

Executive Directive



Stephen T. Moyer
Secretary

Title: Office of Government, Legislative, and Community Affairs	Secretary's Directive Number: OSPS.010.0020
Related MD Statute/Regulations: Correctional Services Article, §2-103, Annotated Code of Maryland:	Supersedes: DPSCS.010.0020, dated July 25, 2014
Related ACA Standards: 2-CO-1A-29	Responsible Authority: Director – Government, Legislative, and Community Affairs
Related MCCS Standards: N/A	Effective Date: August 28, 2015 Number of Pages: 7

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.01 Purpose.

This directive continues existing policy and responsibilities for processing Department of Public Safety and Correctional Services (Department) or unit legislative proposals; responding to requests from outside the Department for information concerning a position on, or other inquiries related to, a legislative proposal or bill; and interaction with non-department stakeholders, such as other government agencies, special interest groups, and non-governmental organizations.

.02 Scope.

This directive applies to all units of the Department.

.03 Policy.

- A. The Department shall establish a system for developing and processing Department or unit legislative proposals.
- B. The Department shall appropriately respond, in writing or verbally, to requests for information concerning a position on, or other inquiries related to a legislative proposal or a bill consistent with the best interest of the Department, a unit, employees, the State, and other government organizations.
- C. The Department shall appropriately develop partnerships and foster communication with other government agencies, advocacy and special interest groups, non-profit organizations, local communities and other stakeholders to best serve the State, Department and those affected by Department responsibilities.

.04 Definitions.

- A. In this directive, the following terms have the meanings indicated.
- B. Terms Defined.

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- (1) Bill.
 - (a) “Bill” means a document presented to the General Assembly that intends to enact, amend, or repeal law.
 - (b) “Bill” includes a:
 - (i) Senate Bill (SB); and
 - (ii) House Bill (HB) for the House of Delegates.
- (2) “Director” means the Director of the Department’s Office of Government, Legislative, and Community Affairs.
- (3) “Fiscal estimate” means a written statement that identifies, to the degree possible, the costs, monetary or other, associated with a legislative proposal or bill if signed into law.
- (4) “General Assembly Session” means the annual or a special meeting of the Maryland House of Delegates and the Senate.
- (5) “Joint Chairmen’s Report” means a summary of budget language enacted by the General Assembly for the fiscal year.
- (6) “Legislative liaison” means a Department employee designated by a unit head to act as the unit’s contact with the Director.
- (7) “Legislative proposal” means a document prepared according to requirements of the Governor’s Legislative Office, the Department of Legislative Services, and the Office of Government, Legislative, and Community Affairs that the Department is processing for presentation to the General Assembly as a bill.
- (8) “Position” means the Department’s or unit’s official decision to support, oppose, or not to support or oppose a specific legislative proposal or bill.
- (9) “Position paper” means a document recording the Department’s or a unit’s position on a specific legislative proposal or bill.
- (10) “Principal Counsel” means the Assistant Attorney General assigned to the Department.

.05 Responsibility.

- A. The Secretary is the final authority on deciding Department action concerning government, legislative, and community matters affecting the Department or a unit;
- B. The Director reports to the Assistant Secretary — Programs and Services and is responsible for the following related to Department legislative affairs:

