

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “of” in line 5 and substitute “repealing”; in line 5, after “codifying” insert “and altering”; in line 9, after “appropriations;” insert “altering certain registration fees;”; in line 15, after “circumstances;” insert “authorizing certain annual grants to certain county boards of education, to the extent funds are provided in the State budget, to reflect certain regional differences in the cost of education; repealing certain provisions relating to a certain adjustment to certain State aid to local education;”; and strike beginning with “prohibiting” in line 23 down through “circumstances;” in line 26.

On page 2, in line 5, after “circumstances;” insert “authorizing the transfer of certain appropriations between certain units by budget amendment under certain circumstances;”; in line 13, after “procurements;” insert “requiring the Governor to include in the budget certain appropriations from the General Fund to the Transportation Trust Fund under certain circumstances; altering a certain requirement for the Governor to include in the budget certain appropriations to a certain account under certain circumstances; providing for certain legislative review of certain projects of the Maryland Transportation Authority; providing that the Maryland Transportation Authority may not issue bonds except under certain circumstances; limiting the date of maturity and the annual payments for principal of and interest on certain bonds issued by the Department of Transportation or the Maryland Transportation Authority;”; strike beginning with “altering” in line 12 down through “procurements;” in line 13; in line 14, after “that” insert “on or after a certain date”; strike beginning with “altering” in line 24 down through “certification;” in line 25; in line 25, strike “repealing a certain limitation” and substitute “altering certain limitations”; in lines 32 and 34, in each instance, strike “for certain fiscal years” and substitute “for a certain fiscal year”; and in line 38, after “tax;” insert “providing that the Maryland estate tax shall be determined without regard to a certain deduction for State death taxes allowed for purposes of the federal estate tax;”.

On pages 2 and 3, strike beginning with “providing” in line 48 on page 2 down through

(Over)

“machines;” in line 3 on page 3.

On page 3, in line 5, after “reports;” insert “specifying certain motor vehicle registration fees for certain rental vehicles;”; in line 11, after “Fund;” insert “authorizing the transfer of certain funds to be used for certain purposes; requiring the Governor to include in the budget bill for a certain fiscal year a certain general fund appropriation for a certain purpose; requiring the Governor to submit certain proposed legislation for consideration during a certain legislative session;”; strike beginning with “repealing” in line 11 down through “facility;” in line 12; and in line 15, after “circumstances;” insert “requiring certain reports;”.

AMENDMENT NO. 2

On page 3, in line 22, strike “and 6-402(7)”; in line 27, strike “(a)(8)” and substitute “(8)”; and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article 88A - Department of Human Resources

Section 3(a)(3)

Annotated Code of Maryland

(2003 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 4.5-304(a) and 4.5-305(c)

Annotated Code of Maryland

(1998 Replacement Volume and 2003 Supplement)”.

On page 4, in line 12, strike “5-205(c),” and substitute “5-202(f),”; after line 14, insert:

“BY adding to

Article - Environment

Section 6-844(e)

Annotated Code of Maryland

(1996 Replacement Volume and 2003 Supplement)”;

and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article - Insurance

Section 6-103.1

Annotated Code of Maryland
(2003 Replacement Volume)".

On page 5, strike in their entirety lines 4 through 13, inclusive; in line 21, after "7-209(c)" insert "and (e)"; in line 22, after "7-311(a)" insert "and (j)"; in line 23, strike the first comma and substitute "and"; and in the same line, strike ", and 11-203(a)(2)".

On page 6, in line 6, after "2-103.1(c)(1)," insert "4-205(c), 4-302(a), 4-306, 4-307(a),"; after line 8, insert:

"BY adding to
Article - Transportation
Section 3-216(g), 3-601(d), and 4-320
Annotated Code of Maryland
(2001 Replacement Volume and 2003 Supplement)";

after line 13, insert:

"BY repealing and reenacting, with amendments,
Chapter 114 of the Acts of the General Assembly of 1994, as amended by Chapter 555 of the
Acts of the General Assembly of 1996
Section 5(a)";

and after line 20, insert:

"BY repealing and reenacting, with amendments,
Chapter 530 of the Acts of the General Assembly of 2002
Section 2".

On page 7, strike in their entirety lines 3 through 7, inclusive.

On page 7, strike line 32 in its entirety and substitute:

“Section 7-309 and 10-210.1”.

On page 8, after line 18, insert:

“BY adding to

Article - Transportation

Section 13-939.1

Annotated Code of Maryland

(2002 Replacement Volume and 2003 Supplement)”;

and after line 23, insert:

“BY repealing

Article 88A - Department of Human Resources

Section 90 through 95, inclusive, and the subheading “Maryland Individual Development
Accounts”

Annotated Code of Maryland

(2003 Replacement Volume)”.

