



DEPARTMENT OF BUDGET & MANAGEMENT
OFFICE OF BUDGET ANALYSIS

Section D:

SUPPORTING DOCUMENTS AND LEGISLATIVE REPORTING REQUIREMENTS

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JULY 2020

D.1 OVER-THE-TARGET REQUESTS

DBM does not encourage agencies to submit an over-the-target request.

A maximum of **ONE** over-the-target request from any department or independent agency will be considered. Prior to submitting an over-the-target request, agencies should attempt to identify efficiencies and low-priority programs that can be reduced, resulting in savings that can be reallocated. Agencies are also encouraged to pursue interagency collaborations and other innovative proposals to reduce costs. Agencies should consult with their budget analyst about the need being addressed, the related strategies, and measurable outcomes while developing their request. Unrealistic requests misuse the time and effort of everyone involved, including the Governor. Requests that address critical operational needs or items specifically endorsed by the Governor will be given priority over requests for new programs. *Over-the-target requests will not be considered on an agency-by-agency basis. Each request will compete with all other requests in the State.*

Any requests for new positions, including contractual conversions, must be submitted as an over-the-target request and should not be included in the budget or personnel submission.

Contractual conversions funded within the agency's base budget (i.e. the agency is requesting PIN authorization but not additional funds) will not count against the limit of one request per agency.

Any request must be submitted to DBM as an "Agency Over the Target Request" adjustment in BARS. The information provided in this BARS adjustment is used by DBM staff to understand both the costs and the programmatic impacts of the request. Thorough yet concise information allows for a comprehensive analysis and comparison of all requests across the State. An over-the-target request must be submitted in time with the FY 2022 base budget submission. Agencies will not be able to include general funds above the target in the budget submission. If an agency submits more than one over-the-target request, all requests will be returned to the agency or department for further prioritization. **Multiple items should not be combined into one request.**

Information Technology Over-the-Target Requests

Agencies seeking to obtain approval and funding for a new Major Information Technology Development Project (MITDP) must submit an "Agency Over the Target Request" adjustment in BARS. Agencies must also submit an Information Technology Project Request (ITPR) to the Department of Information Technology (DoIT) and send a copy of the ITPR to the OBA budget analyst. **The amounts listed in the adjustment in BARS and the ITPR forms must match.** Make sure that the "Narrative" tab in the BARS adjustment includes an estimate of the Total Project Cost (TPC), which is equal to the cost from project initiation through one full fiscal year of operations and maintenance after implementation. DBM will work closely with DoIT to validate the feasibility of the request, assess the agency's capacity to manage a major project, and evaluate the affordability of the project. **For ongoing MITDPs, the funding for each year of a MITDP must be carefully reviewed by the agency budget staff and DBM staff. Please carefully align the budget and ITPR to reflect any changes in the scope of the MITDP. Any special and federal fund sources to be used to support the project should be identified in the budget request.**

For more information, please refer to the DoIT ITPR Guidelines and Instructions found at <http://doit.maryland.gov/policies>. Information Technology Master Plans are required of all agencies.

D.2 ORGANIZATIONAL CHARTS

Section 25 of the FY 2021 budget bill requires that the Department of Budget and Management (DBM) submit to the Department of Legislative Services (DLS) a **one-page** organizational chart for each agency that depicts the allocation of personnel across operational and administrative activities.

In order to accommodate this requirement, agencies are requested to submit a one-page organizational chart to DBM with the budget submission.

Agencies must submit the organizational chart in either Microsoft Word or Adobe PDF format. Agencies should submit the electronic file to their DBM budget analyst and dlbudgethelp_dbm@maryland.gov as part of the budget request submission process. The file must be sent at the same time as DA-forms and the confirmation that the agency has completed the Budget Request Submission module in BARS. *DBM is responsible for forwarding these charts to DLS. Agencies should not submit the files directly to DLS.*

If you have additional questions, please contact your assigned DBM budget analyst.

D.3 LOCAL AID

Agencies that distribute local aid are required to include in the budget submission an estimated and preliminary distribution of local aid for FY 2019 actual expenditures, FY 2020 actual expenditures, the FY 2021 appropriation, and the FY 2022 request.

The submission should include the supporting documentation that was used to arrive at the distributions in each fiscal year. Between the submission of the budget request and the end of December 2020, any additional information that would affect the distribution of local aid in the request year should be submitted to the assigned DBM budget analyst and directly to Nathan Bowen at Nathan.bowen@maryland.gov.

