

# HOUSE BILL 162

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CF SB 172

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By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 15, 2014

Assigned to: Appropriations

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## A BILL ENTITLED

AN ACT concerning

### **Budget Reconciliation and Financing Act of 2014**

FOR the purpose of authorizing certain funds to be used for certain purposes; authorizing or altering the distribution of certain revenue; altering or repealing certain required appropriations; altering the rate of certain commissions; providing for the transfer of certain funds; altering the rate of a certain assessment; requiring the Health Services Cost Review Commission to establish a Community Partnership Assistance Program; requiring certain funding for the Program for certain purposes; providing for the sources and permissible uses of the funding; requiring that certain plans be developed in accordance with certain guidelines; providing that certain guidelines contain certain criteria and specifications; providing for the submission and approval of certain plans; requiring the Commission to take action on a certain plan; requiring that certain preferences be given to certain plans or collaborations; altering the timing of certain increases in certain rates for payments to certain providers for a certain fiscal year; setting certain limits in increases in payments to certain providers for a certain fiscal year; defining certain terms; making a conforming change; making the provisions of this Act severable; providing for the effective dates for certain provisions of this Act; and generally relating to the financing of State and local government.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–203.3(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–301(f)  
Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–1204 and 10–523(a)(3)(i) and (c)  
Annotated Code of Maryland  
(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–305(c)(1)(i) and 17–104(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Education  
Section 16–305(c)(1)(v) and 17–104(a)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–117(a)(1) and (b)(2) and 9–20B–05(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–308(a)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1302.1(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–209(h)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

BY repealing  
Article – State Government  
Section 9–20B–05(g–1) and (g–2)

Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–214(d)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–214(d)(3)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Health – General  
Section 19–219.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Corporations and Associations**

1–203.3.

(b) Subject to the appropriation process in the State budget, the Department shall use the fund:

(1) For the costs of reviewing, processing, and auditing documents filed or requested under this article or other articles of the Code; [and]

(2) To pay redemption or extinguishment amounts to former owners of ground rents redeemed or extinguished in accordance with § 8–110 of the Real Property Article; AND

**(3) FOR OTHER COSTS INCURRED BY THE DEPARTMENT TO ADMINISTER THE PROVISIONS OF THIS ARTICLE.**

**Article – Courts and Judicial Proceedings**

7–301.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, § 21–810, or § 21–1414 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a \$7.50 surcharge to any fine imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program as established in § 18–603 of the Education Article.

**(iii) AN AMOUNT ANNUALLY AS SET FORTH IN THE STATE BUDGET SHALL BE DISTRIBUTED TO THE MARYLAND STATE FIREMEN’S ASSOCIATION FOR THE WIDOWS’ AND ORPHANS’ FUND.**

**(IV)** After the distribution under [subparagraph] **SUBPARAGRAPHS (ii) AND (III)** of this paragraph, \$200,000 shall be distributed to the Maryland State Firemen’s Association.

**[(iv)] (V)** After the distribution under subparagraphs (ii) [and (iii)], **(III), AND (IV)** of this paragraph and until a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

**[(v)] (VI)** After a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the Maryland Emergency Medical System Operations Fund established under § 13–955 of the Transportation Article.

**[(vi)] (VII)** On or before September 1 of each year until \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a 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 amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.

### **Article – Economic Development**

(a) (1) There is a Maryland Not-For-Profit Development Center Program Fund in the Department.

(2) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.

(3) The Fund consists of:

(i) money appropriated in the State budget to the Fund; and

(ii) all other money accepted for the benefit of the Fund, including an additional \$50 fee to be paid for the processing of articles of incorporation of a nonstock corporation in accordance with § 1-203 of the Corporations and Associations Article.

(b) (1) The purpose of the Fund is to provide grant money to support the operations of the Program consistent with this subtitle.

**(2) AS PROVIDED IN THE STATE BUDGET, THE FUND ALSO MAY BE USED BY THE DEPARTMENT OF GENERAL SERVICES TO EVALUATE THE PARTICIPATION OF NOT-FOR-PROFIT ENTITIES IN STATE PROCUREMENT.**

10-523.

(a) (3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance as follows:

1. for fiscal year 2011, \$2,750,000;
2. for fiscal year 2012, \$2,750,000;
3. for fiscal year 2013, \$2,875,000;
4. for fiscal year 2014, \$2,875,000; [and]
5. **FOR FISCAL YEAR 2015, \$2,875,000; AND**
6. for each of the fiscal years [2015] **2016** through [2020] **2021**, \$4,000,000.

(c) The Corporation shall conduct its financial affairs so that, by the year [2020] **2021**, it is self sufficient and in no further need of general operating support by the State.

## Article – Education

16–305.