On page 9, strike in their entirety lines 9 through 11, inclusive.

AMENDMENT NO. 3

On page 10, strike in their entirety lines 17 through 22, inclusive.

On page 22, strike in their entirety lines 19 through 28, inclusive.

On page 71, after line 37, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That, on or before November 1, 2004, the Department of Housing and Community Development, the Public Service Commission, and the Department of Human Resources, in accordance with § 2-1246 of the State Government Article, shall submit to the Senate Budget and Taxation Committee, the Senate Finance Committee, the House Appropriations Committee, and the House Economic Matters Committee a report prepared jointly by the agencies detailing the most appropriate method of merging the two weatherization programs currently administered by the Department of Human Resources and the Department of

Housing and Community Development by the beginning of fiscal year 2006. The report shall include information on statutory changes necessary to merge the programs.”.

AMENDMENT NO. 4

On page 12, after line 8, insert:

“Article 88A - Department of Human Resources

3.

(a) (3) (i) At least once every 2 years, the State Department shall conduct or contract for a financial and compliance audit of each local department of social services and shall prepare a written report of the audit findings.

(ii) The audit shall comply with the auditing standards issued by the Institute of Internal Auditors.

(III) THE WRITTEN REPORT OF AUDIT FINDINGS SHALL BE DISTRIBUTED, AS APPROPRIATE, TO:

1. THE LOCAL BOARD OR COMMISSION OF SOCIAL SERVICES IN EACH COUNTY AND BALTIMORE CITY;

2. THE COUNTY EXECUTIVE;

3. THE COUNTY COMMISSIONERS AND COUNTY COUNCILS;

4. THE MAYOR OF BALTIMORE CITY; AND

5. THE CITY COUNCIL OF BALTIMORE CITY.”.

AMENDMENT NO. 5

On page 12, before line 9, insert:

(Over)

“Article - Business Regulation

4.5-304.

(a) The Unit shall register and issue a home builder registration number to an applicant that:

- (1) meets the requirements of this title; and
- (2) pays to the Division an initial 2-year registration fee of [~~\$600~~] \$300.

4.5-305.

(c) The Unit shall renew the registration of each registrant that:

- (1) submits to the Unit a renewal application on the form provided by the Unit;
- (2) would qualify for an initial registration;
- (3) pays to the Division a renewal fee based on the number of building permits for the construction of new homes issued to the registrant in the preceding calendar year as follows:
 - (i) 10 or fewer new homes [~~\$300~~] \$150; and
 - (ii) 11 or more new homes [~~\$600~~] \$300; and
- (4) is otherwise entitled to be registered.”.

On page 37, after line 35, insert:

“Chapter 530 of the Acts of 2002

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2003. [It shall remain effective for a period of 3 years and, at the end of December 31, 2005, with no

further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]”.

On page 38, after line 10, insert:

“\$500,000 of the funds in the Home Builder Registration Fund established under § 4.5-203 of the Business Regulation Article;”.

AMENDMENT NO. 6

On page 12, in line 13, strike “BEGINNING IN FISCAL YEAR 2006” and substitute “FOR EACH OF FISCAL YEARS 2006 THROUGH 2009”; and in the same line, strike “\$2,000,000” and substitute “\$1,000,000”.

AMENDMENT NO. 7

On pages 13 and 14, strike in their entirety the lines beginning with line 31 on page 13 through line 15 on page 14, inclusive.

AMENDMENT NO. 8

On page 15, after line 28, insert:

“Article - Environment

6-844.

(E) FOR EACH FISCAL YEAR, AT LEAST \$750,000 OF THE MONEYS IN THE FUND SHALL BE USED ONLY FOR ANY OF THE FOLLOWING PURPOSES:

(1) COMMUNITY OUTREACH AND EDUCATION PROGRAMS UNDER § 6-848 OF THIS SUBTITLE; AND

(2) ENFORCEMENT EFFORTS UNDER THIS SUBTITLE.”.

On page 37, after line 6, insert:

(Over)

“Chapter 114 of the Acts of 1994, as amended by Chapter 555 of the Acts of 1996

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) Of the fees generated and paid into the Lead Poisoning Prevention Fund under § 6-843 of the Environment Article, as enacted by this Act, for fiscal years 1996 and 1997 only, 50% of those fees, up to a maximum of \$750,000 per fiscal year, shall be dedicated to the Community Outreach and Education Program established under § 6-848 of the Environment Article, as enacted by this Act; and starting in fiscal year 1998, at least \$750,000 per fiscal year shall be dedicated to the Community Outreach and Education Program].”

