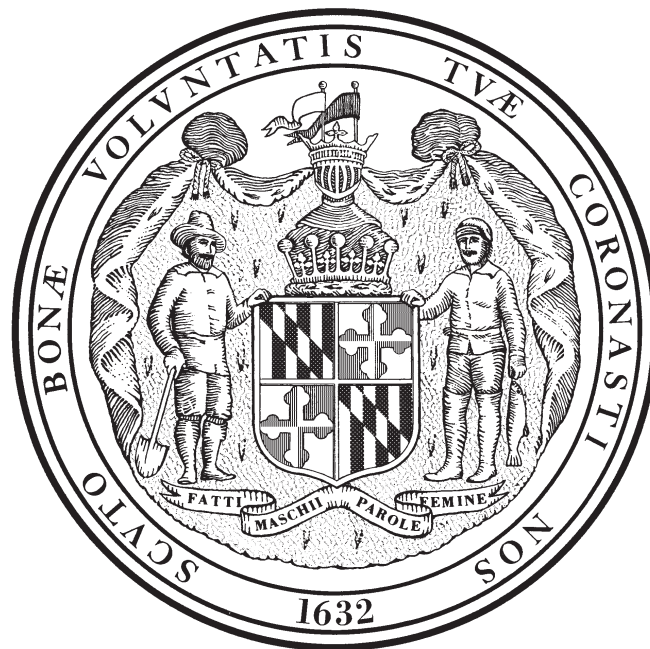


Report of the
SENATE BUDGET AND TAXATION COMMITTEE
to the Maryland Senate



2010 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
SENATE BILL 140

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2010 Budget Assignments

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| Dylan R. Baker | Department of Budget and Management – Office of the Secretary Department of Budget and Management – Personnel Maryland Supplemental Retirement Plans State Retirement Agency Subsequent Injury Fund Uninsured Employers’ Fund Workers’ Compensation Commission |
| Sara Jean Baker | Morgan State University University System of Maryland Frostburg State University Office Overview Towson University University of Maryland Baltimore County University of Maryland, College Park University of Maryland Center for Environmental Science |
| Mary E. Clapsaddle | Maryland General Assembly |
| Erin M. Dorrien | Department of Health and Mental Hygiene Alcohol and Drug Abuse Administration Chief Medical Examiner Chronic Diseases Services Health Occupation Boards Infectious Disease and Environmental Health Administration Laboratories Administration |
| Patrick S. Frank | Department of Information Technology Public Debt State Reserve Fund |

| | |
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| Andrew D. Gray | Chesapeake Bay Overview Department of Agriculture Department of Natural Resources Department of Planning Maryland Department of the Environment |
| Chantelle M. Green | Board of Public Works Comptroller of the Treasury Department of General Services Department of State Police Executive Department – Governor Governor’s Office of Crime Control and Prevention Maryland Emergency Medical System Operations Fund Military Department State Department of Assessments and Taxation |
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| Jaelyn D. Hartman | Maryland Department of Transportation Maryland Aviation Administration Maryland Port Administration Maryland Transportation Authority Overview (shared) |
| David B. Juppe | Payments to Civil Divisions of the State |
| Monica L. Kearns | Interagency Committee on School Construction Maryland Public Broadcasting Commission Maryland School for the Deaf Maryland State Department of Education Aid to Education Early Childhood Development Funding for Educational Organizations Headquarters |
| Matthew D. Klein | Capital Fiscal Briefing (PAYGO Overview) |

Jonathan D. Martin

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

Steven D. McCulloch

Children's Cabinet Interagency Fund
Department of Aging
Department of Human Resources
Family Investment
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Social Services Administration
Governor's Office for Children
Maryland Insurance Administration
State Treasurer

Simon G. Powell

Department of Health and Mental Hygiene
Administration
Medical Care Programs Administration
Mental Hygiene Administration
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Maryland Health Insurance Plan

Rebecca J. Ruff

Department of Public Safety and Correctional Services
Criminal Injuries Compensation Board
Division of Correction
Division of Parole and Probation
Division of Pretrial Detention and Services
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Rachel N. Silberman

Maryland Higher Education Commission (MHEC)
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University System of Maryland
Bowie State University
Coppin State University
Salisbury University
University of Baltimore
University of Maryland Eastern Shore

Jody J. Sprinkle

Canal Place Preservation and Development Authority
Department of Business and Economic Development
Department of Labor, Licensing, and Regulation
Business Regulation
Workforce Development
Maryland Economic Development Corporation
Maryland Stadium Authority
Maryland Technology Development Corporation
State Lottery Agency

Kathleen K. Wunderlich

Department of Health and Mental Hygiene
Developmental Disabilities Administration
Family Health Administration
Health Regulatory Commissions
Office of Health Care Quality
Department of Veterans Affairs
Maryland Institute for Emergency Medical Services Systems

Tonya D. Zimmerman

Department of Disabilities
Department of Human Resources
Administration
Child Support Enforcement
Office of Home Energy Programs
Maryland Automobile Insurance Fund
Maryland Energy Administration
Maryland Food Center Authority
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State Board of Elections

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Senate Budget and Taxation Committee – Reductions

| Agency | General Funds | Special Funds | Federal Funds | Higher Ed. Funds | Total Funds | Positions |
|---|---------------|---------------|---------------|------------------|-------------|-----------|
| 2011 Budget Request: | | | | | | |
| General Assembly | \$1,094,800 | \$0 | \$0 | \$0 | \$1,094,800 | |
| Judiciary | 18,188,400 | 200,080 | 47,143 | 0 | 18,435,623 | |
| Office of the Attorney General | 150,000 | 0 | 0 | 0 | 150,000 | |
| Office of the State Prosecutor | 0 | 0 | 0 | 0 | 0 | 1.0 |
| Board of Public Works (BPW) | 250,000 | 0 | 0 | 0 | 250,000 | |
| BPW – Public School Construction PAYGO | 6,109,000 | 0 | 0 | 0 | 6,109,000 | |
| Department of Disabilities | 0 | 0 | 0 | 0 | 0 | 1.0 |
| Governor’s Office of Crime Control and Prevention | 19,052,857 | 0 | 0 | 0 | 19,052,857 | |
| Secretary of State | 25,000 | 0 | 0 | 0 | 25,000 | |
| Historic St. Mary’s City Commission | 172,981 | 0 | 0 | 0 | 172,981 | 4.0 |
| Governor’s Office for Children | 0 | 0 | 0 | 0 | 0 | 5.0 |
| Department of Aging | 50,000 | 0 | 0 | 0 | 50,000 | |
| Department of Planning | 309,899 | 29,250 | 5,850 | 0 | 344,999 | |
| Military Department | 68,614 | 0 | 90,986 | 0 | 159,600 | |
| Comptroller of the Treasury | 35,294 | 57,785 | 0 | 0 | 93,079 | |
| Department of Assessments and Taxation | 100,000 | 0 | 0 | 0 | 100,000 | |
| Department of Information Technology | 739,037 | 0 | 0 | 0 | 739,037 | |

ΛX

Senate Budget and Taxation Committee – Reductions

| Agency | General Funds | Special Funds | Federal Funds | Higher Ed. Funds | Total Funds | Positions |
|--|------------------|------------------|------------------|---------------------|----------------|-----------|
| State Retirement Agency | 0 | 159,500 | 0 | 0 | 159,500 | |
| Department of General Services | 255,353 | 72,600 | 0 | 0 | 327,953 | |
| Maryland Department of Transportation (MDOT) – The Secretary’s Office | 0 | 304,298 | 0 | 0 | 304,298 | |
| MDOT – State Highway Administration | 0 | 236,219,050 | 0 | 0 | 236,219,050 | |
| MDOT – Maryland Port Administration | 0 | 40,646,243 | 0 | 0 | 40,646,243 | 48.0 |
| MDOT – Maryland Port Administration PAYGO Capital | 0 | 160,389 | 0 | 0 | 160,389 | 1.0 |
| LX. MDOT – Motor Vehicle Administration | 0 | 1,144,568 | 0 | 0 | 1,144,568 | |
| MDOT – Maryland Aviation Administration | 0 | 1,034,202 | 0 | 0 | 1,034,202 | |
| Department of Natural Resources | 0 | 32,101,428 | 0 | 0 | 32,101,428 | |
| Department of Natural Resources PAYGO | 0 | 46,157,608 | 0 | 0 | 46,157,608 | |
| Department of Agriculture | 2,300,000 | 675,000 | 0 | 0 | 2,975,000 | 7.0 |
| Department of Agriculture PAYGO | 0 | 11,814,797 | 0 | 0 | 11,814,797 | |
| Department of Health and Mental Hygiene (DHMH) – Administration | 97,000 | 0 | 5,000 | 0 | 102,000 | |
| DHMH – Infectious Disease and Environmental Health Administration | 3,716,516 | 0 | 0 | 0 | 3,716,516 | |
| DHMH – Family Health Administration | 296,840 | 58,497 | 0 | 0 | 355,337 | 1.0 |
| DHMH – Mental Hygiene Administration | 750,000 | 0 | 0 | 0 | 750,000 | |
| DHMH – Medical Care Programs Administration | 24,000,000 | 0 | 0 | 0 | 24,000,000 | |
| Department of Human Resources (DHR) – Administration | 201,015 | 0 | 1,822,249 | 0 | 2,023,264 | |

Senate Budget and Taxation Committee – Reductions

| Agency | General Funds | Special Funds | Federal Funds | Higher Ed. Funds | Total Funds | Positions |
|--|------------------|------------------|------------------|---------------------|----------------|-----------|
| DHR – Child Support Enforcement | 0 | 69,417 | 134,751 | 0 | 204,168 | |
| DHR – Family Investment | 5,450,000 | 0 | 0 | 0 | 5,450,000 | |
| Department of Labor, Licensing, and Regulation (DLLR) – Workforce Development | 237,555 | 0 | 0 | 0 | 237,555 | |
| DLLR – Business Regulation | 51,927 | 602,800 | 0 | 0 | 654,727 | |
| Department of Public Safety and Correctional Services (DPSCS) – Office of the Secretary | 2,099,893 | 0 | 0 | 0 | 2,099,893 | 2.0 |
| DPSCS – Maryland Parole Commission | 83,821 | 0 | 0 | 0 | 83,821 | |
| DPSCS – Division of Parole and Probation | 1,424,544 | 0 | 0 | 0 | 1,424,544 | |
| DPSCS – Police and Correctional Training Commissions | 254,601 | 0 | 0 | 0 | 254,601 | 2.0 |
| Maryland State Department of Education (MSDE) – Headquarters | 426,020 | 24,168 | 525,897 | 0 | 976,085 | |
| MSDE – Aid to Education | 863,060 | 0 | 0 | 0 | 863,060 | |
| Maryland Higher Education Commission (MHEC) | 13,737,500 | 0 | 0 | 0 | 13,737,500 | |
| Aid to Community Colleges | 23,085,062 | 0 | 0 | 0 | 23,085,062 | |
| MHEC – Scholarship Programs | 589,152 | 0 | 0 | 0 | 589,152 | |
| Maryland School for the Deaf | 2,001,101 | 0 | 0 | 0 | 2,001,101 | |
| Department of Business and Economic Development | 1,382,222 | 500,000 | 0 | 0 | 1,882,222 | |
| Maryland Technology Development Corporation | 6,200,000 | 0 | 0 | 0 | 6,200,000 | |
| Department of the Environment | 1,500,000 | 1,350,000 | 0 | 0 | 2,850,000 | |
| Department of the Environment PAYGO | 0 | 1,880,000 | 0 | 0 | 1,880,000 | |

IIAX

Senate Budget and Taxation Committee – Reductions

| Agency | General Funds | Special Funds | Federal Funds | Higher Ed. Funds | Total Funds | Positions |
|---|----------------------|----------------------|---------------------|---------------------|----------------------|--------------|
| Department of Juvenile Services | 963,671 | 0 | 0 | 0 | 963,671 | |
| Department of State Police | 172,510 | 2,429,031 | 0 | 0 | 2,601,541 | 5.0 |
| Miscellaneous Language Reductions | 11,412,000 | 0 | 9,970,500 | 0 | 21,382,500 | 500.0 |
| Subtotal Fiscal 2011 Regular Budget | \$149,897,245 | \$377,690,711 | \$12,602,376 | \$0 | \$540,190,332 | 577.0 |
| Fiscal 2011 Total Budget | \$149,897,245 | \$377,690,711 | \$12,602,376 | \$0 | \$540,190,332 | 577.0 |
| Fiscal 2010 Deficiency Budget: | | | | | | |
| DHMH – Medical Care Programs Administration | 41,700,000 | 0 | 0 | 0 | 41,700,000 | |
| DHR – Child Support Enforcement | 0 | 76,008 | 0 | 0 | 76,008 | |
| DHR – Family Investment | 1,450,000 | 0 | 0 | 0 | 1,450,000 | |
| MSDE – Headquarters | 200,000 | 0 | 0 | 0 | 200,000 | |
| Subtotal Fiscal 2010 Deficiency Budget | \$43,350,000 | \$76,008 | \$0 | \$0 | \$43,426,008 | |
| Subtotal Fiscal 2010 Deficiency Budget | \$43,350,000 | \$76,008 | \$0 | \$0 | \$43,426,008 | |
| Grand Total Budget Bill | \$193,247,245 | \$377,766,719 | \$12,602,376 | \$0 | \$583,616,340 | 577.0 |

**C00A
Judiciary**

Budget Amendments

Add the following language:

Provided that a \$1,371,000 reduction in general funds is made for operating expenditures. This reduction shall be allocated among the divisions.

Explanation: The Governor’s proposed budget assumes a fiscal 2011 reversion of \$5.0 million. Of this amount, it is anticipated that \$3.6 million represents the employee furlough. Those funds are deleted in the back of the bill. This action deletes the remainder of the \$5.0 million to reflect the entire anticipated reversion.

Amendment No. **1**

C00A00.01 Court of Appeals

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete additional funds for retired judge use. This action funds the use of retired judges at the fiscal 2009 actual levels. | 374,000 | GF |
| Total Reductions | 374,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 78.00 | 78.00 | | 0.00 |
| General Fund | 13,480,900 | 13,106,900 | 374,000 | |
| Total Funds | 13,480,900 | 13,106,900 | 374,000 | |

Amendment No. **2**

C00A

C00A00.02 Court of Special Appeals

| Reduce appropriation for the purposes indicated: | | <u>Funds</u> | <u>Positions</u> | |
|--|------------------|----------------------|-------------------------|---------------------------|
| 1. Delete additional funds for temporary staff attorneys. This action level-funds additional assistance in the Court of Special Appeals. | | 580,000 | GF | |
| Total Reductions | | 580,000 | 0.00 | |
| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
| Position | 79.50 | 79.50 | | 0.00 |
| General Fund | 9,212,206 | 8,632,206 | 580,000 | |
| Total Funds | 9,212,206 | 8,632,206 | 580,000 | |

Amendment No. 3

C00A00.06 Administrative Office of the Courts

| Reduce appropriation for the purposes indicated: | | <u>Funds</u> | <u>Positions</u> | |
|---|-------------------|----------------------|-------------------------|---------------------------|
| 1. Delete funds for a pilot interpreter program in Prince George's County. This action will help address the State's budgetary shortfall. | | 335,000 | GF | |
| Total Reductions | | 335,000 | 0.00 | |
| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
| Position | 121.75 | 121.75 | | 0.00 |
| General Fund | 24,083,836 | 23,748,836 | 335,000 | |
| Special Fund | 10,100,000 | 10,100,000 | 0 | |
| Federal Fund | 74,114 | 74,114 | 0 | |
| Total Funds | 34,257,950 | 33,922,950 | 335,000 | |

Amendment No. 4

C00A

C00A00.12 Major Information Technology Development Projects

Add the following language to the general fund appropriation:

, provided that a reduction of \$11,899,400 is made for major information technology development (IT) projects contingent upon the enactment of SB 141 or HB 151 removing the sunset of funding major IT from the Land Records Improvement Fund.

Explanation: This action reduces the Judiciary's allowance for major IT development projects. The reduction is contingent upon legislation that amends Section 13-604 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland to remove the sunset on funding major IT from the Land Records Improvement Fund.

Amendment No. 5

C80B
Office of the Public Defender

Committee Narrative

Progress on Implementation of the Office of Legislative Audits Recommendations: During the 2008 session, the budget committees requested the Office of Legislative Audits (OLA) to conduct a follow-up performance audit to assess the effectiveness of the budgetary and financial management practices of the Office of the Public Defender (OPD). OLA released its findings in November 2009. The committees request that OPD establish policies and procedures to implement the recommendations set forth in the OLA audit and provide a report to the committees on its progress. These actions will improve OPD's overall financial and case management.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Established policies and procedures implementing the recommendations of OLA | OPD | November 1, 2010 |

C81C
Office of the Attorney General

Budget Amendments

C81C00.01 Legal Counsel and Advice

Add the following language to the general fund appropriation:

, provided that this appropriation is reduced by \$150,000. The Governor is authorized to process a Special Fund budget amendment for \$150,000 to make use of the available balance in the Consumer Protection Recoveries Account.

Further provided that the Office of the Attorney General shall submit a report that provides estimates for indirect cost recoveries to the division of Legal Counsel and Advice associated with the oversight of its programs. The report shall be submitted to the budget committees by November 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This action reduces general funds in the division of Legal Counsel and Advice. The Governor is authorized to process a budget amendment transferring special funds in the amount of \$150,000 from the Consumer Protection Recoveries Account to the division of Legal Counsel and Advice. This action also requires a report estimating the indirect cost recovery to the division for personnel, training, information technology, financial management, and administrative support, to other divisions within the Office of the Attorney General (OAG). The division of Legal Counsel and Advice provides administrative support to all the divisions within OAG, so it is appropriate to estimate the expenses related to the operation and oversight of each division.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Estimates of indirect cost recovery of other divisions to the division of Legal Counsel and Advice | OAG | November 1, 2010 |

Amendment No. **6**

C82D
Office of the State Prosecutor

Budget Amendments

Add the following language:

Provided that position identification number 086522 is abolished to reflect the loss of funds for the position. The Governor is authorized to process a budget amendment for a contractual full-time equivalent if the Office of the State Prosecutor secures alternative grant funding.

Explanation: The fiscal 2011 allowance eliminates \$54,490 in funding due to the loss of grant funds for the salary and fringe benefits of 1 position. Although the funding was deleted, the position was not. This action deletes the position. The Governor is authorized to process a budget amendment if the Office of the State Prosecutor is able to secure alternative grant funding to support a contractual full-time equivalent in fiscal 2011.

Amendment No. **7**

**D05E
Board of Public Works**

Budget Amendments

D05E01.02 Contingent Fund

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce allowance for contingent fund. This action is based on the following considerations: (1) the appropriation has only been fully exhausted once since fiscal 2001; (2) a review of prior usages indicates that many of fund's previous expenditures were nonemergency in nature; and (3) a heightened review of contingent fund expenditures is appropriate given the current fiscal climate. This action will appropriate \$500,000 in fiscal 2011. | 250,000 | GF |
| Total Reductions | 250,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 750,000 | 500,000 | 250,000 | |
| Total Funds | 750,000 | 500,000 | 250,000 | |

Amendment No. **8**

Committee Narrative

Improving Operational Reporting: Given the zoo's continued financial difficulties, the committees request that the Maryland Zoological Society submit:

- audited financial statements for fiscal 2010; and
- year-to-date monthly attendance figures for the zoo for fiscal 2011, in continuance of the practice begun in July 2008.

| Information Request | Author | Due Date |
|----------------------------|-----------------------------|------------------|
| Audited financials | Maryland Zoological Society | November 1, 2010 |
| Attendance report | Maryland Zoological Society | Monthly |

D12A
Executive Department
Department of Disabilities

Budget Amendments

D12A02.01 General Administration

Add the following language:

Provided that 1 regular position in this budget shall be deleted.

Explanation: This action is a technical amendment that deletes 1 regular position (PIN 083086). This vacant position was previously supported through reimbursable funds from the Department of Health and Mental Hygiene for emergency preparedness activities. The reimbursable funds that supported this position are no longer available.

Amendment No. **9**

Committee Narrative

Plan for the Inclusion of Washington Metropolitan Area Transit Authority Performance Measures: Beginning with the fiscal 2008 Managing for Results (MFR) submission by the Maryland Department of Disabilities (MDOD), the department attempted to include information on transportation services provided through the Washington Metropolitan Area Transit Authority (WMATA). However, the data has not been consistently included, and the fiscal 2011 submission includes no measures related to WMATA services. The committees request that MDOD, WMATA, and the Maryland Department of Transportation (MDOT) work together to develop a plan for the consistent inclusion of data associated with the WMATA service provision in MDOD's MFR to enable a more complete understanding of progress in public transportation options in Maryland.

| Information Request | Authors | Due Date |
|--|-----------------------|-------------------|
| Plan for the inclusion of WMATA measures | MDOD WMATA MDOT | September 1, 2010 |

D13A
Executive Department
Maryland Energy Administration

Budget Amendments

D13A13.02 The Jane E. Lawton Conservation Loan Program – Capital Appropriation

Add the following language to the federal fund appropriation:

, provided that \$2,562,075 of this appropriation made for the purpose of the Jane E. Lawton Conservation Loan Program – Capital Appropriation, may not be expended for that purpose but instead may be transferred by budget amendment to program D13A13.03 to be used only for the State Agency Loan Program – Capital Appropriation. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

Explanation: This language requires the federal fund appropriation of the Jane E. Lawton Loan Program available from the American Recovery and Reinvestment Act of 2009 to be transferred to the State Agency Loan Program (SALP). If these funds are not expended for SALP, the funds may only be cancelled. The Maryland Energy Administration (MEA) intended to use these funds to support energy conservation projects for commercial and industrial customers. MEA advises that it works with the Department of General Services to identify energy performance contracts for State agencies that could benefit from a SALP loan. The additional federal funds will provide additional funding to help reduce State agency energy consumption in fiscal 2011 and going forward as these funds are repaid into the revolving loan account.

Amendment No. **10**

Committee Narrative

Program Funding Allocation: In fiscal 2010, the appropriation for the Maryland Energy Administration (MEA) was based on a certain projection of revenue available from the Strategic Energy Investment Fund (SEIF) that has not been achieved in recent auctions. In addition, MEA has experienced delays in spending funds available through the American Recovery and Reinvestment Act of 2009 (ARRA). These changes are expected to impact the actual allocation of funding to specific program activities by an as yet unknown amount. The fiscal 2011 allowance of MEA is based on a particular level of revenue anticipated to be available from SEIF and a certain level of funding available from the ARRA. It is uncertain whether more or fewer funds will be available from these sources as a result of similar conditions as fiscal 2010. As a result, the committees request MEA submit the actual fiscal 2010 program activity expenditures, a revised fiscal 2011 program allocation, and a fiscal 2012 program allocation concurrent with the submission of the fiscal 2012 allowance to provide the committees a clearer picture of the year-to-year funding changes and changes in program priority for specific programs of MEA.

D13A

| Information Request | Author | Due Date |
|---|---------------|---|
| Program funding allocation for fiscal 2010 actual expenditures and 2011 revised spending plan | MEA | September 15, 2010 |
| Program funding allocation for fiscal 2012 and updated spending plan for fiscal 2011 | MEA | Concurrent with the submission of the fiscal 2012 allowance |

D15A
Executive Department
Boards, Commissions, and Offices

Budget Amendments

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

Strike the following language:

~~, provided that \$18,955,972 of this appropriation shall be reduced contingent upon the enactment of legislation to reduce funding for State Aid for Police Protection.~~

Explanation: This action constitutes a technical amendment to strike language authorizing a reduction to the State Aid for Police Protection Grant Program contingent upon the enactment of legislation to level-fund the program in fiscal 2011 and 2012.

Amendment No. **11**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Delete funding budgeted to restore the Director of Communications position. The office has functioned without a full-time Director of Communications since fiscal 2007. Funding for such a position should be deferred to a future fiscal year given the current fiscal environment. | 96,885 | GF |
| 2. Reduce funding for State Aid for Police Protection grants. This action would level-fund the grant program in fiscal 2011. | 18,955,972 | GF |
| Total Reductions | 19,052,857 | 0.00 |

D15A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position | 39.00 | 39.00 | | 0.00 |
| General Fund | 88,360,811 | 69,307,954 | 19,052,857 | |
| Special Fund | 2,266,254 | 2,266,254 | 0 | |
| Federal Fund | 24,289,222 | 24,289,222 | 0 | |
| Total Funds | 114,916,287 | 95,863,430 | 19,052,857 | |

Amendment No. 12

D16A
Secretary of State

Budget Amendments

D16A06.01 Office of the Secretary of State

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce general funds for turnover expectancy to more closely align with the current vacancy rate. While the agency has a vacancy rate of 11%, the allowance assumes a turnover rate of 3%. | 25,000 | GF |
| Total Reductions | 25,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 25.00 | 25.00 | | 0.00 |
| General Fund | 2,000,377 | 1,975,377 | 25,000 | |
| Special Fund | 349,507 | 349,507 | 0 | |
| Total Funds | 2,349,884 | 2,324,884 | 25,000 | |

Amendment No. **13**

**D17B
Historic St. Mary's City Commission**

Budget Amendments

D17B01.51 Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | | <u>Positions</u> |
|--|--------------|----|------------------|
| 1. Delete 4 vacant positions from the Historic St. Mary's City Commission budget. There are a total of 8 positions currently vacant in the commission's budget and a vacancy rate of 21.62%. | 172,981 | GF | 4.00 |
| Total Reductions | 172,981 | | 4.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 37.00 | 33.00 | | 4.00 |
| General Fund | 2,140,597 | 1,967,616 | 172,981 | |
| Special Fund | 712,255 | 712,255 | 0 | |
| Total Funds | 2,852,852 | 2,679,871 | 172,981 | |

Amendment No. **14**

D18A
Governor's Office for Children

Budget Amendments

D18A18.01 Governor's Office for Children

Add the following language to the general fund appropriation:

, provided that \$390,000 of this appropriation made for the purpose of funding five new contract monitoring and evaluation positions, may not be expended for that purpose but instead may be transferred by budget amendment to the State Department of Education program R00A04.01 Children's Cabinet Interagency Fund to be used only for Local Management Board administration. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that these five new contract monitoring and evaluation positions are deleted.

