

SENATE BILL 810

Unofficial Copy
F1

2000 Regular Session
(01r0124)

ENROLLED BILL

-- Budget and Taxation and Economic and Environmental Affairs/Ways and Means --

Introduced by **The President (Administration) and Senators Miller, Blount, Hoffman, Collins, Currie, Dyson, Exum, Frosh, Green, Hafer, Hollinger, Hughes, Jimeno, Kasemeyer, Kelley, Lawlah, McFadden, Mitchell, Pinsky, Ruben, Sfikas, Stone, and ~~Van Hollen~~ Van Hollen, Middleton, and Munson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 493

1 AN ACT concerning

2 **Governor's Teacher Salary Challenge Program - Public School ~~Teacher~~**
3 **Salary Funding Enhancement**

4 FOR the purpose of establishing the Governor's Teacher Salary Challenge Program;
5 requiring the State Board of Education to make certain grants to ~~local education~~
6 ~~agencies~~ county boards of education under certain circumstances; specifying
7 certain formulas for calculating certain grants; requiring ~~local education~~
8 ~~agencies~~ county boards of education under certain circumstances to submit
9 certain applications to the Department of Budget and Management and the
10 State Superintendent of ~~Education~~ Schools by a certain date; requiring the
11 Governor to include certain funding in the State budget; establishing certain
12 requirements and procedures for the operation of the Governor's Teacher Salary
13 Challenge Program; establishing a transitional education fund to be used for a

1 certain purpose; requiring that certain reimbursements for retirement
2 contributions be credited to the fund; providing that certain fund balances
3 remain in the fund for a certain period; providing for the termination of the
4 fund; *establishing the Maryland Academic Intervention and Support Program;*
5 *providing that the Program be funded in a certain manner and that the funds be*
6 *used for certain purposes; requiring the State Board of Education to develop*
7 *certain criteria by which county boards of education may submit certain plans*
8 *for approval with regard to the Program; authorizing schools to determine*
9 *student eligibility for the Program; providing for parental consent for student*
10 *participation in the Program; requiring the State Board to establish criteria for*
11 *evaluating the Program and to make a certain report; requiring the State*
12 *Department of Education to adopt certain regulations; authorizing the Cigarette*
13 *Restitution Fund to be used for certain purposes for a certain fiscal year;*
14 *providing that a certain amount of funds credited to the Cigarette Restitution*
15 *Fund in a certain fiscal year may only be used for certain purposes; providing*
16 *that certain property granted certain tax credits or exemptions for certain*
17 *purposes may not be treated as taxable personal property for purposes of*
18 *calculating the payment of certain State aid; updating certain statutory*
19 *provisions; altering the dates by which certain counties are required to submit*
20 *certain information to the Department of Assessments and Taxation; requiring*
21 *certain counties that grant certain tax credits or exemptions for certain personal*
22 *property to submit certain information to the Department of Assessments and*
23 *Taxation by certain dates; requiring the Governor to include certain*
24 *appropriations in the State budget for certain fiscal years for certain education*
25 *purposes; defining certain terms; providing for the termination of part of this*
26 *Act; and generally relating to ~~education grants to local education agencies~~ State*
27 *aid for public education in the State.*

28 BY adding to

29 Article - Education

30 Section 5-213 *and 7-208*

31 Annotated Code of Maryland

32 (1999 Replacement Volume)

33 BY repealing and reenacting, with amendments,

34 Article - Tax - Property

35 Section 7-225, 9-201, 9-205, and 9-302(i)

36 Annotated Code of Maryland

37 (1994 Replacement Volume and 1999 Supplement)

38 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

39 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Education**

2 5-213.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.

5 (2) (I) "COST OF LIVING ADJUSTMENT" MEANS ~~AN A PERCENTAGE~~
6 INCREASE IN ~~SALARY SCHEDULES~~ SALARIES THAT APPLIES TO ALL EMPLOYEES,
7 AMONG ALL GRADES AND STEPS, EMPLOYED BY A COUNTY BOARD.

8 (II) "COST OF LIVING ~~ADJUSTMENTS~~ ADJUSTMENT" DOES NOT
9 INCLUDE SALARY INCREASES FOR PROMOTIONS, INCREMENTS, OR STEP INCREASES
10 ~~AND OR~~ SIMILAR SALARY INCREASES RECEIVED BY EMPLOYEES AS A REGULAR PART
11 OF THE OPERATION OF A PERSONNEL SYSTEM.

12 (3) "FULL-TIME EQUIVALENT ENROLLMENT" HAS THE MEANING
13 INDICATED IN § 5-202 OF THIS SUBTITLE.

14 (4) "STATE SHARE" MEANS THE STATE SHARE OF BASIC CURRENT
15 EXPENSES PROVIDED UNDER § 5-202 OF THIS SUBTITLE DIVIDED BY THE AMOUNT OF
16 THE BASIC CURRENT EXPENSES TO BE SHARED FOR THAT COUNTY.

17 (5) "TEACHER SALARY BASE" MEANS THE TOTAL SALARIES AND WAGES
18 OF ~~CERTIFICATED PROFESSIONAL PUBLIC SCHOOL EMPLOYEES, EXCLUDING~~
19 ~~ADMINISTRATORS, IN A LOCAL EDUCATION AGENCY~~ TEACHERS EMPLOYED BY A
20 COUNTY BOARD FOR THE FISCAL YEAR PRECEDING THE FISCAL YEAR FOR WHICH
21 THE GOVERNOR'S CHALLENGE GRANT IS CALCULATED, AS DETERMINED BY THE
22 DEPARTMENT OF BUDGET AND MANAGEMENT AND THE STATE SUPERINTENDENT.

23 (6) "TEACHER" MEANS ANY CERTIFICATED PROFESSIONAL PUBLIC
24 SCHOOL EMPLOYEE WHO IS NOT AN ADMINISTRATOR.

25 ~~(6)~~ (7) "WEALTH" HAS THE MEANING ~~INDICATED~~ STATED IN § 5-202 OF
26 THIS SUBTITLE.

27 ~~(7)~~ (8) "WEALTH PER PUPIL" MEANS WEALTH DIVIDED BY FULL-TIME
28 EQUIVALENT ENROLLMENT.

29 (B) THERE IS A GOVERNOR'S TEACHER SALARY CHALLENGE PROGRAM.