AMENDMENT NO. 9

On page 17, after line 34, insert:

“Article - Insurance

6-103.1.

Notwithstanding § 2-114 of this article, beginning January 15, [2002] 2006, from the tax imposed on the health insurers under this subtitle, [\$1,000,000] \$500,000 shall be distributed annually to the Spinal Cord Injury Research Trust Fund created under § 13-1406 of the Health - General Article.”

AMENDMENT NO. 10

On page 18, in line 18, strike “AND”; in line 19, strike “AND EACH FISCAL YEAR THEREAFTER” and substitute “THROUGH FISCAL YEAR 2009”; in line 20, strike “5%” and substitute “THE FOLLOWING PERCENTAGE”; and in line 23, after “FUND” insert “:

(I) IN FISCAL YEAR 2006, 8%;

(II) IN FISCAL YEAR 2007, 6%;

(III) IN FISCAL YEAR 2008, 4%; AND

(IV) IN FISCAL YEAR 2009, 2%; AND

(3) FOR FISCAL YEARS AFTER FISCAL YEAR 2009, THE DEPARTMENT MAY NOT USE THE MONEYS IN THE WATERWAY IMPROVEMENT FUND FOR ADMINISTRATIVE EXPENSES”.

AMENDMENT NO. 11

On page 27, after line 12, insert:

“(j) (1) Except as provided in paragraph (2) of this subsection AND § 3-216(G) OF THE TRANSPORTATION ARTICLE, for fiscal year [2004] 2006 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.

(2) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the Account required to be included for that fiscal year under subsection (e) of this section.”.

On page 35, after line 10, insert:

“3-216.

(G) (1) NOTWITHSTANDING § 7-311(J) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, FOR FISCAL YEAR 2006 AND FOR EACH SUBSEQUENT FISCAL YEAR, IF THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000, EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE TRANSPORTATION TRUST FUND IN AN AMOUNT EQUAL TO THE LESSER OF \$50,000,000 OR THE EXCESS SURPLUS OVER \$10,000,000.

(2) FOR ANY FISCAL YEAR TO WHICH THIS SUBSECTION APPLIES:
(I) UNLESS THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS THE SUM OF

(Over)

\$10,000,000 AND THE AMOUNT REQUIRED TO BE APPROPRIATED TO THE TRANSPORTATION TRUST FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE APPROPRIATION TO THE REVENUE STABILIZATION ACCOUNT UNDER § 7-311(J) OF THE STATE FINANCE AND PROCUREMENT ARTICLE IS NOT REQUIRED; AND

(II) IF THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS THE SUM OF \$10,000,000 AND THE AMOUNT REQUIRED TO BE APPROPRIATED TO THE TRANSPORTATION TRUST FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE APPROPRIATION REQUIRED TO THE REVENUE STABILIZATION ACCOUNT UNDER § 7-311(J) OF THE STATE FINANCE AND PROCUREMENT ARTICLE SHALL EQUAL THE AMOUNT BY WHICH THAT SURPLUS EXCEEDS THE SUM OF \$10,000,000 AND THE AMOUNT APPROPRIATED TO THE TRANSPORTATION TRUST FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) (I) THE CUMULATIVE AMOUNT APPROPRIATED TO THE TRANSPORTATION TRUST FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR ALL FISCAL YEARS MAY NOT EXCEED \$314,913,000.

(II) THIS SUBSECTION DOES NOT APPLY TO ANY FISCAL YEAR IF A CUMULATIVE AMOUNT EQUAL TO AT LEAST \$314,913,000 HAS BEEN APPROPRIATED TO THE TRANSPORTATION TRUST FUND FOR PRIOR FISCAL YEARS UNDER THIS SUBSECTION.”.

AMENDMENT NO. 12

On page 34, in line 14, strike “subsection (d) of this section” and substitute “THE STATE BUDGET”.

AMENDMENT NO. 13

On page 35, before line 11, insert:

“3-601.

(D) IF THE DEPARTMENT INTENDS TO PLEDGE ANY FUTURE FEDERAL AID FROM ANY SOURCE TO SUPPORT REPAYMENT OF BONDS ISSUED UNDER THIS

SUBTITLE:

(1) THE ANNUAL PAYMENTS FOR PRINCIPAL OF AND INTEREST ON THE BONDS MAY NOT EXCEED 13 PERCENT OF THE STATE'S AVERAGE ANNUAL AUTHORIZATION LEVEL IN THE CURRENT FEDERAL AUTHORIZATION ACT FOR FEDERAL HIGHWAY AID PROVIDED UNDER TITLE 23 OF THE UNITED STATES CODE; AND

(2) THE DATE OF MATURITY MAY NOT BE LATER THAN 15 YEARS AFTER THE DATE OF ISSUE.

