

Report of the Conference Committee on Senate Bill 185

The Budget Bill

March 27, 2018

Mr. President,
Ladies and Gentlemen of the Senate:

Mr. Speaker,
Ladies and Gentlemen of the House of Delegates:

The Conference Committee has reconciled the differences between the House and Senate versions of SB 185 and Supplemental Budgets No. 1, No. 2, and No. 3 in which the Senate made total reductions of \$344.6 million, including \$288.3 million contingent on the Budget Reconciliation and Financing Act (BRFA) of 2018, and the House made total reductions of \$360.3 million including \$286.8 million contingent on the BRFA of 2018. The Conference Committee made total reductions of \$343.4 million, including \$282.5 million contingent on the BRFA of 2018.

The Senate adopted 138 amendments to the budget bill including Supplemental Budget No. 1. The House subsequently adopted 66 amendments to the budget bill, as amended by the Senate. The Senate concurred with none of the House amendments. All of these amendments have been reconsidered, and actions taken are indicated in the attached *Report of the Conference Committee*. In addition, the Governor submitted two supplemental budgets during conference committee. Three amendments were adopted to Supplemental Budget No. 2, and three amendments were adopted to Supplemental Budget No. 3. In addition, two technical amendments were adopted.

Although the total operating growth in State spending is only 2.2%, the budget expands funding for core State services and priorities including public education, higher education, Medicaid, and human services, restores funding for legislative priorities, while at the same time more than meeting the guidelines established by the Spending Affordability Committee in 2017.

The projected General Fund balance at the close of fiscal 2019, given the legislative actions on the budget, is \$201.4 million. The Rainy Day Fund balance is \$879.0 million. Together, this leaves almost \$1.1 billion in cash reserves, a prudent hedge against potential uncertainty.

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A description of the Conference Committee's actions pertaining to the budget and the final report of the committee are attached. The Department of Legislative Services has also provided a separate report on the budget and the BRFA of 2018 with additional data.

Sincerely,



Edward J. Kasemeyer, Chairman
Senate Budget and Taxation Committee



Maggie McIntosh, Chairman
House Appropriations Committee

Report of the Conference Committee on Senate Bill 185

March 27, 2018

Mr. President,
Mr. Speaker,
Ladies and Gentlemen of the General Assembly of Maryland:

The Senate adopted 138 amendments to the original budget bill and Supplemental Budget No. 1.

The House adopted 66 amendments to the budget bill, as amended by the Senate.

The Senate rejected all of the House amendments and called for a Conference Committee.

The House refused to recede and agreed to a Conference Committee.

The budget was then referred to the Conference Committee. The Conference Committee also considered Supplemental Budgets No. 2 and No. 3.

Action of the Conference Committee

The Conference Committee recommends:

1. The adoption of the following House amendments:
8, 11, 13-14, 17-18, 21-23, 28, 32, 35-37, 39, 42, 46, 49-50, 56-57, and 63-64.
2. The rejection of the following House amendments:
1, 3-7, 9, 15, 30-31, 47-48, 51-52, 54-55, 60-61, and SB0185/633120/1.

3. The action indicated on the following House amendments:

<u>Adopt</u>	<u>Reject</u>	<u>Conference Committee Amendment</u>
2		1
10		2
12		3
16		4
.....	19	5
.....	20	6
.....	24	7
25		8
.....	26	9
27		10
.....	29	11
33		12
34		13
38		14
40		15
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43		17
44		18
45		19
53		20
58		21
59		22
.....	62	23
65		24

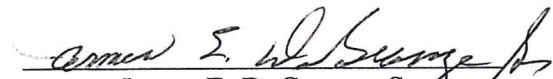
4. The adoption of Conference Committee Supplemental Budget Amendments No.1 through No. 6.


5. The adoption of one Conference Committee technical amendment and one Conference Committee supplemental budget technical amendment.

Respectfully submitted,



Edward J. Kasemeyer

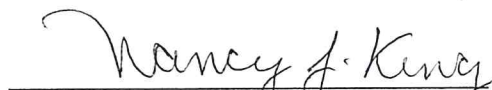

Maggie McIntosh

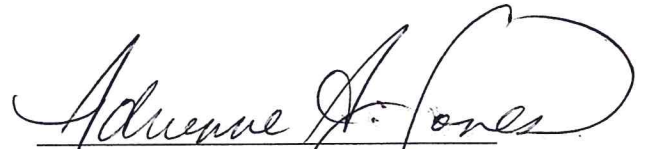

James E. DeGrange, Sr.


Wendell R. Beitzel


George C. Edwards


Tawanna P. Gaines


Nancy J. King


Adrienne A. Jones


Richard S. Madaleno, Jr.


