

Southern Maryland program. The Southern Maryland one is on track, but we still feel that, you know, we can take care of that in the '22 capital budget as it moves forward. The one on the Eastern Shore has been slowed down. So from a timing point of view, it is still moving forward. We're still going to ensure that that happens. Because I know that that's very important, not just to the school, not just to the community for the training of those students, but certainly, you know, for that whole environment at UMES and what we need to do for that.

LIEUTENANT GOVERNOR RUTHERFORD: I know Dr. Anderson down there is very, you know, anxious and very proud of the fact that we will be moving forward with the school there and the new facility. And so that is something that is important to the administration, to make sure that we get that completed. So --

MR. BRINKLEY: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: -- this does not affect --

TREASURER KOPP: And -- I'm sorry?

LIEUTENANT GOVERNOR RUTHERFORD: I said this does not affect the timing of the construction.

TREASURER KOPP: Right. And for a number of these other ones, where you are reducing funds that were unneeded, apparently unneeded. There's only about six weeks left for this fiscal year, anyhow.

MR. BRINKLEY: -- exactly.

TREASURER KOPP: So I just want to say that I appreciate the thought that was given to this. Somebody said it's almost like scrounging around for the coins behind the cushion on the couch.

MR. BRINKLEY: Within the sofa. Within the sofa, right. Right.

TREASURER KOPP: It's \$120 million. It's not nothing, but the Comptroller is absolutely right. Coming in 2021, I fear, will be very different sorts of cuts than these. You also mentioned that we're aiming for perhaps \$900 million, perhaps up to \$1.1 billion. This is \$120 million. Can you just touch on where else you are looking?

MR. BRINKLEY: Sure. So at this point in time, you know, this is the first step in what we have to propose to you for '20. Whether or not there will be more remain to be seen. We -- and I can tell you, Marc might be able to jump in, literally some of the decisions that we are getting, or the information we are getting from the federal government is changing overnight. There were some new decisions that were rendered 48 hours ago, and another decision rendered 24 hours ago, which is continually changing how we are seeing or being told to interpret the receipt of some of the CARES funding from the federal government.

Our mission here is to ensure that our agencies have the supplies to ensure public safety, that's particularly through the Health Department, and ensuring that testing can be ramped up and sustained. You see that we have

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tremendous hospital capacity. That was one of the Governor's early on missions, was that should we get a lot of sick people, we can accommodate that. And at this point in time, what we're trying to do is try to wrap up this year so that we can then move forward. We don't know what our final balances are yet to be, because again we're getting this literally hourly change from the federal government. We have sufficient funds in the Rainy Day Fund to get us to move forward through this year and to the beginning of next year. That is when we're going to have to see some critical decision making in moving forward. But until we can close this year out, and as you both or all three of you know, that the Constitution requires the balanced budget. We have the resources to be able to do that. And we're trying to identify what we have to do to get across to the starting line for '21. And then at that point in time, once we have a picture for what that is, we can then wrap our arms around some of the decisions that need to come to your attention.

Marc, do you want to chime in with any of the federal changes? Because I just find it interesting that as you have all of your calls, you are getting new information almost hourly and that's also impacting Department of Health and some of the other agencies that we have.

MR. NICOLE: Sure, Secretary. Good morning, everyone. Governor, Comptroller Franchot, Treasurer Kopp, Marc Nicole, Deputy Secretary, Department of Budget and Management. To your question, Treasurer Kopp, and to the points that the Secretary made, he is correct. There are many sort of pieces

to our fiscal year '20 balancing plan. It does include the use of coronavirus relief funds from the federal government, where we are allowed to use some of those funds to cover some State costs. So that will be saving us some money in the fiscal year '20 budget. We will obviously be using that.

Additionally, as the Secretary noted, the Governor instituted a budget freeze early on. And there are some savings that we expect from our State agencies, probably in the magnitude of \$300 million to \$350 million in the current year. Much of that is coming as a result of assistance that the federal government provided us with an enhanced federal matching rate on Medicaid. And as the Secretary mentioned, the, sort of the final sort of pin in our fiscal year '20 balancing plan would be to draw on the State Rainy Day Fund to sort of get us to balance. Hopefully the numbers are better so we don't need to use as much, or hopefully any of the Rainy Day Fund. Because we certainly, as the Governor has mentioned previously, we may need to use it, well, we will need to use it a lot to balance the fiscal year '21 budget.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: And I know there were, you know, recommendations that would have hit many of the counties particularly hard that came in. And there was some general feeling, you know, amongst I think all of us, and the Governor included, that that really would not give the local jurisdictions enough time, given that we're, like I said, six weeks from the

end of the fiscal year to adjust for such a hit. But as I think everyone on this line has said, we're going to have look at virtually everything for the '21 budget and how we address that. And so the counties and the locales are likely to be asked to participate in all of this as well. So it's going to be a challenging year.

