

BY: Conference Committee

AMENDMENTS TO SENATE BILL 152  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “funds;” insert “requiring certain appropriations to certain counties;”; strike beginning with “repealing” in line 6 down through “site;” in line 13; in line 20, after “education” insert “in a certain fiscal year”; in line 23, after “amount;” insert “adding St. Mary’s College of Maryland to the list of public senior higher education institutions eligible for money from the Higher Education Investment Fund; clarifying language relating to the Higher Education Investment Fund;”; and in line 25, after “fees;” insert “authorizing the Department of Health and Mental Hygiene to impose a certain claims processing charge on certain Medicaid claims; setting a limit on the claims processing charge; requiring the Department of Health and Mental Hygiene to adopt certain regulations;”.

On page 2, strike beginning with “requiring” in line 3 down through “law;” in line 8; in line 13, after “facilities;” insert “requiring that certain proceeds of a certain account be transferred into the Mental Hygiene Community-Based Services Fund; repealing a certain provision related to the Injured Workers’ Insurance Fund;”; in line 18, after “Fund;” insert “requiring the Department of Budget and Management, in coordination with the Department of General Services, to take certain actions in connection with a certain program of maintenance and repair of public improvements, including establishing certain budgetary procedures and allocating certain costs; requiring the Governor to include in the State budget certain amounts for certain fiscal years in a certain manner; establishing the Facility Maintenance and Repair Fund as a special, nonlapsing fund; providing for the purposes, use, and funding of the Facility Maintenance and Repair Fund; requiring the Secretary of Budget and Management and the Secretary of General Services to submit certain annual reports on or before a certain date; requiring the Governor to allocate certain proceeds to the Facility Maintenance and Repair Fund;”; in line 18, strike “requiring” and substitute “providing”; strike beginning with “as” in line 18 down through “Account;” in line 23

(Over)

and substitute “or otherwise subject to the direction or control of a State official as a result of a certain settlement, judgment, or consent decree shall be deposited in the State treasury, shall be expended only in a certain manner, and may be transferred by budget amendment; providing for a certain exception; authorizing certain State officials to recommend certain restrictions on the use of certain payments; requiring certain State officials to make certain requests; establishing a Mortgage Loan Servicing Practices Fund as a continuing, nonlapsing fund; requiring certain funds to be credited to the Mortgage Loan Servicing Practices Fund; providing for the use of the Mortgage Loan Servicing Practices Fund; requiring the Governor to take certain actions in connection with each program, project, or activity receiving certain funds; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund;”; in line 39, after “Index;” insert “altering a certain surcharge on a certain motor vehicle registration fee; prohibiting certain regulations adopted by the Secretary of Health and Mental Hygiene from applying to certain prior calendar years;”; and in line 45, after “adjustment;” insert “extending the termination date for the authority for the operation of certain instant bingo games using electronic machines; prohibiting the payment of certain merit increases for certain State employees for a certain period; requiring certain reports to be submitted to certain committees of the General Assembly;”.

On page 3, strike beginning with “authorizing” in line 22 down through “contingency;” in line 23 and substitute “authorizing a county board of education to spend certain funds after approval by the county fiscal authority; requiring the county fiscal authority to approve the amount of certain funds within a certain period of time; providing that failure to take action constitutes approval by the county fiscal authority under certain circumstances;”; in line 35, after “circumstances;” insert “providing that a certain transfer resolves certain claims;”; strike beginning with “the” in line 37 down through “money” in line 38 and substitute “certain money received by the State”; in line 38, after “amendment” insert “, except under certain circumstances”; in line 41, after “manner;” insert “requiring that for a certain fiscal year the maintenance of effort calculation for Baltimore City exclude certain reductions in the cost of health benefits for retired employees of the Baltimore City Public School System under”.

certain circumstances; providing that a certain provision of law does not apply to a certain process for awarding a video lottery operation license; authorizing certain counties to reduce a certain education funding requirement in a certain fiscal year under certain circumstances; requiring the Governor to reduce certain appropriations by a certain amount and to propose certain additional reduction for a certain fiscal year under certain circumstances;"; in line 44, after "State" insert "and local"; and after line 45, insert:

"BY repealing,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9-1104

Annotated Code of Maryland

(2011 Replacement Volume)".

On page 4, strike in their entirety lines 5 through 14, inclusive; in line 22, strike "10-523(3)(i)" and substitute "10-523(a)(3)(i)"; in line 27, after "5-103(c)," insert "5-105(c)."; in the same line, after "5-206(f)(2)," insert "15-106.6(a)(3) and (b)(9)."; and in line 33, after "Section" insert "5-105(d).".

On page 5, in line 13, strike "and 19-310.1(b)(2)" and substitute "19-310.1(b)(2), and 24-1105"; after line 35, insert:

"BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 3-101 and 6-226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)";

and in line 38, strike "7-310.1" and substitute "3-612, 6-226(a)(2)(ii)64, 7-310.1, and 7-328".

On page 6, after line 1, insert:

(Over)

“BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6-226(a)(2)(ii)62 and 63 and 8-129  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)”;

and in line 35, strike “and 12-118(e)(2)” and substitute “12-118(e)(2), and 13-954”.