4-205.

(c) (1) Subject to the limitations described in paragraph (2) of this subsection, the Authority may make any contracts and agreements necessary or incidental to the exercise of its powers and performance of its duties.

(2) Not less than [30] 45 days before entering into any contract or agreement to acquire or construct a revenue-producing transportation facilities project, [the Authority shall provide,] subject to § 2-1246 of the State Government Article, [the Legislative Policy Committee and the Department of Legislative Services with information on the proposed contract or agreement] THE AUTHORITY SHALL PROVIDE A DESCRIPTION OF THE PROPOSED PROJECT AND A SUMMARY OF THE CONTRACT OR AGREEMENT TO:

(I) THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS AND HOUSE APPROPRIATIONS COMMITTEE FOR REVIEW AND COMMENT; AND

(II) THE DEPARTMENT OF LEGISLATIVE SERVICES.

4-302.

(a) [Without] EXCEPT AS PROVIDED IN § 4-306 (B) OF THIS SUBTITLE, WITHOUT limiting the power of the Authority to issue additional revenue bonds under the

(Over)

provisions of law that authorize the issuance of revenue bonds of prior issues, the Authority from time to time may issue its revenue bonds to finance the cost of any one or more or combination of transportation facilities projects.

4-306.

(A) [Revenue] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, REVENUE bonds may be issued by the Authority:

(1) Without obtaining the consent of any instrumentality, agency, or unit of this State; and

(2) Without any proceedings or the happening of any conditions or things other than those specifically required by this subtitle.

(B) (1) THE AUTHORITY MAY NOT ISSUE BONDS TO FINANCE ALL OR ANY PART OF THE COST OF A TRANSPORTATION FACILITY PROJECT UNTIL THE GENERAL ASSEMBLY HAS APPROVED, THROUGH LEGISLATION, THE SPECIFIC PROJECT AND THE MAXIMUM PRINCIPAL AMOUNT OF BONDS THAT THE AUTHORITY MAY ISSUE IN CONNECTION WITH THE PROJECT.

(2) WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, THE AUTHORITY MAY ISSUE BONDS TO REFINANCE ALL OR ANY PART OF THE COST OF A TRANSPORTATION FACILITY PROJECT FOR WHICH THE AUTHORITY PREVIOUSLY ISSUED BONDS AUTHORIZED UNDER THIS SUBTITLE.

4-307.

(a) [If,] SUBJECT TO THE PROVISIONS OF § 4-306(B) OF THIS SUBTITLE, IF by reason of increased construction costs, error in estimates, or otherwise, the proceeds of the revenue bonds of any issue are less than the amount required for the purpose for which the bonds are authorized, additional revenue bonds may be issued in a similar manner to provide the amount of the deficiency.

4-320.

IF THE AUTHORITY INTENDS TO PLEDGE ANY FUTURE FEDERAL AID FROM ANY SOURCE TO SUPPORT REPAYMENT OF ANY DEBT INSTRUMENT ISSUED UNDER THIS SUBTITLE:

(1) THE ANNUAL PAYMENTS FOR PRINCIPAL OF AND INTEREST ON THE BONDS MAY NOT EXCEED 13 PERCENT OF THE STATE'S AVERAGE ANNUAL AUTHORIZATION LEVEL IN THE CURRENT FEDERAL AUTHORIZATION ACT FOR FEDERAL HIGHWAY AID PROVIDED UNDER TITLE 23 OF THE UNITED STATES CODE; AND

(2) THE DATE OF MATURITY MAY NOT BE LATER THAN 15 YEARS AFTER THE DATE OF ISSUE.”.

AMENDMENT NO. 14

On page 35, in line 36, strike the brackets; strike beginning with “THE” in line 36 down through “SOURCE” in line 37; and after line 38, insert:

“(C) ON OR AFTER JULY 1, 2005, THE STATE MAY NOT SPEND ANY FUNDS FROM ANY SOURCE FOR THE PURPOSE OF STUDYING, DEVELOPING, OR CONSTRUCTING A MAGLEV SYSTEM IN THE STATE.”.

AMENDMENT NO. 15

On page 38, strike in their entirety lines 17 through 22, inclusive.

