed, or disabled; and the number with or without health insurance;~~
- ~~• information on PRSP units and diversion programs and the number of clients in each; and~~
- ~~• an evaluation of the number of males and females receiving PRSP services and whether those services are offered to both male and female clients. Special note should be made of any programming that focuses on female clients and their needs.~~

## Q00T04

***Pretrial Release Services Program Report:*** *Given that the Pretrial Release Services Program (PRSP) now has a full year of data and experience under the Division of Pretrial Detention (DPD) management, the budget committees request a report that includes PRSP's first year performance, the integration with DPD, any efficiencies gained from relocating PRSP to DPD, as well as an update on the decrease in pretrial investigations over the last decade – and why the number of defendants under supervision has remained consistent while arrests, investigations, and total jailed varied significantly. A report should be submitted to the committees by October 30, 2019.*

| <b>Information Request</b>       | <b>Author</b> | <b>Due Date</b>  |
|----------------------------------|---------------|------------------|
| Pretrial services program report | DPD           | October 30, 2019 |

***Job Classification Series for Pretrial Case Managers:*** The committees are concerned that the employees that work as pretrial case managers have a limited career path within that classification. Pretrial investigators have trainee, level I, and level II classifications, and parole and probation agents have agent I, agent II, and senior agent classifications. Pretrial case managers do not have similar escalating classification levels. The committees request a report on the feasibility of creating a trainee, experienced, and full-performance classification series modeled after that provided for the pretrial investigators and parole/probation agents.

| <b>Information Request</b>                           | <b>Author</b>   | <b>Due Date</b> |
|--|---|-----------------|
| Job classification series for pretrial case managers | Department of Public Safety and Correctional Services | October 1, 2019 |

**R00A01**  
**Headquarters**  
**Maryland State Department of Education**

**Budget Amendments**

**HEADQUARTERS**

**R00A01.01 Office of the State Superintendent**

Add the following language to the general fund appropriation:

, provided that \$1,370,983 of this appropriation in general funds and 11 positions made for the purpose of an Education Monitoring Unit and an Office of Compliance and Oversight within the Maryland State Department of Education are contingent on the enactment of SB 92 or HB 45.

**Explanation:** This language makes all funding and positions for the new Office of Compliance and Oversight within the Maryland State Department of Education, which includes funding and positions for an Education Monitoring Unit (EMU), contingent on the Accountability in Education Act of 2019 (SB 92 or HB 45) that would establish an EMU.

Reduce appropriation for the purposes indicated:

|   | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|---|---------------------|-------------------------|
| 1. This reduction removes the general salary increase received by the State Superintendent of Schools as this position operates under a fixed salary for his or her entire term in accordance with the contract with the Maryland State Board of Education. | 4,720 GF            |                         |
| Total Reductions  | 4,720               | 0.00                    |

| <u><b>Effect</b></u> | <u><b>Allowance</b></u> | <u><b>Appropriation</b></u> | <u><b>Amount Reduction</b></u> | <u><b>Position Reduction</b></u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position             | 104.40                  | 104.40                      |                                | 0.00                             |
| General Fund         | 12,407,346              | 12,402,626                  | 4,720                          |                                  |
| Special Fund         | 2,026,849               | 2,026,849                   | 0                              |                                  |
| Federal Fund         | 1,956,575               | 1,956,575                   | 0                              |                                  |
| <b>Total Funds</b>   | <b>16,390,770</b>       | <b>16,386,050</b>           | <b>4,720</b>                   |                                  |



**R00A02**  
**Aid to Education**  
**Maryland State Department of Education**

**Budget Amendments**

Add the following language:

Provided that the Maryland State Department of Education shall notify the budget committees of any intent to transfer funds from program R00A02 Aid to Education to any other budgetary unit. The budget committees shall have 45 days to review and comment on the planned transfer prior to its effect.

**Explanation:** The Maryland State Department of Education (MSDE) should not transfer any funds from Aid to Education until the transfer is reviewed by the budget committees.

| <b>Information Request</b>                  | <b>Author</b> | <b>Due Date</b>           |
|---|---------------|---------------------------|
| Report on any transfer of funds from R00A02 | MSDE          | 45 days prior to transfer |

**Committee Narrative**

**AID TO EDUCATION**

**R00A02.06 Maryland Prekindergarten Expansion Program Financing Fund**

***Public Prekindergarten Enrollment Trends:** The committees are concerned that enrollment in publicly funded prekindergarten decreased by 1,666 children, or 5.2%, in fiscal 2018. Before December 1, 2019, the Maryland State Department of Education (MSDE) should provide a report with publicly funded half-day and full-day prekindergarten enrollment data by age and by jurisdiction for fiscal 2017 through 2020. The report should include an analysis of the causes for the recent decline in enrollment. MSDE should also describe all outreach methods used to increase enrollment in publicly funded prekindergarten programs.*

| <i><b>Information Request</b></i>  | <i><b>Author</b></i> | <i><b>Due Date</b></i>  |
|--|----------------------|-------------------------|
| <i>Report on publicly funded prekindergarten enrollment and outreach</i> | <i>MSDE</i>          | <i>December 1, 2019</i> |

## R00A02

### Budget Amendments

#### R00A02.13 Innovative Programs

Amend the following language to the general fund appropriation:

, provided that ~~\$300,000~~ \$200,000 of this appropriation made for the purpose of providing planning grants for Pathways in Technology Early College High (P-TECH) Schools is contingent on the enactment of SB 167, HB 152, or HB 440.

Further provided that \$100,000 of this appropriation for the purpose of P-TECH School planning grants may not be used for that purpose but instead may be used only for the purpose of the Maryland State Department of Education (MSDE) hiring an outside consultant to perform a review and evaluation of the P-TECH Schools in Maryland and the opportunities that they provide to Maryland students in achieving technical skills and gaining opportunities for future employment. Funds not expended for this purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. MSDE shall deliver the findings from the consultant's review and evaluation to the budget committees no later than January 1, 2020.

**Explanation:** This language makes funding for P-TECH School planning grants contingent on the enactment of legislation ending a moratorium on such planning grants. *It also requires that \$100,000 may be used only to hire a consultant to perform a review and evaluation review and evaluation of the P-TECH Schools in Maryland and the opportunities that they provide to Maryland students in achieving technical skills and gaining opportunities for future employment. MSDE shall provide a report of the consultant's findings to the budget committees by January 1, 2020.*

Amendment No.

52

### Committee Narrative

**Maximizing Medicaid Claims for School-based Services:** Various recent reports have had multiple findings regarding opportunities for local education agencies (LEA) to potentially claim Medical Care Programs Administration (Medicaid) funding. This includes a report from a consulting firm hired to review Medicaid under the Maryland Department of Health (MDH) that found that LEAs could potentially claim Medicaid for administrative services. Meanwhile, the Office of Legislative Audits found that Baltimore City Public Schools (BCPS) did not obtain Social Security numbers for all of its students or review denied claims in order to maximize Medicaid reimbursement; this issue may not be isolated to BCPS. Therefore, the Maryland State Department of Education (MSDE) and MDH, in consultation with local boards of education, should convene a workgroup to review and make recommendations on how local jurisdictions

## R00A02

could maximize Medicaid claims for school-based services, including for administrative services, and on how LEAs may safely and securely receive student Social Security numbers through the State's direct certification system. MSDE and MDH should provide the findings from their review and their recommendations to the committees no later than November 1, 2019.

| Information Request  | Author      | Due Date         |
|--|-------------|------------------|
| Report on maximizing Medicaid claims for school-based services | MSDE<br>MDH | November 1, 2019 |

***Socio-economic Integrated Schools:** The committees are interested in the effectiveness of programs that are voluntary for students and their families that allow for more socio-economic integration of public schools. This includes programs that could be run within local schools districts in Maryland, or programs that could be run across districts, similar to the Metropolitan Council for Educational Opportunity program in Massachusetts. Therefore, the committees request that the Maryland State Department of Education (MSDE) submit a report on the effectiveness of these programs, the different methods for how it could be implemented in Maryland, and if it would be effective as turnaround strategies under the federal Every Student Succeeds Act. This report should be submitted to the committees by November 1, 2019.*

| Information Request                           | Author | Due Date         |
|---|--------|------------------|
| Report on socio-economic integration programs | MSDE   | November 1, 2019 |

## Budget Amendments

### R00A02.55 Teacher Development

Add the following language to the general fund appropriation:

, provided that \$4,000,000 of the appropriation made for the purpose of the Teacher Induction, Retention, and Advancement Pilot Program may not be expended for that purpose but instead may be used only to distribute special education grants to local boards of education as provided in Section 5 of SB 1030 or HB 1413, contingent on the enactment of (1) SB 1040 or HB 1407 and (2) SB 1030 or HB 1413. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

## R00A02

**Explanation:** This action restricts \$4.0 million in funding for the Teacher Induction, Retention, and Advancement (TIRA) Pilot Program and specifies that it may be used only for the initiatives specified in The Blueprint for Maryland's Future (SB 1030 or HB 1413) as provided in Section 5 of SB 1030 or HB 1413, as enacted, for additional funding for students with disabilities. These funds may only be used for these initiatives contingent on the enactment of The Blueprint for Maryland's Future and the Budget Reconciliation and Financing Act of 2019 (SB 1040 or HB 1407) that would reduce the mandate for the TIRA Pilot Program in fiscal 2020 from \$5.0 million to \$1.0 million, as it is expected that this level of funding should be sufficient to cover costs for the program in fiscal 2020.

### Committee Narrative

#### R00A02.59 Child Care Subsidy Program

**Child Care Subsidy Program:** Recent changes to the Child Care Subsidy (CCS) program, specifically lifting enrollment freezes, expanding income eligibility, and increasing provider reimbursement rates, are expected to increase program participation and overall expenditures beginning in fiscal 2019. Following considerable overestimates of Child Care and Development Fund spending related to new requirements under the Child Care Development Block Grant (CCDBG) reauthorization, the Maryland State Department of Education (MSDE) carried over some federal funds for future expenditures. These carried over federal funds, in addition to an increase in the CCDBG appropriation in federal fiscal 2018 and 2019, are expected to support increased CCS expenditures in fiscal 2019 and 2020. However, general fund expenditures are expected to increase in future years as federal funds become insufficient to support the full impact of the changes to the CCS program. Therefore, MSDE should report quarterly on CCS expenditures, including the amount of CCDBG funds being spent from previously reserved funds, the amount of newly authorized funds, and the amount from general funds. The reports should include the current balance of unexpended federal funds from prior year CCDBG awards. In its August 1, 2019 report, MSDE should provide data as it relates to the CCS program in fiscal 2019. These reports should disaggregate CCDBG funding used directly for subsidies and funding used by MSDE Headquarters in support of the overall CCS program specified by purpose. MSDE should also report quarterly on the percentile of market rate for subsidies statewide and by region. The quarterly reports should also include the total number of children and families receiving CCS per month and the number of children and families receiving CCS who are newly eligible as a result of the emergency regulation effective August 1, 2018. Finally, MSDE should include in its reports whether it is maintaining a CCS waiting list, and if so, how many children are on the waiting list.

| Information Request     | Author | Due Date  |
|-------------------------|--------|---|
| CCS expenditure reports | MSDE   | August 1, 2019<br>November 1, 2019<br>February 1, 2020<br>May 1, 2020 |

## R00A02

***Early Childhood Education Funding for Children with Disabilities:*** Before October 1, 2019, the committees request that the Maryland State Department of Education (MSDE) submit a report regarding funding in early childhood programs for children with disabilities. The report should include MSDE's actual spending on individuals with disabilities in early childhood programs, including the Child Care Subsidy Program and publicly funded prekindergarten programs, for fiscal 2015 through 2019. Additionally, the report should include the dedicated funding amount in each of these fiscal years that was budgeted in early childhood programs specifically for children with disabilities. MSDE should discuss the different strategies that it uses to provide early childhood development opportunities to children with disabilities and describe the supports and tools that it provides in child care and prekindergarten programs for children with disabilities and their families.

| <b><i>Information Request</i></b>   | <b><i>Author</i></b> | <b><i>Due Date</i></b> |
|---|----------------------|------------------------|
| <i>Report on dedicated early childhood development funding for children with disabilities</i> | <i>MSDE</i>          | <i>October 1, 2019</i> |

### **Budget Amendments**

#### **R00A02.60 Innovation and Excellence in Education Initiatives**

Add the following language to the special fund appropriation:

, provided that \$35,750,000 of this appropriation made for the purpose of Innovation and Excellence in Education Initiatives may be used only for the purposes detailed in Section 47, contingent on the enactment of SB 1030 or HB 1413. Funding not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose, and shall be canceled.

**Explanation:** This action restricts \$35.75 million in special funds from the Education Trust Fund Lock Box for Innovative and Excellence in Education Initiatives and specifies that this funding may be used only for the initiatives for The Blueprint for Maryland's Future (SB 1030 or HB 1413) as detailed in Section 47 of the budget bill, contingent on the enactment of The Blueprint for Maryland's Future.

**R00A03**  
**Funding for Educational Organizations**  
**Maryland State Department of Education**

**Committee Narrative**

**FUNDING FOR EDUCATIONAL ORGANIZATIONS**

**R00A03.01 Maryland School for the Blind**

**Study of the Maryland School for the Blind:** ~~The Maryland School for the Blind (MSB) has stated that it faces budget shortfalls under its current funding structure with the State. Therefore, the budget committees request that the Maryland State Department of Education (MSDE), in consultation with the Department of Budget and Management (DBM) and other State agencies, as appropriate, conduct a review and study of MSB, including its relationship to the State, its role and mission, any structural changes that may be appropriate, and whether or not MSB should become a public entity, similar to the Maryland School for the Deaf, to best serve the State's blind and visually impaired students. This report should be submitted to the budget committees by December 1, 2019.~~

*The Maryland School for the Blind (MSB) experienced budget shortfalls in the past and anticipates budget shortfalls in the current and upcoming fiscal year. Therefore, the committees request that MSB conduct a review and study of the sustainability of MSB, including how other schools for the blind in the nation are structured, its role and mission, and any structural changes that may be appropriate to best serve the State's blind and visually impaired students. This report should be submitted to the budget committees by December 1, 2019.*

| <b>Information Request</b> | <b>Authors Author</b> | <b>Due Date</b>  |
|----------------------------|-----------------------|------------------|
| Study on MSB               | MSDE<br>DBM<br>MSB    | December 1, 2019 |

**Budget Amendments**

**R00A03.04 Aid to Non-Public Schools**

Amend the following language to the special fund appropriation:

, provided that this appropriation shall be for the purchase of textbooks or computer hardware and software and other electronically delivered learning materials ~~as permitted under Title IID, Section 2416(b)(4), (6), and (7) of the No Child Left Behind Act~~ for loan to students in eligible nonpublic schools with a maximum distribution of \$65 per eligible nonpublic school student for participating schools, except that at schools where ~~at least 20%~~ from 20% to 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$95 per

## R00A03

student, and at schools where more than 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$155 per student.

**Explanation:** This action amends language modifying the distribution of funding for the Aid to Non-Public Schools Program so that schools where more than 40% of the students are eligible for the free or reduced-price lunch program receive \$155 per student. Similar language has been included in the budget since fiscal 2017. It also strikes language regarding the No Child Left Behind Act due to technical differences with the reauthorized Elementary and Secondary Education Act.

Amend the following language to the special fund appropriation:

- (2) Not charge more tuition to a participating student that the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department;  
~~and~~
- (3) Comply with Title VI of the Civil Rights Act of 1964, as amended; and
- (4) Submit its student handbook or other written policy related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

**Explanation:** This action adds language to require that nonpublic schools participating in the Nonpublic Textbook and Technology Program submit their student handbooks or other written policies related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

Add the following language to the special fund appropriation:

Further provided that a nonpublic school participating in the Aid to Non-Public Schools Program R00A03.04 shall certify compliance with Title 20, Subtitle 6 of the State Government Article. A nonpublic school participating in the program may not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Any school found to be in violation of the requirements to not discriminate shall be required to return to the Maryland State Department of Education all textbooks or computer hardware and software and other electronically delivered learning materials loaned to students under the program. The only other legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program. Any school that is found in violation of the



## R00A03

nondiscrimination requirements in fiscal 2019 or 2020 may not participate in the program in fiscal 2020. It is the intent of the General Assembly that a school that violates the nondiscrimination requirements is ineligible to participate in the Aid to Non-Public Schools Program, the Broadening Options and Opportunities for Students Today Program, the James E. “Ed” DeGrange Nonpublic Aging Schools Program, and the Nonpublic School Security Improvements Program in the year of the violation and the following 2 years.

**Explanation:** This action requires a nonpublic school participating in the Aid to Non-Public Schools Program to certify compliance with Title 20, Subtitle 6 of the State Government Article (Discrimination in Employment). It also specifies that a participating school may not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Violating the provisions makes a school ineligible for participating in the Aid to Non-Public Schools Program. Similar language has been included in the budget since fiscal 2017. This action also adds language specifying that schools that violate the provisions must return all textbooks and technology received through the program to the Maryland State Department of Education. It also states that a school that violates the nondiscrimination requirements in fiscal 2019 or 2020 is not eligible to participate in the program in fiscal 2020 and states legislative intent that any school that violates the nondiscrimination requirements is ineligible to participate in any program providing funding to nonpublic schools for a total of three years.

### R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language to the special fund appropriation:

- (a) ~~participate~~ have participated in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE during the 2018-2019 school year;

**Explanation:** This language specifies that in order to participate in the Broadening Options and Opportunities for Students Today (BOOST) Program during the 2019-2020 school year, a nonpublic school must have already participated in the Aid to Non-Public Schools Program during the 2018-2019 school year. This language eliminates ambiguity for the Maryland State Department of Education, specifying that nonpublic schools are eligible for BOOST for the 2019-2020 school year by participating in the Aid to Non-Public Schools Program in the previous school year.



## R00A03

Amend the following language to the special fund appropriation:

- (c) ~~administer assessments to all students in accordance with federal and State law; and administer national, norm-referenced standardized assessments chosen from the list of assessments published by the United States Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:~~
    - (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
    - (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
  - (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions based on race, color, national origin, or sexual orientation. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.
- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year. In order to be eligible to apply, a student must (1) have received a BOOST Program scholarship award for the 2018-2019 school year and will be entering any of grades 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, or 12, or grade 9 if he or she is a student who attended during the 2018-2019 school year a nonpublic school that serves kindergarten through grade 12; or (2) have a sibling who received a BOOST Program scholarship award for the 2018-2019 school year.
  - (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.
  - (4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.