Explanation: Five new positions created in the Governor's Office for Children were to have administered the contracts for early intervention and prevention programs on a unified basis. This language restricts the funding intended for these new positions to be used for Local Management Board administration with the intent that the Local Management Boards continue to perform the contract administration for early intervention and prevention programs. The positions are also deleted.

Amendment No. **15**

D25E
Board of Public Works – Interagency Committee for School Construction

Budget Amendments

D25E03.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended subject to the items below:

- (1) \$50,000 of this appropriation shall be released upon submission of a report to the budget committees certifying the completion of 115 maintenance surveys in public schools;
- (2) \$50,000 of this appropriation shall be released upon submission of a report to the budget committees certifying the completion of 230 maintenance surveys in public schools; and
- (3) the budget committees shall have 45 days to review and comment from the date of receipt of each report outlined in items (1) and (2) above.

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 Interagency Committee on School Construction (IAC) has a Managing for Results objective to conduct maintenance surveys, or inspections, in at least 230 public schools each year. In fiscal 2007, the agency’s two inspectors surveyed 233 schools, and in 2008 the number was 250. The number dropped to 145 in 2009 and is expected to be approximately 187 in fiscal 2010 and 2011 because of cost containment reductions. The agency reports that reductions of \$4,000 for fiscal 2010 were applied to fuel expenditures for the two maintenance inspectors to travel to schools and conduct inspections.

The General Assembly believes the agency should reprioritize expenditures to ensure that the inspectors have adequate funds to travel to schools and ensure they are safe for students, and to protect the more than \$5 billion investment the State has made in Maryland public schools.

| Information Request | Author | Due Date |
|---|---------------|---------------------------------|
| Report certifying 115 maintenance surveys | IAC | 45 days before release of funds |
| Report certifying 230 maintenance surveys | IAC | 45 days before release of funds |

Amendment No. **16**

D25E

D25E03.02 Aging Schools Program

Amend the following language on the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$6,108,990 contingent upon the enactment of legislation to reduce the required appropriation for the Aging Schools program.~~

, provided that this appropriation is reduced by \$6,109,000 contingent on enactment of legislation authorizing bond proceeds to provide the required appropriation for the Aging Schools program.

Explanation: This action provides a technical correction to authorize the Aging Schools program to be funded with proceeds from bonds. As such, the bonds could be general obligation bonds or Qualified Zone Academy Bonds.

Amendment No. 17

D26A
Department of Aging

Budget Amendments

D26A07.02 Senior Centers Operating Fund

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce Senior Activities Centers funding to continue cost containment. The reduction would fund fiscal 2011 at the reduced fiscal 2010 level. | 50,000 | GF |
| Total Reductions | 50,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 500,000 | 450,000 | 50,000 | |
| Total Funds | 500,000 | 450,000 | 50,000 | |

Amendment No. **18**

D38I
State Board of Elections

Budget Amendments

D38I01.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of General Administration may not be expended until the State Board of Elections submits a report to the budget committees. This report shall include:

- (1) for each multi-year contract it holds, the starting date, expected end date, number and length of option periods, estimated cost of the contract in each year of the contract including option periods, the Comptroller subobject where the contract is budgeted, a brief explanation of the services provided for contracts over \$25,000 in effect in fiscal 2010 and 2011, and planned for fiscal 2012; and
- (2) the estimated need for additional funding required for fiscal 2011 to administer the 2010 gubernatorial elections in addition to the funding provided in the fiscal 2011 appropriation.

The report shall be submitted by August 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The 2009 Joint Chairmen's Report included committee narrative requesting the State Board of Elections (SBE) to provide the budget committees a report on existing and planned multi-year contracts in effect in fiscal 2009 and 2010. The report was expected to include information on the starting date of the contract, expected end date of the contract, number and length of option periods if applicable, and the estimated cost of the contract in each year of the contract including optional periods if applicable. This report has not been submitted. In addition, SBE has not been able to provide full information on the funding available in the fiscal 2011 allowance to support the 2010 gubernatorial elections and early voting. This language restricts \$100,000 of general funds in SBE until a report is submitted on the existing and planned major contracts and the estimated need for additional funding required to administer the 2010 gubernatorial elections.

D38I

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on existing and planned multi-year contracts and estimated funding need for the 2010 elections | SBE | August 1, 2010 |

Amendment No. **19**

D40W
Department of Planning

Budget Amendments

D40W01.07 Management Planning and Educational Outreach

| | | |
|--|------------------------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete funding for the Non-capital Historic Preservation Grant Program grant funding as a cost-saving measure. | 227,999 GF | |
| 2. Increase budgeted turnover expectancy to 5% to better reflect trends in vacancies. The reduction should be allocated among all programs within the Maryland Department of Planning. | 81,900 GF 29,250 SF 5,850 FF | |
| Total Reductions | 344,999 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 15.00 | 15.00 | | 0.00 |
| General Fund | 1,227,308 | 917,409 | 309,899 | |
| Special Fund | 3,113,473 | 3,084,223 | 29,250 | |
| Federal Fund | 223,382 | 217,532 | 5,850 | |
| Total Funds | 4,564,163 | 4,219,164 | 344,999 | |

Amendment No. **20**

D40W01.12 Heritage Structure Rehabilitation Tax Credit

Add the following language to the general fund appropriation:

Further provided that this appropriation shall be reduced by \$5,000,000 contingent upon the failure of legislation reauthorizing the program as a budgeted tax credit.

D40W

Explanation: This action deletes the appropriation if legislation reauthorizing the Maryland Heritage Structure Rehabilitation Tax Credit as a budgeted tax credit fails. In combination with the existing budget bill language, the appropriation is deleted if legislation reauthorizing the program as a nonbudgeted tax credit is enacted or if legislation reauthorizing the program as a nonbudgeted tax credit fails. Therefore, the \$5 million appropriation will be deleted if it is not needed for the program.

Amendment No. **21**

D50H
Military Department

Budget Amendments

Add the following language:

Provided that a reduction of \$66,600 is made for deferred compensation (Comptroller subobject 0172). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|-----------------|
| <u>General</u> | <u>\$36,856</u> |
| <u>Federal</u> | <u>\$29,744</u> |

Explanation: Funding for deferred compensation was inadvertently budgeted in the fiscal 2011 allowance. The total reduction should be split as indicated above among general and federal funds.

Amendment No. **22**

Add the following language:

Further provided that a reduction of \$74,000 is made for telephone expenses (Comptroller subobject 0302). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|-----------------|
| <u>General</u> | <u>\$21,705</u> |
| <u>Federal</u> | <u>\$52,295</u> |

Explanation: This action reduces the Military Department's fiscal 2011 allowance for telephone expenditures. The total reduction should be split as indicated above among general and federal funds.

Amendment No. **23**

D50H

MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE

D50H01.05 State Operations

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|----------------------|------------------|
| 1. Reduce allowance for in-state travel expenses based on fiscal 2009 actual expenditures plus inflation. This reduction will appropriate \$58,596. This reduction shall be allocated among the divisions. | 5,500 GF 5,500 FF | |
| 2. Reduce allowance for office supplies. This action will appropriate \$45,595 for office supplies in fiscal 2011. | 4,553 GF 3,447 FF | |
| Total Reductions | 19,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 72.00 | 72.00 | | 0.00 |
| General Fund | 3,194,144 | 3,184,091 | 10,053 | |
| Federal Fund | 2,444,427 | 2,435,480 | 8,947 | |
| Total Funds | 5,638,571 | 5,619,571 | 19,000 | |

Amendment No. 24

D70J
Maryland Automobile Insurance Fund

Committee Narrative

D70J00.42 Insured Division

Annual Report on the Reasonableness of the Surplus of the Insured Division of the Maryland Automobile Insurance Fund: The response to the 2008 Joint Chairmen’s Report (JCR) request by the Maryland Automobile Insurance Fund (MAIF) and the Maryland Insurance Administration (MIA) indicated that MIA will annually produce a report on the determination of the reasonableness of the surplus of the Insured Division of MAIF. The first of these annual reports was submitted on July 16, 2009, to the budget committees in response to the 2009 JCR. The committees request MIA again submit this report to the budget committees concurrent with its submission to the presiding officers of the General Assembly and the Chair and Vice Chair of the Senate Finance and House Economic Matters committees.

| Information Request | Author | Due Date |
|--|---------------|---|
| Annual report on the reasonableness of the surplus of the Insured Division of MAIF | MIA | Concurrent with submission to the presiding officers of the General Assembly and the Chair and Vice Chair of the Senate Finance and House Economic Matters committees |

Strategic Consulting Expenditures: In November 2009, the Office of Legislative Audits (OLA) released a fiscal compliance audit for the Maryland Automobile Insurance Fund (MAIF). Finding Two of this audit stated that certain expenditures should be disclosed to the legislative budget committees as part of the annual budget submission process. These expenditures include strategic consulting, marketing, public relations, advertising, lobbying services, and producer appreciation events. MAIF provided information on the expenditures associated with marketing, public relations, advertising, lobbying services, and producer appreciation events. MAIF indicates that contracts it deems to be strategic consulting have a value over \$10 million and consists of more than 140 contracts. However, the audit notes only \$96,000 for these types of expenditures during calendar 2008 and 2009 (through May 31). The committees request that MAIF work with OLA to develop a uniform understanding of strategic consulting expenditures and submit a report containing this definition and detail on MAIF’s strategic consulting expenditures in calendar 2009 and 2010. This detail should include the dollar value of the contract budgeted in each calendar year, type of service provided, vendor providing the service, and the Comptroller Object where the activity is budgeted.

D70J

| Information Request | Author | Due Date |
|---|---------------|--|
| Strategic consulting expenditures for calendar 2009 and 2010 | MAIF | August 1, 2010 |
| Strategic consulting, lobbying, marketing, public relations, advertising, and producer appreciation event expenditures in calendar 2011 | MAIF | Concurrent with submission of the calendar 2011 budget |

E00A
Comptroller of Maryland

Budget Amendments

BUREAU OF REVENUE ESTIMATES

E00A03.01 Estimating of Revenues

Amend the following language:

~~, provided that this appropriation shall be reduced by \$103,000 contingent upon the enactment of legislation to suspend the production of the Statistics of Income report.~~

, provided that \$103,000 of this appropriation made for the purpose of producing the Statistics of Income report may only be used for this purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The Statistics of Income Report provides the State with invaluable data regarding Maryland's income tax structure. This action strikes language authorizing a reduction in funding within the Bureau of Revenue Estimates program contingent upon the enactment of a provision in the Budget Reconciliation and Financing Act of 2010 that suspends the production of the Statistics of Income Report. This language further requires that funding appropriated for the production of the Statistics of Income Report be used solely for that purpose.

Amendment No. **25**

COMPLIANCE DIVISION

E00A05.01 Compliance Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funding to purchase two new vehicles in the Compliance Division. The replacement of motor vehicles is not an essential need and can therefore be deferred to a future fiscal year. | 22,490 | SF |
| Total Reductions | 22,490 | 0.00 |

E00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 364.00 | 364.00 | | 0.00 |
| General Fund | 21,398,290 | 21,398,290 | 0 | |
| Special Fund | 8,020,468 | 7,997,978 | 22,490 | |
| Total Funds | 29,418,758 | 29,396,268 | 22,490 | |

Amendment No. 26

FIELD ENFORCEMENT DIVISION

E00A06.01 Field Enforcement Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|------------------------|------------------|
| 1. Reduce allowance for motor vehicle gas and oil expenses based on fiscal 2009 actual expenditures plus inflation. This reduction will appropriate \$122,420. | 7,500 GF 7,500 SF | |
| 2. Delete funding to purchase four new vehicles and related equipment in the Field Enforcement Division. The replacement of motor vehicles is not essential and can therefore be deferred to a future fiscal year. | 27,794 GF 27,795 SF | |
| Total Reductions | 70,589 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 56.00 | 56.00 | | 0.00 |
| General Fund | 2,509,439 | 2,474,145 | 35,294 | |
| Special Fund | 2,638,938 | 2,603,643 | 35,295 | |
| Total Funds | 5,148,377 | 5,077,788 | 70,589 | |

Amendment No. 27

E50C
State Department of Assessments and Taxation

Budget Amendments

E50C00.06 Tax Credit Payments

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce tax credit payments for Renters' Tax Credit Program based on prior years' actual expenditures. This action will appropriate \$2.2 million for renters' tax credit payments in fiscal 2011. | 100,000 | GF |
| Total Reductions | 100,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 73,611,677 | 73,511,677 | 100,000 | |
| Total Funds | 73,611,677 | 73,511,677 | 100,000 | |

Amendment No. **28**

E75D
State Lottery Agency

Budget Amendments

E75D00.02 Video Lottery Terminal Operations

Add the following language to the special fund appropriation:

, provided that the Governor is authorized to transfer an amount of this appropriation sufficient to fulfill the funding requirements specified in State Government Article Section 9-1A-27 to program D05E01.01 within the Board of Public Works for the purposes of a small, minority, and women-owned business investment account and to program P00E01.04 within the Department of Labor, Licensing, and Regulation's Division of Racing for the purposes of purse dedication and racetrack redevelopment.

Explanation: This language authorizes the Governor, as per the State Finance and Procurement Article Section 7-209(e), to transfer funds associated with video lottery terminal revenue to the appropriate agencies. Chapter 4 of the 2007 special session requires a certain percentage of revenues be dedicated to a small, minority, and women-owned business account and purse dedication and a racetrack facility redevelopment account. The budget as introduced includes these funds within the allowance of the State Lottery Agency, which has no particular expertise in disseminating grant funds. This language authorizes the transfer of these funds to the Board of Public Works and to the Maryland Racing Commission.

Amendment No. 29

F10A
Office of Personnel Services and Benefits

Committee Narrative

OFFICE OF PERSONNEL SERVICES AND BENEFITS

F10A02.08 Statewide Expenses

Controls on Employee Compensation: Given the fiscal outlook for the State in fiscal 2012 and beyond, it is the intent of the committees that in preparing the fiscal 2012 budget, the Governor shall take all necessary measures to constrain employee compensation with the goal of limiting the amount appropriated for regular and contractual employee salaries and wages to an amount not exceeding that allowed for fiscal 2011. Nothing in this statement of intent shall interfere with the collective bargaining process as currently specified in statute.

Aligning Retiree Benefits with Medicare Part D: The Blue Ribbon Commission to Study Retiree Health Care Funding Options shall evaluate alternatives for reducing the State's long term liability and ongoing cost by incorporating Medicare Part D into the State retiree health insurance prescription plan.

F50A
Department of Information Technology

Budget Amendments

MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND

F50A01.01 Major Information Technology Development Project Fund

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Delete funding for enhancements to the Maryland Children’s Electronic Social Services Information Exchange. The fiscal 2011 allowance includes funding for five major information technology projects including two projects involving modifications to the WORKS system, one project for modifications to the Client Automated Resource and Eligibility System, and an enterprise content management system. Concerns have been raised about the Department of Human Resources’ (DHR) ability to manage all these projects in fiscal 2011. This project should be deferred to enable DHR to focus its resources on properly completing the remaining projects. | 739,037 | GF |
| Total Reductions | 739,037 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 22,161,244 | 21,422,207 | 739,037 | |
| Total Funds | 22,161,244 | 21,422,207 | 739,037 | |

Amendment No. **30**

G20J
Maryland State Retirement and Pension Systems
State Retirement Agency

Budget Amendments

STATE RETIREMENT AGENCY

G20J01.01 State Retirement Agency

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funds for the IRS Service Locator. This service would utilize State funds to locate “missing” former members in order to pay benefits or return contributions. Leaving the funds in the trust to earn 7.75% per year on the \$46.7 million these members represent outweighs the liability of 5.0% annual interest earnings to be repaid, and any negligible administrative cost for maintaining existing records. | 73,200 | SF |
| 2. Reduce funds for “Alive and Well” audit. In fiscal 2010, \$96,000 was appropriated for this oversea retiree locator service. The contract will most likely not be awarded until April 2010. Another \$96,000 is included in the fiscal 2011 allowance for this contract, but \$72,000 of the fiscal 2010 amount can be encumbered to cover the cost of this service. | 72,000 | SF |
| Total Reductions | 145,200 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 190.00 | 190.00 | | 0.00 |
| Special Fund | 25,389,961 | 25,244,761 | 145,200 | |
| Total Funds | 25,389,961 | 25,244,761 | 145,200 | |

Amendment No. **31**

G20J

Committee Narrative

Study of System Funding: The Joint Committee on Pensions should analyze all items that have a material impact on the funding status of the State Retirement and Pension System and the employer contribution rates for the Employees' Pension System and Teachers' Pension System during the 2010 interim. The focus of study will be to detail the comparability, competitiveness, affordability, and sustainability of State-funded retirement benefits in relation to the system's long-term funding outlook. The Joint Committee should present its findings and recommendations to the budget committees on or before January 1, 2011.

G20J01.02 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce funds for the Saber contract. The agency advises that the amount required to fund information technology contractor change requests should be reduced by \$14,300 to reflect agreed upon values. | 14,300 SF | |
| Total Reductions | 14,300 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 5,725,376 | 5,711,076 | 14,300 | |
| Total Funds | 5,725,376 | 5,711,076 | 14,300 | |

Amendment No. 32

H00
Department of General Services

Budget Amendments

OFFICE OF FACILITIES SECURITY

H00B01.01 Facilities Security

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding for 3 long-term vacant positions in the Office of the Facilities Security. The number of thefts at the Department of General Services managed facilities has continued to trend downward. Funding is deleted for the following positions: | 206,353 | GF |
| <ul style="list-style-type: none"> • administrator II (position number 0766455); • program manager IV (position number 005975); and • police officer manager (position number 006020). | | |
| Total Reductions | 206,353 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 181.00 | 181.00 | | 0.00 |
| General Fund | 7,666,048 | 7,459,695 | 206,353 | |
| Special Fund | 73,610 | 73,610 | 0 | |
| Federal Fund | 251,583 | 251,583 | 0 | |
| Total Funds | 7,991,241 | 7,784,888 | 206,353 | |

Amendment No. **33**

H00

OFFICE OF FACILITIES OPERATION AND MAINTENANCE

H00C01.01 Facilities Operation and Maintenance

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | | <u>Positions</u> |
|---|--------------|----|------------------|
| 1. Reduce allowance for cell phone expenditures based on the fiscal 2010 working appropriation plus inflation. The department should reprioritize the issuance of cell phones and blackberries amongst its employees. This reduction shall be allocated among the divisions. | 9,000 | GF | |
| 2. Reduce allowance for janitorial services based on fiscal 2009 actual expenditures plus inflation. The department should continue to identify ways to limit the amount of janitorial expenses. This action will appropriate \$4.4 million for janitorial services in fiscal 2011. | 40,000 | GF | |
| Total Reductions | 49,000 | | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 207.00 | 207.00 | | 0.00 |
| General Fund | 26,002,143 | 25,953,143 | 49,000 | |
| Special Fund | 2,692,271 | 2,692,271 | 0 | |
| Federal Fund | 783,798 | 783,798 | 0 | |
| Total Funds | 29,478,212 | 29,429,212 | 49,000 | |

Amendment No. 34

H00

OFFICE OF AND PROCUREMENT AND LOGISTICS

H00D01.01 Procurement and Logistics

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete 2.5 new contractual full-time equivalent positions associated with GovDeals online sales and statewide fuel management services. | 72,600 SF | |
| Total Reductions | 72,600 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 55.00 | 55.00 | | 0.00 |
| General Fund | 3,049,455 | 3,049,455 | 0 | |
| Special Fund | 593,160 | 520,560 | 72,600 | |
| Total Funds | 3,642,615 | 3,570,015 | 72,600 | |

Amendment No. 35

OFFICE OF FACILITIES PLANNING, DESIGN AND CONSTRUCTION

H00G01.01 Facilities Planning, Design and Construction

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of facilities planning, design, and construction may not be expended until the Department of General Services (DGS) submits a report to the budget committees outlining a proposal to fund critical maintenance projects. The report shall include a proposal to add a square foot assessment charge for critical maintenance to the current annual square footage rent calculation for each State-owned facility beginning in fiscal 2012. For critical maintenance projects, the proposal shall include a rental rate that would generate:

- (1) \$10,000,000 annually to address ongoing critical maintenance and backlog needs;
- (2) \$541,000 annually to restore the DGS assessment team; and
- (3) an amount to be determined by DGS to initiate the purchase of a computerized maintenance management system.

H00

The report shall be submitted by July 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The General Assembly is concerned that the demand for State facility maintenance and renewal funding far exceeds the State's capacity under the current funding structure to adequately support these programs and ensure that the State's assets are properly maintained. This language restricts the expenditure of funds until DGS develops a proposal to fund critical maintenance and facilities renewal projects. The proposal shall entail adding a square foot assessment charge to the current annual square footage rent calculation for each State-owned facility beginning in fiscal 2012.

| Information Request | Author | Due Date |
|---------------------------------------|---------------|-----------------|
| Facility maintenance funding proposal | DGS | July 1, 2010 |

Amendment No. **36**

J00
Department of Transportation

Budget Amendments

Add the following language:

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 (CTP), 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 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.

Notification of changes in scope shall be made to the General Assembly concurrent with the submission of the draft and final CTP. Notification of new construction project additions, as outlined in paragraph (1) above, shall be made to the General Assembly 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 2010-2015 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 2010 session CTP as the basis for comparison.

| Information Request | Author | Due Date |
|----------------------------|---------------------------------------|----------------------------------|
| Capital budget changes | Maryland Department of Transportation | With draft CTP With final CTP |

Amendment No. **37**

J00

Add the following language:

It is the intent of the General Assembly that funds dedicated to the Transportation Trust Fund shall be applied to purposes bearing direct relation to the State transportation program, unless directed otherwise by legislation. To implement this intent for the Maryland Department of Transportation (MDOT) in fiscal 2011, no commitment of funds in excess of \$250,000 may be made nor such an amount may be transferred, by budget amendment or otherwise, for any project or purpose not normally arising in connection with the ordinary ongoing operation of MDOT and not contemplated in the approved budget or the last published Consolidated Transportation Program without 45 days of review and comment by the budget committees.

Explanation: This annual language prohibits MDOT from using transportation funds for uses other than for transportation-related purposes without review and comment by the budget committees.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Information on nontransportation expenditures exceeding \$250,000 | MDOT | As needed |

Amendment No. 38

Add the following language:

The Maryland Department of Transportation (MDOT) shall not expend funds on any job or position of employment approved in this budget in excess of 8,979.00 positions and 137.91 contractual full-time equivalents 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 2011. The level of contractual full-time equivalents 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 which 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 2011 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

J00

Explanation: The General Assembly has established a position ceiling for MDOT each year to limit growth in regular positions and contractual full-time equivalents.

| Information Request | Author | Due Date |
|--|--------|-----------|
| Additional regular positions and contractual full-time equivalents | MDOT | As needed |

Amendment No. 39

Add the following language:

Further provided that the Maryland Department of Transportation shall submit a revised financial forecast to the budget committees no more than three days after the Board of Revenue Estimates releases its March 2011 revenue estimate including actual and estimated snow removal costs. The revised financial forecast shall include information on the last actual full fiscal year and the subsequent six fiscal years as well as the following:

- (1) a schedule of operating expenses for each specific modal administration;
- (2) a schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and
- (3) a summary schedule for the Transportation Trust Fund that includes the opening and closing fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

Explanation: Under current law, the Maryland Department of Transportation (MDOT) submits a financial forecast to the budget committees in September of each year and with the Governor's allowance. Due to the current economic environment, the budget committees request an update of the financial forecast during the 2011 legislative session. MDOT should submit a revised financial forecast, consistent with existing statutory requirements, no more than three days after the Board of Revenue Estimates releases its March 2011 revenue estimate as well as updated operating budget spending estimates.

J00

| Information Request | Author | Due Date |
|----------------------------|---------------|--|
| Updated financial forecast | MDOT | Three days after Board of Revenue Estimates March 2011 revision |

Amendment No. 40

J00A01
Department of Transportation
The Secretary's Office

Budget Amendments

THE SECRETARY'S OFFICE

J00A01.01 Executive Direction

| | | |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce out-of-state travel. This action reduces out-of-state travel to the fiscal 2009 level. Given the current fiscal environment, out-of-state travel should be limited. | 23,121 SF | |
| 2. Reduce funding for student interns. Funding is provided for the Secretary's Fellows program which is a program for University of Maryland Baltimore County interns to work with the department. Given the current fiscal environment and other workforce reductions, this program should be deferred until the fiscal climate improves; however, if additional funding is identified for the program the agency may continue with the program. | 61,450 SF | |
| 3. Reduce cell phone expenditures. This action provides funding equal to the fiscal 2010 working appropriation for cell phone expenditures. | 4,092 SF | |
| Total Reductions | 88,663 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 205.50 | 205.50 | | 0.00 |
| Special Fund | 25,726,972 | 25,638,309 | 88,663 | |
| Total Funds | 25,726,972 | 25,638,309 | 88,663 | |

Amendment No. **41**

J00A01

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$3,790,294 of this appropriation may be expended for operating grants-in-aid, except for:

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

Further provided that no expenditures in excess of \$3,790,294 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either provision (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 grants-in-aid | Maryland Department of Transportation | As needed |

Amendment No. 42

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce payment in lieu of taxes (PILOT) to Baltimore City. Baltimore City receives several PILOTs for properties around the Port of Baltimore; however, not all of the funding provided for in the allowance is necessary. Specifically, the City receives funding for properties formerly known as McComas, Seagirt, and Toyota Maryland Shipping. The PILOT is reduced by \$110,465 to reflect the fiscal 2009 payment. Unless Baltimore City raises its property tax rate, the reduction allows for sufficient funding. In addition, Ports of America will begin to make the Seagirt PILOT payment as part of the long-term lease agreement. The department may process a budget amendment to fund the proper payment if necessary. | 110,465 | SF |

J00A01

2. Reduce funding for payments in lieu of taxes for potential land acquisition. Funding is provided for payments in lieu of taxes for land acquisitions at Point Breeze and North Locust Point. Funding was provided in fiscal 2009, and the funds were not used. If a payment is required in fiscal 2011, the department may process a special fund budget amendment for the payment.