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- (1) Coordinating communication, testimony, meetings, requests for information, position papers, fiscal estimates, or other activity concerning a legislative proposal or bill affecting the Department or a unit with:
 - (a) The Office of the Governor;
 - (b) Representatives or members of the General Assembly;
 - (c) State and local government; or
 - (d) When appropriate, other individuals or groups outside the Department or a unit;
- (2) Developing and disseminating a schedule for preparing and submitting a Department or unit legislative proposal;
- (3) Editing and revising a legislative proposal to comply with format, style, and language requirements established by the Governor's Legislative Office and the Office of Government, Legislative, and Community Affairs;
- (4) Ensuring that a unit head, or a designee, affected by a Department or unit legislative activity is appropriately involved;
- (5) Ensuring that each Department or unit legislative proposal is reviewed and found legally sufficient by Principal Counsel before the proposal is sent to the Governor's Legislative Office for approval;
- (6) Briefing the Secretary on Department or unit legislative activity;
- (7) Maintaining a complete set of bill books;
- (8) Reviewing all bills to identify the impact on the Department or a unit;
- (9) Each week during the General Assembly Session, compiling and distributing to the Office of the Secretary and each legislative liaison a schedule of hearings on bills and budgets of interest to the Department or a unit;
- (10) When appropriate, ensuring that a fiscal estimate is:
 - (a) Properly completed; and
 - (b) Forwarded to the:
 - (i) Department's budget analyst at the Department of Budget and Management; and
 - (ii) Department of Legislative Services;
- (11) Coordinating with the Deputy Secretary for Administration preparation of materials related to budget hearings;
- (12) Tracking bills affecting the Department or a unit and following the close of the session:

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- (a) If appropriate, notifying the Secretary concerning requesting a Governor's veto of a bill passed by the General Assembly;
- (b) Preparing and disseminating to the Office of the Secretary, each unit head, and each legislative liaison a summary of action taken by the General Assembly on each bill affecting the Department or a unit; and
- (c) Ensuring that steps are taken to implement newly enacted legislation, including changing existing procedures, regulations, or other administrative or operational practices;

(13) Coordinating with the Secretary, Deputy Secretaries and Assistant Secretaries to:

- (a) Assign responsibility for preparing a response to each item in the Joint Chairmen's Report; and
- (b) Establish a schedule for submitting a draft response to the Joint Chairmen's Report;

(14) Establishing, documenting, distributing, and maintaining procedures necessary to perform assigned responsibilities under this directive; and

(15) Preparing legislatively mandated reports.

C. The Director is responsible for the following related to Department government and community affairs:

- (1) Seeking, developing, and maintaining professional relationships with stakeholders, such as special interest groups, foundations, businesses, political groups, non-profit organizations, human rights activists, local communities, and other government agencies affected by Department responsibilities;
- (2) Establishing and maintaining a process for interacting with outside stakeholders, such as special interest groups, foundations, businesses, political groups, non-profit organizations, human rights activists, local communities, and other government agencies affected by Department responsibilities; and
- (3) Appropriately circulating information concerning Department actions that affect stakeholders described under §§.05C(1) and (2) of this directive.

D. A unit head, or designee, is responsible for:

- (1) When appropriate, participating in legislative activities;
- (2) Designating a unit employee as the legislative liaison;
- (3) Designating at least one unit employee to prepare fiscal estimates related to a legislative proposal or bill;
- (4) When directed, reviewing, commenting, and making recommendations on a legislative proposal or bill;

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- (5) Obtaining authorization from the Secretary or the Director before:
 - (a) Preparing a legislative proposal; or
 - (b) Responding to requests for a position on or other inquiries related to a legislative proposal or bill;
- (6) In cooperation with the Office of Government, Legislative, and Community Affairs, drafting documents related to:
 - (a) A unit-related legislative proposal or bill; or
 - (b) If instructed by the Director, a Department legislative proposal or bill that affects the unit; and
- (7) Cooperating with the Director in the performance of responsibilities established under §.05C of this directive.

