

Executive Orders 2014

STATE OF MARYLAND

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EXECUTIVE ORDER OF FEBRUARY 11, 2014

01.01.2014.01

Declaration of a State of Emergency

- WHEREAS, The State of Maryland is subject to a variety of hazards or disasters including but not limited to severe storms and significant winter weather with snow and ice accumulations, and other weather related events;
- WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency there may be a need to take protective actions to protect the lives and property of citizens being currently impacted by this winter weather;
- WHEREAS, Because of the potential impacts of this winter weather on the State of Maryland and preparations for all contingencies, an emergency exists in all jurisdictions of the State of Maryland;
- WHEREAS, In order to waive certain regulations to facilitate emergency response and restoration activities, to activate certain emergency contracts, and 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, An Executive Order to implement the emergency powers of the Governor is a prerequisite for potential federal emergency and disaster assistance.

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 ALL MARYLAND COUNTIES AND BALTIMORE CITY, 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 FEBRUARY 17, 2014

01.01.2014.02

Rescission of Executive Order 01.01.2014.01

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, declared a State of Emergency by Executive Order 01.01.2014.01 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 impact of severe weather 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 TERMINATED AND HEREBY RESCIND EXECUTIVE ORDER 01.01.2014.01.

EXECUTIVE ORDER OF MARCH 3, 2014

01.01.2014.03

Emergency Winter Weather Relief Efforts—Vehicle Size and Weight Limits

WHEREAS, The State of Maryland has experienced numerous back-to-back winter weather events this season, requiring the application of significant amounts of salt and other ice/snow melt commodities to roadways and causing shortages and interruptions in the availability and/or delivery of these commodities;

WHEREAS, The delivery of salt and other ice/snow melt supplies is vital to the preservation of life and property; and

WHEREAS, The facilitated movement of these supplies is in the best interest of the citizens 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 FOR VEHICLES TRANSPORTING SALT OR OTHER ICE/SNOW MELT SUPPLIES NEEDED TO MAINTAIN THE SAFETY OF THE ROADWAYS.

A. Vehicles transporting salt or other ice/snow melt supplies needed to maintain the safety of the roadways are allowed a 15% tolerance above any weight limit imposed by statute. Said tolerance shall be the only tolerance applicable to the vehicle. No vehicle shall exceed any tire manufacturer's maximum load capacity rating.

B. The provisions of this Executive Order regarding increased weight tolerances are not applicable to any part of the Interstate Highway System. Authority for such relief must be independently granted by a Presidential Declaration. Any declaration so made and implemented by the Maryland Secretary of Transportation shall become a part of this Executive Order.

C. Carriers and drivers operating under the provisions of this Executive Order 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.

D. Pursuant to the Code of Federal Regulations, 49 CFR Part 390.23, carriers and drivers of commercial motor vehicles transporting salt or other ice/snow melt supplies needed to maintain the safety of the roadways 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.

E. Any declaration of regional emergency issued by the Federal Motor Carrier Safety Administration granting additional relief from 49 CFR Parts 390-399 encompassing Maryland shall likewise become a part of this Executive Order.

F. Nothing in this declaration relieves the carrier or driver of responsibility for the safe operation of the vehicle.

G. This Executive Order shall remain in effect until modified or rescinded by the Governor.

EXECUTIVE ORDER OF MARCH 31, 2014

01.01.2014.04

Rescission of Executive Order 01.01.2014.03

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, declared a State of Emergency by Executive Order 01.01.2014.03 due to back-to-back winter weather events causing a shortage and interruption in the availability of salt and other ice/snow commodities used in the treatment of roadways;

WHEREAS, The Executive Order offered relief for vehicles transporting salt or other ice/snow melt supplies needed to maintain the safety of the roadways; and

WHEREAS, The emergency conditions caused by the impact of severe weather 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 TERMINATED AND HEREBY RESCIND EXECUTIVE ORDER 01.01.2014.03.

EXECUTIVE ORDER OF MARCH 31, 2014

01.01.2014.05

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 2014 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 2014 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 7, 2014 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 MAY 6, 2014

01.01.2014.06

Public School Construction Financing Study

WHEREAS, School facilities are critical to a strong education system and a strong community;

WHEREAS, Building on the record school construction funding provided through the O'Malley Brown Administration and the General Assembly, continued investment in school facilities is needed now to ensure that 21st century teaching and learning environments are available to prepare our students for the future;

WHEREAS, Investment in school facilities is in the interest of the State as a whole, as it will help ensure a prosperous economy, strong business growth, and our students' ability to compete for good jobs in the global, high-technology economy;

WHEREAS, A robust program of school construction will further State policies on high performance building design, community revitalization and stabilization, emergency preparedness, and Minority Business Enterprise participation; and

WHEREAS, If the State intends to continue to position itself as a global leader in education, the State and counties must collectively pursue a path forward by looking at all available options for meeting the financial demands of public school construction.

