



Report of the
**Public Safety, Transportation, and
Environment Subcommittee**
To the Senate Budget and Taxation Committee

2023 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 200

General Assembly of Maryland

Senate Budget and Taxation Committee
Public Safety, Transportation, and Environment
Subcommittee

2023 Session Membership Roster

Senator Sarah K. Elfreth, Chair

Senator Michael A. Jackson
Senator Jim Rosapepe
Senator Johnny Ray Salling

Committee Staff

Daneen M. Banks

Subcommittee Coordinator

Jacob C. Cash

Support Staff

Brett A. Ogden

Contents

	<u>Budget Code</u>	<u>Page</u>
Recommended Reductions		vii
Legislative and Judicial		
Judiciary	C00A00	1
Office of the Public Defender.....	C80B00	3
Office of the Attorney General.....	C81C	4
Public Service Commission.....	C90G00	6
Office of the People’s Counsel.....	C91H00	8
Uninsured Employers’ Fund.....	C96J00	9
Executive and Administrative Control		
Maryland Energy Administration.....	D13A13	10
Governor’s Office of Crime Prevention, Youth, and Victim Services ..	D21	13
Maryland Department of Emergency Management	D52	22
Department of Veterans Affairs	D55P00	23
Maryland Automobile Insurance Fund.....	D70J00	24
Maryland Insurance Administration.....	D80Z01	25
Financial and Revenue Administration		
Comptroller of Maryland.....	E00A	27
Maryland Lottery and Gaming Control Agency	E75D	28
Transportation		
Department of Transportation.....	J00	29
The Secretary’s Office.....	J00A01	31
Debt Service Requirements	J00A04	35
State Highway Administration	J00B01	38
Maryland Transit Administration	J00H01	39
Maryland Transportation Authority	J00J00	42

	<u>Budget Code</u>	<u>Page</u>
Natural Resources		
Department of Natural Resources	K00A	43
Agriculture		
Department of Agriculture	L00A	47
Maryland Emergency Medical System Operations Fund		
Maryland Emergency Medical System Operations Fund		49
Public Safety and Correctional Services		
Department of Public Safety and Correctional Services		
Administration and Offices	Q00A	50
Corrections	Q00B	54
Community Supervision	Q00C	60
Police and Correctional Training Commission	Q00G	62
Division of Pretrial Detention and Services	Q00T04	63
Environment		
Department of the Environment	U00A	65
Maryland Environmental Service	U10B00	73
Juvenile Services		
Department of Juvenile Services	V00A	74
State Police		
Department of State Police	W00A	76
Sections		
Sections		78

Recommended Reductions

Public Safety, Transportation, and Environment Subcommittee

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>
2024 Budget Request					
Maryland Energy Administration	\$ 0	\$ -9,458,465	\$ 0	\$ 0	\$ -9,458,465
Maryland Lottery and Gaming Control Agency	0	-1,175,000	0	0	-1,175,000
Department of Agriculture	-6,000,000	0	0	0	-6,000,000
<i>Subtotal Fiscal 2024 Regular Budget</i>	<i>\$ -6,000,000</i>	<i>\$ -10,633,465</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ -16,633,465</i>
Fiscal 2024 Total Budget	\$ -6,000,000	\$ -10,633,465	\$ 0	\$ 0	\$ -16,633,465
Grand Total Budget Bill	\$ -6,000,000	\$ -10,633,465	\$ 0	\$ 0	\$ -16,633,465

C00A00 Judiciary

Budget Amendments

C00A00.04 District Court

Add the following language to the general fund appropriation:

, 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.

Explanation: This action restricts the use of \$9.25 million of the Judiciary's general fund appropriation for the implementation of DeWolfe v. Richmond.

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report, 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.

Information Request	Author	Due Date
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2023

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

C00A00

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

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 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

Committee Narrative

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. *Additionally, the report should include average caseloads for core staff including paralegals and secretarial staff between fiscal 2019 to 2023.*

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

C81C

Office of the Attorney General

Committee Narrative

C81C00.01 Legal Counsel and Advice

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.

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

Independent Investigations Division

C81C00.11 Independent Investigations Division

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:

- 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.

C81C

Information Request

Author

Due Date

IID report

OAG

October 1, 2023

C90G00

Public Service Commission

Committee Narrative

C90G00.01 General Administration and Hearings

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

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.

Information Request	Author	Due Date
Report on outcomes of appeals of PSC decisions through the judicial process	PSC	November 1, 2023

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~~ 2010 and 2022, including:

C90G00

- that the total number of *complaints received, investigations, and enforcement actions* by PSC as a result of prohibited marketing practices conducted by third-party energy suppliers, *broken out by jurisdiction or zip code*;
- 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;
- *how this fine revenue is used by PSC for consumer education efforts*;
- 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; and
- the average length of time from when PSC begins an enforcement action to the final case resolution.

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 effectiveness of existing enforcement actions in deterring prohibited marketing practices from occurring and any recommendations PSC has regarding changes to existing penalties or options for additional enforcement actions that could be authorized by the Maryland General Assembly that could be used in the future in these cases.* 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 <i>November 1, 2023</i>

Availability of Reporting of Complaints Filed Against Utilities: *The committees continue to be interested in tracking complaints filed against utilities and complaints filed against third-party retail energy suppliers as reported by the Public Service Commission (PSC) on its website. The committees request that PSC provide an update on the status of the availability of quarterly reporting of complaints filed against utilities, which began at the beginning of fiscal 2023.*

Information Request	Author	Due Date
<i>Reporting of complaints against utilities</i>	<i>PSC</i>	<i>September 1, 2023</i>

C91H00
Office of the People’s Counsel

Committee Narrative

C91H00.01 General Administration

***Agency Staffing Levels:** The committees are concerned that the current number of authorized positions in the Office of People’s Counsel (OPC) has not increased in proportion to increases in agency workload and demands on the office that have occurred in recent years as a result of legislation and increased case participation before the Public Service Commission and other regulatory bodies. The committees request that OPC submit a report on its current personnel compared to the level that the agency views as necessary to adequately fulfill the agency’s expanded mission and compared to staffing levels in similar agencies in neighboring jurisdictions.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on agency staffing levels</i>	<i>OPC</i>	<i>December 1, 2023</i>

C96J00

Uninsured Employers' Fund

Committee Narrative

C96J00.01 General Administration

***Recommendations on Fines for Uninsured Employers:** The committees are concerned about the low penalties assessed on employers that do not carry workers' compensation as is required by State law. The committees request that the Uninsured Employers' Fund (UEF) provide a report by September 1, 2023, that describes the current fine structure for employers that are uninsured, the amount of fines imposed for fiscal 2020 through 2023, to where the revenue from the fines is provided, and recommendations for revised fine structures if necessary.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on revised fines</i>	<i>UEF</i>	<i>September 1, 2023</i>

D13A13

Maryland Energy Administration

Budget Amendments

D13A13.01 General Administration

Amend appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</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
Total Change	-208,465	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
Position	41.00	41.00		0.00
Special Fund	6,813,316	6,604,851	-208,465	
Federal Fund	1,388,336	1,388,336	0	
Total Funds	8,201,652	7,993,187	-208,465	

Committee Narrative

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;

D13A13

- 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.

