Decision Document

House Appropriations Committee
Transportation and the Environment Subcommittee
2022 Session

C90G00
Public Service Commission

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

Availability of Reporting of Complaints Filed Against Utilities: The budget committees continue to be interested in tracking complaints filed against utilities as a point of comparison to the data on complaints filed against energy suppliers currently reported by the Public Service Commission (PSC) on its website. The budget committees request that PSC provide an update on its implementation of its new complaint data management system, including the status of the availability of reporting of complaints filed against utilities. If not currently available on its website at the time of this report, PSC should indicate when this data will become available and provide an updated summary of complaint data by complaint type for utilities, suppliers, and other regulated entities as of the end of calendar 2021 and year-to-date data for calendar 2022.

Information Request	Author	Due Date
Report on the status of reporting availability for complaints filed against utilities	PSC	November 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

Additional First House Actions

1. Adopt the following narrative: Adopt.

Energy Supplier Marketing Practices: Over the last several years, the budget committees have requested various data from the Public Service Commission (PSC) related to third-party energy supplier pricing and marketing practices as well as complaints filed against these suppliers. The budget committees are interested in continuing to monitor the marketing practices of energy suppliers in the State, particularly due to concerns that certain energy suppliers may be targeting certain communities with prohibited marketing practices through the use of door-to-door sales activity. The budget committees request that PSC submit a report with data on door-to-door sales and marketing activity reported by retail energy suppliers, including the number of suppliers reporting activities by zip code, for the period of November 2020 through October 30, 2022. The report should also include a description of consumer education and other outreach activities conducted by PSC in response to prohibited marketing practices as well as any actions taken against energy suppliers.

Information Request	Author	Due Date
Report on door-to-door sales and marketing activity by retail energy suppliers	PSC	December 15, 2022

C91H00
Office of People's Counsel

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Add the following section:			Concur in part. Willing to provide report. Disagrees with funding restriction.	Adopt.	

Section 35 Chesapeake Bay Restoration Spending Report

Section 35. 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 2022 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 2023 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 2022 to 2025 in order to reach the calendar 2025 requirement of having all best management practices

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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

(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, 2022, 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, 2022, 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

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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, 2022

D13A13
Maryland Energy Administration

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

Strategic Energy Investment Fund Revenue, Spending, and Fund Balance: The budget 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 budget committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emission allowance auctions, set-aside allowances, and interest income in conjunction with the submission of the fiscal 2024 budget as an appendix to the Governor's Fiscal 2024 Budget Books. The report shall include information on the actual fiscal 2022 budget, the fiscal 2023 working appropriation, and the fiscal 2024 allowance. The report shall detail:

- revenue assumptions used to calculate the available Strategic Energy Investment Fund (SEIF) from RGGI auctions for each fiscal year, including the number of auctions, the number of allowances sold, the allowance price in each auction, and the anticipated revenue from set-aside allowances;
- interest income received on the SEIF;
- amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required statutory allocation, dues owed to RGGI, Inc., and transfers or diversions of revenue made to other funds; and
- fund balance for each SEIF subaccount for the fiscal 2022 actual, the fiscal 2023 working appropriation, and the fiscal 2024 allowance.

Information Request	**Author**	**Due Date**
Report on revenue assumptions and use of RGGI auction revenue	DBM	With the submission of the Governor's Fiscal 2024 Budget Books

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
2. Adopt the following narrative:			Concur.	Adopt.	

Maryland Gas Expansion Fund Activities: The fiscal 2023 allowance includes $18.5 million of funds from the Maryland Gas Expansion Fund. This amount represents the vast majority of the unspent funds remaining in the fund that were restricted by the General Assembly in the fiscal 2022 Budget Bill for transfer to the Department of Human Services Office of Home Energy Programs for the purpose of bill payment assistance and arrearage retirement but were not released for that purpose. Fiscal 2022 spending from this fund is budgeted at $7.5 million. Given the substantial increase in funding available to be distributed in fiscal 2023, the budget committees request that the Maryland Energy Administration (MEA) submit a report providing information on the status of the application process, including applications received, evaluation criteria, and awards made. Data should include final end-of-year data for fiscal 2022 as well as year-to-date information for fiscal 2023. If awards have not been made as of the submission of the report, it should instead include information about the planned timeline for determining awards.

