

HB1407/853120/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1407
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “or altering” and substitute “, altering, or requiring”; in line 4, after “appropriations;” insert “specifying that the requirement to waive a certain fee for the filing of certain documents by certain business entities shall begin in a certain fiscal year;”; in line 7, after “revenues;” insert “requiring the budget books to include certain data and the results of certain calculations used to calculate certain State education aid; requiring a supplemental budget bill that includes a certain appropriation to include certain data and the results of certain calculations used to calculate certain State education aid;”; in line 13, after “County;” insert “requiring a certain certification to be included in a certain major capital project request;”; in line 18, after “funds;” insert “requiring the transfer of certain funds; requiring certain funds to be transferred in accordance with a certain provision of law;”; and after line 20, insert:

“BY repealing and reenacting, without amendments,

Article - Corporations and Associations

Section 1-203(b)(3)(ii)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article - Corporations and Associations

Section 1-203(b)(13)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”.

On page 2, in line 20, after “6-104(a)(1).” insert “7-115(a) and (b).”; in line 26, strike “3A-309(f)” and substitute “3A-309(f) and (l)”; after line 28, insert:

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“BY adding to

Article - State Finance and Procurement
Section 7-115(g) and 7-120
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article - State Government
Section 9-1A-31(a)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article - State Government
Section 9-1A-31(a)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)”;

and after line 33, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation
Section 2-103.1(c)(6) and 3-216(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article - Transportation
Section 3-216(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)”.

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On page 13, in lines 17, 21, 24, and 28, strike “4.”, “5.”, “6.”, and “7.”, respectively, and substitute “5.”, “6.”, “7.”, and “8.”, respectively.

On page 14, in line 15, strike “11.” and substitute “14.”.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“Article – Corporations and Associations

1–203.

(b) (3) (ii) Except as provided in paragraph (13) of this subsection, for each of the following documents which are filed but not recorded, the filing fee is as indicated:

Annual report of a Maryland corporation, except a charitable or benevolent institution, nonstock corporation, savings and loan corporation, credit union, family farm, and banking institution.....\$300

Annual report of a foreign corporation subject to the jurisdiction of this State, except a national banking association, savings and loan association, credit union, nonstock corporation, and charitable and benevolent institution.....\$300

Annual report of a Maryland savings and loan association, banking institution, or credit union or of a foreign savings and loan association, national banking association, or credit union that is subject to the jurisdiction of this State.....\$300

Annual report of a Maryland limited liability company, limited liability partnership, limited partnership, or of a foreign limited liability company, foreign

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limited liability partnership, or foreign limited partnership, except a family farm.....\$300

Annual report of a business trust.....\$300

Annual report of a real estate investment trust or foreign statutory trust doing business in this State.....\$300

Annual report of a family farm.....\$100

(13) [The] BEGINNING IN FISCAL YEAR 2022, THE Department shall waive the filing fee for a business entity described under paragraph (3)(ii) of this subsection for each year that the entity provides evidence to the Department that:

(i) The entity is required to comply with and is in compliance with Title 12 of the Labor and Employment Article; or

(ii) The entity otherwise provides an employer-offered savings arrangement, as defined in § 12-101(e) of the Labor and Employment Article, that is in compliance with federal law.”.

On page 14, before line 15, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2021 only, the fees collected under § 1-203(b)(3)(ii) of the Corporations and Associations Article shall be distributed as follows:

(1) the first \$66,250,000 shall be credited to the General Fund; and

(2) the remainder shall be credited to the Commission on Innovation and Excellence in Education Fund established under § 5-219 of the Education Article.”.

AMENDMENT NO. 3

On page 6, after line 3, insert:

“(l) Notwithstanding subsection (b) of this section, [all] money paid into the Fund under subsection (e)(2) of this section [shall] MAY be used to support the State telecommunication and computer network established under § 3A-404 of this title, including program development for these activities.”.

On page 11, before line 22, insert:

“3-216.

(a) There is a Transportation Trust Fund for the Department.

(b) (1) Except as otherwise expressly provided by statute AND PARAGRAPH (2) OF THIS SUBSECTION, there shall be credited to the Transportation Trust Fund for the account of the Department all taxes, fees, charges, and revenues collected or received by or paid, appropriated, or credited to the account of the Department or any of its units in the exercise of their rights, powers, duties, or obligations, including the cash proceeds of the sale of consolidated transportation bonds, notes, or other evidences of obligation issued by the Department, any General Fund appropriations, and the proceeds of any State loan or federal grant made for transportation purposes.

(2) ANY REVENUES FROM AN INFORMATION TECHNOLOGY AGREEMENT INVOLVING RESOURCE SHARING THAT ARE COLLECTED OR RECEIVED BY OR PAID, APPROPRIATED, OR CREDITED TO THE ACCOUNT OF THE DEPARTMENT OR ANY OF ITS UNITS SHALL BE DISTRIBUTED TO THE MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUND ESTABLISHED UNDER § 3A-309 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.”.

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AMENDMENT NO. 4

On page 6, in line 28, strike “**0.25%**” and substitute “**0.225%**”.

AMENDMENT NO. 5

On page 6, after line 33, insert:

“7-115.

(a) On submission of the budget bill to the presiding officers of the General Assembly, the Governor shall provide the supporting material specified in this section.

(b) The Governor shall provide budget books that include the information required in this section.

(G) THE BUDGET BOOKS SHALL INCLUDE SUPPORTING DATA AND THE RESULTS OF THE CALCULATIONS REQUIRED UNDER § 5-202(L) OF THE EDUCATION ARTICLE.

7-120.