30 (C) THE GOVERNOR'S TEACHER SALARY CHALLENGE PROGRAM SHALL
31 PROVIDE GRANTS TO ~~LOCAL EDUCATION AGENCIES~~ COUNTY BOARDS FOR THE
32 PURPOSE OF INCREASING TEACHER SALARIES IN ORDER TO IMPROVE RECRUITMENT
33 AND RETENTION OF WELL QUALIFIED TEACHERS.

34 (D) (1) EACH GRANT MADE TO A ~~LOCAL EDUCATION AGENCY~~ COUNTY
35 BOARD ~~MAY SHALL~~ BE CALCULATED BASED ON:

36 (I) A PERCENTAGE COMPONENT;

1 (II) A WEALTH-ADJUSTED COMPONENT; ~~AND~~

2 ~~(III) A HOLD HARMLESS COMPONENT;~~

3 ~~(III) A HOLD HARMLESS COMPONENT; AND~~

4 ~~(IV) A DISTRESSED JURISDICTION COMPONENT.~~

5 ~~(III)~~ (IV) A TARGETED COMPONENT; AND

6 (V) A TRANSITIONAL COMPONENT.

7 (2) THE PERCENTAGE COMPONENT SHALL BE CALCULATED AS
8 FOLLOWS:

9 (I) FOR FISCAL YEAR 2001, MULTIPLY THE TEACHER SALARY BASE
10 FOR THE ~~LOCAL EDUCATION AGENCY COUNTY BOARD~~ BY 0.01; ~~AND~~

11 (II) FOR FISCAL YEAR 2002, ~~MULTIPLY THE TEACHER SALARY BASE~~
12 ~~FOR THE LOCAL EDUCATION AGENCY BY 0.01 AND ADD AN AMOUNT EQUAL TO THE~~
13 ~~PERCENTAGE COMPONENT GRANTED TO THE LOCAL EDUCATION AGENCY IN FISCAL~~
14 ~~YEAR 2001;~~

15 1. IF THE COUNTY BOARD MEETS THE LOCAL MATCH
16 REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS SECTION IN FISCAL
17 YEAR 2001 AND MEETS THE LOCAL MATCH REQUIREMENT FOR FISCAL YEAR 2002,
18 MULTIPLY THE TEACHER SALARY BASE FOR THE COUNTY BOARD BY 0.02;

19 2. IF THE COUNTY BOARD DOES NOT MEET THE LOCAL
20 MATCH REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS SECTION IN
21 FISCAL YEAR 2001 AND MEETS THE LOCAL MATCH REQUIREMENT IN FISCAL YEAR
22 2002, MULTIPLY THE TEACHER SALARY BASE FOR THE COUNTY BOARD BY 0.01; AND

23 3. IF THE COUNTY BOARD MEETS THE LOCAL MATCH
24 REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS SECTION IN FISCAL
25 YEAR 2001 AND DOES NOT MEET THE LOCAL MATCH REQUIREMENT IN FISCAL YEAR
26 2002, MULTIPLY THE TEACHER SALARY BASE FOR THE COUNTY BOARD BY 0.01.

27 (3) FOR EACH FISCAL YEAR, THE WEALTH-ADJUSTED COMPONENT
28 SHALL BE CALCULATED AS FOLLOWS:

29 ~~(I) 1. FOR FISCAL YEAR 2001, MULTIPLY THE TEACHER SALARY~~
30 ~~BASE FOR THE LOCAL EDUCATION AGENCY BY 0.02.~~

31 ~~2. FOR FISCAL YEAR 2002, MULTIPLY THE TEACHER SALARY~~
32 ~~BASE FOR THE LOCAL EDUCATION AGENCY BY 0.02 AND ADD AN AMOUNT EQUAL TO~~
33 ~~THE WEALTH ADJUSTED COMPONENT GRANTED TO THE LOCAL EDUCATION~~
34 ~~AGENCY IN FISCAL YEAR 2001.~~

35 (I) 1. MULTIPLY THE PERCENTAGE COMPONENT FOR THE
36 COUNTY BOARD BY 2; AND

1 ~~(H)~~ 2. FOR EACH FISCAL YEAR, MULTIPLY THE PRODUCT
2 CALCULATED IN ~~ITEM (I) OF THIS PARAGRAPH~~ ITEM 1 OF THIS ITEM FOR THAT
3 FISCAL YEAR BY THE STATE SHARE FOR THE LOCAL EDUCATION AGENCY COUNTY
4 BOARD; ~~AND~~

5 ~~(4)~~ ~~(II)~~ ~~(H)~~ 1. IF THE PRODUCT CALCULATED IN PARAGRAPH (3) OF
6 ~~THIS SUBSECTION~~ ITEM (I) OF THIS PARAGRAPH IS GREATER THAN THE
7 PERCENTAGE COMPONENT FOR THE LOCAL EDUCATION AGENCY COUNTY BOARD,
8 ~~THEN~~ THE WEALTH-ADJUSTED COMPONENT SHALL BE THE AMOUNT OF THE
9 DIFFERENCE.

10 ~~(H)~~ 2. IF THE PRODUCT CALCULATED IN PARAGRAPH (3) OF THIS
11 ~~SUBSECTION~~ ITEM (I) OF THIS PARAGRAPH IS LESS THAN THE PERCENTAGE
12 COMPONENT FOR THE LOCAL EDUCATION AGENCY COUNTY BOARD, ~~THEN~~ THE
13 WEALTH-ADJUSTED COMPONENT SHALL BE ZERO.

14 ~~(4)~~ (I) THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT TO A
15 COUNTY BOARD SHALL CONTAIN A HOLD HARMLESS COMPONENT EQUAL TO THE
16 AMOUNT, IF ANY, BY WHICH THE COUNTY BOARD'S STATE SHARE OF BASIC CURRENT
17 EXPENSE CALCULATED UNDER § 5-202 OF THIS SUBTITLE FOR THE YEAR OF THE
18 GOVERNOR'S TEACHER SALARY CHALLENGE GRANT IS LESS THAN THE COUNTY
19 BOARD'S STATE SHARE OF BASIC CURRENT EXPENSE CALCULATED UNDER § 5-202 OF
20 THIS SUBTITLE FOR THE PREVIOUS YEAR.