Information Request	Author	Due Date
Maryland Gas Expansion Fund update	MEA	December 31, 2022

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CP-1 Add the following language to the special fund appropriation:

<u>, provided that $9,250,000 of this appropriation made for the purpose of the Maryland Energy Infrastructure Grant Program, including the Contributions in Aid of Construction Dispensation Fund, the Anchor Customer Program, and the Local Distribution Company Program, and technical assistance from the Maryland Gas Expansion Fund may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Human Services program</u>

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

N00I00.06 Office of Home Energy Programs to be used only for bill payment assistance and arrearage retirement for residential electric and natural gas customers. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts $9.25 million of the $18.5 million appropriation in the Renewable and Clean Energy Programs and Initiatives program of the Maryland Energy Administration from the Maryland Gas Expansion Fund created as a result of a condition of approval of the WGL Holdings, Inc. and AltaGas, Ltd. to be used in the Department of Human Services for bill payment or arrearage assistance for residential electric and natural gas customers.

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

Maryland Semiquincentennial Commission Funding Report: The fiscal 2023 allowance includes $250,000 for the Maryland Semiquincentennial Commission created by Executive Order 01.01.2021.03 on January 14, 2021. The budget committees are concerned that there does not appear to be a long-term funding plan and scope for the commission's activities despite the commission's authority extending to December 31, 2027. Therefore, the budget committees request that the Maryland Department of Planning (MDP) submit a report by December 31, 2022, explaining the use of fiscal 2023 funding through December 31, 2022, the plan for the use of funding throughout the rest of fiscal 2023, and the long-term funding needs and scope of the commission's activities.

Information Request	Author	Due Date
Maryland Semiquincentennial Commission funding report	MDP	December 31, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Nonbudgeted.			Concur.	Adopt.	

COLOR PAGE ITEM

CP-1 Adopt the following narrative:

Incentive Compensation: The budget committees are interested in the incentive compensation provided to employees within the Maryland Automobile Insurance Fund (MAIF). The budget committees request that MAIF submit a report on the incentive compensation structure for the Insured and Uninsured Motorist divisions. The report should include what the compensation is tied to as well as the aggregate incentive compensation per division from fiscal 2017 through 2021.

Information Request	Author	Due Date
Report on incentive compensation	MAIF	December 1, 2022

D80Z01
Maryland Insurance Administration

		Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1.	Concur with Governor’s allowance.			Concur.	Adopt.	

E75D
State Lottery and Gaming Control Agency

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Add the following language:			Concur.	Adopt.	

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.

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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 2022 to 2027 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 2022 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

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

2. Add the following language: | Agency Response: Concur. | Senate Decisions: Adopt.

<u>The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,057.5 positions and 115.0 contractual full-time equivalent (FTE) positions paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2023. 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:</u>

<u>(1)</u> <u>business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport that demands additional personnel; or</u>

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

(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 2023 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

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Add the following language to the special fund appropriation:			Concur.	Adopt.	

, provided that no more than $5,561,906 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 $5,561,906 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

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Add the following language to the special fund appropriation:			Concur.	Adopt.	

, provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of $500,000 that is not currently included in the fiscal 2022 to 2027 Consolidated Transportation Program, except as outlined below:

(1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of $500,000, including the need and justification for the project and its total cost; and

(2) the budget committees shall have 45 days to review and comment on the proposed system preservation or minor project.

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

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

J00A01.04
MDOT – WMATA - Operating Budget

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00A01.05
MDOT – WMATA – Capital Budget

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00A04
MDOT – Debt Service Requirements

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. 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 $3,321,205,000 as of June 30, 2023. **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, 2021, plus projected debt to be issued during fiscal 2022 and 2023 in support of the transportation capital program.			Concur.	Adopt.	
2. 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 2022 through 2032. 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			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
committees with additional information on the usage and annual costs of nontraditional debt.					
3. Add the following language:			Concur.	Adopt.	