Kirill Reznik

Fiscal 2019 Conference Committee Amendment Table

<u>House Reprint Page</u>	<u>House Report Page</u>	<u>Amd No.</u>	<u>Description</u>	<u>Fund Code</u>	<u>Governor's Allowance</u>	<u>Senate Proposed Reduction</u>	<u>House Proposed Reduction</u>	<u>Amount at Issue</u>	<u>Conference Action</u>	<u>Conference Appropriation</u>	<u>Legislative Reduction</u>
3	2	1*	Judiciary – Adds a reduction for employee compensation and increases the reduction to Judicial Compensation Commission recommended salary increases.	GF		\$6,723,905	\$13,957,338	\$7,233,433	Reject		-\$6,723,905
3	2	2*	Judiciary – Partially restores general funds.	GF		4,000,000	2,710,207	1,289,793	Adopt w/CCA	1	-5,064,751
3	3	3	Judiciary – Reduces funding for recalled circuit court judges.	GF	\$13,303,584	0	1,077,690	1,077,690	Reject	\$13,303,584	0
3	4	4	Judiciary – Eliminates funding for 5.75 circuit court magistrate positions.	GF	73,520,213	0	954,399	954,399	Reject	73,520,213	0
4	5	5	Judiciary – Increases deleted positions to 17 and reduces funds for the District Court.	GF	198,556,637	638,956	1,328,666	689,710	Reject	197,917,681	-638,956
4	6	6	Judiciary – Eliminates funding for 4 new positions in the Administrative Office of the Courts.	GF	70,904,549	0	272,604	272,604	Reject	70,904,549	0
4	8	7	Judiciary – Increases deleted positions to 13 in Judicial Information Systems.	GF	48,700,519	556,739	1,039,768	483,029	Reject	48,143,780	-556,739
4	8	8	Judiciary – Makes funds for the Clerks of the Circuit Court contingent on legislation.			0			Adopt		
5	9	9	Judiciary – Increases deleted positions to 20.5 for the Clerks of the Circuit Court.	GF	99,653,936	493,220	1,024,627	531,407	Reject	99,160,716	-493,220
9	11	10	Uninsured Employers' Fund – Modifies restriction related to the most recent fiscal compliance audit.	SF	19,666,240	0	32,295	32,295	Adopt w/CCA	19,666,240	0
13	16	11	Public Works – Restricts school construction funding to only be used for a statewide facilities assessment contingent on legislation.						Adopt		
16	17	12	Crime Control and Prevention – Modifies reduction for new criminal justice coordinator position and restores new data analyst position for the Maryland Criminal Intelligence Network.	GF	113,148,147	133,653	30,000	103,653	Adopt w/CCA	113,116,369	-31,778
18	20	13	Aging – Restricts funds until a report on waitlist collection is received.						Adopt		
18	21	14	Aging – Expresses intent that allocations be made in a timely manner and restricts funds until a report is submitted confirming timeliness of allocations.						Adopt		

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24	27	15	Military – Deletes funding for 5 new full-time equivalents (FTE) at the Maryland Joint Operations Center.	GF	2,527,498	0	250,937	250,937	Reject	2,527,498	0
28	30	16	Comptroller – Reduces funding for administrative expenses.	GF	3,884,845	0	50,000	50,000	Adopt w/CCA	3,334,845	-550,000
35	34	17	Budget and Management Office of the Secretary – Further reduces funding for FTE and intern stipends.	GF	2,430,976	47,489	58,283	10,794	Adopt	2,372,693	-58,283
38	38	18	Budget and Management Office of Budget Analysis – Restricts funding unless personnel and Managing for Results data is included in budget books.						Adopt		
39	40	19	Information Technology – Restricts funding pending a report on eMaryland Marketplace.						Reject w/CCA		
54	54	20	Highway Administration – Reduces planning funds contingent on the failure of legislation.						Reject w/CCA		
55	55	21	Highway Administration – Restricts funds to be used only to repair and resurface the Hanover Street Bridge in Baltimore City.						Adopt		
56	57	22	Highway Administration – Restricts transportation aid to Baltimore City to be used only for improvements to the Hamilton Business District area of Harford Road.						Adopt		
56	57	23	Highway Administration – Restricts transportation aid to Baltimore City to be used only for improvements to Frederick Avenue.						Adopt		
63	65	24	Natural Resources – Strikes language restricting funds for the Maryland National Capital Park and Planning Commission pending submission of a Memorandum of Understanding.						Reject w/CCA		
64	66	25	Natural Resources – Specifies the Program Open Space allocations for the Baltimore City direct grant that are not allocated in statute.						Adopt w/CCA		
65	67	26	Natural Resources – Strikes language restricting funds pending a report on a Natural Resources whistleblower program.						Reject w/CCA		

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70	68	27	Agriculture – Restricts funds to the purposes of the Emerald Ash Borer Grant Fund.					Adopt w/CCA	10		
79	72	28	Health – Restricts funds to be used for continuing medical education programs.					Adopt			
84	76	29	Health – Restricts funds pending a report on intensive behavioral health needs.					Reject w/CCA	11		
93	85	30*	Health – Reduces the Medicaid Deficit Assessment buy-down to \$25 million.	GF		5,000,000	10,000,000	5,000,000	Reject		-5,000,000
93	85	31*	Health – Increases the reduction in general funds based on the availability of funding in the Maryland Trauma Physician Services Fund.	GF		8,000,000	10,000,000	2,000,000	Reject		-8,000,000
93	86	32	Health – Restricts funds for a chronic pain management program.					Adopt			
94	87	33	Health – Reduces general funds based on availability of special funds in the Cigarette Restitution Fund (CRF).	GF	2,894,447,988	0	3,850,000	3,850,000	Adopt w/CCA	12	2,892,597,988
94	87	34	Health – Authorizes the use of \$3.85 million from the CRF for Medicaid provider reimbursements.					Adopt w/CCA	13		
99	94	35	Human Services – Restricts funds pending a report on youth in out-of-home placements that are in hospitals.					Adopt			
104	106	36	Human Services – Restricts funds pending a report on reducing application denial rates for energy benefits.					Adopt			
106	109	37	Labor, Licensing, and Regulation – Restricts funding pending a report on the Maryland Occupational Safety and Health Administration.					Adopt			
115	116	38	Public Safety and Correctional Services – Restricts funds pending a report on correctional officer salaries and qualifications.					Adopt w/CCA	14		
124	127	39	Education – Restricts funds pending submission of an assessment waiver request.					Adopt			

