



MARYLAND
DEPARTMENT OF
BUDGET & MANAGEMENT

MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

T. ELOISE FOSTER
Secretary

DAVID C. ROMANS
Deputy Secretary

January 11, 2012

The Honorable Edward J. Kasemeyer
Chair Senate Budget & Taxation Committee
3 W Miller Senate Bldg.
Annapolis MD 21401-1991

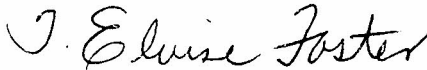
The Honorable Norman H. Conway
Chair House Appropriations Committee
121 House Office Bldg.
Annapolis MD 21401-1991

Dear Chairman Kasemeyer and Chairman Conway:

Section 7-236(b) of the State Finance and Procurement Article requires the Department of Budget and Management to submit an annual report that states the total number of additional staff positions for which the Board of Public Works has given approval since the last regular session. Since April 2011, the Board of Public Works has approved a total of 38 positions. Information on types of positions, salary and reasons for approval is attached.

If you have any questions about the attached report, please do not hesitate to contact me or your staff may contact John Pirro at 410-260-7059.

Sincerely,



T. Eloise Foster
Secretary

MSAR 673

~Effective Resource Management~

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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 6-GM **Agency Contact:** Steve Brooks
410-767-0010
steve.brooks@msde.state.md.us

DEPARTMENT/PROGRAM: Maryland State Department of Education (MSDE)

FUND SOURCE: 64% General; 36% Federal

APPROP. CODE: R00A01

AMOUNT OF REQUEST: N/A

DESCRIPTION: Approval request to create four new positions pursuant to §7-236, State Finance and Procurement Article and Chapter 482, SB 140, Acts of 2010 (the Budget Bill for FY 2011). This provision enables the Board of Public Works to authorize the creation of up to 100 positions within the Executive Branch. The provision also stipulates that the numerical limitation does not apply to positions entirely supported by funds from federal or other non-State sources. Of the four positions, one is supported with 100% federal funds and therefore does not count against the 100 positions the Board of Public Works is able to create in FY-2011.

Qty	Position Description	Grade/Step	Salaries & Wages
2	Education Program Specialist I	21/15 @ \$82,514 =	\$ 165,028
1	Education Program Manager I	23/15	\$ 93,932
1	Education Program Manager II	24/15	\$ 100,249
4	Total		\$ 359,209

REQUESTING AGENCY REMARKS: Approval of this Item will create four positions in the Maryland State Department of Education. Two of the new positions will be in the Division of Academic Reform and Innovation, one in the Division of Early Childhood Development, and one in the Division of Student, Family, and School Support.

GENERAL MISCELLANEOUS

ITEM: 7-GM **Agency Contact:** Beverly Pivec
410-576-6442
bpivec@oag.state.md.us

DEPARTMENT: Office of the Attorney General (OAG)

PROGRAM: OAG Consumer Protection

FUND SOURCE: 100% Reimbursable from the Department of Health and Mental Hygiene (DHMH) (Centers for Medicare & Medicaid Services' Center for Consumer Information & Insurance Oversight)

APPROP. CODES: C81C0001

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request to establish one reimbursable funded position pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY2012). This latter provision enables the Board of Public Works to authorize the creation of no more than 100 additional State funded positions during Fiscal Year 2012. The requested position will initially be supported entirely with reimbursable funds from DHMH using federal funds and will at a later date be supported with Exchange fee collections, as allowed per the Maryland Health Benefit Exchange Act of 2011, House Bill 166. The Department of Budget and Management (DBM) requests the Board create one position within the "Rule of 100" for the Office of the Attorney General.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Principal Counsel	25/15	\$107,006

REQUESTING AGENCY REMARKS: The position will assume responsibility for all legal matters for the Maryland Health Benefit Exchange.

