

Decision Document

**Senate Budget and Taxation Committee
Public Safety, Transportation, and Environment Subcommittee
2023 Session**

C00A00
Judiciary

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Add a section:			Concur.	Modify, see below.	
<p><u>. provided that \$8,250,000 of this appropriation made for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Supreme Court of Maryland in DeWolfe v. Richmond 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 back to the General Fund.</u></p> <p>Explanation: This section restricts the use of \$8.25 million of the Judiciary’s general fund appropriation for the implementation of DeWolfe v. Richmond.</p> <p>First House Modification</p> <p>Add the following language to the general fund appropriation:</p> <p><u>. provided that \$9,250,000 of this appropriation made for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Supreme Court of Maryland in DeWolfe v. Richmond 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.</u></p> <p>Explanation: This action restricts the use of \$9.25 million of the Judiciary’s general fund appropriation for the implementation of DeWolfe v. Richmond.</p>					
2. Adopt the following narrative:			Concur.	Adopt.	
<p>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, to be submitted by October 1, 2023, detailing the fiscal 2023 costs and utilization of the Appointed Attorney Program. This report should include the results of appearances before District Court commissioners where attorneys were appointed to represent indigent defendants.</p>					

C00A00
Judiciary

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date					
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2023					
3.	Adopt the following narrative:			Concur.		Adopt.	
Judgeship Need for Fiscal 2025: The committees remain interested in the judgeship needs at the Judiciary. The committees request a report, to be submitted by December 1, 2023, detailing the fiscal 2025 judgeship needs.							
Information Request	Author	Due Date					
Judgeship need for fiscal 2025	Judiciary	December 1, 2023					
4.	Adopt the following narrative:			Concur.		Adopt.	
Judiciary Status Report on Major Information Technology Development Projects (MITDP): The committees remain interested in the Judiciary’s MITDPs. The committees request a report, to be submitted by December 15, 2023, detailing MITDPs being undertaken by the Judiciary.							
Information Request	Author	Due Date					
Judiciary status report on MITDPs	Judiciary	December 15, 2023					
5.	Adopt the following narrative:			Concur.		Adopt.	
Annual Court Performance Measures: The committees remain interested in evaluating the performance of the circuit and District courts, with a particular attention given to the courts’ progress in responding to COVID-19 backlogs. The committees request that the Judiciary submit a report to the committees with annual							

C00A00
Judiciary

Amount
Change

Position
Change

Agency Response Hearing Notes

House
Decisions

Senate
Decisions

court performance measures data for the circuit and District courts no later than November 1, 2023.

Information Request

Author

Due Date

Annual court performance
measures

Judiciary

November 1, 2023

C80B00
Office of the Public Defender

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	

Caseload Standards Report: The committees are concerned about the high caseloads in the Office of the Public Defender (OPD), which exceed the current standards for cases per attorney. The committees request a report, to be submitted by November 1, 2023, detailing the average caseloads for attorneys in all of OPD's tracked case types between fiscal 2019 to 2023, using the caseload standards that OPD expects to adopt in calendar 2023.

Information Request	Author	Due Date
Caseload standards report	OPD	November 1, 2023

C81C
Office of the Attorney General

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	
<p>Independent Investigations Division (IID): The committees remain interested in the work of IID within the Office of the Attorney General (OAG). The committees request a report, to be submitted by October 1, 2023, detailing the work of the division during fiscal 2023. At a minimum, the report should include:</p> <ul style="list-style-type: none"> monthly data on the number of potential investigations; the number of completed investigations; the outcomes of the investigations; and the average number of hours required to investigate a case or potential case. 					
Information Request	Author	Due Date			
IID report	OAG	October 1, 2023			
2. Adopt the following narrative:			Concur in part. OAG would prefer that it not be included on the list of authors for the Access to Counsel in Evictions report. It would prefer that it only say MLSC.	Modify, see below.	
<p>Access to Counsel in Evictions (ACE) Quarterly Reports: The committees remain interested in the progress of the implementation of the ACE program. The committees request quarterly reports on the progress of the rollout of the program. The first report should be submitted no later than October 15, 2023. Each report should provide, at a minimum, the following information:</p> <ul style="list-style-type: none"> quarterly expenditures by purpose of expense; the number of cases with representation by attorneys in the program; the amount of funds paid to attorneys per case; and 					

C81C
Office of the Attorney General

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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- the number of tenants rejected by the program and the reason for rejection.

Information Request	Author	Due Date
ACE quarterly reports	Maryland Legal Services Corporation	October 15, 2023 January 15, 2024
	Office of the Attorney General	April 15, 2024 July 15, 2024

First House Modification

Adopt the following narrative:

Adopt.

Access to Counsel in Evictions (ACE) Quarterly Reports: The committees remain interested in the progress of the implementation of the ACE program. The committees request quarterly reports on the progress of the rollout of the program. The first report should be submitted no later than October 15, 2023. Each report should provide, at a minimum, the following information:

- quarterly expenditures by purpose of expense;
- the number of cases with representation by attorneys in the program;
- the amount of funds paid to attorneys per case; and
- the number of tenants rejected by the program and the reason for rejection.

C81C
Office of the Attorney General

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request		Author	Due Date			
ACE quarterly reports		Maryland Legal Services Corporation	October 15, 2023	January 15, 2024	April 15, 2024	July 15, 2024

C82D00
Office of the State Prosecutor

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.				Adopt.	

C85E00
Maryland Tax Court

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.				Adopt.	

C90G00
Public Service Commission

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Reject.	

C90G00
Public Service Commission

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Procedures Related to Court Filings on Behalf of the Public Service Commission (PSC) in Court Proceedings: Appeals of decisions issued by PSC may be elevated to the circuit court or appellate court level. The committees are concerned about issues with a filing made on behalf of PSC in PSC case 9673 in Montgomery County Circuit Court as part of the appeals process in that case. The committees request that PSC submit a report providing information on the steps that PSC has taken to ensure that correct versions of filings are submitted to the circuit courts by its general counsel office. The committees also request that the report include a discussion of the review process for filings made on behalf of the commission in circuit court and appellate court proceedings.

Information Request	Author	Due Date
Report on procedures implemented to ensure correct versions of filings are submitted in court proceedings	PSC	December 1, 2023

2. Adopt the following narrative:

Adopt.

Outcomes of Appeals of the Public Service Commission (PSC) Decisions: The committees are interested in decisions issued by PSC that are appealed at the circuit court and appellate court levels and the outcomes of those appeals. The committees request that PSC submit a report that provides data from the 10 most recently completed fiscal years on the number of cases appealed to the circuit court level, the outcomes of those appeals, and the number of cases that are subsequently appealed to the appellate court level and the outcomes for those appeals.

C90G00
Public Service Commission

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date				
Report on outcomes of appeals of PSC decisions through the judicial process	PSC	November 1, 2023				
3.	Adopt the following narrative:				Adopt.	
Enforcement Actions Against Third-party Energy Suppliers: The committees are interested in enforcement action taken by the Public Service Commission (PSC) against third-party energy suppliers resulting from complaints filed against these entities related to prohibited marketing practices. The committees request that PSC submit a report discussing enforcement actions taken between calendar 2018 and 2022, including:						
<ul style="list-style-type: none">the total number of enforcement actions by PSC as a result of prohibited marketing practices conducted by third-party energy suppliers;the types of prohibited marketing practices energy suppliers were found to have engaged in separately for gas and electric suppliers;the outcomes of these enforcement actions, including the amount of fines levied;the current status of ongoing enforcement proceedings;the average length of time from when an initial complaint is filed with PSC to when PSC begins enforcement action; andthe average length of time from when PSC begins an enforcement action to the final case resolution.						

C90G00
Public Service Commission

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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The report should also discuss whether these enforcement actions have deterred prohibited marketing practices and options for additional enforcement actions not currently authorized that could be taken in the future. The report should also discuss efforts that are being taken or could be taken in the future to improve consumer education relating to electric choice.

Information Request	Author	Due Date
Report on enforcement actions against third-party energy suppliers	PSC	December 1, 2023

C91H00
Office of People's Counsel

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

C94I00
Subsequent Injury Fund

	<u>Amount</u> <u>Change</u>	<u>Position</u> <u>Change</u>	<u>Agency Response Hearing Notes</u>	<u>House</u> <u>Decisions</u>	<u>Senate</u> <u>Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

C96J00
Uninsured Employers' Fund

	<u>Amount</u> <u>Change</u>	<u>Position</u> <u>Change</u>	<u>Agency Response Hearing Notes</u>	<u>House</u> <u>Decisions</u>	<u>Senate</u> <u>Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

C98F00
Workers' Compensation Commission

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

CHESBAY*

Chesapeake Bay Overview

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following section:		Concur in part. The report will be submitted and so the funding restriction is not necessary.	Adopt.	
<u>SECTION 21. 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:</u>					
<u>(1) fiscal 2023 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;</u>					
<u>(2) projected fiscal 2024 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;</u>					
<u>(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 2023 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 tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;</u>					

CHESBAY*

Chesapeake Bay Overview

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(4)	<u>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;</u>				
(5)	<u>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, Water Quality Revolving Loan Fund, and Clean Water Commerce Account among others, are for Chesapeake Bay restoration purposes; and</u>				
(6)	<u>updated information on the Phase III Watershed Implementation Plan implementation and how the loads associated with the Conowingo Dam infill, growth of people and animals, and climate change will be addressed.</u>				

The report shall be submitted by December 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report 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, 2023, 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 expresses the intent that the report include information on policy innovations that improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; an analysis of how cost effective the State funding sources are that are being used; updated information on the Phase III Watershed

CHESBAY*
Chesapeake Bay Overview

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Implementation Plan implementation; and how Conowingo Dam infill, people and animal growth, and climate change will be addressed.