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. The Interagency Committee on School Construction, in collaboration with the Department of Budget and Management and the Department of Legislative Services, shall conduct a study and make recommendations consistent with the goals of maintaining a structurally balanced State budget and sound debt management practices on:

(1) Developing creative means, financing or otherwise, to increase funding for public school construction;

(2) Creating more reliable revenue streams that could include leveraging funds by counties to meet public school construction needs;

(3) The use of lease payments or other alternative financing methods for public school construction; and

(4) Local funding for public school construction, county tax capacity, and county tax effort.

B. In conducting the study, the Interagency Committee on School Construction, Department of Budget and Management, and Department of Legislative Services shall:

(1) Examine how other states fund public school construction, including the use of alternative financing mechanisms; and

(2) Solicit input from the State Treasurer's Office, county boards of education, and county governments.

C. On or before September 1, 2015, the Interagency Committee on School Construction shall submit a report of its findings and recommendations to the Governor.

EXECUTIVE ORDER OF MAY 12, 2014

01.01.2014.07

Governor's Task Force to Ensure Retirement Security for All Marylanders

- WHEREAS, The foundation of Maryland's economy is a strong middle-class;
- WHEREAS, All Marylanders who work hard and play by the rules should have the opportunity to retire with financial security;
- WHEREAS, For generations of Marylanders, a financially secure retirement was based on the three-legged stool of Social Security, personal savings, and employee pensions;
- WHEREAS, Recent trends indicate that retirees are at risk of outliving their savings, as the amounts in both employee pensions and personal savings are not keeping pace with the large number of retirees who are living longer;
- WHEREAS, One challenge is that employers are moving away from providing retirement plans, including defined benefit plans, that deliver a dependable monthly income for retirees. According to the U.S. Bureau of Labor Statistics, only 49% of private-sector workers participate in a retirement plan, and only 16% participate in a defined benefit plan;
- WHEREAS, Many employers have switched from providing defined benefit plans to providing defined contribution plans, in which the employee makes some or all of the contributions and takes the risk that markets will fall; as a result, the 2008 market drop caused steep declines in the retirement balances of millions of workers, many of whom have never recovered financially;
- WHEREAS, For the 36% of private-sector employees whose employers do not provide access to a defined benefit or defined contribution plan, they are wholly missing one leg of their three-legged retirement

stool, putting them at jeopardy of losing their opportunity for a financially secure retirement;

WHEREAS, The future of retirement security is a concern throughout Maryland and the United States; the non-partisan Center for Retirement Research at Boston College found that the current shortfall in retirement savings for American households is \$6.6 trillion and that over one-half of all Americans are at risk of outliving their retirement savings;

WHEREAS, This shortfall in retirement savings poses a significant threat to Maryland's fiscal stability and economic growth, as individuals with stable and secure retirements are less dependent on the State and increase consumer demand in the State's economy;

WHEREAS, It may be beneficial for private-sector employees in Maryland who have no employer-provided plan to gain access to a professionally managed retirement program that assures reliable retirement income;

WHEREAS, Marylanders would benefit from a comprehensive examination of various ideas aimed at ensuring retirement security for Maryland private-sector employees; and

WHEREAS, A Governor's Task Force to Ensure Retirement Security for All Marylanders would gather experts and interested parties to conduct a comprehensive examination of the relevant issues and develop recommendations on the most productive steps that the State of Maryland could take to ensure that every private-sector employee in Maryland has the opportunity to enjoy a secure retirement.

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. There is a Task Force to Ensure Retirement Security for All Marylanders.

B. Membership. The Task Force consists of the following voting members:

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

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

(3) The Secretary of the Department of Labor, Licensing, and Regulation, or a designee;

(4) The Secretary of the Department of Budget and Management, or a designee;

(5) The Secretary of the Department of Aging, or a designee;

(6) The Secretary of the Department of Business and Economic Development, or a designee;

(7) The State Treasurer, or a designee;

(8) Two representatives from labor unions;

(9) One representative from the financial services industry;

(10) One representative from the small business community; and

(11) Up to six additional members, including one retiree representative, as appointed by the Governor.

C. The members identified in Sections B(8) through (11) shall be appointed by the Governor and shall serve at the pleasure of the Governor.

D. The Governor shall designate the Chair from among the members.

E. In the event of a vacancy on the Task Force, the Governor shall appoint a successor to fill the remainder of the term.

F. Procedures.

(1) Members of the Task Force 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.

(2) The majority of voting members of the Task Force shall constitute a quorum for the transaction of any business.

(3) The Task Force may adopt such other procedures as may be necessary to ensure the orderly transaction of business, including the creation of committees.