As the Governor’s Allowance is finalized, DBM will ask the agency to submit revised distributions based on the allowance. The budgets that contain local aid include:

<u>BUDGET</u>	<u>STATEWIDE PROGRAMS</u>
D21A0102	Governor’s Office of Crime Prevention, Youth, and Victim Services, Local Law Enforcement Grants
D21A0103	Governor’s Office of Crime Prevention, Youth, and Victim Services, State Aid for Police Protection Fund
D26A0702	Senior Citizens Activities Centers Operating Fund
D38I0103	State Board of Elections (Voting System Funding)
D50H0106	Fire, Rescue, and Ambulance Fund
J00A0102	Operating Grants-In-Aid/Payments in Lieu of Taxes (PILOT)
J00B0105	County and Municipality Funds (Highway User Revenues)
J00H0106	Statewide Programs Operations
K00A0401	Revenue Equity Program
K00A0505	Land Acquisition and Planning (Instant Bingo Revenue to Calvert County)
K00A0510	Outdoor Recreation Land Loan (Program Open Space, local programs)
K00A1001	Critical Area Commission
M00F0207	Targeted Local Health Services
M00L0102	Behavioral Health Crisis Response
P00E0102	Maryland Racing Commission –Division of Racing
P00E0106	Video Lottery Terminal (VLT) – Local Impact Grants
P00G0114	Adult Education
Q00A0104	Emergency Number Systems (911) – State Grant
Q00G0001	Police and Correctional Training Commissions – General Administration (Law Training Center Grants)
R00A02--	Aid to Education (All programs with General Funds or Education Trust Funds)
R00A0602	School Safety Aid
R00A0702	School Construction Aid

R11A1102, 03, and 04	Aid to Libraries
R62I00--	Aid to Community Colleges – Formula, Special Grants, and Fringe Benefits
S00A24--	Neighborhood Revitalization
W00A0108	Vehicle Theft Prevention Council

D.4 CHESAPEAKE BAY RESTORATION EXPENDITURES

BAY BUDGET

A summary of Chesapeake Bay restoration operating and capital expenditures will be included in the FY 2022 Budget Books. Per the Committee Narrative on page 92 the 2020 Joint Chairmen’s Report, the summary shall reflect FY 2020 actual expenditures, the FY 2021 budget book appropriation, and the FY 2022 allowance by fund type and fund source.

This reporting requirement applies to the following agencies, who will each receive a template from DBM by August 14, 2020 to be completed and submitted electronically with the FY 2022 budget submission:

Department of Natural Resources (DNR)	Maryland Department of Agriculture (MDA)
Maryland Department of the Environment (MDE)	Maryland Department of Planning (MDP)
Maryland Department of Transportation (MDOT)	Morgan State University (MSU)
St. Mary’s College of Maryland (SMCM)	University System of Maryland (USM)
Maryland State Department of Education (MSDE)	

The following criteria should be used to determine if expenditures must be included:

- The subprogram or project receives funding that supports Chesapeake Bay restoration activities in any one of fiscal years 2020, 2021 or 2022, and
 - More than 50% of subprogram activities are directly related to Chesapeake Bay restoration. Agencies may note the percent related if they do not believe 100% should be counted. Activities defined as restoration of the Chesapeake Bay include Living Resource Protection and Restoration, Vital Habitat Protection and Restoration, Sound Land Use, Stewardship and Community Engagement, and Research.
1. DNR, MDA, MDE, MDP and MSDE must review and update the list of subprograms when completing the template.
 2. MDOT will submit by project and SMCM, MSU and each USM campus will complete the template as in past years.
 3. All agencies except MDOT are asked to provide fund source information.

For more information, contact Tom Jones at Tom.jones2@maryland.gov.

D.5 STRATEGIC ENERGY INVESTMENT FUND (SEIF)

To address a requirement set by the 2020 Joint Chairmen’s Report, DBM publishes an appendix in the Governor’s Budget Books on the revenue, budget and expenditures of the Strategic Energy Investment Fund (SEIF) for the FY 2020 actual expenditures, the FY 2021 working appropriation and the FY 2022 allowance.

✎ The revenue portion of the report shall include the following:

1. The number of auctions, allowances sold, and price per allowance (including both current and, if offered, future control periods)
2. Anticipated revenue from set-aside allowances
3. Interest income received on the SEIF

The budget and expenditure portion of the report shall include the amount of SEIF funds budgeted and spent by each State agency, as well as prior and end-of-year fund balances for each subaccount:

1. Energy assistance
2. Energy efficiency and conservation programs for the low- and moderate-income sectors
3. Energy efficiency and conservation programs in all other sectors
4. Renewable and clean energy programs, energy education, and climate change programs and resiliency programs
5. Administrative expenditures
6. Dues owed to the Regional Greenhouse Gas Initiative
7. Transfers or diversions made to other funds (including the Clean Air Fund, the Transportation Trust Fund, and the Offshore Wind Business Development Fund)

The Maryland Department of the Environment and the Maryland Energy Administration (MEA) will be responsible for providing SEIF revenue estimates. MEA will also be responsible for coordinating and submitting a Statewide SEIF budget request, as well as expenditure information for the actual FY 2020 budget and the FY 2021 working appropriation.