## R00A03

- (5) There is a BOOST Advisory Board that shall be appointed as follows: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.
- (6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts. The BOOST Advisory Board shall take into account the special needs of students with disabilities when determining scholarship award amounts.
- (7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.
- (8) ~~The~~ Unless a student has special needs due to a disability, the amount of a scholarship award may not exceed the lesser of:
  - (a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or
  - (b) the tuition of the nonpublic school.
- (9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.
- (10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than January 15, 2020, for the 2019-2020 school year to eligible individuals. Any unexpended funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2020 and available for scholarships in the 2020-2021 school year.

Further provided that \$700,000 of this appropriation shall be used only to provide an additional award for each student with special needs that is at least equal in amount to the BOOST Program scholarship award that student is awarded in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2020, that includes the following:

## **R00A03**

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded (a) the nonpublic school and grade level attended by the student; (b) the school attended in the 2019-2020 school year by the student; and (c) if the student attended the same nonpublic school in the 2018-2019 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2018-2019 school year and will receive in the 2019-2020 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;
- (8) the number of students designated as English language learners receiving BOOST Program scholarships;
- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;
- (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;
- (12) the number of students who received BOOST Program scholarships for the 2018-2019 school year who are attending public school for the 2019-2020 school year as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2018-2019 school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.

## R00A03

**Explanation:** This language specifies priorities for the BOOST Program scholarship awards and makes nonpublic schools that do not provide required information to the Maryland State Department of Education (MSDE) by a certain date ineligible for participating in the BOOST Program. The language also provides that for the 2019-2020 school year, the BOOST Advisory Board shall make all scholarship awards no later than January 15, 2020, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. This language also requires MSDE to report by January 15, 2020, on the distribution of the BOOST scholarships, information on the students receiving BOOST scholarships, teacher certifications for nonpublic schools participating in the BOOST Program, and assessments being administered in nonpublic schools participating in the BOOST Program, including student performance. The language also requires that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so, and information on students receiving scholarships for the 2018-2019 school year who withdrew or were expelled from the nonpublic schools that they were attending. The language requires that the BOOST Advisory Board shall take into account the special needs of students with disabilities as it is determining scholarship award amounts, that \$700,000 of the BOOST appropriation shall be used only to provide an additional award to each of these students that is in equal amount to the base BOOST Program awards that they receive, and that BOOST Program awards for these students need not be limited in amount. ~~Finally, this action specifies that in order to apply for a BOOST scholarship award, a student must either (1) have received a BOOST scholarship award for the 2018-2019 school year and must not be an incoming kindergartener or 9th grade student, or be an incoming 9th grade student who attended during the 2018-2019 school year a nonpublic school that serves kindergarten through grade 12; or (2) have a sibling who received a BOOST Program scholarship award for the 2018-2019 school year.~~

| Information Request | Author | Due Date         |
|---------------------|--------|------------------|
| BOOST report        | MSDE   | January 15, 2020 |

Amendment No.

53

| Reduce appropriation for the purposes indicated:  | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <del>Reduce Cigarette Restitution Funding for the Broadening Options and Opportunities for Students Today Program.</del> | 4,500,000    | SF               |
| Total Reductions  | 4,500,000    | 0                |

## R00A03

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>                             | <u>Amount<br/>Reduction</u>             | <u>Position<br/>Reduction</u> |
|--------------------|-------------------|--|---|-------------------------------|
| Special Fund       | 10,000,000        | <del>5,500,000</del><br>10,000,000               | <del>4,500,000</del><br>0               |                               |
| <b>Total Funds</b> | <b>10,000,000</b> | <del><b>5,500,000</b></del><br><b>10,000,000</b> | <del><b>4,500,000</b></del><br><b>0</b> |                               |

Amendment No.

**54**

**R00A04**  
**Children's Cabinet Interagency Fund**  
**Maryland State Department of Education**

**Committee Narrative**

**CHILDREN'S CABINET INTERAGENCY FUND**

**R00A04.01 Children's Cabinet Interagency Fund**

**Out-of-home Placements:** To facilitate evaluation of Maryland's family preservation programs in stemming the flow of children from their homes, the Governor's Office for Children (GOC), on behalf of the Children's Cabinet, is requested to prepare and submit to the committees a report on out-of-home placements containing data on the total number of out-of-home placements and entries by jurisdiction over the previous three years and similar data on out-of-state placements. The report should also provide information on the costs associated with out-of-home placements, the reason for new placements, and an evaluation of data derived from the application of the Maryland Family Risk Assessment. Data should also be collected concerning indicated findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure. Each agency or administration that funds or places children and youth in out-of-home placements is requested to work closely with GOC and comply with any data requests necessary for production of the report.

| <b>Information Request</b>       | <b>Author</b> | <b>Due Date</b>   |
|----------------------------------|---------------|-------------------|
| Report on out-of-home placements | GOC           | December 31, 2019 |

**R00A06**  
**Maryland Center for School Safety**  
**Maryland State Department of Education**

**Budget Amendments**

**MARYLAND CENTER FOR SCHOOL SAFETY**

**R00A06.01 Maryland Center for School Safety – Operations**

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>       | <u>Positions</u> |
|--|--------------------|------------------|
| 1. Reduce funding in fiscal 2020 for one-time fiscal 2019 operating expenses associated with the initial expansion of the Maryland Center for School Safety's mission.   | 400,000            | GF               |
| 2. <del>Delete funding for the Maryland School Safety Tip Line. This tipline operates out of the Maryland Joint Operations Center within the Maryland Emergency Management Agency and should be funded from that agency's resources.</del> | 300,000            | GF               |
| Total Reductions   | 700,000<br>400,000 |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>           | <u>Amount Reduction</u>    | <u>Position Reduction</u> |
|--------------------|------------------|--------------------------------|----------------------------|---------------------------|
| Position           | 14.00            | 14.00                          |                            | 0.00                      |
| General Fund       | 2,786,874        | 2,086,874<br>2,386,874         | 700,000<br>400,000         |                           |
| <b>Total Funds</b> | <b>2,786,874</b> | <b>2,086,874<br/>2,386,874</b> | <b>700,000<br/>400,000</b> |                           |

Amendment No.

**55**

## R00A06

### Committee Narrative

*Maryland Center for School Safety Bowie State University Satellite Office: Chapter 30 of 2018, the Maryland Safe to Learn Act, requires the Maryland Center for School Safety (MCSS) to establish a satellite office located at Bowie State University (BSU). The committees are concerned that the satellite office has yet to be created. To address these concerns, MCSS should provide a report to the committees no later than September 1, 2019, on the progress made toward implementing the BSU satellite office. To the extent that an office has not been established by the submission date, MCSS should include a plan and timeline for beginning operations out of the satellite location. The report should also discuss the role of the satellite location in fulfilling the MCSS mission, the estimated cost of operating the additional office, and the working relationship with BSU.*

| <i>Information Request</i>                   | <i>Author</i> | <i>Due Date</i>          |
|--|---------------|--------------------------|
| <i>Establishment of BSU satellite office</i> | <i>MCSS</i>   | <i>September 1, 2019</i> |

### Budget Amendments

#### R00A06.02 Maryland Center for School Safety – Grants

Add the following language:

Provided that it is the intent of the General Assembly that all operating grant funds provided to improve the safety and security of Maryland's schools and child care centers should be administered within one agency. In fulfillment of this, it is the intent of the General Assembly that \$2,000,000 in general funds currently budgeted within the Maryland State Department of Education's Division of Early Childhood Development (R00A01.10) for security improvement grants to schools and child care centers at risk of hate crimes be transferred to the Maryland Center for School Safety (R00A06.02).

**Explanation:** The fiscal 2019 budget provided \$1.0 million in general fund grants to improve security at schools and day care centers at risk of hate crimes. Although the grant program is administered and managed by the Maryland Center for School Safety (MCSS), the fiscal 2020 allowance transfers the funding to the Maryland State Department of Education's Division of Early Childhood Development (DECD) and increases the appropriation to \$2.0 million. This language expresses legislative intent that all operating grants pertaining to school safety be consolidated within one State agency and that the \$2.0 million in DECD be transferred to MCSS.



**R00A07**  
**Interagency Commission on School Construction**

**Committee Narrative**

**INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION**

**R00A07.01 Interagency Commission On School Construction**

**Staffing for the Interagency Commission on School Construction:** The Interagency Commission on School Construction (IAC) has received additional resources through fiscal 2019 deficiency funding and additional funding in the fiscal 2020 budget to hire new staff and reclassify some of its current staff. However, IAC has had difficulty in maintaining a full staff due to a competitive job market and faces administrative challenges in working with the Maryland State Department of Education to procure staff. Meanwhile, the responsibilities and job descriptions of many IAC staffers is changing as IAC adjusts to its new roles under the 21<sup>st</sup> Century School Facilities Act (Chapter 14 of 2018). Therefore, IAC should provide a report on its staff to the budget committees by October 1, 2019. IAC should include an up-to-date organizational chart in its report as well as the following for each of the positions on its staff:

- the position's personnel identification number;
- the title and job description for the position;
- the salary and fringe benefits for the position;
- whether or not the position is vacant; and
- if the position has been reclassified since fiscal 2018 and (1) that position's former title; (2) when it was reclassified; and (3) the salary and fringe benefits that it received before reclassification.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b> |
|----------------------------|---------------|-----------------|
| Staffing report            | IAC           | October 1, 2019 |

## R00A07

### Budget Amendments

#### R00A07.02 Capital Appropriation

Strike the following language from the general fund appropriation:

~~provided that \$1,200,000 of the amount for the Healthy Schools Facility Fund may be used only for projects at Public Charter Schools. This funding shall not preclude or diminish the availability of State funding for projects at Public Charter Schools from other school construction funding programs~~

**Explanation:** This action strikes language specifying the use of general funds from the Healthy Schools Facility Fund for public charter schools. Under current law, public charter schools located in facilities that are owned by a local education agency or a public-private partnership lease-leaseback arrangement are eligible to receive public school construction funding.

Amend the following language to the general fund appropriation:

General Fund Appropriation, provided that \$3,500,000 of this appropriation made for the purpose of Nonpublic School Safety Grants shall be distributed as grants to nonpublic schools in Maryland for school safety improvements. Provided that grants may be provided only to nonpublic schools that were eligible to participate in Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loans to students in eligible nonpublic schools) during the 2018-2019 school year or nonpublic schools that serve students with disabilities through the Nonpublic Placement Program R00A02.07 Subprogram 0762, with a maximum amount of \$65 per eligible nonpublic school student for participating schools, except that at schools where at least 20% of the students are eligible for the free or reduced-price meal program or for schools that serve students with disabilities through the Nonpublic Placement Program, there shall be a distribution of \$85 per student and no individual school may receive less than \$5,000. Further provided that the funds shall be administered by the Interagency Commission on School Construction.

**Explanation:** This action adds language to the general fund appropriation for the Nonpublic School Safety Grants program that specifies the amounts of funding participating nonpublic schools are eligible to receive. This action updates ~~and restores~~ the language under which the program was administered for fiscal 2019, *including allowing nonpublic schools that serve students with disabilities through the Nonpublic Placement Program to participate.*

Amendment No.

56

## R00A07

Amend the following language to the special fund appropriation:

~~Special Fund Appropriation, provided that \$2,600,000 of the amount for the Public School Construction may be used only for projects at Public Charter Schools. This funding shall not preclude or diminish the availability of State funding for projects at Public Charter Schools from other school construction funding programs provided that \$65,000,000 of this appropriation made for the purposes of Public School Construction and the Public School Construction – Revolving Loan Fund may not be expended for that purpose but instead may be used only for the purposes detailed in Section 47, contingent on the enactment of SB 1030 or HB 1413. Funding not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose, and shall be canceled..... 65,000,000~~

~~To provide funds as follows:~~

~~Public School Construction .....45,000,000~~

~~Public School Construction – Revolving Loan Fund .....20,000,000~~

**Explanation:** This action restricts \$65.0 million in special funds from the Education Trust Fund Lock Box for Public School Construction and the Public School Construction – Revolving Loan Fund and specifies that this funding may be used only for the initiatives for The Blueprint for Maryland’s Future (SB 1030 or HB 1413) as detailed in Section 47 of the budget bill, contingent on the enactment of The Blueprint for Maryland’s Future.

**R13M00**  
**Morgan State University**

**Budget Amendments**

**MORGAN STATE UNIVERSITY**

**R13M00.00 Morgan State University**

Add the following language to the unrestricted fund appropriation:

, provided that \$700,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions and the salaries of those positions that will be converted. The report shall be submitted by August 1, 2019, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Further provided that MSU shall submit a report on the positions and the salaries of those positions that were converted by December 1, 2019.

**Explanation:** The fiscal 2020 budget provides \$700,000 specifically designated for the conversion of contractual positions. This language withholds the expenditure of these funds until MSU submits a report documenting which positions and the salaries of those positions that are to be converted. In addition, MSU is to submit a subsequent report detailing the positions and their corresponding salaries that were actually converted.

| <b>Information Request</b>                         | <b>Author</b> | <b>Due Date</b>  |
|--|---------------|------------------|
| Report on contractual positions to be converted    | MSU           | August 1, 2019   |
| Report on contractual positions actually converted | MSU           | December 1, 2019 |

| Reduce appropriation for the purposes indicated:   | <u><b>Funds</b></u>             | <u><b>Positions</b></u> |
|--|---------------------------------|-------------------------|
| 1. Proportional reduction in State general funds as will be incurred by the University System of Maryland. | <del>1,000,000</del><br>600,000 | <del>UF</del><br>UF     |
| Total Reductions   | <del>1,000,000</del><br>600,000 |                         |

## R13M00

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u>                                | <u>Amount<br/>Reduction</u>                   | <u>Position<br/>Reduction</u> |
|--------------------|--------------------|---|---|-------------------------------|
| Position           | 1,179.00           | 1,179.00  |   | 0.00                          |
| Unrestricted Fund  | 215,926,078        | <del>214,926,078</del><br>215,326,078               | <del>1,000,000</del><br>600,000               |                               |
| Restricted Fund    | 54,625,696         | 54,625,696  | 0   |                               |
| <b>Total Funds</b> | <b>270,551,774</b> | <b><del>269,551,774</del></b><br><b>269,951,774</b> | <b><del>1,000,000</del></b><br><b>600,000</b> |                               |

Amendment No.

**57**

**R15P00**  
**Maryland Public Broadcasting Commission**

**Budget Amendments**

**MARYLAND PUBLIC BROADCASTING COMMISSION**

**R15P00.03    Broadcasting**

| Reduce appropriation for the purposes indicated:   | <u><b>Funds</b></u> | <u><b>Positions</b></u> |
|--|---------------------|-------------------------|
| 1. Reduce general fund support by \$1,058,210. This represents part of the mandated general fund increase for the Maryland Public Broadcasting Commission. The agency was unable to provide a reasonable plan for how the additional funding would be spent. | 1,058,210           | GF                      |
| <br>Total Reductions   | <br>1,058,210       | <br>0.00                |

| <u><b>Effect</b></u> | <u><b>Allowance</b></u> | <u><b>Appropriation</b></u> | <u><b>Amount<br/>Reduction</b></u> | <u><b>Position<br/>Reduction</b></u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position             | 34.00                   | 34.00                       |                                    | 0.00                                 |
| General Fund         | 1,080,952               | 22,742                      | 1,058,210                          |                                      |
| Special Fund         | 10,368,660              | 10,368,660                  | 0                                  |                                      |
| <b>Total Funds</b>   | <b>11,449,612</b>       | <b>10,391,402</b>           | <b>1,058,210</b>                   |                                      |

**R30B00**  
**University System of Maryland**

**Budget Amendments**

Amend the following language:

Provided that the current unrestricted appropriation made for the purpose of the University System of Maryland institutions shall be reduced by ~~\$10,000,000~~ \$6,000,000.

**Explanation:** This language reduces the University System of Maryland's (USM) general fund appropriation by ~~\$10.0~~ \$6.0 million. New State-supported revenues are more than sufficient to cover current services cost and initiatives, leaving USM ~~\$12.9~~ \$6.9 million to transfer to the State-supported portion of the fund balance. Since USM's available resources to debt exceeds the 1:1 ratio, this reduction will not significantly affect its coverage.

Amendment No.

**58**

**R30B30**  
**University of Maryland University College**  
**University System of Maryland**

**Committee Narrative**

**National Footprint Campaign:** The University of Maryland University College (UMUC) will spend \$500 million in advertising costs on a National Footprint Campaign over the next six years, which includes \$289 million for a national campaign and \$211 million for a regional campaign, to increase enrollment from outside the Baltimore-Washington area. UMUC has performance metrics in place to ensure that the advertising data is meeting internal targets. The committees request that UMUC submit a report by December 1, 2019, on the goals of the advertising campaign and progress toward the goals. The report should include the return on investment attained on the regional and national advertising expenditures based on enrollment.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b>  |
|-----------------------------|---------------|------------------|
| National Footprint Campaign | UMUC          | December 1, 2019 |



**R30B36**  
**University System of Maryland Office**  
**University System of Maryland**

**Budget Amendments**

**UNIVERSITY SYSTEM OF MARYLAND OFFICE**

**R30B36.00 University System of Maryland Office**

Strike the following language:

~~provided that \$470,000 of this appropriation made for the purpose of the Universities at Shady Grove (USG) in the University System of Maryland Office may be used only to fund the development or expansion of academic programs at USG. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

**Explanation:** This language restricts \$470,000 of the general fund appropriation for Universities at Shady Grove (USG) budgeted in the University of Maryland System Office to be used only for the development of new programs or the expansion of existing programs. In fiscal 2017, \$1.6 million was provided to USG for academic programming, however \$0.5 million was used to expand staff. From fiscal 2017 to 2019, USG has used \$1.4 million of the \$4.8 million for personnel and not to fund academic programs.

Amendment No.