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

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 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. *If initial awards have been made under either program at the time of report submission, it should also include the number of applications received and funding awards made yea to date. If initial 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
Report on the status of implementation of residential-focused rebate programs through federal stimulus funding	MEA	December 15, 2023

D13A13

Budget Amendments

D13A13.08 Renewable and Clean Energy Programs and Initiatives

Amend appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
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
Total Change	-9,250,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
Special Fund	103,350,000	94,100,000	-9,250,000	
Total Funds	103,350,000	94,100,000	-9,250,000	

D21

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

Budget Amendments

Administrative Headquarters

D21A01.01 Administrative Headquarters

Add the following language to the general fund appropriation:

, 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:

- (1) the findings of this audit;
- (2) an explanation of the corrective actions taken by GOCPYVS to address the findings of the audit identified in item (1);
- (3) the fiscal 2020 legislative appropriation and fiscal 2020 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS;
- (4) the fiscal 2021 legislative appropriation and fiscal 2021 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS; and
- (5) the fiscal 2022 legislative appropriation and fiscal 2022 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS.

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 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.

D21

Information Request	Author	Due Date
Fiscal 2020, 2021, and 2022 audit report	GOCPYVS	July 1, 2023

Add the following language to the general fund appropriation:

~~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:~~

- ~~(1) — each proposed grant award;~~
- ~~(2) — how priority has been given to non State victim services providers; and~~
- ~~(3) — 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 \$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:~~

- ~~(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;~~
- ~~(2) — for each VOCA grant award in item (1) and for any other VOCA grant awards made~~

D21

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;

- (3) — 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;
- (4) — 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;
- (5) — 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;
- (6) — 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
- (7) — 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.

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.

Further provided that, unless an executive director is appointed and working at the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCOPYVS) by April 1, 2023, no funding provided under the federal Victims of Crime Act (VOCA) provided through GOCOPYVS may be awarded to State agencies, programs, or held in reserve until each victim services provider who received funding during fiscal 2023 has been awarded funding at no less than the same level as fiscal 2023 to continue services to victims of crime during fiscal 2024, provided that all services proposed by the victim services provider are allowable under federal VOCA regulations. 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 if funding under the VOCA is reduced, funding shall be awarded in the following manner:

D21

- (1) victim services providers who received funding during fiscal 2023 shall receive all available VOCA funds, and funding for each provider may only be reduced by the same percentage as other providers, unless a provider submits a grant request for a lower amount; and
- (2) in the event that funding is not available, each grant shall be reduced by the same percentage unless a provider has requested reduced funding. Non-State providers shall be fully funded prior to any award to a State agency and prior to the retention of reserve funds. If additional State or federal funding becomes available, such cuts shall be restored.

No VOCA funding may be awarded by GOCYVS except in a manner that gives priority to continuing funding for non-State victim services providers who received funding during fiscal 2022, have the capacity to continue to provide services to victims, and have submitted an application for services that are allowable under federal VOCA regulations.

Further provided that \$500,000 of the general fund appropriation for GOCYVS 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, GOCYVS reports to the budget committees on:

- (1) each proposed grant award;
- (2) how priority has been given to non-State victim services providers;
- (3) whether each grant is equal to fiscal 2023 awards; and, if it is not, the identification of the difference in funding and justification for this difference; and
- (4) 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 \$500,000 of the general fund appropriation for the purposes of administration may not be expended until GOCYVS submits a report by November 1, 2023, 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;
- (2) for each VOCA grant award in item (1) and for any other VOCA grant awards made

D21

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;

- (3) for each VOCA grant award in items (1) and (2), identification of any decrease or other change in victim services funding between items (1) and (2), the justification for each grant award change, and the impact on the continuity of crime victim services;
- (4) the amount of unexpended funds for each open three-year VOCA grant and the reason funds are unexpended, including whether they are held in reserve for future grants;
- (5) 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 three-year funding cycles;
- (6) 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;
- (7) identification of the legislative appropriation for the VOCA and the actual level of spending for each State fiscal year, beginning with State fiscal 2016 through 2023; and
- (8) identification of any decrease or other change between the legislative appropriation for VOCA and the actual level of spending for the VOCA for each State fiscal year identified in item (7), and the reason for any and all disparities that may exist between the legislative appropriation and the actual spending level.

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.

Further provided that \$500,000 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' website, including funds available from prior years and including the specific amounts held in reserve from each federal three-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 provides the web address to this data. The budget committees shall have 45 days from 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

Further provided that GOCPYVS is authorized to process a budget amendment recognizing additional State or federal funds to restore funding cuts to victim services providers if additional State or federal funding becomes available.

Further provided that, upon request by a grantee and unless expressly prohibited by federal law, GOCPYVS shall permit grantees to carry over grant funds from one federal fiscal year to the next for up to six months. GOCPYVS shall take any steps needed to maximize the ability of grantees to carry over grant funds, including by requesting no-cost extensions for expenditure of federal funds granted to the State.

Further provided that VOCA funds and State funds supplementing VOCA services will be administered in a unified process, including one Notice of Funding Availability and application, one grant period, and unified reports with separate accounting as necessary to comply with federal and State regulations.

Further provided that grantees will be reimbursed on a monthly basis upon request for any State or federal grant award of \$50,000 or more annually.

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the VOCA grant awards be to ensure continuity of trauma-informed, high-quality services for victims of crime.

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 GOCPYVS 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 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.

D21

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 requires the State fiscal 2024 VOCA awards to be awarded at a level equal to that of fiscal 2023 in order to ensure the continuity of victim services if an Executive Director is not appointed and working at GOCYVS by April 1, 2023. Further, in the event that available funding is reduced or not available, priority shall be given to non-State service providers, and funding for all non-State providers must be reduced by the same percentage. Additionally, grantees will be able to request that grant funds may be carried over from one federal fiscal year to the next for up to six months. Grantees will be able to receive reimbursement on a monthly basis upon request for awards of \$50,000 or more annually.

The language restricts funds pending the submission of a report by GOCYVS detailing how non-State providers were given funding priority and proposed VOCA awards for the fiscal 2024 grant cycle. The language restricts an additional \$1.0 million pending the submission of VOCA data by November 1, 2023. Of this funding, \$500,000 shall be released pending submission of a report providing 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 programs receiving such funds. For each open three-year grant cycle (federal fiscal 2021, 2022, and 2023), GOCYVS 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.

An additional \$500,000 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 GOCYVS' agency website.

