
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
GOVERNOR'S RECEPTION ROOM, SECOND FLOOR, STATE HOUSE
ANNAPOLIS, MARYLAND

September 20, 2017
10:10 a.m.

PRESENT

HONORABLE LARRY HOGAN,
Governor

HONORABLE NANCY KOPP,
Treasurer

HONORABLE PETER FRANCHOT
Comptroller

SHEILA C. MCDONALD
Secretary, Board of Public Works

ELLINGTON CHURCHILL
Secretary, Department of General Services

MARC NICOLE
Deputy Secretary, Department of Budget and Management

JIM PORTS
Deputy Secretary, Department of Transportation

MARK BELTON
Secretary, Department of Natural Resources

MICHAEL LEAHY
Acting Secretary, Department of Information Technology

JIMMY RHEE
Special Secretary, Governor's Office of Minority Affairs

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Recording Secretary, Board of Public Works

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CONTENTS

Subject	Agenda	Witness	Page
Coastal Resiliency Program	SEC 4, p. 6	Secretary McDonald Mark Belton Matt Fleming	9
Program Open Space Local Share – Baltimore County	DNR 2A, p. 15	Mark Belton	15
DBM Agenda	DBM	Marc Nicole	16
USM Agenda	USM	Joe Evans	17
DoIT Agenda	DoIT	Michael Leahy	18
Retroactive Contract for Fire Alarm Systems Testing and Inspection of Sprinkler Systems	DOT 19-M, p. 126	Jim Ports	19
Lease for New Comptroller's Office Call Center in Hagerstown	DGS 12-LT, p. 181	Ellington Churchill Wendy Napier	21

PROCEEDINGS

GOVERNOR HOGAN: Good morning, everybody.

ALL: Good morning.

GOVERNOR HOGAN: Welcome to another exciting edition of the Board of Public Works. I just have a couple of comments. Some of you probably saw that Friday the jobs numbers came out, the federal government put the numbers out, and again for many months in a row we've had some really great numbers. I think we added 14,200 new jobs in the month of August, which brings our unemployment rate to 3.9 percent. And that's the lowest it's been in a decade. And I think you know that turning our economy around, growing the private sector, and putting people back to work has been a top priority of ours and I'm very pleased with the success that we've had so far.

Since January of 2015 we've added 130,000 jobs and as I mentioned the unemployment rate is the lowest it's been in a decade. So, you know, we pledged to try to put Maryland on a new path and put people to work and I think we've done exactly what we said we were going to do. And we're going to keep trying to do it.

With that, I'll turn it over to my colleagues for any opening remarks. Madam Treasurer?

TREASURER KOPP: Good morning. It's a pleasure to be here. I couldn't help reading the same numbers in the paper, Governor, and I congratulate you, and I congratulate the State. I do think that in the face of a lot of uncertainty and volatility we're moving steadily ahead and that's exactly what Maryland, the middle state, should be doing.

There are a lot of -- nature is rearing up at us. This week, last week, between storms, hurricanes, earthquakes, we've been very fortunate in Maryland thus far not to be hit. But we know that the climate is changing around us and is impacting us in so many ways. And I know, Governor, you're going to mention a couple of small items on the Agenda today that are attempting to deal, Mr. Secretary Belton, with adaptation to recognize climate change. And I just want to say again, as I've said many times, every week, how proud I am to live in Maryland, the place where we recognize science and we're trying to deal with the problems that have been dealt us in a variety of ways. We have one of the longest coasts in the United States of America, with all of the inlets and everything. And we know how important they are to the economy and the people. And your program is very, very important. Thank you.

GOVERNOR HOGAN: Thank you. And on that, yeah, we do have more linear feet of waterfront than the State of California.

TREASURER KOPP: It's amazing.

GOVERNOR HOGAN: Which most people don't know. I think more than any other state. I just want to take a moment to say that we've been lucky so far with the storms. We're very closely following Maria. Our MEMA is fully engaged in watching. We'll probably know a little bit more by tomorrow afternoon about the path. But that's one we have to keep an eye on. So nothing to get excited or concerned about yet but keep paying attention when we send out notifications. And I just want to say my thoughts and prayers are with the folks that are in the Caribbean. The U.S. Virgin Islands and --

TREASURER KOPP: Puerto Rico.