(4) The Chair may, with the consent of the Task Force, designate additional individuals, including interested citizens, elected officials, educators, or specialists with relevant expertise, to serve on any committee.

(5) The Task Force may consult with State agencies to obtain such technical assistance and advice as it deems necessary to complete its duties. All Executive Department agencies shall cooperate with and assist the Task Force in carrying out its responsibilities. The Department of Labor, Licensing, and Regulation shall be the lead state agency assisting the Task Force, and the State Retirement and Pension System shall be consulted if appropriate.

G. Purposes. The Task Force shall have the following objectives:

(1) Conduct a comprehensive examination of ideas that the State of Maryland could implement by legislation, regulation, or other methods to ensure that private-sector employees in Maryland have the opportunity to enjoy a secure retirement;

(2) Review approaches of other states and countries that offer state-sponsored retirement savings plans for private-sector employees;

(3) Review desirable plan design features such as portability, security, lifetime payments, smoothing of returns, low costs, and low risks in the context of a state-sponsored retirement savings system for private-sector employees;

(4) Develop and issue recommendations as to policies that the State of Maryland should undertake to achieve the goal of ensuring that every employee in Maryland has the opportunity to enjoy a secure retirement, including specific steps addressing how such policies would be implemented; and

(5) To consider other related matters as the Task Force deems necessary.

H. Reports and Recommendations.

(1) The Task Force shall issue a report addressing the purposes listed in Section G.

(2) The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Delegates, no later than December 4th, 2014.

(3) The Task Force may issue additional reports as directed by the Governor.

I. Termination of Task Force.

(1) The Task Force shall terminate on February 15th, 2015, unless the Governor declares before that date that the Task Force shall remain in operation.

(2) If the Governor makes such a declaration, the Task Force shall meet at least 4 times in 2015 and shall issue a final report addressing the objectives in Section 3, G no later than December 3, 2015.

EXECUTIVE ORDER OF MAY 27, 2014

01.01.2014.08

Governor's Commission to Reform Maryland's Pretrial System

- WHEREAS, It is the duty of Executive Branch officials to maintain public safety, in part by arresting and detaining individuals suspected of criminal activity in advance of trial;
- WHEREAS, Maryland officials recognize a fair and equitable pretrial system should release detainees who are expected to appear in court and pose minimal risk to public safety;
- WHEREAS, Maryland's current pretrial process is a two tiered approach; arrestees appear in front of a District Court Commissioner, and if they are not released, they then appear in front of a District Court Judge;

- WHEREAS, Under the Maryland Court of Appeals' decision in *Richmond v. DeWolfe*, issued in September 2013, arrestees have the right to an attorney in an initial appearance before a District Court Commissioner;
- WHEREAS, To comply with the *Richmond* decision under the current system, arrestees must be provided with an attorney in front of both the District Court Commissioner and the District Court Judge;
- WHEREAS, The Commission to Study the Laws and Policies Relating to Representation of Indigent Criminal Defendants by the Office of the Public Defender was authorized in May 2012 to study the District Court Commissioner and pretrial release systems;
- WHEREAS, This Commission recommended implementing a validated pretrial risk screening tool and creating a statewide pretrial program for all Maryland counties;
- WHEREAS, Pretrial risk assessment instruments can be traced back to 1961 in New York City;
- WHEREAS, Over 30 years of pretrial risk assessment research has found that several objective factors are significant predictors for pretrial failure (i.e. failure to appear or commission of a new offense); those objective factors include but are not limited to violations of parole/probation, prior convictions, prior violent offenses, prior property or drug offenses, prior failures to appear, juvenile arrests, number of incarcerations, and number of pending cases;
- WHEREAS, Pretrial risk assessments tools are used around the country, and several states use risk assessment tools;
- WHEREAS, It would be beneficial, for both public safety and cost reasons, for Maryland to adopt a statewide pretrial program to assess and supervise pretrial defendants;
- WHEREAS, Such a statewide pretrial program would utilize a validated risk assessment tool to make pretrial release decisions; the assessment would allow for the immediate release of defendants who pose a minimal risk to public safety and are at low risk of failing to appear for court, and arrestees not immediately released would appear before a District Court Judge and be represented by counsel;
- WHEREAS, The State intends to pilot a risk assessment tool in one or more counties; and

WHEREAS,

A Governor's Commission to Reform Maryland's Pretrial System would gather experts and interested parties to conduct a comprehensive examination of the relevant issues and develop recommendations for reform to ensure that Maryland operates the best possible statewide pretrial system.

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. There is a Governor's Commission to Reform Maryland's Pretrial System (Commission).

