

ATTACHMENT A: Assurances

Checklist	ASSURANCES AND ATTACHMENTS – PLANNING PROCESS AND PUBLIC COMMENT STATEMENT	REFERENCE	DOCUMENTATION and COMMENTS
1.	The state established processes and timelines, consistent with WIA Section 111(g) – and, where appropriate, 20 CFR 641.325 (g) – to obtain input into the development of the Integrated Workforce Plan and to give opportunity for comment by representatives of local elected officials, local workforce investment boards, businesses, labor organizations, other primary stakeholders, and the general public.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d) 20 CFR 641.325(f), (g), (h), 20 CFR 641.335	All LWIBs submit Local Comprehensive Five Year Plans. These Plans are compiled and integrated into the State Plan Local Comprehensive Workforce Investment Act Five Year Plan WIFI 10-99 (Word document, 148KB) - January 4, 2000
2.	The state afforded opportunities to those responsible for planning or administering programs and activities covered in the Integrated Workforce Plan to review and comment on the draft plan.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d)	<i>Staff meetings, at least weekly, provided staff opportunities for comments on and input into the draft plan.</i>
3.	The final Integrated Workforce Plan and State Operational Plan are available and accessible to the general public.		The revised Integrated Workforce and Operational Plan will be available on the DLLR website once completed. http://www.dllr.state.md.us/employment/jtpa.shtml
4.	The state afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the organizations listed above and allowed at least 30 days for review and comment. The State considered any comments received in formulating its	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d) 20 CFR 653.107 (d) 20 CFR 653.108(f)	<i>The State Monitor advocate was provided an opportunity to approve and comment on the Agricultural Outreach Plan and help draft it.</i> <i>Notice was sent via e-mail to Telamon Corp, MD 167 grantee.</i>

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	final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan.		
5.	In the development of the plan, the state considered the recommendations submitted by the State Monitor Advocate in the annual summary of services to Migrant and Seasonal Farmworkers.	20 CFR 653.108(t)	<i>The state Monitor Advocate helped to develop the plan. There were no recommendations made in the annual summary that need to be addressed.</i>
6	The state established a written policy and procedure to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.	WIA Sections 111(g), 112(b)(9), 117(e) 20 CFR 661.207	http://www.oag.state.md.us/Opengov/openmtg.pdf Staff assesses meeting locations to ensure they accommodate public access (including access by people with disabilities). Maryland continues to ensure that One-Stop Centers provide physical, programmatic, and communication access for individuals with disabilities. Universal access is included in the One-Stop continuous improvement program. In 2010, One-Stop Centers received funds to make improvements in signage, computer equipment, software, and other purchases. Priority purchases include the enhancement to meet Americans with Disability Act requirements.
8.	The state made available to the public state-imposed requirements, such as state-wide policies or guidance, for the statewide public workforce system, including policy for the use of WIA title I statewide funds.	WIA Sections 112(b)(2), 129, 134 20 CFR 665.100	<i>All public policies created by the state in association with the locals are available at:</i> http://www.dlir.state.md.us/employment/wifi/
9.	The state established a written policy and procedure that identifies circumstances that might present a conflict of interest for any state or local workforce investment board member or the entity that s/he represents, and provides for the resolution of conflicts. The policy meets the requirements of WIA Sections 111(f) and 117(g).	WIA Sections 112(b)(13), 111(f), 117(g)	<i>Conflict of interest assurances are attached to all local plans</i> <i>The SWIB is in the processing of updating a policy on Conflict of Interest. Additionally, all board members have to undergo ethics commission filings to disclose conflicts of interest.</i>
10.	The state has established a written policy and procedure that describes the state's appeals process	WIA Sections 112(b)(15), 116(a)(5) 20 CFR 661.280	<i>The GWIB is in the processing of developing a policy</i>