TREASURER KOPP: I hope that we will all be working together, the counties, the State, the different branches of government --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- in the interests of the people. I believe we will be.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. We'll work hard at it. Now, we have a motion on the floor to take this item separately. Do we have a second on that motion?

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And we might as well vote on 16-GM right now.

COMPTROLLER FRANCHOT: I vote aye --

TREASURER KOPP: Favorable.

LIEUTENANT GOVERNOR RUTHERFORD: Favorable? So we're all in favor. So John, we're favorable on that and we continue --

TREASURER KOPP: Unhappily, but favorable.

MR. BRINKLEY: Thank you. Thank you all three of you.

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have, from employee representatives who, I think I sent you in fact the letter that we received, have concerns ranging from the fact that Corizon has not provided the appropriate protective equipment to their staff, who are working there, that they have been intimidated, that they have simply been treated in a way that is not at all acceptable in the State of Maryland. And that in fact their health and the health of the people that they are working with is severely threatened. So you have the treatment of their staff, you have the point that the Comptroller made. This was a contract that was hotly debated. I supported it. It was at a low rate. Now all of a sudden they are coming in with a 30 percent increase. So the other part of my question is, in addition to the response about the way they've treated employees, is how did you come to the round figure of 30 percent? We've seen no serious background information.

MR. GREEN: Very good. So for the record, my name is Robert Green. I'm the Secretary of the Department of Public Safety and Correctional Services. Thank you for your questions. Can you hear me okay? I just want to confirm --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. GREEN: -- my microphone is on. Very good. Thank you. This emergency modification was established with a great deal of thought and sense of absolute urgency and emergency. This worldwide health crisis and the declaration of a public health emergency began to unfold in December of 2019.

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The department made a critical point in time decision based on this crisis. This was a pandemic of such potential magnitude, never experienced or anticipated in my generation, nor thought about. Governor Hogan first took steps on this pandemic on February 27th to protect Maryland citizens. At the time that we made this decision, DPSCS had nearly 21,000 individuals across 23 correctional facilities to maintain, as well as the daily intake point of all new arrests coming into Baltimore City.

Again, it was a point in time decision driven by what we knew at the moment, where we were, and what was forthcoming. I see the decision that we made as one that I don't know you would have anticipated a pandemic of this magnitude. We have an absolute obligation to the constitutional care and custody of the individuals in our facilities. In a congregate facility such as we have, the integration and the intersection between operation and the medical crisis in this virus and how it spreads was critical to us. And those were the decision points.

There were models, reflective models of what could occur inside of correctional facilities. I believe we made the absolute right decision at the time for our medical and the future of the medical care inside our systems and the future of the operation of our facilities.

If I may be direct on your, I believe, on your questions, both Mr. Comptroller and Madam Treasurer, were around PPEs. When this crisis unfolded, we all read with great interest of the shortage of PPEs across the country and the

ability to gain access to those. DPSCS was no different in that. We were fortunate to gain access to PPEs through State contracts and other opportunities, some of which those opportunities to make them for ourselves. But I clearly acknowledge, we still have an issue with gowns and disposable gowns nationwide. We absolutely provided and we continue to do so if any of our vendors, Corizon or Centurion, needs PPE. In the very early stages of this crisis, the contractor provided some PPE to us that was unavailable in some of our medical and congregate areas. And I looked into those supplies based on inquiring from you, Madam Treasurer, as we do every day on a morning call to make sure that we are doing that.

Our medical and congregate care is managed by Dr. Sharon Baucom, our Clinical Director. And I spoke to Dr. Baucom as late as last evening about the performance of the vendor in this crisis. And she is pleased with their proactive ability, their ability to be nimble and responsive to every aspect of what we are trying to manage that absolutely evolves daily and at a moment's notice, changes within different facilities. As you have discussed, regions that are, have outbreaks that are more serious than other regions of our State, and that applies to our facilities.