Information Request	Author	Due Date
Historical and projected Chesapeake Bay restoration spending	MDP DNR MDA MDE DBM	December 1, 2023

D13A13
Maryland Energy Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Increase turnover expectancy for 10 new positions from 0% to 25% to be consistent with budgeted turnover for new positions.	-\$ 208,465 SF		Concur.	Adopt.	
2. Adopt the following narrative:			Concur.	Adopt.	

Strategic Energy Investment Fund (SEIF) 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 available fund balance. The committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emissions allowance auctions, set-aside allowances, and interest income in conjunction with the submission of the fiscal 2025 budget as an appendix to the Governor’s Fiscal 2025 Budget Books. The report shall include information on the actual fiscal 2023 budget, the fiscal 2024 working appropriation, and the fiscal 2025 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;
- interest income received on the SEIF;
- 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 balances for each SEIF subaccount, reflecting funds available to spend, for the fiscal 2023 actual, the fiscal 2024 working appropriation, and the fiscal 2025 allowance.

D13A13
Maryland Energy Administration

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date					
Report on revenue assumptions and use of RGGI auction revenue	DBM	With submission of the Governor’s Fiscal 2025 Budget Books					
3.	Adopt the following narrative:			Concur.		Reject.	
Maryland Gas Expansion Fund Activities: The fiscal 2024 allowance includes \$9.3 million of funds from the Maryland Gas Expansion Fund. The committees request that the Maryland Energy Administration (MEA) submit a report providing information on the status of the application process, including applications received, evaluation criteria, and awards made. The report should include final end-of-year data for fiscal 2023 as well as year-to-date data for fiscal 2024. If awards have not been made as of the submission of the report, it should instead include information about the planned timeline for determining awards.							
Information Request	Author	Due Date					
Maryland Gas Expansion Fund update	MEA	December 1, 2023					
4.	Adopt the following narrative:			Concur.		Adopt.	
Implementation of Residential-focused Rebate Programs Funded through the Federal Inflation Reduction Act (IRA): The committees are interested in better understanding the two new residential rebate programs that will be implemented by the Maryland Energy Administration (MEA) under federal stimulus funds available to Maryland under the IRA and the timelines for the implementation of these programs. The U.S. Department of Energy (DOE) has announced a total funding allocation of \$138.6 million available to the State for the Home Energy Performance-Based, Whole-House Rebate Program and the High-Efficiency Electric Home Rebate Program. Following issuance of federal guidance by DOE, MEA will be required to submit an application outlining a State plan for program							

D13A13
Maryland Energy Administration

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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implementation in order to be able to access funding. The committees request that MEA submit a report that includes a discussion of the timeline for submitting a State plan application to DOE to access federal IRA funding and the anticipated steps needed to implement the programs. If available at the time of report submission, the report should include a discussion of components of both programs and any estimates for the total number of households who will be eligible to receive benefits as well as benefit size.

Information Request	Author	Due Date
Report on the status of implementation of residential-focused rebate programs through federal stimulus funding	MEA	December 15, 2023

D13A13
Maryland Energy Administration

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

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|---|------------------|--|--------|--|
| 1. Delete funding for the Maryland Energy Infrastructure Grant Program, including the Contributions in Aid of Construction Dispensation Fund, the Anchor Customer Program, the Local Distribution Company Program, and technical assistance from the Maryland Gas Expansion Fund. | -\$ 9,250,000 SF | | Adopt. | |
|---|------------------|--|--------|--|

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Add the following language to the general fund appropriation:			Concur.	Adopt.	
<u>, provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) submits a report to the Governor and the budget committees on the fiscal audit of the GOCPYVS grants management processes and all grants budgeted within its fiscal 2020, 2021, and 2022 legislative appropriations detailing the following:</u>					
(1) <u>the findings of this audit;</u>					
(2) <u>an explanation of the corrective actions taken by GOCPYVS to address the findings of the audit identified in item (1);</u>					
(3) <u>the fiscal 2020 legislative appropriation and fiscal 2020 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS;</u>					
(4) <u>the fiscal 2021 legislative appropriation and fiscal 2021 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS;</u> <u>and</u>					
(5) <u>the fiscal 2022 legislative appropriation and fiscal 2022 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS.</u>					

The report shall be submitted by July 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report 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 report on the grants management audit of GOCPYVS was due on December 31, 2021, following significant erroneous grant reversions in fiscal 2020. This report was delayed multiple times and is now expected to be complete by the end of fiscal 2023. GOCPYVS expanded the fiscal years audited to include

D21

Governor's Office of Crime Prevention, Youth, and Victim Services

**Amount
Change**

**Position
Change**

Agency Response Hearing Notes

**House
Decisions**

**Senate
Decisions**

fiscal 2022 given the delays that it experienced in contracting with an accounting firm and ongoing mistaken reversion of grant funds. This language requires submission of the report to the Governor and the budget committees discussing the findings of this audit, the corrective actions taken by the office to address the findings, and the actual expenditures for all grants budgeted within GOCPYVS in fiscal 2020, 2021, and 2022.

Information Request

Author

Due Date

Fiscal 2020, 2021, and 2022 audit report GOCPYVS

July 1, 2023

2. Add the following language to the general fund appropriation:

Further provided that \$200,000 of the general fund appropriation for the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) made for the purposes of general administration may not be expended until, prior to providing Victims of Crime Act (VOCA) fiscal 2024 awards and no later than August 1, 2023, GOCPYVS reports to the budget committees on each proposed grant award and the amount of VOCA funding held in reserve. In addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services (DLS). The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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 \$250,000 of the general fund appropriation for the purposes of administration may not be expended until GOCPYVS submits a report by November 1, 2022, regarding the federal VOCA funding. The report shall include:

- (1) total active VOCA grant awards as of January 1, 2023, including grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;

Concur. The agency is also proposing to use only the \$35.0 million in general funds provided in this budget and its fund balance of \$14.77 million to fund the state fiscal 2024 award.

Modify, see below.

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(2)	<u>for each VOCA grant award in item (1) and for any other VOCA grant awards made subsequently, a description of whether for the federal fiscal year beginning October 1, 2023, the award was continued, awarded, or otherwise funded, including the grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;</u>				
(3)	<u>the amount of unexpended funds for each open 3-year VOCA grant and the reason funds are unexpended, including whether they are held in reserve for future grants;</u>				
(4)	<u>identification of the respective amount of funds expended for the purpose of direct provision of services, administration, and that which went unobligated for the federal fiscal 2019 and 2020 3-year funding cycles;</u>				
(5)	<u>comparison of aggregate-level performance measures or outcome measures of the State's VOCA program for fiscal 2017 through 2023 or as many recent years that GOCPYVS is able to provide;</u>				
(6)	<u>identification of the legislative appropriation for VOCA and the actual level of spending for each State fiscal year, beginning with State fiscal 2017 through 2023; and</u>				
(7)	<u>identification of any decrease or other change between the legislative appropriation for VOCA and the actual level of spending for VOCA for each State fiscal year identified in item (6) and the reason for any and all disparities that may exist between the legislative appropriation and the actual spending level.</u>				

In addition to the official report, data shall be provided in an electronic format subject to the concurrence of DLS. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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.

D21

Governor's Office of Crime Prevention, Youth, and Victim Services

**Amount
Change**

**Position
Change**

Agency Response Hearing Notes

**House
Decisions**

**Senate
Decisions**

Further provided that \$50,000 of the general fund appropriation made for the purposes of administration may not be expended until GOCPYVS publishes the total amount of funding from federal VOCA funds on GOCPYVS's website, including funds available from prior years and including the specific amounts held in reserve from each federal 3-year award. GOCPYVS shall provide the budget committees with a letter, no later than November 1, 2023, indicating that this data has been made available on its website and providing the web address to this data. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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.