21 ~~(II)~~ A COUNTY BOARD SHALL RECEIVE ITS HOLD HARMLESS
22 COMPONENT REGARDLESS OF WHETHER IT MEETS THE LOCAL MATCH
23 REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS SECTION.

24 ~~(5)~~ ~~THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT TO A LOCAL~~
25 ~~EDUCATION AGENCY SHALL INCLUDE A HOLD HARMLESS COMPONENT EQUAL TO~~
26 ~~THE AMOUNT, IF ANY, BY WHICH THE LOCAL EDUCATION AGENCY'S STATE SHARE OF~~
27 ~~BASIC CURRENT EXPENSE CALCULATED UNDER § 5-202 OF THIS SUBTITLE FOR THE~~
28 ~~YEAR OF THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT IS LESS THAN THE~~
29 ~~LOCAL EDUCATION AGENCY'S STATE SHARE OF BASIC CURRENT EXPENSE~~
30 ~~CALCULATED UNDER § 5-202 OF THIS SUBTITLE FOR THE PREVIOUS YEAR.~~

31 ~~(6)~~ ~~(5)~~ (I) THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT
32 TO A LOCAL EDUCATION AGENCY COUNTY BOARD SHALL CONTAIN A DISTRESSED
33 JURISDICTION COMPONENT EQUAL TO \$25 TIMES THE LOCAL EDUCATION AGENCY'S
34 FULL TIME EQUIVALENT ENROLLMENT IF: TARGETED COMPONENT AS PROVIDED IN
35 SUBPARAGRAPHS (II) THROUGH (V) OF THIS PARAGRAPH.

36 ~~(I)~~ ~~THE LOCAL EDUCATION AGENCY'S FULL TIME EQUIVALENT~~
37 ~~ENROLLMENT FOR THE YEAR OF THE GOVERNOR'S TEACHER SALARY CHALLENGE~~
38 ~~GRANT IS LESS THAN ITS FULL TIME EQUIVALENT ENROLLMENT FOR THE PREVIOUS~~
39 ~~YEAR; AND~~

40 ~~(H)~~ ~~THE LOCAL EDUCATION AGENCY'S WEALTH PER PUPIL FOR~~
41 ~~THE YEAR OF THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT IS LESS THAN~~
42 ~~THE WEALTH PER PUPIL FOR THE STATE AS A WHOLE.~~

1 (II) FOR FISCAL YEAR 2001, THE GOVERNOR SHALL INCLUDE IN
2 THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$5,300,000 FOR THE
3 TARGETED COMPONENT.

4 (III) FOR FISCAL YEAR 2002, THE GOVERNOR SHALL INCLUDE IN
5 THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$10,600,000 FOR THE
6 TARGETED COMPONENT.

7 (IV) THE COUNTY BOARD IN EACH COUNTY THAT HAS A WEALTH
8 PER PUPIL THAT IS LESS THAN 75 PERCENT OF THE STATEWIDE WEALTH PER PUPIL
9 SHALL RECEIVE A PROPORTIONATE SHARE OF THE TARGETED COMPONENT THAT IS
10 EQUAL TO THE COUNTY BOARD'S PROPORTIONATE SHARE OF THE TOTAL FULL-TIME
11 EQUIVALENT ENROLLMENT FOR ALL COUNTIES WITH A WEALTH PER PUPIL THAT IS
12 LESS THAN 75 PERCENT OF THE STATEWIDE WEALTH PER PUPIL.

13 (V) A COUNTY BOARD SHALL RECEIVE ITS PROPORTIONATE SHARE
14 OF THE TARGETED COMPONENT REGARDLESS OF WHETHER IT MEETS THE LOCAL
15 MATCH REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS SECTION.

16 (6) (I) THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT
17 SHALL CONTAIN A TRANSITIONAL COMPONENT AS PROVIDED IN SUBPARAGRAPHS
18 (II) AND (III) OF THIS PARAGRAPH.

19 (II) FOR FISCAL YEAR 2001, THE GOVERNOR SHALL INCLUDE IN
20 THE STATE BUDGET AN APPROPRIATION OF AT LEAST \$9 MILLION FOR THE
21 TRANSITIONAL COMPONENT.

22 (III) A COUNTY BOARD SHALL RECEIVE A PROPORTIONATE SHARE
23 OF THE TRANSITIONAL COMPONENT THAT IS EQUAL TO THE COUNTY BOARD'S
24 PROPORTIONATE SHARE OF ALL REIMBURSEMENTS RECEIVED BY THE STATE FROM
25 THE COUNTY BOARD THAT:

26 1. ARE FOR RETIREMENT CONTRIBUTIONS RECEIVED
27 AFTER JUNE 30, 1999 BUT BEFORE JULY 1, 2000; AND

28 2. ARE SOUGHT BY THE STATE RETIREMENT AGENCY ON
29 THE BASIS THAT THE SALARY OF AN ELIGIBLE MEMBER OF THE TEACHERS'
30 RETIREMENT SYSTEM OR TEACHERS' PENSION SYSTEM IS PAID IN WHOLE OR IN
31 PART FROM:

32 A. STATE AID, WHETHER GENERAL OR CATEGORICAL IN
33 NATURE; OR

34 B. FEDERAL FUNDS, WHETHER THE FUNDS ARE PAID
35 DIRECTLY TO A COUNTY BOARD OR ARE PASSED THROUGH FROM A UNIT OF STATE
36 GOVERNMENT.

37 (IV) A COUNTY BOARD SHALL RECEIVE ITS PROPORTIONATE SHARE
38 OF THE TRANSITIONAL COMPONENT REGARDLESS OF WHETHER IT MEETS THE

1 LOCAL MATCH REQUIREMENT ESTABLISHED UNDER SUBSECTION (F)(2) OF THIS
 2 SECTION.

3 (E) (1) ON OR BEFORE JUNE 1, 2000, AND ON OR BEFORE JUNE 1, 2001, EACH
 4 ~~LOCAL EDUCATION AGENCY SHALL~~ COUNTY BOARD MAY SUBMIT A GOVERNOR'S
 5 TEACHER SALARY CHALLENGE GRANT APPLICATION TO THE DEPARTMENT OF
 6 BUDGET AND MANAGEMENT AND THE STATE SUPERINTENDENT FOR THE
 7 PERCENTAGE COMPONENT AND THE WEALTH-ADJUSTED COMPONENT OF THE
 8 GOVERNOR'S TEACHER SALARY CHALLENGE PROGRAM.

