

Executive Orders 2010



STATE OF MARYLAND

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EXECUTIVE ORDER OF JANUARY 8, 2010

01.01.2010.01

Declaration of Continuing Emergency: Medical Services Staffing
for Maryland's H1N1 Influenza Vaccination Campaign

- WHEREAS, In response to the H1N1 Influenza Pandemic, Maryland public health officials have initiated a Statewide vaccination campaign in accordance with Executive Order 01.01.2009.15;
- WHEREAS, The provisions of Executive Order 01.01.2009.15 were renewed for an additional period of 30 days via Executive Order 01.01.2009.19;
- WHEREAS, The initial phase of this campaign was successful in providing immunizations to many members of the high-risk population groups identified by the Centers for Disease Control and Prevention;
- WHEREAS, The availability of additional vaccine supplies now permits the expansion of services to members of the general public; and
- WHEREAS, There continues to be an urgent need to assure adequate staffing for vaccination sites across the State and to make full use of all trained health care providers who are willing and able to support the vaccination campaign.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, PURSUANT TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY CONTINUES TO EXIST WITHIN THE STATE OF MARYLAND. I HEREBY AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE ALL AVAILABLE RESOURCES, AND I PROCLAIM THE FOLLOWING EFFECTIVE IMMEDIATELY:

- A. The provisions of Executive Order 01.01.2009.15 shall be and hereby are renewed for an additional period of 30 days.

B. The authorization for certain health care providers to assist in the Statewide vaccination campaign set forth in the foregoing Executive Order shall remain in full force and effect.

EXECUTIVE ORDER OF FEBRUARY 4, 2010

01.01.2010.02

Maryland War of 1812 Bicentennial Commission
(Rescinds Executive Order 01.01.2007.17)

- WHEREAS, Maryland and the Chesapeake Bay region have been important centers of trade, commerce, and government for centuries;
- WHEREAS, The British invasion of Maryland of 1813 and the Chesapeake Campaign of 1814 during the nation's second war for independence were a result of that strategic importance;
- WHEREAS, The War of 1812 and the actions of Marylanders during the War have had lasting effects on the nation, including the test of the young democracy and its diverse population of slaves and freemen, the formation of a national identity, a commitment to a strong national military defense, and a new international political framework;
- WHEREAS, Maryland saw more military actions during the War of 1812 than any other state;
- WHEREAS, Maryland's unique contributions to the defense and heritage of the nation include the pivotal clash that ensured American victory, an iconic flag, and our national anthem, *The Star-Spangled Banner*;
- WHEREAS, Maryland possesses an extraordinary collection of historical, cultural, and natural resources that interpret and provide public access to the stories of the War of 1812 in the State and nation; and
- WHEREAS, It is in the interest of Marylanders to provide for appropriate activities to commemorate and maximize the understanding of

residents and visitors about the meaning of the War of 1812 and the role of Marylanders.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.2007.17 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Maryland War of 1812 Bicentennial Commission, hereafter referred to as "the Commission".

B. Tasks. The Commission is charged with the following duties:

(1) Provide coordination among public and private interpretive institutions, sites, museums, and other organizations to plan and implement an appropriate series of events and activities to commemorate the bicentennial for residents and visitors statewide;

(2) Promote the identification and documentation of historic and cultural resources, including landscapes, sites, buildings, structures, objects, and archives related to the War of 1812, and encourage their preservation;

(3) Assist with efforts to protect, improve, and develop existing educational and interpretive institutions, sites, and museums related to the War of 1812 for educational, recreational, and tourism purposes;

(4) Ensure the development of a model social studies curriculum specifically on the War of 1812, its impact on Maryland and the diverse people who fought, supported, and participated in the defense of the State and nation;

(5) Promote Maryland's War of 1812 bicentennial celebration nationally and internationally;

(6) Provide leadership for, and coordinate Maryland's efforts with other states and international entities engaged in activities related to the commemoration of the War of 1812, including but not limited to the federal Star-Spangled Banner and War of 1812 Bicentennial Commission;

(7) Secure support and financial resources to implement the events and activities planned and assisted by the Commission

including the formation of an appropriate legal entity, and entering into contracts and making or receiving grants to the extent funds are available in the budget;

(8) Ensure that the activities undertaken or assisted by the Commission result in products that will have lasting value and public benefit beyond the bicentennial, especially leading to the protection of historical and cultural resources associated with the War of 1812; and

(9) Perform other actions necessary to carry out the duties of the Commission.

C. Membership. The Commission shall consist of up to 14 members including:

(1) The President of the Senate;

(2) The Speaker of the House;

(3) The Secretary of Budget and Management;

(4) The Secretary of Natural Resources;

(5) The Secretary of Planning;

(6) The Secretary of Transportation;

(7) The Secretary of Business and Economic Development; and

(8) Up to seven members with relevant interest or expertise appointed by the Governor who serve at the pleasure of the Governor.

D. Chair. The Governor shall designate a Chair from among the members of the Commission.

E. Advisory Committees. The Commission shall be supported by Advisory Committees, to be established by the Chair, as follows:

(1) Development and Sponsor Relations;

(2) Resource Stewardship and Visitor Experience;

(3) Education and Curriculum;

- (4) Programs and Events;
- (5) Transportation and Capital Infrastructure;
- (6) Communications and Marketing;
- (7) Operations and Management; and

(8) Additional Advisory Committees may be created, as necessary, to accomplish the Commission Tasks.

F. **Advisory Committee Appointments.** The Chair of the Commission shall appoint Advisory Committee members who broadly represent public and private interests who can make significant contributions to accomplish the Commission tasks. Advisory Committee members serve at the pleasure of the Chair of the Commission.

G. **Diversity.** To the extent possible, the Commission and its Advisory Committees shall be representative of the diverse communities and regions within the State.

H. **Vacancies.** In the event of a Commission vacancy, the Governor shall appoint a successor.

I. **Staff Coordination.** The Governor shall appoint an Executive Director within the Division of Tourism, Film and the Arts to provide and coordinate staff for the Commission. The Maryland Historical Trust, the Maryland State Archives and other agencies shall assist when requested by the Commission.

J. **Procedures.**

(1) The Commission shall meet at least semi-annually at times and places to be determined by the Chair and Executive Director.

(2) The Commission shall adopt procedures for the transaction of business.

(3) The Commission may establish a non-profit organization to receive funds for the Commission.

(4) The members of the Commission and Advisory Committees may not receive compensation for their services. The members may be reimbursed for reasonable expenses incurred in

the performance of their duties, in accordance with the Standard State Travel Regulations as provided in the State budget.

K. Reporting. By November 1 of each year, the Commission shall submit a report to the Governor and General Assembly including an update on the Plan of Action, implementation timetables and benchmarks, and recommendations for any legislative, administrative, or other action the Commission deems necessary to further its mission.

L. Termination. This Executive Order shall terminate and be of no effect after June 30, 2015.

EXECUTIVE ORDER OF FEBRUARY 5, 2010

01.01.2010.03

Declaration of Emergency

WHEREAS, Maryland is subject to a great variety of natural hazards or disasters including but not limited to severe winter storms, high winds and power outages;

WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency that there is the anticipation of severe winter weather, possible flooding and subsequent power outages, that an emergency exists in the State of Maryland and that resources may be requested;

WHEREAS, In order to facilitate the deployment of requisite resources within provisions of Maryland law;

WHEREAS, Use of resources of the Maryland National Guard may be required; and

WHEREAS, In order to implement the emergency powers of the Governor, an Executive Order of the Governor is appropriate.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14

OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY EXISTS IN MARYLAND. I CALL THE MARYLAND NATIONAL GUARD INTO STATE SERVICE AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE AVAILABLE RESOURCES.

A. Pursuant to the Code of Federal Regulations, 49 CFR Part 390.23, carriers and drivers of commercial motor vehicles transporting commodities related to storm relief efforts (e.g. heating oil, propane, gasoline, salt, etc.) and drivers of utility vehicles shall be relieved from the Hours of Service (HOS) requirements of 49 CFR Part 395, as adopted under Section 25-111, of the Maryland Transportation Article. This waiver does not relieve any carrier or operator from the requirements of 49 CFR Part 392.3, relating to operating a commercial motor vehicle while fatigued.

EXECUTIVE ORDER OF FEBRUARY 8, 2010

01.01.2010.04

Emergency Snow Relief Efforts – Vehicle Size and Weight Limits

WHEREAS, The State of Maryland has experienced a record amount of snowfall from the storm of February 6, 2010, and

WHEREAS, The delivery of supplies and equipment to areas stricken by this storm is vital to the preservation of life and property, and

WHEREAS, The facilitated movement of these supplies and equipment is in the best interest of the citizens of the State of Maryland.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HEREBY ORDER THE FOLLOWING

RELIEF FROM WEIGHT LIMITATIONS FOR VEHICLES
TRANSPORTING EQUIPMENT OR SUPPLIES DIRECTLY
RELATED TO SNOW EMERGENCY RELIEF EFFORTS:

1. Vehicles transporting equipment or supplies directly related to snow emergency relief are allowed a 15% tolerance above any weight limit imposed by statute. Said tolerance shall be the only tolerance applicable to the vehicle. Vehicles exceeding this tolerance and carrying a non-divisible load shall obtain a hauling permit as required. No vehicle shall exceed any tire manufacturer's maximum load capacity rating.
2. The Administrator, Maryland State Highway Administration, or the Administrator's designee may temporarily waive or modify hauling permit restrictions and conditions deemed safe and appropriate to facilitate relief efforts.
3. Carriers and drivers operating under the provisions of this declaration must adhere to all roadway restrictions of the Maryland State Highway Administration, Maryland Transportation Authority and local jurisdictions regarding roadway and bridge size and weight limitations.
4. Nothing in this declaration relieves the carrier or driver of responsibility for the safe operation of the vehicle.
5. The provisions of this Order are not applicable to any part of the Interstate Highway System. Such relief is strictly under the purview of and must be independently declared by the appropriate federal agency. Any declaration so made and receiving concurrence by the Maryland Secretary of Transportation shall become a part of this Order.
6. This Order shall remain in effect until modified or rescinded by the Governor.

