

## HOUSE COMMITTEE ON APPROPRIATIONS

### COMMITTEE GUIDELINES FOR THE 2021 SESSION

#### I. ATTENDANCE

Members are expected to virtually attend all committee meetings, subcommittee meetings and voting sessions. Attendance records are maintained for each scheduled meeting of the committee and the subcommittees. Attendance is noted at the beginning, middle, and end of each meeting. These records are available to the public and the press. If the absence of a member becomes excessive, the Chairman may discuss with the member reassignment to another committee. From time to time, the committee receives requests from the press and the public regarding the attendance records. Please keep this in mind, and make every effort to attend each meeting and voting session. Vote tallies are usually posted online within 24 hours.

**A. *Excused Absences*** – Members will be granted an Excused Absence for the following: 1) a legislative hearing; 2) a meeting with the Speaker; or 3) a meeting with the Governor.

**B. *Other Absences*** – If for any other reason you must leave a committee meeting or expect to be late or absent, the member may inform the Chairman’s Chief of Staff, Dana Phillips, so that the reason for the absence/tardiness can be noted appropriately. Such notification does not equate to an excused absence. It is the Chairman’s discretion to make the determination of whether an absence is excused. The member must inform the Chief of Staff, Dana Phillips, in order to be appropriately marked excused. Committee staff does not keep track of members’ conflicting bill hearings or excused absences granted by the Chief Clerk’s Office.

#### II. HEARING PROCEDURES

The committee generally has three types of hearings—bill hearings, budget hearings, and briefings. Generally, committee hearings will begin at the time published in the hearing schedule or as announced by the Chairman or subcommittee chair from the House floor.

##### **A. *Bill Hearings*** –

Every on-time bill will receive a hearing. The Chairman will continue to have full discretion over the length of the hearing. The hearing schedule will be posted the week before the hearing is scheduled, or earlier if possible. Sponsors of legislation automatically receive an email notice to their public email account of the hearing date assigned to their bill, as well as any subsequent changes to the hearing date and time.

It is very difficult to change bill hearing dates after they have been announced in the hearing schedule. Such changes inconvenience the interested public and will be authorized by the Chairman only in unusual circumstances. Advance requests to have a bill heard on a certain date can be made through the Chairman’s Assistant, Dana Phillips.

**1. *Hearing Testimony*** – Typically, testimony will be heard in the following order: (1) Sponsor testimony (2) Favorable testimony; (3) Favorable with amendments testimony; and (4) Unfavorable testimony. However, the Chairman has the discretion to change this order. All witnesses must sign up to testify prior to the start of the hearing.

Witnesses are urged NOT to read prepared testimony or to repeat prior testimony. In order to expedite the hearing and allow all witnesses an opportunity to be heard, the Chairman has the prerogative to limit questions from the members or the time for witnesses to testify.

For each bill, the committee will accept *oral* testimony according to the following categories:

- A House bill that passed the House last session will be limited to sponsor only oral testimony.
- Oral testimony on a House bill that has significant changes from the version that passed the House last session will be accepted from the sponsor, proponents, and opponents of the bill.
- A Senate bill that was crossfiled in the House will be limited to sponsor only oral testimony.
- Oral testimony on all other bills will be accepted from the sponsor, proponents, and opponents of the bill.

Witness sign-up will be open online through the Maryland General Assembly website 48 hours before a bill hearing. For example, for a Wednesday bill hearing, sign up will be open from 10am–3pm on Monday. The sign up will close at 3pm. Oral testimony will be limited to 50 witnesses per bill.

Witnesses cannot sign up as a panel because the software cannot accommodate panels. The sponsor may communicate with the committee about other witnesses who signed up that the sponsor wants to testify with and the chair will make every effort to accommodate those requests.

Once bill witness sign-up is closed, the committee staff and the Chairman will determine the bill order and the order of witnesses. No later than 3pm the day before the bill hearings, a zoom link and bill order will be sent to all bill sponsors and witnesses testifying at the hearings. This email will come from Maggie.McIntosh@house.state.md.us. Additionally, the specific bill order will be posted on the Maryland General Assembly website the day before the hearings.

The zoom link will only be sent to witnesses who sign up on the website. Staff will only admit witnesses from the waiting room who have signed up on the website and have received a link. Late oral testimony signups will not be accepted.