Explanation: There have been several concerns among members of the General Assembly and the advocacy community that reductions in federal VOCA funding will result in a loss of services for victims of crime in Maryland. Questions have arisen surrounding the impact of declining federal awards, the allocation of grant awards, and the levels of unspent funding. This language restricts \$200,000 pending the submission of a report by GOCPYVS detailing proposed VOCA awards for the fiscal 2024 grant cycle. The language restricts an additional \$250,000 pending the submission of a report by November 1, 2023, providing information for all active VOCA grants as of January 1, 2023. The report should detail the level of VOCA funding received by grant recipients during the federal fiscal 2022 VOCA grant cycle and the information on each of the grant programs receiving such funds. For each open three-year grant cycle (federal fiscal 2021, 2022, and 2023), GOCPYVS should report the amount of currently unexpended funds, the reason these funds remain unspent, and whether they will be held in reserve. The report should provide further detail regarding the expenditure of funds for the two most recently completed funding cycles: federal fiscal 2019 and 2020. The report should provide a comparison of the program's aggregate outcome or performance measure in recent fiscal years. Finally, the report should identify any differences between the legislative appropriation and actual spending levels for each closed out fiscal year, beginning with State fiscal 2017: State fiscal 2017; 2018; 2019; 2020; 2021; 2022; and 2023. For any differences between the authorized and actual spending levels during the aforementioned State fiscal years, the report should identify and discuss the reasons

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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for these disparities. An additional \$50,000 shall be released pending submission of a letter, no later than November 1, 2023, confirming that data related to available VOCA fund reserves is published to GOCPYVS's agency website.

Information Request	Author	Due Date
Report on proposed VOCA grant awards	GOCPYVS	August 1, 2023
Report of VOCA funding and expenditures	GOCPYVS	November 1, 2023
Letter on VOCA data publication	GOCPYVS	November 1, 2023

First House Modification

Add the following language to the general fund appropriation:

Adopt.

Further provided that it is the intent of the General Assembly that total awards provided to service providers through the Victims of Crime Act (VOCA) grant program through the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) in fiscal 2024 should be at least the same amount that was made available to all non-State service providers combined during fiscal 2023. No funding may be awarded to State agencies or programs until the total funding awarded to non-State victim services providers combined is no less than the fiscal 2023 level. For the purposes of identifying a State agency or program, it is the intent of the budget committees that higher education institutions, the Baltimore Police Department, and other quasi-State entities be excluded from that definition and be included in the category of non-State victim services providers.

Further provided that \$500,000 of the general fund appropriation for GOCPYVS made for the purposes of general administration may not be expended until, prior to providing fiscal 2024 awards and no later than August 1, 2023, GOCPYVS reports to the budget committees on:

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(1)	<u>each proposed grant award;</u>				
(2)	<u>how priority has been given to non-State victim services providers; and</u>				
(3)	<u>the amount of VOCA funding held in reserve.</u>				
<u>In addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services (DLS). The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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.</u>					
<u>Further provided that \$500,000 of the general fund appropriation for the purposes of administration may not be expended until GOCPYVS submits a report by November 1, 2023, regarding the federal VOCA funding. The report shall include:</u>					
(1)	<u>total active VOCA grant awards as of January 1, 2023, including grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;</u>				
(2)	<u>for each VOCA grant award in item (1) and for any other VOCA grant awards made subsequently, a description of whether for the federal fiscal year beginning October 1, 2023, the award was continued, awarded, or otherwise funded, including the grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;</u>				
(3)	<u>the amount of unexpended funds for each open 3-year VOCA grant and the reason funds are unexpended, including whether they are held in reserve for future grants;</u>				

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(4)	<u>identification of the respective amount of funds expended for the purpose of direct provision of services, administration, and that which went unobligated for the federal fiscal 2019 and 2020 3-year funding cycles;</u>				
(5)	<u>comparison of aggregate-level performance measures or outcome measures of the State's VOCA program for fiscal 2017 through 2023 or as many recent years that GOCOPYVS is able to provide;</u>				
(6)	<u>identification of the legislative appropriation for VOCA and the actual level of spending for each State fiscal year, beginning with State fiscal 2016 through 2023; and</u>				
(7)	<u>identification of any decrease or other change between the legislative appropriation for VOCA and the actual level of spending for VOCA for each State fiscal year identified in item (6), and the reason for any and all disparities that may exist between the legislative appropriation and the actual spending level.</u>				

In addition to the official report, data shall be provided in an electronic format subject to the concurrence of DLS. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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.

Explanation: This language requires the State fiscal 2024 VOCA awards to be awarded at a level equal to that of fiscal 2023. Priority shall be given to non-State service providers. The language restricts \$500,000 pending the submission of a report by GOCOPYVS detailing how non-State providers were given funding priority and proposed VOCA awards for the fiscal 2024 grant cycle.

The language restricts an additional \$500,000 pending the submission of information for all active VOCA grants as of January 1, 2023. The report should detail whether each of the grant recipients received the same level of VOCA funding during the federal fiscal 2022 VOCA grant cycle and the information on each of the grant

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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programs receiving such funds. For each open three-year grant cycle (federal fiscal 2021, 2022, and 2023), GOCPYVS should report the amount of currently unexpended funds, the reason these funds remain unspent, and whether they will be held in reserve.

The report should provide further detail regarding the expenditure of funds for the two most recently completed funding cycles – federal fiscal 2019 and 2020. The report should provide a comparison of the program's aggregate outcome or performance measure in recent fiscal years.

Finally, the report should identify any differences between the legislative appropriation and actual spending levels for each closed out fiscal year, beginning with State fiscal 2017: State fiscal 2017; 2018; 2019; 2020; 2021; 2022; and 2023. For any differences between the authorized and actual spending levels during the aforementioned State fiscal years, the report should identify and discuss the reasons for these disparities.

Information Request	Author	Due Date
Report on proposed VOCA grant awards	GOCPYVS	August 1, 2023
Report of VOCA funding and expenditures	GOCPYVS	November 1, 2023

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
3.	Add the following language to the general fund appropriation: <u>. provided that \$45,878,143 of this appropriation made for the purpose of State Aid for Police Protection funding made for the purpose of enhancing public safety aid and increasing funding for the counties and Baltimore City may be distributed only in a manner that allocates funds proportionally based on the number of reported total violent crime offenses in the 2021 Maryland Uniform Crime Report. The 2020 Maryland Uniform Crime Report may be used instead if publication of the 2021 report is unavailable by June 1, 2023. 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.</u>		Concur; the agency is also advocating that the SAPP formula (the original portion, not the enhancement) be changed in statute.	Adopt.	
	Explanation: Enhanced public safety aid through the State Aid for Police Protection Program (SAPP) from fiscal 2023 continues in the allowance. This language requires that the enhanced portion of the SAPP funding be distributed to jurisdictions in proportion to the number of reported violent crimes per the most recent official crime report for the State – the 2021 Maryland Uniform Crime Report. The 2020 report may be used instead if the 2021 report is unavailable by June 1, 2023.				
4.	Add the following section: Section 22. Out-of-home Placements Report <u>SECTION 22. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administrative expenses in D21A02.01 Governor's Office of Crime Prevention, Youth, and Victim Services' Children and Youth Division (CYD), \$100,000 of the general fund appropriation of the Department of Human Services Social Services Administration, \$100,000 of the general fund appropriation of the Department of Juvenile Services, \$100,000 of the general fund appropriation of the Maryland Department of Health Developmental Disabilities Administration, and \$100,000 of the general fund appropriation of the Maryland State Department of Education may not be expended until CYD submits a report on behalf of the Children's Cabinet to the budget committees on out-of-home placements containing:</u>		Concur in part; does not want funds withheld from itself.	Adopt.	

D21
Governor's Office of Crime Prevention, Youth, and Victim Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(1)	<u>the total number and one-day counts (as of January 1) of out-of-home placements and entries by jurisdiction, by agency, and by placement type for fiscal 2021, 2022, and 2023;</u>				
(2)	<u>the total number and one-day counts (as of January 1) of out-of-state placements, including the number of family home, community-based, and noncommunity-based out-of-state placements for fiscal 2021, 2022, and 2023 categorized by state and by age category;</u>				
(3)	<u>the costs associated with out-of-home placements;</u>				
(4)	<u>an explanation of recent placement trends;</u>				
(5)	<u>findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure; and</u>				
(6)	<u>areas of concern related to trends in out-of-home and/or out-of-state placements and potential corrective actions that the Children's Cabinet and local management boards can take to address these concerns.</u>				

Further provided that each agency or administration that funds or places children and youth in out-of-home placements shall assist CYD and comply with any data requests necessary for the timely production of the report. The report shall be submitted to the budget committees by January 1, 2024, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose. Should the report not be submitted by the requested date, the restricted funds shall revert to the General Fund.

Explanation: The out-of-home placements report is a report mandated by Human Services Article, Section 8-703(e). It is also annually requested to be submitted to the budget committees. This report is a useful evaluative tool to assess the well-being of Maryland's youth and families and to identify areas of concern related to youth placed out of home. This language restricts funds in each of the data reporting

D21
Governor’s Office of Crime Prevention, Youth, and Victim Services

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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agencies and specifies the data of interest to the General Assembly, including agency-specific data for out-of-home and out-of-state placements.