GOVERNOR HOGAN: -- Puerto Rico got hit pretty bad again. And we're going to, we've offered to, with both Texas and Florida, the U.S. Virgin Islands, and Puerto Rico to do whatever we possibly can to help assist the folks down there. But thank you. Mr. Comptroller?

COMPTROLLER FRANCHOT: Well thank you, Governor, and good morning, Madam Treasurer. I'm very pleased to hear that your administration has partnered with Mayor Pugh, aggressively pitching Baltimore's Port Covington as the new home of Amazon's second headquarters in North America. This site with its strategic location along the I-95 corridor and close proximity to the Port of Baltimore and BWI Thurgood Marshall Airport, along with the fact that the Baltimore metropolitan region is home to some of the most educated and productive residents in the nation, Port Covington would be a

perfect site for Amazon. I'm sincerely hopeful that they will give your proposal strong and careful consideration.

Without a doubt, having this new headquarters in Port Covington would not only be a game-changer for the City of Baltimore, but it would tremendously benefit our entire State. The 50,000 good paying jobs that would be generated, the direct and indirect economic investments, and the redefinition of our business reputation among states would all be transformative for Maryland's economy and quality of life for our residents.

A well-educated workforce is one of the most important things that Amazon is looking for, what other large companies are looking for, and is of course a critical ingredient to our State's economic future. And Governor, yesterday I had the opportunity to tour Fort Worthington Elementary and Middle School, which is the first school to be rebuilt under the 21st Century Schools Initiative in Baltimore City. I believe that schools like Fort Worthington, with its additional space and technological capabilities, will help our educators and school systems prepare students to be the next generation of entrepreneurs, innovators, and problem solvers who can compete and succeed in today's global economy.

I'd like to thank Principal Debi and all the teachers, staff, and students for warmly welcoming me to their school yesterday. And I urge everybody to if possible swing by and look at this new elementary school in Baltimore. I have toured hundreds of schools all across the State. You walk into

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this school and you will, there is not an equal group of energized, electric kids who are tuned into their education. This is a marvelous statement about the State of Maryland, that we could build this school in a very economically challenged neighborhood. It's like a magnet to the kids. The enrollment is almost doubled, I think. And the kids are so energized. And I asked them, what do you like about your new school? And you know, hands flew up. I like the gym. Or I like the cafeteria. Or I like the fact that the teachers can teach us all sorts of good things. And I said, here's what I like about your school: you guys. Because these kids to a person, to a student, were totally I think transformed by the physical structure that they were in. That's how good it is.

And so let me just close by once again reinforcing my strong support, Governor, for your bipartisan efforts surrounding Amazon Headquarters 2. I honestly can't think of a better place for a company that is the embodiment of the new American economy than a place that will play a crucial role in shaping Baltimore's economic future. And those kids at Fort Worthington, that was something special for me, to see -- well, okay, it was only the ninth day of school.

(Laughter.)

COMPTROLLER FRANCHOT: But it was still pretty good.

GOVERNOR HOGAN: And thank you for helping it be the ninth day of school.

COMPTROLLER FRANCHOT: Yes, thank you.

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(Laughter.)

GOVERNOR HOGAN: Thank you, Mr. Comptroller. Let's get started with the Secretary's Agenda. Secretary McDonald?

SECRETARY MCDONALD: Good morning, Governor, Madam Treasurer, Mr. Comptroller. We have five items on the Secretary's Agenda this morning. We also have two reports of emergency procurements. And we're prepared for your questions.

GOVERNOR HOGAN: Well thank you, Secretary McDonald. I just want to highlight Item 4.

SECRETARY MCDONALD: Secretary Belton?