On page 7, in line 7, after “Section” insert “2 and”; after line 10, insert:

“BY repealing and reenacting, with amendments,  
Chapter 474 of the Acts of the General Assembly of 2008, as amended by  
Chapter 661 of the Acts of the General Assembly of 2009  
Section 2”;

in line 13, after “11” insert “and 24”; and after line 29, insert:

“BY repealing and reenacting, without amendments,  
Article - Education  
Section 5-105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)”.

#### AMENDMENT NO. 2

On pages 8 through 10, strike in their entirety the lines beginning with line 13 on page 8 through line 12 on page 10, inclusive.

#### AMENDMENT NO. 3

On page 11, in line 22, before “(3)” insert “(a)”; strike beginning with “1.” in line 26 down through the first bracket in line 30 and substitute:

“1. FOR FISCAL YEARS 2013 AND 2014, \$2,875,000;

AND

2.”.

AMENDMENT NO. 4

On page 15, after line 5, insert:

“15–106.6.

(a) (3) “Public Senior Higher Education Institution” has the meaning stated in § 10–101(m)[(1) and (2)] of this article.

(b) (9) Money in the Fund may be expended only:

(i) To supplement General Fund appropriations to [public senior higher education institutions and] research institutes of the University System of Maryland AND PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS;

(ii) For capital projects for [public senior higher education institutions and] research institutes of the University System of Maryland AND PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS;

(iii) For workforce development initiatives administered by the Commission; and

(iv) For initiatives to address higher education needs related to the United States Department of Defense Base Realignment and Closure process.”.

AMENDMENT NO. 5

(Over)

On page 16, in lines 3, 9, 15, 21, and 27, strike “19.3%”, “18.8%”, “18.4%”, “17.9%”, and “19.7%”, respectively, and substitute “19.7%”, “19.7%”, “19%”, “19%”, and “20%”, respectively.

On page 19, in line 36, strike “59.6%” and substitute “61%”.

On page 20, in lines 6, 12, and 18, strike “58.3%”, “56.9%”, and “55.6%”, respectively, and substitute “61%”, “58%”, and “58%”, respectively.

On page 22, in lines 8, 13, 17, and 21, strike “9.2%”, “9.0%”, “8.7%”, and “8.5%”, respectively, and substitute “9.4%”, “9.4%”, “9%”, and “9%”, respectively.

On page 23, in line 6, strike “\$38,445,958” and substitute “\$38,056,175”.

**AMENDMENT NO. 6**

On pages 27 and 28, strike in their entirety the lines beginning with line 26 on page 27 through line 10 on page 28, inclusive.

**AMENDMENT NO. 7**

On page 32, after line 10, insert:

“3-101.

(a) In this title the following words have the meanings indicated.

(b) “Department” means the Department of Budget and Management.

(c) “Secretary” means the Secretary of Budget and Management.

**3-612.**

(A) THE GENERAL ASSEMBLY FINDS THAT THE EXISTING FUNDING, PERSONNEL, AND TECHNOLOGY SUPPORTING THE DEPARTMENT OF GENERAL SERVICES FACILITY RENEWAL AND MAINTENANCE PROGRAMS ARE INADEQUATE TO EFFICIENTLY AND EFFECTIVELY OPERATE STATE PREVENTIVE MAINTENANCE AND REPAIR PROGRAMS.

(B) TO IMPROVE THE REGULAR MAINTENANCE AND REPAIR OF STATE FACILITIES AND REDUCE THE DETERIORATION OF PUBLIC IMPROVEMENTS THAT RESULTS IN INCREASED REPAIRS OF EXISTING FACILITIES OR CONSTRUCTION OF ENTIRELY NEW REPLACEMENT FACILITIES, THE DEPARTMENT, IN COORDINATION WITH THE DEPARTMENT OF GENERAL SERVICES, SHALL TAKE THE ACTIONS NECESSARY TO ALLOCATE SUFFICIENT FUNDS AND PERSONNEL TO ADMINISTER A COMPREHENSIVE AND CONTINUING PROGRAM OF MAINTENANCE AND REPAIR OF PUBLIC IMPROVEMENTS SUPPORTED THROUGH THE FACILITY MAINTENANCE AND RENEWAL FUND UNDER SUBSECTION (G) OF THIS SECTION.

(C) TO SUPPORT THE DEPARTMENT OF GENERAL SERVICES FACILITY MAINTENANCE AND RENEWAL PROGRAMS FOR FISCAL YEAR 2014 AND ANNUALLY THEREAFTER, THE DEPARTMENT SHALL ESTABLISH A STATEWIDE SUBOBJECT FOR THE PURPOSE OF CHARGING BACK TO EACH FUND ACCOUNT OF THE STATE AGENCIES:

(1) THE COST OF ONGOING CRITICAL MAINTENANCE AND FACILITY RENEWAL;

(2) THE PERSONNEL COST FOR A DEPARTMENT OF GENERAL SERVICES FACILITY RENEWAL ASSESSMENT TEAM; AND

(Over)

(3) THE COST OF PURCHASING AND MAINTAINING A COMPUTERIZED LIFE-CYCLE FACILITY MAINTENANCE MANAGEMENT SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(D) COSTS SHALL BE ALLOCATED TO EACH AGENCY FOR WHICH THE DEPARTMENT OF GENERAL SERVICES PROVIDES FACILITY MAINTENANCE AND FACILITY RENEWAL SERVICES THROUGH AN ANNUAL SQUARE FOOT ASSESSMENT CHARGE FOR CRITICAL MAINTENANCE AND RENEWAL BASED ON THE CURRENT ANNUAL SQUARE FOOTAGE RENT CALCULATION FOR EACH STATE-OWNED FACILITY.