So all of that ties into this decision of how we needed to operate for the future when we saw a pandemic at our doorstep, managing the healthcare of 21,000 individuals within our system. And that's why that decision was made. It's

a flat rate contract and using that flat fee is how we came up with the number and the percentage of increase.

COMPTROLLER FRANCHOT: Is it your observation that the pandemic was the reason for the initial negotiations to increase the monthly payment for six months and I guess an additional three months on top of that?

MR. GREEN: That's not an observation, sir. It's factual basis on which we did this. This was declared --

COMPTROLLER FRANCHOT: And did --

MR. GREEN: -- March 16th was the day that we began this emergency procurement. And the paperwork filed on April 3rd. The timelines of the pandemic, we had no control over what was coming and the Governor declared the state of emergency on March 5th.

COMPTROLLER FRANCHOT: Okay. So when exactly does the emergency contract begin? I assume it is already taking place. But what are we on the hook for if we were to ask you to stop this immediately, or defer it at least for a couple of weeks?

MR. GREEN: The date of the declared emergency was March 16, 2020, Mr. Comptroller.

COMPTROLLER FRANCHOT: So that's, we're already obligated for two payments at least of \$3 million plus, and you're looking for the authority to do an additional seven months, I guess, of that, if I'm not mistaken.

MR. GREEN: It's a six-month contract, Mr. Comptroller, with a three-month opportunity to re-up that. We would suspend any opportunity for re-upping without coming before the Board and we would be happy to do that prior to re-upping --

COMPTROLLER FRANCHOT: -- here just for my edification, I asked for what the authority of the Board is. An emergency procurement greater than \$50,000 has to come to the BPW. The BPW may remand an emergency report back to an agency with specific instructions. While the contract would have already started, which it has in this instance, at the time of the reporting, the BPW could have the agency modify or terminate a contract as it sees fit. So I'll turn it over to the Treasurer and the Lieutenant Governor if anyone shares my concern that this is a payment that should have been absorbed by the company in its original \$680 million, five-year contract.

LIEUTENANT GOVERNOR RUTHERFORD: Well, I can't speak to, you know, the exact amount of the need for the \$3.2 million per month in additional. But I don't think that the, at least how I would read a contract to say, you know, emergency medical care in the pre-pandemic world, emergency medical is similar to going into an emergency room in a hospital, meaning something happened right away that a person needs to go to a hospital going through the emergency room, versus a state of emergency in a pandemic where you are having

this substantial spread of a potentially fatal virus. So I can see a distinction in that language.

I do want to point out, and Secretary Brinkley might be able to help us on that, there is a plan to seek reimbursement for these funds as they weren't originally appropriated funds, that we would seek reimbursement for this from the federal government through the CARES Act or through FEMA that we talked a little bit about. But at least seek reimbursement for these additional funds.

COMPTROLLER FRANCHOT: Well I'm going to vote no on this, period. And I just think it's an unnecessary mistaken assignment of costs. And I believe that the vendor should have assumed these costs, particularly, you know, as this unfolds. If there is some kind of federal flexibility, I would urge the State to spend those flexible dollars not on this particular obligation. I think they should spend it on other worthy items if they are able to get some flexibility. But I respect what you say. And obviously, the Secretary has got an enormous responsibility. But I'm, to the extent I can vote no, I'm going to. To the extent, if the Treasurer would like to defer it for some reason, and would not like to vote it down, I think we should send them specific instructions to renegotiate this and have the company absorb these expenses, whatever they are. I'm not even sure what the \$30 million has been spent on.

TREASURER KOPP: That's right. I am between the Governor and the Comptroller on this, and was going to suggest a deferral. Mr. Secretary, I

appreciate what you said. You had a flat rate and decided to raise it 30 percent. That's really not sufficient, from my perspective, an explanation of why these funds are required.

I do understand that this is an unforeseen emergency, and that more assistance and more equipment may well be needed. But we can't tell from this item what in fact is being paid for with the 30 percent increase. And I also would appreciate a point by point response to the questions that were raised regarding the employees and their protection. So I would, I would move to defer this and allow the Secretary the opportunity to respond appropriately.