**59**

Strike the following language:

~~Further provided that \$1,000,000 of this appropriation made for the purpose of the Universities at Shady Grove in the University System of Maryland Office (USMO) may not be expended until USMO submits a report to the budget committees on how one-time funding of \$450,000 restricted in the fiscal 2018 budget to support new academic programming related to the new Biomedical Sciences and Engineering Education Facility was spent. The budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.~~

**Explanation:** This language restricts \$1.0 million of the Universities at Shady Grove (USG) general fund appropriation budgeted in USMO until a report is submitted on how one-time funding of \$450,000 restricted in the fiscal 2018 budget to support new academic programming related to the Biomedical Sciences and Engineering Education Facility at USG will be spent.

## R30B36

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b>              |
|----------------------------|---------------|------------------------------|
| Report on enhancement fund | USMO          | 45 days prior to expenditure |

Amendment No.

60

Add the following language to the unrestricted fund appropriation:

Further provided that this appropriation made for the purpose of institutional support shall be reduced by \$1,000,000. The University System of Maryland Office may not increase the amount of overhead charged to institutions to replace these funds.

**Explanation:** This language reduces the University System of Maryland's general fund appropriation by \$1.0 million and stipulates that the University System of Maryland Office cannot increase the amount of overhead charged to institutions to replace these funds.

Amendment No.

61

Add the following language to the unrestricted fund appropriation:

Further provided that \$200,000 of this appropriation may not be expended until the University System of Maryland Office submits a report to the budget committees on any outside income that the Chancellor received in fiscal 2017, 2018, and 2019. The report shall be submitted by August 1, 2019, and the budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

**Explanation:** This language restricts \$0.2 million until the University of Maryland System Office submits a report on any outside income the Chancellor received in fiscal 2017, 2018, and 2019.

| <b>Information Request</b>            | <b>Author</b> | <b>Due Date</b> |
|---------------------------------------|---------------|-----------------|
| Report on chancellor's outside income | USMO          | August 1, 2019  |

Amendment No.

62

## R30B36

### Committee Narrative

***Report on Ensuring Viability of the Universities at Shady Grove:*** *The committees request the University System of Maryland Office (USMO) to submit a report detailing a plan to position the Universities at Shady Grove (USG) for future development to promote regional and statewide interests and advance economic competitiveness. USMO shall establish a study commission of nine members with the chair selected by the Chancellor. The study shall evaluate (1) the mix of programs offered at USG; (2) the leadership and fiscal sustainability; (3) additional missions for USG based on economic development needs of the region and State; (4) current and planned transportation enhancements; and (5) a cost/benefit analysis of the plan. The report shall be submitted by December 1, 2019.*

| <b><i>Information Request</i></b>          | <b><i>Author</i></b> | <b><i>Due Date</i></b>  |
|--|----------------------|-------------------------|
| <i>Report on ensuring viability of USG</i> | <i>USMO</i>          | <i>December 1, 2019</i> |

# R62I00

## Maryland Higher Education Commission

### Budget Amendments

#### R62I00.03     Joseph A. Sellinger Formula for Aid to Non–Public Institutions of Higher Education

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>                   | <u>Positions</u> |
|--|--------------------------------|------------------|
| 1. Reduce Sellinger funding reflecting reductions to the selected public four-year institutions. | 419,490    GF<br>251,868    GF |                  |
| Total Reductions   | 419,490<br>251,868             |                  |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>             | <u>Amount Reduction</u>    | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------------------|----------------------------|---------------------------|
| General Fund       | 59,444,395        | 59,024,905<br>59,192,527         | 419,490<br>251,868         |                           |
| <b>Total Funds</b> | <b>59,444,395</b> | <b>59,024,905<br/>59,192,527</b> | <b>419,490<br/>251,868</b> |                           |

Amendment No.

**63**

#### R62I00.05     The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges

| Reduce appropriation for the purposes indicated:   | <u>Funds</u>    | <u>Positions</u> |
|--|-----------------|------------------|
| 1. <del>Reduce the appropriation for community colleges to reflect an \$8.3 million reduction for the selected public four year institutions. This results in a reduction of \$1,707,506 under the Senator John A. Cade Funding Formula and a reduction of \$13,636 for the Small Community College Grant.</del> | 1,721,142    GF |                  |
| Total Reductions   | 1,721,142<br>0  |                  |

## R62I00

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u>                                | <u>Amount<br/>Reduction</u>             | <u>Position<br/>Reduction</u> |
|--------------------|--------------------|---|---|-------------------------------|
| General Fund       | 268,037,522        | <del>266,316,380</del><br>268,037,522               | <del>1,721,142</del><br>0               |                               |
| <b>Total Funds</b> | <b>268,037,522</b> | <b><del>266,316,380</del></b><br><b>268,037,522</b> | <b><del>1,721,142</del></b><br><b>0</b> |                               |

Amendment No.

64

### Committee Narrative

**Managing for Results Submission:** In the annual Managing for Results (MFR) submissions, the Maryland Higher Education Commission (MHEC) reports on the gap in statewide graduation and transfer rates from community colleges as they compare between minority students and all students. However, the size of the gap for minority students is obscured by the fact that their graduation and transfer rates are included in the rate for all students. Therefore, the budget committees request that MHEC amend its annual MFR submission so that the size of the gap measures graduation and transfer rates as they compare between minority students and White students.

### Budget Amendments

#### Maryland Higher Education Commission

##### R62I00.09 Governor's Promise Plus Program

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of the Governor's Promise Plus Program may not be expended for that purpose but instead may be transferred only by budget amendment to R62I00.01 General Administration to be used only for paying attorney fees for students involved in disciplinary proceedings related to violation of an institution of higher education's sexual assault policies as required under Title 11, Subtitle 6 of the Education Article. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language transfers \$250,000 from the Governor's Promise Plus Program to the Maryland Higher Education Commission to be used to pay attorney fees for students involved in disciplinary proceedings related to violation of an institution of higher education's sexual assault policies.

## R62I00

Amend the following language to the general fund appropriation:

Further provided that ~~\$354,000~~ \$261,500 of this appropriation made for the purpose of the Governor's Promise Plus Program may not be expended for that purpose but instead may be transferred by budget amendment to Salisbury University R30B29.00 to be used only for the operation of The Eastern Shore Center for Innovation, Entrepreneurship, and Economic Development at Salisbury University. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language transfers ~~\$0.4~~ \$0.3 million from the Governor's Promise Plus Program to Salisbury University to support operation of The Eastern Shore Center for Innovation, Entrepreneurship, and Economic Development at Salisbury University.

Amendment No.

65

Add the following language to the general fund appropriation:

Further provided that \$300,000 of this appropriation made for the purpose of the Governor's Promise Plus Program may not be expended for that purpose but instead may only be transferred by budget amendment to the TeamBuilders Academy at Prince George's Community College. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This language transfers \$0.3 million from the Governor's Promise Plus Program to the TeamBuilders Academy at Prince George's Community College.

Amendment No.

66

Add the following language to the general fund appropriation:

Further provided that \$261,500 of this appropriation made for the purpose of the Governor's Promise Plus Program may not be expended for that purpose but instead may only be transferred by budget amendment to Frostburg State University R30B26.00 to be used for developing a nurse practitioner program with a concentration in psychiatric nursing. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

## R62I00

**Explanation:** This language transfers \$0.3 million from the Governor's Promise Plus Program to Frostburg State University to support the development of the nurse practitioner program with a concentration in psychiatric nursing.

Amendment No. **67**

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>                 | <u>Positions</u> |
|--|------------------------------|------------------|
| 1. <del>Delete</del> Reduce funds for the proposed Governor's Promise Plus Program. Since the awards would not be made until the start of the 2020-2021 academic year (fiscal 2021), the funds would not be needed in fiscal 2020. | 7,369,000 GF<br>6,927,000 GF |                  |
| Total Reductions   | 7,369,000<br>6,927,000       |                  |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|---------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund  | 8,300,000        | 931,000<br>1,373,000 | 7,369,000<br>6,927,000  |                           |
| Total Funds   | 8,300,000        | 931,000<br>1,373,000 | 7,369,000<br>6,927,000  |                           |

Amendment No. **68**

### Committee Narrative

**Report on Best Practices and Annual Progress Toward the 55% Completion Goal:** The committees understand that, in order to meet the State's goal to have at least 55% of Maryland's residents age 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution's progress toward the

## R62I00

State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions' programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.

In addition, the committees request that MHEC, in collaboration with the Governor's Prekindergarten-20 Council, convene a biennial Summit on Completion that provides a forum for representatives of all segments of education (including K-12), economic and workforce development, and other stakeholders to share best practices on college completion that are underway in Maryland and hear from experts on best practices in other states that may be replicated in Maryland. A summary of the summit should be included in the annual report on best practices and progress toward the 55% goal.

| Information Request   | Author | Due Date          |
|---|--------|-------------------|
| Report on best practices and annual progress toward the 55% completion goal | MHEC   | December 15, 2019 |

**Report on Impact of Credit Completion Requirement on Financial Aid Awards:** Beginning in the 2018-2019 academic year and in a student's third academic year, students receiving the Educational Excellence Award must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 credit hours but less than 30 credit hours will have their awards prorated, and those who do not complete at least 24 credit hours lose their award. The committees are interested in the impact the new 30-credit-hour requirement had on students in the 2019-2020 academic year, particularly if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report is due by December 15, 2019.

| Information Request   | Author                               | Due Date          |
|---|--------------------------------------|-------------------|
| Report on impact of credit completion requirement on financial aid awards | Maryland Higher Education Commission | December 15, 2019 |



## R75T00 Higher Education

### Budget Amendments

#### R75T00.01 Support for State Operated Institutions of Higher Education

Strike the following language:

~~provided that \$470,000 of this appropriation made for the purpose of the Universities at Shady Grove (USG) in the University System of Maryland Office may only be used to fund the development or expansion of academic programs at USG. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

**Explanation:** This language restricts \$470,000 of the USG appropriation budgeted in the University of Maryland System office to be used only for the development of new programs or expansion of existing programs. In fiscal 2017, \$1.6 million was provided to USG for academic programming however \$0.5 million was used to expand staff. From fiscal 2017 to 2019 USG has used \$1.4 million of the \$4.8 million for personnel and not to fund academic programs.

Amendment No.

69

Strike the following language:

~~Further provided that \$1,000,000 of this appropriation made for the purpose of the Universities at Shady Grove in the University System of Maryland Office (USMO) may not be expended until USMO submits a report to the budget committees on how one-time funding of \$450,000 restricted in the fiscal 2018 budget to support new academic programming related to the new Biomedical Sciences and Engineering Education Facility was spent. The budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.~~

**Explanation:** The language restricts \$1.0 million of the Universities at Shady Grove (USG) appropriation budgeted in USMO until a report is submitted on how one-time funding of \$450,000 restricted in the fiscal 2018 budget to support new academic programming related to the Biomedical Sciences and Engineering Education Facility at USG will be spent.

## R75T00

### **Information Request**

### **Author**

### **Due Date**

Report on enhancement funds

USMO

45 days prior to expenditures

Amendment No.

70

Amend the following language to the general fund appropriation:

Further provided that this appropriation made for the purpose of the University System of Maryland institutions shall be reduced by ~~\$10,000,000~~ \$6,000,000.

**Explanation:** This language reduces the University System of Maryland's (USM) general fund appropriation by ~~\$10.0~~ \$6.0 million. New State-supported revenues are more than sufficient to cover current services cost and initiatives leaving USM ~~\$12.9~~ \$6.9 million to transfer to the State-supported portion of the fund balance. Since USM's available resources to debt exceeds the 1:1 ratio, this reduction will not significantly affect its coverage.

Amendment No.

71

Add the following language to the general fund appropriation:

Further provided that \$700,000 of this appropriation made for the purpose of converting contractual positions may not be expended until Morgan State University (MSU) submits a report to the budget committees documenting the positions and the salaries of those positions that will be converted. The report shall be submitted by August 1, 2019, and the committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided that MSU shall submit a report on the positions and the salaries of those positions that were converted by December 1, 2019.

**Explanation:** The fiscal 2020 budget provides \$700,000 specifically designated for the conversion of contractual positions. This language withholds the expenditure of these funds until MSU submits a report documenting which positions and the salaries of those positions that are to be converted. In addition, MSU is to submit a subsequent report detailing the positions and their corresponding salaries that were actually converted.

## R75T00

| Information Request                                | Author | Due Date         |
|--|--------|------------------|
| Report on contractual positions to be converted    | MSU    | August 1, 2019   |
| Report on contractual positions actually converted | MSU    | December 1, 2019 |

Add the following language to the general fund appropriation:

Further provided that this appropriation made for the purpose of institutional support at the University System of Maryland Office (USMO) shall be reduced by \$1,000,000. USMO may not increase the amount of overhead charged to institutions to replace these funds.

**Explanation:** This language reduces USMO's general fund appropriation by \$1.0 million and stipulates that USMO cannot increase the amount of overhead charged to institutions to replace these funds.

Amendment No.

72

Add the following language to the general fund appropriation:

Further provided that \$200,000 of this appropriation made for the purpose of the University System of Maryland Office (USMO) may not be expended until USMO submits a report to the budget committees on any outside income that the Chancellor received in fiscal 2017, 2018, and 2019. The report shall be submitted by August 1, 2019, and the budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** This language restricts \$0.2 million until USMO submits a report on any outside income the Chancellor received in fiscal 2017, 2018, and 2019

| Information Request                   | Author | Due Date       |
|---------------------------------------|--------|----------------|
| Report on chancellor's outside income | USMO   | August 1, 2019 |

Amendment No.

73

## R75T00

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>                                 | <u>Positions</u> |
|--|--|------------------|
| 1. Proportional reduction in State General Funds as will be incurred by the University System of Maryland. | 1,000,000 <del>GF</del><br>600,000 <i>GF</i> |                  |
| Total Reductions   | 1,000,000<br>600,000                         |                  |

| <u>Effect</u>      | <u>Allowance</u>     | <u>Appropriation</u>                         | <u>Amount Reduction</u>            | <u>Position Reduction</u> |
|--------------------|----------------------|--|------------------------------------|---------------------------|
| General Fund       | 1,539,669,450        | 1,538,669,450<br>1,539,069,450               | 1,000,000<br>600,000               |                           |
| Special Fund       | 81,805,344           | 81,805,344                                   | 0                                  |                           |
| <b>Total Funds</b> | <b>1,621,474,794</b> | <b>1,620,474,794</b><br><b>1,620,874,794</b> | <b>1,000,000</b><br><b>600,000</b> |                           |

Amendment No.

74

### Committee Narrative

**Instructional Faculty Workload Report:** The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions such as full- and part-time nontenured/nontenure-track faculty including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. ~~Furthermore, the USM report should include the percent of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.~~

| Information Request               | Authors            | Due Date          |
|-----------------------------------|--------------------|-------------------|
| Annual report on faculty workload | USM<br>MSU<br>SMCM | December 15, 2019 |

## R75T00

### **Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution Category:**

In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by expected family contribution (EFC), the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2019 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

| <b>Information Request</b>                            | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Report on fiscal 2018 financial aid categories by EFC | MHEC          | June 30, 2020   |

**Report on Mental Health Services:** The demand for mental health services has been increasing, putting a strain on resources as institutions look for way to meet the demands of its students. These issues also affect the ability of a student to stay in college and graduate. The committees are interested in how higher education institutions are managing the increased demand in mental health services on their campuses and request University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) to submit a joint report on how they are meeting the demand, including how students request and receive services, type of services provided, challenges the campus faces in meeting the demand for mental health services, cost of services provided, and if best practices implemented at other universities and telemedicine are being considered. The report should be submitted by October 1, 2019.

| <b>Information Request</b>       | <b>Authors</b>     | <b>Due Date</b> |
|----------------------------------|--------------------|-----------------|
| Report on mental health services | USM<br>MSU<br>SMCM | October 1, 2019 |

## **R75T00**

***Report on Improving Student Completion:*** *As the number of Maryland high school graduates becomes increasingly diverse and more students follow a more nontraditional college route e.g., transferring to multiple institutions, changing enrollment status, and entering college later, institutions will need to develop programs and pathways to help all students succeed. The committees are interested in the institution's 5- and 10-year goals, strategies, and metrics used to benchmark progress in recruiting, retaining, and graduating students.*

| <b><i>Information Request</i></b>             | <b><i>Authors</i></b>   | <b><i>Due Date</i></b>   |
|---|---|--------------------------|
| <i>Report on improving student completion</i> | <i>University System of Maryland;<br/>Morgan State University;<br/>St. Mary's College of Maryland</i> | <i>September 1, 2019</i> |

**R95C00**  
**Baltimore City Community College**

**Committee Narrative**

**Information Technology (IT) Infrastructure Renovations:** Baltimore City Community College (BCCC) has faced numerous difficulties in updating its IT infrastructure. This has resulted in many IT shortcomings for BCCC, including, but not limited to, being unable to procure a new Enterprise Resource Planning (ERP) system, being unable to properly safeguard student data, and not adequately providing malware protection for its computers. An IT infrastructure five-year plan was produced at the end of the 2018 calendar year, which documented the IT infrastructure that will need to be upgraded or replaced, its timeline for replacing and upgrading, when it will be able to support a new ERP system, and all associated costs. The budget committees request a report that documents the status of the implementation of the IT infrastructure renovation, including if internal timelines were met and if cost estimates were correct, as well as any additional findings that occurred as a result of the upgrade process.

| <b>Information Request</b>    | <b>Author</b> | <b>Due Date</b> |
|-------------------------------|---------------|-----------------|
| IT Infrastructure plan update | BCCC          | July 1, 2019    |

**Realignment Plan Status Update:** Baltimore City Community College (BCCC) submitted a final institutional realignment implementation plan in December 2018. This realignment plan, with completion due dates for implementation tasks and tactics, identified when and how certain institutional realignment tasks would be completed. The committees request a report on the institutional realignment plan that further documents progress toward completion of the realignment plan's objectives.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b> |
|----------------------------|---------------|-----------------|
| Realignment plan update    | BCCC          | October 1, 2019 |

**Enrollment and Mayor's Scholars Program Update:** Baltimore City Community College (BCCC) has seen decreases in enrollment for full-time equivalent students (FTES) from 2011 through 2018. While enrollment headcount increased to start the 2018 academic year, enrollment per FTES has reached a historic low. The Mayor's Scholars Program has the potential to provide BCCC with an influx of students that could bolster the decreasing enrollment per FTES numbers faced by BCCC. The committee request a report that identified what actions are being taken to address the decrease in enrollment per FTES and what impact the Mayor's Scholars Program will have on FTES enrollment, ~~along with any other pertinent enrollment strategies or campaigns.~~ *additional information on the status of the Mayor's Scholars Program, including (1) the number of applications received for the first and second cohorts, the number of students who enrolled each semester, and the number of first year students who enrolled in the second year; (2) the number of students who participated in the summer bridge program for the first and*

## R95C00

*second cohort; (3) the number of students in the first cohort who have successfully completed at least 15 credits each semester or a total of 30 credits in their first academic year; and (4) the total amount each year and the average student awarded. The December 1, 2019 report should include all of the requested information. The June 15, 2020 report should include updated information on the Mayor's Scholars Program for the 2019-2020 academic year.*

| <b>Information Request</b>             | <b>Author</b> | <b>Due Date</b>                          |
|--|---------------|--|
| Enrollment and Mayor's Scholar Program | BCCC          | December 1, 2019<br><i>June 15, 2020</i> |

**Contractual Employees and Length of Service:** The committees are concerned about the high number of contractual employees employed at Baltimore City Community College (BCCC). At nearly 40%, this appears to be an excessive number of contractuels. The committees request a report on the use of contractual employees to include the number of contractual employees by classification and length of service at BCCC. In addition, the report should include the plan, including a timeline, for converting contractual employees to full-time positions.

| <b>Information Request</b>                  | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Contractual employees and length of service | BCCC          | October 1, 2019 |



**S00A**  
**Department of Housing and Community Development**

**Committee Narrative**

**DIVISION OF NEIGHBORHOOD REVITALIZATION**

**S00A24.01 Neighborhood Revitalization**

**Report on the Implementation of the Ending Youth Homelessness Act:** Chapter 748 of 2018, or the Ending Youth Homelessness Act, established the Ending Youth Homelessness Grant Program within the Department of Housing and Community Development (DHCD) in order to prevent and end youth homelessness in the State and address disparities based on race, ethnicity, sexual orientation, and gender identity. The law also establishes an Ending Youth Homelessness Grant Fund but does not mandate a funding amount or a funding source. While the fiscal 2020 allowance does include an increase of just under \$1 million in general funds for homelessness programs, the budget does not specify a funding amount for the implementation of the act. The committees are concerned that DHCD is not specifically providing funding for the implementation of the law and instead is using existing programs at the department to implement goals of the legislation.