GOVERNOR HOGAN: Secretary Belton, you know, I just, the Treasurer and I were talking about this before the meeting and although it's not a huge item it really highlights some of the special programs that we're doing. And this is a request by the Department of Natural Resources to grant \$295,000 in general obligation bond funds for the Coastal Resiliency Program. And this program is kind of a new grant program that we've launched and established and funded in the FY '18 budget to aid coastal communities and to enhance their resiliency to the effects of damage and climate change. And this request, I believe, will provide for the design for four living shoreline projects in Dorchester, Prince George's, Somerset, and St. Mary's County.

Through the use of green infrastructure and natural defenses, this innovative new program will complement our existing efforts to protect Maryland's vulnerable coastlines and populations from flooding and sea levels. So I just wanted to thank you and your department for putting forward these ideas. And I'd like to see more of them in the future.

MR. BELTON: Thank you, sir. And let me just say, if I might add to, pile on a little bit to your comments there, yours and the Treasurer's, thank you very much for bringing out this issue. And Governor, you are to be commended tremendously from an emergency management and natural resource point of view for funding this effort in the budget this year. It is the first program of its kind in the country that provides nature-based solutions to help protect coastal communities, infrastructure, and public resources from climate change impacts like flooding and erosion.

Two things, if I might call out, in particular it does that I think everyone should know about. And one is a recent study that came out about marshland and how important it is to infrastructure protection in storms. Hurricane Sandy had, there would have been \$500 million, half a billion dollars more in damage from Hurricane Sandy if it weren't for the marshland in the four states along the coast, New Jersey, Delaware, Maryland, and Virginia. And it's projects like this that can get public awareness in place to do more of them.

The other point I wanted to make is the project in the Choptank River that's before the Board this morning along Hurst Creek is particularly innovative because it takes use of dredge material in a beneficial way and makes a living shoreline with the material that we just dredged up from the creek there. Something like that is exactly the type of thing we're trying to do and look at through an RFP up behind the Conowingo Dam along the Susquehanna River.

I did ask Matt Fleming, the Director of our Chesapeake and Coastal Unit, to come up and answer any questions the Board might have regarding this program. But again, it is tremendously innovative and the first of its kind in the country.

GOVERNOR HOGAN: Matt, thank you. Is there anything you'd like to add just to --

MR. FLEMING: No, you guys stole my thunder. I just think that -

GOVERNOR HOGAN: Sorry.

MR. FLEMING: No, no --

(Laughter.)

MR. FLEMING: No, I mean, just the whole idea, I think as you mentioned the storms that we've seen, and with Harvey, and Florida, now with Maria, you know, the whole idea is about bend, not break. And you know, I think the Governor's commitment to proactively put these projects and, you know, try

to build more resiliency into the system I think it speaks to that point. So thank you.

GOVERNOR HOGAN: Well, thank you very much. You know this is, the Chesapeake Bay is not only our most important natural asset but it's a real treasure for the entire country. And you know, I happen to be lucky enough to just be elected as the Chairman of the Regional Council for the Chesapeake Bay, five states and the District of Columbia. We've restored all the money that was drained from the Chesapeake Bay Trust and the Chesapeake and Coastal Bay Areas Trust Fund and the Bay Restoration Fund, and we've record funded all of those things, and fully funded Program Open Space for the first time in history. So we've made a real commitment to not just the environment in general but to the Bay. And I think even though these are small amounts of money, I think they are great pilot programs that help show what can be done and that hopefully we can expand and get more people interested in doing.

TREASURER KOPP: Governor, I do have a question based on what you just said. These are small projects and they are pilot projects. They are projects that once they are done and they are effective, I would think, and I may be wrong, \$45,000, even \$100,000, communities once they see what a difference it could make could actually get together and get together with some benefactors and start doing things based on your pilot and your model. So the question is, is

that in the future? And are you building towards that? While you do these projects making sure that people understand that they are pilot projects?

MR. BELTON: Absolutely. I'll start, Matt. No question about it. This is actually a risk management strategy as much as it is a natural resource strategy. I mentioned before Superstorm Sandy. But the estimates from studies that are out there are that between 25 percent and 50 percent of damage from these storms can be abated by additional marshland. So as these things become successful we certainly do want to promote them around the State and try to facilitate knowledge and actual projects amongst our counties that are out there along the waterfront.