(E) THE DEPARTMENT SHALL:

(1) ACCOUNT SEPARATELY FOR FUNDS USED FOR THE PURCHASE OF A COMPUTERIZED LIFE-CYCLE ACCOUNTING SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND

(2) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FUNDS USED FOR THE PURCHASE OF A COMPUTERIZED LIFE-CYCLE ACCOUNTING SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(F) FOR FISCAL YEAR 2014 AND ANNUALLY THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET THROUGH THE MECHANISM ESTABLISHED IN THIS SECTION A CHARGE BACK OF NOT LESS THAN \$20,000,000



FROM ALL FUND SOURCES TO BE ADJUSTED ANNUALLY FOR INFLATION AS MEASURED BY THE CONSUMER PRICE INDEX.

(G) (1) THERE IS A FACILITY MAINTENANCE AND REPAIR FUND.

(2) THE PURPOSE OF THE FUND IS TO PROVIDE SUPPORT FOR THE PURPOSES DESCRIBED IN SUBSECTION (C) OF THIS SECTION.

(3) THE SECRETARY OF GENERAL SERVICES SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THIS ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) MONEY APPROPRIATED TO THE FUND:

1. IN THE ANNUAL STATE BUDGET; OR

2. IN THE ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT;

(II) UNSPENT PROCEEDS OF AN ENABLING ACT ALLOCATED TO THE FUND BY THE GOVERNOR UNDER § 8-129 OF THIS ARTICLE; AND

(Over)

(III) THE AMOUNT OF AN APPROPRIATION IN AN ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT THAT IS IN EXCESS OF THE AMOUNT NEEDED FOR A PROJECT INCLUDED IN THE ACT AND THAT IS ALLOCATED TO THE FUND.

(6) THE FUND MAY BE USED ONLY FOR FACILITY MAINTENANCE AND FACILITY RENEWAL PROJECTS ADMINISTERED BY THE DEPARTMENT OF GENERAL SERVICES AT STATE-OWNED FACILITIES.

(7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(II) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(8) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET OR THE ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT.

(H) ON OR BEFORE JULY 1, 2013, AND EACH JULY 1 THEREAFTER, THE SECRETARY AND THE SECRETARY OF GENERAL SERVICES SHALL SUBMIT A REPORT, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON:

(1) MONEY APPROPRIATED TO THE FUND;

(2) MONEY AUTHORIZED FOR EXPENDITURE FROM THE FUND;

AND

**(3) THE BACKLOG OF FACILITY RENEWAL MAINTENANCE AND FACILITY RENEWAL PROJECTS, INCLUDING THE CHANGE IN THE BACKLOG COMPARED TO THE PRIOR FISCAL YEAR.”.**

On page 32, before line 22, insert:

“8-129.

(a) With the approval of the Board, the Governor shall dispose of unspent proceeds of an enabling act within 1 year after the termination of the State debt authorization under § 8-128 of this subtitle.

(b) The Governor shall:

(1) use the proceeds to reduce State debt authorizations, as provided in § 8-126(b) through (d) of this subtitle;

(2) allocate the proceeds to the Construction Contingency Fund, as provided in § 3-609 of this article; [or]

(3) order the proceeds to be credited to the Annuity Bond Fund, to pay the outstanding bonded indebtedness of the State; OR

**(4) ALLOCATE THE PROCEEDS TO THE FACILITY MAINTENANCE AND RENEWAL FUND, AS PROVIDED IN § 3-612 OF THIS SUBTITLE.**

(c) The Board shall enforce the provisions of this section.”.

**AMENDMENT NO. 8**

On page 32, after line 10, insert:

(Over)

“6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

62. Veterans Trust Fund; [and]

63. Transportation Trust Fund; AND

64. MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND.”;

in line 12, after “STATE” insert “OR OTHERWISE SUBJECT TO THE DIRECTION OR CONTROL OF A STATE OFFICIAL,”; strike beginning with the second “THE” in line 12 down through “CLAIMS” in line 13 and substitute “A SETTLEMENT, JUDGMENT, OR CONSENT DECREE MADE OR ENTERED INTO AFTER JANUARY 1, 2012”; after line 13, insert:

“(1) SHALL BE DEPOSITED IN THE STATE TREASURY; AND

(2) EXCEPT FOR FUNDS DESIGNATED AS RESTITUTION:”;

in line 14, strike “(1)” and substitute “(I)”; strike beginning with “THROUGH” in line 14 down through “AUTHORIZED” in line 15; in line 17, strike “(2)” and substitute

“(II)”; in the same line, strike “IS NOT SUBJECT TO TRANSFER” and substitute “MAY BE TRANSFERRED”; strike in their entirety lines 18 through 21, inclusive, and substitute:

“(B) IN NEGOTIATING ANY STATE PAYMENT UNDER ANY NATIONAL OR MULTISTATE SETTLEMENT, JUDGMENT, OR CONSENT DECREE, A STATE OFFICIAL MAY RECOMMEND RESTRICTIONS ON THE USE OF THAT STATE PAYMENT BUT SHALL ALSO REQUEST THAT THE SETTLEMENT, JUDGMENT, OR CONSENT DECREE ALSO PROVIDE THAT THE FUNDS MAY BE USED FOR ANY PUBLIC PURPOSE, TO THE EXTENT THAT DOING SO IS NOT INCONSISTENT WITH THE STATE OR ITS CITIZENS SECURING THE MAXIMUM BENEFIT FROM THE SETTLEMENT, JUDGMENT, OR CONSENT DECREE.