DBM REMARKS: The Secretaries of DBM and DHMH have certified that funds are available for the new position for which approval is requested within the Rule of 100. If the Board approves this request, four positions will have been approved within the Rule of 100 for FY2012.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

 WITH DISCUSSION WITHOUT DISCUSSION

GENERAL MISCELLANEOUS

ITEM: 8-GM **Agency Contact:** Frances Givens
410-402-8576
FGivens@dhmh.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

PROGRAM: Alcohol and Drug Abuse Administration

FUND SOURCE: 100% Reimbursable (Governor's Office of Crime Control and Prevention)

APPROP. CODES: M00.K0201

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request to establish three reimbursable funded positions pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY 2012). This latter provision enables the Board of Public Works to authorize the creation of non-State funded positions outside of the 100 new position limitation ("Rule of 100"), in non-emergency situations, with the condition that the positions must be abolished when the specific funding is no longer available. The three requested positions are supported entirely with reimbursable funds from the Governor's Office of Crime Control and Prevention. The reimbursable funds are supported with Bureau of Justice Assistance funding. These positions will be abolished when funds are no longer available. DBM requests the Board create a total of three positions outside the "Rule of 100" for the Department of Health and Mental Hygiene.

<u>Quantity</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salary</u>
1	Administrator IV	19/Base	\$ 49,638
1	IT Functional Analyst II	16/Base	\$ 41,074
<u>1</u>	Office Secretary III	10/Base	<u>\$ 28,434</u>
3			\$119,146

REQUESTING AGENCY REMARKS: The three positions for which approval is requested in this Item will help implement the new Prescription Drug Monitoring Program (PDMP). The purpose of the PDMP is to assist physicians, nurses, pharmacists, public health professionals, law enforcement and other stakeholders in reducing the non-medical use, abuse and illegal diversion of controlled dangerous substances (CDS) in Maryland. The PDMP comprehensively monitors the prescribing and dispensing of CDS, makes prescription data available only to authorized recipients for specifically defined purposes and supports interagency and interdisciplinary coordination, educational initiatives and technical assistance services for the proper use and regulation of CDS.

GENERAL MISCELLANEOUS

ITEM: 9-GM **Agency Contact:** Frances Givens
410-402-8576
FGivens@dhhm.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

PROGRAM: Alcohol and Drug Abuse Administration

FUND SOURCE: 100% Federal (Department of Health and Human Services, Food and Drug Administration)

APPROP. CODES: M00.K0201

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request to establish four federally funded positions pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY 2012). This latter provision enables the Board of Public Works to authorize the creation of non-State funded positions outside of the 100 new position limitation ("Rule of 100"), in non-emergency situations, with the condition that the positions must be abolished when the specific funding is no longer available. The requested positions are supported entirely with federal funds. These positions will be abolished when funds are no longer available. DBM requests the Board create a total of four positions outside the "Rule of 100" for the Department of Health and Mental Hygiene.

<u>Quantity</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salary</u>
3	Administrative Officer III	15/Base	@\$38,594 each = \$115,782
<u>1</u>	IT Functional Analyst I	15/Base	<u>\$ 38,594</u>
4			\$154,376

REQUESTING AGENCY REMARKS: DHMH has received a federal grant to reduce youth access to tobacco products in Maryland. The grant supports the infrastructure needed to inspect retailers for non-compliance using underage purchasers.

The three Administrative Officer III positions will perform daily FDA-required tobacco inspections and enforcement activities to identify retailers who are noncompliant with Federal and State Tobacco Laws. Following FDA and State inspection protocol, they will provide direct field oversight of Youth Investigators (to be hired contractually). They will submit daily data reports electronically and comply with protocol and timelines for handling of evidence. They appear in court as needed for non-compliant tobacco retailer hearings. These positions are mandated by the federal funding agency.

GENERAL MISCELLANEOUS

ITEM: 9-GM **Agency Contact:** Nicole Stallings
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nstallings@dhmh.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

PROGRAM: Office of the Secretary

FUND SOURCE: 100% Federal (Centers for Medicare & Medicaid Services' Center for Consumer Information & Insurance Oversight)

APPROP. CODES: M00.A0101

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request to establish three federally funded positions pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY2012). This latter provision enables the Board of Public Works to authorize the creation of no more than 100 additional State funded positions during Fiscal Year 2012. The three requested positions will initially be supported entirely with federal funds and will at a later date be supported with Exchange fee collections, as described below. DBM requests the Board create a total of three positions within the "Rule of 100" for the Department of Health and Mental Hygiene.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator III	18/Base	\$ 46,563
1	Dir. of Operations	ES-10	\$115,356
<u>1</u>	Dir. of Comm. & Outreach	ES-10	<u>\$115,356</u>
3	Total		\$276,275

REQUESTING AGENCY REMARKS: The three positions will support key functions of the Maryland Health Benefit Exchange:

- The Administrator III will serve as Special Assistant to the Executive Director of the Exchange and will oversee and manage all administrative affairs, office procedures and other tasks as assigned by the Executive Director.
- The Director of Operations will play a leading role in establishing the Exchange's strategic and programmatic priorities and managing the organization to ensure that it achieves its mission.