SECRETARY GONTRUM: Madam Treasurer, if I could clarify the Board's options, the Comptroller's summary earlier is correct. Under COMAR 21.05.06.02, the Board does have the authority to take any action it deems appropriate in directing the procurement agency to alter the procurement in any way it deems necessary. The way these reports come to the Board, the Board has the option to accept the report and it has the option to remand a report. It is as binary as that, or it can be as broad as the Board wants to assert its authority. So, if you'd like to remand the report with an instruction that the department resubmit the report in a certain time period that is absolutely within the Board's authority. You can also --

COMPTROLLER FRANCHOT: I would support the next two weeks coming back with --

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TREASURER KOPP: Right. That was my intent.

LIEUTENANT GOVERNOR RUTHERFORD: I'm fine with deferring the item and giving the Secretary an opportunity to respond to the questions that the Treasurer and the Comptroller have requested.

COMPTROLLER FRANCHOT: That would be, I would like to bring it before the Board the next time, because you know, obviously if there is something that doesn't occur and isn't apparent to us right now, we should be aware of that. But thank you, Lieutenant Governor. I think that's a minimum approach and I look forward to seeing this item again two weeks from now.

SECRETARY GONTRUM: The department can withdraw the item if it wishes, or there can be a vote by the Board to remand.

LIEUTENANT GOVERNOR RUTHERFORD: The department is going to withdraw this item.

COMPTROLLER FRANCHOT: Okay. Thank you.

TREASURER KOPP: Could I suggest that the Secretary also contact our staff for all the specific --

LIEUTENANT GOVERNOR RUTHERFORD: Good point.

SECRETARY GONTRUM: We do have a request for public comment if the Board would like to hear from the two individuals who have requested to speak, or that is of course at the discretion of the Board.

LIEUTENANT GOVERNOR RUTHERFORD: I think we can wait on that. They can come back in two weeks to speak or submit written comments to the Board. Because the item is no longer on the Agenda.

COMPTROLLER FRANCHOT: And if I could just, since you brought up, Lieutenant Governor, the Election Board, I completely concur with you about the need for a much tighter operation right now on mailing of these ballots and the contents of what's being mailed. And so I share everything that you and the Treasurer said about the Board of Elections. We just need to up our game a little bit as far as making sure that the U.S. Mail system and the vendors and everybody is paying attention to what they need to do in order to get these ballots mailed on time.

LIEUTENANT GOVERNOR RUTHERFORD: Have you both gotten your ballots in Montgomery County?

COMPTROLLER FRANCHOT: I got mine. It was a couple of days ahead of my wife. I have to admit, they must have been doing it alphabetically. Both of ours, though, are in the mailbox. But what you said about Baltimore City is very troubling. Obviously, and there were some reports that, you know, the Spanish version of the ballot was --

LIEUTENANT GOVERNOR RUTHERFORD: Right --

COMPTROLLER FRANCHOT: -- you know. That is just --

LIEUTENANT GOVERNOR RUTHERFORD: -- I think you have to request that, if you request a Spanish version of another language version. I don't know how that --

COMPTROLLER FRANCHOT: -- have that flexibility. But for people that are not Spanish speaking to get a ballot that is in Spanish is not right. But as the Treasurer says, I just urge everybody to up their game and raise the level and get on the phone with these mail shops and vendors and whoever it is and, you know, every day make sure that the rest of the ballots are being delivered. I assume you got yours, Madam Treasurer, did you say that?

TREASURER KOPP: I got mine on Saturday, and Robert, my husband, got his on Monday.

COMPTROLLER FRANCHOT: Well, there you go. So --

TREASURER KOPP: Two days --

COMPTROLLER FRANCHOT: -- Montgomery County is working okay.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. Well, I guess I beat you because it's two Saturdays ago now I received mine, and my daughter received hers two Saturdays ago in Howard County. My wife got hers on the Friday before. She got hers the day before we did. So --

TREASURER KOPP: We were alerted that Montgomery County was coming later, that --

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LIEUTENANT GOVERNOR RUTHERFORD: Really?

TREASURER KOPP: -- not as a --

LIEUTENANT GOVERNOR RUTHERFORD: Hm.

TREASURER KOPP: Yeah. But I would urge also, if the Board or the Administrator believes they need support or assistance in some way, to come and tell us, to be transparent.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. No, I mean that's a good point. And we asked that question back on the 1st of April, and asked about their outreach. And I know they have a big contract doing outreach. But I don't know. Okay. But in any event --

COMPTROLLER FRANCHOT: Okay. Sorry. But thank you for bringing the subject up. It's an important one.

TREASURER KOPP: Governor, could I just add, make a point or ask a question, we don't need a discussion, on the Department of Transportation's items on this Agenda.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. I was going to ask about that as well.