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	available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116.	20 CFR 667.700	
11.	The state established written policy and procedures that describe the state’s appeal process for requests not granted for automatic or temporary and subsequent designation as a local workforce investment area.	20 CFR 667.640 20 CFR 662.280	<i>The GWIB is in the processing of updating a policy</i>
12.	The state established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members.	WIA Sections 112(b)(6), 117(b) 20 CFR 661.300(a), 20 CFR 661.325	Local Workforce Investment Board (LWIB) - Chief Local Elected Official (CLEO) Working Agreements WIFI 8-99 (Word document, 99KB) - December 6, 1999
13.	The state established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years.	WIA Sec 117(c) 20 CFR 661.325	Recertification of Local Workforce Investment Boards WIFI 3-02 (Word document, 89KB) - November 26, 2002
14.	Where an alternative entity takes the place of an SWIB, the state has written policy and procedures to ensure the alternative entity meets the definition under section 111(e) and the legal requirements for membership.	WIA Sections 111(e), (b) 20 CFR 661.210	<i>Not Applicable</i>
15.	Where the alternative entity does not provide representative membership of the categories of required SWIB membership, the state has a written policy or procedure to ensure an ongoing role for any unrepresented membership group in the workforce investment system. (Only applicable in cases where a state uses an alternative entity as its SWIB, and that entity does not provide for representative	WIA Sections 111(b), (e) 20 CFR 661.210(c)	<i>Not Applicable</i>

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	membership by individuals in the categories required by WIA sec. 111(b).)		
16.	When applicable, the state takes any action necessary to assist local areas in developing and implementing the One Stop system.	WIA Sections 112(b)(14), 134(c) W-P Section 8(c)	<i>State monitor/liaisons provide continual technical assistance.</i>
17.	The state established procedures for determining initial and subsequent eligibility of training providers.	WIA Sections 112(b)(17)(A)(iii), 122, 134(d)(4) 20 CFR 663.515, 663.535	<i>MD Higher Education Commission provides eligibility list</i> http://www.mhec.state.md.us/career/WIA/index.asp
18.	All partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One Stop Career Centers.	WIA Section 188 W-P Section 8(b) 29 CFR part 37 20 CFR 652.8(j)	<i>Language included in strategic plan and regular EEO reviews assure compliance.</i> The State ensures that 1. Services are accessible at all sites to all populations 2. Plans are in place to serve special populations through local plans. DWDAL's Disability and Youth Services Coordinator provides ongoing technical assistance guidance and training regarding all aspects of accessibility for individuals with disabilities. DLLR conducts customer satisfaction surveys (both participants and employers) through the LWIBs. WIA Follow-up Customer Survey Activities WIFI 15-99 (Word document, 49KB) - June 27, 2000
19.	The state ensures that outreach is provided to populations and sub-populations who can benefit from One Stop Career Center services.	WIA Section 188 29 CFR 37	Priority of Service Guidelines WIFI 4-99 (Word document, 23KB) - December 6, 1999
20	The state implements universal access to programs and activities to all individuals through reasonable recruitment targeting, outreach efforts, assessments, services delivery, partnership development, and numeric goals.	WIA Section 188 29 CFR 37.42	Priority of Service Guidelines WIFI 4-99 (Word document, 23KB) - December 6, 1999
21	The state complies with the nondiscrimination provisions of section 188, including that Methods of Administration were developed and implemented.	WIA Section 188 29 CFR 37.20	http://dllr.maryland.gov/oeope/ndiscrimcomp.shtml
22	The state collects and maintains data necessary to show compliance with nondiscrimination	WIA Section 185	As a recipient of Workforce Investment Act (WIA) Title I financial assistance, the state provides initial and continuing notice that it does not discriminate on any prohibited ground, to: registrants, applicants, eligible applicants/recipients, participants, applicants for employment,

