

information technology expenditures for telecommunications. The reductions shall be allocated by approved budget amendment.

SECTION 35-34. AND BE IT FURTHER ENACTED, That whenever the Joint Audit Committee, through its review and evaluation process of audit reports issued by the Legislative Auditor, and after consultation with the Legislative Auditor, determines, based upon exceptions contained in the audit reports, that a particular agency (to include department, administration, division, bureau, board, or commission) does not adequately comply with State laws, rules, and regulations regarding the agency's fiscal and accounting record and procedures and/or fiscal administration activities, that the committee may recommend to the Governor that the Comptroller withhold up to 25 percent of the salary of the secretary of the department and/or of the State official deemed responsible. The amount to be withheld, the duration of such withholding, and the date of release of any amount withheld shall be recommended by the committee after consultation with the Legislative Auditor, including any recommendations that the Legislative Auditor deems appropriate. The Governor shall advise the committee as to the decision regarding the committee's recommendations. If the Governor directs that the salary of the head of the agency and/or salary of the secretary of the department and/or salary of the State official deemed responsible be withheld, the Governor may recommend the date on which the salary shall be restored to the full amount as provided in the budget and the amount withheld to be paid. The committee shall consider the recommendations of the Governor and advise the Governor as to its decision whether or not to allow the salary to be restored to the full amount as provided in the budget and the amount withheld to be paid.

SECTION 36-35. AND BE IT FURTHER ENACTED, That the fiscal 2004 appropriations made for cell phone expenditures shall be reduced by \$300,000 in general funds. The Governor shall develop a schedule for allocating this reduction to the programs of the Executive Branch.

SECTION 37-36. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) shall maintain two statewide subobjects for fiscal 2005, which were newly created for the fiscal 2004 budget year. One is for leave payout funds used when long-term employees leave State service and are entitled to payment for accrued leave, and one is for funds to be used for reclassifications and hiring above the minimum for a classification. DBM shall also create a new statewide subobject for cell phone expenditures. DBM shall further require that agency programs and subprograms specify the use to which subobject 0110 (Miscellaneous Adjustments) and 0199 (Other Fringe Benefit Costs) are being put in agency budget requests.

SECTION 38-37. AND BE IT FURTHER ENACTED, That the Department of Budget and Management (DBM) and the Maryland Department of Transportation (MDOT) are required to submit to the Department of Legislative Services' (DLS) Office of Policy Analysis:

(1) a report listing the grade, salary, title, and incumbent of each position in the Executive Pay Plan (EPP) as of July 1, October 1, January 1, and April 1; and