TREASURER KOPP: I would just ask whether these are things that would be eligible for CARES rather than the Transportation Trust Fund.

SECRETARY GONTRUM: Secretary Slater as well as Mike Zimmerman from the Department of Transportation are available to address the emergency reports.

MR. SLATER: Good morning. For the record, Greg Slater, Secretary of the Maryland Department of Transportation. I'm happy to address your question. But absolutely, Madam Treasurer, a lot of this stuff is reimbursable through the CARES Act as well as some of our Federal Emergency Management type funds that we are working through those processes now. And in fact, we're so familiar with some of the federal processes on the emergency funds, we're entering into agreements with some of the other departments to help them kind of flow that money as well.

TREASURER KOPP: Good. (Indiscernible). Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: You were echoing for some reason.

TREASURER KOPP: I said only you might make a note on these items of the fact that you are looking into that and then I wouldn't be bugging people by asking questions.

COMPTROLLER FRANCHOT: You're not bugging anybody, Madam Treasurer.

LIEUTENANT GOVERNOR RUTHERFORD: No, that's a good question. And really bringing up the Transportation Trust Fund, I would imagine,

Secretary Slater, that is, I don't want to say taken a hit, but it has got to be a reduction because, you know, people aren't driving. There's just less, you know, fuel costs, fuel tax. So is there anything you want to say about our Transportation Trust Fund and concerns there?

MR. SLATER: Yes, sir. Great question. We are certainly have a little bit of a grim outlook right now. Our traffic is down about 45 percent. Trucks are down about half of that. So, you know, keeping that supply chain moving. But if you look at like core bus in Baltimore is down 65 percent. Our MARC and commuter bus are down 95 percent. Light Rail is down 90 percent. Even our mobility is down 75 percent, and paratransit is down 45. So you know, we have BWI Marshall, our air traffic is down 95 percent. The only piece that has really been stable is the Port of Baltimore. Our container activity is only down two percent. So we have a lot of activity flowing in and out of there. But the revenue situation is just not great right now. We have a little bit of a lag in our reporting for most of MDOT revenues. So we're largely using estimates and operational stats. We just received all of our March revenues so now they are available. And really what is significant about March is not necessarily where we started, but where we ended. So it gives us a better picture. And then on Thursday when we heard from the Bureau of Revenue Estimates on the general fund and those revenue estimates for FY '20 , '22, we wanted to make sure that we were really in line before really talking about the impact. So we're taking a similar approach to estimating

the revenues in these uncertain times looking at ranges rather than pinpointing a specific number. So the recovery timing will largely depend on kind of the public health actions and those types of things. And they are going to vary from revenue source to revenue source. So we're looking at them individually and then collectively. But in FY '20, so you know, in the next six weeks, we're working to close a revenue decline of around \$550 million. And then in FY '21 we're looking at around \$490 million to \$550 million. And then also a reduced bond sale ability of about another \$355 million to \$500 million in '21. So we have some challenging times ahead of us.

But fortunately, when the CARES Act was passed it included a good amount of money for transit and aviation. So we were able to use that to balance FY '21 and really work across the department and make that critical. So the CARES Act funding in '20 gave us about \$479 million across the department, so that was hugely helpful in being able to balance that. Of course, we have a hiring freeze and other operating budget reductions. And but we're actively assessing every single procurement and our fiscal constraints right now. We're looking at our operating budget in '21, looking at potential cuts of anywhere from five to ten percent from the legislative appropriation, and then looking at capital expenditure cuts in '21, and then trying to build our CTP from there.

So it's a very challenging time. I lived through the last recession we had. I was a brand new planning director so I had to rebuild a highway program

in the middle of that recession. So that experience is serving me well right now and bringing in some of those experts that helped at that time to help.

COMPTROLLER FRANCHOT: I'm asked from time to time, Mr. Secretary, about the, mainly by critics of two projects that I support, Purple Line in Montgomery County and Prince George's and the Beltway widening project, for lack of a better word. Are these big projects somehow back on the chopping block because of the, or is this something different from, because they are public-private partnerships?