B. Membership.

(1) The Commission consists of the following voting members:

(a) Two members appointed by the President of the Senate;

(b) Two members appointed by the Speaker of the House of Delegates;

(c) The Secretary of the Department of Public Safety and Correctional Services or a designee;

(d) The Executive Director of the Governor's Office of Crime Control and Prevention or a designee;

(e) The Chief Judge of the Court of Appeals or a designee;

(f) The Public Defender of Maryland or a designee;

(g) One member representing a State's Attorney's Office;

(h) One member of the Maryland State Bar Association;

(i) One member of local law enforcement;

(j) One representative of the bail bond industry;

(k) Two members of the Maryland Correctional Administrators Association;

(l) One victim advocate;

(m) One national expert in pretrial services;

(n) One representative of local government; and

(o) Up to six additional members, as appointed by the Governor.

(2) The members identified in Section B(1)(g) through B(1)(o) shall be appointed by the Governor and shall serve at the pleasure of the Governor.

(3) The members of the Commission shall reasonably reflect the geographic, racial, ethnic, and gender diversity of the State.

C. The Governor shall designate the Chair from among the members.

D. In the event of a vacancy on the Commission, the Governor shall appoint a successor.

E. Procedures.

(1) 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.

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

(3) The Commission may adopt such other procedures as may be necessary to ensure the orderly transaction of business, including the creation of committees.

(4) The Chair may, with the consent of the Commission, designate additional individuals, including interested citizens, elected officials, educators, or specialists with relevant expertise, to serve on any committee.

(5) The Commission may consult with State agencies to obtain such technical assistance and advice as it deems necessary to complete its duties. All Executive Department agencies shall cooperate with and assist the Commission in carrying out its responsibilities. The Department of Public Safety and Correctional Services and the Governor's Office of Crime Control and Prevention shall be the lead State entities assisting the Commission. The Governor's Office of Crime Control and Prevention will staff the commission.

F. Purposes. The Commission shall have the following objectives:

(1) Conduct a comprehensive examination of ideas that the State of Maryland could implement to ensure that Maryland operates an equitable and efficient statewide pretrial program;

(2) Review approaches of other states and municipalities that use validated risk assessment tools;

(3) Recommend how an objective validated risk assessment tool could be used in the State of Maryland;

(4) Consider other methods to reduce the amount of time that low-risk arrestees are detained and other methods of pretrial diversion;

(5) Develop and issue recommendations, including recommendations for legislation, that the State of Maryland should undertake to achieve these goals;

(6) Assist and advise the State on issues arising from the ongoing implementation on a pilot basis of a risk assessment tool in one or more counties; and

(7) Consider other related matters as the Commission deems necessary.

G. Reports and Recommendations.

(1) The Commission shall submit a final report to the Governor, the President of the Senate, and the Speaker of the House of Delegates, no later than December 1, 2014.

(2) The Commission may submit additional reports as directed by the Governor.

EXECUTIVE ORDER OF JUNE 13, 2014

01.01.2014.09

Declaration of Emergency – Washington and Allegany Counties

- WHEREAS, The State of Maryland is subject to a variety of hazards or disasters including but not limited to severe storms, heavy rain, and flooding;
- WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency there may be a need to take protective actions to protect the lives and property of citizens being currently impacted by severe storms, heavy rain, and flooding;
- WHEREAS, Because of the potential impacts of these severe storms, heavy rain, and flooding on the State of Maryland and in preparation for all contingencies, an emergency exists in Washington and Allegany Counties of the State of Maryland;
- WHEREAS, In order to waive certain regulations to facilitate emergency response and restoration activities, to activate certain emergency contracts, and to facilitate the deployment of requisite resources within provisions of Maryland law;
- WHEREAS, An Executive Order to implement the emergency powers of the Governor is a prerequisite for potential federal emergency and disaster assistance; 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 WASHINGTON AND ALLEGANY COUNTIES, AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY AND COORDINATE AVAILABLE RESOURCES.
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EXECUTIVE ORDER OF JUNE 20, 2014

01.01.2014.10

Rescission of Executive Order 01.01.2014.09

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, declared a State of Emergency by Executive Order 01.01.2014.09 due to the threat to the public health and safety caused by the impact of severe weather in Washington and Allegany Counties; and

WHEREAS, The emergency conditions caused by the impact of severe weather in these counties 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 TERMINATED AND HEREBY RESCIND EXECUTIVE ORDER 01.01.2014.09.