AMENDMENT NO. 16

On page 71, in line 16, strike “\$750,000” and substitute “\$1,500,000”.

AMENDMENT NO. 17

On page 71, strike in their entirety lines 38 and 39.

AMENDMENT NO. 18

On page 71, after line 27, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That Section(s) 90 through 95 and the subheading “Maryland Individual Development Accounts” of Article 88A - Human Resources of the Annotated Code of Maryland be repealed.”;

and in lines 28, 30, 32, 34, and 36, strike “16.”, “17.”, “18.”, “19.”, and “20.”, respectively, and substitute “17.”, “18.”, “19.”, “20.”, and “21.”, respectively.

AMENDMENT NO. 19

On page 47, strike in their entirety lines 26 through 34, inclusive.

On page 48, in line 36, strike the bracket; and in lines 36 and 37, in each instance, strike “\$80” and substitute “\$160”.

On page 49, in line 1, strike the bracket.

On page 51, in line 30, strike “FISCAL YEARS 2005 AND 2006” and substitute “FISCAL YEAR 2005”.

On page 52, in line 6, strike “EACH OF FISCAL YEARS 2005 AND 2006” and substitute “FISCAL YEAR 2005”; in line 9, strike “2007” and substitute “2006”; and in lines 14 and 33, in each instance, strike “FISCAL YEARS 2005 AND 2006” and substitute “FISCAL YEAR 2005”.

On page 53, in line 6, strike “EACH OF FISCAL YEARS 2005 AND 2006” and substitute “FISCAL YEAR 2005”; in line 9, strike “2007” and substitute “2006”; in lines 12 and 13, strike “FISCAL YEARS 2005 AND 2006” and substitute “FISCAL YEAR 2005”; in lines 19, 21, 25, and 27, in each instance, strike the bracket; in line 21, strike “(1)”; in line 25, strike “(2)”; in line 29, strike “\$150” and substitute “\$300”; and in line 30, strike “\$35” and substitute “\$70”.

On page 54, in line 2, strike “\$35” and substitute “\$70”; and in line 3, strike the bracket.

AMENDMENT NO. 20

On pages 63 through 66, strike in their entirety the lines beginning with line 23 on page 63 through line 27 on page 66, inclusive.

AMENDMENT NO. 21

On page 60, in line 30, after “(3)” insert “(I)”; and after line 35, insert:

“(II) THE MARYLAND ESTATE TAX SHALL BE DETERMINED WITHOUT REGARD TO ANY DEDUCTION FOR STATE DEATH TAXES ALLOWED UNDER § 2058 OF THE INTERNAL REVENUE CODE.”.

AMENDMENT NO. 22

On page 15, after line 2, insert:

“~~3.~~ A. FOR FISCAL YEAR 2005 ONLY, AN ADDITIONAL AMOUNT EQUAL TO 25 PERCENT OF THE APPROVED COST OR REIMBURSEMENT IN EXCESS OF THE SUM OF ITEMS 1 AND 2 OF THIS SUBPARAGRAPH; AND”;

in line 3, strike “3.” and substitute “B.”; in the same line, strike “An” and substitute “FOR FISCAL YEAR 2006 AND EACH SUBSEQUENT FISCAL YEAR, AN”; in the same line, strike the brackets; and in the same line, strike “25”.

AMENDMENT NO. 23

On page 13, after line 30, insert:

“5-202.

(f) [(1) For fiscal year 2004, the State share of the foundation program shall be adjusted to reflect regional differences in the cost of education that are due to factors outside the control of local jurisdictions, by increasing the State share of the foundation program otherwise determined for the following counties by:

- (i) 1% for Anne Arundel County;
- (ii) 3% for Baltimore City;
- (iii) 3% for Howard County; and
- (iv) 4% for Montgomery County.

(Over)

(2) For fiscal year 2005 and each fiscal year thereafter, the State share of the foundation program shall be adjusted to reflect regional differences in the cost of education that are due to factors outside the control of local jurisdictions.

(3) The Department shall contract with a private entity to conduct a study to:

(i) Develop a Maryland specific geographic cost of education index to be implemented no later than fiscal year 2005; and

(ii) Provide recommendations as to how the index should be used to adjust State education funding.]