EXECUTIVE ORDER OF MARCH 7, 2010

01.01.2010.05

Rescission of Executive Order 01.01.2010.04

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, issued Executive Order 01.01.2010.04 – Emergency Snow Relief Efforts – Vehicle Size and Weight Limits – to facilitate the movement of supplies and equipment in response to a state of emergency declared under Executive Order 01.01.2010.03;

WHEREAS, Pursuant to section 14–107 of the Public Safety Article of the Annotated Code of Maryland, the state of emergency declared under Executive Order 01.01.2010.03 will expire as of 11:59:59 p.m. on March 7, 2010; and

WHEREAS, The emergency conditions necessitating Executive Order 01.01.2010.04 no longer exist.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.2010.04, EFFECTIVE 11:59:59 P.M. ON MARCH 7, 2010.

EXECUTIVE ORDER OF MARCH 15, 2010

01.01.2010.06

Juvenile Grant Planning and Review Council
(Rescinds Executive Orders 01.01.2003.13 and 01.01.2005.37)

WHEREAS, The federal Juvenile Justice and Delinquency Prevention Act of 2002 (the Act) sets forth federal requirements for states to qualify to receive formula grants under the Act;

WHEREAS, One such requirement is that a state create a State Advisory Group responsible for carrying out the requirements of the Act as they pertain to a state's responsibilities;

WHEREAS, The Act requires the State Advisory Group to develop and submit a three-year State plan, with annual updates, advise the State agency administering the plan and grant funds, and review and comment on all juvenile justice and delinquency prevention grant applications for federal funds that are submitted to the designated State agency;

WHEREAS, In Maryland, the Governor's Office of Crime Control and Prevention is the State agency responsible for supervising the preparation and administration of the three-year State plan, annual updates to the plan, and awarded funds; and

WHEREAS, The Act also requires compliance monitoring of a State's juvenile centers and any holding areas that fall within the parameters of the monitoring guidelines of the federal Office of Juvenile Justice and Delinquency Prevention.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDERS 01.01.2002.13 AND 01.01.2005.37, AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Juvenile Grant Planning and Review Council (the Council), which will serve as the State Advisory Group for purposes of the federal Juvenile Justice and Delinquency Prevention Act of 2005 (the Act). The Council shall be within the Governor's Office of Crime Control and Prevention (GOCCP), the State administering agency for funds received under the Act and the agency responsible for supervising the preparation and administration of the three-year State plan, annual updates to the plan, and awarded funds.

B. Membership and Procedures.

(1) The Council shall consist of not less than 15 members and not more than 33 members appointed by the Governor, consistent with the requirements of the Act.

(2) At least one fifth of the members must be under the age of 24 at the time of appointment, and at least three members must have been or currently be under the jurisdiction of the juvenile justice system, consistent with the requirements of the Act.

(3) The Executive Director of GOCCP will serve as the Governor's designee on the Council and shall designate a member of the Council to serve as Chair.

(4) Members may serve up to two consecutive three-year terms, which shall be staggered on initial appointment. A member selected to fill a vacancy serves only for the balance of a term remaining at the time of appointment. Terms end on June

30 of each year, and at the end of a term, a member continues to serve until a successor is appointed.

(5) Unless otherwise provided by law, the members of the Council shall serve at the pleasure of the Governor.

(6) A majority of the Council shall constitute a quorum for the transaction of any business. The Council may adopt such other procedures, including the creation of subcommittees and workgroups, as may be necessary to ensure the orderly transaction of business.

(7) Adult members of the Council may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of duties, in accordance with the Standard State Travel Regulations, as provided in the State budget and as provided in the Council's allocation from the federal Office of Juvenile Justice and Delinquency Prevention.

(8) Appointed youth members may receive stipends and expenses as deemed necessary by the majority of council members that constitute a quorum, as provided in the State budget and in the Council's allocation from the federal Office of Juvenile Justice and Delinquency Prevention.

C. Staffing.

(1) GOCCP shall provide such staff and technical assistance to the Council as necessary and appropriate, including staff to serve as the designated Juvenile Justice Specialist required under federal law and regulations.

(2) The Governor shall designate a State employee to serve as the Compliance Monitor. The Compliance Monitor shall perform the required functions to ensure compliance with federal standards regarding detention of juveniles in secure detention facilities, secure correctional facilities, non-secure facilities, secure adult lockup facilities and court holding facilities.

(3) The Department of Juvenile Services shall designate a full-time position to be a Disproportionate Minority Contact (DMC) Coordinator. This position will be designated as the State's DMC Coordinator as required under the Act.

(4) The DMC Coordinator shall be an appointed member of the Council and provide technical assistance as necessary and

appropriate. The coordinator's primary focus shall be the disproportionate minority youth within the State's juvenile justice system.

D. Duties and Responsibilities.

(1) The Council shall serve as the State Advisory Group required by the Act. The Council shall perform the functions, and have the duties and responsibilities, set forth in the Act, as amended from time to time.

(2) The Council shall review and make recommendations on all juvenile and delinquency prevention grant applications, and the Executive Director will consider these recommendations when making grant awards under the Act.

(3) The Council shall provide advice to GOCCP in developing, maintaining and expanding efforts to divert juveniles from the juvenile justice system and to provide community-based alternatives to juvenile detention and correctional facilities.

(4) The Council shall provide assistance to the State's compliance monitor when necessary, and the State's compliance monitor shall advise the Council of the status of all juvenile detention/correctional facilities and community-based programs to ensure compliance with the Act.

(5) The Council shall perform any additional duties as directed by the Executive Director of GOCCP on behalf of the Governor.

E. Reporting. The Council shall report annually to the Governor, by way of the Executive Director of GOCCP, on its activities and recommendations on or before June 1 of each year.

F. Conflicts of Interest. The Council shall acknowledge and abide by policies and procedures set forth by GOCCP to guard against actual conflicts of interest or the appearance of conflicts of interest for its members when making recommendations for grant awards. The procedures shall provide that members of the Council may not participate in any way in consideration of, or decisions about, grants to their own organization, an organization in which they have a financial interest, or an organization in which their family member is involved.

EXECUTIVE ORDER OF MARCH 24, 2010

01.01.2010.07

Maryland Health Care Reform Coordinating Council

- WHEREAS, President Obama and the United States Congress have enacted The Patient Protection and Affordable Care Act, health care reform legislation to ensure every American has access to affordable, quality health care coverage;
- WHEREAS, These national reforms will build on the State's efforts over the last three years to expand access to healthcare for 161,000 more Marylanders, including 78,500 children, and at the same time save Maryland taxpayers and small businesses the hidden costs of uncompensated care;
- WHEREAS, Because of the reforms we have already put in place in our State – things like the Maryland Health Insurance Partnership for small businesses and closing the prescription drug donut hole for our seniors – these federal reforms will save the State more than \$1 billion over the next ten years;
- WHEREAS, Implementation of federal health care reform will be a shared federal and State responsibility;
- WHEREAS, Maryland is a national leader in health care, recognized for its policies to provide its residents with access to affordable and quality health care;
- WHEREAS, The hospital all-payer system gives all individuals access to hospital care in Maryland, assures fair pricing and contains health care costs;
- WHEREAS, Innovative Medicaid programs provide access to quality health care to Maryland's most vulnerable populations supported by a significant expenditure of State revenue;
- WHEREAS, Insurance reforms guarantee access to health insurance for every individual and small business in Maryland and the State has adopted policies to temper premium increases;
- WHEREAS, These provide the building blocks to prepare new policies in response to federal health care reform;

WHEREAS, Coordination among executive departments and between the Executive and Legislative branches is needed to develop an effective policy response to federal health care reform;

WHEREAS, The development of achievable and sustainable policies is furthered by identifying the costs and funding sources of the proposed changes; and

WHEREAS, Input from various stakeholders will help develop and achieve support for policy changes needed to implement federal health care reform in a cost effective manner.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Maryland Health Care Reform Coordinating Council (Council).

B. Membership. The Council consists of the following members:

- (1) The Governor or the Governor's designee;
- (2) The Lieutenant Governor;
- (3) The Secretary of Health and Mental Hygiene;
- (4) The Secretary of Budget and Management;
- (5) The Insurance Commissioner;
- (6) The Attorney General or the Attorney General's designee;
- (7) The Chair of the Health Services Cost Review Commission or the Chair's designee;
- (8) The Chair of the Maryland Health Care Commission or the Chair's designee;
- (9) Two members of the Maryland Senate appointed by the President of the Senate; and

(10) Two members of the Maryland House of Delegates appointed by the Speaker of the House.

C. Co-Chairs. The Secretary of Health and Mental Hygiene and the Lieutenant Governor shall co-chair the Council.

D. Staffing.

(1) The Department of Health and Mental Hygiene shall provide staff support for the administrative functions of the Council.