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 any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed $1,382,690,000 as of June 30, 2023. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed $1,760,500,000 as of June 30, 2023. 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, 2023, and the total amount by which the fiscal 2023 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 2023 for non-TIFIA debt to the total amount that was outstanding

Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

from all previous nontraditional debt issuances as of December 31, 2021, plus an anticipated issuance of $655 million of Private Activity Bonds for the Purple Line Project. TIFIA debt outstanding for the Purple Line Project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2023 by providing notification to the budget committees regarding the reason that the additional debt is required.

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

J00B01

MDOT – State Highway Administration

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

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CP-1 Add the following language to the special fund appropriation:

, provided that $10,000,000 of this appropriation made for the purpose of funding system preservation projects may not be expended for that purpose but instead may be used only for the Route 5 Reconstruction Project at Great Mills in St. Mary's County. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts funds to be used only for the Route 5 Reconstruction Project at Great Mills that will address safety, congestion, access, and connectivity issues in St. Mary's County.

CP-2 **Governor Thomas Johnson Bridge Suicide Prevention Barriers:** By early February 2022, two people had died by jumping from the Governor Thomas Johnson Bridge over the Patuxent River. The budget committees request that the State Highway Administration (SHA) submit a report by July 1, 2022, detailing the estimated cost of installing suicide prevention barriers on the bridge and an estimated schedule for completing the installation.

Information Request	Author	Due Date
Report on costs and schedule for installing suicide prevention barriers on the Governor Thomas Johnson Bridge	SHA	July 1, 2022

J00D00
MDOT – Maryland Port Administration

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00D00.02

MDOT – Maryland Port Administration PAYGO Capital

		Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1.	Concur with Governor's allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

Digital Driver's License Report: The budget committees are interested in how the Motor Vehicle Administration (MVA) will address privacy concerns and the implementation of digital driver's licenses or mobile driver's licenses. The report should include:

- agency policies that will safeguard citizens' privacy as these electronic credentials are introduced and in future iterations;
- estimated costs for the necessary infrastructure to read/scan digital driver's licenses;
- proper training on how to use the associated technology; and
- necessary legislation needed to ensure a successful implementation.

Information Request	Author	Due Date
Report on digital driver's licenses and privacy concerns	MVA	September 1, 2022

J00E00.07
MDOT – Motor Vehicle Administration PAYGO Capital

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Reject.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

Additional First House Actions

1. Add the following language to the special fund appropriation: Adopt.

, provided that $100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on the policies it has and the procedures it uses to assist paratransit users when scheduled rides do not arrive within 30 minutes of the scheduled pick-up time. The report shall include the following information:

(1) how stranded riders can contact the paratransit dispatch center to provide notification that a scheduled pickup is 30 minutes or more late;

(2) how backup drivers and vehicles are made available;

(3) for fiscal 2022:

(a) the number of paratransit trips scheduled;

(b) the number and percent of paratransit trips performed on time;

(c) the number and percent of paratransit trips performed late in 30-minute increments; and

(4) for calendar 2022, the on-time percentage by month.

The report shall be submitted by January 16, 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: The Maryland Transit Administration's (MTA) stated goal is achieving an on-time performance of 92%; however, MobilityLink on-time

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

performance was well below this level during calendar 2021. This language requires MTA to report on how paratransit riders experiencing late service are assisted.

Information Request	Author	Due Date
Report on policies and procedures for dealing with delayed paratransit service	MTA	January 16, 2023

2. Add the following language to the special fund appropriation: Adopt.

Further provided that $100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration (MTA) submits a report to the budget committees comparing itself with surrounding jurisdictions with respect to wage and salary levels, hiring and retention bonuses, and any other relevant metrics related to attracting and retaining employees for job classifications for which MTA is currently experiencing high vacancy rates. The report shall be submitted by October 1, 2022, 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: Transit service has suffered recently due to MTA's inability to maintain sufficient filled positions for several job classifications such as bus operators and vehicle maintenance workers. This language requires MTA to provide a report comparing itself to surrounding jurisdictions on hiring and retention factors for these job classifications.