EXECUTIVE ORDER OF JUNE 20, 2014

01.01.2014.11

Fiscal Year 2015 State Employees' Reduction Recovery Plan
(Rescinds Executive Order 01.01.2011.08)

WHEREAS, In recent years, the State of Maryland experienced budget challenges, caused in large part by the national recession, which necessitated reductions in the budgets for Fiscal Years 2009, 2010, and 2011;

WHEREAS, To responsibly address revenue shortfalls and ensure Maryland had a balanced budget and kept its AAA bond rating, the O'Malley-Brown Administration has reduced planned spending by \$9.4 billion since taking office and has eliminated 6,001 State positions, bringing Maryland's Executive Branch to the smallest it has been (per capita) since 1972;

- WHEREAS, As a significant part of the State’s cost–containment efforts, State employees have been required to participate in carefully managed furlough and salary reduction plans, pursuant to Executive Orders 01.01.2008.20, 01.01.2009.11 and 01.01.2010.11;
- WHEREAS, Additional savings have been achieved as a result of the service reduction days implemented in conjunction with the aforementioned Executive Orders;
- WHEREAS, Maryland State employees and their exclusive bargaining representatives have partnered with the State in an effort to ameliorate the impact of the fiscal crisis on the State; and
- WHEREAS, In consideration of the past sacrifices made by State employees for the greater good of the citizens of Maryland, furloughs, salary reductions, and increased health and retirement costs, it is in the interest of the State to afford employees with some manner of relief.

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, EFFECTIVE JULY 1, 2014, PROCLAIM THE FOLLOWING EXECUTIVE ORDER AND RESCIND EXECUTIVE ORDER 01.01.2011.08:

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

B. “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.

C. (1) For Fiscal Year 2015, routine State government operations shall be significantly curtailed on the following days: the Friday before Labor Day; the day before Thanksgiving; the work day before the Christmas holiday; the work day before the New Year’s holiday; and the Friday before Memorial Day. The only exception to this list will be that the Maryland Department of

Transportation employees will have a service reduction day on the day after Thanksgiving instead of the day before Thanksgiving.

The Secretary of Budget and Management shall authorize paid administrative leave for the aforementioned five days for non-contractual, non-24/7 State employees.

(2) Employees of 24/7 operations will receive five days of Administrative Leave at the beginning of Fiscal Year 2015. The use of such Administrative Leave shall require supervisor approval and shall be authorized in a manner that minimizes the use of overtime at each affected agency. The Administrative Leave may be used at any time prior to the employee's separation from State employment. Employees are not entitled to compensation for unused Administrative Leave.

D. 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 plan.

E. 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, § 35 of the Maryland Constitution;

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

(5) Employees of the Maryland Automobile Insurance Fund and the Injured Workers' Insurance Fund; and

(6) Employees of the University System of Maryland, St. Mary's College of Maryland, Morgan State University and Baltimore City Community College.

EXECUTIVE ORDER OF JUNE 27, 2013

01.01.2014.12

Overdose Prevention Council

- Whereas, Many states across the country, including Maryland, have seen a rising number of deaths caused by alcohol and drug overdoses in recent years;
- Whereas, Most recently, in 2013 a total of 858 drug and alcohol–related intoxication deaths occurred in Maryland, a seven percent increase over the number of deaths in 2012;
- Whereas, Opioids have been involved in the majority of overdose deaths since 2007. Opioids include heroin and prescription opioid drugs such as oxycodone, hydrocodone, hydromorphone, methadone, fentanyl, tramadol, and codeine;
- Whereas, The Maryland Department of Health and Mental Hygiene identified a shift from prescription opioids to heroin among drug overdose deaths in 2012 and 2013. There was an 18% increase in the number of heroin–related deaths between 2012 and 2013, and there has been an 88% increase since 2011;
- Whereas, The rise in the number of opioid overdose deaths represents an urgent and growing public health threat, cutting across all demographics and geographical settings in Maryland, and also represents a serious threat to the security and economic well–being of the State;
- Whereas, One of the Governor’s 16 strategic goals is to reduce overdose deaths by 20% by the end of 2015;
- Whereas, Maryland State agencies have different expertise, capabilities, and data that when shared can better inform a coordinated, statewide response to the opioid overdose epidemic; and
- Whereas, Coordinated action among State agencies can make a greater impact in reducing overdose deaths.

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 Overdose Prevention Council (Council).

B. Membership.

(1) 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:

(a) The Department of Health and Mental Hygiene;

(b) The Department of State Police;

(c) The Department of Public Safety and Correctional Services;

(d) The Department of Juvenile Services; and

(e) The Institute for Emergency Medical Services Systems.

(2) Staff members from the Office of the Governor and from other State agencies, including the Governor's Office of Crime Control and Prevention and the Office of Problem Solving Courts, will also be regular participants.

(3) Other State agencies may be asked to participate at the invitation of the Chair.

C. Duties.

(1) The Council shall advise and assist the Governor in establishing a coordinated, statewide effort to reduce the number of fatal and non-fatal unintentional overdoses in the State.