(2) The participating government agencies and the Department of Legislative Services shall provide appropriate staffing for substantive issues in their areas of responsibility, as determined by the Chairs.

E. Members of the Council may not receive any compensation for their services but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

F. Responsibilities.

(1) By July 15, 2010, the Council shall submit to the Governor a comprehensive evaluation of the federal health reform legislation and identify critical decision points that must be considered by the State. Such review shall include, but is not limited to:

(a) Review of each section of the federal legislation and identification of affected State law and regulation;

(b) Development of a comprehensive timeline for the implementation of the various components of the federal legislation, with preliminary identification of what specific implementation decisions must be made by the State and when such decisions must be made;

(c) Development of a financial model to estimate by year and by program the impact of the reform on the State general fund budget; and

(d) Recommended approach to develop and evaluate policy options for the State including method of soliciting input from interested stakeholders.

(2) By January 1, 2011, the Council shall submit to the Governor a comprehensive document with policy recommendations and implementation strategies. This document will be developed in accordance with the approach adopted by the Council in its July 15, 2010 report to the Governor. Among other criteria, these recommendations will consider the impact on the State budget.

G. In carrying out responsibilities under this section, the Council may:

(1) Invite academic experts and other witnesses to submit testimony;

(2) Hold hearings;

(3) Contract with experts and consultants as necessary to inform the deliberations and recommendations;

(4) Contract to provide staff assistance; and

(5) Appoint advisory committees including representatives of State and local agencies, providers, payers, consumers, and other interested parties.

EXECUTIVE ORDER OF APRIL 5, 2010

01.01.2010.08

Proclaiming an Extended Session of the Maryland General Assembly

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, being advised that the Budget Bill has not been finally acted upon by the General Assembly seven days before the expiration of the 2010 regular Session of the General Assembly;

WHEREAS, Article III, Section 52 (10) of the Maryland Constitution provides that under these circumstances the Governor shall issue a proclamation extending the Session for a period as may, in the Governor's judgment, be necessary to allow for the passage of the Budget Bill; and

WHEREAS, Other matters may not be considered during such extended Session except a provision for the cost thereof.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE 2010 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 12, 2010 IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING THE STATE BUDGET BILL. THIS EXTENSION MAY NOT EXCEED TEN DAYS, OR SUCH OTHER PERIOD AS SPECIFIED BY AMENDMENT TO THIS EXECUTIVE ORDER.

EXECUTIVE ORDER OF APRIL 26, 2010

01.01.2010.09

The Maryland State Council on
Educational Opportunity for Military Children

WHEREAS, Maryland is a member of the Interstate Compact on Educational Opportunity for Military Children, which enables states to collaborate to ensure that there are no barriers to educational success imposed on children of military families because of frequent moves and the deployment of their parents;

WHEREAS, Maryland is committed to the needs of children in military families who have recently moved to Maryland by ensuring that they are afforded the same opportunities for educational success as other children;

WHEREAS, Maryland is committed to the well being and success of all students;

WHEREAS, Maryland continues to be the home of numerous military installations;

WHEREAS, Maryland welcomes new military families and their children as a result of the recent Base Realignment and Closure (BRAC) decisions;

WHEREAS, Maryland recognizes the challenges students face when they change schools as often as many military children;

WHEREAS, Maryland wants a level playing field for military children as they navigate the advantages and challenges presented by their parents' military service; and

WHEREAS, Maryland provides consistent enrollment processes among school districts, which assist in creating a sense of normalcy and stability for our children of military families during times of transition, as their parents serve our country and make extraordinary sacrifices for the good of the United States of America.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is the Maryland State Council on Educational Opportunity for Military Children (the Council), as required by Chapters 501 and 502 of the Acts of the General Assembly of 2009 – *Interstate Compact on Educational Opportunity for Military Children*. The Council enables Maryland State agencies to collaborate and coordinate with other member states of the Interstate Compact on Educational Opportunity for Military Children (the Compact), the Interstate Commission on Educational Opportunity for Military Children (the Interstate Commission), local education agencies, and military installations to ensure a smooth transition of children of military families both in and out of Maryland schools.

B. Membership. The Council includes the following members:

- (1) The State Superintendent of Schools;
- (2) A Superintendent of a school district with a high concentration of military children;
- (3) A representative of a military installation;
- (4) A representative of the Executive Branch;

- (5) A representative of a military family;
- (6) A representative of school based personnel responsible for managing the transition of military children into and out of the school system;
- (7) One member of the Maryland Senate, appointed by the President of the Senate;
- (8) One member of the Maryland House of Delegates, appointed by the Speaker of the House of Delegates; and
- (9) A representative of the Maryland State Department of Education, designated by the Secretary of Education; and
- (10) Representatives of other offices and stakeholder groups the Council deems appropriate.
- (11) The Compact Commissioner responsible for the administration and management of the State's participation in the Compact, and the Military Family Education Liaison are ex officio, voting members of the Council and serve at the pleasure of their appointing authority.

C. Appointment and Terms. The members identified in B(2) through B(6) of this Executive Order shall be appointed by the Governor, with the advice of a representative of the Governor's Subcabinet on Base Realignment and Closure (BRAC) and the State Superintendent of Schools. Such members shall serve at the pleasure of the Governor for two-year terms. The members identified in B(7) through B(10) of this Executive Order shall serve at the pleasure of their appointing authorities.

D. Meetings. The Council shall meet at the call of the Chair.

E. Procedures. The Chair shall establish the format and procedures for the meetings of the Council.

F. Members of the Council may not receive any compensation for their services but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

G. Consultation. Members of the Council shall consult and coordinate with the Interstate Commission, the Council of State

Governments' National Center for Interstate Compacts, the Maryland State Department of Education, other State agencies, the local schools systems, military installations, and other organizations as needed concerning the State's participation in and compliance with the Compact and Interstate Commission activities.

H. Chair. The Chair shall be determined by the Council.

I. Staff Coordination. The Council shall be staffed by the Maryland State Department of Education.

J. Working Groups. Working groups shall be established based on the needs of the Council.

K. Frequency of Meetings. The Council shall meet at least twice a year.

L. Responsibilities. The Council shall promote and support Maryland's participation as a member of the Compact. The Compact enables Maryland to collaborate with other member states, providing much needed consistency to ensure that there are no barriers to educational success imposed on children of military families because of frequent moves and the deployment of their parents. Consistent with the Compact, the Maryland Council will develop a set of recommendations and a plan to address, among other issues, the:

- (1) Transfer of records;
- (2) Course sequencing;
- (3) Graduation requirements;
- (4) Extra-curricular activities;
- (6) Kindergarten and first grade entrance age;
- (7) Immunization; and
- (8) Power of custodial parents while parents are deployed.
- (9) The recommendations and plan shall be submitted to the Governor by January 12, 2011 and biannually thereafter. Any interim updates to the recommendations and plan also shall be submitted to the Governor.

EXECUTIVE ORDER OF APRIL 26, 2010

01.01.2010.10

State Coordinating Committee for Human Services Transportation
(Rescinds Executive Order 01.01.2006.09)

WHEREAS, The State Coordinating Committee for Human Services Transportation identifies needs and develops strategies to ensure the coordination of human services transportation within the State; and

WHEREAS, The Committee has requested that the following members be added to the Committee because of the valuable insights that these members will provide regarding human services transportation issues: the Secretary of Labor, Licensing, and Regulation, or a designee; and the Executive Director of the Maryland Developmental Disabilities Council, or a designee.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.2006.09 AND PROCLAIM THE FOLLOWING ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a State Coordinating Committee for Human Services Transportation (Committee).

B. Definitions. As used in this Executive Order, the following terms have the following meanings:

(1) The term "agency" means an executive department, agency or office of the State of Maryland.

(2) The term "transportation-disadvantaged" means a person who qualifies for federally conducted or federally assisted transportation-related programs or services, as implemented and coordinated by a Maryland State agency, due to disability, income, or advanced age. This term is directly connected with the definition provided in the Presidential Executive Order on

Human Services Transportation Coordination dated February 24, 2004 and mirrors any subsequent federal interpretation of the definition.

C. Membership and Procedures.

(1) The Committee shall consist of the following members:

(a) The Secretary of Transportation, or a designee, who shall Chair the Committee;

(b) The Secretary of Human Resources, or a designee;

(c) The Secretary of Health and Mental Hygiene, or a designee;

(d) The Secretary of Aging, or a designee;

(e) The Secretary of Disabilities, or a designee;

(f) The Secretary of Housing and Community Development, or a designee;

(g) The Secretary of Planning, or a designee;

(h) The State Superintendent of Schools, or a designee;

(i) The Secretary of Veterans Affairs, or a designee;

(j) The Director of the Governor's Office for the Deaf and Hard of Hearing, or a designee;

(k) The Secretary of Labor, Licensing and Regulation, or a designee;

(l) The Executive Director of the Maryland Developmental Disabilities Council, or a designee; and

(m) Additional members recommended to the Governor by the Chairperson of the Committee as needed to provide input from local governments, employers, agencies and organizations serving targeted populations, transportation providers, and consumers from targeted populations.

(2) The members of the Committee named in (C)(1)(a) through (1) shall serve so long as they hold the office or designation specified in this Executive Order. All other members shall serve at the pleasure of the Governor.

(3) The members of the Committee may not receive any compensation for their services. The members may be reimbursed for reasonable expenses incurred in the performance of duties, in accordance with the Standard State Travel Regulations and as provided in the State budget.