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	provisions of section 188.		<p>employees and members of the public, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients.</p> <p>One Stop Career Center and Programmatic Monitoring WIFI 7-12 - September 20, 2012 (Word document, 79KB) (PDF document, 1MB)</p>
23	For WIA Single-Area States only, the state has memorandums of understanding between the local workforce investment board and each of the One-Stop partners concerning the operation of the One-Stop delivery system in the local area.	WIA Sections 112(b)(5), 116(b), 118(b)(2)(B), 20 CFR 661.350(a)(3)(ii)	Not Applicable
24	The state established written policy and procedures that outline the methods and factors used in distributing funds, including WIA Adult, Dislocated Worker, and Youth formula and rapid response funds. The policy establishes a process for funds distribution to local areas for youth activities under WIA Section 128(b)(3)(B), and for adult and training activities under WIA Section 133(b), to the level of detail required by Section 112(b)(12)(a). In addition, the policy establishes a formula, prescribed by the governor under Section 133(b)(2)(B), for the allocation of funds to local areas for dislocated worker employment and training activities.	WIA Sections 111(d)(5), 112(b)(12)(A), (C), 128 (b)(3)(B), 133(b)(2)(B), 133(b)(3)(B) 20 CFR 661.205(e)	<p>The DWDAL Allocation Formula Process is reviewed and approved by a joint workgroup consisting of State Program and Fiscal Staff and WIA Directors.</p> <p>For questions 24- 32- Please see the attached DWDAL Policy: "DWDAL Grant Allocation Process". Please see the detailed description of the DWDAL Allocation Formula Process: "DWDAL Allocation Presentation 08-11-11".</p> <p><i>Annual WIFI promulgated</i> <i>Most recently WIFI 12-11</i> http://www.dlrr.state.md.us/employment/wifi/wifi12-11.pdf</p>
24a.	For Dislocated Worker funding formulas, the state's policy and procedure includes the data used and weights assigned. If the state uses other information or chooses to omit any of the information sources set forth in WIA when determining the	WIA Section 133(b)(2)(B) 20 CFR 667.130(e)(2)(i)-(ii)	DWDAL uses the reviewed and agreed upon data used and weights assigned. The State does not choose to use other information or does not omit any of the information set forth in WIA.

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	Dislocated Worker formula, the state assures that written rationale exists to explain the decision.		
25.	The state established a written policy and procedure for how the individuals and entities represented on the SWIB help to determine the methods and factors of distribution, and how the state consults with chief elected officials in local workforce investment areas throughout the state in determining the distributions.	WIA Sections 111(d)(5), 112(b)(12)(A), 128(b)(3)(B), 133(b)(3)(B), 20 CFR 661.205(e)	DWDAL has established a practice that the Formula Allocation Process is reviewed by a Workgroup consisting of State Program and Fiscal Staff and WIA Directors. The information reviewed and agreed upon by the Workgroup is presented and made available to all WIA Directors, WIA Fiscal Staff and State Staff. The information is shared at the established quarterly meeting between WIA Directors, WIA Fiscal Staff and State Administration, Program and Fiscal Staff.
26.	The state established written policy and procedures for any distribution of funds to local workforce investment areas reserved for rapid response activities, including the timing and process for determining whether a distribution will take place.	WIA Sections 133(a)(2), 134(a)(2)(A) 20 CFR 667.130(b)(2), (e)(4), 665.340	DWDAL has established a review, evaluation and approval process for all requests for the distribution of Rapid Response Funds. The Dislocation Services Unit and Management consider documented needs, documented ability to deliver services, risk factors, as well as local economic factors. DWDAL Fiscal Staff reviews and determines the availability of funds. This is a joint review and approval process among Administration, Program and Fiscal.
27.	The state established written policy and procedures to competitively award grants and contracts for WIA Title I activities.	WIA Section 112(b)(16)	Please see the attached copy of the DWDAL Procurement Policy. DWDAL follows both WIA Procurement Policy and the State of Maryland Procurement Policies. However, since the reduction of the WIA Statewide funds, DWDAL must allocate the Statewide funds to cover mandated activities. The ability to fund discretionary or innovative activities is greatly reduced.
28.	The state established written criteria to be used by local workforce investment boards in awarding grants for youth activities, including criteria that the governor and local workforce investment boards will use to identify effective and ineffective youth activities and providers of such activities.	WIA Sections 112(b)(18)(B), 123, 129	Due to the reduction of WIA Statewide funds from 15% to 5%, DWDAL is allocating the remaining Statewide funds to fund mandated activities. Funding for discretionary Youth Activities is no longer available. DWDAL receives a modest annual allocation of State General funds for Summer Youth Programs. These funds are allocated based on the percentage share of the WIA Youth Allocation formula. DWDAL also receives an annual allocation of State General funds for a Youth Employment Program in Baltimore City to address existing needs. These funds are designated by the Governor's Office for the specific geographic area.
29.	The state established written criteria for a process to award a grant or contract on a competitive basis for Summer Youth Employment Opportunities element of	WIA Sections 123, 129(c)(2)(C) 20 CFR 664.610.	Local areas determine youth vendors and activities. Please see the above comments for Section 28