Information Request	Author	Due Date
Out-of-home placements report	Governor’s Office of Crime Prevention, Youth, and Victim Services Department of Human Services Department of Juvenile Services Maryland Department of Health Maryland State Department of Education	January 1, 2024

D40W01
Department of Planning

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

D52
Maryland Department of Emergency Management

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	

Mesonet Project Status and Future Budget and Operations: The Maryland Department of Emergency Management (MDEM) has reported that it has a two-phase plan to complete an initial small group of Mesonet towers by the end of summer 2023 before completing the remaining towers by the end of fiscal 2024. Information about this project is important in understanding Maryland's preparation for impacts of weather-related disasters. The committees are interested in understanding the status of the project including the timeline for completed towers and any new towers to be built as well as operational costs for these towers. The committees request that MDEM submit a report with the following information:

- the status of the Mesonet build as of the end of fiscal 2023, including what the physical and budgetary goals were as of January 2023, and whether these goals were met or are forecasted to be met by a specific date;
- physical and budgetary goals through the end of fiscal 2024, including any contracted or estimated milestone dates;
- future estimated construction and ongoing operational costs; and
- the types of information about and through the Mesonet system that will be shared with the public, when it will be available, and how it will be made available to the public.

The report shall be provided by October 1, 2023.

Information Request	Author	Due Date
Mesonet project status and future budget and operations	MDEM	October 1, 2023

D55P00
Department of Veterans Affairs

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	

Update on Charlotte Hall Veterans Home (CHVH) Contractor Funding: Given the reduced census numbers at CHVH and the challenges it poses to the revenues of the contractor tasked with day-to-day operations, the committees request that the Maryland Department of Veterans Affairs submit a report in collaboration with the CHVH contractor that outlines efforts taken to increase the resident census at CHVH and how the contractor has or is planning to adjust operations to accommodate the continued low revenue levels given the end of the operating grant.

Information Request	Author	Due Date
Update on CHVH population and funding	MDVA	August 1, 2023

D70J00
Maryland Automobile Insurance Fund

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	
<p>Policy Options to Address Surplus Decay: The committees are concerned about the long-standing issues related to the surplus of the Insured Division and the secondary and contributing difficulties that exist related to policy cancellation and rate inadequacy. Although it is too soon to determine the impact of the recent changes to the installment plan option, the committees request that the Maryland Automobile Insurance Fund (Maryland Auto) prepare a report summarizing:</p> <ul style="list-style-type: none"> • reasons for the long-running decline in the surplus, including discussion of any changes in the insurance market that have contributed; • past efforts to address the decline in surplus; • information on the number of policyholders choosing Maryland Auto's installment plan by calendar year since calendar 2014; and • policy or funding changes that may be considered to target the problem of surplus decline; any necessary change to statute, law, or funding; and an estimated level of impact. 					
Information Request	Author	Due Date			
Policy options to address surplus decline	Maryland Auto	November 1, 2023			

D70J00
Maryland Automobile Insurance Fund

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Maryland Automobile Insurance Fund (Maryland Auto) Surplus and Activities:

The committees are concerned about the decline in the surplus in Maryland Auto and funding adequacy in the insured and uninsured divisions, respectively. The committees request that Maryland Auto submit a report providing a 10-year history of the surplus and surplus-to-assessment ratio for the insured division and a 10-year history of the surplus for the uninsured division. It is the intent of the committees that Maryland Auto work with the Motor Vehicle Administration to consider an amnesty program for outstanding uninsured motorist fines for the purpose of raising revenue. It is the intent of the committees that Maryland Auto not pay staff bonuses during any year in which a surplus deficit is projected within 2 years.

Information Request	Author	Due Date
Report on Maryland Auto surplus history	Maryland Auto	November 1, 2023

D80Z01
Maryland Insurance Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	

Insurance Tracking System (ITS) Project History and Future Management Plans: With significant new funding for the ITS project provided in the fiscal 2024 allowance, the committees are interested in better understanding the steps that the agency will take to prevent future delays in the project, similar to the defaulting of the prior contractor. The committees are also concerned that funding has been provided with no updated information on the project timeline and plans for the project. The committees request that the Maryland Insurance Administration (MIA) submit a report summarizing and including:

- the reasons for contractor default in March 2022 and how MIA will prevent contractor default on this project in the future;
- a detailed project spending history through fiscal 2023 or why this is not possible; and
- how MIA plans to track and report spending on this project through the completion of the project.

Information Request	Author	Due Date
ITS project history and future management plans	MIA	July 31, 2023

D80Z01
Maryland Insurance Administration

Amount
Change

Position
Change

Agency Response Hearing Notes

House
Decisions

Senate
Decisions

Additional First House Actions

1. Adopt the following narrative:

Adopt.

Maryland Automobile Insurance Fund (Maryland Auto) and the Private Insurance Market: The committees are interested in evaluating the current Maryland Auto rating methodology as part of an effort to address the problem of declining surplus in Maryland Auto. In 2004, the Maryland Insurance Administration (MIA) produced a report on the methodology used by Maryland Auto to determine rates. The committees request that MIA submit a report evaluating whether the current Maryland Auto rating methodology is producing rates that are adequate and whether any changes need to be made to the methodology to ensure adequate rates. The report should also address the sustainability of Maryland Auto, given declining market shares. The report should also discuss the advantages and disadvantages of alternative models for insuring substandard business (such as Assigned Risk) and make a recommendation as to whether the General Assembly should consider a different model for Maryland Auto.

Information Request

Author

Due Date

Evaluation of the Maryland Auto
rate-setting and model

MIA

December 1, 2023

D99A11
Office of Administrative Hearings

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

E00A
Comptroller of Maryland

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Quarterly Report on the Integrated Tax System (ITS): The committees remain interested in the progress and development of the ITS Major Information Technology Development Project (MITDP). The committees request that the Comptroller of Maryland submit a report each quarter providing an update on the project’s current status, cost projections, and timeline. The report should detail the use of the fiscal 2024 budget, project development costs, and any changes in scope or timeline.			Concur.		Adopt.	

Information Request	Author	Due Date
Quarterly report on the status of the ITS MITDP	Comptroller of Maryland	July 15, 2023 October 15, 2023 January 15, 2024 April 15, 2024

E17
Alcohol and Tobacco Commission

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

E75D
State Lottery and Gaming Control Agency

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Delete funds budgeted for the televised lottery drawings. The Maryland Lottery and Gaming Control Agency has ended televised drawings.	-\$ 1,175,000 SF		Concur.	Adopt.	

J00*
Maryland Department of Transportation Overview

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Add the following language:			Concur.	Adopt.	
<u>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:</u>					
<u>(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</u>					
<u>(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.</u>					
<u>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.</u>					
<u>Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (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.</u>					

J00*
Maryland Department of Transportation Overview

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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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 2023 to 2028 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 2023 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.

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

2. Add the following language:

Concur in part; request 50 position increase to enable apprenticeship programs. Modify, see below.

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,057.5 positions and 115.0 contractual full-time equivalent (FTE) positions 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 2024. The level of contractual FTE positions 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

J00*
Maryland Department of Transportation Overview

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(2)	<u>emergency needs that must be met, such as transit security or highway maintenance.</u>				

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 2024 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 or contractual positions	MDOT	As needed

First House Modification

Add the following language:

Adopt.

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,120.5 positions and 115.0 contractual full-time equivalent (FTE) positions 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 2024. The level of contractual FTE positions may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (3) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport that demands additional personnel; or

J00*
Maryland Department of Transportation Overview

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(4) <u>emergency needs that must be met, such as transit security or highway maintenance.</u>					

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 2024 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 or contractual positions	MDOT	As needed

3. Add the following language:

It is the intent of the Maryland General Assembly that the Maryland Department of Transportation (MDOT) actively participate in regional efforts to develop a mileage-based user fee to ensure Maryland's interests are considered in that development.

Further provided that \$100,000 of the special fund appropriation for J00A01.01 Executive Direction made for the purpose of general administration may not be expended until MDOT submits a report to the budget committees summarizing the actions it has taken to engage in these regional efforts. The report shall be submitted by December 1, 2023, and the budget committees shall have 45 days to review and comment. Funds restricted pending submission of the report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report has not been submitted to the budget committees.

Concur in part; MDOT concurs with intent on need for active participation but does not believe funding should be restricted since it has already started these efforts. Reject.

J00*
Maryland Department of Transportation Overview

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Explanation: Efforts are underway through The Eastern Transportation Coalition to develop a mileage-based user fee (MBUF) as an alternative to the motor fuel tax. Because MBUFs will need to apply to large regions to be practicable, it is important that Maryland have input in how the MBUF operates or it may be forced to accept aspects of a system not to its liking. This language states the intent that MDOT engage with other states in the region and requires a report on these efforts.

Information Request	Author	Due Date
Summary of actions taken to begin participating in efforts to develop an MBUF	MDOT	December 1, 2023

J00A01
MDOT – The Secretary’s Office

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following language to the special fund appropriation:		Concur.	Adopt.	
	<u>. provided that no more than \$5,556,686 of this appropriation may be expended for operating grants-in-aid, except for:</u>				
	(1) <u>any additional special funds necessary to match unanticipated federal fund attainments; or</u>				
	(2) <u>any proposed increase either to provide funds for a new grantee or to increase funds for an existing grantee.</u>				

Further provided that no expenditures in excess of \$5,556,686 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.

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

J00A01
MDOT – The Secretary’s Office

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Fees for Zero- and Low-emission Vehicles: The committees request that the Maryland Department of Transportation (MDOT) submit a report on the fees that other states impose on zero- and low-emission (e.g., hybrid-electric) vehicles and the revenue raised by each fee, along with an identification of any studies that have been done on the impact such fees have had on zero- and low-emission vehicle purchases. The report should be submitted by September 1, 2023.