The department should provide a report on its implementation of Chapter 748 that includes the following information for fiscal 2019 and 2020:

- the amount of funds provided to grantees for the purposes specified in Chapter 748 and how those funds were used by each recipient;
- how youth were engaged by DHCD's homelessness program staff and how youth provided leadership at DHCD;
- how DHCD grantees used funding to address the disproportionate representation in the homelessness population among race, sexual orientation, and gender identity;
- how DHCD is building capacity for ensuring the effectiveness of programs and services targeted at ending youth homelessness; and
- how DHCD is addressing the geographic diversity of homelessness.

| <b>Information Request</b>                  | <b>Author</b> | <b>Due Date</b>  |
|---|---------------|------------------|
| Report on the implementation of Chapter 748 | DHCD          | December 1, 2019 |

## **S00A**

### **Budget Amendments**

#### **S00A24.02 Neighborhood Revitalization – Capital Appropriation**

Add the following language to the general fund appropriation:

, provided that \$2,500,000 of this appropriation for the purpose of the Seed Community Development Anchor Institution Fund may not be used for that purpose but instead may be used only as a grant to East Baltimore Development Inc. Funds not spent for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund.

**Explanation:** This action restricts funds from the Seed Community Development Anchor Institution Fund to instead be used as a grant to East Baltimore Development Inc.

**T00**  
**Department of Commerce**

**Committee Narrative**

**OFFICE OF THE SECRETARY**

**T00A00.01 Office of the Secretary**

***Report on the Ability of Independent Filmmakers to Access the State Film Tax Credit Program:*** The committees are concerned about small, independent filmmakers' ability to access the State's Film Tax Credit program. Typical industry practice is to form new companies specifically for each individual production. Due to the statutory requirement that a small or independent film entity be incorporated for at least one year, most small and independent film productions would not qualify. The Department of Commerce (Commerce) should provide a report on (1) the number of tax credit applications from small, independent filmmakers; (2) the amount of the requested tax credits from small, independent filmmakers; (3) the amount of tax credits disbursed to small, independent filmmakers; and (4) the number of rejected applications from small, independent filmmakers.

| <b><i>Information Request</i></b>                                       | <b><i>Author</i></b> | <b><i>Due Date</i></b>   |
|---|----------------------|--------------------------|
| <i>Report on film tax credit usage by small, independent filmmakers</i> | <i>Commerce</i>      | <i>September 1, 2019</i> |

**Budget Amendments**

**DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT**

**T00F00.23 Maryland Economic Development Assistance Authority and Fund**

Amend the following language on the general fund appropriation:

~~, provided that \$500,000 of this appropriation made for the purpose of the Maryland Economic Development Assistance Authority and Fund may not be used for that purpose but instead may be used only as a grant to Visit Baltimore for promotional efforts related to a national collegiate sporting event being hosted in the State. Funds not spent for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund.~~

, provided that \$500,000 of this appropriation may not be used for the Maryland Economic Development Assistance Authority and Fund and shall only be transferred by budget amendment to appropriations for the following grants in the specified amounts:

## T00

- (1) \$250,000 to Visit Baltimore for promotional efforts related to a national collegiate sporting event being hosted in the State; and
- (2) \$250,000 to Prince George's Community College for operating expenses of the Queen Anne Academic Center.

Funds not spent for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and if not expended for these purposes shall revert to the General Fund.

**Explanation:** ~~This action restricts funds from the Maryland Economic Development Assistance Authority and Fund to instead be used as a grant to Visit Baltimore to provide funds for efforts related to the State hosting national college basketball tournaments.~~ *This action restricts funds from the Maryland Economic Development Assistance Authority and Fund to instead be used as a grant to Visit Baltimore to provide funds for efforts related to the State hosting national college basketball tournaments and as a grant to Prince George's Community College to support improvements to its academic center.*

Amendment No.

75

Reduce appropriation for the purposes indicated:

|   | <u>Funds</u>                 | <u>Positions</u> |
|---|------------------------------|------------------|
| 1. Reduce funding for the Maryland Economic Development Assistance Authority and Fund due to existing fund balance and aggressive estimates of activity and canceled loan encumbrances. | 1,750,000 GF<br>1,000,000 GF |                  |
| Total Reductions  | 1,750,000<br>1,000,000       |                  |

| <u>Effect</u>      | <u>Allowance</u>  | <u>Appropriation</u>             | <u>Amount Reduction</u>        | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------------------|--------------------------------|---------------------------|
| General Fund       | 3,000,000         | 1,250,000<br>2,000,000           | 1,750,000<br>1,000,000         |                           |
| Special Fund       | 25,000,000        | 25,000,000                       | 0                              |                           |
| <b>Total Funds</b> | <b>28,000,000</b> | <b>26,250,000<br/>27,000,000</b> | <b>1,750,000<br/>1,000,000</b> |                           |

Amendment No.

76

## T00

### T00F00.24 More Jobs for Marylanders Tax Credit Reserve Fund

| Reduce appropriation for the purposes indicated:  | <u>Funds</u>                 | <u>Positions</u> |
|---|------------------------------|------------------|
| 1. Reduce funding for the More Jobs for Marylanders income tax credit program due to available fund balance and lower than anticipated usage. | 5,000,000 GF<br>1,000,000 GF |                  |
| Total Reductions  | 5,000,000<br>1,000,000       |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>           | <u>Amount Reduction</u>        | <u>Position Reduction</u> |
|--------------------|------------------|--------------------------------|--------------------------------|---------------------------|
| General Fund       | 7,000,000        | 2,000,000<br>6,000,000         | 5,000,000<br>1,000,000         |                           |
| <b>Total Funds</b> | <b>7,000,000</b> | <b>2,000,000<br/>6,000,000</b> | <b>5,000,000<br/>1,000,000</b> |                           |

Amendment No.

**77**

### T00F00.26 More Jobs for Marylanders Tax Credit Reserve Fund – Opportunity Zones

Amend the following language on the general fund appropriation:

, provided that this entire appropriation shall be contingent on the enactment of ~~SB 174~~ or ~~HB 450~~ *SB 581 or HB 1260*.

**Explanation:** This action would make funding for the More Jobs for Marylanders – Opportunity Zone expansion contingent on the enactment of legislation expanding the program.

Amendment No.

**78**

## T00

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>               | <u>Positions</u> |
|--|----------------------------|------------------|
| 1. Reduce funding for the More Jobs for Marylanders Act                        | 3,000,000                  | GF               |
| – Opportunity Zone expansion due to the overestimated impact of the expansion. | 1,000,000                  | GF               |
| <br>Total Reductions   | <br>3,000,000<br>1,000,000 |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>           | <u>Amount Reduction</u>        | <u>Position Reduction</u> |
|--------------------|------------------|--------------------------------|--------------------------------|---------------------------|
| General Fund       | 6,000,000        | 3,000,000<br>5,000,000         | 3,000,000<br>1,000,000         |                           |
| <b>Total Funds</b> | <b>6,000,000</b> | <b>3,000,000<br/>5,000,000</b> | <b>3,000,000<br/>1,000,000</b> |                           |

Amendment No.

79

### DIVISION OF TOURISM, FILM AND THE ARTS

#### T00G00.08 Preservation of Cultural Arts Program

Amend the following language on the special fund appropriation:

, provided that ~~\$300,000~~–\$500,000 of this special fund appropriation for the purpose of the Preservation of Cultural Arts Program may be expended only for the purpose of providing grants to the following organizations:

- (1) ~~\$200,000~~–\$150,000 as a grant to the Board of Trustees of Arts Education in Maryland Schools Alliance;
- (2) \$50,000 as a grant to the Board of Directors of Arts Every Day; and
- (3) \$50,000 as a grant to 901 Arts;
- (4) \$150,000 as a grant to Montgomery County to be provided to BlackRock Center for the Arts for roof repairs;
- (5) \$50,000 as a grant to the Board of Directors of the Annapolis Community Foundation for a statue of Queen Anne; and
- (6) \$50,000 as a grant to the Chesapeake Shakespeare Company.

## T00

Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

**Explanation:** This language restricts the use a portion of funds in the Preservation of Cultural Arts Program to be used only for grants to certain organizations.

Amendment No.

80

**T50T01**  
**Maryland Technology Development Corporation**

**Budget Amendments**

**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**

**T50T01.01 Technology Development, Transfer and Commercialization**

Strike the following language:

~~provided that \$500,000 of this appropriation may not be used for the Technology Development, Transfer, and Commercialization program and shall only be transferred by budget amendment to appropriations for the following grants in the following specified amounts:~~

- ~~(1) — \$250,000 to the Prince George’s County State’s Attorney’s Office to fund new positions in that office; and~~
- ~~(2) — \$250,000 to the Baltimore City State’s Attorney’s Office to fund new positions in that office.~~

~~Funds not used for these restricted purposes shall revert to the General Fund.~~

**Explanation:** ~~The language allows the Governor to transfer \$500,000 by budget amendment to the Prince George’s County and Baltimore City State’s Attorney’s offices to fund new positions in each.~~

Amendment No.

**81**

**Committee Narrative**

***Report on TEDCO Efforts to Boost Investments to Women- and Minority-owned Businesses:***  
*The committees are concerned about the lack of investments by Maryland Technology Development Corporation (TEDCO) funds in women- and minority-owned businesses. The corporation should provide a report that includes:*

- (1) the share of women-owned businesses (by number of businesses and by funding amount) that received investments in each of TEDCO’s funds in fiscal 2017 to 2019;*
- (2) the share of minority-owned businesses (by number of businesses and by funding amount) that received investments in each of TEDCO’s funds in fiscal 2017 to 2019;*



## T50T01

- (3) *the development of a goal for TEDCO for the share of women- and minority-owned businesses that its funds invest in; and*
- (4) *a plan for achieving that goal.*

| <i>Information Request</i>   | <i>Author</i> | <i>Due Date</i>          |
|--|---------------|--------------------------|
| <i>Report on TEDCO efforts to increase investments in women- and minority-owned businesses</i> | <i>TEDCO</i>  | <i>September 1, 2019</i> |

### Budget Amendments

#### T50T01.06 Enterprise Investment Fund Administration

Add the following language to the special fund appropriation:

, provided that contingent on the failure to enact SB 340, HB 543, SB 593, and HB 955, \$800,000 of this agency's special fund appropriation for the administration of the Maryland Venture Fund (MVF) (also known as the Enterprise Investment Fund) may not be expended until the Maryland Technology Development Corporation (TEDCO) submits a report detailing its actions in response to the Office of Legislative Audit's findings. This report shall include:

- (1) TEDCO's criteria for the receipt of investments from this program, including a restriction on investments outside Maryland;
- (2) its plans for the reestablishment of the Maryland Venture Fund Authority to oversee the MVF; and
- (3) what actions TEDCO is, or will be, taking to reclaim investments made in companies that were not in Maryland or that left Maryland less than two years after receiving an MVF investment.

The budget committees shall have 45 days to review and comment following the receipt of the report. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

**Explanation:** The budget committees are concerned about the seriousness of the findings of the fiscal compliance audit of TEDCO. This action would restrict a portion of the funds for the administration of the MVF until the receipt of a report detailing actions taken in response to the findings.

## T50T01

| Information Request                               | Author | Due Date                                   |
|---|--------|--|
| Response to Office of Legislative Audits findings | TEDCO  | 45 days prior to the expenditure of funds. |

### Committee Narrative

**Report on the Use of TEDCO Investment Funds:** The committees are concerned about the use of Maryland Technology Corporation (TEDCO) funds to invest in out-of-State businesses. TEDCO should develop a system to determine the amount of State and non-State residents employed at each business in which TEDCO invests funds, provide a definition of a Maryland company and determine whether each company receiving TEDCO investments is a Maryland company, and report to the committees that information.

| Information Request                         | Author | Due Date          |
|---|--------|-------------------|
| Report on the use of TEDCO investment funds | TEDCO  | September 1, 2019 |

### Budget Amendments

#### Maryland Technology Development Corporation

#### T50T01.09 Maryland Technology Infrastructure Fund

Strike the following language:

~~provided that \$16,000,000 of this appropriation may not be used for the Maryland Technology Infrastructure Fund and shall only be transferred by budget amendment to appropriations for the following grants, projects, or programs in the following specified amounts:~~

- ~~(1) — \$7,770,000 to the Baltimore City Police Department to provide technology improvements at the Baltimore City Police Department to comply with the federal consent decree;~~
- ~~(2) — \$1,600,000 to the Baltimore Symphony Orchestra;~~
- ~~(3) — \$1,000,000 to program S00A24.01 Neighborhood Revitalization to implement Chapter 748 of 2018, the Ending Youth Homelessness Act;~~
- ~~(4) — \$430,000 to NorthBay to operate an environmental education camp for youth;~~

## T50T01

- ~~(5) — \$75,000 to the Housing Authority of Baltimore City to hire security personnel at Irvington Place in Baltimore City;~~
- ~~(6) — \$75,000 to Harlem Financial LLC to hire security personnel at Harlem Gardens in Baltimore City;~~
- ~~(7) — \$4,000,000 to program D15A05.16 Governor's Office of Crime Control and Prevention to establish the Rape Kit Testing Grant Fund;~~
- ~~(8) — \$1,000,000 to program D15A05.16 Governor's Office of Crime Control and Prevention to establish the Pretrial Services Program Grant Fund established by Chapter 771 of 2018; and~~
- ~~(9) — \$50,000 to the Crest Regional Higher Education Center for an operating grant.~~

~~Funds not used for these restricted purposes shall revert to the General Fund.~~

~~**Explanation:** The language allows the Governor to transfer \$16 million by budget amendment to support a variety of purposes, including to the Baltimore City Police Department in order for the department to make technology improvements necessary to comply with the federal consent decree, to provide support for the Baltimore Symphony Orchestra, to fund youth homelessness prevention, and provide funding for NorthBay, security personnel at two elderly housing facilities, rape kit testing, pretrial services, and the Crest Regional Higher Education Center.~~

Amendment No.

82

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. <i>The allowance includes \$16 million in funding for the new Maryland Technology Infrastructure Fund and \$500,000 in associated personnel costs. This action reduces program funding.</i> | 10,000,000   | GF               |
| <i>Total Reductions</i>  | 10,000,000   |                  |

## T50T01

| <u><i>Effect</i></u> | <u><i>Allowance</i></u> | <u><i>Appropriation</i></u> | <u><i>Amount<br/>Reduction</i></u> | <u><i>Position<br/>Reduction</i></u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| <i>General Fund</i>  | 16,000,000              | 6,000,000                   | 10,000,000                         |                                      |
| <i>Total Funds</i>   | 16,000,000              | 6,000,000                   | 10,000,000                         |                                      |

Amendment No.

**83**

**U00A**  
**Department of the Environment**

**Budget Amendments**

Add the following language:

It is the intent of the General Assembly that regular positions be budgeted instead of contractual full-time equivalents for the ongoing work of the College of Southern Maryland's Maryland Center for Environmental, Health, and Safety Training employees.

**Explanation:** The fiscal 2020 budget reflects that the Maryland Department of the Environment is hiring a number of College of Southern Maryland's Maryland Center for Environmental, Health, and Safety Training Center employees as contractual full-time equivalents. Therefore, the center's work is now being done in-house instead of being paid through a grant. This shift in funding reflects the resolution to the May 2018 audit finding that the Maryland Department of the Environment used interagency agreements with a college to augment its staff, allowing it to avoid using competitive procurement processes or budgeted positions. Since the work is ongoing, the General Assembly expresses its intent that the center's employees be budgeted as regular positions.