80,000 SF

Total Reductions 190,465 0.00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 3,980,759 | 3,790,294 | 190,465 | |
| Federal Fund | 8,590,601 | 8,590,601 | 0 | |
| Total Funds | 12,571,360 | 12,380,895 | 190,465 | |

Amendment No. 43

J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that it is the intent of the General Assembly that the State cost of the Broening Highway project as provided for in the 2010 to 2015 Consolidated Transportation Program shall not exceed \$5,000,000 and begin in calendar 2011.

Explanation: The fiscal 2011 appropriation includes \$5 million for capital improvements to Broening Highway in Baltimore City. It is the intent of the General Assembly that the State share of the project cost shall not exceed \$5 million and begin in calendar 2011.

Amendment No. 44

J00A01

Committee Narrative

J00A01.04 Washington Metropolitan Area Transit – Operating

Washington Metropolitan Area Transit Authority Budget Report: Thirty days after the Washington Metropolitan Area Transit Authority’s (WMATA) Board of Directors has adopted a fiscal 2011 budget, WMATA and the Maryland Department of Transportation (MDOT) shall submit a report to the committees that explains what actions were taken to resolve the budget deficit identified by WMATA. The report shall include any information on service cuts made in the budget or fare increases and how they will impact riders. Finally, if WMATA increases the local subsidy payment, MDOT should indicate its share of the funding and what impact the funding increase will have on the department’s financial forecast.

| Information Request | Authors | Due Date |
|----------------------------|----------------|-----------------------------------|
| Budget report | WMATA MDOT | 30 days after budget is finalized |

Budget Amendments

J00A01.07 Office of Transportation Technology Services

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce funding for subscriptions. The fiscal 2011 allowance increases \$25,170, or 158%, compared to the fiscal 2010 working appropriation. This action provides funding equal to the fiscal 2010 working appropriation. | 25,170 SF | |
| Total Reductions | 25,170 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 111.50 | 111.50 | | 0.00 |
| Special Fund | 35,708,372 | 35,683,202 | 25,170 | |
| Total Funds | 35,708,372 | 35,683,202 | 25,170 | |

Amendment No. 45

J00A04
Department of Transportation
Debt Service Requirements

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 shall not exceed \$1,791,840,000 as of June 30, 2011. Further provided that the debt service appropriation shall be reduced by any proceeds generated from net bond sale premiums. To achieve this reduction, the Maryland Department of Transportation may either use projected proceeds from bond sale premiums to reduce the size of the bond issuance or apply the proceeds from the premium to debt service for that bond issuance provided that those revenues are recognized by the department and reflected in the Transportation Trust Fund forecast.

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 will be based on outstanding debt as of June 30, 2010, plus projected debt issued during fiscal 2011 in support of the transportation capital program.

Amendment No. 46

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 2010 through 2021. 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 September forecast With January forecast |

Amendment No. 47

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), may not exceed \$628,340,000 as of June 30, 2011. Provided, however, that in addition to the limit 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, 2011, and the total amount by which the fiscal 2011 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 must 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 2011 to the total amount that is projected to be outstanding from all previous nontraditional debt issuances as of June 30, 2010, and all anticipated sales in fiscal 2011. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2011 by providing notification to the budget committees regarding the reason that the additional issuances are required.

J00A04

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

Amendment No. 48

J00B
Department of Transportation
State Highway Administration

Budget Amendments

STATE HIGHWAY ADMINISTRATION

J00B01.05 County and Municipality Funds

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce Highway User Revenues. This action reduces Highway User Revenues equal to the amount in the Budget Reconciliation and Financing Act of 2010. | 236,219,050 | SF |
| Total Reductions | 236,219,050 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Special Fund | 378,845,000 | 142,625,950 | 236,219,050 | |
| Total Funds | 378,845,000 | 142,625,950 | 236,219,050 | |

Amendment No. **49**

J00B01.05 County and Municipality Funds

Strike the following language:

~~Further provided that \$238,336,990 of this appropriation shall be reduced contingent upon the enactment of legislation reducing the required appropriation for the local share of Highway User Revenues.~~

Explanation: This is a technical amendment to reflect the budget action.

Amendment No. **50**

J00D
Department of Transportation
Maryland Port Administration

Budget Amendments

Add the following language:

Provided that 16 positions at the Maryland Port Administration shall be abolished by June 30, 2011, or as soon as they are vacated, whichever occurs first.

Explanation: Sixteen positions have been identified as no longer being necessary as the result of a recent public-private partnership for Seagirt Marine Terminal; however, these positions are currently filled. This action allows sufficient time for current employees to transition to other positions at the Port or elsewhere before these positions are abolished.

Amendment No. **51**

MARYLAND PORT ADMINISTRATION

J00D00.01 Port Operations

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | | <u>Positions</u> |
|---|--------------|----|------------------|
| 1. Abolish 27 crane maintenance positions and delete associated funding. As part of the recently approved public-private partnership for Seagirt Marine Terminal, Ports America Chesapeake hired 27 crane maintenance employees from the Maryland Port Administration. This action deletes these positions and associated funding since these are now private sector employees. | 1,706,597 | SF | 27.00 |
| 2. Delete funding for the stevedoring contract for operations at Seagirt. A public-private partnership for all Seagirt operations was approved in December 2009; therefore, this expense is no longer required. | 36,392,956 | SF | |
| 3. Reduce expenditures by \$1.5 million to reflect the long-term lease of Seagirt Marine Terminal to a private company. This action reduces the fiscal 2011 allowance to more accurately reflect expected expenditures in fiscal 2011 given the recent long-term lease of Seagirt Marine Terminal. Reductions include | 1,548,666 | SF | |

J00D

\$200,000 for utilities, \$50,000 for communications, \$50,000 for vehicle-related expenses, \$50,000 for janitorial services, \$100,000 for information technology-related expenses, \$4,000 for medical services, \$494,666 for crane and other supplies and materials, \$50,000 for additional and replacement equipment, \$500,000 for insurance, and \$50,000 for general maintenance of the terminal.

4. Delete funds for operating lease payments to the Maryland Transportation Authority (MDTA). In 1990, MDTA invested \$208 million in the construction of Seagirt Marine Terminal and the Intermodal Container Transfer Facility (ICTF). The facilities were then leased to the Maryland Port Administration (MPA) for a term of 40 years. In December 2009, MPA entered into a public-private partnership for Seagirt, and MDTA received an upfront cash payment of \$140 million to repay its investment in the construction of Seagirt and the ICTF. In light of this payment, and the 20 years of operating lease payments previously made, MPA should no longer be required to make annual operating lease payments to MDTA. 500,000 SF

5. Delete 1 position that has been vacant over 12 months. This position has been vacant since March 2007 and was reclassified to Manager of Community Relations in August 2008. The position will be responsible for interacting with communities and organizations to enhance understanding of port operations; however, other people have fulfilled these job duties up until now and can continue to do so. 60,507 SF 1.00

6. Reduce funds for travel to the fiscal 2010 working appropriation. The action deletes the increase for travel in the fiscal 2011 allowance. During fiscal 2010, the Maryland Port Administration reduced its travel budget by \$163,276 as part of one-time cost containment efforts. Most of this reduction was restored in the fiscal 2011 allowance. Given the ongoing nature of this recession, this cost containment action should be continued in to fiscal 2011. 148,000 SF

J00D

| | | | | |
|----|---|------------|----|-------|
| 7. | Reduce funds for association dues to the fiscal 2010 working appropriation. This action deletes the increase included in the fiscal 2011 allowance. This item was reduced in fiscal 2010 as a one-time cost containment action, and given the ongoing nature of this economic downturn, this cost containment action should be continued into fiscal 2011. | 20,000 | SF | |
| 8. | Delete 4 vacant positions that are no longer necessary due to a public-private partnership at Seagirt Marine Terminal. The agreement included a 50-year operating lease of Seagirt to the private sector. Since the Maryland Port Administration will no longer operate the facility, these positions are not needed. The four vacant positions have position identification numbers of 889330, 889389, 889721, and 889742. | 269,517 | SF | 4.00 |
| | Total Reductions | 40,646,243 | | 32.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 242.00 | 210.00 | | 32.00 |
| Special Fund | 92,235,613 | 51,589,370 | 40,646,243 | |
| Total Funds | 92,235,613 | 51,589,370 | 40,646,243 | |

Amendment No. **52**

J00D00.02 Port Facilities and Capital Equipment

| | | |
|---|--------------|------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce funds for computer replacement to reflect the long-term lease of Seagirt Marine Terminal to a private company. This action reduces the fiscal 2011 allowance to more accurately reflect expected expenditures in fiscal 2011 given the recent long-term lease of Seagirt Marine Terminal. | 75,000 | SF |

J00D

2. Delete 1 vacant position that is no longer necessary due to a public-private partnership at Seagirt Marine Terminal. The agreement included a 50-year operating lease of Seagirt to the private sector. Since the Maryland Port Administration will no longer operate the facility, this position is not needed. The position identification number of this position is 889674.

85,389 SF 1.00

Total Reductions 160,389 1.00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 42.00 | 41.00 | | 1.00 |
| Special Fund | 80,933,476 | 80,773,087 | 160,389 | |
| Federal Fund | 5,101,000 | 5,101,000 | 0 | |
| Total Funds | 86,034,476 | 85,874,087 | 160,389 | |

Amendment No. 53

J00E
Department of Transportation
Motor Vehicle Administration

Budget Amendments

MOTOR VEHICLE ADMINISTRATION

J00E00.01 Motor Vehicle Operations

Add the following language to the special fund appropriation:

. provided that this appropriation made for the purpose of funding the Motor Vehicle Administration's operating budget is reduced by \$903,000 and the department shall allocate the reduction as necessary across the agency to recognize the savings.

Explanation: This action reduces the Motor Vehicle Administration's special fund operating budget by \$903,000. The agency can allocate the reduction as necessary across the agency to recognize the savings.

Amendment No. **54**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce maintenance and repair for vehicles. The fiscal 2011 allowance increases \$36,502 for maintenance and repair to vehicles based upon fiscal 2009 actual expenditures. This reduction reduces spending to the fiscal 2010 working appropriation. | 36,502 | SF |
| 2. Reduce funding for janitorial services. The fiscal 2011 allowance increases \$38,900 for janitorial services based upon fiscal 2009 actual expenditures. This action reduces spending equal to the fiscal 2010 working appropriation. | 38,900 | SF |
| 3. Reduce funding for grounds maintenance. The fiscal 2011 allowance increases \$20,941 to reflect fiscal 2009 actual spending. This reduction provides funding equal to the fiscal 2010 working appropriation. | 20,941 | SF |

J00E

| | | | |
|--|---------|----|------|
| 4. Reduce funding for building and household supplies and materials. This action reduces funding for building and supplies and materials to actual fiscal 2009 expenditures. | 34,605 | SF | |
| 5. Reduce funding for overtime. This action provides funding equal to the fiscal 2009 actual level. | 110,620 | SF | |
| Total Reductions | 241,568 | | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position | 1584.50 | 1584.50 | | 0.00 |
| Special Fund | 163,557,096 | 163,315,528 | 241,568 | |
| Federal Fund | 176,500 | 176,500 | 0 | |
| Total Funds | 163,733,596 | 163,492,028 | 241,568 | |

Amendment No. **55**

J00H
Department of Transportation
Maryland Transit Administration

Committee Narrative

MARYLAND TRANSIT ADMINISTRATION

J00H01.01 Transit Administration

Options for Meeting Farebox Recovery: Operating costs for the Maryland Transit Administration (MTA) continue to increase; specifically fuel, spare parts, labor and contracted service costs have outpaced the available revenues from fares despite a continued increase in ridership over that same period. The committees are interested in understanding the financial and ridership impacts of various revenue and expenditure options that MTA might pursue in order to meet the statutory farebox recovery level. By December 15, 2010, MTA should submit a report that outlines:

- potential scenarios for increasing farebox in fiscal 2011 or 2012;
- the ridership and revenue/expenditure impact of those scenarios;
- the impact to MTA's budget and to the Transportation Trust Fund forecast of those scenarios; and
- the efficiencies in service that could be undertaken to improve the farebox.

| Information Request | Author | Due Date |
|--------------------------------------|---------------|-------------------|
| Options for meeting farebox recovery | MTA | December 15, 2010 |

Budget Amendments

J00H01.02 Bus Operations

Add the following language to the special fund appropriation:

, provided that the Maryland Transit Administration and the Maryland Transportation Authority shall not consolidate their police forces prior to submitting a report to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. The report shall include information on any consolidation of police services being taken, why the consolidation is occurring, the budgetary impact, the status of collective bargaining rights for each police force, and jurisdictional responsibilities.

J00H

Explanation: The Maryland Department of Transportation is investigating the consolidation of police forces to create efficiencies and savings. Prior to any efforts to consolidate or merge the Maryland Transit Administration (MTA) Police with the Maryland Transportation Authority (MDTA) Police, a report explaining why such a merger was occurring and the budget impact would be required. The budget committees would have 45 days to review and comment on the action.

| Information Request | Authors | Due Date |
|--------------------------------------|----------------|--|
| Notification of police consolidation | MTA MDTA | 45 days before consolidation is to occur |

Amendment No. **56**

Committee Narrative

J00H01.04 Rail Operations

MARC Third Party Contract: The Maryland Transit Administration (MTA) is currently in the process of identifying a third party to operate and maintain portions of the Maryland Rail Commuter (MARC) system. Using a third party to operate and maintain the MARC service represents a departure from past practice. To fully understand the impact of the third party contract, MTA should submit a report to the committees 45 days after the contract has been approved by the Board of Public Works (BPW) that addresses the following:

- the length of the contract;
- the cost of the contract in each fiscal year;
- a comparison of the cost and services provided under the old contract and new contract;
- the level of Minority Business Enterprise involvement;
- a discussion of liability insurance;
- what impact the change to a third party contractor will have on riders; and
- any other aspects of the contract of which MTA feels the committees should be made aware.

J00H

| Information Request | Author | Due Date |
|-------------------------------------|---------------|----------------------------|
| Information on third-party contract | MTA | 45 days after BPW approval |

J00H01.05 Facilities and Capital Equipment

New Starts Financing Plan: Currently, the Maryland Transit Administration (MTA) is moving forward with planning for three major transit lines, the Corridor Cities Transitway, the Purple Line, and the Red Line. Due to the existing constraints facing the Transportation Trust Fund, a major revenue increase will be required to pay for one of the transit lines. As part of the federal approval process, MTA is required to submit a New Starts application that allows them to enter into preliminary engineering and that provides detailed information on ridership and the planning of the project. Preliminary financial information regarding how the State will pay for the project will also be provided. MTA should submit a report to the committees 45 days after each New Starts submission detailing how it will pay for the Red Line, Purple Line, and Corridor Cities Transitway. The report should include copies of the financial information provided to the Federal Transit Administration (FTA) as well as a discussion of the viability of the financial information presented.

| Information Request | Author | Due Date |
|---|---------------|--|
| Financial information for the Red Line, Purple Line, and Corridor Cities Transitway | MTA | 45 days after the New Starts application is submitted to FTA for each proposed project to enter into preliminary engineering |

Impact of Federal Changes on New Start Projects: The Federal Transit Administration (FTA) recently announced major changes to its New Starts justification criteria. The changes in the criteria could have impacts on the major transit lines that the Maryland Transit Administration (MTA) is currently evaluating. In light of the changes in criteria, MTA shall do a full study of any and all reasonable heavy rail or automated guide way alternatives, including alternative alignments for the Red Line, the Purple Line, and the Corridor Cities Transitway. MTA should also consult with various transit rider groups in the preparation of this study.

| Information Request | Author | Due Date |
|--|---------------|-------------------|
| Report on impact of federal changes on New Starts projects | MTA | December 30, 2010 |

J00I
Department of Transportation
Maryland Aviation Administration

Budget Amendments

MARYLAND AVIATION ADMINISTRATION

J00I00.02 Airport Operations

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce funds for the security contract with the Maryland Transportation Authority (MDTA) Police. In fiscal 2010, the contract with MDTA Police was reduced by only 3.5% while the Maryland Aviation Administration's total budget was reduced by 5.0%. As a quasi-State agency, MDTA has not been subject to the level of cost containment actions that other State agencies have. To help in cost containment measures, the Airport Detachment of the MDTA Police should defer all vehicle replacements, defer information technology related expenses where possible, reduce overtime, and hold vacant positions open longer. Although MDTA Police follows a modified version of the furlough plan for all State employees, savings will also be realized from temporary salary reductions. | 500,000 | SF |
| 2. Delete funding for 4 positions that have been vacant for 12 months or longer. Associated position identification numbers are 013234, 056277, 056278, and 075240. This action requires the positions to stay vacant in fiscal 2011 as a cost containment measure; however, should other funding be identified, these positions may be filled. | 234,732 | SF |
| 3. Delete funding for employee awards programs. Given the State's current fiscal situation, this program awarding employees for submitting innovative ideas should be discontinued. | 19,470 | SF |

J00I

4. Reduce funding for information technology related expenses. The fiscal 2011 allowance for information technology related expenses, including the acquisition and maintenance of software and applications, increases \$556,838 from the fiscal 2010 working appropriation. This action reduces the increase by half and still allows for an increase of \$276,838.

280,000 SF

Total Reductions 1,034,202 0.00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position | 455.50 | 455.50 | | 0.00 |
| Special Fund | 174,189,259 | 173,155,057 | 1,034,202 | |
| Federal Fund | 656,191 | 656,191 | 0 | |
| Total Funds | 174,845,450 | 173,811,248 | 1,034,202 | |

Amendment No. 57

Committee Narrative

Cost Recovery for Issuing Identification Badges: Each year, the Maryland Aviation Administration (MAA) issues 20,000 identification badges to employees, contractors, and delivery personnel requiring access to the airport. Recent federal mandates requiring a biometric component to the badges has significantly increased the cost of issuing badges, from \$0.70 per badge to \$7.00 per badge. The fiscal 2011 allowance includes an increase of \$113,500 in MAA's operating budget for expenses related to the issuance of badges with a biometric component. Given the rising cost of issuing badges, it is the intent of the committees that MAA should implement a fee for new and/or replacement badges to recover the costs of issuance.

J00I00.03 Airport Facilities and Capital Equipment

Land Determined No Longer Needed for Noise Mitigation May Not Be Noise Free: Since 1985, the Maryland Aviation Administration (MAA) has purchased 202 parcels of land at a cost of \$36 million as part of noise mitigation efforts. Following Federal Aviation Administration guidance, MAA is currently reviewing these parcels of land to determine which are no longer needed for noise mitigation or other airport development needs. Estimates suggest that MAA may sell as much as 275 acres of land surrounding Baltimore/Washington International Thurgood Marshall Airport. Although by definition of the land no longer being needed for noise mitigation, these properties fall outside the airport's current noise contour maps, the property

J00I

may still be affected by federally acceptable levels of noise. However, as the airport location is a preexisting condition known when the property is purchased, it is the intent of the committees that MAA should stipulate in all contracts involving the sale of this surplus land that unless the federal noise contour maps are changed to include this property, the property is ineligible for any type of State-funded noise mitigation strategies.

J00J
Maryland Transportation Authority

Committee Narrative

J00J00.41 Operating Program

Changes to Tolling Structure: The Maryland Transportation Authority’s (MDTA) financial forecast indicates that a substantial toll increase will take place in fiscal 2012. The current tolling structure provides extremely generous commuter discounts of up to 84% and provides a financial disincentive to consumers to use E-ZPass due to start-up costs and monthly fees. It is the intent of the committees that when evaluating the tolling structure in preparation for the fiscal 2012 toll increase, MDTA should give consideration to modifying the commuter discount plans to moderate substantial commuter discounts and implementing a bifurcation of the tolling structure to offer discounted toll rates to E-ZPass users to offset start-up and monthly fees imposed on E-ZPass accounts.

Transportation Law Enforcement Consolidation and Legislative Oversight: Since a 2004 executive order that expanded the primary jurisdiction of the Maryland Transportation Authority (MDTA) Police, MDTA Police have begun patrolling the Maryland Rail Commuter System and the headquarters of the Motor Vehicle Administration. In addition, MDTA Police and the Maryland Transit Administration (MTA) Police are working together to identify operational efficiencies between the agencies. Currently, three of the Maryland Department of Transportation’s (MDOT) modes reimburse MDTA Police for costs totaling \$30.1 million in fiscal 2011. Cost savings may be realized by consolidating all transportation law enforcement into one law enforcement agency, as was originally proposed by the 2003 Commission on the Structure and Efficiency of State Government, chaired by former Governor Marvin Mandel. MDTA Police is the seventh largest law enforcement agency in the State; yet, it is also the only State law enforcement agency to operate off budget. The nonbudgeted status of MDTA Police limits legislative oversight of the jurisdiction, policies, and budget of MDTA Police. MDTA, in consultation with MDOT and State Police, should submit a report identifying the cost savings that may be realized by consolidating all transportation law enforcement into one unit. The report should also include an analysis of where the consolidated transportation law enforcement unit should be housed in – MDTA, MDOT, or the State Police. In considering where the unit should be housed, consideration should be given to the role of legislative oversight.

| Information Request | Authors | Due Date |
|--|------------------------------|------------------|
| Report on consolidating transportation law enforcement into one unit and whether that unit should be housed in MDTA, MDOT, or State Police | MDTA MDOT State Police | November 1, 2010 |

J00J

J00J00.42 Capital Program

Legislative Review of Travel Plaza Proposal: The Maryland Transportation Authority (MDTA) is current preparing a request for proposals to issue in March 2010 for the redevelopment of the Maryland House and Chesapeake House travel plazas along I-95. The public-private partnership will involve a long-term lease of the facilities and private investment in the redevelopment. Current law and regulations provide some ambiguity about what notice and approval is required for this transaction. It is the intent of the committee that 45 days prior to entering into an agreement, MDTA should provide:

- the length of the proposed agreement;
- the scope of payments to MDTA from the private partner;
- a cost benefit analysis of the proposal;
- evidence of the financial stability of the private partner;
- requirements pertaining to the ongoing operation and maintenance of the facility and contract oversight;
- requirements pertaining to capital investment in the facility and timeline for completion of that investment;
- a description of any performance measures utilized in the contract, as well as actions that may be taken if performance goals are not met;
- contract provisions relating to the variety of brands and competitiveness of prices at the travel plazas;
- provisions allowing the State right of first refusal prior to a reassignment of the lease to another entity;
- the estimated dollar amount of any bonds to be used to finance the agreement; and
- a description, including the estimated value, of any land, buildings, or other structures or assets that are to be transferred, leased, or exchanged with the private partner.

Furthermore, it is the intent of the committees that all contract provisions, including the ground lease agreement and the concession contract, should be approved by the Board of Public Works.

J00J

Information Request

Author

Due Date

Report on the proposed
contract provisions

MDTA

45 days prior to entering into
an agreement

K00A
Department of Natural Resources

Budget Amendments

Add the following language:

Provided that \$2,696,006 of the General Fund appropriation within this agency, made for the purpose of general operating expenses, may not be expended for that purpose but instead may be used only to provide operating expenses for and installation of 50 water quality monitoring stations to measure ambient nitrogen and phosphorus concentrations as well as flow data for water bodies entering Maryland but that currently are not being monitored. 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 \$2,696,006 of the general fund appropriation in the Department of Natural Resources for the installation of 50 water quality monitoring stations along fourth order stream border crossings that enter Maryland and empty into a Maryland tributary of the Chesapeake Bay but that currently are not being monitored. The stations are to be placed at the site where each of these fourth order streams not currently being monitored enter Maryland and where the fourth order streams empty into a Maryland tributary of the Chesapeake Bay. The full cost is anticipated to be \$2,696,006 in fiscal 2011 with salaries and fringe benefits (\$192,262), equipment (\$103,744), contractual full-time equivalents (\$150,000), and stream gauges (\$2,250,000 or \$45,000 per gauge).

Amendment No. **58**

Committee Narrative

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

Future of Maryland's Furbearer Management Program: The Department of Natural Resources (DNR) has a game management program, which lost a furbearer biologist position in the November 18, 2009 Board of Public Works actions. Given this position reduction and a reduction in associated funding, the committees are concerned about the future State oversight and management of Maryland's furbearer populations and the attendant impact of furbearer species on the integrity of natural resources, public and private property assets, and human health. Therefore, the committees request a report by DNR and the Maryland Department of Agriculture (MDA), in cooperation with the Maryland Legislative Sportsmen's Foundation, assessing the future of Maryland's furbearer management program by (1) developing alternative funding policies for helping to underwrite the State's oversight and management responsibility; and (2) recommending the unit within the Executive Branch of State government best capable of fulfilling this responsibility. The report should be submitted to the committees by December 1, 2010.