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	the local youth program, where a provider is other than the grant recipient/fiscal agent.		
30.	The state distributes adult and youth funds received under WIA equitably throughout the state, and no local areas suffer significant shifts in funding from year-to-year during the period covered by this plan.	WIA Section 112(b)(12)(B)	The State of Maryland elected to apply the “hold-harmless” provision (see 20 CFR 667.135) in the allocation of Adult and Youth funds to local areas. This ensures that the relative percentage share of each local area does not decrease by 10% or more in any given year, in order to avoid significant shifts in funding.
31.	The state established written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to ensure the proper disbursement and accounting of funds paid to the state through funding allotments made for WIA Adult, Dislocated Worker, and Youth programs, and the Wagner-Peyser Act.	WIA Sections 112(b)(11), 127, 132, 184 W-P Sections 9(a), (c) 20 CFR 652.8(b), (c)	The fiscal operations of all DOL/ETA funded programs are administered through the State of Maryland Accounting System (FMIS) and are governed by all applicable State of Maryland laws, policies and procedures. This applies both to the Financial Management System and Procurement of Services. This includes an annual Independent Financial Audit as required by OMB Circular A-133.
32.	The state ensures compliance with the uniform administrative requirements in WIA through annual, onsite monitoring of each local area.	WIA Sections 184(a)(3), (4)	Please see the attached copy of the DLLR DWDAL Monitoring Policy for both Fiscal and Program Monitoring Activities.
33.	The state follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIA, and applicable Departmental regulations.	WIA Sections 136(f)(2), (f)(3), 122, 185(a)(4)(B) 20 USC 1232g 20 CFR 666.150 20 CFR part 603	The State has reviewed WIA Sections 136(f)(2), f(3), 122,185(a)(4)(B); 20 USC 1232g; 20 CFR 666.150; and 20 CFR 603and is in compliance with the confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974(FERPA), as amended, WIA, and applicable Department of Labor regulations. Memorandum of Understand -- Data Sharing Agreement (Word document, 98KB)
34.	The state will not use funds received under WIA to assist, promote, or deter union organizing.	WIA Section 181(b)(7) 20 CFR 663.730	<i>Maryland follows federal regulations and is working on developing a policy</i>
35.	Where the SWIB chooses to establish them, the state established definitions and eligibility documentation requirements regarding the “deficient in basic literacy skills” criterion.	WIA Sections 101(13)(C)(i) CFR 664.205(b)	Participant Eligibility Policies - Adult, Youth and Dislocated Workers WIFI 2-99 (Word document, 33KB) - December 6, 1999

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36.	Where the SWIB chooses to establish them, the state established definitions and eligibility documentation requirements regarding “requires additional assistance to complete and educational program, or to secure and hold employment” criterion.	WIA Sections 101(13)(C)(iv), 20 CFR 664.200(c)(6), 664.210	Participant Eligibility Policies - Adult, Youth and Dislocated Workers WIFI 2-99 (Word document, 33KB) - December 6, 1999
37.	The state established policies, procedures, and criteria for prioritizing adult title I employment and training funds for use by recipients of public assistance and other low-income individuals in the local area when funds are limited.	WIA Section 134(d)(4)(E), 20 CFR 663.600	Participant Eligibility Policies - Adult, Youth and Dislocated Workers WIFI 2-99 (Word document, 33KB) - December 6, 1999
38.	The state established policies for the delivery of priority of service for veterans and eligible spouses by the state workforce agency or agencies, local workforce investment boards, and One Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The state policies: Ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service; and Ensure that covered persons are aware of: Their entitlement to priority of service; The full array of employment, training, and placement services available under priority of service; and Any applicable eligibility requirements for those programs and/or services. Require local workforce investment boards to develop and include policies in their local plan to implement priority of service for the local One Stop Career Centers and	WIA Sections 112(b)(17)(B), 322, 38 USC Chapter 41, 20 CFR 1001.120-.125, Jobs for Veterans Act, P.L. 107-288, 38 USC 4215, 20 CFR 1010.230, 1010.300-.310	<i>Local area policy</i> http://www.dlrr.state.md.us/employment/wifi/wifi2-10.pdf