7-328.

(A) THERE IS A MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND.

(B) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THIS SUBTITLE.

(2) EXCEPT FOR RESTITUTION AND FUNDS DESIGNATED AS FINES, CIVIL PENALTIES, AND MONIES THAT ARE OTHERWISE REQUIRED UNDER MARYLAND LAW, A JUDGMENT, OR A SETTLEMENT AGREEMENT TO BE PAID INTO THE GENERAL FUND OF THE STATE, THERE SHALL BE CREDITED TO THE FUND ALL REVENUES CONSISTING OF FUNDS RECEIVED BY THE STATE FROM ANY SOURCE RESULTING, DIRECTLY OR INDIRECTLY, FROM ANY JUDGMENT AGAINST OR SETTLEMENT WITH BANK MORTGAGE SERVICERS OR ANY OTHER PERSON IN THE MORTGAGE SERVICING INDUSTRY RELATING TO LITIGATION,

(Over)

ADMINISTRATIVE PROCEEDINGS, OR ANY OTHER CLAIMS MADE OR PROSECUTED BY THE STATE TO RECOVER DAMAGES FOR VIOLATIONS OF STATE LAW.

(C) THE TREASURER SHALL:

(1) INVEST AND REINVEST THE FUND IN THE SAME MANNER AS OTHER STATE FUNDS; AND

(2) CREDIT ANY INVESTMENT EARNINGS TO THE FUND.

(D) EXPENDITURES FROM THE FUND SHALL BE MADE BY AN APPROPRIATION IN THE ANNUAL STATE BUDGET OR MAY BE TRANSFERRED BY BUDGET AMENDMENT.

(E) (1) THE FUND SHALL BE EXPENDED SUBJECT TO ANY RESTRICTIONS ON ITS USE OR OTHER LIMITATIONS ON ITS ALLOCATION THAT ARE:

(I) EXPRESSLY PROVIDED BY STATUTE; OR

(II) REQUIRED AS A CONDITION OF THE ACCEPTANCE OF FUNDS.

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT DISBURSEMENTS FROM THE FUND TO PROGRAMS FUNDED BY THE STATE OR WITH FEDERAL FUNDS ADMINISTERED BY THE STATE SHALL BE USED AS PROVIDED IN THIS SECTION SOLELY TO SUPPLEMENT, AND NOT TO SUPPLANT, FUNDS OTHERWISE AVAILABLE FOR THE PROGRAMS UNDER FEDERAL OR STATE LAW.

(F) (1) THE MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND SHALL BE USED FOR HOUSING AND FORECLOSURE-RELIEF PURPOSES AND FOR RELATED INVESTIGATION AND ENFORCEMENT ACTIVITIES, INCLUDING:

(I) THE PROVISION OF HOUSING COUNSELING;

(II) LEGAL ASSISTANCE RELATED TO FORECLOSURE AND HOUSING ACTIVITIES;

(III) CRIMINAL OR CIVIL INVESTIGATIONS OF FRAUD RELATED TO HOUSING AND THE SECURITIZATION OF MORTGAGE LOANS;

(IV) RELEVANT ENFORCEMENT ACTIVITIES;

(V) FORECLOSURE PREVENTION, REMEDIATION, AND RESTITUTION;

(VI) PROGRAMS TO ADDRESS COMMUNITY BLIGHT;

(VII) PROGRAMS REASONABLY TARGETED TO BENEFIT PERSONS HARMED BY MORTGAGE FRAUD; AND

(VIII) ANY OTHER PUBLIC PURPOSE REASONABLY RELATED TO HOUSING AND FORECLOSURE RELIEF.

(2) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AFFECT THE GOVERNOR'S POWERS WITH RESPECT TO A REQUEST FOR AN APPROPRIATION IN THE ANNUAL BUDGET BILL.

(Over)

(G) FOR EACH PROGRAM, PROJECT, OR ACTIVITY UNDER SUBSECTION (F)(1) OF THIS SECTION FOR WHICH FUNDS ARE APPROPRIATED, THE GOVERNOR SHALL:

(1) DEVELOP APPROPRIATE STATEMENTS OF VISION, MISSION, KEY GOALS, OBJECTIVES, AND PERFORMANCE INDICATORS AND REPORT THESE STATEMENTS IN A DISCRETE PART OF THE STATE BUDGET SUBMISSION, WHICH SHALL ALSO PROVIDE DATA FOR KEY PERFORMANCE INDICATORS; AND

(2) REPORT ANNUALLY, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY NO LATER THAN OCTOBER 1 ON:

(I) TOTAL FUNDS EXPENDED, BY PROGRAM AND SUBDIVISION, IN THE PRIOR FISCAL YEAR FROM THE FUND ESTABLISHED UNDER THIS SECTION; AND

(II) THE SPECIFIC OUTCOMES OR PUBLIC BENEFITS RESULTING FROM THAT EXPENDITURE.”.