D21

Information Request	Author	Due Dates
Report on proposed VOCA grant awards	GOCPYVS	August 1, 2023
Report of VOCA funding and expenditures	GOCPYVS	November 1, 2023
<i>Letter on VOCA data publication</i>	<i>GOCPYVS</i>	<i>November 1, 2023</i>

Amendment No. _____

Committee Narrative

Rape Kit Testing Grant Fund: Chapter 508 of 2019 established the Rape Kit Testing Grant Fund in response to the significant number of untested rape kits across the State. Under Chapter 508, the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) is granted the authority to administer the special nonlapsing Rape Kit Testing Grant Fund. The statute does not mandate an annual appropriation into the grant fund but allows for appropriations through the General Fund. In the working appropriation and the allowance, \$3.5 million is provided for rape kit testing grants. The committees request that GOCPYVS provide a report detailing the actual annual expenditures from this grant fund in fiscal 2022 through 2024 expenditures year to date and the list of grant recipients and their respective grant award amount for each fiscal year.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on Rape Kit Testing Grant Fund expenditures</i>	<i>GOCPYVS</i>	<i>December 15, 2023</i>

Budget Amendments

D21A01.03 State Aid for Police Protection

Add the following language to the general fund appropriation:

, 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

D21

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.

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.

D52
Maryland Department of Emergency Management

Committee Narrative

D52A01.01 Maryland Department of Emergency Management

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 Veteran Affairs

Committee Narrative

D55P00.05 Veterans Home Program

Report on Veteran Employment and Apprenticeship Pipeline: *The Maryland Department of Veterans Affairs (MDVA) has a goal of contacting service members transitioning out of the armed forces into private civilian life to educate them on how to claim and utilize their earned benefits as well as other opportunities the State has available. The committees are interested in the existing partnerships between State entities that are dedicated to veteran employment and apprenticeship opportunities. The committees request that MDVA submit a report on these efforts, including:*

- *any efforts by MDVA to contact service members during their transition to civilian life related to job and apprenticeship opportunities, including job fairs;*
- *any plans that MDVA has to expand the job pipeline for veterans into the public and private sectors, including partnerships with local employers;*
- *a discussion of the existing partnerships between State entities with a focus on veteran job opportunities; and*
- *a discussion of occupational pipelines and hiring programs for veterans in neighboring states, including Virginia's Virginia Values Veterans program.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on veteran employment and apprenticeship pipeline</i>	<i>MDVA</i>	<i>August 1, 2023</i>

D70J00
Maryland Automobile Insurance Fund

Committee Narrative

D70J00.42 Insured Division

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:

- 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

D80Z01

Maryland Insurance Administration

Committee Narrative

D80Z01.01 Administration and Operations

Mental Health Parity and Addiction Equity: *The committees are interested in being updated on the Maryland Insurance Administration (MIA) efforts to ensure compliance with the federal Mental Health Parity and Addiction Equity Act (MHPAEA) and Section 15-802 of the Insurance Article. The committees request that MIA submit a report including the following:*

- *methods used by MIA to ensure compliance with the MHPAEA, Section 15-802 of the Insurance Article, and related federal and State regulations or guidance;*
- *a summary of findings from market conduct examinations related to compliance with the MHPAEA completed during calendar 2022; and*
- *a description of the education services provided or corrective actions taken by MIA to ensure an entity complies with the MHPAEA, Section 15-802 of the Insurance Article, and related federal and State regulations or guidance.*

It is also the intent of the committees that the report be published on the MIA website in publicly accessible language.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>MHPAEA compliance</i>	<i>MIA</i>	<i>January 1, 2024</i>

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

D80Z01

- 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

E00A
Comptroller of Maryland

Committee Narrative

REVENUE ADMINISTRATION DIVISION

E00A04.02 Major Information Technology Development Projects

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.

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

COMPLIANCE DIVISION

E00A05.01 Compliance Administration

***National Standards on Collection of Unclaimed Property:** The committees are interested in the impact of the passage of Chapter 648 of 2022. The committees request that the Comptroller of Maryland submit a report containing an analysis of the impact of Chapter 648 on the number of accounts considered abandoned, the average length of time to complete the abandonment determination process, and Unclaimed Property Fund revenues. The report should examine options for improvements to the collection of unclaimed property in Maryland including national best practices, policy and model legislation as identified by the National Association of Unclaimed Property Administrators, and recent legislative changes in other States. The report should also discuss additional positions and resources necessary to implement any recommended improvements to the collection of unclaimed property in Maryland.*

Information Request	Author	Due Date
Report on collection of unclaimed property	Comptroller of Maryland	December 31, 2023

E75D
Maryland Lottery and Gaming Control Agency

Budget Amendments

E75D00.01 Administration and Operations

Amend appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</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
Total Change	-1,175,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
Position	163.10	163.10		0.00
Special Fund	95,554,950	94,379,950	-1,175,000	
Total Funds	95,554,950	94,379,950	-1,175,000	

Committee Narrative

E75D00.03 Sports Wagering and Fantasy Gaming

***Monthly Reporting on Sports Wagering:** The committees are interested in understanding the implementation of sports wagering within the State. The committees request that the Maryland Lottery and Gaming Control Agency include in the agency's published monthly reports for sports wagering additional information on the major types of bets being placed including promotional play spending, parlays, the total handle, the hold, as well as the type of sport(s) events being wagered on. The first of these reports should be published by July 5, 2023, with subsequent reports published monthly thereafter on the fifth of each month.*

J00
Department of Transportation

Budget Amendments

Add the following language:

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

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

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

Further provided that notification of project additions, as outlined in 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.

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.

J00

Information Request	Authors	Due Dates
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

Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,120.5 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:

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

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

J00A01
The Secretary's Office
Maryland Department of Transportation

Committee Narrative

J00A01.01 Executive Direction

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

Bicycle and Pedestrian Safety Coordination: *Bicycle and pedestrian safety is a key area of focus in the State's effort to achieve the goal of Vision Zero – elimination of traffic fatalities and severe injuries among all road users. The committees are interested in receiving an update from the Maryland Department of Transportation (MDOT) describing recent trends in cyclist and pedestrian incidents and summarizing its strategies and plans for coordinating efforts related to bicycle and pedestrian safety. MDOT is requested to provide a report on:*

- *the number of incidents involving bicyclists or pedestrians, by jurisdiction, over a five-year period;*
- *the share of those incidents that resulted in a serious injury or fatality;*
- *outreach and policy initiatives addressing this issue, particularly those that began or were reassessed due to changes in travel trends related to the COVID-19 pandemic; and*
- *how projects funded through the Kim Lamphier Bikeways Program contribute to efforts to improve safety and whether current funding levels are adequate.*

The report should be submitted by October 1, 2023.