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	for service delivery by local workforce preparation and training providers.		
39.	<p>The state assures that Migrant and Seasonal Farmworker (MSFW) significant office requirements are met. Note: The five states with the highest estimated year-round MSFW activities must assign full-time, year-round staff to outreach activities. The Employment and Training Administration designates these states each year. The remainder of the top 20 significant MSFW states must make maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period of highest activity.</p> <p>If a state proposes that its State Monitor Advocate work less than full-time, the state must submit, for approval by the Department, a plan for less than full-time work, demonstrating that the state MSFW Monitor Advocate function can be effectively performed with part-time staffing.</p>	<p>WIA Section 112(b)(8)(A)(iii), 112(b)(17)(A)(iv) W-P Sections 3(a), (c)(1)-(2) 20 CFR 653.107(a), 107(i), 653.112(a), 653.108(d)(1)</p>	<p><i>MD state Monitor Advocate is a full-time state merit staff position. Significant Office reviews are conducted annually per regulations.</i></p>
40.	<p>Merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Departmental regulations.</p>	<p>W-P Sections 3(a), 5(b) 20 CFR 652.215 Intergovernmental Personnel Act, 42 USC 4728(b)</p>	<p><i>Merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Departmental regulations</i></p>
41.	<p>The state has designated at least one person in each state or Federal employment office to promote and develop employment opportunities, job counseling, and placement for individuals with disabilities.</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	<p><i>DWDAL's Disability and Youth Services Coordinator provides disability and youth services coordination and technical assistance to the State of Maryland Workforce Development System; workforce professionals, and its partners in a strategic, coordinated approach to ensuring assistance training to workforce development professionals and partners responsible for serving youth and customers with disabilities.</i></p>
42.	<p>If a SWIB, department, or agency administers state laws for vocational</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	<p><i>The MD Dept. of Rehabilitative Services is a partner in all local areas. DWDAL's Disability and Youth Services Coordinator assists with DORS partnership facilitation, improvement and maintenance on an ongoing</i></p>

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	rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services.		<i>basis with all local areas.</i>

STATEMENT OF ASSURANCES CERTIFICATION

The State Maryland certifies on the 21st day of month of September in 2012 that the Integrated Workforce Plan complied with all of required components of the Workforce Investment Act and Wagner-Peyser Act. The State, also assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act and their regulations, written Department of Labor guidance implementing these laws, and all other applicable Federal and state laws and regulations.

Governor

Date

Attachment A - Program Administration Designees and Plan Signatures

Name of WIA Title I Grant Recipient Agency:

Maryland Department of Labor, Licensing & Regulation

Address: 1100 N. Eutaw Street, Suite 108, Baltimore, MD 21201

Telephone Number: (410) 767-2999

Facsimile Number: (410) 333 5355

E-mail Address: JSquire@dllr.state.md.us

Name of State WIA Title I Administrative Agency: (SAME AS ABOVE)

Name of WIA Title I Signatory Official:

Leonard J. Howie, III Secretary

Address: 500 N. Calvert Street, Baltimore, MD 21201

Telephone Number: (410) 230-6004

Facsimile Number: (410) 333-0853

E-mail Address: LHowie@dllr.state.md.us

Name of WIA Title I Liaison:

Julie Squire, Assistant Secretary

Division of Workforce Development & Adult Learning

Address: 1100 N. Eutaw Street, Suite 108 Baltimore, MD 21201

Telephone Number: 410-767-2999

Facsimile Number: 410-333-5355

E-mail Address: JSquire@dllr.state.md.us

Name of Wagner-Peyser Act Grant Recipient/State Employment Security Agency:

Julie Squire, Assistant Secretary

Division of Workforce Development & Adult Learning

Address: 1100 N. Eutaw Street Suite 108 Baltimore, MD 21201

Telephone Number: 410-767-2999

Facsimile Number: 410-333-5355

E-mail Address: JSquire@dllr.state.md.us

Name and Title of State Employment Security Administrator (Signatory Official):

Leonard J. Howie, III, Secretary

Address: 500 N. Calvert Street, Baltimore, MD 21201

Telephone Number: (410) 230-6001

Facsimile Number: (410) 333-0853

E-mail Address: LHowie@dllr.state.md.us

As the Governor, I certify that for the State of Maryland, the agencies and officials designated above have been duly designated to represent the State/Commonwealth/Territory in the capacities indicated for the Workforce Investment Act, title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate our Workforce Investment Act and Wagner-Peyser Act programs in accordance with this plan and the assurances herein.

Typed Name of Governor: Honorable Martin O'Malley

Signature of Governor_____ **Date**_____