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129	129	40	Education – Restricts funds from the Public School Opportunities Enhancement Program for the Learning in Extended Academic Programs grant contingent on legislation.						Adopt w/CCA		
134	133	41	Education – Requires that schools participating in the Aid to Non-Public Schools Program must submit student handbooks and policies related to discipline, anti-bullying, and admission and retention.						Adopt w/CCA		
136	134	42	Education – Modifies the nondiscrimination compliance for the Aid to Non-Public Schools Program to require schools in violation to return materials and become ineligible for the program.						Adopt		
139	137	43	Education – Modifies the Broadening Options and Opportunities for Students Today (BOOST) program to specify dates by which funds must be spent and to require reporting on students who withdraw or are expelled.						Adopt w/CCA		
142	137	44	Education – Reduces funds for the BOOST program.	SF	8,850,000	0	3,850,000	3,850,000	Adopt w/CCA	7,000,000	-1,850,000
148	141	45	University System of Maryland (USM) – Makes funding for a computer science education initiative contingent on legislation.						Adopt w/CCA		
148	142	46	USM – Strikes language restricting funds pending the submission of a report on the relocation of the University of Maryland Center for Environmental Science.						Adopt		
149	143	47	USM – Strikes language disallowing institutions from transferring funds from fund balance to support implementation of EXCEL Maryland.						Reject		
150	145	48	Higher Education Commission – Restricts funding overbudgeted for the Seller formula to be used only to address complaints under Title IX.						Reject		
156	151	49	Higher Education – Technical.						Adopt		
156	152	50	Higher Education – Technical.						Adopt		
160	154	51	Higher Education – Technical.						Reject		

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164	159	52*	Housing and Community Development – Restores general funds for the Baltimore Regional Neighborhood Initiative (BRNI) and restricts BRNI funds to be used only for a grant to CASA de Maryland and the J. Van Story apartments.	GF		4,000,000	3,000,000	1,000,000	Reject		-4,000,000
164	160	53*	Housing and Community Development – Restores funding for the Seed Community Development Anchor Institution Fund.	GF		5,000,000	4,000,000	1,000,000	Adopt w/CCA	20	-1,000,000
177	166	54	Juvenile Services – Restricts funding for Purchase of Care Services to that use only.						Reject		
177	168	55	Juvenile Services – Increases the reduction in funding for residential per diems and overtime.	GF	53,088,394	700,000	1,400,000	700,000	Reject	52,388,394	-700,000
179	169	56	State Police – Increases the amount of funding restricted until submission of a report.						Adopt		
181	171	57	Public Debt – Reduces funding in Public Debt due to adjustments to debt service costs and available balance.	GF	289,000,000	0	3,000,000	3,000,000	Adopt	286,000,000	-3,000,000
182	173	58*	Reserve Fund – Modifies the reduction to the Revenue Stabilization Account.	GF		150,329,000	150,829,000	500,000	Adopt w/CCA	21	-148,519,000
182	174	59	Reserve Fund – Strikes language restricting funds in the State Reserve Fund for the Pride of Baltimore.						Adopt w/CCA	22	
187	176	60	Crime Control and Prevention – Modifies a reduction to a deficiency appropriation for positions.	GF	50,974	50,974	50,000	974	Reject	0	-50,974
207	181	61	Juvenile Services – Increases a negative deficiency for residential per diems due to an anticipated population decline.	GF		1,250,000	2,500,000	1,250,000	Reject	-1,250,000	-1,250,000
233	194	62	Section 28 – Requires establishment of a process for interagency agreements to be competitively bid, with preferential consideration given to historically black colleges and universities.						Reject w/CCA	23	
244	211	63	Section 44 – Specifies the intention of the General Assembly for the payment of executive salaries.						Adopt		

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245	213	64	Section 46 – Restricts funds to be used only to fill vacant enforcement and inspection positions in the Maryland Department of Agriculture and the Maryland Department of the Environment after a report is submitted.						Adopt		
245	214	65	Sections – Technical.						Adopt w/CCA	24	
		66	Port Administration – Restricts funds until a report on Cox Creek Dredged Material Containment Facility and related projects is received.						Reject		
Supplemental Budget Number 2											
			CCS1 Education – Makes funding for an Education Monitoring Unit contingent on specified legislation.						Adopt		
			CCS2 Education – Makes funding for an independent follow-up audit contingent on specified legislation.						Adopt		
			CCS3 Education – Makes funding for the creation of an Office of Compliance and Oversight contingent on specified legislation.						Adopt		
Supplemental Budget Number 3											
			CCS4 Crime Control and Prevention – Adds language redirecting funding for school safety to other agencies and makes funding contingent on specified legislation.						Adopt		
			CCS5 Transportation – Restricts funding for grants to counties.						Adopt		
			CCS6 Higher Education Commission – Reduces funding for Cybersecurity Public Service Scholarships.	GF	250,000				Adopt	160,000	-90,000
Technical Amendments											
			CCT1 Sections – Strikes contingent language.						Adopt		
			CCST1 Interagency Fund – Strikes language authorizing the transfer of funds from other State agencies for Local Care Team Grants and adds language specifying transferred amounts from specified programs.						Adopt		

* Following an Amendment number indicates reduction taken via budget language.

Conference Committee Amendments

Conference Committee Amendment No. 1

On page 3 of the Committee Reprint, under the heading Judiciary, adopt Amendment 2, and in line 15 strike “\$2,710,207” and substitute “\$5,064,751”.