K00A

| Information Request | Authors | Due Date |
|---|---|------------------|
| Report on future of Maryland's furbearer management program | DNR MDA Maryland Legislative Sportsmen's Foundation | December 1, 2010 |

Budget Amendments

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|----------------|------------------|
| 1. This action reduces the Outdoor Recreation Land Loan special fund appropriation by \$42,223,608 to reflect a \$42,221,000 general obligation bond authorization in the capital budget. The reduction is allocated as follows: Program Open Space – State Acquisition (\$13,082,995), Program Open Space – Local Share (\$12,352,843), Program Open Space – Capital Improvements (\$4,150,000), and Rural Legacy (\$12,637,770). | 42,223,608 | SF |
| Total Reductions | 42,223,608 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 44,940,608 | 2,717,000 | 42,223,608 | |
| Federal Fund | 11,095,962 | 11,095,962 | 0 | |
| Total Funds | 56,036,570 | 13,812,962 | 42,223,608 | |

Amendment No. 59

K00A

Strike the following language:

~~Further provided, that notwithstanding the appropriations above, the Special Fund appropriation for the Outdoor Recreation Land Loan Program shall be reduced by \$42,223,608 contingent upon the enactment of legislation crediting transfer tax revenues to the General Fund. The reduction shall be distributed in the following manner:~~

| | |
|--------------------------------------|-------------------------|
| Program Open Space— | |
| State Acquisition..... | \$13,082,995 |
| | |
| Program Open Space— | |
| Local Share..... | \$12,352,843 |
| | |
| Program Open Space— | |
| Capital Improvements..... | \$ 4,150,000 |
| | |
| Rural Legacy..... | \$12,637,770 |
| | |
| Total..... | \$42,223,608 |

Explanation: This action strikes the contingent reduction on the Outdoor Recreation Land Loan special fund appropriation in order to be able to make the reduction directly.

Amendment No. **60**

BOATING SERVICES

K00A11.02 Waterway Improvement Capital Program

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. This action reduces the Waterway Improvement Program special fund appropriation to reflect a \$3,934,000 general obligation bond authorization in the capital budget. | 3,934,000 | SF |
| | | |
| Total Reductions | 3,934,000 | 0.00 |

K00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 5,000,000 | 1,066,000 | 3,934,000 | |
| Federal Fund | 500,000 | 500,000 | 0 | |
| Total Funds | 5,500,000 | 1,566,000 | 3,934,000 | |

Amendment No. **61**

WATERSHED SERVICES

K00A14.02 Watershed Services

Strike the following language:

~~, provided that this appropriation shall be reduced by \$22,101,428 contingent upon the enactment of legislation to allocate Chesapeake Bay 2010 Trust Fund revenue to the General Fund.~~

Explanation: Technical amendment.

Amendment No. **62**

Add the following language to the special fund appropriation:

, provided that this appropriation shall be reduced by \$32,101,428 contingent on enactment of SB 141 or HB 151 that contains a provision to allocate Chesapeake and Atlantic Coastal Bays 2010 Trust Fund revenue to the General Fund.

Further provided that \$5,000,000 of this appropriation made for the purpose of reducing non-point source nutrient loading to the Chesapeake Bay, may not be expended for that purpose in the Department of Natural Resources' budget but instead may be transferred by budget amendment to the Maryland Department of Agriculture's program L00A15.04 Resource Conservation Grants to be used only for planting cover crops. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

K00A

Explanation: This action reduces Chesapeake and Atlantic Coastal Bays 2010 Trust Fund expenditures from \$42.1 million to \$10.0 million contingent on the enactment of a provision in the Budget Reconciliation and Financing Act of 2010 transferring \$32.1 million in revenue to the general fund. In addition, this action restricts \$5.0 million of the remaining \$10.0 million to cover crops in the Maryland Department of Agriculture. The remaining \$5.0 million may be used for other non-point source nutrient loading reduction programs benefiting the Chesapeake Bay.

Amendment No. **63**

L00A
Department of Agriculture

Budget Amendments

OFFICE OF THE SECRETARY

L00A11.11 Capital Appropriation

Strike the following language:

~~, provided that this appropriation shall be reduced by \$11,814,797 contingent upon the enactment of legislation crediting transfer tax revenues to the General Fund.~~

Explanation: This action strikes the contingent reduction on the Maryland Agricultural Land Preservation Foundation Capital Appropriation in order to be able to make the reduction directly.

Amendment No. **64**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce special funds in the Maryland Agricultural Land Preservation Foundation allowance by \$11,814,797 to reflect a \$11,814,000 general obligation bond authorization in the capital budget. | 11,814,797 | SF |
| Total Reductions | 11,814,797 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 23,874,797 | 12,060,000 | 11,814,797 | |
| Federal Fund | 2,000,000 | 2,000,000 | 0 | |
| Total Funds | 25,874,797 | 14,060,000 | 11,814,797 | |

Amendment No. **65**

L00A

OFFICE OF MARKETING, ANIMAL INDUSTRIES, AND CONSUMER SERVICES

L00A12.08 Maryland Horse Industry Board

Add the following language to the general fund appropriation:

, provided that this appropriation made for the purpose of funding the general operations of the Maryland Horse Industry Board shall be reduced by \$63,068 contingent on enactment of SB 62, which would increase the revenue collected from licensing and inspection of horse stables and redirect those funds to the Maryland Horse Industry Board.

Explanation: Senate Bill 62 is a departmental bill which would increase the revenue collected by the Maryland Horse Industry Board by allowing for the board to retain revenue it generates from licensing and inspection of horse stables. The increased revenue is anticipated to defray the need for the general fund appropriation.

Amendment No. 66

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

Strike the following language:

~~, provided that this appropriation shall be reduced by \$1,900,000 contingent upon the enactment of legislation reducing the mandated amount of funds for the Maryland Agricultural and Resource-Based Industry Development Corporation.~~

Explanation: Technical amendment.

Amendment No. 67

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce the Maryland Agricultural and Resource-Based Industry Development Corporation operating budget grant as proposed in the Budget Reconciliation and Financing Act of 2010. | 1,900,000 | GF |
| Total Reductions | 1,900,000 | 0.00 |

L00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 2,750,000 | 850,000 | 1,900,000 | |
| Total Funds | 2,750,000 | 850,000 | 1,900,000 | |

Amendment No. **68**

L00A12.22 MARBIDCO Next Generation Farmland Acquisition Program

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Delete the Maryland Agricultural and Resource-Based Industry Development Corporation's Next Generation Farmland Acquisition Program Funding. There is not anticipated to be any agricultural transfer tax revenue available to support this program after the allocation to the Maryland Agricultural Land Preservation Fund. A budget amendment may be processed if sufficient revenues are available. | 675,000 | SF |
| Total Reductions | 675,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 675,000 | 0 | 675,000 | |
| Total Funds | 675,000 | 0 | 675,000 | |

Amendment No. **69**

L00A

OFFICE OF RESOURCE CONSERVATION

L00A15.03 Resource Conservation Operations

Strike the following language:

~~, provided that this appropriation shall be reduced by \$400,000 and 7 new positions contingent upon the enactment of legislation reducing the mandated amount of funds for the Resource Conservation Operations.~~

Explanation: Technical amendment.

Amendment No. **70**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | | <u>Positions</u> |
|---|--------------|----|------------------|
| 1. Delete 7 new soil conservation district field personnel positions and operating expenses as proposed in the Budget Reconciliation and Financing Act of 2010. | 400,000 | GF | 7.00 |
| Total Reductions | 400,000 | | 7.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 115.50 | 108.50 | | 7.00 |
| General Fund | 8,548,307 | 8,148,307 | 400,000 | |
| Special Fund | 214,956 | 214,956 | 0 | |
| Federal Fund | 205,221 | 205,221 | 0 | |
| Total Funds | 8,968,484 | 8,568,484 | 400,000 | |

Amendment No. **71**

L00A

Committee Narrative

Soil Conservation District Field Personnel Summary Information: Section 8-405 of the Agriculture Article mandates that the Governor shall include in the annual budget bill an amount sufficient to employ not less than 110 field personnel in the soil conservation districts and that the appropriation for fiscal 2011 shall be \$10 million. The committees are concerned that it is difficult to independently verify funding for the 110 soil conservation field personnel and \$10 million funding level for soil conservation district field personnel in the fiscal 2011 allowance. Therefore, the committees request that the Maryland Department of Agriculture include with its fiscal 2012 budget submission information on the fiscal 2010 actual, fiscal 2011 working appropriation, and fiscal 2012 allowance data on the following:

- the number of contractual and regular soil conservation district field personnel positions (defined as soil conservation planner, soil conservation associate, and soil conservation engineering technician positions); and
- the amount of funding budgeted by fund for Comptroller Object 01 expenses directly attributable to field personnel and, separately, operating expenses indirectly associated with field personnel.

| Information Request | Author | Due Date |
|--|------------------------------------|---|
| Report on soil conservation district field personnel position counts and funding | Maryland Department of Agriculture | Fiscal 2012 State budget submission and annually thereafter |

Budget Amendments

L00A15.04 Resource Conservation Grants

Add the following language:

Authorization to expend reimbursable funds received from the Department of Natural Resources for the Cover Crop Program is reduced by \$8,245,048.

Explanation: The BayStat agencies anticipate requesting a special fund budget amendment after the 2010 session and before the start of fiscal 2011 in order to allocate the revenues from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. Therefore, this reimbursable fund appropriation for the Maryland Department of Agriculture's Resource Conservation Grants is unnecessary.

Amendment No. 72

M00A
Department of Health and Mental Hygiene
Office of the Secretary

Budget Amendments

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

| | | |
|--|-----------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce funding for in-state travel in the Office of the Inspector General and audit function to the most recent actual. | 15,000 GF 5,000 FF | |
| Total Reductions | 20,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 99.60 | 99.60 | | 0.00 |
| General Fund | 7,235,499 | 7,220,499 | 15,000 | |
| Federal Fund | 1,668,971 | 1,663,971 | 5,000 | |
| Total Funds | 8,904,470 | 8,884,470 | 20,000 | |

Amendment No. **73**

M00A01.02 Operations

| | | |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete funding for online training courses. Although utilized by the department for seven years as a training tool, deletion is recommended as an additional cost containment measure. | 38,000 GF | |
| Total Reductions | 38,000 | 0.00 |

M00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 317.90 | 317.90 | | 0.00 |
| General Fund | 15,404,190 | 15,366,190 | 38,000 | |
| Special Fund | 410,000 | 410,000 | 0 | |
| Federal Fund | 12,760,044 | 12,760,044 | 0 | |
| Total Funds | 28,574,234 | 28,536,234 | 38,000 | |

Amendment No. 74

Committee Narrative

REGULATORY SERVICES

M00B01.03 Office of Health Care Quality

Incomplete Survey Activities Resulting from Insufficient Staffing Level: The combination of increased workload, a structural deficiency in positions allotted for survey and inspection activities, and chronic vacancies among surveyor positions prevent the Office of Health Care Quality (OHCQ) from conducting all of the survey activities for which the agency is responsible. The committees request that OHCQ submit a written report on the activities that the agency has had to eliminate or not fully complete due to insufficient staffing levels in fiscal 2010. The report should address survey and inspection requirements for each unit, including which activities were prioritized and which were foregone due to insufficient staff.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Incomplete survey and inspection activities | OHCQ | October 1, 2010 |

M00F01
Department of Health and Mental Hygiene
Deputy Secretary for Public Health Services

Budget Amendments

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce funding for outside patient advocacy legal contracts to reflect lower institutional enrollment and a favorable contract environment. This represents a 10% reduction from fiscal 2010 levels. | 44,000 GF | |
| Total Reductions | 44,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 4.00 | 4.00 | | 0.00 |
| General Fund | 1,258,058 | 1,214,058 | 44,000 | |
| Total Funds | 1,258,058 | 1,214,058 | 44,000 | |

Amendment No. **75**

M00F02
Department of Health and Mental Hygiene
Infectious Disease and Environmental Health Administration

Budget Amendments

INFECTIOUS DISEASE AND ENVIRONMENTAL HEALTH ADMINISTRATION

M00F02.03 Infectious Disease and Environmental Health Services

Add the following language to the general fund appropriation:

. provided that \$100,000 of this appropriation made for the purpose of licensure and inspection of food processing facilities, may not be expended until the Department of Health and Mental Hygiene, in conjunction with the Department of Agriculture, submits a report to the budget committees on the progress of a rabbit and poultry certification program that ensures rabbit and poultry producers in this State that are exempt from regulation by the U.S. Department of Agriculture may sell their products at farmers' markets in the State without being required to have a license from a local jurisdiction provided the producer has completed this program. The report shall be submitted by September 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language withholds funds pending the receipt of a report on a plan to ensure that no jurisdiction requires a license for the sale of poultry or rabbit products at a farmers market if the farm on which the product was produced is exempt from regulation by the United States Department of Agriculture.

| Information Request | Authors | Due Date |
|---------------------------------|---|-------------------|
| A plan on licensing regulations | Department of Health and Mental Hygiene and Department of Agriculture | September 1, 2010 |

Amendment No. **76**

M00F02

M00F02.07 Core Public Health Services

Strike the following language from the general fund appropriation:

~~, provided that \$3,716,516 of this appropriation shall be reduced contingent upon the enactment of legislation reducing funding for Core Public Health Services.~~

Explanation: This language is unnecessary as the General Assembly can choose to reduce funding for the Core Public Health Services Targeted Local Health Department formula without legislation.

Amendment No. 77

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Department of Health and Mental Hygiene, in conjunction with the local health departments, provides a report to the budget committees on the budgets of the 24 local health departments. Specifically, the report shall outline how State funds were used programmatically by the departments in fiscal 2010 and how they will be used in fiscal 2011. Lastly, the report shall describe programmatic and budgetary changes made in response to cost containment measures in fiscal 2010 and 2011. The report shall be submitted by January 1, 2011, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Since 1997, the State has been providing funds to local health departments through the Core Public Health formula. During fiscal 2010, these funds were reduced by \$20.1 million. The budget committees should be informed on how the funds are being used and how the reductions have affected the local health services.

| Information Request | Author | Due Date |
|---|---|-----------------|
| Report on local health department funding | Department of Health and Mental Hygiene | January 1, 2011 |

Amendment No. 78

M00F02

| | | |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce the general fund appropriation for the targeted local health formula. | 3,716,516 | GF |
| Total Reductions | 3,716,516 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 41,000,000 | 37,283,484 | 3,716,516 | |
| Federal Fund | 4,493,000 | 4,493,000 | 0 | |
| Total Funds | 45,493,000 | 41,776,484 | 3,716,516 | |

Amendment No. **79**

M00F03
Department of Health and Mental Hygiene
Family Health Administration

Budget Amendments

FAMILY HEALTH ADMINISTRATION

M00F03.06 Prevention and Disease Control

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce funding for activities aimed at reducing tobacco use in Maryland and for grants to Statewide Academic Health Centers to correspond to mandated levels proposed by the Budget Reconciliation and Financing Act (BRFA) of 2010. If enacted, the legislation would mandate an appropriation level of \$6.0 million for activities aimed at reducing tobacco use and \$2.4 million for grants to Statewide Academic Health Centers. This reduction would result in a decrease in general funds in the amount necessary to bring the appropriation level for the tobacco cessation programs and Statewide Academic Health Centers to the level specified in the BRFA of 2010. The agency can utilize special funds from other programs to backfill this reduction to general funds. | 296,840 | GF |
| Total Reductions | 355,337 | 1.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 72.00 | 71.00 | | 1.00 |
| General Fund | 12,181,749 | 11,884,909 | 296,840 | |
| Special Fund | 43,980,871 | 43,922,374 | 58,497 | |
| Federal Fund | 11,893,279 | 11,893,279 | 0 | |
| Total Funds | 68,055,899 | 67,700,562 | 355,337 | |

Amendment No. **80**

M00F03

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation, made for the purpose of awarding grants to Statewide Academic Health Centers, may not be used for that purpose but instead shall be transferred to other tobacco cessation programs within the department, including the Tobacco Quitline. Funds not used for this restricted purpose shall be cancelled.

Explanation: This language allows the department to utilize special funds intended for grants to Statewide Academic Health Centers in order to fund the Tobacco Quitline.

Amendment No. **81**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete 1 long-term vacancy from the Office of Minority Health and Health Disparities. This position has been vacant for over two years and is not necessary for the operation of the office. | 58,497 SF | 1.00 |
| Total Reductions | 355,337 | 1.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 72.00 | 71.00 | | 1.00 |
| General Fund | 12,181,749 | 11,884,909 | 296,840 | |
| Special Fund | 43,980,871 | 43,922,374 | 58,497 | |
| Federal Fund | 11,893,279 | 11,893,279 | 0 | |
| Total Funds | 68,055,899 | 67,700,562 | 355,337 | |

Amendment No. **82**

M00L
Department of Health and Mental Hygiene
Mental Hygiene Administration

Budget Amendments

MENTAL HYGIENE ADMINISTRATION

M00L01.01 Program Direction

Add the following language to the general fund appropriation:

. provided that \$100,000 of this appropriation made for the purpose of administration of the public mental health system may not be expended until the Mental Hygiene Administration (MHA), in consultation with other child-serving agencies, interested provider groups, and the advocacy community representing children's mental health needs, submits a report to the budget committees concerning the treatment of children and adolescents in residential treatment centers (RTCs). For the purpose of this report, MHA's estimates and recommendations shall be based on private and public RTC capacity. Specifically, the report shall provide information on:

- (1) the current capacity of RTCs, by region and by treatment specialty, including but not limited to court-involved youth and youth with co-occurring illness;
- (2) an estimate of demand over the next three years for RTC-level care, by region and by treatment specialty, including court involved;
- (3) the methodology used to estimate the demand for RTC-level care and including in that methodology the total and regional availability of current and proposed RTC-diversion programming;
- (4) a plan for realizing any capacity changes proposed to RTC capacity and RTC-diversion programming; and
- (5) in developing any plan for capacity changes, the role of private RTCs and public RTCs shall be clearly delineated and justified.

The report shall be submitted by November 15, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language withholds funds pending the receipt of a report on current and future RTC capacity.

M00L

| | | |
|----------------------------|---------------|-------------------|
| Information Request | Author | Due Date |
| RTC capacity | MHA | November 15, 2010 |

Amendment No. 83

M00L01.02 Community Services

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce grant funding by \$750,000. In order to stay within its fiscal 2010 budget for community mental health grant funding, rather than making ongoing program reductions the Mental Hygiene Administration (MHA) intends to claw-back carryover funding from the Core Service Agencies as a one-time cost containment measure. The fiscal 2011 budget provides additional funding to allow MHA to make this a one-time action in fiscal 2010. The reduction requires MHA to make a change to its fiscal 2011 grants budget to generate savings of \$750,000. | 750,000 | GF |
| Total Reductions | 750,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position | 7.00 | 7.00 | | 0.00 |
| General Fund | 79,713,595 | 78,963,595 | 750,000 | |
| Special Fund | 158,605 | 158,605 | 0 | |
| Federal Fund | 32,239,653 | 32,239,653 | 0 | |
| Total Funds | 112,111,853 | 111,361,853 | 750,000 | |

Amendment No. 84

M00L

Committee Narrative

Community Services Expansion on the Eastern Shore: The committees are concerned that the roll-out of expanded community services on the Eastern Shore related to the closure of the Upper Shore Community Mental Health Center (USCMHC) has occurred in a timely manner and not left service gaps. The committees request the Mental Hygiene Administration (MHA) to report on:

- The status, in the aggregate, of clients who were at USCMHC on November 1, 2009, or admitted to USCMHC after November 1, 2009.
- A fiscal 2010 accounting of costs and savings associated with the closure of USCMHC and the expansion of community services (including expenditures incurred by private hospitals). To the maximum extent possible, community service expansion data should include in-state and out-of-state expenditures.
- A projection of fiscal 2011 of costs and savings associated with the closure of USCMHC and the expansion of community services.
- The feasibility of utilizing the one remaining unit at USCMHC as a satellite of the Eastern Shore Hospital Center.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Community service expansion on the Eastern Shore related to the closure of USCMHC | MHA | October 1, 2010 |

M00M
Department of Health and Mental Hygiene
Developmental Disabilities Administration

Budget Amendments

DEVELOPMENTAL DISABILITIES ADMINISTRATION

M00M01.01 Program Direction

Add the following language to the general fund appropriation:

. provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Developmental Disabilities Administration (DDA) submits a report detailing:

- (1) the disposition of the approximately 5,547 individuals that are proposed to be removed from the waiting list because they currently receive at least one waiver service while continuing to wait for additional services;
- (2) the total number of individuals on the waiting list (including those that are being proposed for removal) by county, type of service(s) requested, priority category, and projected cost to provide these services;
- (3) a description of the manner in which the department notifies individuals who are waiting for services from DDA of their change in status (if any), their appeal rights, and how to access additional services for those individuals who have already been determined eligible for and in need of additional DDA-waiver services; and
- (4) for individuals whom DDA could not locate through its process of verifying the status of people waiting for services, the steps taken to locate these individuals, the manner in which it will maintain identifying information for these individuals in the event they contact DDA in the future, and how DDA will ensure their waiting list status will be restored if they again contact DDA.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that it is the intent of the General Assembly that the 5,547 individuals who had been determined by DDA to be eligible for the waiting list and in need of additional services shall not be removed from the waiting list until they have received the additional services.

Explanation: The language restricts funds pending the receipt of a report concerning individuals on the waiting list as well as proposed changes recently made by DDA. Intent language is also added with regard to individuals DDA proposes to remove from the waiting list.

M00M

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------|
| Waiting list issues | DDA | October 1, 2010 |

Amendment No. 85

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Developmental Disabilities Administration submits a report detailing:

- (1) a projection of the service needs and associated costs, including residential costs, for students transitioning from educational services at age 21 years in fiscal 2012, 2013, and 2014, who are also transitioning from foster care and education nonpublic placements and who will require residential supports upon transition; and
- (2) a projection of the service needs and associated costs of children and youth in the Autism Waiver who are aging out in fiscal 2012, 2013, and 2014.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language restricts funds pending the receipt of a report concerning projected service demand and costs associated with transitioning youth and individuals currently in the Autism Waiver for fiscal 2012 through 2014.

| Information Request | Author | Due Date |
|--|---|-----------------|
| Various fiscal 2012 through 2014 projected service needs and costs | Developmental Disabilities Administration | October 1, 2010 |

Amendment No. 86

M00M

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration, may not be expended until the Department of Health and Mental Hygiene submits a report detailing its performance in conducting annual Level of Care Re-evaluations in accordance with its federal Home and Community-based Waiver. The report shall include:

- (1) the method and documents used in conducting annual Level of Care Re-evaluations;
- (2) aggregate data on the numbers of individuals re-evaluated and a summary of the aggregate changes in level of care; and
- (3) the manner in which the department provides notice of appeal rights under the Medicaid Fair Hearing Appeal process.

The report shall be submitted by October 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The language restricts funds pending the receipt of a report concerning annual Level of Care Re-evaluations.

| Information Request | Author | Due Date |
|-------------------------------------|---|-----------------|
| Annual Level of Care Re-evaluations | Department of Health and Mental Hygiene | October 1, 2010 |

Amendment No. 87

M00Q
Department of Health and Mental Hygiene
Medical Care Programs Administration

Budget Amendments

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce general funds based on the applicability of the enhanced federal match to the State's Medicare clawback payment. On February 18, 2010, the United States Department of Health and Human Services announced that it would apply the American Recovery and Reinvestment Act of 2009 Medicaid enhanced federal match to state "clawback payments." These payments are made by the states to the federal government to offset the cost of Medicare coverage for prescription drugs for state residents eligible for both Medicare and Medicaid. This results in general fund savings to the fiscal 2010 and 2011 Medicaid budget. The proposed reduction is based on the assumption built into the Governor's allowance that the enhanced federal match will be in place for the whole of fiscal 2011. | 24,000,000 | GF |
| Total Reductions | 24,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|----------------------|----------------------|-------------------------|---------------------------|
| General Fund | 1,742,174,807 | 1,718,174,807 | 24,000,000 | |
| Special Fund | 410,564,395 | 410,564,395 | 0 | |
| Federal Fund | 3,707,023,970 | 3,707,023,970 | 0 | |
| Total Funds | 5,859,763,172 | 5,835,763,172 | 24,000,000 | |

Amendment No. **88**

M00Q

Add the following language:

All appropriations provided for program M00Q01.03 are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended for these purposes shall revert to the General Fund or be cancelled.

Explanation: The language restricts funds for Medicaid provider reimbursements to that purpose.