9 (2) THE APPLICATION SHALL INCLUDE:

10 (I) THE ESTIMATED TEACHER SALARY BASE ~~IN~~ FOR THE ~~LOCAL~~
 11 ~~EDUCATION AGENCY~~ COUNTY BOARD FOR THE CURRENT FISCAL YEAR;

12 (II) ~~THE NEGOTIATED INCREASE IN THE LOCAL EDUCATION~~
 13 ~~AGENCY'S TEACHER SALARY SCHEDULE FOR THE NEXT FISCAL YEAR FOR THE NEXT~~
 14 ~~FISCAL YEAR, THE NEGOTIATED AND FUNDED COST OF LIVING ADJUSTMENT FOR~~
 15 ~~TEACHERS AND THE AGGREGATE COST OF NEGOTIATED AND FUNDED CHANGES TO~~
 16 ~~THE TEACHER SALARY SCHEDULES, TO BE FUNDED FROM SOURCES OTHER THAN~~
 17 THE PERCENTAGE COMPONENT OF THE GOVERNOR'S TEACHER SALARY CHALLENGE
 18 GRANT, EXPRESSED IN TOTAL DOLLARS AND AS A PERCENTAGE; AND

19 (III) ANY OTHER INFORMATION NECESSARY TO DETERMINE
 20 ELIGIBILITY FOR THE GOVERNOR'S TEACHER SALARY CHALLENGE GRANT.

21 (3) THE APPLICATION SHALL BE IN A FORM AND FORMAT SPECIFIED BY
 22 THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE STATE
 23 SUPERINTENDENT.

24 (F) (1) THE PERCENTAGE COMPONENT AND THE WEALTH-ADJUSTED
 25 COMPONENT OF A GOVERNOR'S TEACHER SALARY CHALLENGE GRANT SHALL BE
 26 AWARDED TO EACH LOCAL EDUCATION AGENCY COUNTY BOARD THAT SUBMITS AN
 27 APPLICATION AND THAT MEETS THE REQUIREMENTS OF THIS SECTION, AS
 28 DETERMINED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE STATE
 29 SUPERINTENDENT.

30 (2) ~~EACH LOCAL EDUCATION AGENCY THAT PROVIDES A NEGOTIATED~~
 31 ~~COST OF LIVING ADJUSTMENT FOR TEACHERS EQUIVALENT TO AT LEAST 4%, IN~~
 32 ~~ADDITION TO ANY PREVIOUSLY NEGOTIATED STEP INCREASES AND STIPENDS, FROM~~
 33 ~~SOURCES OTHER THAN THE PERCENTAGE COMPONENT OF THE GOVERNOR'S~~
 34 ~~TEACHER SALARY CHALLENGE GRANT, SHALL QUALIFY FOR THE PERCENTAGE~~
 35 ~~COMPONENT AND THE WEALTH-ADJUSTED COMPONENT OF THE GOVERNOR'S~~
 36 ~~CHALLENGE GRANT.~~

37 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND
 38 PARAGRAPH (3) OF THIS SUBSECTION, A COUNTY BOARD THAT PROVIDES A
 39 NEGOTIATED AND FUNDED COST OF LIVING INCREASE ADJUSTMENT FOR TEACHERS
 40 OF AT LEAST 4% OR A NEGOTIATED AND FUNDED ADJUSTMENT TO THE TEACHER
 41 SALARY SCHEDULES THAT HAS AN AGGREGATE COST THAT IS AT LEAST

1 EQUIVALENT TO THE COST OF PROVIDING A 4% COST OF LIVING ADJUSTMENT FOR
 2 TEACHERS SHALL QUALIFY FOR THE PERCENTAGE COMPONENT AND THE
 3 WEALTH-ADJUSTED COMPONENT OF THE GOVERNOR'S TEACHER SALARY
 4 CHALLENGE PROGRAM.

5 (II) THE FUNDS PROVIDED BY A COUNTY BOARD FOR THE PURPOSE
 6 OF MEETING THE LOCAL MATCH REQUIREMENT ESTABLISHED UNDER
 7 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE:

8 1. IN ADDITION TO ANY PREVIOUSLY NEGOTIATED AND
 9 FUNDED STEP INCREASES AND STIPENDS; AND

10 2. OBTAINED FROM SOURCES OTHER THAN THE
 11 PERCENTAGE COMPONENT OF THE GOVERNOR'S TEACHER SALARY CHALLENGE
 12 PROGRAM.

13 (3) IF A COUNTY BOARD MEETS THE LOCAL MATCH REQUIREMENT
 14 ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN FISCAL YEAR 2001
 15 AND DOES NOT MEET THE LOCAL MATCH REQUIREMENT IN FISCAL YEAR 2002, THE
 16 COUNTY BOARD SHALL RECEIVE:

17 (I) A PERCENTAGE COMPONENT IN FISCAL YEAR 2002 AS
 18 PROVIDED UNDER SUBSECTION (D)(2)(II)3 OF THIS SECTION; AND

19 (II) A WEALTH-ADJUSTED COMPONENT IN FISCAL YEAR 2002 AS
 20 PROVIDED UNDER SUBSECTION (D)(3) OF THIS SECTION.

21 ~~(3)~~ (4) THE PERCENTAGE COMPONENT OF THE GOVERNOR'S TEACHER
 22 SALARY CHALLENGE GRANT;

23 ~~(4)~~ (H) SHALL BE USED TO PROVIDE AN ADDITIONAL 1% COST OF
 24 LIVING ADJUSTMENT FOR TEACHERS; ~~AND~~

25 ~~(H) MAY NOT BE USED TO SUPPLANT OTHER STATE OR LOCAL~~
 26 ~~FUNDS FOR THE COST OF SALARY INCREASES PAID PURSUANT TO A NEGOTIATED~~
 27 ~~AGREEMENT OR OTHER CONTRACTUAL OBLIGATION EXISTING PRIOR TO JULY 1,~~
 28 ~~2000.~~

29 (G) THE GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET TO
 30 ACCOMPLISH THE PURPOSES OF THIS SECTION.