COMPTROLLER FRANCHOT: Hey, I don't want to be left out --

(Laughter.)

GOVERNOR HOGAN: We didn't mean to leave you out there.

Sorry.

TREASURER KOPP: Are you talking to groups like insurance companies? And there are people who will save money beyond just the homeowner.

MR. BELTON: Right. So Madam Treasurer, you are, it's like you're throwing me softballs.

(Laughter.)

MR. BELTON: There is an article that recently came out in *The Atlantic Magazine* that points out how there was some studies done by insurance companies using their models, their risk management models, and they took, you know, before storm modeling, and after storm modeling. And this is where they came up with that 25 to 50 percent figure on risk abatement because of natural features like marsh land. I'll get you a copy of it.

TREASURER KOPP: That's cool. Thank you.

GOVERNOR HOGAN: Well can you get these projects up really quickly? Because Maria is now --

(Laughter.)

GOVERNOR HOGAN: -- a Category 5 and may be heading in our direction at some point. So --

MR. BELTON: That's a tall order.

GOVERNOR HOGAN: Thank you very much, Matt. Are there any other questions on the Secretary's Agenda? Comments?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-oh on the Secretary's Agenda.

SECRETARY MCDONALD: Thank you.

GOVERNOR HOGAN: Thank you.

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SECRETARY MCDONALD: Now on to Secretary Belton.

GOVERNOR HOGAN: Now we're going to go on to the DNR Real Property Agenda. So you're back again.

MR. BELTON: Yes I am. A second swing at it.

GOVERNOR HOGAN: That was good.

MR. BELTON: Good morning, Governor, Madam Treasurer, Mr. Comptroller. I am Mark Belton, for the record, Secretary of the Department of Natural Resources. We have six items listed on our Agenda but we are pulling Item 5.

GOVERNOR HOGAN: Any questions?

TREASURER KOPP: Governor, not a question, but I got a call from Senator Klausmeier's office yesterday drawing our attention to 2A-2, the Perry Hall High School project, and how much she supports it. They all support it and thank you all very much for going forward with it.

GOVERNOR HOGAN: Great. Thank you. Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Thank you, Secretary Belton. Three-oh on DNR. Next up is the DBM Agenda. And I see we have a distinguished representative here, the Deputy Secretary, filling in for Brinkley who is probably goofing off somewhere. But welcome.

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(Laughter.)

COMPTROLLER FRANCHOT: Yeah.

MR. NICOLE: Good morning, Governor, Mr. Comptroller, Madam Treasurer. For the record, I'm Marc Nicole, Deputy Secretary for the Department of Budget and Management. The department has submitted 15 items for today's Agenda. We are withdrawing Items 2, 4, 5, 6, 7, 8, 11, and 12, leaving seven items for approval. I have representatives here to answer any questions you may have. And I believe Deputy Secretary Ports of the Department of Transportation would like to say a few items about the withdrawal of the MTA Items 4 through 8, and number 12.

GOVERNOR HOGAN: Secretary Ports, you look shocked about that --

MR. PORTS: No. No, we're fine.

(Laughter.)

MR. PORTS: I wasn't going to say it at this time, but that's okay. Along with the items that are already withdrawn from the DBM Agenda, we will also be withdrawing Items 21 through 35. And I will address that when you get to that.

GOVERNOR HOGAN: Okay.

COMPTROLLER FRANCHOT: I thought he said you look shocked about that --

MR. PORTS: He probably did. He was right.

COMPTROLLER FRANCHOT: Yeah.

(Laughter.)

GOVERNOR HOGAN: It's that pink tie. Well things are getting out of hand so --

(Laughter.)

GOVERNOR HOGAN: -- any questions on the DBM Agenda?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second? Three-oh on DBM. We're on a role and now we're going to move to the University System Agenda. Good morning.

MR. EVANS: Good morning. Joe Evans, representing the University System of Maryland. We have three items on the Agenda. We are pulling Item 2-C.

GOVERNOR HOGAN: 2-C?

MR. EVANS: We're here to answer any questions.

GOVERNOR HOGAN: Okay. Any questions on the University System?