Information Request	Author	Due Date
Report on hiring and retention comparison with surrounding jurisdictions	MTA	October 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

3. Add the following language to the special fund appropriation: — Senate Decisions: Adopt.

Further provided that $100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on:

(1) the level of reliable cellular and broadband access in stations and along transit rights-of-way for MARC, Light RailLink, and Metro SubwayLink; and

(2) the extent to which, if any, there has been a review of reliable cellular and broadband access within transit-oriented development and surrounding communities.

The report shall be submitted by August 1, 2022, 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: The committees are interested in learning the extent to which there is access to reliable cellular and broadband access for commuters within transit stations as well as those along rights-of-way, including within transit-oriented development.

Information Request	Author	Due Date
Report on cellular/broadband access	Maryland Transit Administration	August 1, 2022

4. Adopt the following narrative: — Senate Decisions: Adopt.

Baltimore Collegetown Network: The Baltimore Collegetown Network is a consortium of Baltimore-area colleges and universities that has expressed a desire for

Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

a dedicated transit service connecting each institution to replace individual systems run by member institutions that have some duplicative service, realize efficiencies, and improve transit services for students. The budget committees request that the Maryland Transit Administration provide technical assistance to the Baltimore Collegetown Network in planning the development of its unified transit system.

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CP-1 Add the following language to the special fund appropriation:

Further provided that $100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration (MTA) submits a report to the budget committees comparing itself with **PEER AGENCIES AND** surrounding jurisdictions with respect to wage and salary levels, hiring and retention bonuses, and any other relevant metrics related to attracting and retaining employees for job classifications for which MTA is currently experiencing high vacancy rates. The report shall be submitted by October 1, 2022, 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: Transit service has suffered recently due to MTA's inability to maintain sufficient filled positions for several job classifications such as bus operators and vehicle maintenance workers. This language requires MTA to provide a report comparing itself to surrounding jurisdictions on hiring and retention factors for these job classifications.

Information Request	Author	Due Date
Report on hiring and retention comparison with surrounding jurisdictions	MTA	October 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

CP-2 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 percent completion 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 P3 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, 2022, and subsequent reports shall be submitted every second month thereafter, and the budget committees shall have 45 days from the date of the receipt of the final report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

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

Information Request	Author	Due Date
Reports on Purple Line construction progress	Maryland Transit Administration	July 1, 2022, and bimonthly thereafter ending with the March 1, 2023 report.

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

CP-3 **Linthicum Heights Light Rail Crossing:** In February 2022, a crash involving a light rail train and a motor vehicle near the intersection of MD 169 (West Maple Road) and MD 170 (Camp Meade Road) in Linthicum Heights resulted in the death of the motor vehicle operator. The budget committees request that the Maryland Transit Administration (MTA) in conjunction with the State Highway Administration (SHA) provide a report by October 1, 2022, detailing the following:

- the agencies' policies related to regular inspection of rail crossing equipment such as crossing arms and warning lights and bells;
- the results of a safety review of the Linthicum Heights light rail crossing evaluating:
  - the current gate system with respect to proper functioning;
  - the feasibility of converting the crossing to a grade-separated crossing; and
  - whether the design of the crossing adheres to best practices;
- the findings of any previous studies of the Linthicum Heights crossing; and
- any barriers to converting the Linthicum Heights crossing to a grade-separated crossing and the steps that the Linthicum Heights community, in conjunction with SHA, MTA and Anne Arundel County, can take to facilitate the conversion to a grade-separated crossing.

Information Request	Author	Due Date
Report on light rail crossing in Linthicum Heights	SHA MTA	October 1, 2022

J00H01.05
MDOT – Maryland Transit Admin PAYGO Capital

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

J00I00
MDOT – Maryland Aviation Administration

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Reject.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

Additional First House Actions

1. Add the following language to the special fund appropriation: Adopt.

, provided that $150,000 of this appropriation may not be expended until the Maryland Aviation Administration (MAA) submits a report that provides updates on the Airport Noise Zone with current contours for 60 decibels (dBA), 55 dBA, 50 dBA, 45 dBA, and 40 dBA Day-Night Average Sound Levels (DNL) and 5-year and 10-year forecast DNL contours. This report shall include the following:

(1) the process MAA uses to validate its noise modeling;

(2) the physical validation of the noise model for 65, 60, 55, 50, 45 and 40 dBA DNL; and

(3) the process used to physically validate the 65 to 40 dBA DNL contours.