Information Request	Author	Due Date
Report on fees imposed by other states on zero- and low-emission vehicles and the revenues raised from those fees	MDOT	September 1, 2023

J00A0103
MDOT – Secretary’s Office – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following language to the special fund appropriation:		Concur.	Adopt.	
	<u>, provided that no funds may be expended by the Secretary’s Office for any capital project or grant with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2023 to 2028 Consolidated Transportation Program, except as outlined below:</u>				
	(1) <u>the Secretary shall notify the budget committees of any proposed capital project or grant with a total cost in excess of \$500,000, including the need and justification for the project and its total cost; and</u>				
	(2) <u>the budget committees shall have 45 days to review and comment on the proposed capital project or grant.</u>				

Explanation: This language provides legislative oversight of capital projects and 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 project or grant exceeding \$500,000 that is not listed in the current CTP	Maryland Department of Transportation	45 days prior to expenditure

J00A0103
MDOT – Secretary’s Office – PAYGO Capital

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Flexing of Federal Dollars from Highways to Transit: The committees are interested in learning about the department’s ability to flex or transfer federal funding between highway and transit uses as allowed by federal law and the limitations related to that ability and request that the Maryland Department of Transportation (MDOT) submit a report with the following information for fiscal 2022 to 2024:

- the dollar amounts received or anticipated from the Surface Transportation Block Grant, National Highway Performance Program, and Congestion Mitigation and Air Quality formulas and how they were or will be spent according to MDOT’s investment categories used in the Consolidated Transportation Program;
- the amount of funding from each federal formula program that went or is programmed to go to road diets, retrofitting of roadways to lower vehicle speeds, transit lanes or other bus priority treatments, protected bicycle lanes, narrowed crossings, and expanded pedestrian facilities;
- the percentage of funds from the Surface Transportation Block Grant, National Highway Performance Program, Congestion Mitigation and Air Quality, and any other eligible source of federal formula funds that were flexed/transferred or are programmed to be flexed/transferred to another program, agency, project, or use;
- a list and description of the projects and programs that received or will receive flexed/transferred dollars, including how they are categorized according to the department investment categories; and

J00A0103
MDOT – Secretary’s Office – PAYGO Capital

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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- the maximum amount of funding under each formula that could have been or could be flexed/transferred under federal regulations compared with the amount actually flexed/transferred or programmed to be flexed/transferred.

The report should be submitted by September 1, 2023.

Information Request	Author	Due Date
Report on flexing or transferring federal funding from highways to transit	MDOT	September 1, 2023

J00A0104
MDOT – WMATA – Operating Budget

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Reject.	

J00A0104
MDOT – WMATA – Operating Budget

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Transit-oriented Development inside the Capital Beltway: During its budget hearing, the Washington Metropolitan Area Transit Authority (WMATA) cited a number of Metrorail stations at which it was looking to increase efforts to encourage development. Stations in the Blue Line Corridor were not mentioned as a focus for development, despite the corridor being a top development priority for Prince George’s County. The committees therefore request that WMATA provide a report summarizing its strategies for investing in transit-oriented development inside the Capital Beltway. The report should be submitted by December 1, 2023.

Information Request	Author	Due Date
Report on strategies for investing in transit-oriented development inside the Capital Beltway	WMATA	December 1, 2023

J00A0105
MDOT – WMATA – Capital Budget

	<u>Amount</u> <u>Change</u>	<u>Position</u> <u>Change</u>	<u>Agency Response Hearing Notes</u>	<u>House</u> <u>Decisions</u>	<u>Senate</u> <u>Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00A04
MDOT – Debt Service Requirements

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Add the following language:			Concur.	Adopt.	
<u>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 \$3,114,910,000 as of June 30, 2024.</u>					
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 the outstanding debt as of June 30, 2022, plus projected debt to be issued during fiscal 2024 in support of the transportation capital program. No debt issuance is planned for fiscal 2023.					
2. Add the following language:			Concur.	Adopt.	
<u>The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on:</u>					
(1) <u>anticipated and actual nontraditional debt outstanding as of June 30 of each year; and</u>					
(2) <u>anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2023 through 2033.</u>					
<u>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.</u>					
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
MDOT – Debt Service Requirements

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
3. Add the following language:			Concur.	Adopt.	
<u>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 the Maryland Department of Transportation (MDOT), exclusive of debt for the Purple Line Light Rail Project, may not exceed \$748,925,000 as of June 30, 2024. The total aggregate outstanding and unpaid principal balance on debt for the Purple Line may not exceed \$2,522,912,000 as of June 30, 2024. 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:</u>					
(1) <u>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, 2024, and the total amount by which the fiscal 2024 debt service payment for all nontraditional debt would increase following the additional issuance; and</u>					
(2) <u>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.</u>					

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2024, exclusive of debt issued for the Purple Line Light Rail Transit project, to the total amount that was outstanding from all previous nontraditional debt issuances as of December 31, 2022, plus an anticipated issuance of \$75 million for a new fare collection system for the Maryland Transit Administration. Debt outstanding for the Purple Line Project is capped at the projected maximum debt

J00A04
MDOT – Debt Service Requirements

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
outstanding level that will occur during the construction phase of the Purple Line Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2024 by providing notification to the budget committees regarding the reason that the additional debt is required.					
Information Request	Author		Due Date		
Justification for increasing nontraditional debt outstanding	MDOT		45 days prior to publication of a preliminary official statement		

J00B01
MDOT – State Highway Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00B0101

MDOT – State Highway Administration – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00D00
MDOT – Maryland Port Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00D0002

MDOT – Maryland Port Administration – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00E00
MDOT – Motor Vehicle Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00E0007

MDOT – Motor Vehicle Administration – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00H01
MDOT – Maryland Transit Administration

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following language to the special fund appropriation:		Concur.	Adopt.	
	<u>, provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits five bimonthly construction status reports for the Purple Line Project to the budget committees. The status reports shall provide:</u>				
	(1) <u>the completion percentages for the project as a whole and for each major category of work;</u>				
	(2) <u>the running total amount expended for construction; and</u>				
	(3) <u>an explanation of any material change to the total construction cost estimate or construction schedule as set forth in the revised public-private partnership agreement as amended to add Maryland Transit Solutions as the replacement design-build contractor for the project.</u>				

The first status report shall be submitted by July 1, 2023, and subsequent reports shall be submitted every second month thereafter, and the budget committees shall have 45 days from the date of the receipt of the final report 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 to the budget committees.

Explanation: This language restricts funds pending regular construction progress reports for the Purple Line Light Rail Project.

Information Request	Author	Due Date
Reports on Purple Line construction progress	Maryland Transit Administration	July 1, 2023, and bimonthly thereafter ending with the March 1, 2024 report

J00H0105

MDOT – Maryland Transit Administration – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00I00
MDOT Maryland Aviation Administration

DLS Recommended Actions	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Reject.	

J00I00
MDOT – Maryland Aviation Administration

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Solar Arrays at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall Airport): The committees are interested in the possibility of installing additional solar arrays at BWI Marshall Airport, particularly given a recent federal policy change that removes additional barriers to developing onsite solar systems. The committees request that the Maryland Aviation Administration (MAA) provide a report that describes the current deployment of solar at BWI Marshall Airport, including current locations and capacity, and considers the feasibility of additional solar installations at BWI Marshall Airport. The report should include details regarding space availability for solar infrastructure, procurement and funding needs, potential timelines, and any current plans or efforts in play to deploy solar.

Information Request	Author	Due Date
Solar arrays at BWI Marshall Airport	MAA	December 1, 2023

J00I0003

MDOT – Maryland Aviation Administration – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00J00

Maryland Transportation Authority

		<u>Amount</u> <u>Change</u>	<u>Position</u> <u>Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House</u> <u>Decisions</u>	<u>Senate</u> <u>Decisions</u>
1.	Nonbudgeted.			Concur.		Adopt.	

J00J0042
Maryland Transportation Authority – PAYGO Capital

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Nonbudgeted.			Concur.	Adopt.	

K00A
Department of Natural Resources

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>						
1.	Add the following language to the general fund appropriation: <u>, provided that \$100,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Department of Natural Resources submits the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans to the budget committees. The annual work and expenditure plans shall be submitted with the fiscal 2025 budget submission as required by Section 8-2A-03(d) of the Natural Resources Article, and the budget committees shall have 45 days from the date of the receipt of the plans to review and comment. Funds restricted pending the receipt of annual work and expenditure plans may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the annual work and expenditure plans are not submitted to the budget committees.</u>		Concur in part. The report will be submitted and so the funding restriction is not necessary.	Adopt.							
<p>Explanation: Section 8-2A-03(d) of the Natural Resources Article requires the Governor to submit the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans to the General Assembly as part of the annual budget submission, but the Governor has not done so on a regular basis. This action restricts funding in the Department of Natural Resources’ (DNR) budget until the annual work and expenditure plans are submitted with the fiscal 2025 budget submission.</p>											
<table><tr><th>Information Request</th><th>Author</th><th>Due Date</th></tr><tr><td>Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans</td><td>DNR</td><td>Fiscal 2025 budget submission</td></tr></table>						Information Request	Author	Due Date	Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans	DNR	Fiscal 2025 budget submission
Information Request	Author	Due Date									
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans	DNR	Fiscal 2025 budget submission									
2.	Adopt the following narrative:		Concur.	Adopt.							
<p>Summary of Chesapeake Bay Restoration Spending: The budget committees request that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide a report on Chesapeake Bay restoration spending. The report shall be drafted</p>											

K00A
Department of Natural Resources

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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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 2023 actual; fiscal 2024 working appropriation; and fiscal 2025 allowance to be included as an appendix in the fiscal 2025 budget volumes and submitted electronically in disaggregated form to DLS.