GENERAL MISCELLANEOUS

ITEM: 17-GM **Agency Contact:** Mark L. Hoffman
410-260-8032
mhoffman@dnr.state.md.us

DEPARTMENT: Natural Resources (DNR)

PROGRAM: Forest Service; Wildlife and Heritage Service;
Resource Assessment Service; Maryland
Environmental Trust; Watershed Services; Fisheries
Service

FUND SOURCE: Federal (Atlantic Coastal Fisheries Cooperative
Management Act, Chesapeake Bay Program,
Coastal Zone Management Estuarine Research
Reserves, Cooperative Forestry Assistance, Marine
Mammal Data Program, Sport Fish Restoration,
Wildlife Services) and Reimbursable Funds (DNR-
Watershed Services, DNR-Wildlife and Heritage
Service, MDE-Science Services Administration).

APPROP. CODES: K00.A02; K00.A03; K00.A12; K00.A13; K00.A14;
K00.A17

AMOUNT OF REQUEST: N/A

DESCRIPTION: Approval request to create seventeen new positions within the Department of Natural Resources pursuant to §7-236, State Finance and Procurement Article, and Section 36 of Senate Bill 140 (the Budget Bill for FY 2011). This provision enables the Board of Public Works to authorize the creation of up to 100 positions (Rule of 100) within the Executive Branch. The provision also stipulates that the numerical limitation does not apply to positions entirely supported by funds from federal or other non-State sources, with the condition that the positions must be abolished when the specific funding is no longer available. The seventeen requested positions are supported entirely with federal funds directly, or federal funds indirectly, as reimbursable funds received from other State agencies, and therefore do not count against the 100 positions the Board of Public Works is able to create in FY 2011.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator I	16/Base @	\$40,291 = \$ 40,291
1	Environmental Specialist III	16/Base @	\$40,291 = \$ 40,291
2	Forester I	13/Base @	\$33,723 = \$ 67,446
4	Natural Resources Biologist I	13/Base @	\$33,723 = \$134,892
7	Natural Resources Biologist II	15/Base @	\$38,153 = \$267,071
1	Natural Resources Technician I	13/Base @	\$33,723 = \$ 33,723

<u>1</u>	Office Secretary II	9/Base @ \$26,477 =	<u>\$ 26,477</u>
17	Total		\$610,191

REQUESTING AGENCY REMARKS: Approval of this Item will create seventeen new positions in the Department of Natural Resources outside the Rule of 100, which will be abolished when the funds are no longer available. All of these positions are currently filled in a contractual capacity; the incumbent employees will be converted to the full-time position and the contractual vacancy abolished.

The above positions will carry out essential functions, based upon the receipt of federal and reimbursable funds from a variety of sources as detailed in the Back-Up. In brief, the positions support core DNR objectives for which outside funding is received, including tree planting and forest management, wildlife disease monitoring, Chesapeake and Coastal Bay assessment and survey, conservation easement acquisition, coastal zone research reserve management and fisheries research and survey.

DBM REMARKS: The Secretaries of DBM and DNR have certified that funds are available for the new positions for which approval is requested outside the Rule of 100. If the Board approves this request, 52 positions will have been approved outside the Rule of 100 for FY2011.

Board of Public Works Action - The above referenced Item was:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

GENERAL MISCELLANEOUS

ITEM: 18-GM **Agency Contact:** James Henry
410-767-6353
jhenry@choosemaryland.org

DEPARTMENT/PROGRAM: Business and Economic Development (DBED)
Office of Programs

FUND SOURCE: 100% Special

APPROP. CODE: T00F00.08

AMOUNT: \$237,595

DESCRIPTION: Approval request to create three new positions within the Department of Business and Economic Development (DBED) pursuant to §7-236, State Finance and Procurement Article, and Section 36 of Senate Bill 140 (the Budget Bill for FY 2011). This provision enables the Board of Public Works to authorize the creation of up to 100 positions (Rule of 100) within the Executive Branch.