For more information, contact Carissa Ralbovsky at carissa.ralbovsky@maryland.gov.

D.6 STATE FUNDING AND ACCOUNTABILITY ACT REPORT

Section 7-406 of the State Finance and Procurement Article requires State agencies to submit a report to the Department of Budget and Management (DBM) listing State aid for each for profit or nonprofit entity or association receiving \$50,000 or more during a fiscal year as part of the agency's operating or capital budget or by agency action. As an addendum to the statute, agencies should also report loan payments of \$50,000 or more within the criteria set forth in the statute. State aid for these purposes does not include payments to local or State government nor does it include reimbursements to providers in a State program.

In order to collect this information, agencies are requested to complete the State Funding and Accountability Act Excel form, which will be distributed by DBM in early July, using upper/lower case format, with the following information:

- **8-Digit R*STARS Code**- List the agency's 8-Digit R*STARS code in which the funding of \$50,000 or more was expended in FY 2020 for each of the grantees or loan recipients in Column A.
- **Agency Program Name** – List the agency program name associated with the 8-Digit R*STARS code in Column B.
- **Grantee/Loan Recipient Name** – List the name of the for profit or nonprofit entity or association receiving the State aid in Column C. Each grantee or loan recipient receiving a total of \$50,000 or more must be listed separately.
- **Grantee/Loan Recipient Street Address** – List the address for the grantee or loan recipient listed in Column D.
- **Grantee/Loan Recipient City** – List the grantee or loan recipient's city in Column E.
- **Grantee/Loan Recipient State** – List the grantee or loan recipient's state in Column F.
- **Grantee/Loan Recipient Zip Code** – List the grantee or loan recipient's zip code in Column G.
- **State Aid Amount** – List the cumulative amount (\$50,000 or more) expended for the grantee or loan recipient in FY 2020 in Column H.
- **State Aid Description** – List a brief description of the type of State aid provided to the grantee or loan recipient in Column I. Agencies are encouraged to use the grant name or program service name to describe the service. However, please be consistent in the use of the description.
- **Grant (G) or Loan (L)** – Identify the type of funding (either a grant or a loan) in Column J.

Please submit your completed form to your assigned budget analyst with a copy to Breanna Browne (Breanna.browne@maryland.gov), no later than Friday, August 14, 2020.

Please feel free to contact Breanna Browne at (410) 260-7537 if you have any questions or concerns about the process.

D.7 INDIRECT COST RECOVERY AND REVERSION REPORTING

All agencies receiving Federal Funds must determine whether the funds are eligible for indirect cost recovery. Once such eligibility is established, the agency must initiate, negotiate and establish an indirect cost recovery rate with the federal government. A copy of the latest approval letter from the relevant federal agency must be submitted to DBM.

Agencies are instructed to budget for internal indirect cost recoveries only after notifying the assigned DBM budget analyst of the intent to do so. No agency may budget the use of Statewide Indirect Cost Recoveries. **ALL STATEWIDE INDIRECT COST RECOVERIES MUST BE REVERTED TO THE GENERAL FUND.**

DA-27 Form

All agencies must complete a [DA-27 form](#) (even if there are no recoveries to report). Agencies should use the DA-27 form to specify the exact amounts and types of indirect cost recoveries and reversions made. Data should be provided at the program level and totaled to the unit level and the agency level. **Please report data for FY 2020, as well as estimates for FY 2021 and FY 2022.** The following information will be required:

1. List the **Statewide Indirect Cost Recoveries**. This is the amount of total recoveries allocated to Statewide Indirect Costs. The allocation percentage is determined by dividing the amount of Statewide Indirect Costs used in the Indirect Cost Allocation Plan by the total amount of indirect costs used in the calculation of the **Federally Approved Indirect Cost Recovery Rate**. The resulting percentage is the **Federally Approved Statewide Cost Recovery Rate**. Please note that both of these rates are required in the two farthest right columns of the [DA-27 form](#).
2. List the **Internal Indirect Cost Recoveries**. This is the amount remaining from total indirect cost recoveries after Statewide Indirect Cost Recoveries have been subtracted.
3. Report the amount of Indirect Cost Recoveries **reverted to the General Fund**. This amount should not be less than the amount of Statewide Indirect Cost Recoveries, but may be more.
4. Report the amount of **Indirect Cost Recoveries Retained by the Agency**. This amount should be no greater than the amount of Internal Indirect Cost Recoveries, but may be less.