31 (H) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE STATE
 32 SUPERINTENDENT MAY ESTABLISH GUIDELINES OR REGULATIONS TO IMPLEMENT
 33 THE GOVERNOR'S TEACHER SALARY CHALLENGE PROGRAM.

34 (I) (1) THERE IS A TRANSITIONAL EDUCATION FUND.

35 (2) THE FUND CONSISTS OF \$18,000,000 \$16,500,000 OF
 36 *REIMBURSEMENTS FOR FISCAL YEAR 2000 AND ALL REIMBURSEMENTS FOR FISCAL*
 37 *YEARS 2001 AND 2002 RECEIVED BY THE STATE FROM THE COUNTY BOARDS THAT:*

1 (I) ARE FOR RETIREMENT CONTRIBUTIONS MADE AFTER JUNE 30,
2 2000 1999 BUT BEFORE JULY 1, 2002; AND

3 (II) ARE SOUGHT BY THE STATE ON THE BASIS THAT THE SALARY
4 OF AN ELIGIBLE MEMBER OF THE TEACHERS' RETIREMENT SYSTEM OR TEACHERS'
5 PENSION SYSTEM IS PAID IN PART OR IN WHOLE FROM:

6 1. STATE AID, WHETHER GENERAL OR CATEGORICAL IN
7 NATURE; OR

8 2. FEDERAL FUNDS, WHETHER THE FUNDS ARE PAID
9 DIRECTLY TO A LOCAL SCHOOL SYSTEM OR ARE PASSED THROUGH FROM A UNIT OF
10 STATE GOVERNMENT.

11 (3) NOTWITHSTANDING § 5-203(D) OF THIS SUBTITLE, ALL
12 REIMBURSEMENTS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE
13 CREDITED TO THE FUND.

14 (4) (I) THE STATE TREASURER SHALL HOLD THE FUND AND INVEST
15 THE MONEY IN THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE
16 INVESTED.

17 (II) ALL INTEREST EARNED ON THE FUND SHALL ACCRUE TO THE
18 GENERAL FUND.

19 (III) THE STATE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

20 (5) THE FUND SHALL BE USED TO IMPLEMENT THE GOVERNOR'S
21 TEACHER SALARY CHALLENGE PROGRAM ESTABLISHED UNDER THIS SECTION.

22 (6) EXPENDITURES FROM THE FUND MAY ONLY BE MADE PURSUANT TO
23 AN APPROPRIATION APPROVED BY THE GENERAL ASSEMBLY IN THE ANNUAL STATE
24 BUDGET OR BY APPROVED BUDGET AMENDMENT.

25 (7) EXCEPT AS PROVIDED IN PARAGRAPH (8) OF THIS SUBSECTION, ANY
26 FUND BALANCE AT THE END OF EACH FISCAL YEAR SHALL REMAIN IN THE FUND
27 AND MAY NOT REVERT TO THE GENERAL FUND.

28 (8) THE FUND SHALL TERMINATE AT THE END OF JUNE 30, 2002 AND
29 ANY FUND BALANCE THAT REMAINS AT THE END OF JUNE 30, 2002 SHALL REVERT TO
30 THE GENERAL FUND.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
32 read as follows:

Article - Education

2 7-208.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.

5 (2) "ACADEMIC INTERVENTION PROGRAMS" MEANS ACADEMIC
6 PROGRAMS WITH CURRICULUM-BASED INSTRUCTION THAT MAY TAKE PLACE:

7 (I) BEFORE SCHOOL STARTS EACH DAY AND AFTER SCHOOL ENDS
8 EACH DAY;

9 (II) DURING THE REGULAR SCHOOL DAY, PROVIDED THERE IS NO
10 CONTINUAL CONFLICT WITH CURRICULUM-BASED INSTRUCTION;

11 (III) ON WEEKENDS;

12 (IV) ON HOLIDAYS;

13 (V) DURING VACATIONS; OR

14 (VI) DURING SUMMER BREAK.

15 (3) "CURRICULUM-BASED INSTRUCTION" MEANS INSTRUCTION BASED
16 ON CURRICULUM GUIDES AND COURSES OF STUDY DEVELOPED BY EACH COUNTY IN
17 ACCORDANCE WITH § 4-111 OF THIS ARTICLE.

18 (4) "PROGRAM" MEANS THE MARYLAND ACADEMIC INTERVENTION AND
19 SUPPORT PROGRAM ESTABLISHED UNDER THIS SECTION.

20 (B) (1) THERE IS A MARYLAND ACADEMIC INTERVENTION AND SUPPORT
21 PROGRAM IN THE DEPARTMENT.

22 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ACADEMIC
23 INTERVENTION PROGRAMS FOR STUDENTS WHO HAVE DEMONSTRATED
24 DEFICIENCIES IN READING OR MATHEMATICS.

25 (3) THE PROGRAM SHALL BE FUNDED AS PROVIDED IN THE STATE
26 BUDGET.

27 (4) THE FUNDS THAT ARE ALLOCATED TO THE PROGRAM IN THE STATE
28 BUDGET SHALL BE USED TO:

29 (I) COVER THE COSTS INCURRED BY THE DEPARTMENT IN
30 IMPLEMENTING AND ADMINISTERING THE PROGRAM; AND

31 (II) PROVIDE GRANTS TO COUNTY BOARDS AS AUTHORIZED UNDER
32 SUBSECTION (G) OF THIS SECTION.

1 (C) (1) THE STATE BOARD SHALL DEVELOP CRITERIA BY WHICH COUNTY
2 BOARDS MAY SUBMIT PLANS FOR APPROVAL THAT ADDRESS GOALS AND
3 STRATEGIES FOR INTERVENING WITH STUDENTS WHO HAVE DEMONSTRATED
4 DEFICIENCIES IN READING OR MATHEMATICS, INCLUDING:

5 (I) STATE APPROVED BEST PRACTICES FOR ACADEMIC
6 INTERVENTION;

7 (II) A CATALOG OF PROMISING STATE APPROVED PRACTICES THAT
8 WOULD QUALIFY FOR A COUNTY BOARD'S IMPLEMENTATION OF ACADEMIC
9 INTERVENTION PROGRAMS; AND

10 (III) A LIST OF APPROVED PERSONS THAT MAY PROVIDE ACADEMIC
11 INTERVENTION PROGRAMS, IN ACCORDANCE WITH PARAGRAPH (2)(II) OF THIS
12 SUBSECTION.