(4) Staff for the Committee will be provided by the Department of Transportation.

D. Scope of the Committee. The Committee shall:

(1) Examine the transportation needs of citizens who are elderly, who have disabilities, and individuals requiring transportation to access jobs, medical and health appointments, senior citizens programs and other programs requiring the transportation of individuals who qualify as transportation-disadvantaged;

(2) Coordinate Maryland's efforts to provide quality human services transportation services by working with appropriate federal, State and local agencies, transit customers and transportation providers to develop a cooperative, coordinated, and human services transportation system;

(3) Devise a five-year human services transportation plan, which sets goals and objectives to help transportation-disadvantaged citizens access jobs, education and training programs, healthcare services and other activities by providing cost-effective, affordable, high capacity, high quality, easily understood, safe and accessible transportation; and

(4) Serve as the clearinghouse for human services transportation coordination issues throughout the State of Maryland, identify and facilitate a resolution to local and statewide issues regarding human services transportation, participate in the identification of possible allocations of human services transportation resources during emergency evacuations, evaluate cost-saving measures, investigate the need for the establishment of standards for vehicles and drivers within the human services transportation program, and examine other

appropriate areas that facilitate the development of a quality human services transportation system in Maryland.

E. Reports to the Governor. The Committee shall provide an annual report to the Governor by September 1st of each year outlining its progress.

EXECUTIVE ORDER OF MAY 21, 2010

01.01.2010.11

Fiscal Year 2011 State Employees' Furlough and Temporary Salary Reduction Plan

- WHEREAS, The State of Maryland experienced significant and unanticipated revenue shortfalls, which necessitated reductions in the budgets for Fiscal Years 2009 and 2010;
- WHEREAS, The State's fiscal crisis has resulted from a national recession and continued declines in tax revenue, which contributed to a projected deficit of over \$2 billion for the Fiscal Year 2011 budget;
- WHEREAS, The O'Malley-Brown Administration has reduced spending growth by more than \$5.6 billion since taking office, and will have eliminated over 4,200 State positions by the end of Fiscal Year 2011, while avoiding significant layoffs;
- WHEREAS, Despite the above efforts, in order to balance the Fiscal Year 2011 budget it is necessary to dramatically constrain appropriation levels;
- WHEREAS, It is not possible to achieve reductions in spending of the magnitude necessary without taking some actions that affect State employees;
- WHEREAS, Substantial savings may be achieved without undue interruption of State services if State employees are required to participate in a carefully managed furlough and salary reduction plan;
- WHEREAS, A carefully managed furlough and salary reduction plan for State employees will mitigate the need for significant layoffs;

WHEREAS, The Second Budget Reconciliation Act for Fiscal Year 1992, Chapter 62 of the Laws of Maryland 1992, as amended, authorizes the Governor to institute a furlough and temporary salary reduction plan for State employees by executive order; and

WHEREAS, It is in the interest of the State to allow employees flexibility in the implementation of the furlough and salary reduction plan.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE JUNE 30, 2010:

A. Except as provided in paragraph N, this Executive Order applies to all employees of the State of Maryland, including employees of agencies with independent salary setting authority or independent personnel systems, employees of the Maryland Automobile Insurance Fund, the Maryland Food Center Authority, the Maryland Port Administration, the Maryland Stadium Authority, and all contractual employees.

B. (1) "Employees of 24/7 operations" means direct care employees in health, juvenile services, and correctional facilities; police officers employed by the State at the rank of first sergeant or below, except those in administrative or clerical positions; and other employees designated by the Secretary of Budget and Management who work on a shift schedule providing services as part of a 24-hour operation.

(2) "Salary" or "salaries" means gross annual unreduced salary or salaries as of July 1, 2010, not including overtime, acting capacity, or shift differentials.

C. (1) All employees subject to this Executive Order who earn salaries of \$40,000 or more, except employees of 24/7 operations, shall be required to take furlough hours based on salary level before July 1, 2011. Employees earning between \$40,000 and \$49,999 will be required to take twenty-four furlough hours, while employees earning between \$50,000 and \$99,999 will be required to take thirty-two furlough hours, and employees earning \$100,000 or more will be required to take forty furlough hours.

(2) All contractual employees subject to this Executive Order, regardless of salary level, shall be required to take twenty-four furlough hours.

(3) All non-contractual employees earning salaries of less than \$40,000, including employees of 24/7 operations, will not be required to take furlough hours.

D. An employee may take furlough time in increments of four hours.

E. An employee may not receive pay for time during which the employee is furloughed.

F. An employee may not work during furlough time except that in the event of an emergency the appointing authority may revoke furlough time and the employee shall be paid for that time. An employee whose furlough time is revoked due to an emergency shall be required to take the furlough time on another day.

G. Unless authorized in writing by the employee's supervisor, during a work week in which furlough time is scheduled an employee may not work in excess of the employee's normal work week reduced by furlough time taken during such work week.

H. For all purposes other than salary or wages, an employee on furlough time shall be deemed to be on paid leave.

I. The Secretary of Budget and Management, the heads of every other personnel system, and the appointing authorities shall take all action as necessary or desirable to implement this furlough plan. The Secretary, the heads of every other personnel system, and the appointing authorities are authorized to designate certain time as furlough time for groups of employees, to allow employees to designate their own furlough time with approval of their supervisors, which approval may be withheld only in the event of an emergency, or otherwise to manage this program with the least possible disruption to the provision of State services.

J. In addition to furloughs the Secretary of Budget and Management shall implement a temporary salary reduction for non-contractual State employees pursuant to the Secretary's authority under Title 8 of the State Personnel and Pensions Article.

(1) All employees subject to this Executive Order who earn salaries of \$40,000 or more, including employees of 24/7 operations, will have a temporary salary reduction equivalent to five days of pay.

(2) All employees earning salaries of less than \$40,000, including employees of 24/7 operations, will have a temporary salary reduction equivalent to three days of pay.

K. The Administration proposed and the General Assembly enacted legislation during the 2010 Session providing that calculation of the rate of overtime payment for current State employees subject to a temporary salary reduction in Fiscal Years 2010 or 2011 shall be based on an employee's rate of compensation on July 1, 2009, and that the legislation be applied retroactively to September 23, 2009, and shall affect the overtime compensation of current State employees from that date.

L. (1) Routine State government operations shall be significantly curtailed on the following days: September 3, 2010, the day before the Labor Day holiday; November 24, 2010, the day before the Thanksgiving and American Indian Heritage Day holidays, with the exception of the Maryland Department of Transportation; December 23, 2010, the day before the Christmas holiday; December 30, 2010, the day before the New Year's Day holiday; May 27, 2011, the day before the Memorial Day holiday; and, with regard to the Maryland Department of Transportation only, November 26, 2010, the day after Thanksgiving. This action will allow the State to achieve additional savings due to reduced operating expenses over the long holiday weekends.

(2) With the exception of employees of 24/7 operations, the Secretary of Budget and Management shall authorize paid administrative leave for the five days listed in subparagraph (1) of this paragraph for non-contractual, State employees earning \$40,000 or more, and three administrative leave days for non-contractual, State employees earning less than \$40,000. For two of the five days, employees earning less than \$40,000 shall be permitted to take accrued annual, personal, or compensatory leave, or they may choose to take voluntary furlough days of leave without pay.

M. (1) To mitigate the impact of this furlough and temporary salary reduction plan on non-contractual State employees subject to the plan while still achieving essential budgetary savings, effective June 30, 2011, the Secretary of Budget and Management shall authorize paid administrative leave, as provided in subparagraph (2) of this paragraph, to be available for use by employees beginning in Fiscal Year 2012.

(2) State employees earning less than \$40,000 per year, except employees of 24/7 operations, shall be permitted two administrative leave days. Employees earning between \$40,000 and \$49,999, and employees of 24/7 operations earning less than \$40,000, shall be permitted three administrative leave days. Employees earning between \$50,000 and \$99,999, except employees of 24/7 operations, shall be permitted four administrative leave days. Employees earning \$100,000 or more, and employees of 24/7 operations earning \$40,000 or more, shall be permitted five administrative leave days. Use of administrative leave shall require prior supervisory approval. Employees shall not be entitled to compensation for any unused administrative leave.

N. This Executive Order does not apply to:

(1) The Legislative Branch;

(2) The Judicial Branch;

(3) Officers whose compensation may not lawfully be reduced under Article III, Section 35 of the Maryland Constitution;

(4) Employees designated as entirely or partially exempt from any provision of this Order by the Secretary of Budget and Management; and

(5) Employees of the University System of Maryland, St. Mary's College of Maryland, Morgan State University and Baltimore City Community College; however each university appropriation shall be reduced to reflect the amount of savings that would be achieved by implementing a furlough plan at each university in accordance with its rules and regulations and subject to approval of its governing board.