Amendment No. 89

Committee Narrative

Reconciliation of Certain Hospital Assessment Revenue. An important and growing revenue source for the expansion of Medicaid services to certain parents as well as emergency room services for childless adults, is the hospital assessment that is based on projected savings in hospital uncompensated care. Given the increasing reliance on this revenue source, the committees request the Department of Health and Mental Hygiene (DHMH) submit a report reconciling the hospital assessment revenue assumed in the fiscal 2009 budget to actual savings in uncompensated care for that same period.

| Information Request | Author | Due Date |
|---|--------|--------------|
| Reconciliation of certain hospital assessment revenue | DHMH | July 1, 2010 |

N00
Department of Human Resources

Committee Narrative

No Wrong Door Project: The committees request that the Department of Human Resources (DHR), in consultation with the Advisory Board for Maryland Access Point, convene a committee comprised of representatives from DHR; the Department of Health and Mental Hygiene; the Department of Housing and Community Development; the Maryland Department of Aging; the Department of Labor, Licensing, and Regulation; the Department of Disabilities; and the Maryland State Department of Education, local departments of social services representatives, state elected officials, community organizations and advocates to investigate and recommend legislation, policies, procedures and technologies to deliver public assistance and in-kind assistance timely, accurately, efficiently, and in a manner that enhances customer dignity and community-based access. The committee should consider utilization of a uniform application for all benefits; enhanced or new information and case management technology; customer information sharing; partnerships with community organizations; multiple community-based service access points; expedited eligibility processing; and other means of service delivery consistent with its responsibility. DHR should report to the budget committees on the progress and initial outcomes of this No Wrong Door Project by December 31, 2010, and should provide a final report on these efforts no later than June 30, 2011.

| Information Request | Author | Due Date |
|---------------------------------|---------------|-------------------|
| Progress/initial outcome report | DHR | December 31, 2010 |
| Final report | DHR | June 30, 2011 |

N00A
Department of Human Resources
Office of the Secretary

Committee Narrative

OFFICE OF THE SECRETARY

Performance Measures Related to the Citizen’s Review Board for Children and Office of Grants Management: In fiscal 2011, the Department of Human Resources (DHR) submitted revised managing for results goals and measures for the Citizen’s Review Board for Children (CRBC) and Office of Grants Management. The committees are concerned that focusing on the activities of the programs rather than outcomes of those programs limits the ability of the General Assembly to ensure that these programs are achieving the overall goals of the programs. The committees request that DHR include in the annual budget beginning with the fiscal 2012 budget allowance additional or alternative performance measures for CRBC and Office of Grants Management to reflect the outcomes these programs are designed to achieve.

| Information Request | Author | Due Date |
|---|---------------|---|
| Performance measures related to outcomes for CRBC and Office of Grants Management | DHR | With the submission of the fiscal 2012 budget allowance |

N00A01.02 Citizen’s Review Board for Children

Plan to Alter Case Reviews in the Citizen’s Review Board for Children: Chapters 629 and 630 of 2009 altered the requirements for the review of out-of-home placement cases. These new requirements allow local boards to review cases based on priorities agreed upon by the Department of Human Resources (DHR) and Citizen’s Review Board for Children (CRBC). This change was expected to reduce the number of cases reviewed and as a result reduce salary expenditures of CRBC. DHR indicates it is still evaluating how the reviews will be conducted. The committees request that DHR submit a report on the changes to case reviews that occur as a result of Chapters 629 and 630 of 2009 and the related reductions in positions.

| Information Request | Author | Due Date |
|------------------------------------|---------------|-----------------|
| Plan to alter case reviews in CRBC | DHR | July 15, 2010 |

N00A

Budget Amendments

N00A01.05 Office of Grants Management

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce grant funding for the Child First Authority. This grant supports activities of the organization that includes after school and summer school programs in the Baltimore City Public School System. In recent years, this program has also received a federal sub-grant through the Maryland State Department of Education. | 59,594 | GF |
| Total Reductions | 59,594 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 19.00 | 19.00 | | 0.00 |
| General Fund | 11,489,661 | 11,430,067 | 59,594 | |
| Federal Fund | 12,130,686 | 12,130,686 | 0 | |
| Total Funds | 23,620,347 | 23,560,753 | 59,594 | |

Amendment No. **90**

N00E
Department of Human Resources
Operations Office

Budget Amendments

OPERATIONS OFFICE

N00E01.01 Division of Budget, Finance, and Personnel

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|-------------------------|-------------------------|
| 1. Delete funding for tuition assistance. This reduction removes the remaining funding for stipends and tuition assistance from the Department of Human Resources Administration. | 141,421 GF 97,830 FF | |
| Total Reductions | 239,251 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 151.00 | 151.00 | | 0.00 |
| General Fund | 9,380,365 | 9,238,944 | 141,421 | |
| Federal Fund | 6,705,250 | 6,607,420 | 97,830 | |
| Total Funds | 16,085,615 | 15,846,364 | 239,251 | |

Amendment No. **91**

N00F
Department of Human Resources
Office of Technology for Human Services

Budget Amendments

OFFICE OF TECHNOLOGY FOR HUMAN SERVICES

N00F00.02 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funding for enhancements to Maryland Children’s Electronic Social Services Information Exchange. The fiscal 2011 allowance includes funding for five major information technology projects including two projects involving modifications to the WORKS system, one project for modifications to the Client Automated Resource and Eligibility System, and an enterprise content management system. This project should be deferred to enable the Department of Human Resources to complete the remaining projects. The general fund reduction occurs in the Major Information Technology Development Project Fund in the Department of Information Technology. | 1,724,419 | FF |
| Total Reductions | 1,724,419 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Federal Fund | 18,342,830 | 16,618,411 | 1,724,419 | |
| Total Funds | 18,342,830 | 16,618,411 | 1,724,419 | |

Amendment No. **92**

N00G
Department of Human Resources
Local Department Operations

Budget Amendments

LOCAL DEPARTMENT OPERATIONS

N00G00.01 Foster Care Maintenance Payments

Add the following language:

Provided that all appropriations provided for program N00G00.01 Foster Care Maintenance Payments are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.03 Child Welfare Services. Funds not expended or transferred shall revert to the General Fund or be cancelled.

Explanation: This language restricts funds appropriated for foster care payments to that use only or for transfer to N00G00.03 Child Welfare Services which is where child welfare caseworker positions are funded.

Amendment No. **93**

N00G00.03 Child Welfare Services

Add the following language:

Provided that all appropriations provided for program N00G00.03 Child Welfare Services are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall be reverted to the General Fund or be cancelled.

Explanation: This language restricts funds appropriated for child welfare services to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

Amendment No. **94**

N00G

Committee Narrative

Child Welfare Caseload Data: The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Resources, on December 1, 2010, and March 1, 2011, report to the committees on the actual number of cases and filled positions assigned, by jurisdiction, for the following caseload types using data current within 70 days:

1. Intake Screening;
2. Child Protective Investigation;
3. Continuing Child Protective Services;
4. Intensive Family Services;
5. Families NOW Levels II – III;
6. In-home Family Services;
7. Foster Care;
8. Kinship Care;
9. Adoption Services;
10. Interstate Compact for the Placement of Children;
11. Court-ordered Home Studies;
12. Resource Family Development and Support – New Applicants;
13. Resource Family Development and Support – Ongoing and License Renewals/Kinship Caregivers; and
14. Casework Supervisors.

| Information Request | Author | Due Date |
|--|-------------------------------|-----------------------------------|
| Report on caseload data and filled positions assigned by jurisdiction for specified caseload types | Department of Human Resources | December 1, 2010 March 1, 2011 |

N00G

Monthly Child Welfare Statistics – Internet Posting: In the interest of transparency in government, the committees request that the Department of Human Resources (DHR) begin posting on the department’s web site basic caseload statistics for child welfare by jurisdiction on a monthly basis. The committees note that the DHR Family Investment Administration does a good job of posting data relating to assistance on the DHR web site in a timely fashion and encourage the DHR Social Services Administration to do the same.

N00G00.05 General Administration

Implementation of Consolidation of Administrative Functions: Section 24 of the fiscal 2011 budget bill contains a reduction, in part, to implement a consolidation of some administrative functions in the local departments of social services. As part of this consolidation, the Department of Human Resources (DHR) is expected to produce a plan on how this consolidation will be implemented. The committees request a copy of this plan to better understand how this action will be implemented and impact the local departments.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Plan for the implementation of the consolidation of administrative functions | DHR | June 1, 2010 |

N00G

Budget Amendments

N00G00.08 Assistance Payments

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00G00.04 Adult Services to be used only for respite care services. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts \$500,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for respite care services in the Department of Human Resources' Adult Services. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

Amendment No. 95

Add the following language to the general fund appropriation:

Further provided that \$550,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00A01.05 Office of Grants Management to be used only for the Service-linked Housing Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts \$550,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for the Service-linked Housing Program in the Department of Human Resources' Office of Grants Management. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

Amendment No. 96

N00G

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------|------------------|
| 1. Reduce funding for the Temporary Disability Assistance Program to reflect slowing caseload growth. The rate of caseload increase in the first six months of fiscal 2010 is half that experienced in fiscal 2009. This reduction leaves \$1 million more than current projections indicate will be needed. | 5,450,000 | GF |
| Total Reductions | 5,450,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| General Fund | 59,279,808 | 53,829,808 | 5,450,000 | |
| Special Fund | 16,410,790 | 16,410,790 | 0 | |
| Federal Fund | 816,220,679 | 816,220,679 | 0 | |
| Total Funds | 891,911,277 | 886,461,277 | 5,450,000 | |

Amendment No. 97

**N00H
Department of Human Resources
Child Support Enforcement Administration**

Budget Amendments

CHILD SUPPORT ENFORCEMENT ADMINISTRATION

N00H00.08 Support Enforcement – State

| | | |
|--|-------------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Reduce funding for the child support privatization contract to recognize additional savings from transitioning child support operations in Queen Anne’s County back to State operations. This reduction makes the transition cost neutral in fiscal 2011. | 69,417 SF 134,751 FF | |
| Total Reductions | 204,168 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 89.00 | 89.00 | | 0.00 |
| General Fund | 1,066,577 | 1,066,577 | 0 | |
| Special Fund | 12,255,615 | 12,186,198 | 69,417 | |
| Federal Fund | 27,688,675 | 27,553,924 | 134,751 | |
| Total Funds | 41,010,867 | 40,806,699 | 204,168 | |

Amendment No. **98**

N00I
Department of Human Resources
Office of Home Energy Programs

Budget Amendments

N00I00.06 Office of Home Energy Programs

Add the following language:

Provided that \$1,020,000 of the Special Fund appropriation and \$980,000 of the Federal Fund appropriation made for the purpose of software maintenance and systems support for application software development for the Office of Home Energy Programs (OHEP) data system may not be expended for that purpose in OHEP but instead may be transferred by budget amendment to N00F00.04 Office of Technology for Human Services program to be used only for the purpose of software maintenance and systems support for application software development for the OHEP data system. Funds not expended for this restricted purpose in N00F00.04 may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

Explanation: This language transfers the appropriation for the software maintenance, support, and system development for the OHEP data system to Office of Technology for Human Services (OTHS) consistent with the budgeting of the other information technology projects in the Department of Human Resources (DHR). DHR advises that OTHS manages and procures contracts for the OHEP data system. Funds not transferred for this purpose to OTHS shall be cancelled.

Amendment No. **99**

P00
Department of Labor, Licensing, and Regulation

Budget Amendments

DIVISION OF RACING

P00E01.03 Racetrack Operation

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete the funds for 3 long-term vacant positions under the Division of Racing. The harness racing judge positions are assigned to a racetrack that is not currently providing racing activities. The positions will remain with the department in the event that live racing resumes. | 51,927 GF | |
| Total Reductions | 51,927 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 9.00 | 9.00 | | 0.00 |
| General Fund | 1,540,837 | 1,488,910 | 51,927 | |
| Special Fund | 527,342 | 527,342 | 0 | |
| Total Funds | 2,068,179 | 2,016,252 | 51,927 | |

Amendment No. **100**

P00E01.04 Share of Racing Revenue to Local Subdivisions

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce horse racing impact aid to the fiscal 2010 cost containment level. This action reduces the aid by half. The Budget Reconciliation and Financing Act of 2010 should be amended to transfer these special funds to the general fund. | 602,800 SF | |
| Total Reductions | 602,800 | 0.00 |

P00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 1,205,600 | 602,800 | 602,800 | |
| Total Funds | 1,205,600 | 602,800 | 602,800 | |

Amendment No. 101

DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING

P00G01.01 Office of the Assistant Secretary

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce general funds for the Maryland Summer Youth Program. The Workforce Investment Act provides significant federal funds for services related to youth employment. | 60,000 GF | |
| 2. Reduce two general fund grants aimed at urban youth employment. The Workforce Investment Act provides significant federal funds for services for youth employment. | 177,555 GF | |
| Total Reductions | 237,555 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 18.00 | 18.00 | | 0.00 |
| General Fund | 575,110 | 337,555 | 237,555 | |
| Federal Fund | 33,916,500 | 33,916,500 | 0 | |
| Total Funds | 34,491,610 | 34,254,055 | 237,555 | |

Amendment No. 102

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

Budget Amendments

Add the following language:

Provided that the Department of Public Safety and Correctional Services shall not employ more than 2 assistant secretary positions and that additional assistant secretary positions shall not be created unless both statutory deputy secretary positions are filled.

Explanation: This language ensures that the Department of Public Safety and Correctional Services (DPSCS) maintains executive administration in accordance with what is prescribed in statute and within the departmental budget. DPSCS is provided, in statute, 2 deputy secretary positions. The department is currently reviewing its leadership structure and this language ensures that changes are not implemented without going through the appropriate budgetary and statutory processes.

Amendment No. **103**

OFFICE OF THE SECRETARY

Q00A01.01 General Administration

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete 1 deputy director position (002664) within the Legislative Liaison Unit. This position has been vacant since December 2006, more than 36 months. | 59,863 GF | 1.00 |
| 2. Delete funding for the Public Safety Death Benefits program. As of fiscal 2009, this program has accrued \$4.2 million. Even with the fiscal 2010 cost containment action to revert \$2.1 million, the program will still have accrued \$2.1 million, which is adequate to fund the average number of claims received each year. | 1,945,000 GF | |
| Total Reductions | 2,004,863 | 1.00 |

Q00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 169.50 | 168.50 | | 1.00 |
| General Fund | 22,411,319 | 20,406,456 | 2,004,863 | |
| Special Fund | 507,493 | 507,493 | 0 | |
| Federal Fund | 850,000 | 850,000 | 0 | |
| Total Funds | 23,768,812 | 21,763,949 | 2,004,863 | |

Amendment No. 104

Q00A01.09 Professional Development and Training Division

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Delete funding associated with an executive assistant position (036689) within the Professional Development and Training Division. This position has been vacant since September 2008, more than 16 months. | 44,554 GF | |
| 2. Delete 1 functional analyst position (057659) which has been vacant for more than 16 months. This position, responsible for developing distance learning programs, has been vacant since September 2008. | 50,476 GF | 1.00 |
| Total Reductions | 95,030 | 1.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 14.00 | 13.00 | | 1.00 |
| General Fund | 1,783,314 | 1,688,284 | 95,030 | |
| Special Fund | 8,000 | 8,000 | 0 | |
| Total Funds | 1,791,314 | 1,696,284 | 95,030 | |

Amendment No. 105

Q00C01
Department of Public Safety and Correctional Services
Maryland Parole Commission

Budget Amendments

MARYLAND PAROLE COMMISSION

Q00C01.01 General Administration and Hearings

| | | |
|---|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Increase turnover expectancy to 6%. This would place the fiscal 2011 turnover rate more in line with historical vacancy rates. | 83,821 GF | |
| Total Reductions | 83,821 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 74.00 | 74.00 | | 0.00 |
| General Fund | 5,255,829 | 5,172,008 | 83,821 | |
| Total Funds | 5,255,829 | 5,172,008 | 83,821 | |

Amendment No. **106**

Committee Narrative

Impact of Parole Guidelines on Parole Rates and Rates of Return: The committees direct the Maryland Parole Commission to conduct and report the findings of a comparative assessment of its current parole guidelines after three years of implementation. The report should provide a comparison of the number of paroles and parolee return rates for fiscal 2005 through 2008. The report should also compare the one and two-year return rates of parolees who had an education, substance abuse, or vocation program completion versus those who did not. The report shall be submitted to the budget committees no later than November 1, 2010.

| Information Request | Author | Due Date |
|---|----------------------------|------------------|
| Impact of parole guidelines on parole rates and rates of return | Maryland Parole Commission | November 1, 2010 |

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

Budget Amendments

DIVISION OF PAROLE AND PROBATION

Q00C02.02 Field Operations

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding for the Community Adult Rehabilitation Centers (CARC) in Montgomery and Cecil counties. The State currently funds the full cost of operating these facilities, paid on a per diem basis, yet not all inmates housed at the CARCs are State-sentenced inmates. This action requires a corresponding action in the Budget Reconciliation and Financing Act of 2010. | 1,424,544 GF | |
| Total Reductions | 1,424,544 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 1144.00 | 1144.00 | | 0.00 |
| General Fund | 82,689,617 | 81,265,073 | 1,424,544 | |
| Special Fund | 7,860,276 | 7,860,276 | 0 | |
| Federal Fund | 3,936,345 | 3,936,345 | 0 | |
| Total Funds | 94,486,238 | 93,061,694 | 1,424,544 | |

Amendment No. 107

Committee Narrative

Drinking Driver Monitor Program Active Cases under Supervision: The committees direct the Division of Parole and Probation (DPP), as part of its Managing For Results performance measures, to report the number of active cases under supervision within the Drinking Driver Monitor Program (DDMP). The division currently reports active cases for parolees, probationers, and mandatory releases. Providing the number of active cases for DDMP would provide a more accurate indication of the supervision population.

Q00C02

| Information Request | Author | Due Date |
|----------------------------|---------------|-----------------------------------|
| DDMP Active Cases | DPP | With the annual budget submission |

Consolidating Office Space in the Division of Parole and Probation: The committees direct the Division of Parole and Probation (DPP), in coordination with the Department of General Services (DGS), to conduct an analysis reviewing the potential for consolidating office space for Drinking Driver Monitor Program and DPP field offices. The report should take into account agent to caseload ratios, size of personnel at each location, and the impact of expanding the Kiosk program. The report should also compare current office space to the potential for moving to new locations. DPP and DGS should take into account the impact of breaking current leases and whether consolidation will be the most cost effective. The report should be submitted to the budget committees no later than September 1, 2010.

| Information Request | Authors | Due Date |
|----------------------------|----------------|-------------------|
| Consolidating office space | DPP DGS | September 1, 2010 |

Q00D
Department of Public Safety and Correctional Services
Patuxent Institution

Committee Narrative

PATUXENT INSTITUTION

Q00D00.01 Services and Institutional Operations

Analysis of Consolidating the Patuxent Institution within the Division of Correction: The committees direct the Department of Public Safety and Correctional Services (DPSCS) to conduct a cost-benefit analysis of incorporating the Patuxent Institution into the Division of Correction (DOC). A significant portion of the offenders housed at the Jessup facility are DOC-sentenced inmates, and the department is already in the process of moving toward a mission-specific institution format. The committees believe consolidating the Patuxent Institution to be a DOC facility could result in improved efficiency of departmental operations, expanded and better coordinated mental health services, and significant cost savings. The analysis should specifically examine the operational and legislative changes necessary to incorporate the Patuxent Institution into the DOC and identify potential cost-savings and operational efficiencies. The report should also address any concerns or obstacles the department has regarding a potential consolidation. The report should be submitted to the budget committees no later than October 1, 2010.

| Information Request | Author | Due Date |
|--|---------------|-----------------|
| Analysis of consolidating the Patuxent Institution within the Division of Correction | DPSCS | October 1, 2010 |

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

Budget Amendments

POLICE AND CORRECTIONAL TRAINING COMMISSIONS

Q00G00.01 General Administration

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | | <u>Positions</u> |
|--|----------------|----|------------------|
| 1. Reduce funding for the Professional Development Fund. This action level-funds the fiscal 2011 allowance in line with the fiscal 2010 appropriation and still allows \$50,000 for providing training grants to criminal justice professionals. | 50,000 | GF | |
| 2. Delete funding for replacement equipment. Funds appropriated for this purpose were not spent in both fiscal 2008 and 2009. | 18,747 | GF | |
| 3. Delete funding for Annapolis office space. The purpose of the Public Safety Education and Training Center (PSETC) in Sykesville was to consolidate training in one central location. The Advanced and Specialized Training Unit, currently using the Annapolis space, should be relocated to PSETC. | 33,150 | GF | |
| 4. Reduce funding for motor vehicle purchases. This still allows a \$5,000 increase over fiscal 2009 actual expenditures. | 45,942 | GF | |
| 5. Delete 2.0 vacant positions. The agency only needs 4.8 vacant positions to meet budgeted turnover for fiscal 2011 but currently has 10.2 vacancies. This reduction is reflective of the average salary and fringe benefits for the current vacancy pool. | 96,762 | GF | 2.00 |
| 6. Reduce building and household supplies in line with fiscal 2009 actual expenditures. | 10,000 | GF | |
| Total Reductions | 254,601 | | 2.00 |

Q00G

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position | 80.00 | 78.00 | | 2.00 |
| General Fund | 7,163,519 | 6,908,918 | 254,601 | |
| Special Fund | 352,000 | 352,000 | 0 | |
| Federal Fund | 42,089 | 42,089 | 0 | |
| Total Funds | 7,557,608 | 7,303,007 | 254,601 | |

Amendment No. 108

Q00K
Department of Public Safety and Correctional Services
Criminal Injuries Compensation Board

Budget Amendments

CRIMINAL INJURIES COMPENSATION BOARD

Q00K00.01 Administration and Awards

Add the following language to the special fund appropriation:

. provided that \$250,000 of this appropriation made for the purpose of funding administrative operating expenses within the Criminal Injuries Compensation Board (CICB) may not be expended until CICB provides the following information:

- (1) confirmation that all staff and board members have completed training on maintaining compliance with the State Open Meetings Law and the Administrative Procedure Act;
- (2) confirmation that all staff and board members who have interaction with victims and their families have completed sensitivity training;
- (3) a report on each case in fiscal 2010 where statutory timeline provisions were violated and the number of claims where the claimant was requested to resubmit information;
- (4) the potential for providing a victim advocate within existing agency resources to assist with victims' needs, and if existing resources are inadequate, the cost of creating a victim advocate position; and
- (5) proposed solutions for addressing the fiscal concerns regarding the amount of funding available for making awards to victims of crime, including potential legislation.

It is the intent of the General Assembly that CICB improve its efficiency of operations and alter its agency culture in order to better address the needs of Maryland's crime victim population and create a more victim-friendly environment.

The report shall be submitted by October 15, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise for any other purpose and shall be cancelled if the report is not submitted to the budget committees.

Explanation: The General Assembly is concerned that CICB has not been operating in an efficient or victim friendly manner. Most notably, the agency may not always be compliant with the State Open Meetings Law and Administrative Procedures Act or timely in its processing of victims' claims. This action requires CICB to provide training on relevant State laws, in addition to providing sensitivity training for personnel who work directly with victims, in order to improve agency operations. The agency is also required to submit information regarding cases

Q00K

that are not addressed within the statutory timeframe, the potential for maintaining a victim advocate position, and possible solutions for increasing the amount of funding available to victims of crime.

| Information Request | Author | Due Date |
|----------------------------|---------------|------------------|
| Improving CICB operations | CICB | October 15, 2010 |

Amendment No. 109

R00A01
State Department of Education
Headquarters

Budget Amendments

Add the following language:

Provided that a reduction of \$524,776 is made for the Deferred Compensation Match (Comptroller subobject 0172). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|------------------|
| <u>General</u> | <u>\$132,638</u> |
| <u>Special</u> | <u>\$6,911</u> |
| <u>Federal</u> | <u>\$385,227</u> |

Explanation: This action deletes the Maryland State Department of Education fiscal 2011 allowance for the Deferred Compensation Match, which should be deleted in all agencies. The total reduction should be split as indicated above among general, special, and federal funds.

Amendment No. **110**

Add the following language:

Further provided that a \$225,000 reduction is made to implement furloughs for loaned educator contracts (Comptroller subobject 0885). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|------------------|
| <u>General</u> | <u>\$67,073</u> |
| <u>Federal</u> | <u>\$140,670</u> |
| <u>Special</u> | <u>\$17,257</u> |

Explanation: The loaned educator program at the Maryland State Department of Education (MSDE) allows local school system employees to work for MSDE on special projects. These personnel should incur salary reductions equivalent to furloughs incurred by State employees in similar positions.

R00A01

As of January 2010, MSDE has 44 loaned educators who earn more than \$100,000 annually, and it is assumed that their salaries average \$125,000. There are 5 loaned educators who earn between \$50,000 and \$100,000, and it is assumed their salaries average \$75,000. The furlough for State employees earning more than \$100,000 is roughly 3.84% of their salary, and the amount for those earning between \$50,000 and \$100,000 is roughly 3.45%.

Amendment No. 111

HEADQUARTERS

R00A01.01 Office of the State Superintendent

Add the following language:

Provided that it is the intent of the General Assembly that no individual loaned educator be engaged by the Maryland State Department of Education (MSDE) for more than five years.

Further provided that it is the intent of the General Assembly that all loaned educators submit annual financial disclosure statements, as is required by State employees in similar positions.

Further provided that MSDE shall provide an annual census report on the number of loaned educator contracts and any conversion of these personnel to regular positions to the General Assembly by December 15, 2010. The annual report shall include job function, title, salary, fund source(s) for the contract, the first year of the contract and the number of years that each loaned educator has been employed by the State, and whether the educator files a financial disclosure statement. MSDE shall also provide a report to the budget committees prior to entering into any new loaned educator contract to provide temporary assistance to the State. The budget committees shall have 45 days to review and comment from the date of receipt of any report on new contracts.

Explanation: The loaned educator program at MSDE allows local school system employees to work for MSDE on special projects. If these personnel need to be engaged for more than three years, they should be hired as regular MSDE personnel and not through loaned educator contracts.

| Information Request | Author | Due Date |
|-------------------------------------|--------|-------------------|
| Report on loaned educator contracts | MSDE | December 15, 2010 |

Amendment No. 112

R00A01

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete remaining funds for the Share the State Fair program. Statute requires the agency to budget \$25,000 annually for the program, but demand is low. Only one local education agency has applied for fiscal 2010 funds (each local education agency may apply for up to \$1,000 per year). A separate recommendation will propose eliminating the statutory mandate. | 1,000 | GF |
| Total Reductions | 1,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 81.10 | 81.10 | | 0.00 |
| General Fund | 4,884,031 | 4,883,031 | 1,000 | |
| Special Fund | 576,929 | 576,929 | 0 | |
| Federal Fund | 5,373,780 | 5,373,780 | 0 | |
| Total Funds | 10,834,740 | 10,833,740 | 1,000 | |

Amendment No. **113**

Committee Narrative

R00A01.04 Division of Accountability and Assessment

Legislative Auditor Review of Assessment Contracts: In the 2009 legislative session, the General Assembly added language to the budget bill that directed the Maryland State Department of Education (MSDE) to submit a report on the cash flow needed for assessment contracts for fiscal 2009, 2010, and 2011. The committees are concerned that MSDE's cash flow report for fiscal 2010 and 2011 does not reconcile with the amounts budgeted for assessment contracts in those years.