Information Request	Author	Due Date
Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration	DBM DNR MDE	Fiscal 2025 budget submission

L00A
Department of Agriculture

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Reject.	

L00A
Department of Agriculture

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

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| <p>1. Reduce general fund appropriation for the Maryland Agricultural and Resource-Based Industry Development Corporation's Next Generation Farmland Acquisition Program funding. The Governor's fiscal 2024 allowance included \$10,000,000 in general funds for the Next Generation Farmland Acquisition Program as mandated by Chapter 39 of 2022 (Natural Resources – Maryland Park Service and State Parks – Alterations (Great Maryland Outdoors Act)). This action reduces \$6,000,000 from the appropriation for the Next Generation Farmland Acquisition Program so that the funding can be added back to the Maryland Agricultural and Resource-Based Industry Development Corporation's budget for its core loan programs, including the Maryland Resource-Based Industry Financing Fund, given the demand for loans in the high interest rate environment.</p> | <p>-\$ 6,000,000 GF</p> | <p>Adopt.</p> |
|--|-------------------------|---------------|

MEMSOF*
Maryland Emergency Medical System Operations Fund

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Report on Potential Revenue Sources: The Maryland Emergency Medical System Operations Fund (MEMSOF), which uses Motor Vehicle Administration registration fees and other revenue sources to support the State’s emergency medical services system, is projected to become insolvent in fiscal 2024. The committees request a report from the fund’s board on potential revenue sources to support MEMSOF in future fiscal years. This report should particularly focus on the feasibility of using revenue associated with the legalization of cannabis in the State to support MEMSOF expenditures.

Information Request	Author	Due Date
Report on potential revenue sources	Emergency Medical Services Board Maryland Institute for Emergency Medical Services Systems	September 1, 2023

Q00A
DPSCS – Administration and Offices

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	
<p>Justice Reinvestment Act (JRA) Report: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2023, on the following items:</p> <ul style="list-style-type: none"> • annual updates on the number of offenders petitioning and approved for the JRA provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation, and graduated sanctions; • the number of offenders affected by the JRA diminution and earned compliance credit rules; and • annual JRA cost savings updates along with any efforts/initiatives to increase savings. 					
Information Request	Author	Due Date			
JRA report	DPSCS	December 1, 2023			
2. Adopt the following narrative:			Concur.	Adopt.	
<p>Report on Recidivism: The committees are interested in the impact of incarceration on the future outcomes of returning offenders. The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by November 15, 2023, on the following:</p> <ul style="list-style-type: none"> • three-year recidivism numbers for the fiscal 2016 through 2020 release cohorts; and 					

Q00A
DPSCS – Administration and Offices

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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- an analysis of recent recidivism trends, including a comparison to past years and a comparison to other states.

Information Request	Author	Due Date
Recidivism report	DPSCS	November 15, 2023

3. Adopt the following narrative: Concur. Adopt.

Report on Contraband: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by October 15, 2023, on overall trends in contraband finds, including:

- an analysis of trends in contraband finds using data from at least three fiscal years;
- a review of recent changes to contraband detection, including a discussion of funding initiatives; and
- an analysis of personnel in the Canine Unit, including the impact of vacancies on the ability to carry out tactical contraband searches.

Information Request	Author	Due Date
Contraband report	DPSCS	October 15, 2023

4. Adopt the following narrative: Disagree. Adopt.

Report on Major Information Technology Development Projects (MITDP): The committees are concerned with the frequent delays, vendor quality concerns, and lack of progress on completing critical MITDPs. The committees request a report, due

Q00A
DPSCS – Administration and Offices

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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September 15, 2023, providing an update on each MITDP, including major milestones reached, cost changes, timeline changes, and an explanation of issues.

Information Request	Author	Due Date
MITDP report	Department of Public Safety and Correctional Services	September 15, 2023

5. Adopt the following narrative: Concur. Adopt.

Correctional Program Participation Measures: The committees are concerned that there is little information available to track the participation of offenders in the various programs, services, and opportunities available to them. The availability of programs and services was reduced during COVID-19, and there was little opportunity for the committees to review the effect that this had on offender rehabilitative efforts. With the goal of tracking and encouraging participation, the committees request that the Department of Public Safety and Correctional Services (DPSCS) work to determine which program and service statistics could feasibly be translated into participation measures reported annually for each facility. The potential measures should include, but not be limited to, the categories and applicable activities inspected during Maryland Commission on Correctional Standards audits. DPSCS should provide the report on these participation measures by August 20, 2023.

Information Request	Author	Due Date
Correctional program participation measures	DPSCS	August 20, 2023

Q00B
DPSCS – Corrections

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following language to the general fund appropriation:		Concur.		Adopt.	
	<u>, provided that \$200,000 of this appropriation made for the purpose of General Administration may not be expended until the Department of Public Safety and Correctional Services submits a report on the numerical hiring goals to the budget committees. The report shall include an analysis of the 2022 staffing study submitted to the General Assembly that identifies major concerns, limitations, and takeaways from the study. The report shall also identify and explain numerical hiring goals for correctional officers, community supervision agents, and administrative personnel for fiscal 2024. The report shall be submitted to the budget committees no later than July 15, 2023. The budget committees shall have 45 days from the date of the receipt of the report 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.</u>					
	Explanation: Since fiscal 2015, the Department of Public Safety and Correctional Services (DPSCS) has struggled to maintain staffing levels in facilities and across departmental functions. A preliminary staffing analysis suggested that DPSCS facilities are understaffed and in need of additional funded positions. This report will require the incoming administration to review the results of the staffing analysis and provide the budget committees with numerical goals to better track hiring performance.					
	Information Request	Author	Due Date			
	Numerical hiring goals	DPSCS	July 15, 2023			
2.	Add the following language to the general fund appropriation:		Concur in part. Agrees to submit report. Requests date be moved to the 25th of each month to allow more time to prepare them.		Modify, see below.	
	<u>Further provided that \$100,000 of this appropriation made for the purpose of General Administration may not be expended until the Department of Public Safety and Correctional Services submits the second of four quarterly hiring and attrition reports to the budget committees. The reports shall include a breakdown of all hires</u>					

Q00B
DPSCS – Corrections

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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and separations for each of the 3 months in question by category of employee (correctional officer, community supervision agent, or administrative employee) and by reason for separation. The report shall also include narrative summarizing all hiring events and changes to the hiring process that occurred during the quarter; the quantity, type, and cost of bonuses disbursed; as well as overall applications received, tested, and interviewed. The first quarterly report shall be submitted to the budget committees no later than October 12, 2023, and the second report shall be submitted to the budget committees no later than January 12, 2024. The budget committees shall have 45 days from the date of the receipt of the second quarterly report 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: Hiring within the Department of Public Safety and Correctional Services (DPSCS) has declined again after one year improvement in employment. The quarterly reports requested in fiscal 2024 will continue the cooperation between DPSCS and the budget committees to track all departmental hiring, the success of recent initiatives, and the impact of COVID-19 on public safety staffing.

Information Request	Author	Due Date
Quarterly hiring and attrition reports	DPSCS	October 12, 2023 January 12, 2024 April 12, 2024 July 12, 2024

First House Modification

Add the following language to the general fund appropriation:

Adopt.

Further provided that \$100,000 of this appropriation made for the purpose of General Administration may not be expended until the Department of Public Safety and Correctional Services submits the second of four quarterly hiring and attrition reports to the budget committees. The reports shall include a breakdown of all hires

Q00B
DPSCS – Corrections

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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and separations for each of the 3 months in question by category of employee (correctional officer, community supervision agent, or administrative employee) and by reason for separation. The report shall also include narrative summarizing all hiring events and changes to the hiring process that occurred during the quarter; the quantity, type, and cost of bonuses disbursed; as well as overall applications received, tested, and interviewed. The first quarterly report shall be submitted to the budget committees no later than October 25, 2023, and the second report shall be submitted to the budget committees no later than January 25, 2024. The budget committees shall have 45 days from the date of the receipt of the second quarterly report 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: Hiring within the Department of Public Safety and Correctional Services (DPSCS) has declined again after one year improvement in employment. The quarterly reports requested in fiscal 2024 will continue the cooperation between DPSCS and the budget committees to track all departmental hiring, the success of recent initiatives, and the impact of COVID-19 on public safety staffing.