**OFFICE OF THE SECRETARY**

**U00A01.01    Office of the Secretary**

Add the following language to the general fund appropriation:

. provided that \$25,000 of the Maryland Department of the Environment's (MDE) administrative appropriation may not be expended until a report is submitted to the budget committees by MDE, listing each repeat audit finding along with a description of the corrective actions taken to address each repeat finding. MDE has had two repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits. The budget committees shall have 45 days to review and comment to allow funds to be released prior to the end of fiscal 2020.

**Explanation:** MDE had two repeat audit findings in its most recent fiscal compliance audit. This action restricts funding until a report is submitted describing the corrective actions taken to address each repeat finding.

| <b>Information Request</b>  | <b>Author</b> | <b>Due Date</b>                     |
|---|---------------|-------------------------------------|
| Status of corrective actions related to the most recent fiscal compliance audit | MDE           | 45 days before the release of funds |

## U00A

### U00A01.04 Capital Appropriation – Hazardous Substance Clean-Up Program

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of remediating hazardous waste contaminated sites may not be expended for that purpose but instead may be used only to provide a grant to the owner of the 1600 Harford Avenue (Former Stop, Shop and Save) property in Baltimore City. The funding shall be used for assessment or remediation of the property.

Further provided that funding for this restricted purpose shall not be released until a confirmatory letter from the property owner of 1600 Harford Avenue has been submitted to the budget committees indicating that the property will be redeveloped into a grocery store and providing a timeline for when reimbursement for assessment or remediation of the property will be sought. The budget committees shall have 45 days to review and comment upon receipt of the confirmatory letter. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

**Explanation:** This action restricts funding for the 1600 Harford Avenue (Former Stop, Shop and Save) project in Baltimore pending the receipt of a letter indicating that the property will be redeveloped into a grocery store and providing a timeline for when reimbursement for remediation of the property will be sought.

| <b>Information Request</b>  | <b>Author</b>   | <b>Due Date</b>                     |
|---|---|-------------------------------------|
| Confirmatory letter on the redevelopment of the 1600 Harford Avenue (Former Stop, Shop and Save) property | 1600 Harford Avenue (Former Stop, Shop and Save) property owner | 45 days before the release of funds |

Amendment No.

84

## U00A

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>            | <u>Positions</u> |
|--|-------------------------|------------------|
| 1. <del>Reduce the appropriation for the Hazardous Substance Clean-Up Program. The 1600 Harford Avenue (former Stop, Shop and Save) project is no longer a viable project.</del> | <del>110,000</del>      | <del>GF</del>    |
| Total Reductions   | <del>110,000</del><br>0 |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>             | <u>Amount Reduction</u>    | <u>Position Reduction</u> |
|--------------------|------------------|----------------------------------|----------------------------|---------------------------|
| General Fund       | 525,000          | 415,000<br>525,000               | 110,000<br>0               |                           |
| <b>Total Funds</b> | <b>525,000</b>   | <b>415,000</b><br><b>525,000</b> | <b>110,000</b><br><b>0</b> |                           |

Amendment No.

**85**

## LAND AND MATERIALS ADMINISTRATION

### U00A06.01 Land and Materials Administration

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses may not be expended pending the submission of the Maryland Scrap Tire Annual Report. The report shall be submitted by November 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** This action restricts \$200,000 in general funds pending the submission of the Maryland Scrap Tire Annual Report by November 1, 2019. Environment Article Section 9-275(c) specifies that an annual status report is due on or before November 1 of each year. The Maryland Department of the Environment (MDE) has not consistently met this requirement.

| <b>Information Request</b>        | <b>Author</b> | <b>Due Date</b>  |
|-----------------------------------|---------------|------------------|
| Maryland Scrap Tire Annual Report | MDE           | November 1, 2019 |

## U00A

Amend the following language to the general fund appropriation:

Further provided that \$50,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of the Environment (MDE) submits a report outlining how MDE will establish and fund a lithium ion battery recycling program. The report should include the following:

- (1) a plan developed by MDE, in partnership with private, nonprofit, and public partners, to process and recycle lithium ion batteries;
- (2) a proposal for a facility to recycle lithium ion batteries;
- (3)(1) how lithium ion battery recycling may be incorporated into the Maryland Recycling Act; and
- (4)(2) the steps needed to create a statewide program for the Maryland government to recycle lithium ion batteries.

This report shall be submitted to the budget committees by December 1, 2019. The budget committees shall have 45 days to review and comment following the receipt of the report. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The budget committees are concerned that lithium ion batteries are not included in the definition of recyclable materials as defined by the Maryland Recycling Act. Therefore, this action restricts funding, pending the submission of a report on a lithium ion battery recycling program.

| Information Request                          | Author | Due Date         |
|--|--------|------------------|
| Lithium ion battery recycling program report | MDE    | December 1, 2019 |

Amendment No.

86



**U10B00**  
**Maryland Environmental Service**

**Committee Narrative**

**U10B00.41 General Administration**

**Maryland Environmental Service Funding Statement:** The committees are concerned that the Maryland Environmental Service (MES) budgeted for a \$3.6 million, or 13.9%, increase in funding between fiscal 2019 and 2020 for State reimbursable projects. In addition, the committees are unclear about the relationship between MES's reimbursable project appropriation and its undesignated unrestricted net assets, overhead rate, and project reserve funds. Therefore, the committees request that MES provide a report on the following:

- undesignated unrestricted net assets for fiscal 2019, 2020, and 2021 estimated and an explanation for any changes between each of these years, including revenues credited to and expenditures debited from the net assets;
- overhead rate for fiscal 2019, 2020, and 2021 estimated;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2019 and 2020 for the State Reimbursable Project Contingency Fund, the Eastern Correctional Institution Steam Turbine Contingency Fund, and the Department of Natural Resources Project Contingency Fund; and
- justification for the changes in reimbursable project funding for fiscal 2019, 2020, and 2021 estimated based on a discussion about how MES's undesignated unrestricted net assets allow for reducing MES's overhead rate for State reimbursable projects and how project reserve funds are available for any under budgeting.

The report should be submitted in coordination with the Department of Budget and Management (DBM) with the fiscal 2021 budget submission.

| <b>Information Request</b> | <b>Authors</b> | <b>Due Date</b>                  |
|----------------------------|----------------|----------------------------------|
| MES funding statement      | MES<br>DBM     | Fiscal 2021 budget<br>submission |

**V00A**  
**Department of Juvenile Services**

**Budget Amendments**

**DEPARTMENTAL SUPPORT**

**V00D02.01 Departmental Support**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of providing administrative support may not be expended until the Department of Juvenile Services submits a performance measure and outcomes analysis to the budget committees for youth who participate in alternatives to detention (ATD) programs that are designed to avoid the need for detention placements for youth who do not pose a public safety risk. The analysis should specifically evaluate all existing ATD programs, providing measurable data to determine whether participation in those programs is successful. The department should also provide outcome analysis for youth whose complaints were informally processed at the intake stage. Additionally, the report should provide information regarding informal processing of juvenile complaints. The report should evaluate and compare recidivism outcomes with youth who are formally processed through the court system. The report shall be submitted by December 30, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** Despite increased attention given to enhancing the use of diversion programs, the proportion of youth placed in ATD is decreasing. Compared to fiscal 2015, the percentage of youth placed in ATD programs instead of secure detention has decreased from 65% to 59% in fiscal 2018. The Department of Juvenile Services (DJS) currently does not report any data to indicate how outcomes for youth who participate in these programs compare to youth held in secure detention. This language restricts funds in the fiscal 2020 budget until the department submits such an evaluation.

| <b>Information Request</b>                  | <b>Author</b> | <b>Due Date</b>   |
|---|---------------|-------------------|
| Alternative to detention performance report | DJS           | December 30, 2019 |

**W00A**  
**Department of State Police**

**Budget Amendments**

**MARYLAND STATE POLICE**

**W00A01.02 Field Operations Bureau**

Amend the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of funding personnel expenses may not be expended until the Department of State Police (DSP) submits a report to the budget committees demonstrating that the 45 12 positions identified for civilianization in the department's December 1, 2018 report to the budget committees have resulted in 45 12 troopers being placed back into direct law enforcement activities by November 1, 2019.

Further provided that the restricted funds may not be expended until DSP confirms that 5 additional positions *have been reclassified* ~~currently filled by troopers have been reclassified as civilian positions~~ by November 1, 2019, *to allow troopers currently performing administrative functions to be placed back into direct law enforcement activities*. The report shall be submitted to the budget committees by December 1, 2019, and the budget committees shall have 45 days to review and comment. To the extent that positions are not successfully reclassified or the report is not submitted by the requested date, the restricted funds shall revert to the General Fund.

**Explanation:** A December 2016 analysis by the Office of Legislative Audits determined that 127 administrative and support positions currently filled by sworn troopers could be filled by civilians. DSP agreed with the potential to civilianize 84 of those positions. Despite having begun the civilianization process over 18 months ago, DSP has only returned 2 troopers to active law enforcement duties. This language restricts funds within the department until DSP provides confirmation that the 45 12 previously identified positions have resulted in the return of troopers to the field and requires DSP to confirm the reclassification of an additional 5 positions for civilianization.

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b>  |
|----------------------------|---------------|------------------|
| DSP civilianization report | DSP           | December 1, 2019 |

Amendment No.

**87**

## W00A

### W00A01.04 Support Services Bureau

Add the following language to the general fund appropriation:

, provided that \$100,000 of the general fund appropriation for the Support Services Bureau within the Department of State Police (DSP) may not be expended until the department provides the budget committees with a comprehensive analysis of the current requirements and impediments for Maryland and DSP to successfully transition to the National Incident Based Reporting System (NIBRS) method for reporting crime statistics through the Uniform Crime Report (UCR) program within the Federal Bureau of Investigation by January 1, 2021. The report, to be submitted to the budget committees no later than November 15, 2019, shall provide the following information:

- (1) a list of the current jurisdictions and state agencies capable of NIBRS compliance;
- (2) a detailed review of the impediments specific to DSP and other Maryland state and local law enforcement agencies that are not currently compliant and potential solutions;
- (3) a fiscal estimate of the cost to DSP and statewide for achieving compliance with NIBRS;
- (4) a realistic timeline and plan for implementing any necessary changes;
- (5) the potential role of the State and DSP in supporting local jurisdictions in the transition;
- (6) the potential risks of not transitioning to NIBRS by January 1, 2021; and
- (7) any potential statutory changes that might be required to comply with NIBRS.

The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** By January 1, 2021, the Federal Bureau of Investigation is requiring all crime data to be reported consistent with NIBRS, which Maryland cannot currently accommodate. Currently, DSP reports summary crime statistics only. Given that NIBRS reporting requires significantly more enhanced data reporting, it is likely that local law enforcement agencies will need significant assistance from the State for procurement, information technology upgrades, data conversion, technical support, and training. As the agency responsible for the current UCR, this language directs DSP to take the lead in planning for the successful transition to NIBRS by the January 2021 deadline by asking the department to conduct an in depth study of what is required to achieve compliance.

## **W00A**

| <b>Information Request</b> | <b>Author</b> | <b>Due Date</b>   |
|----------------------------|---------------|-------------------|
| NIBRS transition report    | DSP           | November 15, 2019 |

## X00A00

### Public Debt

#### Committee Narrative

~~**Review Capital Debt Affordability Process:** The State created the Capital Debt Affordability Committee (CDAC) to manage State debt. The committee has adopted two criteria to determine if State debt is affordable: State debt outstanding cannot exceed 4% of State personal income; and State debt service cannot exceed 8% of State revenues. These criteria have succeeded in reducing State debt, which was high in the late 1970s. However, there have been times when authorizations increased at a rapid rate. This forced the State to make substantial reductions to the capital program. For example, general obligation bond authorizations increased from \$460 million in fiscal 2001 to \$1.1 billion in fiscal 2010, an annual increase of 10.3%. When revenues declined during the Great Recession, the State reduced the capital budget by \$400 million to avoid breaching the debt service to revenues ratio. The rapid expansion of debt was in part attributable to the CDAC process undervaluing the cost of increasing authorizations. CDAC should consider modifying policies to develop a more cautious approach when evaluating increases to general obligation bond authorizations. CDAC should convene a study group to examine the best approach to evaluating the cost of increasing authorizations without undervaluing the costs of expanding the program. The group should include the State Treasurer's Office, the State Comptroller's Office, the Department of Budget and Management, the Maryland Department of Transportation, and the Department of Legislative Services. The study group should report its findings to CDAC and the budget committees.~~

| <del>Information Request</del>                   | <del>Author</del> | <del>Due Date</del>         |
|--|-------------------|-----------------------------|
| <del>Review of debt affordability policies</del> | <del>CDAC</del>   | <del>November 1, 2019</del> |

## Y01A State Reserve Fund

### Budget Amendments

#### Y01A01.01 Revenue Stabilization Account

Amend the following language to the general fund appropriation:

, provided that authorization is hereby granted to the Governor to process a budget amendment for ~~\$90,000,000~~ \$39,500,000 of balance in the Revenue Stabilization Account for the purpose of providing special fund capital appropriations only for the programs and purposes herein listed:

- (1) ~~\$90,000,000~~ \$39,500,000 to program R00A07.02 Interagency Commission on School Construction. Provide funds to construct public school buildings and public school capital improvements, provided that these funds shall only be subject to approval by the Interagency Commission on School Construction.

**Explanation:** In conjunction with a provision in the Budget Reconciliation and Financing Act of 2019, the Governor is authorized to process a budget amendment to utilize ~~\$90.0~~ \$39.5 million in Rainy Day Fund balance to provide funds to construct school buildings and public school capital improvements subject only to the approval by the Interagency Commission on School Construction.

Amendment No.

88

#### Y01A02.01 Dedicated Purpose Account

Amend the following language to the general fund appropriation:

, provided that authorization is hereby granted to the Governor to process a budget amendment for \$50,000,000 of balance designated for Retirement Reinvestment Contributions in the Dedicated Purpose Account for the purpose of providing special fund capital appropriations only for the programs and purposes herein listed:

- (1) ~~\$37,000,000~~ \$32,500,000 to program R00A07.02 Interagency Commission on School Construction to construct public school buildings and public school capital improvements, provided that these funds shall only be subject to approval by the Interagency Commission on School Construction. Further provided that \$9,285,000 of this appropriation may only be expended for the purpose of providing reimbursement to public school systems whose counties forward funded the State's share of eligible public school construction and cannot be reimbursed with general obligation bond funds; and

## Y01A

- (2) \$4,500,000 to program R00A02.07 Students with Disabilities – Aid to Education for additional special education grants to local education agencies; and
- ~~(2)~~(3) \$13,000,000 to program S00A24.02 Neighborhood Revitalization – Capital Appropriation for the Strategic Demolition and Smart Growth Impact Fund to provide funds for grants and loans to government agencies and community development organizations for demolition, land assembly, architecture and engineering, and site development in designated Sustainable Communities. These funds shall be administered in accordance with Section 4-508 of the Housing and Community Development Article. Provided that any financial assistance awarded under this program is not subject to Section 8-301 of the State Finance and Procurement Article.

**Explanation:** This action authorizes the Governor to process a budget amendment from the balance in the Dedicated Purpose Account to provide ~~\$37.0~~ \$32.5 million to construct school buildings and public school capital improvements subject only to the approval by the Interagency Commission on School Construction, *\$4.5 million for additional special education grants to local education agencies*, and \$13.0 million to fund grants and loans to government agencies and community development organizations for neighborhood revitalization projects through the Department of Housing and Community Development Smart Growth Impact Fund. *This language also restricts a portion of the funds provided for public school construction to be used only to provide reimbursement to counties that forward funded the State's share of eligible public school construction that cannot be reimbursed with general obligation bond funds.*

Amendment No.

89

Amend the following language to the general fund appropriation:

Further provided that authorization is hereby granted to the Governor to process a budget amendment for \$43,860,950 of balance designated for Program Open Space Repayment in the Dedicated Purpose Account for the purpose of providing special fund appropriations only for the programs and purposes herein listed:

- (1) \$2,020,015 to program K00A04.01 Maryland Park Service Statewide Operations;
- (2) \$3,670,485 to program K00A05.10 Outdoor Recreation Land Loan for Program Open Space – State Share; ~~provided that \$1,945,000 of this authorization is restricted for the following purposes:~~
- ~~(a) — \$1,000,000 for the construction of capital improvements at Rash Field located in Baltimore City;~~
- ~~(b) — \$250,000 for the construction of capital improvements at College Park Woods Neighborhood Park located in Prince George's County;~~



## Y01A

- ~~(c) — \$250,000 for the construction of capital improvements at Josiah Henson Park located in Montgomery County;~~
- ~~(d) — \$25,000 for the construction of capital improvements to the Randallstown Community Center, including the replacement of audio and visual equipment, located in Baltimore County;~~
- ~~(e) — \$30,000 for the construction of capital improvements to the Reisterstown Sportsplex, including the replacement of security system equipment, located in Baltimore County;~~
- ~~(f) — \$15,000 for the construction of capital improvements at Northwest Regional Park, including safety and security improvements, located in Baltimore County;~~
- ~~(g) — \$25,000 for the construction of capital improvements at Reisterstown Regional Park, including safety and security improvements located in Baltimore County;~~
- ~~(h) — \$100,000 for the construction of capital improvements at Radebaugh Park located in Baltimore County;~~
- ~~(i) — \$50,000 for the construction of capital improvements at Linover Park located in Baltimore County; and~~
- ~~(j) — \$200,000 for the construction of capital improvements at Ovid Hazen Wells Recreational Park located in Montgomery County;~~
- (3) \$8,535,752 to program K00A05.10 Outdoor Recreation Land Loan for Program Open Space – Local Share;
- (4) \$1,893,048 to program K00A05.10 Outdoor Recreation Land Loan for Rural Legacy Program;
- (5) \$12,000,000 to program K00A05.10 Outdoor Recreation Land Loan for Natural Resources Development Fund;
- (6) \$9,286,358 to program K00A05.10 Outdoor Recreation Land Loan for Critical Maintenance Program; and
- (7) \$6,455,292 to program L00A11.11 for Maryland Agricultural Land Preservation Program.