J00A01

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on strategies and plans for improving bicycle and pedestrian safety</i>	<i>MDOT</i>	<i>October 1, 2023</i>

Budget Amendments

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$5,556,686 of this appropriation may be expended for operating grants-in-aid, except for:

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

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

J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that no funds may be expended by the Secretary's Office for any 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:

- (1) 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
- (2) the budget committees shall have 45 days to review and comment on the proposed capital project or grant.

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

Committee Narrative

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;

J00A01

- 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
- 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

J00A01.04 Washington Metropolitan Area Transit – Operating

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

J00A04
Debt Service Requirements
Maryland Department of Transportation

Budget Amendments

Add the following language:

Consolidated Transportation Bonds may be issued in any amount, provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues may not exceed \$3,114,910,000 as of June 30, 2024.

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.

Add the following language:

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

- (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and
- (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2023 through 2033.

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

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

J00A04

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

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by 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:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2024, and the total amount by which the fiscal 2024 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 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 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.

J00A04

Information Request	Author	Due Date
Justification for increasing nontraditional debt outstanding	MDOT	45 days prior to publication of a preliminary official statement

J00B01
State Highway Administration
Maryland Department of Transportation

Committee Narrative

J00B01.02 State System Maintenance

***Mowing and Litter Cleanups Along State Roads and Highways:** At the beginning of calendar 2023, the State Highway Administration (SHA) increased the frequency of mowing and litter cleanups along State roads and highways in response to numerous complaints from elected officials and the public. The committees request that SHA report on:*

- *the methods used to increase the frequency of these activities (use of SHA employees, inmate labor, contracted services, etc.);*
- *the total cost of these increased efforts and how those costs were covered;*
- *an assessment of whether increased frequencies will continue, and if so, for how long and how will these costs be covered; and*
- *the outcomes achieved, including details on how the number of complaints received changed as a result of SHA's stepped-up efforts.*

The report should be submitted by December 1, 2023.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on mowing and litter cleanup efforts</i>	<i>SHA</i>	<i>December 1, 2023</i>

J00H01
Department of Transportation
Maryland Transit Administration

Budget Amendments

J00H01.01 Transit Administration

Add the following language:

Provided that \$250,000 of this appropriation made for the purpose of agency administration in program J00H01.01 Transit Administration and \$250,000 made for the purpose of departmental administration in program J00A01.01 Executive Direction may not be expended until the Maryland Transit Administration and the Secretary's Office submit a report to the budget committees on the performance of agency-operated local buses that transport students to local public schools during the 2022-2023 school year. The report shall include:

- (1) a tabulation of incorrect routing and service delays by severity (length of delay);
- (2) the number and severity of late school drop-offs;
- (3) the reasons for service delays on these routes, including bus operator shortages, supervisor shortages, or other issues; and
- (4) the corrective actions taken or planned to redress these problems.

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 be canceled if the report is not submitted to the budget committees.

Explanation: Many Baltimore City School children are being marked absent from classes due to Maryland Transit Administration (MTA) buses either being late or bus operators failing to drive the correct route. This problem appears to be caused in part by a lack of a sufficient number of trained bus operators combined with a lack of a sufficient number of supervisors to monitor bus operations. This language restricts funding pending a report on the performance of agency-operated buses that transport children to local public schools.

Information Request	Author	Due Date
Report on agency-operated buses that transport children to local public schools	MTA The Secretary's Office	December 1, 2023

Amendment No. _____

J00H01

Add the following language to the special fund appropriation:

, 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:

- (1) the completion percentages for the project as a whole and for each major category of work;
- (2) the running total amount expended for construction; and
- (3) 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.

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 Dates
Reports on Purple Line construction progress	Maryland Transit Administration	July 1, 2023, and bimonthly thereafter ending with the March 1, 2024 report

Committee Narrative

Long-term Investment in Fixed Rail: *It is the intent of the committees that State resources for transit projects yield the best possible return on investment and provide efficient, reliable, and equitable service to Marylanders. Options for modifying routes for fixed transit are limited, but the marginal costs of changing schedules and fares is low. Given the emerging changes in travel patterns accelerated by the COVID-19 pandemic, the State should be engaged in long-term planning to maximize the use of existing fixed-rail transit systems over the coming decades. The Maryland Transit Administration (MTA) is therefore requested to submit a report summarizing analyses of the changing market for fixed rail, including options to maximize return on the State's investment. The report should also include a summary of economic benefits of fixed rail*

J00H01

and how increased ridership and community engagement can further bolster return on investment.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Long-term investment in fixed rail</i>	<i>MTA</i>	<i>January 15, 2023</i>

J00J00
Maryland Transportation Authority
Maryland Department of Transportation

Committee Narrative

J00J00.41 Operating Program

Tolling at Francis Scott Key Bridge (I-695) Facility: *It is the intent of the committees to ensure that all travelers are being assessed the appropriate tolls based on vehicle classifications and entry and exit points at Maryland Transportation Authority (MDTA) facilities across the State. It is further the intent of the committees that MDTA should allow a vehicle to bypass the Broening Highway/Authority Drive toll facility if the vehicle enters the outer loop of Interstate I-695 Broening Highway/Authority Drive and does not traverse the Francis Scott Key Bridge (Key Bridge). Given concern regarding travelers accessing the Port of Baltimore for business purposes, the agency should provide a report examining the issue of travelers accessing the Port of Baltimore via I-695 without crossing the Key Bridge to determine if tolls currently being assessed are appropriate. The report should include a map of the entire Key Bridge facility and all entry and exit points, including toll rates for each route.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Tolling at Key Bridge facility</i>	<i>MDTA</i>	<i>December 1, 2023</i>

K00A
Department of Natural Resources

Committee Narrative

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

Ecological Impact Study of Releasing Pen-raised Ducks: The committees are concerned about the ecological impact of releasing pen-raised ducks for recreational shooting purposes within legally permitted Regulated Shooting Areas licensed by the Department of Natural Resources (DNR). The committees are interested in the likelihood of pen-raised ducks breeding with wild ducks if the pen-raised ducks escape from confinement or fail to be harvested within a Regulated Shooting Area. Therefore, the committees request that DNR conduct an ecological impact study of the release of pen-raised ducks and submit a report on the findings of the ecological impact study, including the impact of crossbreeding and the release of pen-raised ducks on the wild migratory duck population. The committees request that the report be submitted by September 29, 2023.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Ecological impact study of releasing pen-raised ducks</i>	<i>DNR</i>	<i>September 29, 2023</i>

Budget Amendments

CHESAPEAKE AND COASTAL SERVICE

K00A14.02 Chesapeake and Coastal Service

Strike the following language:

~~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.~~

K00A

~~**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.~~

Information Request	Author	Due Date
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans	DNR	Fiscal 2025 budget submission

Amendment No. _____

Committee Narrative

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 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	Authors	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

K00A

Historical and Projected Chesapeake Bay Restoration Spending: *The committees are interested in the status of Chesapeake Bay restoration. Therefore, the committees request that 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) 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 (BMP) in place to meet water quality standards for restoring the Chesapeake Bay. The report is requested to include the following:*