MR. SLATER: No, sir. They are, because they are public-private partnerships, they really offer us opportunity to continue to make progress on some of those. We certainly have some challenges that we're working through with the Purple Line. I am actually meeting with them really on a daily basis to talk through some of the challenges to make sure that we can bring that to success for our citizens in that region and continuing to work through on this. In the Beltway component, we're really mindful of the situation that we're in right now publicly. So we want to make sure that we're out there in a way that we can safely engage with the community and really get their input as we're moving forward. So, you know, we're looking to have a draft environmental document out at some point towards the end of the summer to really get, maybe even sooner depending on the availability of the federal government. But also, we want to be really mindful of an environment where our public has the right amount of input in the project as

we're going forward. And so certainly a lot of changing times for a lot of those major projects.

COMPTROLLER FRANCHOT: Well, keep up the good work. But make sure at least the Treasurer and I are kept in the loop.

MR. SLATER: Sure.

COMPTROLLER FRANCHOT: Because I'm not sure about you, Madam Treasurer, but I get a lot of people inquiring. Hopefully they don't like the project generally. I do like the two projects as they are currently configured. But I don't really have, I'm just going to tell them that these are largely in a, being closely examined and considered process, I think is the best way to describe it --

LIEUTENANT GOVERNOR RUTHERFORD: Are they literally knocking at your doors to express their concerns --

COMPTROLLER FRANCHOT: Well, I live in the, in Takoma Park. And, you know, it's, people are not bashful, put it that way.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right.

TREASURER KOPP: Could I just add, Greg, at some point, it, I'm just curious with the P3s, not these particular projects necessarily, how the economy is affecting them and how you hear from around the country. It might be impacts going into this year and next. I don't mean, not right now, but as things proceed.

MR. SLATER: Sure.

TREASURER KOPP: Sort of uncharted territory.

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MR. SLATER: I'm happy to, you know, it's really about the bond market and the interest rates and how that all works. Right now, the interest rates are very good. The TIFIA interest rates are really good. We are all watching that as, you know, you start talking about (indiscernible) recessions and things like that and see how that all impacts it, if it's impacted. But yes, ma'am, we will.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you, Mr. Secretary. I do have a question on A2 and A3, and it's a simple question. I don't know if the Health Department is on.

SECRETARY GONTRUM: We have William Tilburg, who is the Executive Director of the Medical Cannabis Commission, as well as Ugo Osoh.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. It's a fairly simple question. When I saw these items, the hiring of investigators and a law firm to do some investigations regarding the licensing process that was handled by Morgan State and the Commission, did this grow out of the criminal case or allegations that basically led to the criminal case? I don't know if you can answer that but that is my question.

MR. TILBURG: Sure. Good morning, Mr. Lieutenant Governor, Mr. Comptroller, Madam Treasurer. For the record, Will Tilburg, Executive Director of the Maryland Medical Cannabis Commission. The two emergency procurements that are before you today predate any criminal charges related to

Delegate Glenn or a later lobbyist that in some measure implicated medical cannabis more broadly.

So the General Assembly in 2018 passed emergency legislation increasing the number of grower/processor licenses and the Commission developed an application process based off of that which occurred over the summer. And as you referenced, Morgan State University was contracted with to complete that evaluation. Certain concerns were raised by the public and legislators prior to the award of stage one pre-approvals in September of 2019. And at that juncture, the commissioners determined that, that's when they declared the emergency and requested staff develop these RFPs in order to fully investigate the concerns that were made by the public.

But to your question specifically, these predate any of the charges that were brought or any knowledge that the Commission or anyone else had of charges.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right.
That was my only question. Okay. All right.

COMPTROLLER FRANCHOT: Move approval --

LIEUTENANT GOVERNOR RUTHERFORD: -- the Secretary's

--

COMPTROLLER FRANCHOT: -- it's appropriate --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, there are no other questions on the Secretary's Agenda? Okay. I think, I spoke over you, Comptroller. Were you --

COMPTROLLER FRANCHOT: Moving approval. No, I was just moving approval for the Agenda. Is that okay?

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yes. That's what I --

COMPTROLLER FRANCHOT: (Indiscernible).

LIEUTENANT GOVERNOR RUTHERFORD: And I think the Comptroller was second on the items, and we're all in favor. We voted separately on 16-GM. So okay. Thank you. Department of Natural Resources?

MS. HADDAWAY-RICCIO: Hi, good morning, Governor, Madam Treasurer, and Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources and we have eight items on our Real Property Agenda today for which we are seeking your approval. And we're happy to answer any questions you may have.

TREASURER KOPP: I would appreciate, Madam Secretary (indiscernible) get the time to get, to understand 7A, the valuation system. It was very helpful. Thank you.