This report shall be submitted by September 1, 2022, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted for this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The committees remain interested in efforts that MAA is taking to mitigate the impact of aircraft noise on the lives of Marylanders. MAA has never been required to show any contours except the 65 dBA DNL. Many of the complaints received by MAA have been between DNL 65 and 40 dBA. The only available data is due to portable noise monitor studies requested by members of the public. This language restricts funds pending receipt of a report from MAA evaluating noise levels among contours for 40 to 65 dBA DNL.

Information Request	Author	Due Date
Report on Airport Noise Zone update	MAA	September 1, 2022

J00I00.03
MDOT – Maryland Aviation Administration PAYGO Capital

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor’s allowance.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

Tolling Concerns Report: The budget committees are concerned about the ongoing issues concerning the accuracy of the tolling equipment at the Maryland Transportation Authority's (MDTA) tolling facilities. The budget committees request that MDTA provide a report that addresses these concerns. It should include an accuracy study of the tolling equipment at its tolling facilities that covers a one-week period and details the occurrences of overbilling of drivers and cause of said overbillings. The report should also include details on MDTA's process to ensure significant tolling issues are identified, stopped, and fixed.

Information Request	Author	Due Date
Tolling concerns	MDTA	December 1, 2022

COLOR PAGE ITEM

CP-1 Add the following language to the special fund appropriation:

, provided that $125,000 of this appropriation made for the purpose of reimbursing the Maryland Transportation Authority (MDTA) for policing services may not be expended for that purpose or any other purpose until MDTA submits a performance audit that allays concerns about ongoing issues with E-ZPass toll collections and accuracy. MDTA should competitively bid for a certified public accounting firm to conduct a performance audit consistent with professional auditing standards of the administrative and financial offices of MDTA to evaluate the efficiency and effectiveness of the E-ZPass tolling program. A certified public accounting firm that provides services to MDTA is not eligible to bid on the performance audit contract. On the award of the performance audit contract to a certified public accounting firm, the certified public accounting firm shall consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit. The performance audit should include:

	Amount Reduction	**Position Reduction**	**Agency Response Hearing Notes**	**Senate Decisions**	**House Decisions**

(1) a full discussion billing issues and any related data;

(2) statistics on customer call center wait times;

(3) statistics on customer problems repaying tolls dues to errors;

(4) MDTA's efforts to address the backlog of toll transactions;

(5) any technological issues with toll facilities and billing; and

(6) statistics on how MDTA resolves claims of billing errors.

Further provided that in submitting the aforementioned performance audit and requested data, MDTA shall also provide an update on the Customer Assistance program and any related statistics.

The report shall be submitted by December 15, 2022, and the budget committees shall have 45 days from 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: MDTA has had ongoing issues with of tolling errors and billing accuracy, particularly in its E-ZPass program. Being that MDTA is nonbudgeted, this language restricts funds within the Maryland Port Administration appropriated for the purpose of reimbursing MDTA for policing expenses incurred at the Port of Baltimore until a report is provided detailing the findings of the performance audit.

Information Request	**Author**	**Due Date**
E-ZPass Performance Audit	MDTA	December 15, 2022

J00J00.42
Maryland Transportation Authority PAYGO Capital

		Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1.	Nonbudgeted.			Concur.	Adopt.	

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Add the following language to the general fund appropriation:			Disagree. A funding restriction is unnecessary because the report will be provided.	Adopt.	

, 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 2024 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.

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 2024 budget submission.

Information Request	Author	Due Date
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans	DNR	Fiscal 2024 budget submission

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
2. Adopt the following narrative:			Concur.	Adopt.	

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)

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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 2022 actual, fiscal 2023 working appropriation, and fiscal 2024 allowance to be included as an appendix in the fiscal 2024 budget volumes and submitted electronically in disaggregated form to DLS.