Conference Committee Amendment No. 2

On page 9 of the Committee Reprint, under the heading Uninsured Employers’ Fund, in program C96J00.01 General Administration, adopt Amendment 10, and on page 10 in line 4 strike “\$125,000” and substitute “\$100,000”.

Conference Committee Amendment No. 3

On page 16 of the Committee Reprint, under the heading Boards, Commissions, and Offices, in program D15A05.16 Governor’s Office of Crime Control and Prevention, adopt Amendment 12, and in line 7 strike “113,118,147” and substitute “113,116,369”; and in line 11 strike “155,459,166” and substitute “155,457,388”.

Conference Committee Amendment No. 4

On page 28 of the Committee Reprint, under the heading Office of the Comptroller, in program E00A01.01 Executive Direction, adopt Amendment 16, and following line 3 insert “Provided that no more than \$4,068,986 may be expended to support program E00A01.01 Executive Direction in fiscal 2019.”

Further provided that \$500,000 in general funds for regular personnel expenditures is reduced. The Comptroller may determine how the reduction is made. However, the reduction may only be made within program E00A01.01 and may not be allocated to any other program within the agency. Further provided that the Comptroller may not transfer by budget amendment or otherwise any funding from any other program or from any other fund source in the Office of the Comptroller into program E00A01.01 to backfill for this reduction. Further provided that, in fiscal 2019, the Comptroller may not fund any positions in program E00A01.01 that were filled as of March 1, 2018 except through the funding provided in the legislative appropriation for program E00A01.01.”

Conference Committee Amendments

Conference Committee Amendment No. 5

On page 39, of the Committee Reprint, under the heading Office of Information Technology, in program F50B04.01 State Chief of Information Technology, reject Amendment 19, and in line 25 following “Appropriation” insert:

“, provided that \$250,000 of this appropriation made for the purpose of expenses for the State Chief of Information Technology may not be expended until the Department of Information Technology (DoIT) submits a report to the budget committees on enhancements to the eMaryland Marketplace system for a work order that was executed in August 2016 and suspended on March 3, 2017. The budget committees are concerned that the State was overbilled for these services and that none of the work performed can be used. A report shall be submitted by August 31, 2018, that identifies:

- (1) costs for which the State was billed before the work order was executed as well as after the work order was suspended;
- (2) the extent to which indirect costs were billed twice;
- (3) steps taken to recover the charges identified in (1) and (2);
- (4) the extent to which labor costs can be substantiated;
- (5) amount and sources of all payments made to the contractor in fiscal 2017 and 2018; and
- (6) questionable charges and steps that DoIT is taking to recover charges that are not due to the vendor.

DoIT shall consult with the Office of the Attorney General to determine if the State can recover any amounts for which the State should not have been billed or can forego paying any amounts that have not yet been remitted to the vendor. The budget committees shall have 45 days to review and comment. Funds restricted pending 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.”.

Conference Committee Amendment No. 6

On page 54 of the Committee Reprint, under the heading State Highway Administration, in program J00B01.01 State System Construction and Equipment, reject Amendment 20; and on page 50 of the Committee Reprint, under the heading Department of Transportation, after line 9 insert “It is the intent of the General Assembly that, at least 45 days before requesting the official

Conference Committee Amendments

designation of a public-private partnership under § 10a-201(c) of the State Finance and Procurement Article, the reporting agency for a transportation facilities project, as defined in § 4-101(h) of the Transportation Article, shall submit an outline of the environmental screening analysis of environmental issues to be examined in the draft environmental impact statement, to the Comptroller of Maryland, the State Treasurer the budget committees, and the Department of Legislative Services, in accordance with § 2-1246 of the State Government Article.”.

Conference Committee Amendment No. 7

On page 63 of the Committee Reprint, under the heading Land Acquisition and Planning, in program K00A05.10 Outdoor Recreation Land Loan, reject Amendment 24, and in line 29 strike “\$7,500,000” and substitute “\$500,000”.

Conference Committee Amendment No. 8

On page 64 of the Committee Reprint, under the heading Land Acquisition and Planning, in program K00A05.10 Outdoor Recreation Land Loan, adopt Amendment 25, and in line 12 strike “\$3,700,000” and substitute “\$3,200,000”; and in line 17, strike “\$1,225,000” and substitute “\$625,000”; and in line 25, strike “and”; and in line 28, following “Park”, insert “; and (8) \$100,000 for Saint Charles Park”.

Conference Committee Amendment No. 9

On page 65 of the Committee Reprint, under the heading Natural Resources Police, in program K00A07.04 Field Operations, reject Amendment 26; and on page 72 of the Committee Reprint, under the heading Office of Marketing, Animal Industries, and Consumer Services, in program L00A12.20 Maryland Agricultural and Resource-Based Industry Development Corporation, strike beginning with “It” in line 36 down through “Program.” in line 2 on page 73; and on page 244 of the Committee Reprint, under the heading Section 45, strike beginning with “SECTION” in line 26 down through “above.” in line 37.

Conference Committee Amendment No. 10

On page 70 of the Committee Reprint, under the heading Department of Agriculture, adopt Amendment 27, and in line 2 strike “\$100,000” and substitute “\$50,000”.