ON SUBMISSION OF A SUPPLEMENTAL BUDGET BILL TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY THAT INCLUDES AN APPROPRIATION IN ACCORDANCE WITH § 5-202(L) OF THE EDUCATION ARTICLE, THE GOVERNOR SHALL PROVIDE SUPPORTING DATA AND THE RESULTS OF THE CALCULATIONS REQUIRED UNDER THAT SUBSECTION.”.

AMENDMENT NO. 6

On page 7, in line 25, strike “**ONE-TIME BONUS IN FISCAL YEAR 2021**” and substitute “**COST-OF-LIVING ADJUSTMENT OF UP TO 2% BEGINNING JULY 1, 2020,**”; in lines 26 and 27, strike “**EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES**” and substitute “**EXECUTIVE BRANCH**”; and in line 27, strike “**ARE NOT:**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 28 on page 7 through line 1 on page 8, inclusive, and substitute “ARE IN A BARGAINING UNIT THAT IS REPRESENTED BY ONE OF THE FOLLOWING EXCLUSIVE REPRESENTATIVES:

(1) THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, EXCLUDING A BARGAINING UNIT REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO LOCAL 1859;

(2) AFT HEALTHCARE-MARYLAND, AFT, AFL-CIO LOCAL 5197;

OR

(3) THE MARYLAND PROFESSIONAL EMPLOYEES COUNCIL/AFT/AFL-CIO LOCAL 6197.”

On page 9, in line 7, strike “ONE-TIME BONUS” and substitute “COST-OF-LIVING ADJUSTMENT OF UP TO 2% BEGINNING JULY 1, 2020,”; in line 8, strike “EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES” and substitute “EXECUTIVE BRANCH”; in line 9, strike “ARE NOT:”; strike in their entirety lines 10 through 16, inclusive, and substitute “ARE IN A BARGAINING UNIT THAT IS REPRESENTED BY ONE OF THE FOLLOWING EXCLUSIVE REPRESENTATIVES:

(1) THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, EXCLUDING A BARGAINING UNIT REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO LOCAL 1859;

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(2) AFT HEALTHCARE-MARYLAND, AFT, AFL-CIO LOCAL 5197;

OR

(3) THE MARYLAND PROFESSIONAL EMPLOYEES COUNCIL/AFT/AFL-CIO LOCAL 6197.”;

in lines 27 and 28, strike “ONE-TIME BONUS IN FISCAL YEAR 2021” and substitute “COST-OF-LIVING ADJUSTMENT OF UP TO 2% BEGINNING JULY 1, 2020,”; in lines 28 and 29, strike “EXECUTIVE, JUDICIAL, AND LEGISLATIVE BRANCHES” and substitute “EXECUTIVE BRANCH”; and in line 29, strike “ARE NOT:”.

On pages 9 and 10, strike in their entirety the lines beginning with line 30 on page 9 through line 4 on page 10, inclusive, and substitute “ARE IN A BARGAINING UNIT THAT IS REPRESENTED BY ONE OF THE FOLLOWING EXCLUSIVE REPRESENTATIVES:

(1) THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, EXCLUDING A BARGAINING UNIT REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO LOCAL 1859;

(2) AFT HEALTHCARE-MARYLAND, AFT, AFL-CIO LOCAL 5197;

OR

(3) THE MARYLAND PROFESSIONAL EMPLOYEES COUNCIL/AFT/AFL-CIO LOCAL 6197.”.

AMENDMENT NO. 7

On page 10, after line 5, insert:

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“9-1A-31.

(a) (1) Except as provided in paragraph (8) of this subsection, the local impact grants provided under § 9-1A-27 of this subtitle shall be distributed as provided in this subsection.

(2) The following amounts shall be distributed to the following jurisdictions:

(i) Allegany County – \$200,000;

(ii) Cecil County – \$130,000;

(III) TOWN OF FOREST HEIGHTS – \$120,000;

~~[(iii)]~~ (IV) Town of Perryville – \$70,000; and

~~[(iv)]~~ (V) Worcester County – \$200,000.”.

AMENDMENT NO. 8

On page 11, after line 21, insert:

“Article – Transportation

2-103.1.

(c) (6) For a major capital project to be considered for inclusion in the construction program of the Consolidated Transportation Program, a request must be submitted to the Secretary by the proposing entity along with a purpose and need summary statement justifying the project that includes:

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(i) The location of the project, including a map of the project limits, project area, or transportation corridor;

(ii) The need for the project; [and]

(iii) A discussion of how the project:

1. Addresses State transportation goals; and

2. Supports local government land use plans and goals;

AND

(IV) A CERTIFICATION THAT ALL MEMBERS OF THE LEGISLATIVE DELEGATION OF THE COUNTY IN WHICH THE PROJECT IS LOCATED HAVE BEEN NOTIFIED.”.

AMENDMENT NO. 9

On page 12, in line 6, strike “\$314,825,000” and substitute “\$309,825,000”.

AMENDMENT NO. 10

On page 13, after line 16, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the unexpended appropriation for residential per diems within the Department of Juvenile Services that was included in the fiscal year 2019 operating budget (Chapter 570 of the Acts of 2018) shall be reduced by \$500,000 in general funds.”.

AMENDMENT NO. 11

On page 13, strike in their entirety lines 33 through 36, inclusive.

AMENDMENT NO. 12

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On page 14, after line 14, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That, for fiscal year 2020, a budget amendment to transfer funds from the Revenue Stabilization Account or the Dedicated Purpose Account may be processed only in accordance with Section 10 of this Act and the transferred funds may be used only for purposes as specified in the fiscal year 2020 operating budget bill.”.

AMENDMENT NO. 13

On page 14, after line 14, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That, on or before June 30, 2019, the \$820,750 identified in the fiscal year 2018 closeout audit as being improperly retained by the Field Operations Bureau (W00A01.02) within the Department of State Police shall be credited to the General Fund.”.