13 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
14 SUBSECTION, A SCHOOL SHALL PROVIDE INSTRUCTION USING SCHOOL STAFF AND
15 MATERIALS.

16 (II) IF A COUNTY BOARD IS UNABLE TO PROVIDE THE
17 CURRICULUM-BASED INSTRUCTION OF THE ACADEMIC INTERVENTION PROGRAM
18 WITH SCHOOL STAFF AND MATERIALS, A COUNTY BOARD MAY SELECT A PERSON
19 APPROVED BY THE STATE BOARD TO PROVIDE EXTENDED ACADEMIC INSTRUCTION.

20 (D) THE SCHOOLS SHALL DETERMINE A STUDENT'S ELIGIBILITY FOR THE
21 PROGRAM BASED ON THE STUDENT'S PERFORMANCE ON MARYLAND SCHOOL
22 PERFORMANCE ASSESSMENT PROGRAM TESTS, STANDARDIZED TESTS, CLASSROOM
23 TESTS, AND ANY OTHER CRITERIA THE STATE BOARD DEEMS APPROPRIATE.

24 (E) (1) THE COUNTY BOARDS SHALL DEVELOP OR APPROPRIATELY ADAPT
25 AN EXISTING PARENTAL CONSENT FORM FOR THE PROVISION OF ACADEMIC
26 INTERVENTION INSTRUCTION.

27 (2) A PARENT OR GUARDIAN OF A STUDENT SELECTED FOR THE
28 PROGRAM SHALL PROVIDE WRITTEN CONSENT FOR THE STUDENT'S PARTICIPATION
29 IN THE PROGRAM TO THE STUDENT'S SCHOOL PRIOR TO THE STUDENT'S
30 PARTICIPATION IN THE PROGRAM.

31 (F) (1) THE STATE BOARD SHALL ESTABLISH CRITERIA FOR EVALUATING
32 THE PROGRAM.

33 (2) ON OR BEFORE JUNE 30 OF EACH YEAR, EACH COUNTY BOARD SHALL
34 SUBMIT A REPORT TO THE STATE BOARD THAT INCLUDES AN EVALUATION OF THE
35 STATUS AND SUCCESS OF THE PROGRAM IN THAT COUNTY.

36 (3) THE REPORT SUBMITTED BY A COUNTY BOARD UNDER PARAGRAPH
37 (2) OF THIS SUBSECTION SHALL:

1 (I) IDENTIFY THE NUMBER OF STUDENTS IN THE COUNTY WHO
2 WERE ELIGIBLE TO PARTICIPATE IN THE PROGRAM DURING THE PRIOR SCHOOL
3 YEAR;

4 (II) IDENTIFY THE NUMBER OF STUDENTS IN THE COUNTY WHO
5 WERE SELECTED TO PARTICIPATE IN THE PROGRAM DURING THE PRIOR SCHOOL
6 YEAR;

7 (III) INCLUDE, FOR EACH GRADE, AGGREGATE STUDENT
8 PERFORMANCE RESULTS, BEFORE THE STUDENTS BEGAN PARTICIPATION IN THE
9 PROGRAM, ON ANY TESTS OR MEASUREMENT TOOLS THAT WERE USED TO
10 DETERMINE THE STUDENTS' ELIGIBILITY FOR THE PROGRAM;

11 (IV) INCLUDE FOR EACH GRADE, AGGREGATE STUDENT
12 PERFORMANCE RESULTS, AFTER THE STUDENTS BEGAN PARTICIPATION IN THE
13 PROGRAM, ON ANY TESTS OR MEASUREMENT TOOLS THAT WERE USED TO
14 DETERMINE THE STUDENTS' ELIGIBILITY FOR THE PROGRAM; AND

15 (V) INCLUDE AN EVALUATION OF THE SUCCESS OF THE PROGRAM
16 BASED ON THE DATA DESCRIBED IN ITEMS (III) AND (IV) OF THIS PARAGRAPH AND
17 ANY OTHER CRITERIA ESTABLISHED BY THE STATE BOARD FOR EVALUATING THE
18 PROGRAM.

19 (4) (I) THE STATE BOARD SHALL EVALUATE A REPORT SUBMITTED BY
20 A COUNTY BOARD UNDER PARAGRAPH (2) OF THIS SUBSECTION TO DETERMINE
21 WHETHER THE PROGRAM HAS BEEN SUCCESSFULLY IMPLEMENTED IN THE
22 COUNTY.

23 (II) IF THE STATE BOARD DETERMINES THAT THE PROGRAM HAS
24 NOT BEEN SUCCESSFULLY IMPLEMENTED IN A COUNTY, THE STATE BOARD MAY
25 WITHHOLD GRANT MONEY THAT A COUNTY BOARD IS AUTHORIZED TO RECEIVE
26 UNDER SUBSECTION (G) OF THIS SECTION.

27 (5) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE STATE BOARD
28 SHALL SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE
29 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THAT INCLUDES AN
30 EVALUATION OF THE STATUS AND SUCCESS OF THE PROGRAM IN EACH COUNTY
31 AND ON A STATEWIDE BASIS.

32 (G) OF THE TOTAL AMOUNT THAT IS ALLOCATED FOR GRANTS UNDER
33 SUBSECTION (B)(4)(II) OF THIS SECTION, EACH COUNTY BOARD SHALL RECEIVE A
34 FRACTION:

35 (1) THE NUMERATOR OF WHICH IS THE NUMBER OF STUDENTS IN THE
36 COUNTY SCORING LESS THAN 70% ON THE READING OR MATHEMATICS PORTION OF
37 THE MARYLAND SCHOOL PERFORMANCE ASSESSMENT PROGRAM TEST; AND

38 (2) THE DENOMINATOR OF WHICH IS THE NUMBER OF STUDENTS IN
39 THE STATE SCORING LESS THAN 70% ON THE READING OR MATHEMATICS PORTION
40 OF THE MARYLAND SCHOOL PERFORMANCE ASSESSMENT PROGRAM TEST.

1 (H) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR THE
2 IMPLEMENTATION OF THIS SECTION.

3 Article - Tax - Property

4 7-225.