EXECUTIVE ORDER OF JUNE 1, 2010

01.01.2010.12

Maryland Council for Educator Effectiveness

WHEREAS, Maryland's public school system has twice been recognized as best-in-the-nation – in 2009 and 2010. To prepare all of our students for the 21st century workforce, Maryland is committed to improving from national leader to world-class – not only for some students, but for all students;

WHEREAS, World-class means that the achievement gaps that continue to exist in far too many schools must be closed. Without dramatic and immediate policies directed at eliminating these gaps in achievement and improving achievement overall, Maryland's economic health and quality of life will decline;

WHEREAS, World-class means that all students are taught by effective teachers and principals because improvements in student achievement ultimately rely upon the expertise and abilities of our educators;

WHEREAS, Evaluations of the effectiveness of our educators must be conducted in a manner that is objective, transparent, timely, fair, and informed by multiple perspectives and sound information;

WHEREAS, Maryland must attract, develop and retain highly effective educators by creating school environments that maintain high standards of both professionalism and performance. While all schools should be staffed by effective educators, we must ensure that effective educators are equitably distributed among the lowest performing schools;

WHEREAS, Every aspect of our public educational system must be focused upon ensuring that these valuable professionals who serve our students daily have the knowledge, skills, and support necessary to meet this challenge; and

WHEREAS, Given our long history of local innovation and tradition of broad collaboration, Maryland is well-positioned to work collectively to ensure that all of our educators have the capacity and the resources to help their students achieve at the highest levels.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Establishment. There is a Maryland Council for Educator Effectiveness (the Council).

B. Membership. The Council consists of the following members:

(1) The State Superintendent of Schools, or the Superintendent's designee;

(2) The following members, appointed by the Governor:

(a) Six teachers or teacher representatives, selected with the advice of the Maryland State Education Association and the American Federation of Teachers–Maryland;

(b) Two principals, selected with the advice of the Maryland Association of Elementary School Principals and the Maryland Association of Secondary School Principals;

(c) One local school superintendent, selected with the advice of Public School Superintendents Association of Maryland;

(d) Two public school administrators with knowledge of human resources, business, accountability, or support of new or struggling educators;

(e) Two members of local school boards, selected with the advice of the Maryland Association of Boards of Education;

(f) One representative from the business community;

(g) One member of the State Board of Education;

(h) One representative of higher education with knowledge of teacher preparation programs; and

(i) Two at-large members with expertise in education policy.

(3) A member of the Maryland Senate, appointed by the President of the Senate; and

(4) A member of the Maryland House of Delegates, appointed by the Speaker of the House.

C. The Governor shall appoint two co-chairs from among the members of the Council.

D. The State Superintendent of Schools shall serve by virtue of the Superintendent's Office. Members of the Maryland General Assembly shall serve at the pleasure of their appointing authority. All other members serve at the pleasure of the Governor. In the event of a vacancy on the Council, a successor shall be appointed in the same manner as the members predecessor.

E. Members of the Council may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

F. Responsibilities.

(1) Not later than December 31, 2010, the Council shall submit to the Governor, the General Assembly, and the Maryland State Board of Education recommendations for the development of the model evaluation system for educators required by Chapter 189 of the 2010 Laws of the General Assembly of Maryland – Education Reform Act of 2010.

(2) The recommendations shall address:

(a) The definitions of “effective” teachers and principals;

(b) The definitions of “highly effective” teachers and principals; and

(c) The relationship between the student learning component of educator evaluations and the other components of the evaluations.

(3) The Council's recommendations should seek to ensure that every educator is:

(a) Evaluated using multiple, fair, transparent, timely, rigorous, and valid methods;

(b) Afforded a meaningful opportunity to improve their effectiveness; and

(c) Provided the means to share effective practices with other educators statewide.

(4) Not later than December 31, 2011, the Council shall submit to the Governor, the General Assembly, and the Maryland State Board of Education any recommendations for corrections or adjustments to the overall design of the model evaluation system – including guidelines, tools, and measures – based on the experience in the field.

(5) The Council shall perform any other duties related to State requirements for educator evaluations that may be requested by the Governor.

G. Procedures.

(1) A majority of Council members shall constitute a quorum for the transaction of any business.

(2) The Council may adopt such other procedures and by-laws as may be necessary to ensure the orderly transaction of business.

(3) The Council may establish working groups, task forces, or other structures from within its membership or outside its membership as needed to address specific issues or to assist in its work.

H. Meetings. The Council shall meet at the call of the co-chairs as needed to complete the tasks set forth in this Executive Order. Unless otherwise indicated, members may not send designees to represent them at Council meetings.

I. Advisory Panel. The Council shall create an Advisory Panel to provide expert advice and information to the Council. The Panel shall include State and national experts with experience in psychometrics and assessments; experts in teacher preparation programs; and individuals with knowledge of the needs of parents, students, and the business community.

J. Staffing. The Maryland State Department of Education and the Office of the Governor shall provide the Council with data, analytical information, and administrative support necessary to complete its work.

K. Termination. This Executive Order shall terminate and be of no effect after December 31, 2011.

EXECUTIVE ORDER OF JUNE 1, 2010

01.01.2010.13

Governor's Commission on Small Business

WHEREAS, Small business is the foundation of Maryland's economy, representing more than 97 percent of all employers and employing more than 54 percent of the private sector workforce;

WHEREAS, In any economy, small businesses offer a long-term commitment to community revitalization, capital investment, business development and increased tax revenues;

WHEREAS, This Administration established the Governor's Task Force on Small Business to advocate measures, identify barriers and solicit input on issues of importance to the sustainability and growth of Maryland's small businesses;

WHEREAS, The Governor's Task Force on Small Business issued a report identifying issues, recommendations and implementation strategies to assist small business development in the State; and

WHEREAS, The establishment of a center for small business excellence and a Maryland Small Business Commission were identified as primary priorities.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is a Governor's Commission on Small Business (the Commission).

B. Membership. The Commission shall consist of the following voting members:

(1) Two members of the Maryland Senate, appointed by the President of the Senate;

(2) Two members of the Maryland House of Delegates, appointed by the Speaker of the House of Delegates;

(3) Seventeen members appointed by the Governor representing small businesses.

C. The Commission shall have five nonvoting ex-officio members:

(1) The Secretary of Business and Economic Development, or the Secretary's designee;

(2) The Secretary of Housing and Community Development, or the Secretary's designee;

(3) The Secretary of Labor, Licensing and Regulation, or the Secretary's designee;

(4) The Secretary of General Services, or the Secretary's designee; and

(5) The Special Secretary of the Governor's Office of Minority Affairs, or the Special Secretary's designee.

D. Members appointed by the Governor shall be representative of the geographic regions and industries in the State, and shall reflect the racial and gender diversity of the population of the State.

E. (1) Members appointed by the Governor shall serve at the pleasure of the Governor for up to two consecutive three year terms. The terms of the members are staggered as required by the initial terms provided for those members of the Commission on June 11, 2010. Of the initial terms, five shall expire in 2011, six shall expire in 2012, and six shall expire in 2013.

(2) Members appointed by the President of the Senate or the Speaker of the House of Delegates shall serve at the pleasure of the President or the Speaker.

(3) The Governor shall designate a Chair from among the members of the Commission. The Chair shall serve at the pleasure of the Governor.

(4) In the event of a vacancy on the Commission, the applicable appointing authority shall appoint a successor.

F. Procedures.

(1) The Commission shall meet at the call of the Chair, but at least four times each year. Notice of meetings shall be published to encourage public attendance.

(2) A majority of Commission members shall constitute a quorum for the transaction of any business.

(3) The Commission may adopt such other procedures and by-laws as may be necessary to ensure the orderly transaction of business.

(4) By June 30 of each year, the Commission shall submit an annual report to the Governor detailing its activities in the preceding calendar year, along with any appropriate recommendations.

G. Expenses. Members of the Commission may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, as provided in the State budget.

H. Operational Support. The Commission will be staffed by the Department of Business and Economic Development.

I. Duties. The Commission shall have the following duties and responsibilities:

(1) Provide a forum for small businesses to articulate and address barriers to business growth;

(2) Recommend to the Governor and the Maryland General Assembly economic policy development measures to sustain and expand the economic impact of the small business community in the State;

(3) Oversee the implementation of the Small Business Task Force recommendations;

(4) Develop and recommend a standard definition of small business;

(5) Advocate for full employment and skills upgrades to support business development and job creation in emerging and growth industries;

- (6) Identify and implement an outreach initiative;
- (7) Collaborate with the Maryland Economic Development Commission on small business policy recommendations;
- (8) Review and analyze State regulations affecting Maryland's small businesses;
- (9) Identify public/private partnership opportunities to supplement small business economic programs and financial incentives;
- (10) Identify methods to improve resource accessibility for small Minority Business Enterprises;
- (11) Recommend ways to foster youths' interest in entrepreneurship; and
- (12) Perform any other duties as requested by the Governor.

EXECUTIVE ORDER OF JUNE 25, 2010

01.01.2010.14

Blue Alert Program

- WHEREAS, The men and women of our law enforcement agencies risk their lives on a daily basis to keep the people of our State safe;
- WHEREAS, Violent offenders who harm law enforcement officers pose a serious danger to both law enforcement personnel and our communities at large;
- WHEREAS, The rapid dissemination of information about such offenders will facilitate their speedy capture, reducing the risk they would otherwise pose to our communities and our law enforcement personnel;

WHEREAS, Chapter 473 of the Acts of the General Assembly of 2010 established a Blue Alert Program to rapidly disseminate information to assist in locating an offender suspected of seriously injuring or killing a law enforcement officer;

WHEREAS, Chapter 473 of the Acts of the General Assembly of 2010 has an effective date of October 1, 2010; and

WHEREAS, The Blue Alert Program affords Maryland citizens an opportunity to contribute to the safety of our law enforcement officers by providing timely information and should be timely implemented.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is a Blue Alert Program in the Department of State Police.

B. Purpose. The Blue Alert Program will provide a system for the rapid dissemination of information to assist in locating and apprehending an offender, suspected of killing or seriously injuring a law enforcement officer, whose disappearance poses a serious threat.