MS. HADDAWAY-RICCIO: Great. Thank you.

COMPTROLLER FRANCHOT: Well, I don't mean to --

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TREASURER KOPP: Second.

COMPTROLLER FRANCHOT: -- I guess we're not quizzing the Secretary a lot but move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Nothing today, but okay. And we have a second. And thank you, Madam Secretary. All approved.

MS. HADDAWAY-RICCIO: Thank you for your support.

COMPTROLLER FRANCHOT: You're welcome.

LIEUTENANT GOVERNOR RUTHERFORD: The University System.

MR. EVANS: Good morning. Joe Evans, representing the University System of Maryland. We have three items on the Agenda. We're here to answer any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning, Joe.

MR. EVANS: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Or afternoon. No, it's still morning.

MR. EVANS: No, it's still morning. I was watching the clock.

LIEUTENANT GOVERNOR RUTHERFORD: I don't have any questions on their Agenda.

COMPTROLLER FRANCHOT: Nor do I.

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TREASURER KOPP: However, 2-C, are we going to make the MBE participation rate?

MR. EVANS: The response from University of Maryland College Park is that it will make that --

TREASURER KOPP: Thirty percent.

MR. EVANS: -- participation rate. They are only 13 percent complete with the project at this point right now. So it is just a snapshot that's on the Agenda as far as compliance.

TREASURER KOPP: And will this, if it meets LEED Silver and not more, will this be a significant contribution to the net zero goal for 2050? It will be sufficient?

MR. EVANS: With that, I would have to ask Bill Olen from the University of Maryland College Park.

TREASURER KOPP: I don't want to take up everybody's time. But --

MR. EVANS: I could get the information and forward it to you, Madam Treasurer.

TREASURER KOPP: I certainly recognize the need for the dormitory to proceed. But we do have goals in law and in policy. And the University does as well on its own. Let's see how this contributes. Thanks.

MR. EVANS: We'll do a follow up.

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LIEUTENANT GOVERNOR RUTHERFORD: Joe, it's probably, this is probably something that may not be directly in your area. But I know a lot of the universities are concerned about, you know, reopening. And if, if you do reopen, how many kids will actually show up on campus versus, we have a lot of students who live probably in 45-minute drive to the University. I mean, and as I'm going to say the particular old guy comment, in my day, a lot of people who lived within a 45-minute drive, they didn't live on campus. And I could tell from, you know from, when my kids were starting to go to school, many of their classmates and my neighbors that their kids were going to either Towson or College Park, they would live on campus when, you know, there would be no way in the world I could ask my parents to let me live on campus when I lived 30 minutes or so away from the campus. I just wouldn't, I wouldn't even have thought about asking that question. But now it's an expectation. Now of course I told my kids, you've got to be two hours away to live on campus. So and they did that, too. They went two hours away. So the concern that I have is that you may find yourself with, you know, not necessarily this dormitory, but particularly some of those developments that have occurred around the campus that are privately owned but in some cases the universities, not just College Park, guarantee a certain amount of occupancy as part of their basically a public-private partnership. Has there been any concern expressed to you guys, you and the construction procurement side?

MR. EVANS: I haven't. I know at my campus I haven't heard anything on my side. But I'm not sure about College Park and them as a service center supporting the other campuses. I can certainly ask the question of the System and get you a response.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I can talk to the System about that. But it's something that I'm quite sure they are looking at.

MR. EVANS: -- more around P3s.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. More so than probably your, you know, university-owned dormitories. Because you can fill those up probably pretty quickly. So okay. I don't have any other questions.

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: And a second.

MR. EVANS: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you, Joe.
Department of Transportation? You're back.

MR. SLATER: Well, I'm one minute over so it's good afternoon.

LIEUTENANT GOVERNOR RUTHERFORD: Good afternoon.

MR. SLATER: Governor, Madam Treasurer, Mr. Comptroller, for the record, my name is Greg Slater, Secretary of the Maryland Department of Transportation. The Maryland Department of Transportation is presenting 17 items

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for your consideration today and we have representatives as well as myself here to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: I don't have any Transportation questions for you.

COMPTROLLER FRANCHOT: No, I'm very pleased with the leadership of the Secretary. I will say that and just leave it at that, that he represents the kind of transparency and accountability and communication skills that I'm envious of. And thank you, Greg, for that. And, you know, keep an eye on all the modes that you are in charge of, please.