Conference Committee Amendment No. 11

On page 84 of the Committee Reprint, under the heading Behavioral Health Administration, in program M00L01.01 Program Direction, reject Amendment 29, and on page 245, following line 33, insert “SECTION 47, AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administration in the Maryland Department of Health and \$100,000 of the general fund appropriation made for the purpose of administration in the Maryland Department of Human Services may not be expended until the departments jointly submit a report to the budget committees regarding the use of voluntary placement agreements for youth with a behavioral health disorder or co-occurring developmental disability and behavioral health disorder who are discharged from Residential Treatment Centers. Specifically, for fiscal 2016, fiscal 2017 and fiscal 2018, the report should detail:

- (1) the number of voluntary placement agreements requested, approved and denied;
- (2) the reasons for denial;
- (3) the subsequent disposition of the youth after placement in the Residential Treatment Center distinguishing between those youth approved for a voluntary placement agreement and those denied a voluntary placement agreement;
- (4) the extent to which the initial discharge planning recommendation made by the Residential Treatment Center was followed; and
- (5) 30-day readmission rates to an inpatient hospital setting or Residential Treatment Center, distinguishing between (a) youth not placed in a setting initially recommended by the Residential Treatment Center and those appropriately placed according to the initial discharge planning recommendation, and (b) youth approved for a voluntary placement agreement and those denied a voluntary placement agreement.

The report shall be submitted by December 1, 2018, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.”

Conference Committee Amendment No. 12

On page 94 of the Committee Reprint, under the heading Medical Care Programs Administration, in program M00Q01.03 Medical Care Provider Reimbursements, adopt Amendment 33, and in line 22 strike “2,890,597,988” and substitute “2,892,597,988”; and in line 30 strike “9,643,140,950” and substitute “9,645,140,950”.

Conference Committee Amendments

Conference Committee Amendment No. 13

On page 94 of the Committee Reprint, under the heading Medical Care Programs Administration, in program M00Q01.03 Medical Care Provider Reimbursements, adopt Amendment 34, and in line 26 strike “\$3,850,000” and insert “\$1,850,000”.

Conference Committee Amendment No. 14

On page 115 of the Committee Reprint, under the heading Division of Correction – Headquarters, in program Q00B01.01 General Administration, adopt Amendment 38, and in line 3 strike “\$1,000,000” and substitute “\$500,000”.

Conference Committee Amendment No. 15

On page 129 of the Committee Reprint, under the heading Aid to Education, in program R00A02.13 Innovative Programs, adopt Amendment 40, and on page 130 following line 7, insert “Further provided that \$500,000 of this appropriation made for the purpose of providing funding for the Public School Opportunities Enhancement Program may be expended only to provide a grant to a nonprofit organization to support existing educational programming during the school day, including the recruitment, training, and ongoing professional development of new teachers. 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.”.

Conference Committee Amendment No. 16

On page 134 of the Committee Reprint, under the heading Funding for Educational Organizations, in program R00A03.04 Aid to Non-Public Schools, adopt Amendment 41, and in line 27 strike “conduct” and substitute “admissions”; and in line 28 strike beginning with “and,” down through “retention policies” in line 32 and substitute “for review to ensure compliance with program eligibility requirements”.

Conference Committee Amendment No. 17

On page 139 of the Committee Reprint, under the heading Funding for Educational Organizations, in program R00A03.05 Broadening Options and Opportunities for Students Today, adopt Amendment 43, and on page 136, strike beginning with “provided that” in line 42 down through “being expelled” in line 37 on page 142 and substitute “provided that this appropriation shall be for a Broadening Options and Opportunities for Students Today (BOOST) Program that”.

Conference Committee Amendments

provides scholarships for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. The Maryland State Department of Education (MSDE) shall administer the grant program in accordance with the following guidelines:

- (1) To be eligible to participate in the BOOST Program, a nonpublic school must:
 - (a) participate in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE;
 - (b) provide more than only prekindergarten and kindergarten programs;
 - (c) administer national, norm referenced standardized assessments chosen from the list of assessments published by the United States Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:
 - (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
 - (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
 - (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions based on race, color, national origin, or sexual orientation. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.
- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year.
- (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.

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

Further provided that no scholarship awards shall be made after March 1, 2018, for the 2017-2018 school year to eligible individuals who have not yet been offered an award. Any unexpended funds not awarded to students for scholarships in the 2017-2018 school year shall be encumbered at the end of the fiscal year and available for scholarships in the 2018-2019 school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than January 15, 2019, for the 2018-2019 school year to eligible individuals. Any unexpended funds

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not awarded to students for scholarships shall be encumbered at the end of fiscal 2019 and available for scholarships in the 2019-2020 school year.

Further provided that the BOOST Advisory Board shall make recommendations regarding a policy to encourage nonpublic schools to admit students with special needs who receive BOOST Program scholarships. The BOOST Advisory Board shall report its recommendations to the budget committees no later than December 1, 2018.

Further provided that \$600,000 of this appropriation shall be used only for higher scholarship awards for students with special needs in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2019, that includes the following:

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program, and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded (1) the nonpublic school and grade level attended by the student; (2) the school attended in the 2018-2019 school year by the student; and (3) if the student attended the same nonpublic school in the 2017-2018 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2017-2018 school year and will receive in the 2018-2019 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;
- (8) the number of students designated as English language learners receiving BOOST Program scholarships;
- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;

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- (11) the number of students who were offered BOOST Program scholarships but declined them, as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;
- (12) the number of students who received BOOST Program scholarships for the 2017-2018 school year who are attending public school for the 2018-2019 school year, as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2017-2018 school year who withdrew or were expelled from the nonpublic schools they were attending, and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled”

Conference Committee Amendment No. 18

On page 142 of the Committee Reprint, under the heading Funding for Educational Organizations, in program R00A03.05 Broadening Options and Opportunities for Students Today, adopt Amendment 44, and in line 38 strike “5,000,000” and substitute “7,000,000”.