C. Procedures. The Department of the State Police shall:

(1) Adopt guidelines and procedures for issuing a Blue Alert;

(2) Provide training to local law enforcement agencies on the Blue Alert Program;

(3) Provide assistance to local law enforcement, as necessary, to locate and apprehend an offender for whom a Blue Alert has been issued;

(4) Recruit television and radio broadcasters, local volunteer groups, and other members of the public to assist with the Blue Alert Program; and

(5) Consult with the State Highway Administration and the Emergency Management Agency to establish a plan for the use of the State's dynamic message sign system to provide information to the public about a Blue Alert.

D. Terms. This Executive Order shall remain in effect until October 1, 2010.

EXECUTIVE ORDER OF JULY 22, 2010

01.01.2010.15

Maryland Health Care Reform Coordinating Council
(Amends Executive Order 01.01.2010.07)

WHEREAS, The Maryland Health Care Reform Coordinating Council was established to provide a comprehensive evaluation of the federal health reform legislation and identify critical decision points that must be considered by the State; and

WHEREAS, The Council has requested that the Department of Human Resources be added to the Council because of the valuable insight the agency will provide regarding human services issues.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY AMEND EXECUTIVE ORDER 01.01.2010.07 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Maryland Health Care Reform Coordinating Council (Council).

B. Membership. The Council consists of the following members:

- (1) The Governor or the Governor's designee;
- (2) The Lieutenant Governor;
- (3) The Secretary of Health and Mental Hygiene;
- (4) The Secretary of Budget and Management;
- (5) THE SECRETARY OF HUMAN RESOURCES;**

[(5)] (6) The Insurance Commissioner;

[(6)] (7) The Attorney General or the Attorney General's designee;

[(7)] (8) The Chair of the Health Services Cost Review Commission or the Chair's designee;

[(8)] (9) The Chair of the Maryland Health Care Commission or the Chair's designee;

[(9)] (10) Two members of the Maryland Senate appointed by the President of the Senate; and

[(10)] (11) Two members of the Maryland House of Delegates appointed by the Speaker of the House.

C. Co-Chairs. The Secretary of Health and Mental Hygiene and the Lieutenant Governor shall co-chair the Council.

D. Staffing.

(1) The Department of Health and Mental Hygiene shall provide staff support for the administrative functions of the Council.

(2) The participating government agencies and the Department of Legislative Services shall provide appropriate staffing for substantive issues in their areas of responsibility, as determined by the Chairs.

E. Members of the Council may not receive any compensation for their services but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

F. Responsibilities.

(1) By July 15, 2010, the Council shall submit to the Governor a comprehensive evaluation of the federal health reform legislation and identify critical decision points that must be considered by the State. Such review shall include, but is not limited to:

(a) Review of each section of the federal legislation and identification of affected State law and regulation;

(b) Development of a comprehensive timeline for the implementation of the various components of the federal legislation, with preliminary identification of what specific implementation decisions must be made by the State and when such decisions must be made;

(c) Development of a financial model to estimate by year and by program the impact of the reform on the State general fund budget; and

(d) Recommended approach to develop and evaluate policy options for the State including method of soliciting input from interested stakeholders.

(2) By January 1, 2011, the Council shall submit to the Governor a comprehensive document with policy recommendations and implementation strategies. This document will be developed in accordance with the approach adopted by the Council in its July 15, 2010 report to the Governor. Among other criteria, these recommendations will consider the impact on the State budget.

G. In carrying out responsibilities under this section, the Council may:

(1) Invite academic experts and other witnesses to submit testimony;

(2) Hold hearings;

(3) Contract with experts and consultants as necessary to inform the deliberations and recommendations;

(4) Contract to provide staff assistance; and

(5) Appoint advisory committees including representatives of State and local agencies, providers, payers, consumers, and other interested parties.

EXECUTIVE ORDER OF JULY 23, 2010

01.01.2010.16

Long-Term Electricity Report for the State of Maryland

WHEREAS, A sustainable energy future for all Marylanders requires an evaluation of the long-term electricity needs of the State and a comprehensive review of alternative and innovative approaches to meet those needs;

WHEREAS, A Long-Term Electricity Report is critical to securing Maryland's energy future by addressing our long-term energy needs and providing a blueprint for achieving a clean, reliable, and affordable energy future; and

WHEREAS, Input from a variety of stakeholder groups including government agencies, electricity customers, utilities, electric suppliers, and organizations representing environmental and consumer interests will help develop and achieve support for policy changes needed to implement the Long-Term Electricity Report.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. On or before December 1, 2011, the Department of Natural Resources' Power Plant Assessment Program (Department) shall prepare a Long-Term Electricity Report (Report) for the State of Maryland.

B. The Report shall assess future electric energy use requirements and peak electric demand requirements, and identify sources and alternative resources to meet any gaps in these requirements through the end of calendar year 2030.

C. The Report shall:

(1) Analyze electric energy use and peak electric demand forecasts, including:

(a) Existing and planned electric generating and demand response capacity in Maryland;

(b) Demand related to the transition to an electricity-based transportation system;

(c) Existing electric transmission system in the PJM Interconnection region along with planned improvements and expansion of the system; and

(d) The extent to which Maryland's power supply requirements over the 20-year analysis period exceed the capabilities of existing and planned electric generation resources, including projected demand response resources and transmission system capacity.

(2) Examine alternative and feasible sources of electric capacity to address any gaps between power supply requirements and the capabilities of existing and planned electric generation and transmission system resources, considering among other factors:

(a) Costs of generation, including capital, operational and maintenance costs;

(b) Reliability of supply;

(c) The extent of and ability to avoid, minimize or mitigate, adverse environmental impacts;

(d) Conventional and renewable generation capacity additions, including small scale distributed generation sources;

(e) Options for fuel-switching, including use of natural gas and biomass;

(f) Energy conservation and energy efficiency;

(g) Demand response;

(h) Smart grid technologies;

(i) Energy storage technologies, including fuel cells, battery storage and plug-in vehicles;

(j) Transmission congestion;

(k) Transmission system expansion; and

(l) The reliability and costs, including societal and environmental costs, of conventional fuel supplies.

(3) Evaluate scenarios for meeting the State's long-term electricity needs and the extent to which those scenarios address the following factors:

(a) Long-term cost and cost stability;

(b) Reliability of supply;

(c) Electricity grid congestion, transmission, and distribution issues;

(d) Energy conservation and energy efficiency;

(e) Minimization of adverse environmental impacts;

(f) Minimization of adverse land-use impacts;

(g) Consistency with the State's environmental laws, including Title 2, Subtitle 12 of the Environment Article (Greenhouse Gas Emissions Reduction), Section 7-211 of the Public Utility Companies Article (EmPOWER Maryland Energy Efficiency Act of 2008), and Title 7, Subtitle 7 of the Public Utility Companies Article (Renewable Energy Portfolio Standard); and

(h) Consistency with relevant federal energy and environmental laws.

D. In developing the Report, the Department shall solicit and consider input from:

(1) The Maryland Energy Administration;

(2) The Department of the Environment;

(3) The Department of Agriculture;

(4) The Department of Business and Economic Development;

(5) The Department of Transportation;

(6) The Department of Planning;

- (7) The Technical Staff of the Public Service Commission;
- (8) The Office of People's Counsel;
- (9) PJM Interconnection, LLC;
- (10) Electric companies and electricity suppliers;
- (11) Natural gas companies and pipeline suppliers;
- (12) Renewable energy generators;
- (13) Energy service companies specializing in demand reduction;
- (14) Large electricity consumers, including commercial and institutional consumers;
- (15) Organizations representing environmental interests in the State;
- (16) Organizations representing consumer interests in the State; and
- (17) Any other relevant interests.

E. Prior to final publication of the Report, the Department shall hold public meetings to review the draft findings of the Report with members of the public.

F. The Department shall review and update this report at least every five years in consultation with the organizations listed in paragraph (D) above and after holding public meetings to review any updated draft findings with members of the public.

G. The Department shall submit the Long-Term Electricity Report with any updates to the Governor, General Assembly, and Maryland Public Service Commission.

H. The Department shall file the Report with the Maryland Public Service Commission in conjunction with the Department's testimony in proceedings relating to certificates of public convenience and necessity described in Sections 7-207 or 7-208 of the Maryland Public Utility Companies Article and other cases concerning electricity generation, electric transmission, demand management, and energy efficiency.

EXECUTIVE ORDER OF SEPTEMBER 1, 2010

01.01.2010.17

Declaration of Emergency

- WHEREAS, Maryland is subject to a great variety of hazards or disasters, including but not limited to hurricanes, severe tropical rain and wind storms, storm surge, flooding, and power outages;
- WHEREAS, The Maryland Emergency Management Agency has advised that as a result of severe weather generated by Hurricane Earl, an emergency exists within the State;
- WHEREAS, The Maryland Emergency Management Agency has advised that resources and personnel may be needed to assist with disaster response and relief efforts, including but not limited to protective actions – evacuation and shelter – for impacted State citizens;
- WHEREAS, Use of the resources of the Maryland National Guard may be required; and
- WHEREAS, An Executive Order is appropriate in order to facilitate the deployment and use of requisite resources, and to implement the emergency powers of the Governor.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY EXISTS WITHIN THE STATE OF MARYLAND. I CALL THE MARYLAND NATIONAL GUARD INTO STATE SERVICE AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE AVAILABLE RESOURCES.