## Y01A

**Explanation:** This action authorizes the Governor to process a budget amendment from the balance in the Dedicated Purpose Account to provide Program Open Space (POS) repayments. ~~This action further specifies use of a portion of the POS Stateside allocation for capital improvement at specified parks.~~

Amendment No. **90**

Add the following language to the general fund appropriation:

Further provided that authorization is hereby granted to the Governor to process a budget amendment for \$12,000,000 of balance designated for Washington Metropolitan Area Transit Authority Contribution in the Dedicated Purpose Account for the purpose of providing special fund capital appropriations only for the programs and purposes herein listed:

- (1) \$12,000,000 to program S00A25.07 Division of Development Finance for Rental Housing Programs – Capital Appropriation to provide funds for rental housing developments that serve low- and moderate-income households. The funds shall be administered in accordance with Sections 4-401 through 4-411, 4-501, and 4-504 of the Housing and Community Development Article.

**Explanation:** This action authorizes the Governor to process a budget amendment from the balance in the Dedicated Purpose Account to provide \$12.0 million to fund rental housing developments through the Department of Housing and Community Development Rental Housing Programs capital program.

| Reduce appropriation for the purposes indicated:   | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce the grant to the Maryland Department of Transportation for the Washington Metropolitan Area Transit Authority (WMATA) contribution. Capital appropriations for WMATA are more than required. | 3,000,000    | GF               |
| Total Reductions   | 3,000,000    | 0.00             |

| <u>Effect</u>      | <u>Allowance</u>   | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| General Fund       | 218,860,950        | 215,860,950          | 3,000,000               |                           |
| <b>Total Funds</b> | <b>218,860,950</b> | <b>215,860,950</b>   | <b>3,000,000</b>        |                           |

## Y01A

### Y01A03.01 Economic Development Opportunities Program Account

Add the following language to the general fund appropriation:

, provided that \$460,000 of this appropriation for the purpose of an appropriation to the Economic Development Opportunities Program Account may not be used for that purpose but instead may be used only for the following:

- (1) \$335,000 as a grant to the Board of Trustees of the Maryland Academy of Science for operating support;
- (2) \$25,000 as a grant to Morgan State University to fund the staff of the Task Force on Reconciliation and Equity; and
- (3) \$100,000 as a grant to the Board of Directors of The Light House homeless shelter in Annapolis for operating support.

Funds not spent for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund.

**Explanation:** This action restricts funds from the Economic Development Opportunities Program Account, or Sunny Day Fund, to instead be used to support the Maryland Academy of Science (also known as the Maryland Science Center) and an equity commission at Morgan State University.

Amendment No.

91

## Y01A

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>            | <u>Positions</u> |
|--|-------------------------|------------------|
| 1. <del>Delete</del> Reduce the general fund allowance for the Economic Development Opportunities Program Account as the fund balance is sufficient to meet current obligations. | 5,000,000 <del>GF</del> |                  |
|  | 4,540,000 <del>GF</del> |                  |
| Total Reductions   | 5,000,000<br>4,540,000  |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u>        | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|--------------------------------|---------------------------|
| General Fund       | 5,000,000        | 0<br>460,000         | 5,000,000<br>4,540,000         |                           |
| <b>Total Funds</b> | <b>5,000,000</b> | <b>0<br/>460,000</b> | <b>5,000,000<br/>4,540,000</b> |                           |

Amendment No.

92

### Y01A04.01 Catastrophic Event Account

Reduce appropriation for the purposes indicated:

|  | <u>Funds</u>            | <u>Positions</u> |
|--|-------------------------|------------------|
| 1. Reduce the appropriation into the Catastrophic Event Account. Since fiscal 2001, the State has not transferred more than \$3 million from the account to State agencies in any fiscal year. This leaves \$4 \$3 million in the account. | 6,000,000 <del>GF</del> |                  |
|  | 7,000,000 <del>GF</del> |                  |
| Total Reductions   | 6,000,000<br>7,000,000  |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u>         | <u>Amount Reduction</u>        | <u>Position Reduction</u> |
|--------------------|------------------|------------------------------|--------------------------------|---------------------------|
| General Fund       | 7,464,250        | 1,464,250<br>464,250         | 6,000,000<br>7,000,000         |                           |
| <b>Total Funds</b> | <b>7,464,250</b> | <b>1,464,250<br/>464,250</b> | <b>6,000,000<br/>7,000,000</b> |                           |

Amendment No.

93

## Y01A

### Committee Narrative

**Repayment of the Catastrophic Event Account and the Small, Minority, and Women-Owned Businesses Account:** In September 2016, \$2.5 million was transferred from the Catastrophic Event Account, and \$2.3 million was transferred from the Small, Minority, and Women-Owned Businesses Account into the Department of Housing and Community Development (DHCD) Neighborhood BusinessWorks program to provide loans to businesses in Ellicott City. Another \$2.5 million was transferred from the Catastrophic Event Account in July 2018. As part of its review of the transfer of funds from the Catastrophic Event Account, the Legislative Policy Committee recommended that DHCD develop a process by which the funds or repaid loans are credited to the Catastrophic Event Account. The department should submit a report that provides data regarding the number and amount of loans provided, the outstanding balance of these loans, and the number and amount of any forgiven loans. This report should be submitted to the budget committees by January 24, 2020.

| Information Request  | Authors                                     | Due Date         |
|--|---|------------------|
| Report on the Catastrophic Event Account and the Small, Minority, and Women-Owned Businesses Account repayment | DHCD<br>Department of Budget and Management | January 24, 2020 |

**G50L00**  
**Maryland Supplemental Retirement Plans**

**Fiscal 2019 Deficiency**

**TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**

**G50L00.01 Maryland Supplemental Retirement Plan Board and Staff**

Add the following language to the special fund appropriation:

, provided that \$77,000 of this appropriation made for the purpose of staffing needs may not be expended until the Maryland Supplemental Retirement Plans (MSRP) submits a report to the budget committees providing accurate projected salary and fringe benefit costs for fiscal 2019 and 2020, and MSRP submits a budget amendment to adjust the fiscal 2019 appropriation to fully accommodate the projected salary and fringe benefit costs based on actual expenditures in fiscal 2019. The report and budget amendment shall be submitted by May 15, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report and budget amendment may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report and budget amendment are not submitted to the budget committees.

**Explanation:** According to Maryland Supplemental Retirement Plans' (MSRP) financial records, the agency is projected to exceed the fiscal 2019 appropriation due to actual salary and fringe benefit expenditures exceeding what is appropriated. This language restricts additional funding provided in fiscal 2019 until MSRP submits a report to the budget committees identifying what actual salary and fringe benefit costs are projected to be in fiscal 2019 and 2020, based on actual expenditures of the agency. The funding is further restricted until MSRP submits a budget amendment adjusting the fiscal 2019 appropriation to reflect accurate funding necessary to cover the agency's actual expenditures.

| <b>Information Request</b>   | <b>Author</b> | <b>Due Date</b> |
|--|---------------|-----------------|
| Report providing accurate projected salary and fringe benefit costs for fiscal 2019 and 2020, and a budget amendment adjusting the fiscal 2019 appropriation | MSRP          | May 15, 2019    |

# H00 Department of General Services

## Fiscal 2019 Deficiency

### OFFICE OF REAL ESTATE

#### H00E01.01 Real Estate Management

Reduce appropriation for the purposes indicated:

|   | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. <del>Delete funds for State Center litigation.</del> | 346,000      | GE               |
| Total Reductions  | 346,000      |                  |
|   | 0            |                  |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount<br/>Reduction</u> | <u>Position<br/>Reduction</u> |
|--------------------|------------------|----------------------|-----------------------------|-------------------------------|
| General Fund       | 346,000          | 0                    | 346,000                     |                               |
|                    |                  | 346,000              | 0                           |                               |
| <b>Total Funds</b> | <b>346,000</b>   | <b>0</b>             | <b>346,000</b>              |                               |
|                    |                  | 346,000              | 0                           |                               |

Amendment No.

**94**

## Sections

### Budget Amendments

Amend the following section:

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

- (a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense ~~and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted.~~

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury ~~a schedule of allotments, if any a list limited to the appropriations restricted in this Act, to be placed in contingency reserve.~~ The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

- ~~(b)~~ To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.
- ~~(e)~~ (b) To fix the number and classes of positions, including temporary and permanent positions, or person years of authorized employment for each agency, unit, or program thereof, not inconsistent with the Public General Laws in regard to classification of positions. The Secretary shall make such determinations before the beginning of the fiscal year and shall base them on the positions or person years of employment authorized in the budget as amended by approved budgetary position actions. No payment for salaries or wages nor any request for or certification of personnel shall be made except in accordance with the Secretary's determinations. At any time during the fiscal year the Secretary may amend the number and classes of positions or person years of employment previously fixed by the Secretary; the Secretary may delegate all or part of this authority. The governing boards of public institutions of higher education shall have the authority to transfer positions between programs and campuses under each institutional board's jurisdiction without the approval of the Secretary, as provided in Section 15-105 of the Education Article.
- ~~(d)~~ (c) To prescribe procedures and forms for carrying out the above provisions.



## Sections

**Explanation:** This language limits the amount of appropriations that can be placed into contingency reserve to only those items restricted by the General Assembly.

Amend the following section:

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0217 (Health Insurance), 0305 (DBM Paid Telecommunications), 0322 (Capital Lease Telecommunications), 0839 (HR Shared Services), 0874 (Office of Attorney General Administrative Fee), 0876 (DoIT IT Services Allocation), 0894 (State Personnel System Allocation), 0897 (Enterprise Budget System Allocation), and 1303 (rent paid to DGS) are to be utilized for their intended purposes only. ~~The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management.~~ Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller Objects 0152, 0154, 0217, 0305, 0322, and 0876 between State departments and agencies by approved budget amendment in fiscal 2019 and fiscal 2020. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154, and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2-516 of the State Personnel and Pensions Article of the Annotated Code of Maryland.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects listed within this section shall establish within the State's accounting system a structure of accounts to separately identify for each restricted Comptroller Object, by fund source, the legislative appropriation, monthly transactions, and final expenditures. It is the intent of the General Assembly that an accounting detail be established so that the Office of Legislative Audits may review the disposition of funds appropriated for each restricted Comptroller Object as part of each closeout audit to ensure that funds are used only for the purposes for which they are restricted and that unspent funds are reverted or canceled.

**Explanation:** This amendment pertaining to restricted objects of expenditure is amended to disallow transfers to other purposes and makes it possible for the Office of Legislative Audits to track the disposition of funds in restricted statewide subobjects.

## Sections

Add the following section:

### Section 22 Executive Long-term Forecast

SECTION 22. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the executive budget proposal on the long-term fiscal condition of the General Fund, the Transportation Trust Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and four years thereafter. Expenditures shall be reported at such agency, program or unit levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

**Explanation:** This annual language provides for the delivery of the executive's General Fund, transportation, and higher education forecasts and defines the conditions under which they are to be provided.

| Information Request | Author                              | Due Date   |
|---------------------|-------------------------------------|--|
| Executive forecasts | Department of Budget and Management | With the submission of the Governor's fiscal 2021 budget books |

Add the following section:

### Section 23 Across-the-board Reductions and Higher Education

SECTION 23. AND BE IT FURTHER ENACTED, That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

**Explanation:** This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College, unless their exclusion is specifically stated.

## Sections

Add the following section:

### Section 24 Reporting Federal Funds

SECTION 24. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a summary statement of federal revenues by major federal program sources supporting the federal appropriations made therein along with the major assumptions underpinning the federal fund estimates. The Department of Budget and Management (DBM) shall exercise due diligence in reporting this data and ensure that they are updated as appropriate to reflect ongoing congressional action on the federal budget. In addition, DBM shall provide to the Department of Legislative Services (DLS) data for the actual, current, and budget years listing the components of each federal fund appropriation by Catalog of Federal Domestic Assistance number or equivalent detail for programs not in the catalog. Data shall be provided in an electronic format subject to the concurrence of DLS.

**Explanation:** This annual language provides for consistent reporting of federal monies received by the State.

| Information Request                                     | Author | Due Date                                  |
|---|--------|---|
| Reporting components of each federal fund appropriation | DBM    | With submission of the fiscal 2021 budget |

Add the following section:

### Section 25 Federal Fund Spending

SECTION 25. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

- (1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.

## Sections

- (2) For fiscal 2020, except with respect to capital appropriations, to the extent consistent with federal requirements:
- (a) when expenditures or encumbrances may be charged to either State or federal fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department of Human Services with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities;
  - (b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management (DBM), whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and
  - (c) DBM shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of federal funds by executive agencies.

**Explanation:** This annual language defines the policies under which federal funds shall be used in the State budget.

Add the following section:

### **Section 26 Indirect Costs Report**

SECTION 26. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) shall provide an annual report on indirect costs to the General Assembly in January 2020 as an appendix in the Governor's fiscal 2021 budget books. The report must detail by agency for the actual fiscal 2019 budget the amount of statewide indirect cost recovery received, the amount of statewide indirect cost recovery transferred to the General Fund, and the amount of indirect cost recovery retained for use by each agency. In addition, the report must list the most recently available federally approved statewide and internal agency cost-recovery rates. As part of the normal fiscal/compliance audit performed for each agency, the Office of Legislative Audits shall assess available information on the timeliness, completeness, and deposit history of indirect cost recoveries by State agencies. Further provided that for fiscal 2020, excluding the Maryland Department of Transportation, the amount of revenue received by each agency from any federal source for statewide cost recovery shall be transferred only to the General Fund and may not be retained in any clearing account or by any other means, nor may DBM or any other agency or entity approve exemptions to permit any agency to retain any portion of federal statewide cost recoveries.

## Sections

**Explanation:** This is annual language that requires a report on indirect costs and disallows waivers of statewide cost recovery.

| Information Request             | Author | Due Date   |
|---------------------------------|--------|--|
| Annual report on indirect costs | DBM    | With submission of the Governor's fiscal 2021 budget books |

Add the following section:

### **Section 27 Reporting on Budget Data and Organizational Charts**

SECTION 27. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2021 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of Maryland. The presentation of budget data in the Governor's budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2020 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2019 spending, the fiscal 2020 working appropriation, and the fiscal 2021 allowance, the budget detail shall be available from the Department of Budget and Management (DBM) automated data system at the subobject level by subobject codes and classifications for all agencies. To the extent possible, except for public higher education institutions, subobject expenditures shall be designated by fund for actual fiscal 2019 spending, the fiscal 2020 working appropriation, and the fiscal 2021 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available on request and in a format subject to the concurrence of the Department of Legislative Services (DLS). Further, the expenditure of appropriations shall be reported and accounted for by the subobject classification in accordance with the instructions promulgated by the Comptroller of Maryland.

Further provided that due diligence shall be taken to accurately report full-time equivalent (FTE) counts of contractual FTEs in the budget books. For the purpose of this count, contractual FTEs are defined as those individuals having an employee-employer relationship with the State. This count shall include those individuals in higher education institutions who meet this definition but are paid with additional assistance funds.

Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

## Sections

Further provided that for each across-the-board reduction to appropriations or positions in the fiscal 2021 budget bill affecting fiscal 2020 or 2021, DBM shall allocate the reduction for each agency in a level of detail not less than the three-digit R\*Stars financial agency code and by each fund type.

Further provided that DBM shall provide to DLS special and federal fund accounting detail for the fiscal year last completed, current year, and budget year for each fund. The account detail, to be submitted with the allowance, should at a minimum provide revenue and expenditure detail, along with starting and ending balances.

Further provided that DBM shall provide to DLS by September 1, 2019, a list of all subprograms used by each department, unit, agency, office, and institution, along with a brief description of the subprograms purpose and responsibilities.

**Explanation:** This annual language provides for consistent reporting of fiscal 2019, 2020, and 2021 budget data and provides for the submission of department, unit, agency, office, and institutions' organizational charts to DLS with the allowance. It also requires DBM to allocate across-the-board reductions to positions or funding to ensure transparency in budget allocations approved by the General Assembly. Finally, it requires DBM to provide information on special and federal fund accounts, as well as a list and description of all subprograms used by State entities.

| Information Request   | Author | Due Date                                  |
|---|--------|---|
| Agency organizational charts and special and federal fund accounting detail | DBM    | With submission of the fiscal 2021 budget |
| List of subprograms   | DBM    | By September 1, 2019                      |

## Sections

Add the following section:

### **Section 28    Interagency Agreements**

SECTION 28. AND BE IT FURTHER ENACTED, That on or before August 1, 2019, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2019 between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

- (1)    a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;
- (2)    the starting date for each agreement;
- (3)    the ending date for each agreement;
- (4)    a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;
- (5)    a description of the nature of the goods and services to be provided;
- (6)    the total number of personnel, both full- and part-time, associated with the agreement;
- (7)    contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement;
- (8)    total indirect cost recovery or facilities and administrative (F&A) expenditures authorized for the agreement;
- (9)    the indirect cost recovery or F&A rate for the agreement and brief description of how the rate was determined;
- (10)   actual expenditures for the most recently closed fiscal year;
- (11)   actual base expenditures that the indirect cost recovery or F&A rate may be applied against during the most recently closed fiscal year;
- (12)   actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and

## Sections

- (13) total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2019, that contains information on all agreements between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 that were in effect at any time during fiscal 2019.

Further provided that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 may be entered into during fiscal 2020 without prior approval of the Secretary of Budget and Management.

| Information Request                           | Author | Due Date         |
|---|--------|------------------|
| Consolidated report on interagency agreements | DBM    | December 1, 2019 |

Add the following section:

### **Section 29 Budget Amendments**

SECTION 29. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Control and Prevention or the Maryland Emergency Management Agency made in Section 1 of this Act shall be subject to the following restrictions:

- (1) This section may not apply to budget amendments for the sole purpose of:
- (a) appropriating funds available as a result of the award of federal disaster assistance; and
  - (b) transferring funds from the State Reserve Fund – Economic Development Opportunities Account for projects approved by the Legislative Policy Committee (LPC).
- (2) Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until:
- (a) that amendment has been submitted to the Department of Legislative Services (DLS); and



## Sections

- (b) the budget committees or LPC has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full-time equivalent payroll requirements.
- (3) Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:
  - (a) restore funds for items or purposes specifically denied by the General Assembly;
  - (b) fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation (MDOT) shall be restricted as provided in Section 1 of this Act;
  - (c) increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to MDOT; and
  - (d) provide for the additional appropriation of special, federal, or higher education funds of more than \$100,000 for the reclassification of a position or positions.
- (4) A budget may not be amended to increase a federal fund appropriation by \$100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.
- (5) No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.
- (6) Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.
- (7) Budget amendments for new major information technology projects, as defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A-308 of the State Finance and Procurement Article.