COMPTROLLER FRANCHOT: No. Move approval.

GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Second.

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GOVERNOR HOGAN: Three-nothing.

MR. EVANS: Thank you.

GOVERNOR HOGAN: Well we're going to move on to Information Technology.

MR. LEAHY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Mike Leahy, Acting Secretary of the Department of Information Technology. Today we have nine items on the Agenda and we're withdrawing Items 5, 6, and 7. We have agency representatives here to answer any questions on the balance of the Agenda.

GOVERNOR HOGAN: Any questions on IT?

COMPTROLLER FRANCHOT: Yes, I did have a couple of questions.

MR. LEAHY: Good morning, sir.

COMPTROLLER FRANCHOT: I think we communicated with IT -- what? It's the next -- oh. Sorry. I got my agencies mixed up. I'm going to defer. I move approval.

GOVERNOR HOGAN: There you go. You got off the hook, this time --

MR. LEAHY: All right.

GOVERNOR HOGAN: -- Mr. Leahy. Transportation?

MR. PORTS: I think I'm on the hook. Good morning, Madam Treasurer --

GOVERNOR HOGAN: -- looking sharp, don't you think?

MR. PORTS: -- Mr. Comptroller and Governor. For the record, my name is Jim Ports. I'm Deputy Secretary for the Maryland Department of Transportation. The Department of Transportation is presenting 35 items for your consideration today. At this time we're withdrawing Items 21 through 35. We'll be happy to answer any questions you may have.

GOVERNOR HOGAN: Questions on Transportation?

COMPTROLLER FRANCHOT: Item 19, please?

MR. PORTS: Nineteen?

COMPTROLLER FRANCHOT: So my concern about this, as you can see, it's a retroactive payment to a small business that's been doing business with SHA. I want to thank the Governor for his administration's efforts to address this practice because it continues to percolate around in the system. I understand this is a request from SHA to retroactively approve payments to Tyco SimplexGrinnell in Linthicum for maintenance of a proprietary fire and alarm sprinkler system at the agency headquarters. And I don't want to make a federal case out of it but my staff informs me that the vendor for this expired contract has not yet been paid for the work and services they performed. And obviously we have an obligation to pay all of our vendors in a timely fashion for the work and

services. So Mr. Ports, perhaps you could let me know what is going on with the fact that this was, had expired in April, 2016 and they still haven't been paid?

MR. PORTS: Correct. So you're correct. And as you know, Mr. Comptroller, and I know you've recognized this for many year that the procurement system has been broken. We did have a procurement officer who was out on medical, the one that was charge of this one. So it did fall through the cracks, if you will. That's not an excuse. That's just a fact. And as you know, Governor Hogan has asked Lieutenant Governor Rutherford to head up a procurement review and changes. Secretary Rahn has done the same thing in our department. We've made a lot of changes in personnel and through some of those personnel changes we have had a few of these incidences and we're addressing them.

The fact that they weren't paid yet was a determination from the procurement officer that we did not have authorization. And so they decided not to move forward until they got the authorization from the BPW.

COMPTROLLER FRANCHOT: Okay.

MR. PORTS: So we recognize that there were some problems that I'll say that we inherited. We're addressing those problems. We also recently purchased some software that will track these items more effectively and we expect that as we move forward we will get much better at both procuring them on time as well as paying them.

COMPTROLLER FRANCHOT: Thank you. If I may say, a very sharp answer.

MR. PORTS: Oh, thank you.

(Laughter.)

MR. PORTS: Group hug.

GOVERNOR HOGAN: Thank you, Mr. Ports.

MR. PORTS: Thank you.

GOVERNOR HOGAN: Any other questions on the Department of Transportation?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second? Three-nothing. Now we're on to the Department of General Services.

MR. CHURCHILL: Well, good morning, Governor, Madam Treasurer, and Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for General Services. The department has 32 items on our Agenda today and we are withdrawing Items 3, 4, and 5. We have agency representation available to answer any questions.