Information Request	Author	Due Date
Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration	DBM DNR MDE	Fiscal 2024 budget submission

COLOR PAGE ITEMS

CP-1 Adopt the following narrative:

Female Black Bear Population Report: The budget committees are concerned that insufficient information is known about the impact of the annual black bear hunt on the female black bear population in Maryland. For instance, the five-day hunt held October 25, 2022, through October 29, 2022, in Allegany, Frederick, Garrett, and Washington counties harvested 34 female bears as opposed to only 20 male bears. In addition, the last black bear population survey was conducted in 2011. Therefore, the budget committees request that the Department of Natural Resources (DNR) submit a report on the impact of the annual hunt on the female black bear population, including information from the statewide Sightings and Complaints Survey, the Black Bear Bait Station Survey, the Mortality Survey, and the Reproduction Survey. The report is requested to include information from the calendar 2022 annual black bear hunt and to be submitted by December 1, 2022.

Information Request	Author	Due Date
Female black bear population report	DNR	December 1, 2022

CP-2 Add the following language to the general fund appropriation:

<u>, provided that $750,000 of this appropriation made for the purpose of general operating expenses may not be expended until the Department of Natural Resources, in consultation with the Natural Resources Police Force Black Officers Association and other stakeholders, submits a hiring and promotion plan to the budget committees. The hiring and promotion plan shall have an intermediate goal of achieving an improvement of at least 20% each year in representative composition compared to 2021 State demographics and a final goal of reflecting the demographics of the State by September 30, 2027. The hiring and promotion plan shall also have an ongoing goal that the Natural Resources Police be representative</u>

Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

of State demographics for the immediately preceding calendar year. A status update shall be submitted by September 15, 2022, and the final hiring and promotion plan shall be submitted by December 15, 2022. The budget committees shall have 45 days from the receipt of the status update and the final plan to review and comment. Funds restricted pending the receipt of a status update and a final plan may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the status update and the final plan are not submitted to the budget committees.

Explanation: This language restricts funding pending the submission of a hiring and promotion plan with the goal of the composition of the Natural Resources Police reflecting the demographics of the State by September 30, 2027.

Information Request	Author	Due Date
Natural Resources Police hiring and promotion plan status	Department of Natural Resources (DNR)	September 15, 2022
Natural Resources Police hiring and promotion final plan	DNR	December 15, 2022

CP-3 Add the following language to the general fund appropriation:

, 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 a report to the budget committees on the condition and needs of the 16 State lakes. The report shall include the action items needed to address invasive species, maintenance dredging, and to bring the 16 State lakes up to Use Class I for water contact recreation and protection of nontidal warmwater aquatic life. The report shall be submitted by December 1, 2022, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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 action restricts funding until the Department of Natural Resources (DNR) submits a report on the condition and needs of the 16 State lakes.

Information Request	Author	Due Date
Condition and needs of the 16 State lakes report	DNR	December 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Concur with Governor's allowance.			Concur.	Adopt.	

COLOR PAGE ITEM

CP-1 Adopt the following narrative:

Integrated Pest Management in Schools Report: The budget committees are concerned that insufficient information is known about the degree to which the integrated pest management law – Chapter 322 of 1999 (Public Schools – Integrated Pest Management) – is being enforced in school districts. Therefore, the budget committees request that the Maryland Department of Agriculture (MDA), in consultation with the Maryland State Department of Education (MSDE) and the Children's Environmental Health and Protection Advisory Council (CEHPAC), submit a report on whether school districts are complying with the integrated pest management law. The report is requested to include the status of school districts developing and implementing integrated pest management systems for school interiors and grounds, and notifying parents on the pesticide notification list of planned pesticide applications. The report is requested to be submitted by December 1, 2022.

Information Request	Author	Due Date
Integrated pest management in schools report	MDA MSDE CEHPAC	December 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

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

, provided that $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 prior year actual personnel expenditures up to and including fiscal 2022 are budgeted in the correct statewide subobjects. The confirmatory letter shall be submitted with the fiscal 2024 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: MDE's fiscal 2021 actual budget data incorrectly reflects the allocation of funding for personnel expenditures despite 2021 Joint Chairmen's Report committee narrative requesting that the budget data be correctly reflected with the fiscal 2023 budget submission. 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. Therefore, funding is restricted until MDE and the Department of Budget and Management (DBM) submit 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.