- *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 the Department of Legislative Services (DLS);*
- *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;*
- *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 BMPs 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;*
- *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;*
- *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*
- *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.*

K00A

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

Chesapeake and Atlantic Coastal Bays 2010 Trust Fund Annual Work and Expenditure Plans: *The committees are concerned that § 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. Therefore, the committees request that the Department of Natural Resources (DNR) submit the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans with the fiscal 2025 budget submission.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans</i>	<i>DNR</i>	<i>Fiscal 2025 budget submission</i>

FISHING AND BOATING SERVICES

K00A17.01 Fishing and Boating Services

Rockfish Warm Weather Months Catch and Release Ecological Impact Study: *The committees are interested in learning more about the potential for a catch and release season for rockfish (striped bass) during the warm weather months. Therefore, the committees request that the Department of Natural Resources (DNR) submit an ecological impact study of a rockfish catch and release season during the warm weather months. The report is requested to be submitted by September 29, 2023.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Rockfish warm weather months catch and release ecological impact study</i>	<i>DNR</i>	<i>September 29, 2023</i>

L00A
Department of Agriculture

Budget Amendments

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.20 Maryland Agricultural and Resource-Based Industry Development Corporation

Amend appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
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.	-6,000,000	GF
Total Change	-6,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
General Fund	15,235,000	9,235,000	-6,000,000	
Total Funds	15,235,000	9,235,000	-6,000,000	

L00A

Committee Narrative

OFFICE OF RESOURCE CONSERVATION

L00A15.01 Office of the Assistant Secretary

Report on Targeting Cover Crop Program and Other Best Management Practice (BMP) Funding: *The committees are interested in learning more about the Maryland Department of Agriculture's (MDA) strategy for targeting Cover Crop Program and other BMP funding to improve the effectiveness of this funding for meeting Chesapeake Bay restoration and soil health goals. Therefore, the committees request that MDA submit a report on a strategy for improving the targeting of Cover Crop Program and other BMP funding. The report is requested to be submitted by September 29, 2023.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on targeting Cover Crop Program and other BMP funding</i>	<i>MDA</i>	<i>September 29, 2023</i>

MEMSOF

Maryland Emergency Medical System Operations Fund

Committee Narrative

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

Report on Systems Communications Training: *The Maryland Emergency Medical System Operations Fund supports the State's emergency medical services system, including the provision of emergency medical transportation by helicopter. The Maryland Institute for Emergency Medical Services Systems (MIEMSS) and the Department of State Police (DSP) must coordinate through the Systems Communications Center (SYSCOM) for emergency services helicopters to be dispatched. It is the intent of the committees that SYSCOM staff from both agencies have the appropriate training. The committees request a report on the training requirements for MIEMSS and DSP staff that operate SYSCOM, including an identification of what positions can dispatch helicopters and whether those positions require Federal Aviation Administration certification.*

Information Request	Author	Due Date
Report on SYSCOM training	Emergency Medical Services Board MIEMSS DSP	August 1, 2023

Q00A
Administration and Offices
Department of Public Safety and Correctional Services

Budget Amendments

Q00A01.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of general administration may not be expended until the Department of Public Safety and Correctional Services submits a report to the budget committees on regulations for Private Home Detention Monitoring Agencies (PHDMA) in Maryland. The budget committees are concerned with the failure of private companies to immediately notify the courts of cases of absconding or failure to meet conditions of release. The report shall include a review of federal PHDMA regulations; a review of Maryland's PHDMA regulations and whether they conform to federal regulations; a review of PHDMA programs in other states, including regulations and opportunities to improve program oversight; and recommendations for regulatory or statutory changes to improve the State's oversight of PHDMA programs and address gaps in compliance or performance. The report shall be submitted to the budget committees no later than August 10, 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.

Explanation: The 2022 Joint Chairman's Report requested that the Judiciary and the Department of Public Safety and Correctional Services (DPSCS) submit a report detailing agency processes and procedures relating to home detention monitoring in Baltimore City and around the State. This report detailed the procedures a private agency must follow to be licensed to conduct home detention monitoring for the State. The report indicated that there is little oversight provided to ensure the private companies meet their obligations. The budget committees would like more information on the regulations for private home detention monitoring agencies in Maryland, including comparisons to other jurisdictions.

Information Request	Author	Due Date
Private home detention monitoring regulations	DPSCS	August 10, 2023

Amendment No. _____

Q00A

Committee Narrative

Justice Reinvestment Act (JRA) Report: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2023, on the following items:

- 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

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:

- three-year recidivism numbers for the fiscal 2016 through 2020 release cohorts; and
- 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

Q00A

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

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 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

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.

Q00A

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

Medication Assisted Treatment (MAT) Pilot Program: Chapter 532 of 2019 required the development of a comprehensive MAT pilot program at the pretrial complex in Baltimore City by January 2023. The committees wish to be updated on the progress in reaching this requirement. The Department of Public Safety and Correctional Services (DPSCS) should submit a report, due July 1, 2023, summarizing the department's progress in meeting the statutory requirements. The report should identify any and all monetary, staffing, or other resources being used to establish the pilot program and support its ongoing operations. The report should summarize program participation since establishment and identify any issues that are preventing full implementation.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>MAT pilot program</i>	<i>DPSCS</i>	<i>July 1, 2023</i>

Q00B
Corrections
Department of Public Safety and Correctional Services

Budget Amendments

Q00B01.01 General Administration

Add the following language to the general fund appropriation:

, 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.

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

Add the following language to the general fund appropriation:

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 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

Q00B

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

Committee Narrative

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

Q00B

- a summary of COVID-19 related challenges and how the new contract might address those challenges.

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

Correctional Education Program Goals: The committees have been concerned with the low rates of participation and achievement in correctional education and occupational programs within the Department of Public Safety and Correctional Services (DSPSCS). The appropriation for correctional education instructors is increasing in hopes of improving aspects of the program. However, overall measures for correctional education remain worse off than the prepandemic period. The committees request a report, due December 1, 2023, that identifies participation and achievement goals for the correctional education and occupational training programs. The report should provide quantitative and qualitative inmate population data that demonstrates the population's needs. The report should also explain how the department will meet the needs of the population and utilize all available resources to meet the identified goals.

Information Request	Author	Due Date
Correctional education program goals	DPSCS	December 1, 2023

Housing Unit Windows: The committees are concerned with reports that there are broken, damaged, or defective windows where inmates reside. The department has had historical maintenance issues with window open/close mechanisms. The project to replace window mechanisms in inmate housing units is unfunded and is part of a larger maintenance backlog. The committees request that the Department of Public Safety and Correctional Services (DPSCS) perform a review of all housing units for window open/close mechanism failures, document the number and types of failures, and submit a report, due August 1, 2023, on the results of this review. The report should include a corrective action plan, the anticipated costs, and any risks or issues with completing said plan prior to the cold weather season.