Approval is also requested to create these new positions pursuant to the passage of HB173 in the 2011 legislative session. This bill created the InvestMaryland Program within DBED, making new funds available to be invested through venture capital groups as well as significant new funding for the Maryland Enterprise Investment Fund. A supplemental appropriation request including the creation of three new positions was submitted as part of the budget bill, but as HB 173 had not passed as of the time of consideration of the budget bill, the supplemental appropriation was tabled pending disposition of HB173. The Department now seeks the creation of the following three positions which will be needed to manage and operate both the InvestMaryland Program and the Enterprise Investment Fund given the infusion of new funds available for investment. These three positions will be funded with special funds from the Enterprise Investment Program.

<u>Qty.</u>	<u>Position</u>	<u>Grade/Step</u>	<u>Salaries & Wages</u>
1	Program Manager Senior III	25/11	\$ 99,139
1	Program Manager Senior II	24/11	\$ 92,896
<u>1</u>	Management Associate.	13/11	<u>\$ 45,560</u>
3	Total		\$237,595

REQUESTING AGENCY REMARKS: Approval of this Item will create the three new positions needed to support the InvestMaryland and the Maryland Venture Fund program. The Program Manager Senior III of the InvestMaryland Program will execute, manage and report on the Department's investing activities of the Enterprise Fund. The Program Manager Senior II will primarily assist in the setup of the InvestMaryland program in the coming year as well as make investment decisions. The Management Associate will focus on supporting the

administration task for setting up InvestMaryland, as well as support in the execution of investments transactions and assist in monitoring the existing portfolio. These positions will devote a majority of their time in the coming year to support the creation and successful implementation of the InvestMaryland program.

DBM REMARKS: The Secretaries of DBM and DBED have certified that funds are available for the new positions for which approval is requested within the Rule of 100. If the Board approves this request, six positions will have been approved within the Rule of 100 for FY2011.

Board of Public Works Action - The above referenced Item was:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

GENERAL MISCELLANEOUS

ITEM: 19-GM Agency Contact: Sue Dooley
410-339-5085
sdooley@dpscs.state.md.us

DEPARTMENT: Public Safety and Correctional Services

FUND SOURCE: 100% Special
Maryland Correctional Enterprises Sales of Goods
and Services

APPROP. CODE: Q00B0901

AMOUNT OF REQUEST: N/A

DESCRIPTION: Approval request to create three new positions within the Department of Public Safety and Correctional Services (DPSCS) pursuant to §7-236, State Finance and Procurement Article, and Section 36 of Senate Bill 140 (the Budget Bill for FY 2011). This provision enables the Board of Public Works to authorize the creation of up to 100 positions (Rule of 100) within the Executive Branch. The three requested positions will be supported entirely with special funds from the sales of Maryland Correctional Enterprise (MCE) goods and services. MCE is a self supporting special fund agency.

<u>Qty.</u>	<u>Position</u>	<u>Grade/Step</u>	<u>Salaries & Wages</u>
1	MCE Plant supervisor II	17/0	\$ 43,725
2	MCE Supervisor	15/0 @\$38,594	\$ 77,188
3	Total		\$120,913

AGENCY REMARKS: These positions are needed to support and aid MCE in the accomplishment of the Strategic Business plan and to remain self supporting. In order for MCE to fulfill our mission the proper employee to inmate ratio must be met to provide the training and work ethics needed to continue to reduce recidivism.

During FY 2011, 31 MCE positions were abolished, including six abolitions in conjunction with the Voluntary Separation Program. Although MCE has been impacted in FY 2011 by the recession and the funding constraints felt by most State agencies, during the last quarter of this year open orders for furniture have increased by approximately \$7 million.

These additional positions will be utilized in the systems furniture plant at Maryland Correctional Training Center, the furniture manufacturing plant at Jessup Correctional Institution and the upholstery plant at Maryland Correctional Institution-Hagerstown, and will enable MCE to hire an additional 60 inmates. These additional PINS will ensure better supervision to the inmate workforce and provide a safer working environment for all the employees.