Sponsors of bills will be emailed shortly before their bill is to be heard in committee to minimize their time in the waiting room.

Like in-person bill hearings, sponsors of a bill will be untimed. However, all other witness testimony will be limited. A timer will be visible in gallery view in zoom for the witnesses to be aware of the remaining time.

2. *Written Testimony* – All written testimony will be open on the Maryland General Assembly website 48 hours prior to a bill hearing. For a Wednesday bill hearing, sign up will be open from 10am–3pm on Monday. Testimony will close at 3pm on Monday.

**B. Budget Hearings** – The fiscal 2022 operating and capital budgets are expected to be introduced by Wednesday, January 20, 2021. The House Appropriations Committee (APP) and the Senate Budget and Taxation (B&T) Committee will begin agency budget hearings on Thursday, January 28, 2021. In

order to accommodate the operations of the Maryland General Assembly this session, all budget hearings will be conducted virtually and jointly between APP and B&T and the various subcommittees.

Operating budget hearings for APP and B&T full committees will be held at 1:30 p.m. on Tuesdays. Operating budget hearings for subcommittees in both houses will be held at 1:30 p.m. on Mondays, Thursdays, and Fridays. Capital subcommittee hearings will be on Tuesdays following full committee hearings (approximately 3pm).

***Changes to Assignments for the 2021 Session:*** The Alcohol and Tobacco Commission is a new assignment for the 2021 session and will be heard in PSA and PSTE.

***Analysis and Committee Jurisdiction Changes:*** The following jurisdiction changes have been made:

- The Higher Education Overview will now be heard in EED (previously APP).
- The Maryland Department of Health Overview and the Department of Human Services Overview will now be heard in HSS (previously APP).
- The Department of Public Safety and Correctional Services Overview will now be heard in PSA (previously APP).
- The Chesapeake Bay Overview will now be heard in T&E (previously APP).
- The State Board of Elections will now be heard in APP (previously PSA).

The budget hearing order is usually scheduled in advance by staff. However, the Chairman or subcommittee chair may change the order of the hearing to accommodate department secretaries or agency personnel.

***Testimony:***

*1. Hearing Testimony* – The public may sign up to testify at a budget hearing prior to the start of the hearing. For budget hearings, the subcommittees will be accepting oral and written testimony. Testimony sign up will be open online through the Maryland General Assembly website 48 hours before a budget hearing (ex: for a Thursday budget hearing, testimony will be open from 10am–3pm on Tuesday). Oral testimony will be limited to 50 witnesses per agency/budget analysis.

Witnesses cannot sign up as a panel because the software cannot accommodate panels. Agencies should sign up all witnesses the agency wants available in the zoom. The agency should communicate with the committee staff about which agency witnesses will be testifying and which witnesses will be available in case specific questions arise. The zoom link will only be sent to witnesses who sign up in budget hearing witness signup. Staff will only admit witnesses from the waiting room who have signed up in the budget hearing witness sign up. Late signups will not be accepted.

No later than 3pm the day before the subcommittee hearing, subcommittee staff will submit the list to the APP subcommittee coordinator who will email the zoom link and the zoom guidelines to all witnesses before the subcommittee hearing. The APP subcommittee coordinator will send the witness testimony email for all APP and B&T subcommittee budget hearings.

Like in-person budget hearings, the budget analyst will present the agency's analysis and the agency will present and will be untimed for response. Both the budget analyst and the agency will be given co-hosting ability to share their screen for any materials.

Chairs will take questions after the analyst's presentation and after the agency's presentation. For questions, members will have to press the "raise hand function". Members will not be recognized for questions asked in the chat function. Chairs will recognize members to ask questions based on the order in the raise hand list. The Senate subcommittee chair will recognize member questions from the Senate and the House subcommittee chair will recognize member questions from the House based on the order in the questions were asked. Members must have their cameras on to ask a question.

Witnesses are urged NOT to read prepared testimony or to repeat prior testimony.

2. *Written Testimony* – All written testimony, including testimony from the department or agency, must be submitted through the Maryland General Assembly website. The name of the department or agency should appear prominently on all pages of the testimony submitted.

*D. Briefings* – Briefings are public meetings held at the request of the Chairman to provide specific budget and policy information to the Committee. Due to the nature of the briefings, only individuals who are invited by the Chairman to present may do so.