E. A legislative liaison is responsible for:

- (1) Representing the unit head or having immediate access to the unit head regarding a legislative proposal or bill affecting the Department or liaison's unit;
- (2) Being familiar with the administrative and operational responsibilities of the unit;
- (3) Being familiar with Department policy and procedures related to legislative activities;
- (4) Coordinating the unit's legislative activities concerning a proposal or bill with the Director;
- (5) Appropriately circulating, within the liaison's unit, materials concerning a legislative proposal or bill;
- (6) Coordinating the unit's internal process for reviewing and commenting on a legislative proposal or bill;
- (7) When appropriate, preparing staff to testify at a legislative hearing;
- (8) When authorized by the Secretary or the Director, responding to requests for information concerning a position on, or other inquiries related to, a legislative proposal or bill;
- (9) Briefing the unit head on Department or unit legislative activities concerning a proposal or bill affecting the unit or those in which the legislative contact may be officially involved; and
- (10) Immediately notifying the Director of a request for information concerning:
 - (a) A position on, or other inquiries related to, a legislative proposal or bill; or
 - (b) Other actions requested by an individual listed under §.05B(1) of this directive.

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F. Employee involvement with Legislative Activities Concerning a Proposal or Bill.

- (1) An employee shall obtain authorization from the Secretary or the Director before the employee represents the Department, a unit, or the State concerning a legislative proposal or bill.
- (2) An employee may be involved in a legislative activity concerning a proposal or bill without approval from the Secretary or Director if the employee is acting as a private citizen and does not:
 - (a) Verbally identify the employee or another involved employee as a representative of the Department or a unit;
 - (b) Wear a uniform or other equipment that would identify the employee as a representative of the Department or a unit;
 - (c) Display any official Department or unit identification, logos, badges, shields, or other media identified with the Department or a unit; or
 - (d) Use Department or unit funds, equipment, employees, facilities, or other resources to assist the employee's involvement.

G. Requests for Information or Assistance Concerning a Proposal or Bill.

- (1) Except for provisions of §.05F(2) of this directive, an employee may not comment, formally or informally, on a proposal, bill, position, or other legislative matter without prior approval from the Secretary or the Director.
- (2) An employee receiving a request for information concerning a position on, or other inquiries related to, a legislative proposal or bill shall immediately notify the Director.

H. Legislative Hearings. According to the Governor's Legislative Office, the Department or a unit may only provide:

- (1) Written or oral testimony on a bill after:
 - (a) The Governor's Legislative Office has approved the position taken by the Department or unit concerning the bill; and
 - (b) The bill's primary sponsor, delegate or senator, has been notified, in writing, of the position under §.05H(1)(a) of this directive; or
- (2) Commentary on, position on, proposed amendment to, draft position papers, and other activities concerning a bill after approval by the Governor's Legislative Office.

I. Preparing Fiscal Estimates.

- (1) The Office of Government, Legislative, and Community Affairs shall process a request for a fiscal estimate from the Department of Legislative Services.

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- (2) The employee assigned to complete a fiscal estimate shall complete the estimate according to procedures established by the Office of Government, Legislative, and Community Affairs and forward the completed fiscal estimate through the employee's legislative liaison to the Director.

J. Legislative Hearings.

- (1) The Director, or designee, is responsible for coordinating all communications with a Department of Legislative Services policy analyst assigned to the Department.
- (2) All materials prepared for a budget committee shall be submitted to the Deputy Secretary of Administration and the Director.

K. Meetings with and Site Visits by Legislators or Designees.

- (1) If a request for the Department or a unit to participate in a meeting or host a visit to a Department facility is made in connection with Department, unit, or other legislative activities, the employee receiving the request, before honoring the request shall:
 - (a) Notify the Director through the employee's unit head of the request; and
 - (b) Obtain approval from the Director to honor the request.
- (2) If a request under §.05K(1) of this directive is made through the Office of the Secretary or the Office of Government, Legislative, and Community Affairs, the Director shall consult with an affected unit head to determine the appropriate response to the request.

.06 Attachment(s)/Links.

There are no attachments or links to this directive.

.07 History.

- A. This Executive Directive replaces DPSCS.010.0020 dated July 25, 2014 to comport with Department re-alignment.
- B. This Executive Directive supersedes provisions of any other prior existing Department or unit communication with which it may be in conflict.

.08 Operations Distribution.

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S — Legislative Liaison