(2) The member State agencies (Agencies) listed in Paragraph B(1) shall seek opportunities to share data with one another and with the Office of the Governor for the purpose of supporting public health and public safety responses to the opioid overdose epidemic. The Agencies shall share the data in their possession relevant to the overdose epidemic to the maximum extent permitted by law.

(3) The Council shall develop recommendations for policy, regulations, or legislation to address the opioid overdose epidemic

and facilitate improved sharing of public health and public safety information among State agencies.

(4) The Council shall build on existing efforts and develop a statewide plan to reduce the number of fatal and non-fatal overdoses in the State, with strategic interventions to include:

(a) Sharing information and data on opioid interdiction, addiction, and overdose across State agencies and analyzing the data to detect trends and target prevention efforts;

(b) Expanding access and eliminating barriers to treatment and recovery services for individuals suffering from opioid use disorders;

(c) Exploring ways to offer treatment to individuals who may have experienced a drug overdose; and

(d) Considering opportunities to emphasize treatment over enforcement in appropriate circumstances, particularly as consistent with Maryland's "Good Samaritan Law" as enacted by Chapter 401 of the Acts of the General Assembly of 2014, effective October 1, 2014.

(5) The Department of State Police, the Institute for Emergency Medical Services Systems, and the Department of Health and Mental Hygiene shall work together to train and equip first responders, including law enforcement officers, to administer naloxone to individuals who may have experienced a drug overdose. Within 60 days, the Department of State Police, the Institute for Emergency Medical Services Systems, and the Department of Health and Mental Hygiene shall each submit to the Office of the Governor and the Council that agency's plan for expanding training for naloxone distribution.

(6) The Department of Public Safety and Correctional Services shall review the availability of treatment and recovery services in its facilities and, within 90 days, shall submit to the Office of the Governor and the Council a report and recommendations regarding access to treatment.

(7) In coordination with the Secretary of the Department of Health and Mental Hygiene, the Boards of Physicians, Nursing, and Dental Examiners shall consider requiring education among medical professionals on appropriate opioid prescribing and access to addiction treatment services.

(8) On behalf of the Council, the Department of Health and Mental Hygiene shall:

(a) Submit an annual report to the Governor and the public in the form of the Maryland Overdose Prevention Plan, which shall include contributions from each of the Council's member agencies; and

(b) Release quarterly reports to the Governor and the public summarizing and analyzing data on fatal overdoses in the State.

(9) On behalf of the Council, the Department of Health and Mental Hygiene shall launch a public relations campaign, with a special focus on families, to raise awareness of the overdose epidemic.

D. Procedures.

(1) The Secretary of the Department of Health and Mental Hygiene shall chair the Council. The Chair shall:

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

(b) Determine the Council's agenda; and

(c) Identify additional support as needed.

(2) The Council shall meet on a quarterly basis, or more frequently if the members deem appropriate.

(3) In advance of each meeting of the Council, each of the Agencies shall provide updates to the Chair and the Office of the Governor regarding the agency's efforts to reduce the number of overdoses.

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

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

EXECUTIVE ORDER OF OCTOBER 29, 2014

01.01.2014.13

Commemoration of Cultural, Ethnic, and Religious Celebrations

WHEREAS, The contributions of the cultural and ethnic communities of the State of Maryland have been numerous and a valuable asset to the State;

WHEREAS, The State previously has recognized cultural, ethnic, and religious celebrations with gubernatorial proclamations in honor of the Marylanders for whom those celebrations hold special significance; and

WHEREAS, The Administration seeks to establish a formal mechanism to ensure the continued, annual commemoration of such celebrations. This Executive Order is not intended to capture all commemorations recognized by gubernatorial proclamation, but rather is limited to the recognition of celebrations holding particular cultural, ethnic, or religious significance.

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. There shall be a proclamation issued annually in commemoration of the following celebrations:

1. American Indian Heritage Month, as provided in Maryland Code, General Provisions Article, § 7-506;

2. Baisakhi;

3. Black History Month, as provided in Maryland Code, General Provisions Article, § 7-501;

4. Caribbean Heritage Month;

5. Diwali;

6. German-American Heritage Month, as provided in Maryland Code, General Provisions Article, § 7-505;

7. Hanukkah;

8. Iftar;
9. Irish–American Heritage Month, as provided in Maryland Code, General Provisions Article, § 7–502;
10. Hispanic Heritage Month, as provided in Maryland Code, General Provisions Article, § 7–504;
11. Korean American Day;
12. Lunar New Year, as provided in Maryland Code, General Provisions Article, § 7–401;
13. Passover Seder;
14. Women’s History Month, as provided in Maryland Code, General Provisions Article, § 7–503; and
15. Any other religious or cultural celebration designated jointly in the future by the Secretary of State and the Governor’s Office of Community Initiatives.