5 (a) Except as provided in § 7-109 of this title and in subsection (b) of this
6 section, if used in manufacturing, the following personal property, however operated
7 and whether or not in use, is not subject to property tax:

8 (1) tools;

9 (2) implements;

10 (3) machinery; or

11 (4) manufacturing apparatus or engines.

12 (b) Except as provided by § 7-108 of this title, the personal property listed in
13 subsection (a) of this section is subject to a county property tax on:

14 (1) 100% of its assessment in [Allegany County,] Garrett County,
15 Somerset County, Wicomico County, and Worcester County; and

16 (2) [60%] 75% of its assessment in [Dorchester] ALLEGANY County.

17 (c) Property does not qualify for the exemption under this section if the
18 property is used primarily in administration, management, sales, storage, shipping,
19 receiving, or any other nonmanufacturing activity.

20 (d) In order to qualify for the exemption under this section, a person claiming
21 the exemption must apply for and be granted the exemption by the Department.

22 9-201.

23 (a) In this section, "property tax credit" means a property tax credit OR
24 EXEMPTION that is granted under § 9-205 or § 9-209 of this subtitle or Subtitle 3 of
25 this title.

26 (b) Annually on or before [December] OCTOBER 31, the Mayor and City
27 Council of Baltimore City or each governing body that grants a property tax credit
28 shall submit to the Department on the form that the Department provides THE
29 FOLLOWING INFORMATION FOR THE CURRENT TAXABLE YEAR:

30 (1) the total value of all property tax credits granted;

31 (2) an itemized list of all of the property tax credits granted for real
32 property; and

1 (3) an itemized list of the property tax credits granted for personal
2 property.

3 (c) The Mayor and City Council of Baltimore City or each governing body that
4 grants a property tax credit shall:

5 (1) in the same manner as the assessment roll, make available for public
6 inspection bound copies of the form required by subsection (b) of this section; and

7 (2) identify clearly on the tax roll the properties that are granted a
8 property tax credit under this section.

9 9-205.

10 (a) The Mayor and City Council of Baltimore City or the governing body of a
11 county or of a municipal corporation may grant, by law, a property tax credit under
12 this section against the county or municipal corporation property tax imposed on part
13 or all of the property of any manufacturing, fabricating, or assembling facility that:

14 (1) locates in the county or municipal corporation;

15 (2) expands in the county or municipal corporation; or

16 (3) develops a new product or industrial process.

17 (b) A property tax credit under this section may be granted on up to 100% of
18 the county or municipal corporation property tax against the property described in
19 subsection (a) of this section.

20 (c) A property tax credit granted under this section may be granted for the
21 period of years from the date of completion of a new facility or expansion of a facility
22 that the Mayor and City Council of Baltimore City or the appropriate governing body
23 determines.

24 (d) The Mayor and City Council of Baltimore City or the appropriate
25 governing body may:

26 (1) adopt regulations necessary to carry out this section; and

27 (2) provide any other restriction or condition considered desirable.

28 (e) The Mayor and City Council of Baltimore City or each governing body shall
29 designate the administrative unit or official to administer the property tax credit
30 granted under this section.

31 (f) When a tax bill is sent to a taxpayer who may be eligible for a property tax
32 credit under this section, the Mayor and City Council of Baltimore City or the
33 appropriate governing body shall give notice of the property tax credit under this
34 section to the taxpayer.

35 (g) (1) A taxpayer must apply to receive a tax credit under this section.

1 (2) Except in Frederick County, if a taxpayer fails to apply for a property
2 tax credit under this section on or before October 1 of each taxable year, the property
3 tax credit may not be granted.

4 (3) In Frederick County, a taxpayer may apply for a property tax credit
5 under this section on or before October 1 of the taxable year, and the property tax
6 credit received shall continue from year to year until the property is conveyed.

7 (4) A taxpayer shall state under oath that the facts in the application are
8 true.

9 (h) Each governing body that grants a property tax credit under this section
10 shall submit to the Department a copy of the law granting the credit.

11 (I) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, TO
12 THE EXTENT THAT A COUNTY GRANTS A TAX CREDIT UNDER THIS SECTION FOR
13 MANUFACTURING PERSONAL PROPERTY DESCRIBED IN § 7-225 OF THIS ARTICLE,
14 THE PROPERTY MAY NOT BE TREATED AS TAXABLE PROPERTY FOR THE PURPOSE OF
15 COMPUTING ANY PAYMENTS OF STATE AID TO EDUCATION UNDER § 5-202 OF THE
16 EDUCATION ARTICLE OR OTHER PAYMENTS OF STATE AID TO COUNTIES OR
17 MUNICIPAL CORPORATIONS THAT BY LAW ARE BASED ON THE ASSESSMENT OF
18 PROPERTY.

19 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY
20 MANUFACTURING PERSONAL PROPERTY UNLESS THE COUNTY THAT GRANTS A TAX
21 CREDIT UNDER THIS SECTION FOR THE PROPERTY SUBMITS TO THE DEPARTMENT,
22 ON OR BEFORE OCTOBER 31 OF THE TAXABLE YEAR FOR WHICH THE CREDIT IS
23 GRANTED:

24 (I) THE INFORMATION REQUIRED UNDER § 9-201(B) OF THIS
25 SUBTITLE REGARDING THE TAX CREDIT; AND

26 (II) AN ITEMIZED LIST OF THE PROPERTY TAX CREDITS GRANTED
27 FOR PROPERTY.

28 9-302.

29 (i) (1) The governing body of Allegany County may grant a county property
30 tax credit or exemption for machinery and equipment used in manufacturing,
31 assembling, processing, or refining products for sale or in the generation of electricity
32 and may define, fix, or limit the amount, terms, scope, and duration of any credit or
33 exemption provided for or affirmed under this subsection.