(1) IN THIS SUBSECTION, "GCEI ADJUSTMENT" MEANS THE FOUNDATION PROGRAM FOR EACH COUNTY MULTIPLIED BY:

(I) 0.000 IN ALLEGANY;

(II) 0.018 IN ANNE ARUNDEL;

(III) 0.042 IN BALTIMORE CITY;

(IV) 0.008 IN BALTIMORE;

(V) 0.021 IN CALVERT;

(VI) 0.000 IN CAROLINE;

(VII) 0.014 IN CARROLL;

(VIII) 0.000 IN CECIL;

(IX) 0.020 IN CHARLES;

(X) 0.000 IN DORCHESTER;

- (XI) 0.024 IN FREDERICK;
- (XII) 0.000 IN GARRETT;
- (XIII) 0.000 IN HARFORD;
- (XIV) 0.015 IN HOWARD;
- (XV) 0.010 IN KENT;
- (XVI) 0.034 IN MONTGOMERY;
- (XVII) 0.048 IN PRINCE GEORGE'S;
- (XVIII) 0.011 IN QUEEN ANNE'S;
- (XIX) 0.002 IN ST. MARY'S;
- (XX) 0.000 IN SOMERSET;
- (XXI) 0.000 IN TALBOT;
- (XXII) 0.000 IN WASHINGTON;
- (XXIII) 0.000 IN WICOMICO; AND
- (XXIV) 0.000 IN WORCESTER.

(2) TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET FOR THE GRANTS UNDER THIS SUBSECTION, IN ADDITION TO THE STATE SHARE OF THE FOUNDATION PROGRAM, EACH COUNTY BOARD MAY RECEIVE A GRANT TO REFLECT REGIONAL DIFFERENCES IN THE COST OF EDUCATION THAT ARE DUE TO FACTORS OUTSIDE OF THE CONTROL OF THE LOCAL JURISDICTION.

(Over)

(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE AMOUNT OF THE GRANT TO EACH COUNTY BOARD UNDER THIS SUBSECTION SHALL EQUAL THE GCEI ADJUSTMENT FOR THE COUNTY BOARD MULTIPLIED TIMES:

(I) 0.50 IN FISCAL YEAR 2006;

(II) 0.62 IN FISCAL YEAR 2007;

(III) 0.74 IN FISCAL YEAR 2008;

(IV) 0.86 IN FISCAL YEAR 2009; AND

(V) 1.00 IN FISCAL YEAR 2010 AND EACH FISCAL YEAR THEREAFTER.

(4) FOR ANY FISCAL YEAR, IF SUFFICIENT FUNDS ARE NOT PROVIDED IN THE STATE BUDGET TO FULLY FUND THE GRANTS PROVIDED UNDER THIS SUBSECTION, THE GRANT TO EACH COUNTY BOARD UNDER THIS SUBSECTION SHALL EQUAL THE AMOUNT DETERMINED UNDER PARAGRAPH (3) OF THIS SUBSECTION MULTIPLIED BY A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE AMOUNT PROVIDED IN THE STATE BUDGET TO FUND THE GRANTS; AND

(II) THE DENOMINATOR OF WHICH IS THE SUM OF THE AMOUNTS CALCULATED UNDER PARAGRAPH (3) OF THIS SUBSECTION FOR ALL THE COUNTY BOARDS.”.

AMENDMENT NO. 24

On page 25, in line 27, strike “MONEY” and substitute “MONEYS”; and after line 28, insert:

“(e) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, an amendment under this section may not transfer any part of an appropriation among

any of the principal departments or any of the units in the Executive Branch that are not assigned to a principal department.

(2) This subsection does not prevent a transfer that:

(i) is part of a reorganization under § 8-301 of the State Government Article;

(ii) is needed to comply with federal law or a policy directive of a federal unit that relates to the use of federal funds;

(iii) because of an emergency declared by the Governor, is needed to protect the health, welfare, or property of the public; or

(iv) is specifically authorized by the budget bill or other law.

(3) (I) SUBJECT TO THE STATE BUDGET BILL, AN AMENDMENT MAY TRANSFER PART OF AN APPROPRIATION OF SPECIAL OR FEDERAL FUNDS BETWEEN ANY OF THE PRINCIPAL DEPARTMENTS OR ANY OF THE UNITS IN THE EXECUTIVE BRANCH THAT ARE NOT ASSIGNED TO A PRINCIPAL DEPARTMENT IF:

1. FUNDS ARE AVAILABLE TO THE DEPARTMENT OR UNIT FROM WHICH THE FUNDS ARE TO BE TRANSFERRED THROUGH A FEDERAL GRANT OR CONTRACT OR OTHER RESTRICTED GRANT OR CONTRACT;

2. THE USE OF FUNDS BY THE DEPARTMENT OR UNIT TO WHICH THE FUNDS ARE TO BE TRANSFERRED IS DIRECTLY RELATED TO THE PURPOSES OF THE GRANT OR CONTRACT AND THE STATUTORY DUTIES OF THAT DEPARTMENT OR UNIT; AND

3. THE TRANSFERRING DEPARTMENT OR UNIT AND THE RECEIVING DEPARTMENT OR UNIT SUBMIT A SCHEDULE OF FUNDS TO BE TRANSFERRED TO THE DEPARTMENT OF BUDGET AND MANAGEMENT.