AMENDMENT NO. 9

On page 34, strike beginning with the period in line 6 down through “INCLUDES” in line 8 and substitute “, ADJUSTED BY”.

On pages 36 and 37, strike in their entirety the lines beginning with line 22 on page 36 through line 12 on page 37, inclusive, and substitute:



<u>“LOCAL</u>	<u>FISCAL</u>	<u>FISCAL</u>	<u>FISCAL</u>	<u>FISCAL</u>
<u>EMPLOYER</u>	<u>YEAR</u>	<u>YEAR</u>	<u>YEAR</u>	<u>YEAR</u>
	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
<u>ALLEGANY</u>	<u>1,487,742</u>	<u>1,885,754</u>	<u>2,412,465</u>	<u>2,773,677</u>
<u>ANNE ARUNDEL</u>	<u>11,493,684</u>	<u>14,568,567</u>	<u>18,637,716</u>	<u>21,428,297</u>
<u>BALTIMORE CITY</u>	<u>12,922,862</u>	<u>16,380,092</u>	<u>20,955,217</u>	<u>24,092,793</u>
<u>BALTIMORE</u>	<u>15,755,802</u>	<u>19,970,922</u>	<u>25,549,002</u>	<u>29,374,395</u>
<u>CALVERT</u>	<u>2,835,938</u>	<u>3,594,631</u>	<u>4,598,648</u>	<u>5,287,193</u>
<u>CAROLINE</u>	<u>793,934</u>	<u>1,006,334</u>	<u>1,287,413</u>	<u>1,480,175</u>
<u>CARROLL</u>	<u>4,005,782</u>	<u>5,077,441</u>	<u>6,495,621</u>	<u>7,468,196</u>
<u>CECIL</u>	<u>2,459,819</u>	<u>3,117,889</u>	<u>3,988,747</u>	<u>4,585,973</u>
<u>CHARLES</u>	<u>3,936,516</u>	<u>4,989,645</u>	<u>6,383,304</u>	<u>7,339,061</u>
<u>DORCHESTER</u>	<u>656,543</u>	<u>832,186</u>	<u>1,064,625</u>	<u>1,224,028</u>
<u>FREDERICK</u>	<u>5,893,461</u>	<u>7,470,128</u>	<u>9,556,610</u>	<u>10,987,499</u>
<u>GARRETT</u>	<u>664,714</u>	<u>842,544</u>	<u>1,077,874</u>	<u>1,239,262</u>
<u>HARFORD</u>	<u>5,529,741</u>	<u>7,009,102</u>	<u>8,966,815</u>	<u>10,309,396</u>
<u>HOWARD</u>	<u>9,821,066</u>	<u>12,448,477</u>	<u>15,925,463</u>	<u>18,309,945</u>
<u>KENT</u>	<u>366,147</u>	<u>464,102</u>	<u>593,730</u>	<u>682,628</u>
<u>MONTGOMERY</u>	<u>27,227,553</u>	<u>34,511,689</u>	<u>44,151,153</u>	<u>50,761,802</u>
<u>PRINCE GEORGE'S</u>	<u>19,554,579</u>	<u>24,785,979</u>	<u>31,708,954</u>	<u>36,456,662</u>
<u>QUEEN ANNE'S</u>	<u>1,105,527</u>	<u>1,401,286</u>	<u>1,792,679</u>	<u>2,061,093</u>
<u>ST. MARY'S</u>	<u>2,485,697</u>	<u>3,150,691</u>	<u>4,030,711</u>	<u>4,634,220</u>
<u>SOMERSET</u>	<u>480,124</u>	<u>608,570</u>	<u>778,550</u>	<u>895,121</u>
<u>TALBOT</u>	<u>628,456</u>	<u>796,586</u>	<u>1,019,080</u>	<u>1,171,665</u>
<u>WASHINGTON</u>	<u>3,094,113</u>	<u>3,921,875</u>	<u>5,017,294</u>	<u>5,768,522</u>
<u>WICOMICO</u>	<u>2,173,593</u>	<u>2,755,091</u>	<u>3,524,616</u>	<u>4,052,348</u>
<u>WORCESTER</u>	<u>1,271,561</u>	<u>1,611,739</u>	<u>2,061,914</u>	<u>2,370,640”.</u>

On page 43, in line 17, strike “NICKEL” and substitute “DIME”; in line 18, strike “BIENNIAL” and substitute “TRIENNIAL”; in line 21, strike “2010” and substitute “2009”; and in the same line, strike “2-YEAR” and substitute “3-YEAR”.

AMENDMENT NO. 11

On page 43, after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Prior to making any adjustments to capitation payments for a managed care organization, the Secretary of Health and Mental Hygiene, in consultation with the Maryland Insurance Commissioner, shall adopt regulations to implement the provisions of § 15-605(c)(5) of the Insurance Article.

(b) The regulations adopted under subsection (a) of this section shall:

(1) establish the definition of “loss ratio” for uniform application by all managed care organizations;

(2) establish procedures requiring the Secretary of Health and Mental Hygiene to consider the financial performance of a managed care organization in prior periods;

(3) establish standard data collection and reporting requirements for all managed care organizations;

(4) consistent with the provisions of § 15-605(c)(5) of the Insurance Article, establish a process for allowing a managed care organization to appeal a decision of the Secretary of Health and Mental Hygiene to adjust a managed care organization's capitation payments; and

(5) establish a mechanism for, and conditions under which, an adjustment to the capitation rates of a managed care organization are made.