The assessment contracts total at least \$30 million annually. Given the magnitude of these contracts, the committees request that the legislative auditors review assessment contracts and related documents and provide a report to the committees by December 1, 2010. The report should include the amount owed by month for each contract currently in effect, taking into account that these contracts extend over multiple years.

R00A01

| Information Request | Author | Due Date |
|---|------------------------------|------------------|
| Legislative auditor review of MSDE assessment contracts | Office of Legislative Audits | December 1, 2010 |

Major Information Technology Projects on Longitudinal Data: The Maryland State Department of Education (MSDE) has major information technology (IT) projects underway to gather longitudinal data about student performance from pre-kindergarten through college and the workplace. Detailed teacher data also will be gathered.

At this point, information technology and budget documents associated with the effort do not match. Frequent changes in these documents make it difficult to track overall progress on the longitudinal data effort. The committees request that MSDE, the Maryland Higher Education Commission (MHEC), and the Department of Information Technology (DoIT) jointly submit a report by December 1, 2010, about the overall design and requirements of the longitudinal data effort. The report should describe the anticipated number of IT projects and phases involved, the projected schedule, and available federal funds. Project cost estimates should be provided to the extent possible.

| Information Request | Authors | Due Date |
|--|----------------------|------------------|
| Major IT projects related to longitudinal data | MSDE MHEC DoIT | December 1, 2010 |

Budget Amendments

R00A01.12 Division of Student, Family and School Support

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | | |
| 1. Reduce the general fund increase for management studies (subobject 0821). The reduction still leaves \$2.5 million for these studies in fiscal 2011, including the increase of \$1.1 million from special and federal funds. The reduction may be allocated among the department's divisions. | 225,309 GF | |
| Total Reductions | 225,309 | 0.00 |

R00A01

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 48.50 | 48.50 | | 0.00 |
| General Fund | 2,501,156 | 2,275,847 | 225,309 | |
| Special Fund | 25,000 | 25,000 | 0 | |
| Federal Fund | 4,636,124 | 4,636,124 | 0 | |
| Total Funds | 7,162,280 | 6,936,971 | 225,309 | |

Amendment No. 114

Committee Narrative

R00A01.19 Home and Community Based Waiver for Children with Autism Spectrum Disorder

Additional Funds Needed for Waiver Program for Children with Autism: The budget committees are concerned about the long waiting list for the Autism Waiver Program. The Home and Community Based Waiver for Children with Autism Spectrum Disorder currently serves 900 children who are at risk of institutional placement. More than 3,000 children are on the waiting list for the program. However, only 50 to 75 slots become available each year from turnover. As a result, even though early intervention is important, children may spend years on the waiting list. Many children may age out before they ever receive services.

The committees strongly encourage the Governor to provide approximately \$1.2 million in additional State funds that would leverage federal matching funds for up to 100 additional slots per year. The State currently is in year one of a five-year federal contract through which Medicaid provides a 50% match to State funds for the program. The contract authorizes federal matching funds if State funds are provided. The Autism Waiver Program has been level funded at \$10.8 million in general funds since fiscal 2008, which is not enough to meet increased demand for these critical services.

R00A02
State Department of Education
Aid to Education

Budget Amendments

AID TO EDUCATION

R00A02.04 Children at Risk

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce general funds for the SEED School of Maryland. This reduction represents 5% of the fiscal 2011 allowance. The school still would receive \$5.7 million in general funds. General funds should be reduced to help address the State's current fiscal constraints. | 300,000 | GF |
| Total Reductions | 300,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 6,000,000 | 5,700,000 | 300,000 | |
| Special Fund | 2,387,838 | 2,387,838 | 0 | |
| Federal Fund | 21,962,842 | 21,962,842 | 0 | |
| Total Funds | 30,350,680 | 30,050,680 | 300,000 | |

Amendment No. **115**

R00A02.13 Innovative Programs

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce Fine Arts grants. These funds were transferred into the Aid to Education budget for fiscal 2011 from the Maryland State Department of Education Headquarters budget. These funds should be reduced to help address the State's current fiscal constraints. The reduction leaves \$600,000 in the program. | 563,060 | GF |
| Total Reductions | 563,060 | 0.00 |

R00A02

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-----------------------------|-------------------------------|
| General Fund | 3,929,266 | 3,366,206 | 563,060 | |
| Federal Fund | 14,874,166 | 14,874,166 | 0 | |
| Total Funds | 18,803,432 | 18,240,372 | 563,060 | |

Amendment No. **116**

R00A04
State Department of Education
Children's Cabinet Interagency Fund

Budget Amendments

R00A04.01 Children's Cabinet Interagency Fund

Add the following language to the general fund appropriation:

, provided that \$210,000 of this appropriation made for the purpose of funding early intervention and prevention programs may not be expended for that purpose but instead may only be used to supplement funding of Local Management Board administration. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts a portion of the \$15.7 million intended for early intervention and prevention programs to be used to supplement funding for Local Management Board (LMB) administration. Together with funding restricted in the budget for the Governor's Office for Children and LMB funding included in this budget as originally introduced, this additional funding brings the total for LMB administration to \$3.0 million.

Amendment No. **117**

Add the following language to the federal fund appropriation:

, provided that \$1,823,709 of this appropriation made for the purpose of early intervention and prevention activities may only be used to fund these activities through Youth Services Bureaus. Further provided that the allocation of funding among Youth Services Bureaus shall be distributed in the same proportions as provided in fiscal 2010. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

Explanation: This language restricts funds to only be used for Youth Services Bureaus and requires the funding to be distributed among the bureaus in the same proportion as in fiscal 2010.

Amendment No. **118**

R00A04

Committee Narrative

Out-of-home Placements: To facilitate evaluation of Maryland's family preservation programs in stemming the flow of children from their homes, the Governor's Office for Children (GOC), on behalf of the Children's Cabinet, is requested to prepare and submit to the budget committees a report on out-of-home placements containing data on the total number of out-of-home placements and entries by jurisdiction over the previous three years and similar data on out-of-state placements. The report should also provide information on the costs associated with out-of-home placements, the reasons for new placements, and an evaluation of data derived from the application of the Maryland Family Risk Assessment. Data should also be collected concerning indicated findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of case closure. Each agency or administration that funds or places children and youth in out-of-home placements is requested to work closely with GOC and comply with any data requests necessary for the production of the report. The report should be submitted to the committees by December 1, 2010.

| Information Request | Author | Due Date |
|----------------------------------|---------------|------------------|
| Report on out-of-home placements | GOC | December 1, 2010 |

R13M
Morgan State University

Committee Narrative

Faculty Instructional Workload Report: The committees request Morgan State University (MSU) continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular, core faculty at the institution. Additional information may be included in the report at MSU's discretion.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Annual report on instructional workload for tenured and tenure-track faculty | MSU | December 1, 2010 |

Institutional Aid Report: The committees request that Morgan State University (MSU) submit all categories (need-based, merit, mission, and athletic) of institutional aid data. The report should be in the same format it is submitted to the Maryland Higher Education Commission (MHEC) and should include prior year actual, current year working, and allowance. The report should be submitted by January 10, 2011.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Report on all categories of institutional aid provided in the same format submitted to MHEC | MSU | January 10, 2011 |

Report on Outcomes of Students Participating in Access and Success Programs by Cohort: The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBIs). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

R13M

| Information Request | Authors | Due Date |
|---|---------------------------|------------------|
| Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs | BSU CSU MSU UMES | August 15, 2010 |
| Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs | MHEC | October 15, 2010 |

R30B00
University System of Maryland

Committee Narrative

Faculty Workload Report: The committees request that the University System of Maryland (USM) continue to provide annual instructional workload reports for tenured and tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular, core faculty at the institutions. Additional information may be included in the report at USM's discretion. Furthermore, the report should include the percent of faculty meeting or exceeding teaching standards for tenured and tenure-track faculty for the University of Maryland, Baltimore.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Annual report on instructional workload for tenured and tenure-track faculty | USM | December 1, 2010 |

Institutional Aid Report: The committees request that data be submitted for each University System of Maryland (USM) institution on all categories of institutional aid (need-based, merit, mission, and athletic). Data on tuition remission should be submitted as a separate category. The report should be in the same format it is submitted to the Maryland Higher Education Commission (MHEC) and include prior year actual, current year working, and allowance. The report should be submitted by January 10, 2011.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Report on all categories of institutional aid provided in the same format submitted to MHEC | USM | January 10, 2011 |

R30B21
University System of Maryland
University of Maryland, Baltimore

Budget Amendments

UNIVERSITY OF MARYLAND, BALTIMORE

R30B21.00 Instruction

Add the following language to the unrestricted fund appropriation:

. provided that \$250,000 of this appropriation may not be expended until the University of Maryland, Baltimore School of Law submits a report containing complete information, to the extent possible, from each law school clinic listing and describing each legal case in the past five years in which they participated in a court action, including the client represented, complete delineation of the expenditures for each case, and the source of funds for each expenditure. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days for 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 cancelled if the report is not submitted to the budget committees.

Explanation: The General Assembly is interested in the cases pursued by the University of Maryland, Baltimore (UMB) School of Law clinics. The School of Law shall submit a report with information, to the extent possible, of each case in which they participated in a court action, including expenditures and the source of funds for each expenditures. The report shall be submitted by August 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Report on the activities of the UMB School of Law clinics | UMB | August 1, 2010 |

Amendment No. **119**

Committee Narrative

Report on Special Compensation: The committees request that the University of Maryland, Baltimore (UMB) submit information regarding compensation paid to employees for sabbatical leave, summer research, and bonus payments. This information should list the value of each payment, for what purpose it was made, and the base salary of the employee earning the payment. The information shall be included with the university's annual budget submission to the General Assembly.

R30B21

| Information Request | Author | Due Date |
|---|---------------|--------------------------------|
| Information on compensation paid to employees for sabbatical leave, summer research, and bonus payments | UMB | With the fiscal 2012 allowance |

R30B23
University System of Maryland
Bowie State University

Committee Narrative

Report on Outcomes of Students Participating in Access and Success Programs by Cohort: The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBI). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

| Information Request | Authors | Due Date |
|---|---------------------------|----------------------------|
| Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs | BSU CSU MSU UMES | To MHEC by August 15, 2010 |
| Consolidated report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs | MHEC | October 15, 2010 |

R30B25
University System of Maryland
University of Maryland Eastern Shore

Committee Narrative

Report on Outcomes of Students Participating in Access and Success Programs by Cohort:
The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES) each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions (HBIs). Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

| Information Request | Authors | Due Date |
|--|---------------------------|-------------------------------|
| Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs | BSU CSU MSU UMES | To MHEC by August 15, 2010 |
| Comprehensive Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs across the HBIs | MHEC | October 15, 2010 |

R30B27
University System of Maryland
Coppin State University

Committee Narrative

Report on Outcomes of Students Participating the Access and Success Programs by Cohort: The committees request that Bowie State University (BSU), Coppin State University (CSU), Morgan State University (MSU), and the University of Maryland Eastern Shore (UMES), each annually submit progression, retention, and graduation data on all students participating in Access and Success programs. In this first year of data collection, baseline data from fiscal 2009 should be submitted along with fiscal 2010 data, in accordance with a framework developed by the Maryland Higher Education Commission (MHEC) to facilitate the collection and analysis of data evaluating the impact of Access and Success programs across the historically black institutions. Data should be submitted to MHEC by August 15, 2010. MHEC should submit the data and analysis to the budget committees by October 15, 2010.

| Information Request | Authors | Due Date |
|---|---------------------------|----------------------------|
| Report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs | BSU CSU MSU UMES | To MHEC by August 15, 2010 |
| Consolidated report on fiscal 2009 and 2010 data by cohort of all students participating in Access and Success programs | MHEC | October 15, 2010 |

Report on the Implementation of Recommendations Made by the 2001 Independent Study Team on the Revitalization of Coppin State College: The University System of Maryland (USM), in partnership with the Maryland Higher Education Commission (MHEC), should establish an independent team to assess the implementation of the 2001 Independent Study Team on the Revitalization of Coppin State College's (CSU) recommendations. This new team should determine which recommendations have been fully, partially, and not yet implemented. The study team should also provide technical assistance in implementing recommendations that have not been executed or effective. The 2011 study team should include members of the USM, MHEC, CSU, outside experts, and members of the General Assembly, with administrative coordination provided by USM. The team should submit an interim report on its progress to the budget committees by December 15, 2010, and a final report on July 15, 2011, to the budget committees.

R30B27

| Information Request | Author | Due Date |
|---|---------------|-------------------|
| Interim report on the implementation of recommendations made by the 2001 CSU study team | USM | December 15, 2010 |
| Final report on the implementation of recommendations made by the 2001 CSU study team | USM | July 15, 2011 |

R30B36
University System of Maryland
University System of Maryland Office

Budget Amendments

UNIVERSITY SYSTEM OF MARYLAND OFFICE

R30B36.00 University System of Maryland Office

Add the following language to the unrestricted fund appropriation:

. provided that \$250,000 of this appropriation may not be expended until the University System of Maryland submits a report on law school clinics operated out of public higher education institutions in other states. The report shall describe the criteria used to select the legal cases handled by law school clinics and funding sources of the programs. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled if the report is not submitted to the budget committees.

Explanation: The General Assembly is interested in how the cases pursued by public law school clinics in other states are chosen. The University System of Maryland shall submit a report explaining the criteria used to select the cases for public law school clinics to pursue and the funding sources of the programs. The report shall be submitted by August 1, 2010, and \$250,000 of the unrestricted fund appropriation is contingent upon submission of the report.

| Information Request | Author | Due Date |
|---|--------------------------------------|-----------------|
| Report on cases pursued by public law school clinics nationwide | University System of Maryland Office | August 1, 2010 |

Amendment No. **120**

R62I
Maryland Higher Education Commission

Committee Narrative

R62I00.01 General Administration

Feasibility of Co-locating the Maryland Higher Education Commission Headquarters with the Maryland State Department of Education: The committees are interested in enhancing the ongoing efforts of the Governor’s P-20 Leadership Council to increase student access to post-secondary education, especially for disadvantaged and minority students, by aligning high school expectations with college admissions requirements; improving the quantity and quality of teacher candidates; and strengthening communication and collaborative decision-making between the Maryland Higher Education Commission (MHEC) and the Maryland State Department of Education (MSDE). Therefore, the committees request that MHEC, in partnership with MSDE, study the feasibility and logistical costs and benefits of co-locating the MHEC headquarters with MSDE headquarters at 200 West Baltimore Street in Baltimore, Maryland in fiscal 2012 to facilitate increased collaboration and planning between the agencies. The report shall be submitted to the committees by September 15, 2010.

| Information Request | Authors | Due Date |
|---|----------------|--------------------|
| Study examining the feasibility of co-locating MHEC with MSDE | MHEC MSDE | September 15, 2010 |

Budget Amendments

R62I00.03 Joseph A. Sellinger Formula for Aid To Non-Public Institutions of Higher Education

Strike the following language:

~~-, provided that this appropriation shall be reduced by \$21,983,458 contingent upon the enactment of legislation to reduce the required appropriation for the support of non-public institutions of higher education.~~

Explanation: Strike contingent reduction language on Sellinger formula.

Amendment No. **121**

R62I

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce Sellinger aid to nonpublic institutions. | 13,537,500 | GF |
| Total Reductions | 13,537,500 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 51,983,458 | 38,445,958 | 13,537,500 | |
| Total Funds | 51,983,458 | 38,445,958 | 13,537,500 | |

Amendment No. 122

R62I00.05 The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges

Strike the following language:

~~-, provided that this appropriation shall be reduced by \$23,085,062 contingent upon the enactment of legislation to reduce the required appropriation for the support of community colleges.~~

Explanation: Technical amendment striking contingent reduction because the reduction is being made directly.

Amendment No. 123

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce the formula grant by \$23,085,062. This is consistent with the Administration's proposed reduction to the community college formula in the Budget Reconciliation and Financing Act of 2010. | 23,085,062 | GF |
| Total Reductions | 23,085,062 | 0.00 |

R62I

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| General Fund | 231,663,764 | 208,578,702 | 23,085,062 | |
| Total Funds | 231,663,764 | 208,578,702 | 23,085,062 | |

Amendment No. 124

Committee Narrative

The Costs of Developmental Education: The budget committees are concerned about how much Maryland's colleges and universities and students are spending on developmental education. The Maryland Higher Education Commission (MHEC), in conjunction with the Maryland Association of Community Colleges (MACC), the University System of Maryland (USM), and Morgan State University (MSU) should submit a report detailing the instruction costs of developmental education at each of the State's colleges and universities.

The report should include comparable developmental education costs on a per section, per full-time equivalent student, and per hour basis and an explanation of what the costs pay for and how the courses are delivered. The report should also include a review of best practices nationwide and at Maryland's higher education institutions, and a discussion of institutions' that are most successful at providing quality developmental education programs efficiently as measured by student progression and cost.

| Information Request | Authors | Due Date |
|---|----------------------------|------------------|
| The cost of developmental education at Maryland's colleges and universities | MHEC MACC USM MSU | November 1, 2010 |

Report on Incentives for Community College Students to Complete Associate's Degree Prior to Transfer: The General Assembly is interested in increasing the number of students who complete an associate's degree prior to transferring to a four-year institution. The Maryland Association of Community Colleges (MACC), in conjunction with the Maryland Higher Education Commission (MHEC), the University System of Maryland (USM), Morgan State University (MSU) and St. Mary's College of Maryland (SMCM), should submit a report outlining the kinds of incentives Maryland's higher education system can offer community college students to increase associate's degree attainment prior to transferring to a four-year institution. The report should include options for the State to consider and a review of best practices from across the nation.

R62I

| Information Request | Authors | Due Date |
|--|------------------------------------|-----------------|
| Report on incentives to increase associate's degree attainment among community college students prior to transfer to a four-year institution | MACC MHEC USM MSU SMCM | October 1, 2010 |

Budget Amendments

R62I00.07 Educational Grants

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|-------------------------------|---------------------|-------------------------|
| 1. Reduce educational grants. | 200,000 | GF |
| Total Reductions | 200,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 7,999,081 | 7,799,081 | 200,000 | |
| Federal Fund | 1,693,077 | 1,693,077 | 0 | |
| Total Funds | 9,692,158 | 9,492,158 | 200,000 | |

R62I

Amend the following language:

To provide Education Grants to various State, Local and Private Entities

| | |
|---|----------------|
| Improving Teacher Quality..... | 1,693,077 |
| OCR Enhancement Fund | 4,900,000 |
| Washington Center for Internships & Academic Seminars | 25,000 |
| Interstate Educational Compacts in Optometry | 124,125 |
| UMB – WellMobile Program | 285,250 |
| Regional Higher Education Centers..... | 1,500,000 |
| Academy of Leadership | 100,000 |
| | <u>0</u> |
| Harry Hughes Center for Agro-Ecology..... | 200,000 |
| | <u>100,000</u> |
| Higher Education Investment Workforce Initiatives | 864,706 |

Explanation: Reduce general fund support for educational grants.

Amendment No. 125

Committee Narrative

Report on Outcomes of Students Participating in Access and Success Programs by Cohort:

The committees request that the Maryland Higher Education Commission (MHEC) develop a framework to facilitate the collection and analysis of data to evaluate the impact of Access and Success programs across the historically black institutions (HBIs). MHEC should collect progression, retention, and graduation data from each public HBI on all students participating in Access and Success programs in fiscal 2009 and 2010 and submit a report by October 15, 2010, on these findings.

| Information Request | Author | Due Date |
|--|---------------|------------------|
| Report on fiscal 2009 and 2010 outcomes by cohort of students participating in Access and Success programs across the HBIs | MHEC | October 15, 2010 |

R62I

Budget Amendments

R62I00.17 Graduate and Professional Scholarship Program

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce general fund support for the Graduate and Professional Scholarship Program. New federal Income Based Repayment and Public Service Loan Forgiveness programs reduce the need for this scholarship. | 589,152 GF | |
| Total Reductions | 589,152 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 1,178,303 | 589,151 | 589,152 | |
| Total Funds | 1,178,303 | 589,151 | 589,152 | |

Amendment No. 126

R62I00.20 Distinguished Scholar Program

Strike the following language:

~~, provided that \$1,050,000 of this appropriation shall be reduced contingent upon the enactment of legislation to reduce the required appropriation for the support of the Distinguished Scholar Program.~~

Explanation: This is a technical amendment. The language is not required since the related language in the Budget Reconciliation and Financing Act is also struck.

Amendment No. 127

R62I

R62I00.21 Jack F. Tolbert Memorial Student Grant Program

Strike the following language:

~~, provided that \$200,000 of this appropriation shall be reduced contingent upon the enactment of legislation to repeal the program.~~

Explanation: This is a technical amendment. The language is not required since the related language in the Budget Reconciliation and Financing Act is also struck.

Amendment No. 128

Committee Narrative

Report on the Current Fiscal Year Working Appropriation for the Maryland Higher Education Commission: The committees request that the Maryland Higher Education Commission (MHEC) submit reports by October 15, 2010, and January 15, 2011, on the current fiscal year working appropriation for MHEC scholarships by program. MHEC frequently moves money between scholarship programs to ensure that available funds are fully spent. A significant lag time often exists between when funds are moved and when the move is recognized through budget amendment. As a result, it is difficult to monitor the use of scholarship funds across fiscal years. The current year working appropriation reported by MHEC in the Governor's budget books is often not reflective of the actual working appropriation. These reports on the current working appropriation would ensure that the committees have access to the most updated data available.

| Information Request | Author | Due Date |
|---|--------|--------------------------------------|
| Report on current fiscal year working appropriation for Maryland Higher Education Program Scholarships by program | MHEC | October 15, 2010 January 15, 2011 |

R75T
Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the University of Maryland, Baltimore School of Law submits a report containing complete information, to the extent possible, from each law school clinic listing and describing each legal case in the past five years in which they participated in a court action, including the client represented, complete delineation of the expenditures for each case, and the source of funds for each expenditure. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days for 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 General Assembly is interested in the cases pursued by the University of Maryland, Baltimore School of Law clinics. The School of Law shall submit a report with information, to the extent possible, of each case in which they participated in a court action, including expenditures and the source of funds for each expenditures. The report shall be submitted by August 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

| Information Request | Author | Due Date |
|---|-----------------------------------|-----------------|
| Report on the activities of the University of Maryland, Baltimore School of Law clinics | University of Maryland, Baltimore | August 1, 2010 |

Amendment No. **129**

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the University System of Maryland submits a report on law school clinics operated out of public higher education institutions in other states. The report shall describe the criteria used to select the legal cases handled by law school clinics and funding sources of the programs. The report shall be submitted to the budget committees by August 1, 2010, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

R75T

Explanation: The General Assembly is interested in how the cases pursued by public law school clinics in other states are chosen. The University System of Maryland shall submit a report explaining the criteria used to select the cases for public law school clinics to pursue and the funding sources of the programs. The report shall be submitted by August 1, 2010, and \$250,000 of the general fund appropriation is contingent upon submission of the report.

| Information Request | Author | Due Date |
|---|--------------------------------------|-----------------|
| Report on cases pursued by public law school clinics nationwide | University System of Maryland Office | August 1, 2010 |

Amendment No. 130

Committee Narrative

Report on Policies Regarding Interactions with the Community When Considering Construction Projects: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) submit a report on institutional policies regarding interactions with the surrounding community before a new building is designed or prior to exterior modifications to an existing building.

| Information Request | Authors | Due Date |
|---|--------------------|-------------------|
| Report on policies pertaining to interactions with the community prior to the design of a building or modification to existing building | USM MSU SMCM | September 1, 2010 |

Constraining the Growth in Public Higher Education: It is the intent of the committees that for fiscal 2012, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland should receive the same amount of State funding (general funds and Higher Education Investment Funds) per full-time equivalent student as provided in fiscal 2011.

R99E
Maryland School for the Deaf

Budget Amendments

FREDERICK CAMPUS

R99E01.00 Services and Institutional Operations

Amend the following language:

, provided that this appropriation shall be reduced by ~~\$500,000~~ \$1,000,000 contingent upon the enactment of legislation to transfer funds from the Universal Services Trust Fund to the Maryland School for the Deaf.

COLUMBIA CAMPUS

R99E02.00 Services and Institutional Operations

Amend the following language:

, provided that this appropriation shall be reduced by ~~\$500,000~~ \$1,000,000 contingent upon the enactment of legislation to transfer funds from the Universal Services Trust Fund to the Maryland School for the Deaf.

Explanation: This action increases to \$2 million the funds from the Universal Services Trust Fund directed to the operating budget of the Maryland School for the Deaf in lieu of general funds.

Amendment No. **131**

COLUMBIA CAMPUS

R99E02.00 Services and Institutional Operations

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Delete funds for deferred compensation match. These funds should be deleted in all State agencies. | 1,101 GF | |
| Total Reductions | 1,101 | 0.00 |

R99E

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position | 111.50 | 111.50 | | 0.00 |
| General Fund | 8,886,809 | 8,885,708 | 1,101 | |
| Special Fund | 101,964 | 101,964 | 0 | |
| Federal Fund | 495,580 | 495,580 | 0 | |
| Total Funds | 9,484,353 | 9,483,252 | 1,101 | |

Amendment No. 132

S00A
Department of Housing and Community Development

Budget Amendments

Add the following language:

It is the intent of the General Assembly that the General Bond Reserve Fund Indenture maintain an ending fund balance of at least \$32,000,000 by the close of fiscal 2012, \$34,000,000 by the close of fiscal 2014, and no less than \$35,000,000 in subsequent years; provided, however, that any increases or decreases be consistent with the obligations of the Community Development Administration (CDA) to its bondholders and other parties, as determined at the sole discretion of CDA.