GOVERNOR HOGAN: Thank you, Mr. Secretary. I want to highlight Item 12 because I want to applaud the Comptroller for his great efforts to open up a new call center in downtown Hagerstown. Hagerstown and Western Maryland in my opinion have been kind of neglected and not getting enough

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attention for a long time. And we promised that we were going to try to pay more attention and do more things for Western Maryland. And I just want to thank the Comptroller for this effort. We held our first out of Annapolis cabinet meeting in Hagerstown and this call center kind of fits right in with some of the improvements we're trying to do downtown, the urban improvement project, which is a partnership with the City of Hagerstown, Washington County Board of Education, the Maryland Theater, and the University System. We've committed to invest more than \$7 million in that project and we're pleased to see that the Comptroller is also bringing some jobs to Hagerstown and Western Maryland. So I just wanted to point that out. I don't know if there's anybody here that wants to speak on that topic. But it really is, I just want to thank you for the effort.

COMPTROLLER FRANCHOT: Yeah.

GOVERNOR HOGAN: We've talked about trying to get more, put more people to work in both the Lower Shore and Western Maryland and this is a terrific idea on the part of the Comptroller.

COMPTROLLER FRANCHOT: Thank you very much.

MS. NAPIER: Good morning, Governor, Comptroller, Madam Treasurer. Wendy Napier, Assistant Secretary for Real Estate. And we were happy we could assist the Comptroller with this lease.

GOVERNOR HOGAN: Thank you very much.

COMPTROLLER FRANCHOT: And you assisted us very well, thank you. And we now have a ten-year lease and for a call center in Downtown Hagerstown which I think I support the Governor and the Treasurer and others in their efforts to help any area in the State, but particularly Hagerstown and other wonderful areas in Western Maryland, to prosper.

This new call center is part of my agency's continued efforts to constantly strengthen and improve our taxpayer services operation. The call center is set to open before the start of next year's tax filing season. We will employ 12 new staff members. They will support our existing call center. Why is this important? I insist that the 600,000 phone calls that we receive a year at the Comptroller's Office, many from people who are frustrated, let's be honest, I insist that they be answered, their phone call to the 800 number by a live, friendly, professional, helpful voice, who will pick that phone up within 40 seconds. So that's why we're bringing in reinforcements to help. Because it's not easy. And sometimes you have to hold the phone out here because the taxpayer is frustrated. That's okay. Our people need to be of service. And so in addition to the employment that the Governor rightfully mentioned and that we're very proud of, it is this customer service that we pride ourselves on. So feel free to call the 800-MDTAXES number, not right now, but --

(Laughter.)

GOVERNOR HOGAN: Because you're here --

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COMPTROLLER FRANCHOT: -- from time to time, yeah. And you know, call me if you think there are glitches. We're not perfect. But this call center that we're putting out there mirrors the one on the Lower Shore in Salisbury that has been very successful. They've taken 100,000 phone calls.

These folks don't just answer calls from Western Maryland. They answer calls from all over the State. And I find that simply answering the phone is a big improvement for most people, so, most of our citizens. So I want to thank the Governor for his kind words. I don't really deserve them. But I do appreciate the fact that he supports customer service, that I do, the Treasurer does. But this call center item, which I hope gets unanimous support, it's very, very good for our citizens, I believe. Thank you, Governor.

GOVERNOR HOGAN: Thank you, Mr. Comptroller. You know, customer service has been a major initiative across State government. All of our cabinet secretaries are pushing that down into their agencies. And we're having some real success. Every day I get complimented from people who say, wow, I've noticed a real change in the attitude of State government when I come to get my license at MVA, or when I call an agency. I don't think we're quite at 40 seconds yet statewide, but we're trying to get it down there so we can keep up with you.

COMPTROLLER FRANCHOT: We may not be, actually. But --

(Laughter.)

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GOVERNOR HOGAN: I'm going to try it out this afternoon and ask to speak to the Comptroller --

(Laughter.)

GOVERNOR HOGAN: But thank you very much. Any other questions on DGS? Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second? Three-nothing. Thank you very much. That concludes the Board of Public Works. Thank you all for being here.

(Whereupon, at 10:39 a.m., the meeting was concluded.)