Information Request	Author	Due Date
Quarterly hiring and attrition reports	DPSCS	October 25, 2023 January 25, 2024 April 25, 2024 July 25, 2024

Q00B
DPSCS – Corrections

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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Additional First House Actions

1. Adopt the following narrative:

Adopt.

Inmate Health Care Report: The committees are interested in receiving more information on the transition to a new medical contractor for inmate health care. The current inmate medical contract is set to expire at the end of calendar 2023, and the committees are concerned with the recent history of vendor- and procurement-related issues. The committees request information on the following by September 15, 2023:

- pros and cons of the existing inmate medical contract structure;
- areas in the existing contract structure that could be improved for the new inmate contract solicitation;
- a discussion of the transition timeline, including challenges related to securing a replacement contract prior to the end of calendar 2023;
- contingency plans and impact on State resources if a replacement is not in place by the end of calendar 2023;
- an analysis of inmate medical costs over the past five fiscal years, including the average cost per health care-related service provided to inmates as compared to the cost of similar private and public services; and
- a summary of COVID-19 related challenges and how the new contract might address those challenges.

Q00B
DPSCS – Corrections

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date				
Inmate health care report	Department of Public Safety and Correctional Services	September 15, 2023				

Q00C
DPSCS – Community Supervision

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	
<p>Division of Parole and Probation (DPP) Caseload Report: In recent fiscal years, DPP has been working to reduce supervision caseloads to a manageable level for its parole and probation agents. Caseload ratios worsened in fiscal 2022. The committees request a report due by September 15, 2023, from DPP on the following:</p> <ul style="list-style-type: none"> the exact breakdown of support staff and general supervision caseloads by office into DPP supervision levels for fiscal 2023; the exact breakdown of case closures by reason, region, and office; an evaluation of staff realignment between regions; and a review and analysis of monthly fiscal 2023 DPP agent and Drinking Driver Monitor Program new hires, separations, and vacancies. 					
Information Request	Author	Due Date			
DPP caseload report	DPP	September 15, 2023			

Q00G
DPSCS – Police and Correctional Training Commissions

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

Q00T04
DPSCS – Division of Pretrial Detention and Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Add the following language to the general fund appropriation:			Concur.	Adopt.	
<u>. provided that \$300,000 of this appropriation made for the purpose of overtime earnings may not be expended until the Department of Public Safety and Correctional Services submits a report on overtime and assaults. The report scope shall include the entire department. The report shall include:</u>					
(1) <u>a breakdown of correctional officer overtime hours worked and expenses paid per facility per pay period from July 2015 to July 2023;</u>					
(2) <u>a detailed description of the specific actions taken to reduce overtime costs and the assessed and projected impacts of those actions;</u>					
(3) <u>an analysis of assaults in facilities that utilizes the case information available to the department to determine patterns in assaults with regard to overtime use and any other factor that may influence assault rates;</u>					
(4) <u>a detailed description of the specific actions taken to reduce assaults and the assessed and projected impacts of those actions; and</u>					
(5) <u>an update on the U.S. Department of Labor investigation into overtime pay errors, including the number of individuals affected, the time frame affected, and the total and median amounts required to be paid.</u>					
<u>The report shall be submitted by October 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report 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.</u>					

Explanation: Excessive overtime has become a drain on human resources in the department and led to a riskier work environment for State employees, offenders, and volunteers. The amounts have trended steeply since the Department of Public Safety

Q00T04
DPSCS – Division of Pretrial Detention and Services

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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and Correctional Services (DPSCS) has struggled to fill correctional officer positions. Assaults are also on the rise, particularly in detention facilities. There have also been systemic errors in accounting for overtime that led to an ongoing U.S. Department of Labor investigation into unpaid wages. The investigation has already resulted in retroactive payments of \$30 million in fiscal 2022 and is anticipated to result in additional retroactive payments. This language restricts overtime funding in the fiscal 2024 budget for the Baltimore Central Booking and Intake Center until a report is submitted detailing overtime trends, assault patterns, and efforts to reduce overtime.

Information Request	Author	Due Date
Overtime and assaults report	DPSCS	October 1, 2023

U00A
Department of the Environment

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1.	Add the following language to the general fund appropriation: <u>, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses in the Land and Materials Administration may not be expended pending the submission of the Maryland Scrap Tire annual report. The requested report shall be submitted no later than November 1, 2023. The budget committees shall have 45 days from the date of the receipt of the report 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 to the budget committees.</u>		Concur in part. The report will be submitted and so the funding restriction is not necessary.	Adopt.	
<p>Explanation: This action restricts funding pending the submission by November 1, 2023, of the Maryland Scrap Tire Annual Report. Section 9-275(c) of the Environment Article specifies that an annual status report is due on or before November 1 of each year, which was not consistently met before the inclusion of annual budget bill language.</p>					
Information Request		Author	Due Date		
Maryland Used Tire Cleanup and Recycling Fund annual report		Maryland Department of the Environment	November 1, 2023		
2.	Add the following language to the general fund appropriation: <u>, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Maryland Department of the Environment (MDE), in cooperation with the Department of Budget and Management, submits a confirmatory letter to the budget committees indicating that MDE’s fiscal 2023 actual personnel expenditures and the fiscal 2024 working appropriation personnel expenditures are budgeted in the correct statewide subobjects. The confirmatory letter shall be submitted with the fiscal 2025 budget submission, and the budget committees shall have 45 days from the date of the receipt of the confirmatory letter to review and comment. Funds restricted pending the receipt of a confirmatory letter may not be transferred by budget amendment or</u>		Concur in part. The data will be provided and so the funding restriction is unnecessary.	Adopt.	

U00A
Department of the Environment

**Amount
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**Position
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Agency Response Hearing Notes

**House
Decisions**

**Senate
Decisions**

otherwise to any other purpose and shall revert to the General Fund if the confirmatory letter is not submitted to the budget committees.

Explanation: For the second year in a row, MDE’s most recent actual fiscal year budget data incorrectly reflects the allocation of funding for personnel expenditures. The 2021 Joint Chairmen’s Report included committee narrative requesting that the fiscal 2021 budget data be correctly reflected with the fiscal 2023 budget submission. Then, fiscal 2023 budget bill language restricted funding pending the submission of a confirmatory letter with the fiscal 2024 budget submission, indicating that prior year actual personnel expenditures up to and including fiscal 2022 are budgeted in the correct statewide subobjects. The fringe benefit expenditures – health insurance, pension contributions, and turnover adjustments, among others – are almost entirely reflected as Social Security contributions, which makes it difficult to do historical data comparisons. In addition, MDE budgets in its working appropriation a portion of its personnel expenditures in a subobject used as a temporary placeholder, miscellaneous adjustments, which makes it difficult to compare the working appropriation with the Governor’s allowance. Therefore, increased funding is restricted until MDE and the Department of Budget and Management (DBM) submit a confirmatory letter with the fiscal 2025 budget submission indicating that fiscal 2023 actual personnel expenditures and fiscal 2024 working appropriation personnel expenditures are budgeted in the correct statewide subobjects.

Information Request

Author

Due Date

Budgeting of fiscal 2023 actual and fiscal 2024 working appropriation personnel expenditures

MDE
DBM

Fiscal 2025 budget submission

3. Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of general operating expenses may not be expended until the Maryland Department of the Environment submits a report to the budget committees on revised fee structures for

Concur in part. The fee structure report will be provided and so the funding restriction is not necessary. Modify, see below.

U00A
Department of the Environment

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
<p><u>the fees that support the Maryland Clean Water Fund, the Lead Poisoning Prevention Fund, and the Maryland Clean Air Fund to ensure that the special funds can adequately support the Water and Science Administration, the Land and Materials Administration, and the Air and Radiation Administration, respectively, and to reduce the need for general fund support. The report shall be submitted by December 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report 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.</u></p>				
<p>Explanation: Fiscal 2023 general fund deficiency appropriations of \$1.5 million are budgeted in each of the Water and Science Administration, the Land and Materials Administration, and the Air and Radiation Administration to counter declining special fund revenue. This is the fourth fiscal year in which funding has been provided for declining special fund revenue in at least one of the Maryland Department of the Environment's (MDE) administrations. According to the polluter pays principle, a core tenant of environmental law and environmental economics, social welfare is maximized when all costs – environmental, social, and actual – are reflected in prices. This is not occurring because of outdated fee structures for the special funds supporting the three administrations: Maryland Clean Water Fund, Lead Poisoning Prevention Fund, and Maryland Clean Air Fund. Therefore, this budget bill language restricts funding pending the submission of a report on revised fee structures for the fees supporting these three special funds.</p>				

Information Request	Author	Due Date
Revised fee structures report	MDE	December 1, 2023

U00A
Department of the Environment

Amount
Change

Position
Change

Agency Response Hearing Notes

House
Decisions

Senate
Decisions

First House Modification

Add the following language to the general fund appropriation:

Adopt.