Explanation: The General Assembly is concerned with the fund balance of the General Bond Reserve Fund and the continued use of fund balance to support operations of the Department of Housing and Community Development (DHCD) in lieu of general funds. It is the intent of the General Assembly that DHCD endeavor to increase the fund's ending balance to at least \$32 million by the end of fiscal 2012, \$34 million by the end of 2013, and no less than \$35 million in subsequent years.

Amendment No. **133**

T00
Department of Business and Economic Development

Committee Narrative

DIVISION OF ECONOMIC DEVELOPMENT

T00F00.03 Maryland Small Business Development Financing Authority

Maryland Small Business Development Financing Authority Fund Summaries: The budget committees request that the Department of Business and Economic Development (DBED), the Department of Budget and Management (DBM), and the Department of Legislative Services (DLS) to collaborate and to develop a plan to accurately and clearly reflect the annual financial activity of the Maryland Small Business Development Financing Authority (MSBDFA). The plan should contemplate the appropriate manner of reporting on the use of State funds under the program. The resulting fund summaries should include data that demonstrates the amount of funds available for guarantees, lines of credit, and equity investments. Further, the data should show the extent to which funds are repaid and then lent again over the course of a fiscal year.

| Information Request | Authors | Due Date |
|----------------------------|--|-------------------------------------|
| MSBDFA fund summaries | DBED DBM In collaboration with DLS | Annually with the budget submission |

Budget Amendments

T00F00.09 Maryland Small Business Development Financing Authority – Business Assistance

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce general funds from the Maryland Small Business Development Financing Authority Fund. This is the only financing program under the department to receive general funds. Further, the fund has not participated in any cost containment measures as have other departmental programs. | 382,222 | GF |
| Total Reductions | 382,222 | 0.00 |

T00

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 2,882,222 | 2,500,000 | 382,222 | |
| Special Fund | 14,523,528 | 14,523,528 | 0 | |
| Total Funds | 17,405,750 | 17,023,528 | 382,222 | |

Amendment No. 134

Budget Amendments

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.03 Maryland Tourism Board

Add the following language to the general fund appropriation:

, provided that \$300,000 of this appropriation made for the purpose of statewide marketing initiatives may not be expended for that purpose but instead may be transferred by budget amendment to T00G00.02 Office of Tourism Development to be used to prevent the closure of the welcome centers located on US-13, Crain Memorial Highway, and I-70 East and West; and to reopen the Mason Dixon welcome center on US-15. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund.

Explanation: The cost containment initiative of fiscal 2010 resulted in the closure of 6 of the 12 welcome centers in the State. This language would dedicate a portion of the funding under the Maryland Tourism Board to prevent the closure of four additional centers as assumed in the fiscal 2011 allowance and to reopen on center closed during the fiscal 2010 cost containment effort.

Amendment No. 135

T

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce general funds for the Maryland Tourism Board. This leaves \$4,000,000 in general funds and \$300,000 in special funds for the board in fiscal 2011. | 1,000,000 | GF |
| Total Reductions | 1,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| General Fund | 5,000,000 | 4,000,000 | 1,000,000 | |
| Special Fund | 300,000 | 300,000 | 0 | |
| Total Funds | 5,300,000 | 4,300,000 | 1,000,000 | |

Amendment No. 136

T00G00.08 Preservation of Cultural Arts Program

Add the following language to the special fund appropriation:

, provided that this appropriation shall be reduced by \$500,000 contingent on the enactment of SB 141 or HB 151 which creates a special fund to provide local impact grants to jurisdictions with electronic bingo and tip jar machines.

Explanation: An amendment to the Budget Reconciliation and Financing Act of 2010 (SB 141/HB 151) would establish a new special fund for fiscal 2011 only to provide grants to local jurisdictions with electronic bingo and tip jar machines, which would reduce the amount of funding available for the Special Fund for the Preservation of the Cultural Arts.

Amendment No. 137

T50
Maryland Technology Development Corporation

Budget Amendments

MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION

T50T01.03 Maryland Stem Cell Research Fund

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------|------------------|
| 1. Reduce funds under the Maryland Stem Cell Research program as a cost containment measure. This action will assist in alleviating the State's current budgetary concerns, while still allowing the continuance of this discretionary program at a more modest level. | 6,200,000 | GF |
| Total Reductions | 6,200,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 12,400,000 | 6,200,000 | 6,200,000 | |
| Total Funds | 12,400,000 | 6,200,000 | 6,200,000 | |

Amendment No. **138**

U00A
Department of the Environment

Budget Amendments

OFFICE OF THE SECRETARY

U00A01.13 Chesapeake – Coastal – Non-Point Source Fund

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------|------------------|
| 1. This action deletes the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund appropriation. The funding for this appropriation comes from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and the BayStat agencies anticipate bringing in a budget amendment to disburse funding when the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund appropriation is known. | 1,880,000 | SF |
| Total Reductions | 1,880,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Special Fund | 1,880,000 | 0 | 1,880,000 | |
| Total Funds | 1,880,000 | 0 | 1,880,000 | |

Amendment No. 139

WATER MANAGEMENT ADMINISTRATION

U00A04.01 Water Management Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------|------------------|
| 1. Delete the appropriation for the Coastal Plain Aquifer Study and Fractured Rock Water Supply Study. The estimated cost is \$18 million over six years, and so a one-year hiatus extends the project to seven years. In addition, it is possible that local governments could fund this study. | 1,000,000 | GF |
| Total Reductions | 1,000,000 | 0.00 |

U00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 278.50 | 278.50 | | 0.00 |
| General Fund | 13,422,755 | 12,422,755 | 1,000,000 | |
| Special Fund | 8,699,827 | 8,699,827 | 0 | |
| Federal Fund | 6,113,612 | 6,113,612 | 0 | |
| Total Funds | 28,236,194 | 27,236,194 | 1,000,000 | |

Amendment No. 140

SCIENCE SERVICES ADMINISTRATION

U00A05.01 Science Services Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce general funds for Total Maximum Daily Load. There is approximately \$1,000,000 in prior year funding encumbered for this purpose. The prior year encumbered funding could be used to replace the general fund reduction. | 500,000 | GF |
| | | |
| Total Reductions | 500,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 92.00 | 92.00 | | 0.00 |
| General Fund | 5,939,005 | 5,439,005 | 500,000 | |
| Special Fund | 1,179,564 | 1,179,564 | 0 | |
| Federal Fund | 5,748,230 | 5,748,230 | 0 | |
| Total Funds | 12,866,799 | 12,366,799 | 500,000 | |

Amendment No. 141

U00A

Committee Narrative

LAND MANAGEMENT ADMINISTRATION

U00A06.01 Land Management Administration

Report on Status of Voluntary Cleanup Program: The Voluntary Cleanup Program is a hybrid environmental remediation and economic development program and has smart growth components because of the focus on the remediation of blighted properties in urban areas. However, there is insufficient information available concerning the status of the program because Managing for Results measures are not included in the fiscal 2011 budget submission. In addition, applications have dropped between fiscal 2007 (72), fiscal 2008 (59), fiscal 2009 (31), and fiscal 2011 projected (30). Finally, the Voluntary Cleanup Fund balance is projected to be reduced to zero at the end of fiscal 2010, although additional revenue is anticipated in fiscal 2011. Therefore, the Maryland Department of the Environment (MDE) is requested to submit a report on the number of applications the program has received for each year since fiscal 2001; the geographic location of applications; the number of acres and properties in the program completed and a No Further Requirements Determination or a Certificate of Completion issued and where they are located; the cumulative number of properties remediated/completed since the beginning of the program; the number of jobs created each year as a result of the program; the amount of capital investment in program sites that have been cleaned up; and the increase in the tax base from job creation or capital investment resulting from cleanup of program sites. In addition, MDE is requested to comment in the report on why applications have decreased and whether the program should be improved, and how, or whether it should be ended.

| Information Request | Author | Due Date |
|---|--------|-------------------|
| Report on status of Voluntary Cleanup Program | MDE | September 1, 2010 |

AIR AND RADIATION MANAGEMENT ADMINISTRATION

U00A07.01 Air and Radiation Management Administration

Report on Strategic Energy Investment Fund Expenditures: The Maryland Department of the Environment (MDE) receives funding from the Strategic Energy Investment Fund that is deposited into the Maryland Clean Air Fund. The committees are concerned that the revenues from the Strategic Energy Investment Fund – the sale of carbon dioxide allowances – is subject to uncertainty and year-to-year variability despite the need for MDE to recoup the costs of managing Maryland’s role in the quarterly carbon dioxide allowance auctions and the expenses associated with implementing Chapters 171 and 172 of 2009. In addition, the committees are concerned that it is not clear how the revenues received from the Strategic Energy Investment Fund are being used. Therefore, the committees request a report on how MDE is using the revenues from the Strategic Energy Investment Fund to further climate change work, in general,

U00A

and to meet the requirements of Chapters 171 and 172. The report is requested to cover the fiscal 2010 actual, fiscal 2011 working, and fiscal 2012 allowance funding period.

| Information Request | Author | Due Date |
|---|---------------|---|
| Report on Strategic Energy Investment Fund expenditures | MDE | Fiscal 2012 budget submission and annually thereafter |

Budget Amendments

COORDINATING OFFICES

U00A10.01 Coordinating Offices

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete funding to improve the functionality of the Enterprise Environmental Management System software system. The agency was requested to provide updates on the status of information technology projects given concerns about how information technology projects were funded in the past. The fiscal 2011 allowance funding reflects a \$120,000 increase from the fiscal 2010 working appropriation level with no such notification. | 350,000 SF | |
| 2. Delete operation and maintenance funding for wastewater treatment plants upgraded to enhanced nutrient removal technology. The agency is required to use up to 10% of the annual fee revenue from wastewater treatment plant users for this purpose. However, the draft January 2010 Bay Restoration Fund Advisory Committee report notes that one option to reduce the funding gap for upgrading the State's 67 major wastewater treatment plants to enhanced nutrient removal technology would be to discontinue the annual operation and maintenance grants. This action executes that option for fiscal 2011 and reduces operation and maintenance funding for approximately 14 wastewater treatment plants. | 1,000,000 SF | |
| Total Reductions | 1,350,000 | 0.00 |

U00A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|------------------------------------|--------------------------------------|
| Position | 119.50 | 119.50 | | 0.00 |
| General Fund | 4,023,904 | 4,023,904 | 0 | |
| Special Fund | 8,629,765 | 7,279,765 | 1,350,000 | |
| Federal Fund | 2,980,763 | 2,980,763 | 0 | |
| Total Funds | 15,634,432 | 14,284,432 | 1,350,000 | |

Amendment No. 142

V10A
Department of Juvenile Services

Budget Amendments

BALTIMORE CITY REGION

V00G01.01 Baltimore City Region Administrative

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete funding for a long-term vacant non-direct care position. | 66,258 GF | |
| Total Reductions | 66,258 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 46.00 | 46.00 | | 0.00 |
| General Fund | 3,060,891 | 2,994,633 | 66,258 | |
| Total Funds | 3,060,891 | 2,994,633 | 66,258 | |

Amendment No. **143**

V00G01.02 Baltimore City Region Community Operations

| | | |
|--|---------------------|-------------------------|
| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
| 1. Delete funding for a long-term vacant non-direct care position. | 82,808 GF | |
| 2. Reduce funding for contractual support. This reduction level funds general fund support for contractual assistance in fiscal 2011 compared to fiscal 2010. To date in fiscal 2010, the department has been able to stay within its contractual employee budget. Additionally, as of December 31, 2009, the department had 139 vacant positions, over 50 more than needed to meet it fiscal 2011 turnover rate. The priority should be filling those positions rather than creating additional contractual positions. This | 550,000 GF | |

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reduction is taken in the Baltimore region but may be allocated by the Department across all regions.

| | | |
|------------------|---------|------|
| Total Reductions | 632,808 | 0.00 |
|------------------|---------|------|

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 242.90 | 242.90 | | 0.00 |
| General Fund | 40,519,666 | 39,886,858 | 632,808 | |
| Federal Fund | 3,193,008 | 3,193,008 | 0 | |
| Total Funds | 43,712,674 | 43,079,866 | 632,808 | |

Amendment No. 144

V00G01.03 Baltimore City Region State Operated Residential

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Reduce funding for contractual support. This reduction level funds general fund support for contractual assistance in fiscal 2011 compared to fiscal 2010. To date in fiscal 2010, the department has been able to stay within its contractual employee budget. Additionally, as of December 31, 2009, the department had 139 vacant positions, over 50 more than needed to meet it fiscal 2011 turnover rate. The priority should be filling those positions rather than creating additional contractual positions. This reduction is taken in the Baltimore region but may be allocated by the Department across all regions. | 198,000 | GF |

| | | |
|------------------|---------|------|
| Total Reductions | 198,000 | 0.00 |
|------------------|---------|------|

V10A

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| Position | 218.10 | 218.10 | | 0.00 |
| General Fund | 22,095,647 | 21,897,647 | 198,000 | |
| Special Fund | 20,000 | 20,000 | 0 | |
| Federal Fund | 259,551 | 259,551 | 0 | |
| Total Funds | 22,375,198 | 22,177,198 | 198,000 | |

Amendment No. 145

CENTRAL REGION

V00H01.01 Central Region Administrative

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|--------------|------------------|
| 1. Delete funding for a long-term vacant non-direct care position. | 66,605 GF | |
| Total Reductions | 66,605 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-------------------------|---------------------------|
| Position | 16.00 | 16.00 | | 0.00 |
| General Fund | 1,332,096 | 1,265,491 | 66,605 | |
| Total Funds | 1,332,096 | 1,265,491 | 66,605 | |

Amendment No. 146

Committee Narrative

Substance Abuse Options for Court-involved Youth: The committees are concerned about the ongoing underutilization of limited substance abuse treatment options for court-involved youth. Participation in juvenile drug courts is particularly low, and the Department of Juvenile Services (DJS) recently suspended programming at one of its two residential drug treatment programs pending a review of that programming. The committees request that DJS, the Office of Problem-solving Courts (OPC), and the Alcohol and Drug Abuse Administration (ADAA), in

V10A

consultation with substance abuse providers that work with adolescents with substance abuse issues, jointly prepare a report assessing what range of treatment options should be available to court-involved youth. In making this assessment, the response should identify demand for substance abuse services from within the juvenile justice system both at the State and local level as well as the evidence-based practice program options available for the different levels of substance abuse treatment considered appropriate.

| Information Request | Authors | Due Date |
|--|--------------------|------------------|
| Substance abuse options for court-involved youth | DJS OPC ADAA | November 1, 2010 |

W10A
Department of State Police

Budget Amendments

Add the following language:

Provided that a reduction of \$44,284 is made for cell phone expenditures (Comptroller subobject 0306). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|-----------------|
| <u>General</u> | <u>\$24,309</u> |
| <u>Special</u> | <u>\$19,975</u> |

Explanation: This action reduces the Department of State Police's fiscal 2011 allowance for cell phone expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. 147

Add the following language:

Further provided that a reduction of \$179,340 is made for printing and duplication expenses (Comptroller subobject 0804). This reduction shall be allocated among the divisions according to the following fund types:

| <u>Fund</u> | <u>Amount</u> |
|----------------|------------------|
| <u>General</u> | <u>\$148,201</u> |
| <u>Special</u> | <u>\$31,139</u> |

Explanation: This action reduces the Department of State Police's fiscal 2011 allowance for printing and duplication expenditures. The total reduction should be split as indicated above among general and special funds.

Amendment No. 148

W10A

MARYLAND STATE POLICE

W00A01.01 Office of the Superintendent

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of providing police protection grants may not be expended until the Department of State Police (DSP) submits the Crime in Maryland, 2009 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of 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.

Further provided that if DSP encounters difficulty in obtaining the necessary crime data on a timely basis from local jurisdictions who provide this data for inclusion in the UCR, DSP shall request that the Governor's Office of Crime Control and Prevention withhold a portion, totaling no more than 50%, of that jurisdiction's State Aid for Police Protection grant for fiscal 2011 until such time that the jurisdiction submits its crime data to DSP.

Explanation: This 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. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2009 Uniform Crime Report. The language also permits the Governor's Office of Crime Control and Prevention to withhold a portion of the State Aid to Police Protection grant until certain crime data is submitted.

| Information Request | Author | Due Date |
|---------------------------|--------|---|
| 2009 Uniform Crime Report | DSP | 45 days prior to the expenditure of funds |

Amendment No. 149

W00A01.02 Field Operations Bureau

Add the following language:

Provided that it is the intent of the General Assembly that for any special funds earned in excess of \$5,000,000 for speed monitoring revenues, the Department of State Police shall revert an equivalent dollar amount in general funds at the end of fiscal 2011.

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Explanation: This action expresses the intent that the Department of State Police offset speed monitoring revenues earned in excess of \$5 million with a general fund reversion of an equivalent dollar amount at the close of fiscal 2011.

Amendment No. **150**

| Reduce appropriation for the purposes indicated: | <u>Funds</u> | <u>Positions</u> |
|--|---------------|------------------|
| 1. Reduce special funds for turnover expectancy to better reflect historical turnover rate of approximately 5.5%. This reduction shall be allocated to anticipated speed monitoring system revenues. | 1,964,172 SF | |
| 2. Delete 5 new positions for speed camera operations. It is anticipated that the speed camera vendor will continue performing the majority of the work for the program. Consistent with the long-term plan to increase the number of mobile enforcement units, this action will appropriate 5 new positions for speed camera operations in fiscal 2011. | 391,455 SF | 5.00 |
| Total Reductions | 2,355,627 | 5.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| Position | 1631.00 | 1626.00 | | 5.00 |
| General Fund | 79,651,613 | 79,651,613 | 0 | |
| Special Fund | 81,779,579 | 79,423,952 | 2,355,627 | |
| Federal Fund | 19,859,909 | 19,859,909 | 0 | |
| Total Funds | 181,291,101 | 178,935,474 | 2,355,627 | |

Amendment No. **151**

W10A

Committee Narrative

Helicopter Maintenance Study: The 2009 Joint Chairmen's Report directed the Department of State Police (DSP) to conduct a review of all helicopter maintenance options and to submit a report to the budget committees by October 2009. In order to respond to the committee narrative, DSP plans to develop a maintenance request for proposal (RFP) and to solicit bids for maintaining the fleet. Upon receipt of the proposals, DSP plans to compare the cost of maintaining the fleet internally to that of commercial providers. However, issuing an RFP prior to the procurement award for the new Medevac fleet would be premature as certain pertinent information (e.g., the make and model of the new aircraft) would be unavailable for inclusion in the maintenance RFP. Such information is vital when determining the maintenance requirements and costs of the fleet. In light of the ongoing Medevac procurement, the budget committees request that the helicopter maintenance study be submitted on October 1, 2010.

| Information Request | Author | Due Date |
|---|---------------|-----------------|
| Submission of a study on helicopter maintenance | DSP | October 1, 2010 |

Budget Amendments

W00A01.03 Criminal Investigation Bureau

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Delete funding to purchase a replacement vehicle. The vehicle is projected to have less than 100,000 miles at the time of replacement. If adopted, this action will appropriate \$269,290 for the purchase of 13 vehicles in fiscal 2011. | 22,290 SF | |
| Total Reductions | 22,290 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Position | 282.00 | 282.00 | | 0.00 |
| General Fund | 31,434,734 | 31,434,734 | 0 | |
| Special Fund | 360,000 | 337,710 | 22,290 | |
| Total Funds | 31,794,734 | 31,772,444 | 22,290 | |

Amendment No. 152

Y01A
State Reserve Fund

Budget Amendments

Y01A02.01 Dedicated Purpose Account

Add the following language to the general fund appropriation:

, provided that the expenditure of any State funds from this appropriation for the Prince George's County health system is contingent on satisfaction of all conditions, contingencies, and mandates imposed under both Chapter 680 of 2008 and the memorandum of understanding executed by the State and the County on July 24, 2008.

Explanation: The budget bill language requires that the expenditure of funds for Prince George's County health system is contingent on the State and Prince George's County satisfying conditions in the law and the memorandum of understanding.

Amendment No. **153**

M00Q
Department of Health and Mental Hygiene
Medical Care Programs Administration

Fiscal 2010 Deficiency

MEDICAL CARE PROGRAMS ADMINISTRATION

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|--|---------------------|-------------------------|
| 1. Reduce general funds by making available additional special funds through additional program reductions supported by the Cigarette Restitution Fund (CRF). Part of the fiscal 2010 general fund deficiency in Medicaid is due to shortfalls in fiscal 2010 CRF revenue. To date, the agricultural programs supported by the CRF have not been reduced by the Board of Public Works in fiscal 2010. A \$700,000 reduction in agricultural program support would reduce the need for a fiscal 2010 deficiency in Medicaid by a corresponding \$700,000. To implement this action, language is also included in the Budget and Reconciliation Financing Act of 2010. | 700,000 | GF |
| 2. Reduce general funds based on the availability of Senior Prescription Drug Assistance Program fund balance. | 2,000,000 | GF |
| Total Reductions | 2,700,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| General Fund | 47,328,224 | 44,628,224 | 2,700,000 | |
| Special Fund | 39,371,776 | 39,371,776 | 0 | |
| Total Funds | 86,700,000 | 84,000,000 | 2,700,000 | |

Amendment No. **154**

M00Q

Amend the following language to the special fund appropriation:

, provided that ~~\$3,000,000~~ \$5,000,000 of this appropriation is contingent upon the enactment of legislation authorizing the use of surplus funds from the Senior Prescription Drug Assistance Program for this purpose.

Explanation: Technical amendment specifying the amount of surplus funds from the Senior Prescription Drug Assistance Program that may be used to support a fiscal 2010 deficiency appropriation in Medicaid.

Amendment No. 155

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Reduce general funds based on the applicability of the enhanced federal match to the State's Medicare clawback payment. On February 18, 2010, the United States Department of Health and Human Services announced that it would apply the American Recovery and Reinvestment Act of 2009 Medicaid enhanced federal match to state "clawback payments." These payments are made by the states to the federal government to offset the cost of Medicare coverage for prescription drugs for state residents eligible for both Medicare and Medicaid. This results in general fund savings to the fiscal 2010 and 2011 Medicaid budget. | 39,000,000 | GF |
| Total Reductions | 39,000,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|--------------------|----------------------|-------------------------|---------------------------|
| General Fund | 102,671,776 | 63,671,776 | 39,000,000 | |
| Special Fund | 31,763,224 | 31,763,224 | 0 | |
| Federal Fund | 215,565,000 | 215,565,000 | 0 | |
| Total Funds | 350,000,000 | 311,000,000 | 39,000,000 | |

Amendment No. 156

N00G
Department of Human Resources
Local Department Operations

Fiscal 2010 Deficiency

LOCAL DEPARTMENT OPERATIONS

N00G00.06 Local Child Support Enforcement Administration

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------------|-------------------------|
| 1. Reduce the special fund portion of the deficiency appropriation to more accurately reflect anticipated expenditures. The Department of Human Resources advises that only \$172,019 in special funds will be needed for these services. Additional federal funds will be required and may be added by budget amendment. | 76,008 SF | |
| Total Reductions | 76,008 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|----------------------|-------------------------|-----------------------------|--------------------------------|----------------------------------|
| Special Fund | 248,027 | 172,019 | 76,008 | |
| Federal Fund | 257,908 | 257,908 | 0 | |
| Total Funds | 505,935 | 429,927 | 76,008 | |

Amendment No. **157**

N00G00.08 Assistance Payments

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of providing assistance through the Temporary Disability Assistance Program, may not be expended for that purpose but instead may be transferred by budget amendment to program N00G00.04 Adult Services to be used only for respite care services. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

N00G

Explanation: This language restricts \$250,000 of the funding for the Temporary Disability Assistance Program (TDAP) to only be used for respite care services in the Department of Human Resources' Adult Services. The funds are available for this use because the TDAP caseload growth has slowed significantly from the rate experienced in fiscal 2009 resulting in a projected surplus in the TDAP budget.

Amendment No. **158**

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|---------------|------------------|
| 1. Reduce fiscal 2010 deficiency for the Temporary Disability Assistance Program to reflect slowing caseload growth. The rate of caseload increase in the first six months of fiscal 2010 is half that experienced in fiscal 2009. This reduction leaves \$500,000 more than current projections indicate will be needed. | 1,450,000 | GF |
| Total Reductions | 1,450,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|-------------------|----------------------|-------------------------|---------------------------|
| General Fund | 18,778,808 | 17,328,808 | 1,450,000 | |
| Total Funds | 18,778,808 | 17,328,808 | 1,450,000 | |

Amendment No. **159**

**R00A01
State Department of Education
Headquarters**

Fiscal 2010 Deficiency

HEADQUARTERS

R00A01.01 Office of the State Superintendent

Reduce appropriation for the purposes indicated:

| | <u>Funds</u> | <u>Positions</u> |
|---|--------------|------------------|
| 1. Delete fiscal 2010 deficiency funds for a Race to the Top consultant. If approved, the funds would not be available until April 2010, and the Race to the Top application is due in June 2010. | 200,000 | GF |
| Total Reductions | 200,000 | 0.00 |

| <u>Effect</u> | <u>Allowance</u> | <u>Appropriation</u> | <u>Amount Reduction</u> | <u>Position Reduction</u> |
|--------------------|------------------|----------------------|-----------------------------|-------------------------------|
| General Fund | 200,000 | 0 | 200,000 | |
| Total Funds | 200,000 | 0 | 200,000 | |

Amendment No. 160

Sections

Budget Amendments

Strike the following language:

Section 12 Executive Pay Plan

DEPARTMENT OF HUMAN RESOURCES

Social Services Administration

| | | |
|-------------------------|------|---------|
| Executive VI | 9906 | 102,000 |
|-------------------------|------|---------|

Explanation: This position is being reclassified and should no longer be in the Executive Pay Plan.

