MARYLAND DEPARTMENT OF DISABILITIES
AGENCY RESPONSE TO
DLS RECOMMENDATIONS
FISCAL YEAR 2018 CAPITAL BUDGET HEARINGS

CAPITAL BUDGET SUB-COMMITTEE
SENATE BUDGET & TAXATION COMMITTEE
Senator James E. DeGrange, Sr., Chair
Senator Douglas J. J. Peters, Vice Chair
February 28, 2017

CAPITAL BUDGET SUB-COMMITTEE
HOUSE APPROPRIATIONS COMMITTEE
Delegate Adrienne A. Jones, Chair
Delegate Aruna Miller
March 1, 2017

Thank you for the opportunity to appear before the Sub-Committee today as you review the proposed capital budget for the Maryland Department of Disabilities (MDOD) for FY18 Access Maryland Program. We would like to thank our assigned DLS analyst, Mr. Jared Sussman, for his thorough analysis and are pleased with the recommendation to concur with the Governor's allowance.

Recommended Bond Actions

1. Concur with the Governor's Allowance.

We respectfully support this recommended action.

2. Adopt committee narrative.

Agency Response:

The analysis recommends that committee narrative be adopted which would require the University of Maryland System (USM) to assume execution and funding of accessibility projects at campuses through an earmark of facility renewal projects through annual Academic Revenue Bond authorizations. Furthermore, the suggested narrative states that USM should provide an annual report to MDOD by March 1 of each year, which details projects in order to review for consistency with transition plans on file.

MDOD recognizes the need to fulfill identified accessibility needs in the most reasonable timeframe as possible. While Academic Revenue Bonds may indeed be used to meet accessibility needs in a more robust manner, MDOD would caution the Committee on making this a requirement in FY 2019 for the following reasons:

- While the use of other bond based funds may be available to the USM, we are not clear that Access Revenue Bonds alone are sufficient to meet the backlog in both facility maintenance needs and access needs. As we have stated in previous hearings before this sub-committee, the link between access to higher education programs and facilities leads to better employment outcomes, increased income and independence for people with disabilities. MDOD is concerned that this narrative will force USM to choose between ADA upgrades and extending the life of an aging infrastructure. MDOD suggests that the Committee consider language that allows USM to continue to use Access MD Program funding in combination with Academic Revenue Bond funding on a project-by-project basis.

- Notice of eligibility to apply for FY19 Access MD funds has already gone out to the agencies who submitted transition plans on January 1, 2017. They include the USM campuses at Coppin State University, Frostburg State University, Towson University, University of Baltimore, University of Maryland Baltimore, University of Maryland Baltimore County and University of Maryland at College Park.

- The suggested narrative requires USM to submit an annual list of projects to MDOD in order to review for consistency with transition plans. As the analyst notes, agencies must have a transition plan on file with MDOD only if they wish to seek Access MD Program funding. Plans are revised and submitted to MDOD on a three-year cycle, the most recent of which commenced on January 1, 2017. These plans will be out of date in 2021. USM campuses will have no reason to submit updated transition plans to MDOD if they can't seek Access MD Program funding and therefore, at least after 2021, we will not have any plans to compare against the annual list projects. As currently written, MDOD will be responsible for making sure these annual project lists are submitted but will have no mechanism by which to measure how they meet the campuses overall accessibility needs and/or authority to approve or improve a project.

MDOD suggests that the Committee delay adopting this narrative until at least FY 2020 or at another appropriate period of time which would for the issues highlighted above to be adequately addressed through the formation of alternative narrative language.