EXECUTIVE ORDER OF SEPTEMBER 3, 2010

01.01.2010.18

Rescission of Executive Order 01.01.2010.17

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, having declared a State of Emergency by Executive Order 01.01.2010.17 due to the threat to the public health and safety caused by the impact of severe weather; and

WHEREAS, The emergency conditions caused by the storm no longer exist.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE STATE OF EMERGENCY IN THE STATE OF MARYLAND IS HEREBY TERMINATED EFFECTIVE AT 17:00 ON THIS DATE.

EXECUTIVE ORDER OF SEPTEMBER 29, 2010

01.01.2010.19

Declaration of Emergency

WHEREAS, Maryland is subject to a variety of hazards or disasters including but not limited to tropical cyclones, nor'easters, severe and damaging winds, extraordinary tidal action, coastal and inland flooding, and man-made hazards;

WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency that as a result of the effects of Tropical Storm Nicole, an emergency exists in the State and that resources may be requested;

WHEREAS, In order to facilitate the deployment of requisite resources within provisions of Maryland law;

WHEREAS, The use of Maryland National Guard Resources may be required; and

WHEREAS, In order to implement the emergency powers of the Governor, an Executive Order is appropriate.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY EXISTS IN MARYLAND, AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE AVAILABLE RESOURCES.

EXECUTIVE ORDER OF SEPTEMBER 30, 2010

01.01.2010.20

The Maryland Domestic Violence
Health Care Screening and Response Initiative

WHEREAS, Domestic violence is an epidemic of both deadly and expensive proportions;

WHEREAS, The Centers for Disease Control and Prevention (CDC) estimates that nearly 5.3 million intimate partner victimizations occur each year. This violence results in nearly 2 million injuries and 1,300 deaths, and costs over \$8.3 billion each year;

WHEREAS, The CDC reports that victims of intimate partner violence are at greater risk of negative health outcomes and that violence inhibits victims' abilities to manage chronic health conditions;

WHEREAS, The National Center for Injury Prevention and Control reports that 44% of women murdered by their intimate partners visited an emergency department within two years prior to the homicide;

- WHEREAS, Research indicates that individuals with chronic health problems generate the largest financial burden on the health care system and account for a disproportionate amount of overall spending;
- WHEREAS, Health care providers who recognize intimate partner violence as an underlying cause of serious health problems can provide better and more cost-effective treatment to their patients;
- WHEREAS, Health care-based domestic violence screening programs are effective and affordable interventions;
- WHEREAS, Research from Pennsylvania, which has 83 health care-based domestic violence screening programs, illustrates that hospital-based domestic violence interventions may reduce the health care costs of these individuals by at least 20%;
- WHEREAS, Maryland law enforcement agencies reported 18,926 incidents of domestic violence to women, men, and children in 2008;
- WHEREAS, Every Maryland resident should have easy access to crisis intervention and advocacy services providing appropriate intimate partner violence responses and resources;
- WHEREAS, Maryland's four hospital-based domestic violence screening and response programs have screened and provided medical treatment, crisis counseling, safety planning, support, information, and resources to thousands of patients; and
- WHEREAS, The Governor's Family Violence Council recommends in its report entitled *Hospital-Based Domestic Violence Programs* that Maryland should expand domestic violence screening and response programs to other health care providers across the State.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is a Maryland Domestic Violence Health Care Screening and Response Initiative that will encourage the establishment of local Domestic Violence Health Care Screening and Response Programs. The initiative will be administered by the Governor's Office of Crime Control and Prevention in consultation with the Department of Health and Mental Hygiene, the Maryland Community Health Resources Commission, the

Maryland Health Services Cost Review Commission and in consultation with associations, coalitions, and programs representing domestic violence service providers, victims, and Maryland hospitals and insurance providers.

B. For the purpose of this Executive Order:

(1) "Department" means the Department of Health and Mental Hygiene.

(2) "Domestic Violence Program" means a program having a primary purpose of providing comprehensive services to domestic violence victims, including, but not limited to 24-hour hotlines, emergency shelters, crisis and ongoing counseling programs, and victim information and advocacy programs.

(3) "Health Care Facility" means:

(a) A for-profit or nonprofit health center providing clinically related health services;

(b) A for-profit or nonprofit health clinic providing health services; and

(c) A for-profit or nonprofit hospital providing basic, general or comprehensive clinical health services.

(4) "Office" means the Governor's Office of Crime Control and Prevention.

(5) "Screening" means the process of assessing patients seeking medical treatment who exhibit symptoms associated with intimate partner violence. Screening may also include general questions to all patients to determine their level of risk for intimate partner violence.

C. Purpose. Domestic Violence Health Care Screening and Response Programs in health care facilities will improve our health care system's response to patients who have been victims of domestic violence.

D. These programs will seek to:

(1) Improve the health care response to domestic violence by developing effective internal policies and procedures to identify, refer, and assist victims of domestic violence, including the development of a screening protocol;

(2) Increase the capacity of health care providers to serve domestic violence victims through skill-based training for their staff;

(3) Increase the ability of health care providers to screen for domestic violence and provide intervention, including medical treatment, crisis counseling, safety planning, support, information, and resources.

E. Responsibilities. The Office, in consultation with the Department, may:

(1) Encourage all health care facilities to adopt or review their written policies regarding the screening of, and response to, victims of domestic violence.

(2) Encourage the creation of Domestic Violence Screening and Response Programs that meet the needs of health care facilities and their patients.

(3) Solicit applications for funding from health care facilities interested in establishing Domestic Violence Health Care Screening and Response Programs.

(4) Select health care facilities with representation from various geographic areas.

(5) Convene an annual meeting with health care facilities, domestic violence coalitions and programs, Maryland hospitals, insurance providers, and other relevant parties, to learn about best practices, share information, discuss funding opportunities, and encourage facilities to initiate Domestic Violence Health Care Screening and Response Programs.

F. Program elements. In considering a health care facility's application to become a Domestic Violence Health Care Screening and Response Program, the Office may consider the facility's ability to:

(1) Conduct screening of patients for symptoms of domestic violence;

(2) Provide appropriate levels of medical response to victims of domestic violence;

(3) Collaborate and refer patients to local and regional domestic violence programs where they can obtain additional assistance and resources to ensure their safety and well-being;

(4) Provide educational and training programs which reflect a particular facility's demographics, policies, staffing patterns and resources;

(a) The training program shall include, but not be limited to, identifying characteristics of domestic violence; screening patients for domestic violence; appropriately documenting domestic violence in medical records; and offering patients referral services;

(5) Provide culturally competent educational materials to inform victims of domestic violence about services and assistance available at the facility or the local domestic violence program; and

(6) Develop formal assessment procedures, including but not limited to, coordinating and collecting data for the evaluation of the projects and their effectiveness.

G. Technical Assistance. The Office and Department shall facilitate technical assistance for health care facilities that indicate an interest in establishing Domestic Violence Health Care Screening and Response Programs.

H. Funding. The Office will ensure that the creation of Domestic Violence Health Care Screening and Response Programs is a priority in its distribution of existing State and federal monies and its application for new or additional monies available for domestic violence services.

EXECUTIVE ORDER OF OCTOBER 4, 2010

01.01.2010.21

Maryland Warrior to Worker Initiative

WHEREAS,

Veterans have served and sacrificed in defense of our Nation and State;

- WHEREAS, The State has an obligation to do everything in its power to promote veterans' transition to civilian life through employment opportunities;
- WHEREAS, Military experience is an under-recognized source of workforce training and credentialing;
- WHEREAS, Our veterans, who possess a wide variety of skills and experiences, as well as the motivation for public service, will help fulfill State government staffing needs;
- WHEREAS, Maryland's future prosperity depends upon the ability of all Marylanders to contribute to our economic life at their fullest potential;
- WHEREAS, The public, private, and non-profit sectors are in need of highly skilled individuals to meet workforce needs;
- WHEREAS, A wide variety of services are available across State Government to assist veterans in their transition to civilian life, and to meet our future workforce needs; and
- WHEREAS, An interagency council will increase the coordination and accessibility of these State services for veterans.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Establishment. There is a Governor's Warrior to Worker Council (Council).

B. Duties. The Council shall:

(1) Advise and assist the Governor and the Secretary of Budget and Management in establishing a coordinated statewide effort to expand veterans' employment opportunities;

(2) Oversee the implementation of the Warrior to Worker Initiative described in Paragraph E of this Executive Order;

(3) Oversee the development of the Strategic Plans described in Paragraph F of this Executive Order;

(4) Serve as a State forum for promoting veterans' training, education, and employment services in Maryland;

(5) Establish goals and performance measures to assess the effectiveness of the Initiative;

(6) Promote the delivery of the highest quality services to Maryland veterans in the most accessible and efficient manner possible; and

(7) Submit an annual report to the Governor on the activities of the Council and the results of the Initiative.

C. Membership. The Council is a subcabinet of the Governor and shall consist of the heads of the following State agencies or their designee and such other executive branch agencies as the Governor may designate:

(1) The Department of Veterans Affairs;

(2) The Department of Labor, Licensing and Regulation;

(3) The Department of Budget and Management;

(4) The Governor's Workforce Investment Board;

(5) The Department of the Military;

(6) The Department of Health and Mental Hygiene;

(7) The Maryland Higher Education Commission;

(8) The Department of Business and Economic Development; and

(9) The Department of Disabilities.