## Sections

- (8) Further provided that the fiscal 2020 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2020 and the supporting electronic detail may not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the MDOT pay-as-you-go capital program.
- (9) Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2021 allowance, the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

**Explanation:** This annual language defines the process under which budget amendments may be used.

Add the following section:

### **Section 30 Maintenance of Accounting Systems**

SECTION 30. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2019 in program M00Q01.03 Medical Care Provider Reimbursements and M00Q01.10 Medicaid Behavioral Health Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the monthly reports required under this section for that program.
- (2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2019 to program R00A02.07 Students With Disabilities for nonpublic placements have been disbursed for services provided in that fiscal year and to prepare monthly reports as required under this section for that program.
- (3) The Secretary of Human Services shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2019 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail by placement type for the average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the monthly reports required under this section for that program.

## Sections

- (4) For the programs specified, reports must indicate by fund type total appropriations for fiscal 2019 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.
- (5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller beginning August 15, 2019, and submitted on a monthly basis thereafter.
- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2019 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

**Explanation:** This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the Department of Human Services (DHS).

| Information Request  | Authors            | Due Date                                |
|--|--------------------|---|
| Report on appropriations and disbursements in M00Q01.03, M00Q01.10, R00A02.07, and N00G00.01 | MDH<br>MSDE<br>DHS | August 15, 2019, and monthly thereafter |

Add the following section:

### **Section 31 Chesapeake Employers' Insurance Company Fund Accounts**

SECTION 31. AND BE IT FURTHER ENACTED, That the General Accounting Division of the Comptroller of Maryland shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (Workers' Compensation) and to credit all payments disbursed to the Chesapeake Employers' Insurance Company (CEIC) via transmittal. The control account shall also record all funds withdrawn from CEIC and returned to the State and subsequently transferred to the General Fund. CEIC shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

**Explanation:** This section provides continuation of a system to track workers' compensation payments to the CEIC Fund for payments of claims, current expenses, and funded liability for incurred losses by the State.

## Sections

| Information Request                            | Author | Due Date                          |
|--|--------|-----------------------------------|
| Report on the status of ledger control account | CEIC   | Monthly beginning on July 1, 2019 |

Add the following section:

### Section 32 The “Rule of 100”

SECTION 32. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2019, as determined by the Secretary of Budget and Management. Provided, however, that if the imposition of this ceiling causes undue hardship in any department, agency, board, or commission, additional positions may be created for that affected unit to the extent that an equal number of positions authorized by the General Assembly for the fiscal year are abolished in that unit or in other units of State government. It is further provided that the limit of 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of man that are necessary to protect the health and safety of the people of Maryland.

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 contractual full-time equivalents (FTEs) are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual FTEs for at least two years. Any position created by this method may not be counted within the limitation of 100 under this section.

The numerical limitation on the creation of positions by BPW established in this section may not apply to positions entirely supported by funds from federal or other non-State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

- (1) funds are available from non-State sources for each position established under this exception; and
- (2) any positions created will be abolished in the event that non-State funds are no longer available.

## Sections

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2020, the status of positions created with non-State funding sources during fiscal 2017 through 2020 under this provision as remaining, authorized, or abolished due to the discontinuation of funds.

**Explanation:** This annual language, the Rule of 100, limits the number of positions that may be added after the beginning of the fiscal year to 100 and provides exceptions to the limit.

| Information Request   | Author                              | Due Date      |
|---|-------------------------------------|---------------|
| Certification of the status of positions created with non-State funding sources during fiscal 2017 through 2020 | Department of Budget and Management | June 30, 2020 |

Add the following section:

### **Section 33    Annual Report on Authorized Positions**

SECTION 33. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2019, the Secretary of Budget and Management shall determine the total number of full-time equivalent (FTE) positions that are authorized as of the last day of fiscal 2019 and on the first day of fiscal 2020. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2019 and 2020, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare a report during fiscal 2020 for the budget committees upon creation of regular FTE positions through Board of Public Works action and upon transfer or abolition of positions. This report shall also be provided as an appendix in the fiscal 2021 Governor's budget books. It shall note, at the program level:

- (1)    where regular FTE positions have been abolished;
- (2)    where regular FTE positions have been created;
- (3)    from where and to where regular FTE positions have been transferred; and
- (4)    where any other adjustments have been made.

Provision of contractual FTE information in the same fashion as reported in the appendices of the fiscal 2020 Governor's budget books shall also be provided.

## Sections

**Explanation:** This annual language provides reporting requirements for regular positions and contractual FTEs.

| Information Request   | Author                              | Due Date      |
|---|-------------------------------------|---------------|
| Total number of FTEs on June 30 and July 1, 2019                    | Department of Budget and Management | July 14, 2019 |
| Report on the creation, transfer, or abolition of regular positions | Department of Budget and Management | As needed     |

Add the following section:

### Section 34 Positions Abolished in the Budget

SECTION 34. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

**Explanation:** This language prevents employees from being moved into positions abolished in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

Add the following section:

### Section 35 Annual Report on Health Insurance Receipts and Spending

SECTION 35. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2021 Governor's budget books an accounting of the fiscal 2019 actual, fiscal 2020 working appropriation, and fiscal 2021 estimated revenues and expenditures associated with the employees' and retirees' health plan. The data in this report should be consistent with the budget data submitted to the Department of Legislative Services. This accounting shall include:

- (1) any health plan receipts received from State agencies, employees, and retirees, as well as prescription rebates or recoveries, or audit recoveries, and other miscellaneous recoveries;

## Sections

- (2) any premium, capitated, or claims expenditures paid on behalf of State employees and retirees for any health, mental health, dental, or prescription plan, as well as any administrative costs not covered by these plans; and
- (3) any balance remaining and held in reserve for future provider payments.

**Explanation:** This language provides an accounting of the health plan revenues received and expenditures made on behalf of State employees and retirees. The language proposes that the language in the report be consistent with the budget data submitted with the budget bill.

Add the following section:

### **Section 36 Chesapeake Bay Restoration Spending**

SECTION 36. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of Planning, \$200,000 of the general fund appropriation in the Department of Natural Resources, \$200,000 of the general fund appropriation in the Maryland Department of Agriculture, \$200,000 of the general fund appropriation in the Maryland Department of the Environment, and \$200,000 of the general fund appropriation in the Department of Budget and Management made for the purpose of general operating expenses may not be expended until the agencies provide a report to the budget committees on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The report shall include:

- (1) fiscal 2019 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (2) projected fiscal 2020 to 2025 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (3) an overall framework discussing the needed regulations, revenues, laws, and administrative actions and their impacts on individuals, organizations, governments, and businesses by year from fiscal 2019 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay, to be both written in narrative form and

## Sections

tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;

- (4) an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; and
- (5) an analysis on how cost effective the existing State funding sources – such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water Quality Revolving Loan Fund, among others – are for Chesapeake Bay restoration purposes.

The report shall be submitted by December 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** This language restricts funding in the Maryland Department of Planning (MDP), the Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA), the Maryland Department of the Environment (MDE), and the Department of Budget and Management (DBM) until the agencies provide a report by December 1, 2019, on recent and projected Chesapeake Bay restoration spending and associated impacts and the overall framework to meet the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay. In addition, the language requires the report to include information on policy innovations that improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration and an analysis of how cost effective the State funding sources are that are being used.

| Information Request  | Authors                         | Due Date         |
|--|---------------------------------|------------------|
| Historical and projected Chesapeake Bay restoration spending | MDP<br>DNR<br>MDA<br>MDE<br>DBM | December 1, 2019 |



## Sections

Add the following section:

### **Section 37 Chesapeake Bay Spending Plan**

SECTION 37. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management, the Department of Natural Resources, and the Maryland Department of the Environment provide a report on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the report is as follows: Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2019 actual, fiscal 2020 working appropriation, and fiscal 2021 allowance to be included as an appendix in the fiscal 2021 budget volumes and submitted electronically in disaggregated form to DLS.

**Explanation:** This language expresses the intent that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide, at the time of the fiscal 2021 budget submission, information on Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration.

| <b>Information Request</b>  | <b>Authors</b>    | <b>Due Date</b>                     |
|---|-------------------|-------------------------------------|
| Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration | DBM<br>DNR<br>MDE | Fiscal 2021 State budget submission |

## Sections

Add the following section:

### **Section 38    Reduce Health Insurance Costs for Investment Division and Statewide Cost Allocation**

SECTION 38. AND BE IT FURTHER ENACTED, That the reimbursable fund appropriation in the State Retirement Agency, G20J01.01, shall be reduced by \$225,064. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

| <u>Fund</u> | <u>Amount</u> |
|-------------|---------------|
| General     | \$135,040     |
| Special     | \$45,012      |
| Federal     | \$45,012      |

**Explanation:** The fiscal 2020 allowance includes funding for the Investment Division health insurance costs that should be nonbudgeted funding. The fiscal 2020 allowance also includes costs for the statewide cost allocation that is overbudgeted. This language reduces reimbursable funds for these items.

Add the following section:

### **Section 39    Reduce Turnover Expectancy for New Positions**

SECTION 39. AND BE IT FURTHER ENACTED, That the reimbursable funds appropriation in the State Retirement Agency, G20J01.01, shall be reduced by \$29,008. The Governor shall develop a schedule for allocating this reimbursable fund reduction across State agencies. The reduction shall equal at least the amount indicated for the funds listed:

| <u>Fund</u> | <u>Amount</u> |
|-------------|---------------|
| General     | \$17,404      |
| Special     | \$5,802       |
| Federal     | \$5,802       |

**Explanation:** The fiscal 2020 budget includes 5 new positions budgeted at a turnover rate of 5%. This language raises the turnover expectancy to 25% per fiscal 2020 budget instructions.

## Sections

Amend the following section:

### **Section 40 Submission of the Uniform Crime Report**

SECTION 40. AND BE IT FURTHER ENACTED, That \$1,000,000 of the General Fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2018 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that, if DSP encounters difficulty obtaining necessary crime data by November 1, 2019, from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Control and Prevention (GOCCP). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2020 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP and DSP verifies the accuracy of that data. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2019, and the amount of SAPP funding withheld from each jurisdiction.

Further provided that, it is the intent of the budget committees that, in the event that DSP encounters issues with submitting the complete and accurate UCR due to issues outside of its control, DSP may petition the budget committees for release of the restricted general funds following submission of a report detailing the department's due diligence in attempting to collect the UCR data, including proof of competent oversight of the data contributors.

**Explanation:** The annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. The 2016 UCR was not submitted until May 2018 and the 2017 UCR has yet to be submitted as of February 2019. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2018 UCR. The language also specifies that GOCCP, upon receipt of notification from DSP, must withhold a portion of a delinquent jurisdiction's SAPP grant until certain crime data is received by DSP. Finally, DSP and GOCCP must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2019, and the amount of SAPP funding that was withheld from each jurisdiction.

## Sections

| Information Request | Author | Due Date         |
|---------------------|--------|------------------|
| 2018 UCR            | DSP    | November 1, 2019 |

Amendment No.

95

Add the following section:

### Section 41 Medicaid Cost-savings Targets

SECTION 41. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation made for the purpose of administration in program M00Q01.01 Deputy Secretary for Health Care Financing and \$250,000 of the special fund appropriation made for the purpose of administration in program M00R01.02 Health Services Cost Review Commission may not be expended until the Maryland Department of Health and Health Services Cost Review Commission submit a report to the budget committees specifying 5- and 10-year Medicaid cost-savings and growth rate targets and identifying quality measures in the total cost-of-care quality program that target Medicaid-specific services and populations. The report shall be submitted by December 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled as appropriate if the report is not submitted to the budget committees.

**Explanation:** As a tool to promote service delivery change, Chapter 10 of 2018, the Budget Reconciliation and Financing Act, included language requiring the Maryland Department of Health (MDH) and the Health Services Cost Review Commission (HSCRC) to develop 5- and 10-year Medicaid-specific cost-savings targets including a reduction in total hospital costs and total cost-of-care costs, as well as quality measures. Reporting requirements were also included in the language. The intent of the language was to leverage the system changes included in the total cost-of-care contract to generate specific savings to Medicaid. The subsequent report developed the beginnings of a framework to assess what a reasonable rate of growth should be in Medicaid as well as made reference to the inclusion of Medicaid-specific quality measures in the total cost-of-care quality program but did not establish specific targets or quality goals. The language withholds funding until savings and growth rate targets and quality goals are identified.

| Information Request  | Authors      | Due Date         |
|--|--------------|------------------|
| Medicaid cost-saving and growth rate targets and quality goals | MDH<br>HSCRC | December 1, 2019 |

## Sections

Add the following section:

### **Section 42 Purchase of Vehicles**

SECTION 42. AND BE IT FURTHER ENACTED, That the general funds in the fiscal 2020 budget for the purchase of vehicles (Comptroller Object 0701) shall be reduced by \$1,500,000 in the Executive and Judicial Branch agencies. Funding shall be reduced within the Executive Branch and Judicial Branch agencies, excluding the Department of General Services (H00), the Department of Natural Resources (K00), and the Department of State Police (W00) in accordance with a schedule determined by the Governor and the Chief Judge. The Department of Budget and Management is authorized to process a budget amendment of \$2,250,000 from the Strategic Energy Investment Fund Renewable Energy, Climate Change subaccount to replace general funds reduced in the agencies for the purchase of fully electric or plug-in electric hybrid vehicles.

**Explanation:** This language reduces \$1.5 million in general funds for the purchase of vehicles, excluding agencies that purchase police vehicles. These funds are authorized to be replaced by special funds from the Strategic Energy Investment Fund (SEIF) Renewable Energy, Climate Change subaccount for the purchase of fully electric or plug-in electric hybrid vehicles. Electric vehicles are an eligible use of funding from the Renewable Energy, Climate Change subaccount of the SEIF. That subaccount is projected to have a fiscal 2020 closing fund balance of \$10.3 million, prior to this action. This action would leave a projected closing fund balance of approximately \$8.1 million.

Add the following section:

### **Section 43 Enforcement and Inspection Position Strength Assessment and Vacant Position Filling**

SECTION 43. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and \$200,000 of the general fund appropriation in the Maryland Department of Agriculture (MDA) made for the purpose of general operating expenses may be expended only for the purpose of filling vacant compliance and enforcement positions, provided, however, that no funds may be expended until MDE and MDA jointly prepare and submit quarterly reports on July 1, 2019; October 1, 2019; January 1, 2020; and April 1, 2020, which shall include:

- (1) an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:
  - (a) provide information on the delegation of authority to other entities; and

## Sections

- (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, and responsibilities of the departments' compliance and enforcement positions to neighboring or similar states;
- (3) a list of all inspection activities conducted by the MDE Water and Science Administration, the Land and Materials Administration, the Air and Radiation Administration, and the MDA Office of Resource Conservation;
- (4) the number of:
  - (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2019 actuals; and
  - (b) fiscal 2020 current and fiscal 2021 estimated appropriations;
- (5) the position identification numbers and titles for all positions filled with restricted funding and how the positions are being used; and
- (6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.

Further provided that funding restricted for this purpose may be released quarterly in \$50,000 installments for each agency upon receipt of the required quarterly reports by the budget committees. The budget committees shall have 45 days to review and comment on the submitted quarterly reports. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees and the released funding is not used to fill vacant compliance and enforcement positions.

**Explanation:** This language restricts funding until the submission of quarterly reports from MDE and MDA to the budget committees on compliance and enforcement inspections and positions and then further restricts the funding for filling vacant compliance and enforcement positions. The 2018 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

| Information Request          | Authors | Due Date        |
|------------------------------|---------|-----------------|
| Enforcement and inspection   | MDA     | July 1, 2019    |
| position strength assessment | MDE     | October 1, 2019 |
| and vacant position filling  |         | January 1, 2020 |
|                              |         | April 1, 2020   |

## Sections

Add the following section:

### **Section 44     Reduce State Employees' and Retirees' Health Insurance Account Excess Fund Balance**

SECTION 44. AND BE IT FURTHER ENACTED, That for fiscal 2020 funding for State health insurance contributions for employees and retirees shall be reduced by \$17,000,000 in Executive Branch, Legislative Branch, and Judicial Branch agencies. Funding for this purpose shall be reduced in Comptroller Object 0152 (Health Insurance), and Comptroller Object 154 (Retirees Health Insurance Premiums) within Executive Branch, Legislative Branch, and Judicial Branch agencies in fiscal 2020 by the following amounts in accordance with a schedule determined by the Governor, the Presiding Officers, and Chief Judge:

| <u>Programs</u>                         | <u>Fund</u>              | <u>Amount</u>      |
|---|--------------------------|--------------------|
| <u>General Assembly of Maryland</u>     | <u>General Fund</u>      | <u>\$142,800</u>   |
| <u>Judiciary</u>                        | <u>General Fund</u>      | <u>\$652,800</u>   |
| <u>Executive Branch</u>                 | <u>General Fund</u>      | <u>\$9,404,400</u> |
| <u>Judiciary</u>                        | <u>Special Fund</u>      | <u>\$64,600</u>    |
| <u>Executive Branch</u>                 | <u>Special Fund</u>      | <u>\$3,335,400</u> |
| <u>Executive Branch</u>                 | <u>Federal Fund</u>      | <u>\$3,400,000</u> |
| <u>Morgan State University</u>          | <u>Unrestricted Fund</u> | <u>\$186,773</u>   |
| <u>St. Mary's College of Maryland</u>   | <u>Unrestricted Fund</u> | <u>\$68,689</u>    |
| <u>University System of Maryland</u>    | <u>Unrestricted Fund</u> | <u>\$3,572,803</u> |
| <u>Baltimore City Community College</u> | <u>Unrestricted Fund</u> | <u>\$78,335</u>    |

**Explanation:** The State Employees' and Retirees' Health Insurance Account closed with excess fund balance in fiscal 2020. This language reduces the fund balance by \$17 million (\$10.2 million in general funds).