MR. SLATER: Absolutely, sir.

TREASURER KOPP: I couldn't agree more. And I thank you for all you've done reaching out to people, Mr. Secretary.

MR. SLATER: Thank you.

TREASURER KOPP: Great job. I do have one question. If somebody can get back to me on 9-RP, I have no issue with the thing, but it says it's located in the Town of Bethesda in Montgomery County. And I'm not sure what the Town of Bethesda is. So if you could get back to me on that.

MR. SLATER: I certainly will. The Town of Bethesda is not a term that I had heard before.

TREASURER KOPP: Town with a capital letter. Yes, thank you.

MR. SLATER: I'm happy to.

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LIEUTENANT GOVERNOR RUTHERFORD: Okay. So --

COMPTROLLER FRANCHOT: So I would move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you, Mr. Secretary. It sounds like people are envious of your communication skills. So --

TREASURER KOPP: And credibility.

MR. SLATER: Thank you all.

TREASURER KOPP: Governor, people trust your Secretary. That's very good.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Okay.

MR. SLATER: I will never take that for granted.

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you very much. His wife is an educator. I think that helps, too.

TREASURER KOPP: Well, that must be it.

LIEUTENANT GOVERNOR RUTHERFORD: Department of General Services? Oh, who is this man?

MR. CHURCHILL: I am so happy to be back. I have missed this Board and I say that in all sincerity. Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary of the

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Maryland Department of General Services. Today we have 35 items, including one supplemental for your consideration. Revisions have been submitted for Items 5, 11, 19, 24, 32. And a revision has been recently submitted for Item 35, revisions including clarifying the proactive term extension and outlining the renewal option period for potential future execution, as well as additional details regarding system enhancements. The department is also withdrawing Item 16 and 34. And we are available to answer any questions you may have at this time.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, I was going to ask about 16 only from the standpoint of, you know, given that there's going to be some difficult decisions with regard to the budget going forward, just how public television is prioritizing how they are using viewer funds. And I know getting Nielsen information is important. It's just a question of timing. So I guess they will get that information to us.

COMPTROLLER FRANCHOT: Lieutenant Governor, I don't want to take up your time because everybody knows my view on Pearson and standardized testing. But if I could get marked in opposition to Agenda Item 17, I'm not going to go through my criticism of standardized testing, but you know, I do have a lot of concerns about what I view as negative consequences coming from our, what I describe as a fetish, you know, often justified by federal requirements, I guess. But I just find the whole out of state standardized testing programs to be troublesome and so I'd like to be registered as in opposition to that contract.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

COMPTROLLER FRANCHOT: Item 17. Otherwise, I would move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Madam Treasurer, would you want to hear information with regard to 17 or any of the other items?

COMPTROLLER FRANCHOT: She has already heard me speak many times in the subject, so --

TREASURER KOPP: I'm comfortable that I could say the words. I would move favorable on all the items, except Item 17.

COMPTROLLER FRANCHOT: Second.

LIEUTENANT GOVERNOR RUTHERFORD: So we should pull Item 17. It's a retroactive contract.

TREASURER KOPP: I intend to support 17.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, oh, oh. I thought you said --

TREASURER KOPP: No. Just to take it out so the Comptroller can vote against it.

LIEUTENANT GOVERNOR RUTHERFORD: Oh. All right. So we have a motion to vote on 17 separately.

TREASURER KOPP: Yes.

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COMPTROLLER FRANCHOT: I would.

LIEUTENANT GOVERNOR RUTHERFORD: All right. And so I will second your motion. I'm in favor of 17. Madam Treasurer?

TREASURER KOPP: Move favorable on 17.

COMPTROLLER FRANCHOT: I'm opposed. Thank you. Thank you for letting me register that.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Okay. And any other, do we have a motion on the floor with regard to the remainder of the General Services Agenda, or questions?

COMPTROLLER FRANCHOT: So move.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Well, thank you, stranger -- oh, Mr. Secretary.

MR. CHURCHILL: Thank you, Governor. And see you the next time.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you, everyone.

TREASURER KOPP: Thank you.

COMPTROLLER FRANCHOT: All the best.

TREASURER KOPP: Have a great day.

LIEUTENANT GOVERNOR RUTHERFORD: Take care. And congratulations again.

COMPTROLLER FRANCHOT: Thank you very much.

(Whereupon, at 12:08 p.m., the meeting was concluded.)