Information Request	Author	Due Date
Housing unit windows	DPSCS	August 1, 2023

Q00B

Reentry Passport Program: *The committees are interested in learning more about the Reentry Passport program and the ways it is used to facilitate the reentry process. The Reentry Passport provides previously incarcerated individuals with access to an online portal after release where they can store and retrieve critical documents like their Social Security card or their birth certificate. Improving an individual's access to critical documents helps to ensure a successful reentry process. The program will be piloted at two correctional facilities before expanding access across all State correctional facilities. The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by September 1, 2023, on the Reentry Passport program. The report should provide a description of the existing program, including a description of passport functions, identification of documents uploaded, the number of individuals being served, the process by which returning citizens can access the passport, metrics or data sets showing the impact of the program or similar programs on recidivism, and the plan and budget requirements to expand the program to each of the State's correctional facilities. DPSCS should assess regulatory and procedural rules that govern how electronic versions of required documentation can be accepted by State programs that are considered key to reentry success. Finally, DPSCS should review previously successful pilots or deployments that use human centered design principles and/or commercial cloud solutions.*

Information Request	Author	Due Date
<i>Reentry Passport program</i>	<i>DPSCS</i>	<i>September 1, 2023</i>

Report on Treatment of Transgender Inmates: *The committees have been concerned with reports that transgender inmates are subject to high rates of sexual abuse and violence and are placed into inappropriate housing assignments, such as unwarranted restrictive housing. The Department of Public Safety and Correctional Services (DPSCS) shall submit a report to the committees by November 1, 2023, providing data for fiscal 2021 through 2023 on the following items:*

- *annual totals for the number of transgender inmates in each DPSCS correctional facility by gender identity;*
- *annual data about the housing placement of transgender inmates by correctional facility, including data on the number of transgender inmates placed into restrictive housing, mental health units, medical units, dormitories, single cells, and all other types of housing assignments as well as the gender of the placement as compared to the gender identity of the transgender inmate;*
- *annual number of transgender inmates placed in restrictive housing disaggregated by reason for placement into such housing;*

Q00B

- *annual average and median length of time that transgender inmates are placed into restrictive housing overall and disaggregated by reason for placement into restrictive housing;*
- *annual number of requests by transgender inmates to transfer housing assignments, disaggregated by type of housing transfer request (including but not limited to transfer to a different gendered unit or facility, transfer into or out of a medical or mental health unit or facility, or transfer into or out of restrictive confinement) and the outcomes of those requests;*
- *annual number of Prison Rape Elimination Act complaints filed, investigated, and the outcome for complaints made by all inmates in DPSCS correctional facilities, along with those specific to transgender inmates;*
- *annual number of complaints received, the number of complaints that were investigated, and the outcomes of each complaint, for each correctional facility regarding:*
 - *violence, harassment, sexual abuse, and discrimination against transgender inmates;*
 - *access to gender-affirming health care; and*
 - *access to gendered commissary items.*

The committees further request that DPSCS provide all policies regarding transgender inmates and/or gender dysphoria, including but not limited to intake procedures, identification of transgender inmates, provision of gender-affirming health care, housing assignment, safety from violence and sexual abuse, and access to gendered commissary items. Finally, the report should include an analysis of whether the above DPSCS policies are being implemented and followed at each correctional facility and an analysis of the education and training that DPSCS staff receive regarding LGBTQ+ inmates.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on the treatment of transgender inmates</i>	<i>DPSCS</i>	<i>November 1, 2023</i>

Q00B

Tablet Program Report: *The Department of Public Safety and Correctional Services (DPSCS) has reportedly begun issuing personal tablets to inmates as part of an initiative made available through an existing contract. Because there is no cost to the State, there are concerns that access to tablets or tablet content may be limited in the future if the vendor does not see sufficient profits. Furthermore, premium content is available to inmates at personal cost, which may draw down funds that otherwise would be saved and available to the offender upon release. The committees request that DPSCS submit a report, due October 15, 2023, on the tablet program. The reports should include the following totals:*

- *inmates with a personal tablet;*
- *tablets issued;*
- *tablets decommissioned; and*
- *inmate funds spent purchasing premium content.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Tablet program report</i>	<i>DPSCS</i>	<i>October 15, 2023</i>

Q00C
Community Supervision
Department of Public Safety and Correctional Services

Committee Narrative

Q00C02.01 Division of Parole and Probation – Support Services

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:

- 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;
- *a description of strategies that DPP is using to reduce caseload ratios and prevent agents from taking on too many cases; and*
- *a description of strategies that DPP is using to decrease vacancies to less than 10%.*

Information Request	Author	Due Date
DPP caseload report	DPP	September 15, 2023

Report on Screening Tools: *The Department of Public Safety and Correctional Services (DPSCS) has reportedly begun the process of reviewing the screening tools used to classify offenders placed on community supervision and the role of these tools in case management. This issue is of particular concern with regard to maintaining proper caseloads for agents as well as providing agents with a reliable framework for addressing the individual needs of each offender. The committees request that DPSCS submit a report, due November 1, 2023, on the screening tools used in community supervision. The report should include the following:*

- *pros and cons of the existing screening tools and intake process;*
- *areas in the existing process that could be improved for the new process;*

Q00C

- *a discussion of the transition timeline, including challenges related to developing a new screening tool and/or intake process;*
- *examples of the screening tools used and how the screening results impact the provision of community supervision services; and*
- *an analysis of the reliability of available screening tools to predict compliance with conditions of supervision, security risk, and likelihood to be a suspect or victim in a violent event.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on screening tools</i>	<i>DPSCS</i>	<i>November 1, 2023</i>

Q00G
Police and Correctional Training Commission
Department of Public Safety and Correctional Services

Budget Amendments

Q00G00.01 General Administration

Add the following language to the special fund appropriation:

, provided that \$500,000 of this appropriation made for the purposes of management studies and consultants may not be expended until the Department of Public Safety and Correctional Services submits a report to the budget committees on expenditures made through the Maryland Police Training and Standards Commission Fund. The report shall include a strategic plan that focuses on identifying and addressing any gaps or deficiencies in training, as well as improving outcomes related to public safety. The strategic plan shall include specific training goals, timelines, and metrics for success and be aligned with recent changes to law enforcement statutes. The report shall summarize all expenditures made through the special training fund since establishment, including any planned expenditures for fiscal 2024 and 2025. The report shall include an analysis of how the funding is being used to supplement police training in Maryland and improve outcomes. The report shall be submitted to the budget committees no later than December 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 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: The Maryland Police Training and Standards Commission (MPTSC) Fund receives \$2 million each year through special court fees and was established at the end of fiscal 2019 to provide a dedicated pool of resources to enhance the training of public safety officials in the State. Spending has moderately accelerated since establishment of the MPTSC Fund. However, the dedicated court fees remain annually underutilized. With the current schedule of spending, the fund balance will grow to \$9.4 million by the outset of fiscal 2024. While the growing fund balance builds interest revenues each year, there is still concern that these dedicated resources remain underutilized. Considering recent changes to police use-of-force standards and the repeal and replacement of the Law Enforcement Officer's Bill of Rights, existing and new officers alike would benefit from training on new laws, policies, and standards.