(c) The Secretary of Health and Mental Hygiene shall adopt any additional regulations necessary to carry out the provisions of § 15-605(c)(5) of the Insurance Article and the goals of the Health Choice Program.

**(D) ANY REGULATIONS ADOPTED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE THAT ADJUST CAPITATED PAYMENTS TO MANAGED CARE ORGANIZATIONS IF THE MEDICAL LOSS RATIO OF A MANAGED CARE ORGANIZATION IS LESS THAN 85% MAY NOT APPLY TO A CALENDAR YEAR PRECEDING THE CALENDAR YEAR IN WHICH THE REGULATIONS ARE ADOPTED.”.**

AMENDMENT NO. 12

On page 60, after line 32, insert:

“\$5,000,000 of the funds in the accounts of the University System of Maryland;

\$250,000 of the funds in the accounts of Morgan State University.”.

AMENDMENT NO. 13

On page 61, before line 1, insert:

“\$351,000 of the funds in the special fund established under § 11-401 of the Business Regulation Article.”.

AMENDMENT NO. 14

On page 61, in line 37, strike “\$209,000” and substitute “\$1,867,000”.

AMENDMENT NO. 15

On page 62, strike beginning with “Notwithstanding” in line 4 down through “(i)” in line 8; and in line 13, strike “(ii)” and substitute “(2)”.

(Over)

AMENDMENT NO. 16

On page 65, strike in their entirety lines 29 through 34, inclusive.

AMENDMENT NO. 17

On page 66, after line 31, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that funding be provided in the annual budget to upgrade the Maryland Institute for Emergency Medical Services System communications systems.”.

AMENDMENT NO. 18

On page 8, after line 6, insert:

**“(3) BALTIMORE COUNTY - \$3,000,000;”;**

in lines 7, 8, 9, 10, 11, and 12, strike “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, and “**(8)**”, respectively, and substitute “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, and “**(9)**”, respectively; and in line 10, strike “**\$7,628,702**” and substitute “**\$9,628,702**”.

AMENDMENT NO. 19

On page 13, in line 29, after “**SUBTITLE**” insert “**IN THE FOLLOWING FISCAL YEAR**”.

AMENDMENT NO. 20

On page 59, after line 32, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–105.

(a) All revenues received by a county board shall be spent by the board in accordance with the major categories of its annual budget as provided under § 5–101 of this subtitle.

(c) [Nonlocal]EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, NONLOCAL funds received by a county board after the adoption of the annual budget by the county fiscal authority may be spent by the county board if the county fiscal authority is notified and approves of:

- (1) The source and amount of the funds; and
- (2) The manner of spending the funds.

(D) (1) FUNDS RECEIVED BY THE COUNTY BOARD UNDER § 2-608(A)(1) OF THE TAX - GENERAL ARTICLE AFTER THE ADOPTION OF THE ANNUAL BUDGET BY THE COUNTY FISCAL AUTHORITY MAY BE SPENT BY THE COUNTY BOARD AFTER APPROVAL BY THE COUNTY FISCAL AUTHORITY UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE COUNTY FISCAL AUTHORITY SHALL APPROVE THE AMOUNT OF FUNDS RECEIVED BY THE COUNTY BOARD UNDER § 2-608(A)(1) OF THE TAX - GENERAL ARTICLE WITHIN 30 DAYS AFTER THE COMPTROLLER MAKES THE DISTRIBUTION TO THE COUNTY BOARD.

(3) IF THE COUNTY FISCAL AUTHORITY FAILS TO TAKE ACTION WITHIN 30 DAYS AFTER THE DISTRIBUTION BY THE COMPTROLLER, THE FAILURE TO TAKE ACTION CONSTITUTES APPROVAL.”.

(Over)

AMENDMENT NO. 21

On page 66, strike in their entirety lines 3 through 26, inclusive, and substitute:

<u>“ALLEGANY</u>	<u>\$1,487,742</u>	<u>\$1,885,754</u>	<u>\$1,847,253</u>	<u>\$2,202,813</u>
<u>ANNE</u>				
<u>ARUNDEL</u>	<u>11,493,684</u>	<u>14,568,567</u>	<u>15,930,477</u>	<u>18,693,986</u>
<u>BALTIMORE</u>				
<u>CITY</u>	<u>12,922,862</u>	<u>16,380,092</u>	<u>14,824,485</u>	<u>17,900,753</u>
<u>BALTIMORE</u>	<u>15,755,802</u>	<u>19,970,922</u>	<u>21,062,639</u>	<u>24,843,168</u>
<u>CALVERT</u>	<u>2,835,938</u>	<u>3,594,631</u>	<u>4,071,110</u>	<u>4,754,380</u>
<u>CAROLINE</u>	<u>793,934</u>	<u>1,006,334</u>	<u>991,831</u>	<u>1,181,637</u>
<u>CARROLL</u>	<u>4,005,782</u>	<u>5,077,441</u>	<u>5,736,837</u>	<u>6,701,824</u>
<u>CECIL</u>	<u>2,459,819</u>	<u>3,117,889</u>	<u>3,352,878</u>	<u>3,943,745</u>
<u>CHARLES</u>	<u>3,936,516</u>	<u>4,989,645</u>	<u>5,642,346</u>	<u>6,590,694</u>
<u>DORCHESTER</u>	<u>656,543</u>	<u>832,186</u>	<u>775,810</u>	<u>932,325</u>
<u>FREDERICK</u>	<u>5,893,461</u>	<u>7,470,128</u>	<u>8,438,605</u>	<u>9,858,314</u>
<u>GARRETT</u>	<u>664,714</u>	<u>842,544</u>	<u>796,082</u>	<u>954,652</u>
<u>HARFORD</u>	<u>5,529,741</u>	<u>7,009,102</u>	<u>7,475,675</u>	<u>8,803,344</u>
<u>HOWARD</u>	<u>9,821,066</u>	<u>12,448,477</u>	<u>14,909,225</u>	<u>17,283,545</u>
<u>KENT</u>	<u>366,147</u>	<u>464,102</u>	<u>445,130</u>	<u>532,542</u>
<u>MONTGOMERY</u>	<u>27,227,553</u>	<u>34,511,689</u>	<u>37,809,551</u>	<u>44,356,785</u>
<u>PRINCE</u>				
<u>GEORGE'S</u>	<u>19,554,579</u>	<u>24,785,979</u>	<u>24,951,664</u>	<u>29,631,799</u>
<u>QUEEN ANNE'S</u>	<u>1,105,527</u>	<u>1,401,286</u>	<u>1,497,849</u>	<u>1,763,314</u>
<u>ST. MARY'S</u>	<u>2,485,697</u>	<u>3,150,691</u>	<u>3,417,429</u>	<u>4,014,805</u>
<u>SOMERSET</u>	<u>480,124</u>	<u>608,570</u>	<u>495,932</u>	<u>609,676</u>
<u>TALBOT</u>	<u>628,456</u>	<u>796,586</u>	<u>792,752</u>	<u>943,073</u>
<u>WASHINGTON</u>	<u>3,094,113</u>	<u>3,921,875</u>	<u>4,099,702</u>	<u>4,841,754</u>
<u>WICOMICO</u>	<u>2,173,593</u>	<u>2,755,091</u>	<u>2,719,329</u>	<u>3,239,009</u>

WORCESTER      1,271,561      1,611,739      1,647,903      1,952,488”.

AMENDMENT NO. 22

On page 66, before line 32, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for a county that does not meet the maintenance of effort requirement under § 5-202(d) of the Education Article in fiscal year 2012 and did not approve a county income tax rate of 3.2% before July 1, 2011:

(1) For fiscal year 2013, if a county approves a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2012, the required fiscal year 2013 maintenance of effort amount for the county shall be calculated based on the local funds appropriated to the school operating budget for fiscal year 2012.

(2) For fiscal year 2014:

(i) if a county approves a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2013, the required fiscal year 2014 maintenance of effort amount for the county shall be calculated based on the local funds appropriated to the school operating budget for fiscal year 2013; and

(ii) if the county does not approve a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2013, the required fiscal year 2014 maintenance of effort amount for the county shall be based on the required maintenance of effort amount for fiscal year 2012.”

AMENDMENT NO. 23

On page 67, before line 6, insert:

(Over)

“SECTION 30. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect July 1, 2014.”.

AMENDMENT NO. 24

On page 66, after line 31, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding § 5-202(d) of the Education Article, for fiscal year 2013 only, the maintenance of effort calculation for Baltimore City shall exclude:

(1) a reduction in the cost of health benefits for retired employees of the Baltimore City Public School System if a similar reduction is made for all participants in the health benefits program for retired employees that is administered by Baltimore City and includes retired employees of both Baltimore City and the Baltimore City Public School System; and

(2) a reduction in the cost of health benefits for retired employees of the Baltimore City Public School System due to a change in the allocation of the costs of the health benefits program between retired employees of Baltimore City and the Baltimore City Public School System from the estimated number of retired employees for Baltimore City and for the Baltimore City School System to an estimate of the actual medical and prescription drug claims for the retired employees of Baltimore City and for the retired employees of the Baltimore City School System.”.

AMENDMENT NO. 25

On page 66, after line 31, insert:

“SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law to the contrary, §10-306 of the State Finance and Procurement Article does not apply to the process for awarding a video lottery operation license under §§ 9-1A-05(a)(4) and 9-1A-36(h)(1)(iii) of the State Government Article.”.



AMENDMENT NO. 26

On page 62, in line 26, after “\$950,000” insert “, and on or before June 30, 2013, the Governor may transfer up to \$209,000.”.

AMENDMENT NO. 27

On page 45, after line 3, insert:

“SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, may not receive merit increases prior to April 1, 2014.

(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland;

(3) payments pursuant to a collective bargaining agreement negotiated with an accredited representative in accordance with § 7–601 of the Transportation Article; or

(4) for fiscal [year] YEARS 2012 [only] AND 2013, operationally critical staff.

(Over)

(c) On or before December 1, 2011 , AND DECEMBER 1, 2012, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2011 , AND DECEMBER 1, 2012, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all executive branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 28

On page 29, after line 22, insert:

“24–1105.

(a) The Trust Fund may only be used in accordance with this section.