(Over)

(II) FUNDS TRANSFERRED UNDER THIS PARAGRAPH MAY NOT BE EXPENDED BY THE RECIPIENT DEPARTMENT OR UNIT UNTIL EACH PROPOSED BUDGET AMENDMENT HAS BEEN APPROVED BY:

1. THE SECRETARY OF THE DEPARTMENT OF BUDGET AND MANAGEMENT;

2. THE GOVERNOR; AND

3. THE BOARD OF PUBLIC WORKS.

(III) A COPY OF EACH APPROVED BUDGET AMENDMENT UNDER THIS PARAGRAPH SHALL BE PROVIDED TO THE DEPARTMENT OF LEGISLATIVE SERVICES.”.

AMENDMENT NO. 25

On page 37, in line 40, strike the first “the” and substitute “(1) THE”.

On page 38, in line 3, strike “(b)” and substitute “(2) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,”; and after line 5, insert:

“(B) FOR FISCAL YEAR 2005 ONLY, IF THE TOTAL HIGHWAY USER REVENUES AS DEFINED UNDER § 8-401 OF THE TRANSPORTATION ARTICLE EXCEED \$1,615,653,303, THE AMOUNT TO BE DISTRIBUTED TO BALTIMORE CITY UNDER § 8-403(A) OF THE TRANSPORTATION ARTICLE SHALL BE LIMITED TO THE SUM OF:

(1) \$170,000,000; AND

(2) 12.25% OF THE TOTAL HIGHWAY USER REVENUES IN EXCESS OF \$1,615,653,303.”.

AMENDMENT NO. 26

On pages 22 through 24, strike in their entirety the lines beginning with line 29 on page 22 through line 15 on page 24, inclusive.

AMENDMENT NO. 27

On page 67, after line 23, insert:

“Article - Transportation

13-939.1.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, FOR A RENTAL VEHICLE AS DEFINED IN § 11-178 OF THIS ARTICLE, THE ANNUAL REGISTRATION FEE IS:

(1) FOR A CLASS A (PASSENGER) VEHICLE WITH A MANUFACTURER’S SHIPPING WEIGHT OF:

(I) 3,700 POUNDS OR LESS - \$27.00; AND

(II) MORE THAN 3,700 POUNDS - \$40.50;

(2) FOR A CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER’S RATED CAPACITY OF 3/4 TON OR LESS AND A MAXIMUM GROSS VEHICLE WEIGHT OF 7,000 POUNDS OR LESS - \$33.75;

(3) NOTWITHSTANDING ITEM (2) OF THIS SECTION, FOR A CLASS E (TRUCK) VEHICLE:

<u>WITH MAXIMUM GROSS WEIGHT LIMIT (IN POUNDS)</u>	<u>FEE (PER 1,000 POUNDS OR FRACTION THEREOF)</u>
<u>10,000 (MINIMUM) - 18,000</u>	<u>\$ 4.75</u>
<u>18,001 - 26,000</u>	<u>7.50</u>
<u>26,001 - 40,000</u>	<u>8.50</u>
<u>40,001 - 60,000</u>	<u>10.50</u>

(Over)

60,001 - 80,000 (MAXIMUM) 11.75;

(4) FOR A CLASS F (TRACTOR) VEHICLE BASED ON THE MAXIMUM GROSS WEIGHT OF THE VEHICLE IN COMBINATION WITH A TRAILER OR SEMITRAILER AS FOLLOWS:

<u>MAXIMUM GROSS WEIGHT LIMIT (IN POUNDS)</u>	<u>FEE (PER 1,000 POUNDS OR FRACTION THEREOF)</u>
<u>40,000 (MINIMUM) - 60,000</u>	<u>\$14.50</u>
<u>60,001 - 80,000 OR MORE</u>	<u>16.00;</u>

(5) FOR A CLASS G (TRAILER) VEHICLE BASED ON THE MAXIMUM GROSS WEIGHT AS FOLLOWS:

(I) FOR A NONFREIGHT TRAILER OR SEMITRAILER:

<u>MAXIMUM GROSS WEIGHT LIMIT (IN POUNDS)</u>	<u>FEE</u>
<u>3,000 OR LESS</u>	<u>\$13.50</u>
<u>3,001 - 5,000</u>	<u>27.00</u>
<u>5,001 - 10,000</u>	<u>47.25</u>
<u>10,001 - 20,000</u>	<u>81.00; AND</u>

(II) FOR A FREIGHT TRAILER OR SEMITRAILER - \$20.25; AND

(6) FOR A CLASS M (MULTIPURPOSE) VEHICLE WITH A MANUFACTURER'S SHIPPING WEIGHT OF:

(I) 3,700 POUNDS OR LESS - \$27.00; AND

(II) MORE THAN 3,700 POUNDS - \$40.50.”.