Information Request	Author	Due Date
Police training fund strategic plan and expenditures	Department of Public Safety and Correctional Services	December 1, 2023

Amendment No. _____

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

Budget Amendments

Q00T04.04 Baltimore Central Booking and Intake Center

Add the following language to the general fund appropriation:

, 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:

- (1) a breakdown of correctional officer overtime hours worked and expenses paid per facility per pay period from July 2015 to July 2023;
- (2) a detailed description of the specific actions taken to reduce overtime costs and the assessed and projected impacts of those actions;
- (3) 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;
- (4) a detailed description of the specific actions taken to reduce assaults and the assessed and projected impacts of those actions;~~and~~
- (5) 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;~~;~~ and
- (6) a breakdown of mandatory overtime hours and earnings per pay period from July 2015 to July 2023 by employee classification, including the number of individuals affected and strategies for lowering the department's reliance on mandatory overtime.

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.

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 and Correctional Services (DPSCS) has struggled to fill correctional officer positions. Assaults are also on the rise,

Q00T04

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

Amendment No. _____

U00A
Department of the Environment

Budget Amendments

WATER AND SCIENCE ADMINISTRATION

U00A04.01 Water and Science Administration

Add the following language to the general fund appropriation:

, provided that \$70,033 of this appropriation made for the purpose of salary and fringe benefits for 1 of the 35 new regular positions budgeted in fiscal 2024 to address Chapter 22 of 2022 may not be expended for that purpose but instead may be used only for the purpose of salary and fringe benefits for 1 regular position to assist with the implementation of the new General Permit for Discharges of Stormwater Associated with Construction Activity. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: Recent changes in the Maryland Department of the Environment's General Permit for Discharges of Stormwater Associated with Construction Activity process may increase the number of individual discharge permits being issued. Therefore, this language restricts funding for one of the regular positions budgeted to address Chapter 22 of 2022 (Environment – Discharge Permits – Inspections and Administrative Continuations) to be used instead to assist with the implementation of the General Permit for Discharges of Stormwater Associated with Construction Activity and ensure the permit is renewed in a timely manner in fiscal 2028.

Amendment No. _____

Committee Narrative

Report on Per- and Polyfluoroalkyl Substances (PFAS) Monitoring in Publicly Owned Treatment Works: The committees are interested in the PFAS levels associated with publicly owned treatment works. Therefore, the committees request that the Maryland Department of the Environment (MDE) submit a report on the actions, and associated timeline, needed to expand testing efforts to include monitoring PFAS levels in effluent, influent, and biosolids at publicly owned treatment works. The committees request that the report be submitted by September 29, 2023.

Information Request	Author	Due Date
Report on PFAS monitoring in publicly owned treatment works	MDE	September 29, 2023

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2023

U00A

Intent Concerning Controlling Authority for Multi-use Residential Sewerage Systems and Permit Approval Report: The committees express the intent that the Maryland Department of the Environment (MDE) clarify in regulation that a Controlling Authority is not required for multi-use residential sewerage systems in jurisdictions where the following condition holds: local regulations for the oversight of multi-use residential sewerage systems have been adopted that (1) do not define the role of a Controlling Authority; or (2) do not assign any specific responsibilities to a Controlling Authority in the oversight of a multi-use facility. In addition, the committees request that MDE submit a report on the average and maximum time for onsite sewage disposal system permit approval and the number and nature of any onsite sewage disposal system permit appeals to MDE. The committees request that the report be submitted by September 29, 2023.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Intent concerning Controlling Authority for multi-use residential sewerage systems and permit approval report</i>	<i>MDE</i>	<i>September 29, 2023</i>

Report on Dam Safety Program Funding Needed for Oversight of Privately Owned Dams: The committees are concerned that there is no dedicated special fund to support the Dam Safety Program and no fine or penalties are authorized to hold private dam owners accountable for a failing dam prior to a dam's failure. Therefore, the committees request that the Maryland Department of the Environment (MDE) submit a report on the fees, fines, and penalties necessary for a new dedicated special fund supporting the Dam Safety Program to ensure oversight of privately owned dams for public safety.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on Dam Safety Program funding needed for oversight of privately owned dams</i>	<i>MDE</i>	<i>September 29, 2023</i>

U00A

Budget Amendments

LAND AND MATERIALS ADMINISTRATION

U00A06.01 Land and Materials Administration

Add the following language to the general fund appropriation:

, provided that ~~\$200,000~~ \$100,000 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.

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.

Information Request	Author	Due Date
Maryland Used Tire Cleanup and Recycling Fund annual report	Maryland Department of the Environment	November 1, 2023

Amendment No. _____

Committee Narrative

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration

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

U00A

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

Budget Amendments

COORDINATING OFFICES

U00A10.01 Coordinating Offices

Add the following language to the general fund appropriation:

, provided that ~~\$200,000~~ \$100,000 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 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.

U00A

Information Request

Authors

Due Date

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

MDE
DBM

Fiscal 2025 budget
submission

Amendment No. _____

Strike the following language:

~~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.~~

~~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~~

U00A

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

Amendment No. _____

Committee Narrative

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 *or illegal discharges from wastewater treatment plants*, 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.

Information Request	Authors	Due Date
Text alert system for environmental accidents	MDE MDEM	September 29, 2023

U00A

Revised Fee, Fine, and Penalty Structures Report: *The committees are concerned that 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, fine, and penalty structures for the special funds supporting the three administrations: the Maryland Clean Water Fund; the Lead Poisoning Prevention Fund; and the Maryland Clean Air Fund. Therefore, the committees request that MDE submit a report on revised fee, fine, and penalty structures for the three special funds supporting these three administrations with the goal of ensuring that the special funds can adequately support the administrations and thereby reduce the need for general fund support. The report is requested to be submitted by September 29, 2023, and to include the following:*

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

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Revised fee, fine, and penalty structures report</i>	<i>MDE</i>	<i>September 29, 2023</i>

U00A

Posting of Federal Funding Online and a Report: *The committees are interested in tracking the status of federal Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) discretionary funding available to the Maryland Department of the Environment (MDE). Therefore, the committees request that MDE post information monthly on its website about federal IIJA and IRA discretionary grant funding by piece of federal legislation, federal assistance listing number, MDE program, MDE project, and both State and federal fiscal year as follows: (1) applied for but not awarded; (2) applied for and federal review is pending; (3) awarded but not yet budgeted; (4) budgeted but not yet completed; and (5) completed. In addition, the committees request that MDE summarize the information from these monthly posts in a report to be submitted by December 31, 2023.*