Conference Committee Amendment No. 19

On page 148 of the Committee Reprint, under the heading University System of Maryland Office, in program R30B36.00 University System of Maryland Office, adopt Amendment 45; and on page 145 of the Committee Reprint, under the heading University of Maryland, College Park Campus, in program R30B22.00 University of Maryland, College Park Campus, in line 33 following “Development” insert “. Further provided that \$500,000 of this appropriation made for the purpose of the University of Maryland, College Park Campus (UMCP) may not be expended until UMCP submits a report no later than July 1, 2018, that reviews and assesses the administrative oversight of the Universities at Shady Grove (USG) by UMCP. The report shall include steps that will be undertaken by UMCP as the administrative unit responsible for USG to lead efforts to strengthen, enhance, and ensure ongoing growth and the long-term viability of USG. UMCP, in consultation with other University System of Maryland institutions with academic offerings at USG, shall also include in the report a plan to increase academic offerings at USG overall and specifically, academic offerings at the Shady Grove Education Center – Biomedical Sciences and Engineering Building. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending 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”; and on page 156 of the Committee Reprint, under the

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heading Higher Education, in program R75T00.01 Support for State Operated Institutions of Higher Education in line 31 following “281.” insert “Further provided that \$500,000 of this appropriation made for the purpose of the University of Maryland, College Park Campus (UMCP) may not be expended until UMCP submits a report no later than July 1, 2018, that reviews and assesses the administrative oversight of the Universities at Shady Grove (USG) by UMCP. The report shall include steps that will be undertaken by UMCP as the administrative unit responsible for USG to lead efforts to strengthen, enhance, and ensure ongoing growth and the long-term viability of USG. UMCP, in consultation with other University System of Maryland institutions with academic offerings at USG, shall also include in the report a plan to increase academic offerings at USG overall and specifically, academic offerings at the Shady Grove Education Center – Biomedical Sciences and Engineering Building. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending 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.”.

Conference Committee Amendment No. 20

On page 164 of the Committee Reprint, under the heading Division of Neighborhood Revitalization, in program S00A24.02 Neighborhood Revitalization – Capital Appropriation, adopt Amendment 53, and in line 36 strike “\$4,000,000” and substitute “\$1,000,000”; and in line 40 following “Fund” insert “. Further provided that the \$4,000,000 appropriation for the purpose of the Seed Community Development Anchor Institution Fund shall be used as a grant to the University of Maryland, Baltimore Campus (UMB) for the acquisition, planning, design, construction, expansion, repair, restoration, reconstruction, or capital equipping of the UMB Community Engagement Center. Funds not spent for this purpose may not be transferred by budget amendment or otherwise to any other purpose and if not expended for this purpose shall revert to the General Fund”; and on page 163 of the Committee Reprint, under the heading Office of the Secretary, in program S00A20.01 Office of the Secretary, in line 5 following “Appropriation” insert “. provided that \$1,000,000 of this appropriation made for the purpose of department administration may not be expended until the Department of Housing and Community Development: (1) provides a grant of \$850,000 to the City of Frederick from the fiscal 2019 general obligation bond authorization for the Strategic Demolition and Smart Growth Impact Fund for the acquisition of land and other infrastructure improvements for the development of a hotel in downtown Frederick; and (2) provides a letter to the budget committees confirming that a grant has been disbursed during fiscal 2019 to the City of Frederick. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the evidence of disbursement is not submitted to the budget committees by June 30, 2019”.

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Conference Committee Amendment No. 21

On page 182 of the Committee Reprint, under the heading State Reserve Fund, in program Y01A01.01 Revenue Stabilization Account, adopt Amendment 58, and in line 5 strike “\$150,829,000” and substitute “\$148,519,000”.

Conference Committee Amendment No. 22

On page 182 of the Committee Reprint, under the heading State Reserve Fund, in program Y01A01.01 Revenue Stabilization Account, adopt Amendment 59, and in line 10 strike “\$42,171,000” and substitute “\$44,481,000”; and in line 28 strike “\$10,000,000” and substitute “\$9,000,000”; and beginning in line 28 following “Program” strike “D15A05.16 Governor’s Office of Crime Control and Prevention to support school safety grants” and substitute “R00A02.13 Innovative Programs to be used only for funding one-time operating grants to local education agencies to improve the safety and security of public schools, which may include, but are not limited to, de-escalation training, problem-solving training, and outreach to heighten awareness of existing mental health services available to students”; and in line 36 following “Fund” insert “and provide grants and funding for violence intervention and prevention initiatives”; and on page 183, in line 19 following “studies;” strike “and”; and in line 21 following “Council” insert “;”

- (12) \$3,000,000 to Program R15P00.04 Content Enterprises to produce a nationally syndicated level production on both the life and impact of Harriet Tubman and the life and impact of Frederick Douglass;
- (13) \$20,000 to Program D60A10.01 Archives to research, write, design, and print fully-illustrated booklet or booklets on the history of the Old Senate and House of Delegates chambers in the Maryland State House;
- (14) \$25,000 for 901 Arts in Baltimore City;
- (15) \$25,000 Arts Every Day in Baltimore City;
- (16) \$40,000 for Laurel Advocacy and Referral Services, Inc.; and
- (17) \$200,000 to Program L00A12.10 Marketing and Agricultural Development to provide grants for the Maryland Farms and Families Fund”.