(b) In accordance with an appropriation approved by the General Assembly in the State budget, the Comptroller shall transfer [the investment earnings of]:

(1) [The] THE INVESTMENT EARNINGS OF THE Developmental Disabilities Administration account of the Trust Fund into the Waiting List Equity Fund established under § 7–205 of this article; and

(2) [The] THE PROCEEDS AND INVESTMENT EARNINGS OF THE Mental Hygiene Administration account of the Trust Fund into the Mental Hygiene Community–Based Services Fund established under § 10–208 of this article.”.

AMENDMENT NO. 29

On page 28, after line 10, insert:

“15-102.8.

(A) THE DEPARTMENT MAY IMPOSE A CLAIMS PROCESSING CHARGE ON ALL MEDICAID CLAIMS PROCESSED, APPROVED, AND PAID BY THE DEPARTMENT TO HOSPITALS LOCATED IN THE DISTRICT OF COLUMBIA FOR THE PROVISION OF INPATIENT AND OUTPATIENT HOSPITAL SERVICES.

(B) THE AMOUNT TO BE PAID UNDER SUBSECTION (A) OF THIS SECTION MAY NOT EXCEED 6% OF THE AMOUNT OF CLAIMS PAID.

(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.”.

AMENDMENT NO. 30

On page 65, in line 24, after “That” insert “:

(a) Except as provided in subsection (b) of this section.”;

and after line 28, insert:

“(b) For fiscal year 2013 only, money received by the State as a result of conditions of an approved merger between Exelon Corporation and Constellation Energy Group may be transferred by budget amendment if:

(Over)

(1) the budget amendment is subject to review by the Legislative Policy Committee, the House Appropriations Committee, and the Senate Budget and Taxation Committee; and

(2) the Legislative Policy Committee, the House Appropriations Committee, and the Senate Budget and Taxation Committee have 45 days to review and comment on the proposed budget amendment.”.

AMENDMENT NO. 31

On page 43, after line 29, insert:

“13–954.

(a) In this section, “motor vehicle” means a:

- (1) Class A (passenger) vehicle;
- (2) Class B (for hire) vehicle;
- (3) Class C (funeral and ambulance) vehicle;
- (4) Class D (motorcycle) vehicle;
- (5) Class E (truck) vehicle;
- (6) Class F (tractor) vehicle;
- (7) Class H (school) vehicle;
- (8) Class J (vanpool) vehicle;
- (9) Class M (multipurpose) vehicle;

- (10) Class P (passenger bus) vehicle;
- (11) Class Q (limousine) vehicle;
- (12) Class R (low speed) vehicle; or
- (13) Vehicle within any other class designated by the Administrator.

(b) (1) In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of ~~[\$13.50]~~ **\$15.50** per year for each motor vehicle registered.

(2) \$2.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19–130 of the Health – General Article.”.

AMENDMENT NO. 32

On page 7, after line 37, insert:

“9–1104.

The Governor shall include in the budget bill for each fiscal year a General Fund appropriation to Baltimore City of \$3,075,000.]”.

On page 8, in line 6, strike “**\$6,972,596**” and substitute “**\$10,047,956**”.

On page 66, after line 31, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer by budget amendment \$5,000,000 from the Revenue Stabilization Account established under § 7-311 of the State Finance and Procurement Article to fund teacher

(Over)

retirement supplemental grants under Article 24, § 9-1105 of the Code, as enacted under this Act.”.

AMENDMENT NO. 33

On page 66, before line 32, insert:

“SECTION 27. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, to the extent that the fiscal year 2013 revenue collections combined with reversions do not exceed budget estimates by \$60,000,000, the Governor shall exercise the Governor’s authority to reduce appropriations under § 7-213 of the State Finance and Procurement Article to reduce General Fund appropriations for fiscal year 2013 by the amount needed to provide \$60,000,000 in additional fund balance for fiscal year 2013. To the extent the revenues attained or reductions made under this section are not ongoing reductions to State spending, the Governor shall propose additional ongoing reductions in the State budget prepared for fiscal year 2014.”.

AMENDMENT NO. 34

On page 41, strike beginning with “**FISCAL**” in line 16 down through “**BEFORE**” in line 17 and substitute “**OF THE FISCAL YEARS BEGINNING JULY 1, 2013, AND**”.

On page 60, in lines 1, 4, 6, and 13, strike “3.”, “4.”, “5.”, and “6.”, respectively, and substitute “4.”, “5.”, “6.”, and “7.”, respectively.

On page 61, in lines 9, 16, and 35, strike “7.”, “8.”, and “9.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

On page 62, in lines 3 and 24, strike “10.” and “11.”, respectively, and substitute “11.” and “12.”, respectively.

On page 63, in lines 9, 13, and 17, strike “12.”, “13.”, and “14.”, respectively, and substitute “13.”, “14.”, and “15.”, respectively.

On page 64, in line 18, strike “15.” and substitute “16.”.

On page 65, in lines 12, 18, 24, and 35, strike “16.”, “17.”, “18.”, “21.”, respectively, and substitute “17.”, “18.”, “19.”, and “20.”, respectively.

On page 66, in lines 27, 32, and 38, strike “22.”, “23.”, and “24.”, respectively, and substitute “21.”, “28.”, and “29.”, respectively; and in line 31, strike “21” and substitute “20”.

On page 67, in line 6, strike “25.” and substitute “31.”.