Information Request	Author	Due Date
<i>Posting of federal funding online and a report</i>	<i>MDE</i>	<i>December 31, 2023</i>

Posting of Permit Violation Supporting Documents on the Open MDE Website: *The Maryland Department of the Environment (MDE) began posting information about citizen complaints, compliance inspections, violations, enforcement actions, permits, and sewage overflows at least as far back as December 20, 2021. Subsequently, Chapter 22 of 2022 (Environment – Discharge Permits – Inspections and Administrative Continuations) required MDE to maintain a list on its website of permit holders determined to be in significant noncompliance, sorted by county. The following supporting documents relevant to compliance entities with violations would be helpful for understanding the context and background of permit violations but are not posted on the Open MDE website: enforcement documents; settlement agreements; and consent decrees. Therefore, the committees request that MDE begin posting permit violation supporting documents – enforcement documents, settlement agreements, and consent decrees – on the Open MDE website and submit a letter confirming that change has been implemented by December 1, 2023.*

Information Request	Author	Due Date
<i>Posting of permit violation supporting documents on the Open MDE website</i>	<i>MDE</i>	<i>December 1, 2023</i>

U10B00
Maryland Environmental Service

Committee Narrative

U10B00.41 General Administration

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	Authors	Due Date
MES funding statement	MES DBM	Fiscal 2025 budget submission

V00A
Department of Juvenile Services

Committee Narrative

OFFICE OF THE SECRETARY

V00D01.01 Office of the Secretary

Report on Child in Need of Supervision (CINS) Complaints: One of the ways in which children may be referred to the Department of Juvenile Services (DJS) is through a CINS complaint. CINS complaints are made to DJS for children who require guidance, treatment, or rehabilitation and (1) are required by law to attend school but are habitually truant; (2) are habitually disobedient, ungovernable, and beyond the control of the custodian; (3) act in a manner that may injure or endanger themselves or others; or (4) have committed an offense applicable only to children, such as a curfew violation. In fiscal 2022, CINS cases represented 2.3% of all the department's complaint dispositions. Currently, DJS reports limited information about its CINS cases in fiscal 2022 and 2023. The committees request that DJS provide a report with population statistics specific to its CINS cases, including a breakdown of CINS complaints by jurisdiction. Information may be provided at the region level if jurisdictional data is not available. The report should further identify the formal and informal supervision options DJS provides for CINS cases and describe how often each are used.

Beginning with the fiscal 2023 Data Resource Guide (DRG) and each year thereafter, it is the intent of the committees that DJS include population statistics for its CINS cases in the DRG, including a breakdown by jurisdiction or region.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on CINS complaints</i>	<i>DJS</i>	<i>October 1, 2023</i>

Alleged Offenses of Supervised Youth: The committees are seeking additional information on the youth supervised by the Department of Juvenile Services, including the number supervised in relation to specific alleged offenses. It is the committees' intent that, beginning with the department's fiscal 2023 Data Resource Guide, the number and percentage of overall intake cases, the number of cases resolved at intake, probation dispositions, and complaint dispositions be identified for alleged offense types and categories be included. Currently, related information is only reported through percentages. The committees are particularly interested in information that identifies the number of youths supervised in relation to gun crimes, crimes of violence, and misdemeanors.

V00A

Report on Out-of-home Placement (OOHP) Wait Times: *The Department of Juvenile Services (DJS) is the second largest youth-placing agency for youth who require an OOHP. DJS treats youth who are involved in Maryland's juvenile justice system. The committees are concerned that youth may require treatment and must wait for services to be provided. The committees request that DJS provide a report on the wait times that the youth it places experience before receiving a community-based placement, hospitalization, family home placement, or a non-community-based placement, including a breakdown of wait times by jurisdiction. Data should be provided for calendar 2023 and any previous years for which data is available. It is the intent of the committees that updates to this report be submitted annually by January 1.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on OOHP wait times</i>	<i>DJS</i>	<i>January 1, 2024</i>

W00A

Department of State Police

Committee Narrative

W00A01.01 Office of the Superintendent

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:

- 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;
- 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

W00A

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

W00A01.03 Criminal Investigation Bureau

***Permitting Application Review Timeframes:** The Licensing Division within the Department of State Police administers provisions of State law and regulations related to the licensing and registration of firearms, handgun permits, security guards, and other licensing functions. The Public Safety Article establishes various requirements related to how quickly the division must turn around applications. The committees request that information on applications received and processing days needed for an application to receive a final disposition be posted to the department's website for the public once per quarter on the following dates: July 1, 2023; October 1, 2023; January 1, 2024; and April 1, 2024.*

Sections

Budget Amendments

Strike the following language:

~~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:~~

- ~~(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;~~
- ~~(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;~~
- ~~(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;~~
- ~~(4) — an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states’ efforts toward Chesapeake Bay restoration;~~
- ~~(5) — an analysis on how cost effective the existing State funding sources, such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, Water Quality Revolving Loan Fund, and Clean Water Commerce Account among others, are for Chesapeake Bay restoration purposes; and~~

Sections

~~(6) — 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.~~

~~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 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

Amendment No. _____

Sections

Add the following section:

Section 22. Out-of-home Placements Report

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:

- (1) 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;
- (2) 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;
- (3) the costs associated with out-of-home placements;
- (4) an explanation of recent placement trends;
- (5) findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure; and
- (6) 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.

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.

Sections

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 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	Authors	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

Add the following section:

SECTION 37. AND BE IT FURTHER ENACTED, That ~~\$200,000~~ \$100,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and ~~\$200,000~~ \$100,000 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 prepare and submit quarterly reports on July 1, 2023; October 1, 2023; January 1, 2024; and April 1, 2024, which shall include:

- (1) an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:
 - (a) provide information on the delegation of authority 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
 - (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, responsibilities, and inspection workload of the departments' compliance and enforcement positions to neighboring or similar states;

Sections

- (3) a list of all inspection activities conducted by the MDE Water and Science Administration, the Land and Materials Administration, the Air and Radiation Administration, and the MDA Office of Resource Conservation;
- (4) the number of:
 - (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2023 actuals; and
 - (b) fiscal 2024 current and fiscal 2025 estimated appropriations;
- (5) PINs and titles for all positions filled with restricted funding, and how the positions are being used; and
- (6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.

Further provided that funding restricted for this purpose may be released quarterly in \$50,000 \$25,000 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	Authors	Due Dates
Enforcement and inspection position strength assessment and vacant position	MDA MDE	July 1, 2023 October 1, 2023 January 1, 2024 April 1, 2024

Amendment No. _____

Sections

Add the following section:

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 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.

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.

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.

Information Request	Author	Due Date
2022 UCR data verification	DSP	November 1, 2023
2022 UCR	DSP	45 days prior to expenditure of funds