Further provided that \$100,000 of this appropriation made for the purpose of general operating expenses may not be expended until the Maryland Department of the Environment submits a report to the budget committees on revised fee structures for the fees that support the Maryland Clean Water Fund, the Lead Poisoning Prevention Fund, and the Maryland Clean Air Fund to ensure that the special funds can adequately support the Water and Science Administration, the Land and Materials Administration, and the Air and Radiation Administration, respectively, and to reduce the need for general fund support. The report shall include the following:

- (1) a description of who pays each fee;
- (2) a description of how the revenue for each fee is used;
- (3) whether each fee is recurring or one time;
- (4) the volume of payors and revenue for each year since each fee was last increased;
- (5) an explanation for any significant changes in the revenues received from each fee, including, but not limited to, changes in the number of payors or amount paid by each payor;
- (6) a comparison of Maryland to other peer states in terms of how the functions supported by each fee are handled;
- (7) the size of each of the special fund shortfalls now and a projection of each of the special fund shortfalls into the future; and
- (8) an analysis of how much of each of the special fund shortfalls would have been addressed by indexing each fee to inflation.

U00A
Department of the Environment

Amount
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Position
Change

Agency Response Hearing Notes

House
Decisions

Senate
Decisions

The report shall be submitted by September 29, 2023, and the budget committees shall have 45 days from the date of the receipt of the report 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: Fiscal 2023 general fund deficiency appropriations of \$1.5 million are budgeted in each of the Water and Science Administration, the Land and Materials Administration, and the Air and Radiation Administration to counter declining special fund revenue. This is the fourth fiscal year in which funding has been provided for declining special fund revenue in at least one of the Maryland Department of the Environment's (MDE) administrations. According to the polluter pays principle, a core tenant of environmental law and environmental economics, social welfare is maximized when all costs – environmental, social, and actual – are reflected in prices. This is not occurring because of outdated fee structures for the special funds supporting the three administrations: Maryland Clean Water Fund; Lead Poisoning Prevention Fund; and Maryland Clean Air Fund. Therefore, this budget bill language restricts funding pending the submission of a report on revised fee structures for the fees supporting these three special funds by September 29, 2023.

Information Request

Author

Due Date

Revised fee structures report

MDE

September 29, 2023

4. Add the following section:

SECTION 37. 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 that no funds may be expended until MDE and MDA jointly

Concur in part. The quarterly reports will be submitted and so the funding restriction is not necessary.

Adopt.

U00A
Department of the Environment

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
<u>prepare and submit quarterly reports on July 1, 2023; October 1, 2023; January 1, 2024; and April 1, 2024, which shall include:</u>				
(1) <u>an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:</u>				
(a) <u>provide information on the delegation of authority by the federal government to the departments, including any evaluations of this delegated authority, and on the delegation of authority by the departments to other entities; and</u>				
(b) <u>assess the impact of the role that technology has played on compliance and enforcement responsibilities;</u>				
(2) <u>a comparison of the size, roles, responsibilities, and inspection workload of the departments' compliance and enforcement positions to neighboring or similar states;</u>				
(3) <u>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;</u>				
(4) <u>the number of:</u>				
(a) <u>regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2023 actuals; and</u>				
(b) <u>fiscal 2024 current and fiscal 2025 estimated appropriations;</u>				
(5) <u>PINs and titles for all positions filled with restricted funding, and how the positions are being used; and</u>				

U00A
Department of the Environment

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
(6)	<u>a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.</u>			

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 from the date of the receipt of the reports to review and comment. 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 2022 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

Information Request	Author	Due Date
Enforcement and inspection	MDA	July 1, 2023
position strength assessment and	MDE	October 1, 2023
vacant position		January 1, 2024
		April 1, 2024

U00A
Department of the Environment

Amount
Change

Position
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Agency Response Hearing Notes

House
Decisions

Senate
Decisions

Additional First House Actions

1. Adopt the following narrative:

Adopt.

Ambient Air Monitoring Report: The committees are interested in what is needed to deploy an ambient air monitoring network across the State and how this would improve public health. Therefore, the committees request that the Maryland Department of the Environment (MDE) submit a report on what is needed to deploy an ambient air monitoring network across the State. In addition, the report is requested to include information on how the data collected from a network would mitigate exposure to toxic pollutants, inform permit decision-making processes, and help reduce the cumulative impacts of pollutants such as particulate matter and fine particulate matter. The report is requested to be submitted to the committees by December 31, 2023.

Information Request

Author

Due Date

Ambient air monitoring report

MDE

December 31, 2023

2. Adopt the following narrative:

Adopt.

Text Alert System for Environmental Accidents: The committees are concerned that affected parties are not notified of environmental accidents, such as the release of hazardous materials, in a timely manner. Therefore, the committees request that the Maryland Department of the Environment (MDE) and Maryland Department of Emergency Management (MDEM) conduct a study to determine the feasibility and cost of implementing a text alert system for environmental accidents along the lines of the current weather and AMBER alert systems. The study should include information about the relevancy of the national Emergency Alert System to the proposed text alert system and an evaluation of the type of environmental events or accidents that would be most beneficial to include in such a system. The report is requested to be submitted by September 29, 2023.

U00A
Department of the Environment

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date				
Text alert system for environmental accidents	MDE MDEM	September 29, 2023				

U10B00
Maryland Environmental Service

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	

Maryland Environmental Service (MES) Funding Statement: The committees request that MES continue to provide a report on the following:

- undesignated unrestricted net assets for fiscal 2023, 2024, and 2025 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 2023, 2024, and 2025 estimated, including a separate calculation for the water and wastewater overhead rate for each fiscal year from fiscal 2017 through 2025;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2023 and 2024 for the State Reimbursable Project Contingency Fund, the Eastern Correctional Institution (ECI) Steam Turbine Contingency Fund, the Department of Natural Resources Project Contingency Fund, ECI Energy Upgrade Project Reserve Fund, and any other project reserve funds created by MES; and
- justification for the changes in reimbursable project funding for fiscal 2023, 2024, and 2025 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 2025 budget submission.

Information Request	Author	Due Date
MES funding statement	MES DBM	Fiscal 2025 budget submission

V00A
Department of Juvenile Services

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

W00A
Department of State Police

	<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
1. Adopt the following narrative:			Concur.	Adopt.	
<p>Update on the Workforce Diversity Action Plan Continuation: During the 2021 and 2022 sessions, the General Assembly expressed concern with the allegations of racial insensitivity and lack of diversity among the Department of State Police (DSP) workforce. In 2021, DSP was directed to convene a diversity study group to develop an action plan to address these concerns containing specific and measurable goals and to submit the action plan to the General Assembly, along with metrics detailing the current degree of diversity in the department. In continuing to monitor the department's progress in addressing this issue, the committees request an update on the continuation of the Workforce Diversity Action Plan, providing the following information:</p> <ul style="list-style-type: none"> • progress that has been made related to implementing the four recommendations of the diversity study group that met in 2021; • progress that has been made related to its specific and measurable goals for achieving diversity among civilian and sworn employees; • a demographic breakdown of the department's civilian and sworn employees for the previous year for each division; • a demographic breakdown of the department's attrition rate for the previous year; • a demographic breakdown of the department's managerial and leadership positions for the previous year; • a demographic breakdown of the Maryland State Police Academy classes for the previous year; 					

W00A
Department of State Police

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
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- the number of reported incidents of racially insensitive behavior among departmental personnel for the previous year; and
- a demographic breakdown of the disciplinary actions for civilian and sworn personnel over the previous year.

In any instance where “demographic” data is requested, this should include data categorized by both race and gender. In addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services. The report updating the committees on the implementation of the action plan is to be submitted to the committees on September 1, 2023.

Information Request	Author	Due Date
Update on the continuation of the Workforce Diversity Action Plan	DSP	September 1, 2023

2. Add the following section:	Concur.	Adopt.
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Section 38. Uniform Crime Report

SECTION 38. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2022 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days from the date of the receipt of the report 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 to the budget committees.

Further provided that, if DSP encounters difficulty obtaining, or validating the accuracy of, the necessary crime data by November 1, 2023, from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor’s

W00A
Department of State Police

<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
<p><u>Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, the office shall withhold a portion, totaling at least 15% but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2024 upon receipt of notification from DSP. GOCPYVS shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP and DSP verifies the accuracy of the data. DSP and GOCPYVS shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2023, and the amount of SAPP funding from each jurisdiction.</u></p> <p>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 2017 UCR was not submitted until March 2019, and the 2018 UCR was not submitted until March 2020. The 2019 and 2020 UCRs were submitted on time, as was the 2021 UCR data verification letter. Though data contributors were able to provide the department with 2021 crime data, there have been delays in compiling the 2021 UCR due to the inability for all contributors to submit it in compliance with the new federal reporting system. The 2021 UCR is not expected to be published until mid-March 2023.</p> <p>This language withholds a portion of the general fund appropriation until the budget committees receive the 2021 UCR. The language also specifies that GOCPYVS, 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 GOCPYVS must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2023, and the amount of SAPP funding that is withheld from each jurisdiction.</p>				

W00A
Department of State Police

		<u>Amount Change</u>	<u>Position Change</u>	<u>Agency Response Hearing Notes</u>	<u>House Decisions</u>	<u>Senate Decisions</u>
Information Request	Author	Due Date				
2022 UCR data verification	DSP	November 1, 2023				
2022 UCR	DSP	45 days prior to expenditure of funds				