Information Request	**Author**	**Due Date**
Budgeting of prior year actual personnel expenditures	MDE DBM	Fiscal 2024 budget submission

Agency Response Hearing Notes: Disagree. Will require additional work to match federal expenditures to grants and may lead to billing errors.

Senate Decisions: Adopt.

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

Additional First House Actions

1. Adopt the following narrative: — Senate Decisions: Adopt.

Reduction of State Building Operating Costs and Greenhouse Gas Emissions Through District Energy: The budget committees are interested in learning more about how district energy – energy production and/or storage and distribution in a distributed manner – can be used as a tool to reduce both the operational costs and greenhouse gas emissions of the State's building inventory. Therefore, the Maryland Department of the Environment (MDE), in consultation with the Department of General Services' Maryland Green Building Council, the Department of Budget and Management (DBM), and the Maryland Energy Administration (MEA), shall report on how district energy can do the following: reduce capital and operational costs of the State's buildings inventory; reduce costs of new State building construction; reduce greenhouse gas emissions from State buildings in support of the State's greenhouse gas reduction goals; and support Leadership in Energy and Environmental Design certification and Green Globe certification for State buildings. The report is also requested to include an inventory of existing district energy assets within Maryland and to be submitted by December 1, 2022.

Information Request	Authors	Due Date
Reduction of State building operating costs and greenhouse gas emissions through district energy	MDE Maryland Green Building Council DBM MEA	December 1, 2022

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

COLOR PAGE ITEMS

CP-1 Add the following language to the general fund appropriation:

, provided that $200,000 of this appropriation made for the purpose of general administrative expenses in the Land and Materials Administration may not be expended pending the submission of the Maryland Scrap Tire annual report. The requested report shall be submitted no later than November 1, 2022. The budget committees shall have 45 days from the date that the report is received 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, 2022, 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 has not been consistently met.

Information Request	Author	Due Date
Maryland Used Tire Cleanup and Recycling Fund annual report	Maryland Department of the Environment	November 1, 2022

CP-2 Add the following section:

SECTION XX. AND BE IT FURTHER ENACTED, That $200,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and $200,000 of the general fund appropriation in the Maryland Department of Agriculture (MDA) made for the purpose of general operating expenses may be expended only for the purpose of filling vacant compliance and enforcement positions provided, however, that no funds may be expended until MDE and MDA

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

jointly prepare and submit quarterly reports on July 1, 2022; October 1, 2022; January 1, 2023; and April 1, 2023, 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;

(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 2022 actuals; and

   (b) fiscal 2023 current and fiscal 2024 estimated appropriations;

(5) PINs and titles for all positions filled with restricted funding, and how the positions are being used; and

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions

(6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.

Further provided that funding restricted for this purpose may be released quarterly in $50,000 installments for each agency upon receipt of the required quarterly reports by the budget committees. The budget committees shall have 45 days from the date the reports are received 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 2021 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

Information Request	Author	Due Date
Enforcement and inspection position strength assessment and vacant position	MDA MDE	July 1, 2022 October 1, 2022 January 1, 2023 April 1, 2023

U10B00
Maryland Environmental Service

	Amount Reduction	Position Reduction	Agency Response Hearing Notes	Senate Decisions	House Decisions
1. Adopt the following narrative:			Concur.	Adopt.	

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

- undesignated unrestricted net assets for fiscal 2022, 2023, and 2024 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 2022, 2023, and 2024 estimated, including a separate calculation for the water and wastewater overhead rate for each fiscal year from fiscal 2016 through 2024;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2022 and 2023 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 2022, 2023, and 2024 estimated based on a discussion about how MES' undesignated unrestricted net assets allow for reducing MES' overhead rate for State reimbursable projects and how project reserve funds are available for any underbudgeting.

The report should be submitted in coordination with the Department of Budget and Management (DBM) with the fiscal 2024 budget submission.

Information Request	Author	Due Date
MES funding statement	MES DBM	Fiscal 2024 budget submission