Amendment No. 161

Amend the following section:

Section 17 Using Funds for Their Intended Purpose

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0305 (DBM Paid Telecommunications), and 0322 (Capital Lease Telecommunications) are to be utilized for their intended purposes only. The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management. Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller Objects 0152, 0154, 0305, and 0322 between State departments and agencies by approved budget amendment in fiscal 2010 and 2011. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154, and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2-516 of the State Personnel and Pensions Article of the Annotated Code of Maryland.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects herein listed within this section shall establish within the State's accounting system a structure of accounts to separately identify for each restricted Comptroller Object by fund source, the legislative appropriation, monthly transactions, and final expenditures. It is the intent of the General Assembly that an accounting detail be established so that the Office of

Sections

Legislative Audits may review the disposition of funds appropriated for each restricted Comptroller Object as part of each closeout audit to ensure that funds are used only for the purposes for which they are restricted and that unspent funds are reverted or cancelled.

Explanation: This amendment makes it possible for the Office of Legislative Audits to track the disposition of funds in statewide subobjects 0152, 0154, 0175, 0305, and 0322.

Amendment No. 162

Amend the following section:

Section 18 Furlough Reductions

SECTION 18. AND BE IT FURTHER ENACTED, That the funding for regular and contractual salaries shall be reduced by ~~\$76,728,873~~ \$108,113,494 to reflect furlough savings in fiscal 2011. Funding for this purpose (Comptroller Objects 0101 and 0220) shall be reduced from the following branches of State government in Executive Branch agencies in fiscal 2011 by the following amounts ~~in accordance with a schedule determined by the Governor:~~

Executive

| Fund | Amount |
|----------------------------|------------------|
| General Funds | 43,041,095 |
| General Funds – R75T00.01 | 15,275,721 |
| Special Funds | 18,353,595 |
| Current Unrestricted Funds | 15,275,721 |
| <u>Federal Funds</u> | <u>9,970,500</u> |
| <u>Reimbursable Funds</u> | <u>1,225,838</u> |

Judiciary

| Fund | Amount |
|----------------------|------------------|
| <u>General Funds</u> | <u>3,629,000</u> |
| <u>Special Funds</u> | <u>200,080</u> |
| <u>Federal Funds</u> | <u>47,143</u> |

Sections

Legislative

| <u>Fund</u> | <u>Amount</u> |
|----------------------|------------------|
| <u>General Funds</u> | <u>1,094,800</u> |

Further provided that special funds of not less than \$5,995,218 from furlough savings shall be transferred to the General Fund contingent on the enactment of legislation authorizing the transfer of these funds to the General Fund.

Explanation: This section includes all fund sources to the Administration's schedule for the reductions resulting from a furlough of State employees in fiscal 2011. Reductions for the Judiciary and Legislature are also included.

Amendment No. 163

Add the following section:

Section 25 Across-the-board Reductions and Higher Education

SECTION 25. AND BE IT FURTHER ENACTED, That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

Explanation: This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College, unless their exclusion is specifically stated.

Amendment No. 164

Add the following section:

Section 26 Injured Workers' Insurance Fund Accounts

SECTION 26. AND BE IT FURTHER ENACTED, That the Comptroller's General Accounting Division shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (workers' compensation coverage) and to credit all payments disbursed to the Injured Workers' Insurance Fund (IWIF) via transmittal. The control account shall also record all funds withdrawn from IWIF and returned to the State and subsequently

Sections

transferred to the General Fund. IWIF shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

Explanation: This section provides continuation of a system to track workers' compensation payments to IWIF for payment of claims, current expenses, and funded liability for incurred losses by the State.

| Information Request | Author | Due Date |
|--|---------------|-----------------------------------|
| Report on status of ledger control account | IWIF | Monthly beginning on July 1, 2010 |

Amendment No. 165

Add the following section:

Section 27 Reporting Federal Funds

SECTION 27. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a summary statement of federal revenues by major federal program sources supporting the federal appropriations made therein along with the major assumptions underpinning the federal fund estimates. The Department of Budget and Management (DBM) shall exercise due diligence in reporting this data and ensure that they are updated as appropriate to reflect ongoing congressional action on the federal budget. In addition, DBM shall provide to the Department of Legislative Services (DLS) data for actual fiscal 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 allowance listing the components of each federal fund appropriation by Catalog of Federal Domestic Assistance number or equivalent detail for programs not in the catalog. Data shall be provided in an electronic format subject to the concurrence of DLS.

Explanation: This annual language provides for consistent reporting of federal monies received by the State.

| Information Request | Author | Due Date |
|---|---------------|---------------------------------------|
| Report of components of each federal fund appropriation | DBM | With submission of fiscal 2012 budget |

Amendment No. 166

Sections

Add the following section:

Section 28 Federal Fund Spending

SECTION 28. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

- (1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.
- (2) For fiscal 2011, except with respect to capital appropriations, to the extent consistent with federal requirements:
 - (a) when expenditures or encumbrances may be charged to either State or Federal Fund sources, federal funds shall be charged before State funds are charged; this policy does not apply to the Department of Human Resources with respect to federal funds to be carried forward into future years for child welfare or welfare reform activities, or to the Department of Health and Mental Hygiene with respect to funds to be carried forward into future years for the purpose of reducing the waiting list for community services for individuals with developmental disabilities or with respect to funds to be carried forward into future years for HIV/AIDS-related activities, or to the Maryland State Department of Education with respect to funds to be carried forward into future years for child care;
 - (b) when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management, whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and
 - (c) the Department of Budget and Management shall take appropriate actions to effectively establish these as policies of the State with respect to the administration of federal funds by executive agencies.

Explanation: This annual language defines the policies under which federal funds shall be used in the State budget.

Amendment No. 167

Sections

Add the following section:

Section 29 Indirect Costs Report

SECTION 29. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) shall provide an annual report on indirect costs to the General Assembly in January 2011 as an appendix in the Governor's fiscal 2012 budget books. The report shall detail by agency for the actual fiscal 2010 budget the amount of statewide indirect cost recovery received, the amount of statewide indirect cost recovery transferred to the General Fund, and the amount of indirect cost recovery retained for use by each agency. In addition, it shall list the most recently available federally approved statewide and internal agency cost recovery rates. As part of the normal fiscal/compliance audit performed for each agency once every three years, the Office of Legislative Audits shall assess available information on the timeliness, completeness, and deposit history of indirect cost recoveries by State agencies. Further provided that for fiscal 2011, excluding the Maryland Department of Transportation, the amount of revenue received by each agency from any federal source for statewide cost recovery may only be transferred to the General Fund and may not be retained in any clearing account or by any other means, nor may DBM or any other agency or entity approve exemptions to permit any agency to retain any portion of federal statewide cost recoveries.

Explanation: This is annual language that requires a report on indirect costs and disallows waivers of statewide cost recovery.

| Information Request | Author | Due Date |
|---------------------------------|---------------|--|
| Annual report on indirect costs | DBM | With submission of the Governor's fiscal 2012 budget books |

Amendment No. 168

Add the following section:

Section 30 Executive Long-term Forecast

SECTION 30. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a forecast of the impact of the Executive budget proposal on the long-term fiscal condition of the General Fund, Transportation Trust Fund, and higher education current unrestricted fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and four years thereafter. Expenditures shall be reported at such agency, program or unit

Sections

levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

Explanation: This annual language provides for the delivery of the Executive's general fund forecast and defines the conditions under which it is to be provided, while requiring that recovered funds may only be transferred to the general fund.

| Information Request | Author | Due Date |
|-----------------------------------|-------------------------------------|--|
| Executive's general fund forecast | Department of Budget and Management | With submission of the Governor's fiscal 2012 budget books |

Amendment No. 169

Add the following section:

Section 31 Reporting on Budget Data and Organizational Charts

SECTION 31. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2012 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of the Treasury. The presentation of budget data in the State budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2011 except as indicated elsewhere in this Act; however, this shall not preclude the placement of additional information into the budget books. For actual fiscal 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 allowance, the budget detail shall be available from the Department of Budget and Management's (DBM) automated data system at the subobject level by subobject codes and classifications for all agencies. To the extent possible, except for public higher education institutions, subobject expenditures shall be designated by fund for actual fiscal 2010 spending, the fiscal 2011 working appropriation, and the fiscal 2012 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available upon request and in a format subject to the concurrence of the Department of Legislative Services (DLS). Further, the expenditure of appropriations shall be reported and accounted for by the subobject classification in accordance with the instructions promulgated by the Comptroller of the Treasury.

Sections

Further provided that due diligence shall be taken to accurately report full-time equivalent position counts of contractual positions in the budget books. For the purpose of this count, contractual positions are defined as those individuals having an employee-employer relationship with the State. This count shall include those individuals in higher education institutions who meet this definition but are paid with additional assistance funds.

Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

Explanation: This annual language provides for consistent reporting of fiscal 2010, 2011, and 2012 budget data, and provides for the submission of department, unit, agency, office, and institutions' organizational charts to the Department of Legislative Services with the allowance.

Amendment No. 170

Add the following section:

Section 32 Interagency Agreements

SECTION 32. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that on or before August 1, 2010, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2010 between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

- (1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;
- (2) the starting date for each agreement;
- (3) the ending date for each agreement;
- (4) a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;
- (5) a description of the nature of the goods and services to be provided;

Sections

- (6) the total number of personnel, both full-time and part-time, associated with the agreement; and
- (7) contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement.

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2010, that contains information on all agreements between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000, that were in effect at any time during fiscal 2010.

Explanation: The language requires all State agencies and public institutions of higher education to report on all interagency agreements between State agencies and public institutions of higher education having a total potential expenditure over the term of the agreement in excess of \$100,000. This applies only to agreements for the purchase of goods and/or services and does not apply to grants or space agreements between State agencies and public institutions of higher education. Further, it requires that DBM submit a consolidated report on all agreements by December 1, 2010, to the budget committees and the Department of Legislative Services.

| Information Request | Author | Due Date |
|---|---------------|------------------|
| Consolidated report on all interagency agreements | DBM | December 1, 2010 |

Amendment No. 171

Add the following section:

Section 33 Budget Amendments

SECTION 33. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Control and Prevention or the Maryland Emergency Management Agency, made in Section 1 of this Act shall be subject to the following restrictions:

- (1) This section shall not apply to budget amendments for the sole purpose of:
 - (a) appropriating funds available as a result of the award of federal disaster assistance;
 - (b) transferring funds from the State Reserve Fund – Economic Development Opportunities Fund for projects approved by the Legislative Policy Committee; and

Sections

- (c) appropriating funds for Major Information Technology Development Project Fund projects approved by the budget committees.
- (2) Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until (i) that amendment has been submitted to the Department of Legislative Services (DLS); and (ii) the budget committees or the Legislative Policy Committee have considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of impact on budgeted or contractual position and payroll requirements.
- (3) Unless permitted by the budget bill or the accompanying supporting documentation or by other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:
 - (a) restore funds for items or purposes specifically denied by the General Assembly;
 - (b) fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation shall be restricted as provided in Section 1 of this Act;
 - (c) increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to the Maryland Department of Transportation; and
 - (d) provide for the additional appropriation of special, federal, or higher education funds of more than \$100,000 for the reclassification of a position or positions.
- (4) A budget may not be amended to increase a Federal Fund appropriation by \$100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.
- (5) No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.
- (6) Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.

Sections

- (7) Further provided that the fiscal 2011 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2011 and the supporting electronic detail shall not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the Maryland Department of Transportation pay-as-you-go capital program.
- (8) Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2012 allowance the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

Explanation: This annual language defines the process under which budget amendments may be used.

Amendment No. 172

Add the following section:

Section 34 Maintenance of Accounting Systems

SECTION 34. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health and Mental Hygiene shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2010 in program M00Q01.03 Medical Care Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the periodic reports required under this section for that program.
- (2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2010 to program R00A02.07 Students With Disabilities for Non-public Placements have been disbursed for services provided in that fiscal year and to prepare periodic reports as required under this section for that program.
- (3) The Secretary of Human Resources shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2010 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year and to prepare the periodic reports required under this section for that program.

Sections

- (4) For the programs specified, reports shall indicate total appropriations for fiscal 2010 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.
- (5) Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller on November 1, 2010, March 1, 2011, and June 1, 2011.
- (6) It is the intent of the General Assembly that general funds appropriated for fiscal 2010 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.

Explanation: This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Department of Health and Mental Hygiene, the Maryland State Department of Education, and the Department of Human Resources.

| Information Request | Authors | Due Date |
|---|--|---|
| Report on appropriations and disbursements in M00Q01.03, R00A02.07, and N00G00.01 | Department of Health and Mental Hygiene Maryland State Department of Education Department of Human Resources | November 1, 2010 March 1, 2011 June 1, 2011 |

Amendment No. 173

Add the following section:

Section 35 Secretary's or Acting Secretary's Nomination and Salary

SECTION 35. AND BE IT FURTHER ENACTED, That no funds in this budget may be expended to pay the salary of a Secretary or Acting Secretary of any department whose nomination as Secretary has been rejected by the Senate or an Acting Secretary who was serving in that capacity prior to the 2010 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2010 session.

Explanation: This language ensures that the intentions of the Senate are reflected in the payment of executive salaries.

Amendment No. 174

Sections

Add the following section:

Section 36 The “Rule of 100”

SECTION 36. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2010, as determined by the Secretary of Budget and Management. Provided, however, that if the imposition of this ceiling causes undue hardship in any department, agency, board, or commission, additional positions may be created for that affected unit to the extent that positions authorized by the General Assembly for the fiscal year are abolished in that unit or in other units of State government. It is further provided that the limit of 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of men, which are necessary to protect the health and safety of the people of Maryland.

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 full-time equivalent contractual positions are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in a contractual position for at least two years. Any position created by this method shall not be counted within the limitation of 100 under this section.

The numerical limitation on the creation of positions by BPW established in this section shall not apply to positions entirely supported by funds from federal or other non-State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

- (1) funds are available from non-State sources for each position established under this exception; and
- (2) any positions created will be abolished in the event that non-State funds are no longer available.

The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2011, the status of positions created with non-State funding sources during fiscal 2007, 2008, 2009, 2010, and 2011 under this provision as remaining authorized or abolished due to the discontinuation of funds.

Explanation: This annual language, the “Rule of 100”, limits the number of positions that may be added after the beginning of the fiscal year to 100 and provides for exceptions to the limit.

Senate Budget and Taxation Committee - Operating Budget, March 2010

Sections

| Information Request | Author | Due Date |
|--|-------------------------------------|---------------|
| Certification of the status of positions created with non-State funding sources during fiscal 2007, 2008, 2009, 2010, and 2011 | Department of Budget and Management | June 30, 2011 |

Amendment No. 175

Add the following section:

Section 37 Annual Report on Authorized Positions

SECTION 37. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2010, the Secretary of Budget and Management shall determine the total number of full-time equivalent (FTE) positions that are authorized as of the last day of fiscal 2010 and on the first day of fiscal 2011. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2010 and 2011 including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self supported activities, and the Maryland Correctional Enterprises.

The Department of Budget and Management shall also prepare during fiscal 2011 a report for the budget committees upon creation of regular FTE positions through Board of Public Works action and upon transfer or abolition of positions. This report shall also be provided as an appendix in the fiscal 2012 Governor's budget books. It shall note, at the program level:

- (1) where regular FTE positions have been abolished;
- (2) where regular FTE positions have been created;
- (3) from where and to where regular FTE positions have been transferred; and
- (4) where any other adjustments have been made.

Provision of contractual FTE position information in the same fashion as reported in the appendices of the fiscal 2011 Governor's budget books shall also be provided.

Explanation: This is annual language providing reporting requirements for regular and contractual State positions.

Sections

| Information Request | Author | Due Date |
|---|-------------------------------------|---------------|
| Total number of full-time equivalents on June 30 and July 1, 2010 | Department of Budget and Management | July 14, 2010 |
| Report on the creation, transfer, or abolition of regular positions | Department of Budget and Management | As needed |

Amendment No. 176

Add the following section:

Section 38 Annual Executive Pay Plan Report

SECTION 38. AND BE IT FURTHER ENACTED, That the Department of Budget and Management and the Maryland Department of Transportation are required to submit to the Department of Legislative Services' (DLS) Office of Policy Analysis:

- (1) a report in Excel format listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 1, 2010, October 1, 2010, January 1, 2011, and April 1, 2011; and
- (2) detail on any lump-sum increases given to employees paid on the EPP subsequent to the previous quarterly report.

Flat rate employees on the EPP shall be included in these reports. Each position in the report shall be assigned a unique identifier, which describes the program to which the position is assigned for budget purposes and corresponds to the manner of identification of positions within the budget data provided annually to DLS' Office of Policy Analysis.

Explanation: Legislation adopted during the 2000 session altered the structure of the EPP to give the Governor flexibility to compensate executives at appropriate levels within broad salary bands established for their positions, without reference to a rigid schedule of steps, and through other compensation methods such as a flat rate salary. These reports fulfill a requirement for documentation of any specific recruitment, retention, or other issues that warrant a pay increase.

Sections

| Information Request | Authors | Due Date |
|--|---------------------------------------|------------------|
| Report of all Executive Pay Plan positions | Department of Budget and Management | July 15, 2010 |
| | | October 15, 2010 |
| | Maryland Department of Transportation | January 15, 2011 |
| | | April 15, 2011 |

Amendment No. 177

Add the following section:

Section 39 Positions Abolished in the Budget

SECTION 39. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

Explanation: This language prevents employees from being moved into positions abolished in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

Amendment No. 178

Add the following section:

Section 40 Annual Report on Health Insurance Receipts and Spending

SECTION 40. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the fiscal 2012 Governor's budget books an accounting of the fiscal 2010 actual, fiscal 2011 working appropriation, fiscal 2012, and fiscal 2013 estimated revenues and expenditures associated with the employees' and retirees' health plan. This accounting shall include:

- (1) any health plan receipts received from State agencies, employees, and retirees, as well as prescription rebates or recoveries, or audit and other miscellaneous recoveries;
- (2) any premium, capitated, or claims expenditures paid on behalf of State employees and retirees for any health, mental health, dental, or prescription plan, as well as any administrative costs not covered by these plans; and

Sections

- (3) any balance remaining and held in reserve for future provider payments.

Explanation: This language provides an accounting of the health plan revenues received and expenditures made on behalf of State employees and retirees.

| Information Request | Author | Due Date |
|--|-------------------------------------|--|
| Accounting of the employee and retiree health plan revenues and expenditures | Department of Budget and Management | With submission of Governor's fiscal 2012 budget books |

Amendment No. 179

Add the following section:

Section 41 Chesapeake Bay Restoration Expenditures

SECTION 41. AND BE IT FURTHER ENACTED, That \$500,000 of the General Fund appropriation for the Department of Budget and Management (DBM) and \$500,000 of the General Fund appropriation for the Department of Natural Resources (DNR) made for the purpose of general operating expenses may not be expended until DBM and DNR provide two reports on Chesapeake Bay restoration spending. The reports 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 reports is as follows:

- (1) Chesapeake Bay restoration 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 2010 actual, fiscal 2011 working appropriation, and fiscal 2012 allowance, which is to be included as an appendix in the fiscal 2012 budget volumes and submitted electronically in disaggregated form to DLS; and
- (2) two-year milestone funding over the fiscal 2009 to 2012 time period by fund type and particular fund source for each best management practice along with the associated nitrogen, phosphorus, and sediment reductions as they relate to meeting the respective two-year milestone, which is to be submitted electronically to DLS at the time of the fiscal 2012 State budget submission.

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

Sections

Explanation: This language restricts funds until DBM and DNR provide information on (1) overall Chesapeake Bay restoration spending; and (2) two-year milestones best management practice funding at the time of the fiscal 2012 budget submission.

| Information Request | Authors | Due Date |
|---|------------|---|
| Summary of Chesapeake Bay restoration expenditures and two-year milestone funding | DBM DNR | Fiscal 2012 State budget submission and annually thereafter |

Amendment No. 180

Add the following section:

Section 42 Plan to Allocate Budget Reductions

SECTION 42. AND BE IT FURTHER ENACTED, That:

- (1) the Department of Human Resources (DHR) shall submit to the Department of Budget and Management (DBM) a plan which allocates the reductions included in DHR programs and subprograms in Comptroller subobject 0193 (Health Savings) to the objects, programs, and subprograms in which the reductions will actually occur; and
- (2) after reviewing and approving the plan submitted by DHR, DBM shall reflect the allocations of the reductions as contained in the plan in the appropriations listed in the fiscal 2011 Fiscal Digest.

Further provided that DHR shall submit the report to DBM on a schedule acceptable to DBM.

Further provided that DHR shall provide a copy of the plan as approved by DBM to the Department of Legislative Services no later than July 1, 2010.

Explanation: The budget for DHR contains an unallocated budget reduction in Comptroller subobject 0193 (Health Savings). Until the reduction is allocated to the actual objects to be reduced, a clear picture of the DHR budget cannot be seen. This language requires DHR to report to DBM on the allocation and requires DBM to include the allocation in the fiscal 2011 Fiscal Digest.

Sections

| Information Request | Author | Due Date |
|---|---------------|--|
| Allocation plan submitted to DBM for the reductions in Comptroller subobject 0193 | DHR | In sufficient time to be included in the fiscal 2011 Fiscal Digest |
| Copy of the plan as approved by DBM to be submitted to the Department of Legislative Services | DHR | No later than July 1, 2010 |

Amendment No. **181**

Add the following section:

Section 43 Report on Money Owed to the State

SECTION 43. AND BE IT FURTHER ENACTED, That \$50,000 of the General Fund appropriation for the Interagency Committee on School Construction (IAC), program D25E03.01 General Administration, and \$50,000 of the General Fund appropriation for the Governor's Office of Crime Control and Prevention, program D15A05.16 representing a portion of Montgomery County's share of State Aid for Police Protection, may not be expended until the IAC and Montgomery County jointly prepare and submit a report to the budget committees concerning the results of negotiations on funds owed by Montgomery County to the State resulting from the sale or lease of public school properties. The report shall include a payment plan that is agreed upon by the county and IAC. The budget committees shall have 45 days from the date of 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 December 2009 legislative audit report stated that in two preceding audits, at least \$3.2 million was identified that IAC should collect from Montgomery County as a portion of proceeds from the lease or sale of 17 former school properties in which the State has a financial interest. The county has agreed that it owes funds to the State, but it has disputed the amount of \$3.2 million.

IAC reports that the \$3.2 million was calculated as of 2000 based on projected rental proceeds to lease maturity. In the intervening years, some lease agreements have changed. As a result, IAC recently recalculated the amount owed based on 2009 projected rental proceeds to lease maturity, which is \$2.1 million. On March 9, 2010, Montgomery County offered a counter-proposal to pay \$1.4 million, which represents rental proceeds previously collected, and it will make an annual payment to the State for future rental proceeds collected.

Sections

| Information Request | Authors | Due Date |
|---|--------------------------|---------------------------------|
| Report on funds owed by Montgomery County for schools that are leased or sold | IAC Montgomery County | 45 days before release of funds |

Amendment No. 182

Add the following section:

Section 44 Speed Camera Operations

SECTION 44. AND BE IT FURTHER ENACTED, That the Department of State Police (DSP) may not expend \$100,000 of the appropriation made for new positions associated with speed camera operations until DSP, the Department of Budget and Management, the Maryland State Highway Administration (SHA), and the Maryland Transportation Authority (MDTA) submit a joint report to the budget committees outlining the long-term plan for speed camera operations in the State of Maryland. At a minimum, the report shall include a formalized plan outlining:

- (1) the duties and responsibilities of each agency participating in the program, including a draft copy of a signed memorandum of understanding between the parties;
- (2) the number of law enforcement positions (DSP and MDTA) needed to successfully operate the program, including a spending plan that is not based on employee overtime;
- (3) the estimated annual costs of the program, including personnel and vendor costs; and
- (4) the number of mobile enforcement vehicles to be operated statewide.

The budget committees shall have 45 days from 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: Chapter 500 of 2009 authorized the use of work zone speed monitoring systems. This action restricts a portion of the funding approved in the fiscal 2011 legislative appropriation until DSP, the Department of Budget and Management (DBM), SHA, and MDTA submit a joint report outlining the long-term plan for speed camera operations.

Sections

| Information Request | Authors | Due Date |
|--|---------------------------|--|
| Submission of a long-term plan for speed camera operations | DSP DBM SHA MDTA | 45 days prior to expending funds for new positions |

Amendment No. 183

Add the following section:

Section 45 Position Abolitions

SECTION 45. AND BE IT FURTHER ENACTED, That the Governor shall abolish 500 regular full-time equivalent positions from the Executive Branch during fiscal 2011, and the funding for salaries shall be reduced by \$11,412,000 in general funds related to these abolitions. The abolitions shall occur on or before June 30, 2011, and an accounting of the abolished positions shall be noted in Appendix E of the fiscal 2012 budget submission. The Governor is authorized to promote these position abolitions through attrition by offering financial inducements that encourage voluntary separation, provided that any inducements are disbursed from within existing agency resources.

Explanation: This action abolishes 500 regular full-time positions in the Executive Branch and reduces general fund spending by \$11.4 million. The action authorizes the Administration to promote voluntary employee separations through financial incentives.

Amendment No. 184

Technical Amendment

Technical Amendment

Renumber SECTION 25 as SECTION 46 and SECTION 26 as SECTION 47.

Amendment No. **185**