Add the following section:

### **Section 45     Joint Chairmen's Report Response Procedures**

SECTION 45. AND BE IT FURTHER ENACTED, That, in responding to requests made by the budget committees, whether in the form of language included in the annual budget bill or committee narrative as published in the annual Joint Chairmen's Report, all entities shall provide the budget committees and the Department of Legislative Services materials in both electronic form and hard copy. All hard copy submissions shall include a fully printed edition of all materials included in the response and may not include links to other source materials.

**Explanation:** This action specifies the format for responding to requests for information from the budget committees, specifically noting that hard copy submissions should not include references to other source materials that are not provided in printed format, as these links may not be available when referencing the information at a future date.

## Sections

Amend the following section:

### Section 46 Selected Budget Subobject Detail

SECTION 46. AND BE IT FURTHER ENACTED, That \$200,000 in general funds in program F10A05.01 Budget Analysis and Formulation may not be expended unless the Department of Budget and Management shall submit complete fiscal 2021 subobject detail by program for Comptroller Object 08 by the third Wednesday of January 2020 in an electronic format subject to the concurrence of the Department of Legislative Services. The budget committees shall have 45 days to review and comment upon the completeness of the subobject detail from its date of submission. Funds restricted pending the receipt of this budget detail may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** This action ~~restricts \$200,000 in~~ *requires* the Department of Budget and Management (DBM) ~~pending the submission of~~ *to provide* complete detail by program for Object 08 contractual services funded in fiscal 2021. The level of budget detail provided to the General Assembly has regressed following the implementation of DBM's new information technology budget system, therefore this ~~restriction~~ *language* is intended to improve legislative oversight of the proposed fiscal 2021 budget and future budgets.

| Information Request        | Author | Due Date                        |
|----------------------------|--------|---------------------------------|
| Object 08 subobject detail | DBM    | Third Wednesday of January 2020 |

Amendment No.

96



## Sections

Amend the following section:

### **Section 47     Restricted Funds for The Blueprint for Maryland's Future (Commission on Innovation and Excellence in Education Initiatives)**

#### SECTION 47. AND BE IT FURTHER ENACTED, That:

- (1)     \$35,750,000 of the special fund appropriation made for the purpose of Innovation and Excellence in Education Initiatives in Program R00A02.60 and \$65,000,000 of the special fund appropriation made for the purpose of Public School Construction (\$45,000,000) and Public School Construction – Revolving Loan Fund (\$20,000,000) in Program R00A07.02, may not be expended for those purposes and instead may only be expended for the following purposes as established and specified in SB 1030 or HB 1413 (Ch. \_\_\_\_ of 2019):

  - (a)     ~~\$23,129,403~~ \$9,028,654 to provide additional funding for students with disabilities;
  - (b)     \$54,620,597 for concentration of poverty school grants; ~~and~~
  - (c)     ~~\$23,000,000~~ \$33,850,749 to expand full-day prekindergarten for four-year-olds;
  - (d)     \$2,000,000 for mental health coordinators; and
  - (e)     \$1,250,000 for teacher collaboratives.
- (2)     It is the intent of the General Assembly that the Governor process a budget amendment to appropriate ~~\$200,000,000~~ \$100,000,000 in special funds from the Commission on Innovation and Excellence in Education Fund in fiscal 2020 for the following purposes as established and specified in SB 1030 or HB 1413 (Ch. \_\_\_\_ of 2019):

  - (a)     ~~\$90,478,143 to provide additional funding for students with disabilities;~~
  - ~~(b)~~(a)     \$75,000,000 for teacher salary incentive grants;
  - ~~(c)~~(b)     \$23,000,000 for transitional supplemental instruction grants;
  - ~~(d)~~     \$6,271,857 to expand full-day prekindergarten for four-year-olds;
  - ~~(e)~~     \$2,000,000 for mental health coordinators;
  - ~~(f)~~(c)     ~~\$2,500,000~~ \$1,250,000 for teacher collaboratives;

## Sections

- ~~(g)(d)~~ \$250,000 for outreach and training on The Blueprint for Maryland's Future; and
- ~~(h)(e)~~ \$500,000 to expand the Maryland State Department of Education's direct certification information technology system to include Medicaid data.
- (3) *It is the intent of the General Assembly that, contingent on the enactment of SB 728 or HB 1301 (Ch. \_\_\_ of 2019), the Governor process a budget amendment to appropriate up to \$95,000,000 +in revenues deposited in the Commission on Innovation and Excellence in Education Fund in fiscal 2020 attributable to sales and use tax collections by marketplace facilitators or sellers to provide additional funding for students with disabilities.*
- (4) The Department of Budget and Management shall report to the budget committees by August 15, 2019, on which, if any, restrictions have been implemented.

**Explanation:** This language allocates \$100.75 million in Education Trust Fund supplemental education funds for the purposes authorized in SB 1030 or HB 1413 – The Blueprint for Maryland's Future to implement the recommendations of the Commission on Innovation and Excellence in Education. It also expresses legislative intent that \$200 million deposited in the Commission on Innovation and Excellence in Education special fund to implement the recommendations of the commission be appropriated by budget amendment in fiscal 2020 for the purposes as specified in the legislation. *It also expresses legislative intent that up to \$95 million in additional revenues deposited in the Commission on Innovation and Excellence in Education special fund be appropriated by budget amendment for additional special education grants.* The Department of Budget and Management (DBM) must report by August 15, 2019, on which restrictions have been implemented.

| Information Request   | Author | Due Date        |
|-----------------------|--------|-----------------|
| Implementation report | DBM    | August 15, 2019 |

Amendment No.

97

## Sections

Add the following section:

### **Section 48    *Baltimore City Crime Reduction Strategy***

SECTION 48. AND BE IT FURTHER ENACTED, That \$11,136,063 in general funds within the Governor's Office of Crime Control and Prevention (GOCCP), representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State's Attorney's Office, and \$3,000,000 of the Disparity Grant to Baltimore City budgeted within A15000.01 may not be expended until the Baltimore City Mayor's Office and the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore City Police Department, submit a comprehensive annual crime strategy for the city. The strategy shall include specific measurable actions that the city will take to address crime and be based on a threat assessment. The crime reduction strategy report shall be submitted to the Governor and budget committees by August 1, 2019. The budget committees shall have 45 days to review and comment prior to the release of funds. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided the Mayor's Office of Criminal Justice shall provide the Governor and the budget committees with quarterly performance measures. The performance measures shall be submitted by October 15, 2019, and quarterly thereafter.

**Explanation:** This action restricts Baltimore City grant funding provided through the Governor's Office of Crime Control and Prevention (GOCCP) and the Disparity Grant until the Mayor's Office, Mayor's Office of Criminal Justice, the Baltimore Police Department, and the Baltimore City State's Attorney's Office develop a crime reduction strategy for the city. In addition, the language requires submission of quarterly performance measures.

| <b>Information Request</b>              | <b>Author</b> | <b>Due Date</b>                           |
|---|---------------|---|
| Baltimore City crime reduction strategy | GOCCP         | August 1, 2019                            |
| Quarterly performance measures          | GOCCP         | October 15, 2019 and quarterly thereafter |

Amendment No.

98

## Sections

Add the following section:

### **Section 49    Baltimore City Crime Prevention Initiative**

SECTION 49. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation within the Department of State Police (DSP) and \$100,000 of the general fund appropriation within the Governor's Office of Crime Control and Prevention (GOCCP) may not be expended until DSP and GOCCP jointly submit a report identifying and evaluating the effectiveness and interactions among current federal, State, and local resources dedicated to combating violent crime, particularly in Baltimore City. The resources identified in the report shall include but not be limited to personnel, infrastructure, programming, task forces, and grant awards. The submitted report should also address how the new Baltimore City Crime Prevention Initiative will improve upon these existing resources to reduce and prevent crime in a measurable capacity, including the provision of performance measures intended to be reported by GOCCP.

The report shall be submitted by September 15, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

**Explanation:** As introduced, the Governor's allowance provides 18 new positions, over \$10 million in operating funds, and \$2.2 million in capital funding to support a new Baltimore City Crime Prevention Initiative to target repeat and violent offenders in the city. It is anticipated that the State's creation of a new criminal intelligence unit to combat crime in Baltimore City will be an ongoing operation. What is currently unclear is how the new initiative will interact with and improve upon existing resources dedicated to improving public safety in Baltimore City and statewide. This language restricts funds until the primary State entities involved in the initiative, DSP and GOCCP, submit an evaluation of existing resources and a plan for integrating the new initiative in a measurable capacity.

| <b>Information Request</b>                               | <b>Authors</b> | <b>Due Date</b>    |
|--|----------------|--------------------|
| Report on the Baltimore City Crime Prevention Initiative | GOCCP<br>DSP   | September 15, 2019 |

Amendment No.

99

## Sections

Add the following section:

### ***Section 50 Report on Improvements to Public Access of State Data***

SECTION 50. AND BE IT FURTHER ENACTED, That \$100,000 of the special fund appropriation for the Maryland Department of Transportation (MDOT) and \$100,000 of general fund appropriations for the Department of Information Technology (DoIT), the Office of the Comptroller, as well as the State Treasurer's Office (STO) made for the purpose of general operating expenses may not be expended until MDOT, DoIT, the Office of the Comptroller, and STO each submit a report on improvements to their information technology systems. Each report shall examine identity user verification with two-factor authentication, including its testing and implementation to prevent unauthorized users from accessing State data and allowing registered external requestors access to State databases. The report shall examine the cost of implementing these systems as well as any other administrative and policy issues associated with these improvements. The report shall be submitted by August 30, 2019, and the budget committees shall have 45 days to review and comment. Funds not expended for this restricted purpose by MDOT may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled. Funds not expended for this restricted purpose by DoIT, the Office of the Comptroller, or STO may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

***Explanation:*** The language reports by MDOT, DoIT, STO, and the Office of the Comptroller on improvements to information technology systems.

| <b><i>Information Request</i></b>                            | <b><i>Authors</i></b>                            | <b><i>Due Date</i></b> |
|--|--|------------------------|
| <i>Report on improvements to public access of State data</i> | MDOT<br>DoIT<br>STO<br>Office of the Comptroller | August 30, 2019        |

Amendment No.

**100**

## Technical Amendment

### Technical Amendment No. 1

#### Technical Amendment

Renumber SECTION ~~48~~ 51 and SECTION ~~49~~ 52.

**Explanation:** Technical renumbering of budget bill sections.

Amendment No.

**101**

**H00**  
**Department of General Services**

**Supplemental Budget No. 1 – Fiscal 2019 Deficiency**

**H00E01.01 Real Estate Management**

Reduce appropriation for the purposes indicated:

|   | <u><b>Funds</b></u>     | <u><b>Positions</b></u> |
|---|-------------------------|-------------------------|
| 1. <del>Delete funds for State Center litigation.</del> | <del>100,000</del>      | <del>GF</del>           |
| Total Reductions  | <del>100,000</del><br>0 |                         |

| <u><b>Effect</b></u> | <u><b>Allowance</b></u> | <u><b>Appropriation</b></u>    | <u><b>Amount<br/>Reduction</b></u> | <u><b>Position<br/>Reduction</b></u> |
|----------------------|-------------------------|--------------------------------|------------------------------------|--------------------------------------|
| General Fund         | 100,000                 | 0<br><del>100,000</del>        | <del>100,000</del><br>0            |                                      |
| <b>Total Funds</b>   | <b>100,000</b>          | <b>0</b><br><del>100,000</del> | <b><del>100,000</del></b><br>0     |                                      |

Amendment No. **102**

**L00A**  
**Department of Agriculture**

**Supplemental Budget No. 1**

**OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES**

**L00A12.10    Marketing and Agriculture Development**

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of covering Maryland farmers' share of the premium cost to participate in the Federal Dairy Margin Coverage Program may not be expended until the Maryland Department of Agriculture submits a report to the budget committees on the method of payment to reimburse farmers for premium costs and on how the funding was actually allocated. The report shall be submitted by August 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** Supplemental Budget No. 1 includes \$1,500,000 in general funds for covering Maryland farmers' share of the premium cost to participate in the federal Dairy Margin Coverage Program – a modification of the Margin Protection Program for Dairy passed in the 2018 Farm Bill. This action restricts a portion of the premium payment funding for inclusion in the Dairy Margin Coverage Program until the Maryland Department of Agriculture (MDA) submits a report on the method of payment to reimburse farmers for premium costs and on how the funding is actually allocated.

| <b>Information Request</b>              | <b>Author</b> | <b>Due Date</b> |
|---|---------------|-----------------|
| Dairy Margin Coverage<br>Program report | MDA           | August 1, 2019  |



## **L00A**

### **OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT**

#### **L00A14.05 Plant Protection and Weed Management**

Add the following language to the general fund appropriation:

, provided that this appropriation of \$150,000 in general funds is contingent on the enactment of House Bill 808 repealing the existing list of noxious weeds in statute and instead requiring the Secretary of Agriculture to adopt regulations establishing the list of noxious weeds.

**Explanation:** Supplemental Budget No. 1 includes \$150,000 in general funds in the Maryland Department of Agriculture's (MDA) Plant Protection and Weed Management program. This action makes the funding available only if HB 808 is enacted.

**M00Q01**  
**Medical Care Programs Administration**  
**Maryland Department of Health**

**Supplemental Budget No. 1 – Fiscal 2019 Deficiency**

**MEDICAL CARE PROGRAMS ADMINISTRATION**

**M00Q01.01 Deputy Secretary for Health Care Financing**

Strike the following item in Supplemental Budget No. 1:

~~16. M00Q01.01 Medical Care Provider Reimbursements~~

~~To become available immediately upon passage of this budget to reduce the appropriation for fiscal year 2019 for medical provider reimbursements.~~

~~Object .08 Contractual Services (25,000,000)~~

~~General Fund Appropriation (25,000,000)~~

**Explanation:** This action strikes a negative deficiency. The funds are withdrawn in the Budget Reconciliation and Financing Act of 2019.

**Supplemental Budget No. 1**

Amend the following language:

17. ~~M00Q01.01~~ M00Q01.03 Medical Care Provider Reimbursements

**Explanation:** Technical amendment.

**R00A02**  
**Aid to Education**  
**State Department of Education**

**Supplemental Budget No. 1**

**AID TO EDUCATION**

**R00A02.01 State Share of Foundation Program**

Amend the following language to the general fund appropriation:

. provided that \$3,060,774 of this appropriation may not be expended until the State Department of Assessments and Taxation, the Department of Budget and Management, and the Maryland State Department of Education submit a report to the budget committees on the calculation of the amount of funding to be provided as tax increment financing grants to local boards of education for fiscal 2020. If the report determines that the calculation is incorrect, any excess funding from the \$3,060,774 shall revert to the General Fund, or any shortage in funding shall be provided to local boards of education as a deficiency appropriation. The report shall be submitted by July 1, 2019, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

**Explanation:** The budget committees are concerned that funding provided for tax increment financing (TIF) grants to local boards of education may be based on a calculation that utilizes a valuation of real property for TIF districts that is too large for certain jurisdictions. Supplemental Budget No. 1 for fiscal 2020 includes adjustments to the funding for TIF grants based on the potential overvaluation, as well as related adjustments to funding for grants for jurisdictions with declining enrollment, net taxable income grants, and supplemental grants to ensure that all local education agencies receive an increase of at least \$100,000 in direct education aid. This action restricts all of the adjusted funding for these programs in Supplemental Budget No. 1 until the State Department of Assessment and Taxation (SDAT), the Department of Budget and Management (DBM), and the Maryland State Department of Education (MSDE) submit a report to the budget committees on how TIF grants were calculated for fiscal 2020. *The language also specifies that any excess funding shall revert to the General Fund, and any shortage in funding shall be provided to local boards of education as a deficiency appropriation.* This report should be submitted no later than July 1, 2019.

## R00A02

### Information Request

### Authors

### Due Date

Report on TIF grant  
calculation

SDAT  
DBM  
MSDE

July 1, 2019

Amendment No.

**103**

**R00A07**  
**Interagency Commission on School Construction**

**Supplemental Budget No. 1**

Strike the following language:

~~Special Fund Appropriation, provided that \$1,200,000 of the amount for the Healthy Schools Facility Fund may be used only for projects at Public Charter Schools. This funding shall not preclude or diminish the availability of State funding for projects at Public Charter Schools from other school construction funding programs.~~

**Explanation:** This action strikes language specifying the use of public school construction pay-as-you-go special funds for public charter schools. Under current law, public charter schools located in facilities that are owned by a local education agency or a public-private partnership lease-leaseback arrangement are eligible to receive public school construction funding.

**R30B22**  
**University of Maryland, College Park Campus**  
**University System of Maryland**

**Supplemental Budget No. 1**

**UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS**

**R30B22.00 University of Maryland, College Park Campus**

|  |                     |                         |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated:   | <b><u>Funds</u></b> | <b><u>Positions</u></b> |
| 1. Delete funding for Judge Alexander Williams Center<br>for Education, Justice, and Ethics. | 450,000 UF          |                         |
| Total Reductions   | 450,000             | 0.00                    |

|                      |                         |                             |                                    |                                      |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| <b><u>Effect</u></b> | <b><u>Allowance</u></b> | <b><u>Appropriation</u></b> | <b><u>Amount<br/>Reduction</u></b> | <b><u>Position<br/>Reduction</u></b> |
| Unrestricted<br>Fund | 450,000                 | 0                           | 450,000                            |                                      |
| <b>Total Funds</b>   | <b>450,000</b>          | <b>0</b>                    | <b>450,000</b>                     |                                      |

## R75T Higher Education

### Supplemental Budget No. 1

#### R75T00.01 Support for State Operated Institutions of Higher Education

| Reduce appropriation for the purposes indicated:  | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding for Judge Alexander Williams Center for Education, Justice, and Ethics. | 450,000      | GF               |
| Total Reductions  | 450,000      | 0.00             |

| <u>Effect</u>      | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount<br/>Reduction</u> | <u>Position<br/>Reduction</u> |
|--------------------|------------------|----------------------|-----------------------------|-------------------------------|
| General Fund       | 450,000          | 0                    | 450,000                     |                               |
| <b>Total Funds</b> | <b>450,000</b>   | <b>0</b>             | <b>450,000</b>              |                               |