Conference Committee Amendment No. 23

On page 233 of the Committee Reprint, under the heading Section 28, reject Amendment 62, and on page 234 following line 13 insert “Further provided that all State agencies utilizing interagency agreements should establish a goal of having at least 5% of total annual interagency agreement expenditures awarded to agreements with Historically Black Colleges and Universities (HBCUs). A waiver of the goal can be granted by DBM if an agency provides a reasonable demonstration of good-faith efforts to achieve the goal. In support of the efforts to improve utilization of HBCUs in these agreements, DBM should create a master list that identifies categories of services offered by each higher education institution and make that list available to state agencies for consultation prior to entering into an interagency agreement. Furthermore, DBM should include in its December 1 report the extent to which each state agency met the established goal and reasons why waivers were granted.”; and on page 245 of the Committee Reprint, under the heading Section 46, following line 33 insert “SECTION 48. AND BE IT FURTHER ENACTED, That, before January 10, 2019:

- (1) No State funds, including any State funds appropriated to any local jurisdiction or municipality, may be expended for development, production, or distribution to the public of promotional or informational materials on behalf of State programs through billboard, magazine, newspaper, electronic, radio, or television media which bear the likeness or voice, or include the name, of a person who has filed a certificate of candidacy for statewide office with the State Board of Elections for an election to occur in calendar year 2018.
- (2) Any contracts or agreements authorizing distribution of materials or content subject to subsection (1) of this section or materials or content scheduled to run after a candidate has filed a certificate of candidacy shall be terminated for convenience or otherwise as authorized under the provisions of the State Finance and Procurement Article or otherwise and the materials or content shall be returned to the contracting agency.
- (3) This section does not apply to the use of locally derived revenues or to communications of any candidate for statewide office to the media that are directly connected to the performance of the duties of office essential to the protection of public welfare, health, or safety.”.

Conference Committee Amendment No. 24

On page 245 of the Committee Reprint, under the heading Section 47, adopt Amendment 65, and in line 34 strike “47.” and substitute “49.”; and on page 246 in line 6 strike “48.” and substitute “50.”.

Conference Committee Amendments

Conference Committee Supplemental Budget Amendment No. 1

On page 2 of Supplemental Budget No. 2, under the heading State Department of Education, in Item 1, program R00A01.01 Office of the State Superintendent, following “Appropriation” insert “, provided that this appropriation of \$656,191 in general funds and 6 positions made for the purpose of creating an Education Monitoring Unit within the Maryland State Department of Education is contingent on the enactment of SB 302 or HB 355”.

Conference Committee Supplemental Budget Amendment No. 2

On page 2 of Supplemental Budget No. 2, under the heading State Department of Education, in Item 2, program R00A01.01 Office of the State Superintendent, following “Appropriation” insert “, provided that \$1,500,000 of this appropriation made for the purpose facilitating an independent follow-up audit of local jurisdictions is contingent on the enactment of SB 302 or HB 355”.

Conference Committee Supplemental Budget Amendment No. 3

On page 2 of Supplemental Budget No. 2, under the heading State Department of Education, in Item 3, program R00A01.01 Office of the State Superintendent, following “Appropriation” insert “, provided that this appropriation of \$400,000 in general funds and 5 positions made for the purpose of creating an Office of Compliance and Oversight within the Maryland State Department of Education is contingent on the enactment of SB 302 or HB 355”.

Conference Committee Supplemental Budget Amendment No. 4

On page 3 of Supplemental Budget No. 3, under the heading Boards, Commissions, and Offices, in item 7, program D15A05.16 Governor’s Office of Crime Control and Prevention, following “Appropriation” insert “, provided that this appropriation made for the purpose of funding school safety grants within the Governor’s Office of Crime Control and Prevention may not be expended for that purpose but instead may only be transferred by budget amendment to D06E02.02 Public School Capital Appropriation to be used for funding Pay-As-You-Go capital expenses that improve the safety and security of public school facilities. Funds should be distributed to local education agencies by the Interagency Committee on School Construction for school security improvements based on deficiencies identified through facility safety risk assessments. These improvements may include, but are not limited to, secure and lockable classroom doors, areas of safe refuge within classrooms, and surveillance and other security technology for school monitoring purposes. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise and shall revert to the General Fund”; and

Conference Committee Amendments

on page 16 of the Committee Reprint, under the heading Boards, Commissions, and Offices, in program D15A05.16 Governor's Office of Crime Control and Prevention, following "Appropriation" in line 5 insert ", provided that, contingent on the enactment of SB 1265, \$1,000,000 of this appropriation made for the purpose of funding school safety grants to public and nonpublic schools and day care centers at risk of hate crimes may not be expended for that purpose but instead may only be transferred by budget amendment to R00A02.13 Innovative Programs within the Maryland State Department of Education to be used for funding one-time operating grants to local education agencies to improve the safety and security of public schools. These expenses may include, but are not limited to, de-escalation training, problem-solving training, and outreach to heighten awareness of existing mental health services available to students. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise and shall revert to the General Fund"; and on page 249 of the Committee Reprint, under the heading Boards, Commissions, and Offices, in program D15A05.16 Governor's Office of Crime Control and Prevention, following "SB 1257" in line 8 insert ", SB 1265,"; and on page 250 of the Committee Reprint, under the heading Department of State Police, in program W00A01.01 Office of the Superintendent, following "SB 1257" in line 4 insert ", SB 1265,".