B. The Governor’s Office of Community Initiatives shall coordinate the issuance of proclamations within the scope of this Executive Order.

1. A citizen or community group seeking the commemoration of an ethnic, cultural, or religious celebration not specified in paragraph A. may submit a request to the Governor’s Office of Community Initiatives for an additional proclamation.

2. The Governor’s Office of Community Initiatives in conjunction with the Office of the Secretary of State shall determine whether such proclamation will be issued.

3. After a proclamation has been issued, a copy of the proclamation shall be maintained in the Governor’s Office of Community Initiatives.

C. The proclamation shall be issued during the period or on the date on which the celebration is traditionally observed, either as provided in statute, or as determined by the Governor’s Office of Community Initiatives.

D. The proclamation shall commend the celebration to all Maryland citizens.

EXECUTIVE ORDER OF NOVEMBER 19, 2014

01.01.2014.14

(Rescinds Executive Order 01.01.2007.07)

Strengthening Climate Action in Maryland

- WHEREAS, As reported by the United Nations Intergovernmental Panel on Climate Change (IPCC) in March 2014, the effects of climate change are already occurring on all continents and across the oceans, and numerous opportunities exist to respond to and mitigate associated risks;
- WHEREAS, Human activities, notably the burning of fossil fuels, continue to contribute to the causes and consequences of climate change;
- WHEREAS, Maryland has already experienced some effects of climate change, including sea level rise of more than one foot in the last century; increasing water temperatures within the Chesapeake Bay; more rain and flooding in the winter and spring, and less in the summer; and more water shortages;
- WHEREAS, Recent reports by the United States Geological Survey, the National Oceanic and Atmospheric Administration, and the University of Maryland's Center for Environmental Science show the negative impact that climate change is having on water quality in the Chesapeake Bay and its aquatic life;
- WHEREAS, Maryland's people, their property, natural environment, and public investments are extremely vulnerable to the impacts of climate change, including sea level rise, increased storm intensity, extreme droughts and heat waves, and increased wind and rainfall events;
- WHEREAS, Recent actions demonstrate Maryland's strong commitment to addressing both the drivers and consequences of climate change:
- Passage of the Clean Cars Act (2007);
 - Participation in the Regional Greenhouse Gas Initiative (2007);
 - Establishment of the Maryland Commission on Climate Change (2007);
 - Release of the Maryland Climate Action Plan (2008);
 - Amendments to the Critical Area Act (2008);
 - Passage of the Living Shorelines Protection Act (2008);

- Passage of the EmPOWER Maryland Energy Efficiency Act (2008);
- Passage of the Greenhouse Gas Emissions Reduction Act (2009);
- Issuance of Executive Order on Climate Change and “Coast Smart” Construction (2012);
- Passage of the Maryland Offshore Wind Energy Act (2013);
- Passage of the Transportation Infrastructure Investment Act (2013);
- Final issuance of Maryland’s Greenhouse Gas Reduction Act Plan (2013);
- Launch of State Zero-Emission Vehicle Programs (2013); and
- Passage of the Coast Smart Council and Bay Acidification Task Force Legislation (2014);

WHEREAS,

It is imperative that Maryland State Government, as well as local governments in Maryland, continue to lead by example in the scope and variety of services and activities that government provides and undertakes; and

WHEREAS,

More must be done to reduce greenhouse gas emissions in Maryland and prepare the State and its residents for the likely health, environmental, and socioeconomic consequences of climate change.

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 01.01.2007.07 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Commission Strengthened. To continue to advise the Governor and General Assembly on matters related to climate change, the Maryland Commission on Climate Change (the Commission) is modified and reinforced as indicated below.

B. Membership. The Commission’s membership shall be expanded to extend the Commission’s reach and effectiveness. The Commission’s membership shall consist of no more than 25 members and include:

- (1) One member appointed by the Speaker of the House of Delegates;
- (2) One member appointed by the President of the Senate;
- (3) The Treasurer of the State of Maryland;
- (4) The Secretary of the Maryland Department of the Environment;
- (5) The Secretary of the Department of Agriculture;
- (6) The Secretary of the Department of Natural Resources;
- (7) The Secretary of the Department of Planning;
- (8) The State Superintendent of Schools;
- (9) The Secretary of the Department of Transportation;
- (10) The Secretary of the Department of General Services;
- (11) The Director of the Maryland Energy Administration;
- (12) The President of the University of Maryland's Center for Environmental Science;
- (13) At least two representatives from local governments;
- (14) At least two representatives from the business community;
- (15) At least two representatives from non-profit organizations; and
- (16) No more than seven at large members appointed by the Governor.