Copies of the [DA-27 form](#) and the most current **Negotiated Agreement Letter** must be included in the agency's budget submission, and electronic copies of the DA-27 form and the most current agreement letter must be sent to Michelle Pack, michelle.pack2@maryland.gov, and the DBM budget analyst. This information is reported in Appendix I of the Governor's Budget Highlights Book.

D.8 ADJUSTMENTS TO CURRENT YEAR APPROPRIATION

✎ Starting with the FY 2021 working appropriation, DBM is moving the budget amendment process into BARS with the exception of closing amendments. **This means that agencies will not be submitting DA-28 forms during FY 2021.**

The following is the process for submitting current year appropriation adjustments. More specific instruction regarding using the BARS functionality will be provided separately.

1. **Before Adjusting the FY 2021 Working Appropriation.** Agencies are encouraged to consider the following before submitting any budget amendment requests to DBM.
 - a. Has the agency expended all of its appropriation authority and thus needs additional appropriation authority? Does the agency project it will expend its full appropriation authority before April 2020?
 - b. If the full appropriation authority will not be expended before April 2020, could the request be a deficiency instead of a budget amendment? Deficiencies are also submitted through BARS but are wrapped up in the overall budget submission and considered as part of the Governor's budget deliberations in the fall. Separate guidance is available on submitting deficiencies in BARS.
 - c. Does the agency have a history of underutilized special fund and/or federal fund appropriation authority? If so, can appropriation be realigned across programs instead of being increased through the budget amendment process? **As in the past, few amendments increasing the appropriation will be processed in the first half of the fiscal year.**

Note that BARS does have functionality that enables agencies to realign their appropriation within programs by fund type to reflect revised spending plans (the CY Adjustment type).

2. **Submitting a Budget Amendment Request.**
 - a. Agencies go into BARS and create a Budget Amendment type adjustment in the system, necessitating line item level detail as well as the narrative normally required in an amendment form. Again, separate specific instructions will be provided regarding this BARS functionality.
 - b. Once the adjustment has been reviewed and processed internally, agencies submit their amendments to OBA within the system. Email the Budget Processing Team (DLBudgetHelp_DBM@maryland.gov) and your OBA analyst notifying them that an amendment has been submitted. **In that email, explain why the amendment is urgent.**
 - c. OBA will decide whether the amendment is approved for processing. Similar to DA-28s of the past, some agencies will be asked to combine the amendment with amendments in the second half of the year. Some amendments will be processed instead as deficiencies.
 - d. If the amendment is approved for processing, OBA will generate the pdf amendment form from BARS and email it to the agency for signing. Once signed, the agency mails the hard copy of the signed form back to OBA for final processing. As an alternative to mailing, agencies can scan in the signed copy and email it to DLBudgetHelp_DBM@maryland.gov.

In the fall, budget amendments are due to OBA no later than **October 15** if they are to be included in the FY 2022 budget volumes. **Agencies should exclude agency generated budget amendments from the FY 2021 agency working appropriation in the budget submission.**

D.9 STATEMENT OF DEDICATED FUNDS

Section 7-107 of the State Finance & Procurement Article requires DBM to publish an itemized summary of revenues collected by the State that are dedicated by law to a special fund. The summary shall reflect the name, purpose, and source of revenue of each special fund, along with the amount deposited into the special fund in FY 2020 and the revenue balance in the special fund at the close of FY 2020.

Agencies are required to enter FY 2020 revenue and balance data into BARS as part of the FY 2022 budget request. This data will be used to compile the Statement of Dedicated Funds. Agencies may be asked to verify information related to the special funds such as statutory references, purpose, and source.

Please contact Emily Vianna at Emily.vianna@maryland.gov with any questions.

D.10 AGENCY REDUCTIONS

To assist DBM in balancing growing Statewide spending mandates without sufficient revenue growth to support these additional costs, State agencies are asked to provide agency-proposed reduction items with the FY 2022 budget submission.

Agencies are asked to submit Agency Reduction adjustments in BARS, which will be sent to DBM with the FY 2022 budget submission. General fund reduction targets will be provided when DBM distributes agency general fund targets in early July. Agencies must submit a set of reduction options that total to the target, and individual reduction “options” should be submitted as separate adjustments in BARS. **Agencies should not combine all reduction options into a single BARS Agency Reduction adjustment.**

DBM encourages agencies to identify on-going reductions as opposed to one-time cost savings actions. Further guidance will be provided with the reduction target in July.