*E. Decorum* –

Members need to be signed into zoom no less than 10 minutes prior to the bill hearing or budget hearing start time. Members should make sure their zoom name is "Delegate" followed by their first and last name. Staff will be present to assist members with any technical issues or concerns as well as to admit sponsors and witnesses to testify.

For questions, members will have to use the "raise hand" function. Members will not be recognized for questions asked in the chat function. The chat function should not be used by any members for public or private conversations. The Chairman will recognize members to ask questions based on the order in the raise hand list. Members must have their cameras on to ask a question

Members are requested not to read newspapers, talk on cell phones, inappropriately use laptop computers, or otherwise indicate less than total attention to the testimony being given. Members are reminded that committee meetings and subcommittee meetings are being recorded and broadcast on the internet.

### **III. BILLS ASSIGNED TO THE COMMITTEE**

All bills referred to the Committee will be considered. A bill that has had a public hearing in a prior year during the same term may have an abbreviated hearing at the discretion of the Chairman. The Chairman has the discretion to determine when a bill will be heard. The Chairman may assign bills to the subcommittees or oversight committees for their review and recommendation after the full committee bill hearing.

### **IV. SUBCOMMITTEE MEETINGS OUTSIDE OF BUDGET HEARINGS**

While subcommittees are not subject to the Maryland Open Meetings Act, all subcommittee meetings will be livestreamed through the Maryland General Assembly website for the 2021 legislative session.

## **V. VOTING PROCEDURES**

All committee voting sessions will be livestreamed through the Maryland General Assembly website for the 2021 session. The vote lists will be available on the Maryland General Assembly website at least two days prior to the voting session. Members will receive an email from Maggie.McIntosh@house.state.md.us with the vote list the same time it is posted on the website.

**A.** A favorable vote of the majority of the members of the committee will be required to report a bill out of the committee favorably.

**B.** A favorable vote of the majority of the members of the committee present at the voting session will be required to adopt an amendment to a bill or to adopt a budget action. Votes on amendments are recorded only at the discretion of the Chairman.

**C.** A vote cast during a voting session is final. A committee member may not change his or her vote following the conclusion of a voting session.

**D. Proxy Votes** – A committee member must be present at the voting session and with their camera on in order to cast a vote.

**E. Subcommittee Votes** – A favorable vote of the majority of the subcommittee members present at the voting session will be required to recommend any action to the full committee. The Committee Chairman and Vice Chairman are voting members of each subcommittee.

**F. Amendments** – Analysts assigned to the Committee will prepare all committee amendments and amendments for the Chairman and subcommittee chairmen. Other members should contact the amendment office for the preparation of all other amendments to committee bills.

**G. For the 2021 session, the Committee will waive the rule requiring bills voted on by the Committee to be reported to the House within 3 days of the vote in Committee.**

Any amendment to be offered in committee or subcommittee must have a sponsor who is a member of the Appropriations Committee. If a legislator from another standing committee wishes to offer an amendment to a bill in committee, the legislator should contact the Chairman and/or the appropriate subcommittee chair. The Committee generally does not consider amendments to add or remove sponsors.

All amendments processed by the amendment office will be delivered electronically to members. To offer an amendment to committee, the amendment must be submitted to App1@mlis.state.md.us and to the committee counsel assigned to the bill. If there is a question about who is assigned to the bill, please email all three committee counsels.

## **VI. CAPITAL BUDGET PROCESS**

The Capital Budget Subcommittee will review the projects contained in the Governor's consolidated capital bond bill, prior authorization requests, as well as PAYGO capital projects (capital projects requested in the operating budget).

**VII. APPOINTMENTS WITH THE CHAIRMAN**

Appointments with the Chairman must be made through Dana Phillips.

**VIII. FACILITIES**

For the health and safety of members and staff, access to the committee room and the committee suite will be limited this session. The committee room will be closed during all committee virtual meetings. Committee suite access will be limited to appointments only with the Chair, Vice Chair, or staff. There will be no snacks available in the committee kitchen and there will be no materials or documents to pick up for meetings. Everything will be sent virtually or will be accessible on the floor system.

**IX. WEBSITE**

A. The Maryland General Assembly's legislative website is <http://mgaleg.maryland.gov>.

B. The budget and hearing schedule can be found on the website under the Hearing Schedule tab. The schedule will be updated frequently to reflect any changes. Any committee member impacted by schedule changes will receive notification of the change by email.