C. Terms. Members appointed by the Governor shall serve at the pleasure of the Governor for renewable, two-year terms.

D. Chair. The Secretary of the Maryland Department of the Environment shall serve as Chair of the Commission.

E. Commission Tasks. The Commission shall:

(1) Strengthen and maintain existing State action plans to further mitigate the causes and drivers of climate change, and address (prepare for and adapt to) the consequences of climate change.

(2) Reestablish Scientific and Technical, Greenhouse Gas (GHG) Mitigation, and Adaptation and Response Working Groups, and create other working groups as needed.

(3) Prioritize working group actions, including:

(a) Developing broader public/private and federal/State/local partnerships to better mitigate the causes and address the consequences of climate change, and to better communicate with and educate citizens about the urgency of the challenge and options to address it;

(b) Maintaining an inventory of Maryland's GHG emission sources and sinks;

(c) Addressing the challenge that low income and otherwise vulnerable communities will likely be disproportionately impacted by climate change;

(d) Assessing the impacts that climate change will likely have on the State's economy, revenues, and investment decisions;

(e) Recommending short and longer-term strategies and initiatives to better mitigate the causes and address the consequences of climate change;

(f) Delivering tools and assistance to local governments to support community-scale climate vulnerability assessments and the development and integration of specific strategies for enhancing resilience to the impacts of climate change into local plans and ordinances;

(g) Establishing comprehensive and accountable, annual working group work plans that set annual goals and performance benchmarks, and prioritize new and existing climate change mitigation and adaptation actions and initiatives;

(h) Maintaining a comprehensive action plan, with five year benchmarks, to achieve science-based reductions in Maryland's GHG emissions of 80% of 2006 levels by 2050; and

(i) Convening regular working group and full Commission meetings to ensure that sufficient progress is being made across all sectors and communities in Maryland.

(4) Consider other related matters as the Commission deems necessary.

F. Appointments. The Chair of the Commission shall appoint working group and sub-committee members who represent both public and private interests in climate change, including but not limited to: academic institutions, renewable and traditional energy providers, environmental organizations, government representatives, labor organizations, and business interests. Working group and subcommittee members shall serve at the pleasure of the Commission Chair.

G. Milestones.

(1) Within 30 days of the effective date of this Executive Order, the Commission shall be convened and working group members shall be appointed.

(2) Within 60 days of the effective date of this Executive Order, working groups shall meet and establish individual work plans.

H. Staff Coordination. The Departments of the Environment (MDE) and Natural Resources (DNR) shall jointly staff the Commission in coordination with other State agencies as directed by the Chair.

I. Enhanced State Action. To address concerns related to climate change:

(1) All State agencies shall review State planning, regulatory and fiscal programs to identify and recommend actions to more fully integrate the consideration of Maryland's GHG reduction goal and the impacts of climate change; including sea level rise, increased precipitation and temperature, and extreme weather. State agencies shall also identify and recommend specific policy, planning, regulatory and fiscal changes for existing programs that do not currently support the State's GHG reduction efforts or address climate change impacts.

(2) GHG Reduction Plan agencies shall submit an annual program implementation status report to Maryland's Commission on Climate Change and to the Governor, through MDE. The

annual status report should include: program descriptions and objectives; implementation milestones; enhancement opportunities; funding or other challenges; and any other information that the reporting agency considers relevant. Status reports should include estimated GHG emission reductions, by program, for the prior calendar year.

(3) DNR shall issue Maryland Environmental Policy Act (MEPA) guidelines that require consideration of climate change factors, including both mitigation and adaptation.

(4) The Department of Information Technology (DoIT) shall create an online climate data and information portal to increase public access to the latest climate science, projections and technical resources.

(5) StateStat shall continue to monitor and further drive State agencies' progress toward climate change mitigation and reduction goals through quarterly ClimateStat sessions.

J. Reporting. Maryland's Commission on Climate Change shall report to the Governor and General Assembly on or before November 15 of each year, beginning with November 15, 2015, on the status of the State's efforts to address the causes and consequences of climate change, including future plans and recommendations for legislation, if any, for consideration by the General Assembly.

EXECUTIVE ORDER OF DECEMBER 8, 2014

01.01.2014.15

Juvenile Grant Planning and Review Council
(Rescinds Executive Order 01.01.2010.06)

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 ORDER 01.01.2010.06, 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 Compliance Monitor, the Statewide Disproportionate Minority Contact (DMC) Coordinator, and the Juvenile Justice Specialist required under federal law and regulations.

(2) 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 DMC Coordinator's primary focus shall be the disproportionate minority youth within the State's juvenile justice system and the Coordinator shall provide technical assistance to the Council as necessary and appropriate.

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 advise the State's Compliance Monitor, DMC Coordinator, and Juvenile Justice Specialist when necessary, and the State's Compliance Monitor, DMC Coordinator, and Juvenile Justice Specialist 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

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