AMENDMENT NO. 28

On pages 32 and 33, strike in their entirety the lines beginning with line 31 on page 32

through line 7 on page 33, inclusive.

On page 38, in line 9, strike “\$3,000,000” and substitute “\$2,557,790”.

On page 71, after line 39, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding the provisions of § 13-1406 of the Health - General Article or any other provision of law, in fiscal year 2005, \$442,210 from the Spinal Cord Injury Research Trust Fund is authorized to be transferred by budget amendment to the Maryland Department of Aging to be used exclusively to supplement federal grants to local agencies under titles IIIB, IIIC1, IIIC2, and IIIE of the Older Americans Act.

(b) The Governor shall include in the budget bill for fiscal year 2006 a general fund appropriation in an amount not less than \$442,210 to the Maryland Department of Aging to supplement federal grants to local agencies under titles IIIB, IIIC1, IIIC2, and IIIE of the Older Americans Act.

(c) In fiscal years 2005 and 2006, these funds shall be used to hold rural jurisdictions harmless from reductions that would occur under a strictly census-based allocation and shall be allocated to the Area Agency on Aging as follows:

<u>Allegany</u>	<u>\$97,747</u>
<u>Carroll</u>	<u>1,035</u>
<u>Cecil</u>	<u>6,436</u>
<u>Frederick</u>	<u>3,659</u>
<u>MAC, Inc. - Serving Dorchester, Somerset, Wicomico, and Worcester</u>	<u>219,573</u>
<u>Queen Anne’s</u>	<u>15,784</u>
<u>St. Mary’s</u>	<u>519</u>
<u>Upper Shore Aging, Inc. - Serving Caroline, Kent, and Talbot</u>	<u>50,898</u>
<u>Washington</u>	<u>46,559</u>

(Over)

(d) The Governor shall submit proposed legislation to the General Assembly for consideration in the 2005 legislative session that specifies a formula for distributing federal funds under the Older Americans Act to local jurisdictions beginning in fiscal year 2007.

SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 11-105(b)(3) of the Education Article or any other provision of law, the biennial review of the State Plan for Higher Education due to be submitted by July 1, 2004 to the Governor and the General Assembly by the Maryland Higher Education Commission may be submitted on or before December 1, 2004.

SECTION 25. AND BE IT FURTHER ENACTED, That, on or before December 15, 2004, the Department of Budget and Management and the Public Service Commission shall jointly conduct a study and report to the Senate Budget and Taxation Committee, the Senate Finance Committee, the House Committee on Ways and Means, the House Economic Matters Committee, and the House Appropriations Committee on whether the General Assembly's goal of providing for an equitable and rational restructuring of State and local taxes on electric and gas utilities in light of competition and the restructuring of the electric and gas utility industries has been met. The report shall include:

(1) An assessment of the competitive structure of power generation in Maryland as impacted by Maryland's current tax structure; and

(2) An assessment of the impact of Maryland's current tax structure on local jurisdictions where power generating facilities are located.

SECTION 26. AND BE IT FURTHER ENACTED, That, on or before October 1 of 2004, 2005, and 2006, each State agency and each public institution of higher education shall report to the Department of Legislative Services and the Board of Public Works any agreements between State agencies and any public higher education institution, or between two or more State agencies, involving an expenditure of more than \$100,000 during the previous fiscal year. Each report shall include information about the creation of positions."

AMENDMENT NO. 29

On page 19, strike beginning with "With" in line 7 down through "(F)" in line 9.

AMENDMENT NO. 30

On page 72, in lines 1, 7, 9, 12, 15, 22, 26, and 28, strike “22.”, “23.”, “24.”, “25.”, “26.”, “27.”, “28.”, and “29.”, respectively, and substitute “27.”, “28.”, “29.”, “30.”, “31.”, “32.”, “33.”, and “34.”, respectively; in line 19, strike “10-201.1(b)(4)” and substitute “10-210.1(b)(4)”; and in line 29, strike “23 through 28” and substitute “28 through 33”.