34 (2) TO THE EXTENT THAT A TAX CREDIT OR EXEMPTION IS GRANTED
35 UNDER THIS SUBSECTION FOR MACHINERY AND EQUIPMENT USED IN
36 MANUFACTURING, ASSEMBLING, PROCESSING, OR REFINING PRODUCTS FOR SALE,
37 THE PROPERTY MAY NOT BE TREATED AS TAXABLE PERSONAL PROPERTY FOR THE
38 PURPOSE OF COMPUTING ANY PAYMENTS OF STATE AID TO EDUCATION UNDER §
39 5-202 OF THE EDUCATION ARTICLE OR OTHER PAYMENTS OF STATE AID TO

1 COUNTIES OR MUNICIPAL CORPORATIONS THAT BY LAW ARE BASED ON THE
2 ASSESSMENT OF PROPERTY.

3 (3) TO THE EXTENT THAT A TAX CREDIT OR EXEMPTION IS GRANTED
4 UNDER THIS SUBSECTION FOR MACHINERY AND EQUIPMENT THAT IS USED IN THE
5 GENERATION OF ELECTRICITY FOR A FACILITY THAT STARTED GENERATING
6 ELECTRICITY PRIOR TO JUNE 1, 2000, THE PROPERTY MAY NOT BE TREATED AS
7 TAXABLE PERSONAL PROPERTY FOR THE PURPOSE OF COMPUTING ANY PAYMENTS
8 OF STATE AID TO EDUCATION UNDER § 5-202 OF THE EDUCATION ARTICLE OR OTHER
9 PAYMENTS OF STATE AID TO COUNTIES OR MUNICIPAL CORPORATIONS THAT BY LAW
10 ARE BASED ON THE ASSESSMENT OF PROPERTY.

11 (4) PARAGRAPHS (2) AND (3) OF THIS SUBSECTION DO NOT APPLY TO ANY
12 PERSONAL PROPERTY UNLESS ALLEGANY COUNTY SUBMITS TO THE DEPARTMENT,
13 ON OR BEFORE OCTOBER 31 OF THE TAXABLE YEAR FOR WHICH THE TAX CREDIT OR
14 EXEMPTION FOR THE PROPERTY IS GRANTED, THE INFORMATION REQUIRED UNDER
15 § 9-201(B) OF THIS TITLE REGARDING THE TAX CREDIT OR EXEMPTION.

16 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before June 1,
17 2000, each county that for the taxable year ending June 30, 2000, has granted a tax
18 credit under § 9-205 of the Tax - Property Article for manufacturing personal
19 property described in § 7-225 of the Tax - Property Article or has granted a tax credit
20 or exemption for personal property under § 9-302(i) of the Tax - Property Article shall
21 submit to the Department of Assessments and Taxation the information for the
22 current taxable year required under § 9-201(b) of the Tax - Property Article
23 regarding the tax credit or exemption and an itemized list of any property tax credits
24 granted under § 9-205 of the Tax - Property Article for manufacturing personal
25 property described in § 7-225 of the Tax - Property Article. For the fiscal year that
26 begins July 1, 2000, the provisions of §§ 9-205(i) and 9-302(i)(2) of the Tax - Property
27 Article as enacted under Section 2 of this Act do not apply to any property unless the
28 county that grants a tax credit or exemption for that property submits the
29 information required under this section to the Department of Assessments and
30 Taxation on or before June 1, 2000.

31 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall
32 include in the State budget for each of fiscal years 2001 and 2002 an appropriation of
33 at least \$8,000,000 to meet the State's existing legal obligations for educational
34 funding and avoid future litigation.

35 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding §
36 7-317(d) and (g) of the State Finance and Procurement Article, in fiscal year 2001, the
37 Cigarette Restitution Fund established under § 7-317 of the State Finance and
38 Procurement Article may be used to fund the implementation of: (1) the Governor's
39 Teacher Salary Challenge Program established under § 5-213 of the Education
40 Article; and (2) Section 4 of this Act. In fiscal year 2001, the Governor may transfer
41 funds by budget amendment from the Cigarette Restitution Fund to the Transitional
42 Education Fund created under this Act as necessary to fund the Governor's Teacher
43 Salary Challenge Program in fiscal year 2001.

1 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the
2 General Assembly that the Governor include in the State budget for fiscal year 2001 an
3 appropriation of at least ~~\$21 million~~ \$19.5 million to fund the Maryland Academic
4 Intervention and Support Program established under § 7-208 of the Education Article
5 as enacted by this Act. In fiscal year 2002, the Governor shall include in the State
6 budget an appropriation of ~~\$21 million~~ \$19.5 million to fund the Program.

7 SECTION 6. AND BE IT FURTHER ENACTED, That if the fiscal year 2001
8 appropriation for the transitional component established under § 5-213(d)(6) of the
9 Education Article is less than \$9 million, the Governor shall include an appropriation
10 of at least \$9 million for the transitional component for fiscal year 2002 allocated as
11 provided under § 5-213(d)(6) of the Education Article.

12 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding §
13 7-208(b)(4) and (g) of the Education Article, in fiscal year 2001, from the amount
14 appropriated for the Maryland Academic Intervention and Support Program, the State
15 Board shall distribute \$70,000 to each county board to cover start-up costs associated
16 with implementing the program.

17 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding §
18 7-317(d) and (g) of the State Finance and Procurement Article, in fiscal year 2001, the
19 Cigarette Restitution Fund established under § 7-317 of the State Finance and
20 Procurement Article may be used to fund the implementation of: (i) the Governor's
21 Teacher Salary Challenge Program established under § 5-213 of the Education Article;
22 (ii) Section 4 of this Act; and (iii) Section 5 of this Act. In fiscal year 2001 and 2002, the
23 Governor may transfer or appropriate funds by budget amendment or otherwise from
24 the Cigarette Restitution Fund: (i) to the Transitional Education Fund created under
25 this Act as necessary to fund the Governor's Teacher Salary Challenge Program in
26 fiscal years 2001 and 2002; and (ii) to support the expenditures required under
27 Sections 4 and 5 of this Act in fiscal years 2001 and 2002.

28 SECTION 9. AND BE IT FURTHER ENACTED, That ~~\$21 million~~ \$19.5 million
29 of the funds credited in fiscal year 2001 to the Cigarette Restitution Fund established
30 under § 7-317 of the State Finance and Procurement Article may only be used to fund
31 the Maryland Academic Intervention and Support Program established under § 7-208
32 of the Education Article as enacted by this Act.

33 SECTION ~~2-6. 10.~~ AND BE IT FURTHER ENACTED, That this Act shall take
34 effect June 1, 2000. ~~§~~ Section 1 of this Act shall remain effective for a period of 2
35 years and 1 month and, at the end of June 30, 2002, with no further action required
36 by the General Assembly, Section 1 of this Act shall be abrogated and of no further
37 force and effect.