D. Procedures.

(1) The Secretary of Veterans Affairs shall chair the Council. The Chair shall:

(a) Oversee the implementation of this Executive Order and direct the work of the Council;

(b) Determine the Council's agenda;

(c) Except as provided in Paragraph F of this Executive Order, establish subcommittees, and appoint subcommittee chairs, as necessary, to carry out the work of the Council;

(d) Assign a staff member to serve as an Executive Director to support the Council's activities; and

(e) Identify additional support as needed.

(2) The Secretary of Budget and Management shall serve as the Vice Chair of the Council.

(3) The Council shall meet at the call of the Chair, at least four times annually.

(4) A majority of the Council members shall constitute a quorum for the transaction of any business.

(5) The Council may adopt other procedures or bylaws as necessary to ensure the orderly transaction of business.

E. The Maryland Warrior to Worker Initiative. There is a Maryland Warrior to Worker Initiative (Initiative). The Initiative will to enhance employment opportunities for veterans within State government and promote employment, education, and training opportunities for veterans throughout Maryland. All State agencies shall participate in the Initiative and shall, as appropriate and to the extent permitted by law:

(1) Develop an agency-specific operational plan for the implementation of the Strategic Plans described in Paragraph F of this Executive Order, consistent with applicable law, merit system principles, the agency's human resources plan, and other applicable workforce planning strategies and initiatives; and

(2) Within 120 days of the issuance of this Executive Order, designate an agency officer or employee to implement the Initiative within each agency.

F. Strategic Plans.

(1) The Veterans Recruitment for State Employment Strategic Plan. Within 90 days after the first meeting of the Council, a subcommittee of the Council, established and chaired by the Secretary of Budget and Management, shall develop a Veterans Recruitment for State Employment Strategic Plan. This

Plan shall address ways to enhance the employment opportunities of veterans in State government and shall be updated every three years. The Plan shall focus on:

(a) Identifying actions that agency officials should take to improve employment opportunities for veterans;

(b) Marketing State Government as an employer of choice to service members and veterans;

(c) Making State agencies aware of the talent, experience, and dedication that service members and veterans offer as employees;

(d) Promoting the recruitment and employment of veterans in State government;

(e) Disseminating employment information to veterans and hiring officials;

(f) Identifying key occupations, focusing on positions in high-demand occupations where talent is needed, for which the State may provide job counseling to veterans and service personnel; and

(g) Compiling government-wide statistics on the hiring of veterans.

(2) The Veterans Skills and Education Strategic Plan. Within 90 days after the first meeting of the Council, a subcommittee of the Council, established and chaired by the Secretary of Labor, Licensing and Regulation shall develop a Veterans Skills and Education Strategic Plan. This plan shall address ways to enhance the education, training, and employment opportunities for veterans in Maryland and shall be updated every three years. The plan shall focus on:

(a) Developing and implementing counseling, training, and outreach programs to create an improved pipeline from military service to Maryland's skilled workforce; and

(b) Promoting opportunities for apprenticeships, scholarships, and higher education for veterans in Maryland.

EXECUTIVE ORDER OF OCTOBER 1, 2010

01.01.2010.22

Rescission of Executive Order 01.01.2010.19

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, having declared a State of Emergency by Executive Order 01.01.2010.19 due to the threat to the public health and safety caused by the impact of severe weather; and

WHEREAS, The emergency conditions caused by the storm no longer exist.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE STATE OF EMERGENCY IN THE STATE OF MARYLAND IS HEREBY TERMINATED EFFECTIVE AT 13:00 ON THIS DATE.

EXECUTIVE ORDER OF DECEMBER 7, 2010

01.01.2010.23

State Employees' Voluntary Separation Program

WHEREAS, The State of Maryland continues to experience significant revenue shortfalls as a result of the slow economic recovery from a national recession;

WHEREAS, The O'Malley-Brown Administration has reduced spending growth by more than \$5.6 billion since taking office, and has eliminated thousands of State positions to date, while avoiding significant layoffs;

WHEREAS, Despite the above efforts, in order to balance the Fiscal Year 2012 budget it is necessary to further reduce the size of the State workforce by the end of Fiscal Year 2011;

WHEREAS, A widely available program designed to permit State employees to voluntarily separate from State employment in return for certain severance benefits will mitigate the need for significant layoffs in the future;

WHEREAS, It is in the interest of the State to allow employees at all but the highest levels of State government to participate in a voluntary separation program that provides them with the flexibility to decide whether or not they wish to separate from State service; and

WHEREAS, In addition to the Governor's broad constitutional and statutory authority over the management and supervision of State employees, the Fiscal Year 2011 Budget Bill, Chapter 482 of the Laws of Maryland 2010, section 44, requires the abolition of 500 Executive Branch positions during Fiscal Year 2011, and specifically authorizes the Governor to "promote . . . position abolitions . . . by offering financial inducements that encourage voluntary separation, provided that any inducements are disbursed from within existing agency resources."

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE DECEMBER 7, 2010:

A. Except as provided in Paragraph J, this Executive Order applies to all employees in the Executive Branch of the State of Maryland, including employees of agencies with independent salary setting authority or independent personnel systems.

B. The Secretary of Budget and Management (Secretary) shall establish a Voluntary Separation Program (Program) that provides eligible State employees with a monetary payment of \$15,000 plus \$200 for each year of service as an incentive for employees to voluntarily separate from State service. The Program shall also include other severance benefits established by the Secretary including continuation, for those who are already enrolled, of State subsidized medical, prescription and dental benefits coverage for three months and payment for leave accrual in accordance with applicable law.

C. The Secretary shall establish criteria for employee participation in the Program and shall provide all eligible employees with sufficient information about the Program to allow them to make fully informed decisions.

D. The Program shall be completely voluntary, and no employee shall be in any way compelled, coerced, or pressured, directly or indirectly, to participate.

E. Interested employees may apply to participate in the Program by filing an application with the Secretary. The agency employing an applicant shall advise the Secretary if the employee is in a position that should not be abolished. After considering the recommendations of employing agencies, the Secretary shall determine which applications to participate in the Program will be accepted.

F. The filing of an application shall not create a right to participate in the program. Only employees whose applications are approved by the Secretary will be permitted to participate in the Program.

G. Employees accepted into the Program shall agree that they will not seek or accept employment or work in any capacity, including as an employee, contractor or employee of a contractor, with any Executive Branch agency, public institution of higher education, or any other State agency or unit for a period of 18 months following their separation. An employee accepted into the Program who violates this reemployment prohibition shall be required to reimburse the State for the full amount of the severance payment and the cost of the subsidized health benefits.

H. The positions of all employees accepted into the Program shall be abolished.

I. The Secretary of Budget and Management, the heads of every other personnel system, and the appointing authorities shall take all action as necessary or desirable to implement the Program. The Secretary, the heads of every other personnel system, and the appointing authorities shall implement this Program with the least possible disruption to the provision of State services.

J. This Executive Order does not apply to:

- (1) The Legislative Branch;
- (2) The Judicial Branch;
- (3) Persons holding any civil office of profit or trust under the Maryland Constitution;

(4) Employees of the Attorney Grievance Commission, the Baltimore City Sheriff's Office, the Chesapeake Bay Commission, the College Savings Plans of Maryland, the local health departments, the Injured Workers' Insurance Fund, the Maryland African American Museum Corporation, the Maryland Automobile Insurance Fund, the Maryland Environmental Service, the Maryland Food Center Authority, the Maryland Stadium Authority, and the Registers of Wills;

(5) Cabinet officials, agency heads, and members of any board or commission;

(6) Direct care employees in health, juvenile services, and correctional facilities; police officers employed by the State; and other employees designated by the Secretary of Budget and Management who work on a shift schedule providing services as part of a 24-hour operation;

(7) Positions, classifications, and agencies or parts of agencies designated as exempt from the Program by the Secretary of Budget and Management; and

(8) Employees of the University System of Maryland, St. Mary's College of Maryland, and Morgan State University; however the University System of Maryland, St. Mary's College of Maryland, and Morgan State University may implement voluntary separation programs at each university in accordance with its rules and regulations and subject to the approval of its governing board.

EXECUTIVE ORDER OF DECEMBER 25, 2010

01.01.2010.24

WHEREAS, Maryland is subject to a great variety of natural hazards or disasters including but not limited to severe winter storms, high winds, icing, fuel capacity issues and power outages; and

WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency that there is the possibility of severe winter weather, traffic dangers and power outages, an emergency exists

in the State of Maryland and that resources may be requested;
and

WHEREAS, In order to facilitate the deployment of requisite resources within provisions of Maryland law; and

WHEREAS, Use of resources of the Maryland National Guard may be required;

WHEREAS, In order to implement the emergency powers of the Governor, an executive order of the Governor is appropriate.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY EXISTS IN MARYLAND. I CALL THE MARYLAND NATIONAL GUARD INTO STATE SERVICE AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE AVAILABLE RESOURCES.

EXECUTIVE ORDER OF DECEMBER 28, 2010

01.01.2010.25

Rescission of Executive Order 01.01.2010.24

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, having declared a State of Emergency by Executive Order 01.01.2010.24 due to the threat to the public health and safety caused by the impact of severe weather; and

WHEREAS, The emergency conditions caused by the storm no longer exist.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF

MARYLAND, DO HEREBY PROCLAIM THAT THE STATE OF EMERGENCY IN THE STATE OF MARYLAND IS HEREBY TERMINATED EFFECTIVE AT 10:00 AM ON THIS DATE.

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