Conference Committee Supplemental Budget Amendment No. 5

On page 6 of Supplemental Budget No. 3, under the heading Department of Transportation, in item 20, program J00A01.03 Facilities and Capital Equipment, following "eligible" insert "counties and" and in the same line following "in" strike "Section" and substitute "Sections 8-404 and" and following "Special Fund Appropriation" add ", provided that \$2,097,519 of this appropriation intended for grants to eligible municipalities may not be expended for that purpose but instead may be expended only for grants to eligible counties. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled."; and on page 14 of Supplemental Budget No. 3, under the heading Amendments to Senate Bill 185/House Bill 160, in Amendment No. 1 strike the first instance of "24,577,808" and substitute "22,480,289"; and under the same heading strike the second instance of "24,577,808" and substitute "\$22,480,289"; and on page 51 of the Committee Reprint, under the heading The Secretary's Office, in program J00A01.03 Facilities and Capital Equipment, in line 2 strike "27,794,685" and substitute "29,892,204"; and on the same page in line 4, and strike "\$27,794,685" and substitute "\$29,892,204".

Conference Committee Supplemental Budget Amendment No. 6

On page 11 of Supplemental Budget No. 3, under the heading Maryland Higher Education Commission, in Item 44, program R62I00.46 Cybersecurity Public Service Scholarship Program, strike each occurrence of "250,000" and substitute "160,000".

Conference Committee Technical Amendment No. 1

On page 12 of the Committee Reprint, under the heading Board of Public Works – Capital Appropriation, in program D06E02.01 Public Works Capital Appropriation, strike beginning with “, provided that” in line 38 down through and including “Center)” in line 8 on page 13; and on page 81 of the Committee Reprint, under the heading Office of Population Health Improvement, in program M00F02.07 Core Public Health Services, strike beginning with “, provided” in line 3 down through and including “formula” in line 8; and on the same page, in program M00F03.04 Family Health and Chronic Disease Services, strike beginning with “, provided” in line 29 down through and including “amount” in line 10 on page 82; and on page 85 of the Committee Reprint, under the heading Behavioral Health Administration, in program M00L01.02 Community Services, strike beginning with “provided” in line 2 down through and including “Further” in line 12; and on the same page, in the same program, strike beginning with “Further provided” in line 26 down through and including “services” in line 30; and on the same page, in the same program, strike beginning with “, provided” in line 32 down through and including “services” in line 37; and on page 86 of the Committee Reprint, under the heading Behavioral Health Administration, in program M00L01.03 Community Services for Medicaid State Fund Recipients, strike beginning with “, provided” in line 3 down through and including “services” in line 8; and on page 88 of the Committee Reprint, under the heading Developmental Disabilities Administration, in program M00M01.02 Community Services, strike beginning with “, provided” in line 29 down through and including “increase” in line 33; and on the same page, in the same program, strike beginning with “, provided” in line 35 down through and including “increase” in line 39; and on page 96 of the Committee Reprint, under the heading Medical Care Programs Administration, in program M00Q01.10 Medicaid Behavioral Health Provider Reimbursements, strike beginning with “, provided” in line 18 down through and including “services” in line 23; and on the same page, in the same program, strike beginning with “, provided” in line 25 down through and including “services” in line 30; and on page 97 of the Committee Reprint, under the heading Health Regulatory Commissions, in program M00R01.03 Maryland Community Health Resources Commission, strike beginning with “, provided” in line 18 down through and including “Commission” in line 23; and on page 110 of the Committee Reprint, under the heading Division of Racing, in program P00E01.02 Maryland Racing Commission, strike beginning with “, provided” in line 16 down through and including “marketing” in line 21; and on page 130 of the Committee Reprint, under the heading Aid to Education, in program R00A02.13 Innovative Programs, strike beginning with “Program.” in line 13 down through and including “Robotics” in line 18; and on page 145 of the Committee Reprint, under the heading University of Maryland, College Park Campus, in program R30B22.00 University of Maryland, College Park Campus, strike beginning with “, provided” in line 26 down through and including “Development” in line 33; and on page 147 of the Committee Reprint, under the heading University of Maryland Baltimore County, in program R30B31.00 University of Maryland Baltimore County, strike beginning with “, provided” in line 24 down through and including “attainment” in line 29; and on page 150 of the Committee Reprint, under the heading Maryland Higher Education Commission, in program R62I00.03 Joseph A. Sellinger Formula for Aid to Non-Public Institutions of Higher

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Education, strike beginning with “provided that” in line 18 down though and including “Further” in line 24; and on page 155 of the Committee Reprint, under the heading Higher Education, in program R75T00.01 Support for State Operated Institutions of Higher Education, strike beginning with “provided that” in line 8 down through and including “Further” in line 26; and on page 160 of the Committee Reprint, under the heading Baltimore City Community College, in program R95C00.00 Baltimore City Community College, strike beginning with “provided” in line 37 down through and including “Further” in line 1 on page 161.

Conference Committee Supplemental Budget Technical Amendment No. 1

On page 15 of Supplemental Budget No. 3, under the heading Amendments to Senate Bill 185/House Bill 160, in Amendment No. 9 strike beginning with “Amendment No. 9:” down through ““23”.”; and on page 244 of the Committee Reprint after line 25 insert “SECTION 45. AND BE IT FURTHER ENACTED, That funds are appropriated in other agency budgets to pay for Local Care Team grants to Local Management Boards provided by the Children’s Cabinet Interagency Fund: (1) In fiscal 2018 in the following amounts: (A) \$660,000 from program N00B00.04 Social Services Administration; (B) \$165,000 from program R00A01.01 Office of the State Superintendent; and (C) \$165,000 from program M00A01.01 Office of the Executive Direction; and (2) In fiscal 2019 in the following amounts: (A) \$1,320,000 from program N00B00.04 Social Services Administration; (B) \$330,000 from program R00A01.01 Office of the State Superintendent; and (C) \$330,000 from program M00A01.01 Office of the Executive Direction. Authorization is hereby granted to use these receipts as special funds for operating expenses in Program R00A04.01 Children’s Cabinet Interagency Fund.”.