(c) (1) (i) The total State operating fund per full–time equivalent student to the community colleges for each fiscal year other than fiscal [year] **YEARS 2013 AND 2015**, as requested by the Governor shall be:

1. In fiscal year 2009, not less than an amount equal to 26.25% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

2. In fiscal year 2010, not less than an amount equal to 23.6% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

3. In fiscal year 2011, not less than an amount equal to 21.8% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

4. In fiscal year 2012, not less than an amount equal to 20% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

5. In fiscal year 2014, an amount that is the greater of 19.7% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full–time equivalent student;

6. [In fiscal year 2015, an amount that is the greater of 19.7% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full–time equivalent student;

7.] In fiscal year 2016, an amount that is the greater of 19% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent student;

[8.] 7. In fiscal year 2017, an amount that is the greater of 19% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent student;

[9.] 8. In fiscal year 2018, not less than an amount equal to 20% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

[10.] 9. In fiscal year 2019, not less than an amount equal to 21% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

[11.] 10. In fiscal year 2020, not less than an amount equal to 23% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

[12.] 11. In fiscal year 2021, not less than an amount equal to 25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

[13.] 12. In fiscal year 2022, not less than an amount equal to 27% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and

[14.] 13. In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 29% of the State's General Fund appropriation per

full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.

**(V) IN FISCAL YEAR 2015, THE TOTAL STATE OPERATING FUNDS FOR COMMUNITY COLLEGES SHALL BE \$223,669,968, TO BE DISTRIBUTED AS FOLLOWS:**

1. ALLEGANY COLLEGE .....\$4,872,898;
2. ANNE ARUNDEL COMMUNITY COLLEGE .....\$28,998,941;
3. COMMUNITY COLLEGE OF BALTIMORE COUNTY .....\$38,990,003;
4. CARROLL COMMUNITY COLLEGE .....\$7,488,547;
5. CECIL COMMUNITY COLLEGE .....\$5,217,687;
6. COLLEGE OF SOUTHERN MARYLAND .....\$13,118,626;
7. CHESAPEAKE COLLEGE .....\$6,134,108;
8. FREDERICK COMMUNITY COLLEGE ...\$9,010,822;
9. GARRETT COLLEGE .....\$2,595,501;
10. HAGERSTOWN COMMUNITY COLLEGE .....\$7,788,149;
11. HARFORD COMMUNITY COLLEGE ...\$10,913,980;
12. HOWARD COMMUNITY COLLEGE .....\$15,300,154;
13. MONTGOMERY COLLEGE .....\$40,402,184;
14. PRINCE GEORGE'S COMMUNITY COLLEGE .....\$25,722,191; AND
15. WOR-WIC COMMUNITY COLLEGE .....\$7,116,177.

(a) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2), (3), AND (4)** of this subsection, the Maryland Higher Education Commission shall compute the amount of the annual apportionment for each institution that qualifies under this subtitle by multiplying the number of full-time equivalent students enrolled at the institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission by:

(i) In fiscal year 2009, an amount not less than 16% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year;

(ii) In fiscal year 2010, an amount not less than 12.85% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in the State for the same fiscal year;

(iii) In fiscal year 2011, an amount not less than 9.8% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;

(iv) In fiscal year 2012, an amount not less than 9.2% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;

(v) In fiscal year 2014, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;

(vi) [In fiscal year 2015, an amount that is the greater of 9.4% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;

(vii)] In fiscal year 2016, an amount that is the greater of 9% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;

[(viii)] **(VII)** In fiscal year 2017, an amount that is the greater of 9% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year or \$875.53 per full-time equivalent student;

[(ix)] (VIII) In fiscal year 2018, an amount not less than 9.3% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;

[(x)] (IX) In fiscal year 2019, an amount not less than 11.3% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;

[(xi)] (X) In fiscal year 2020, an amount not less than 13.3% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year; and

[(xii)] (XI) In fiscal year 2021 and each fiscal year thereafter, an amount not less than 15.5% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year.

**(4) IN FISCAL YEAR 2015, THE TOTAL AMOUNT OF AID DUE TO ALL INSTITUTIONS SHALL BE \$40,943,310.**

#### **Article – State Government**

9–117.

(a) (1) [(i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, a licensed agent shall receive regular commissions of 5.5% of the licensed agent's gross receipts from ticket sales.

(ii) For fiscal year 2012 through December 31, 2012, only, a] A licensed agent shall receive regular commissions of 5.0% of the licensed agent's gross receipts from ticket sales.

[(iii) If a video lottery operation license for a video lottery facility in Baltimore City is issued, a licensed agent shall receive regular commissions of 6% of the licensed agent's gross receipts from ticket sales.]

(b) (2) The total of the bonuses and incentives may not exceed [one-half of] 1% of the gross receipts from ticket sales for the year for which the bonuses or incentives are awarded.

#### **Article – State Personnel and Pensions**

21–308.

(a) (4) For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph (2) of this subsection, the Governor shall include in the budget bill [~~\$300,000,000~~] **\$200,000,000**.

### Article – Tax – General

2–1302.1.

(b) For each fiscal year beginning on or before July 1, 2014, after the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute the remainder of the sales and use tax collected on short-term vehicle rentals under § 11–104(c) of this article as follows:

- (1) to the General Fund of the State:
  - (i) \$15,169,444 for the fiscal year beginning July 1, 2011;
  - (ii) \$10,076,582 for the fiscal year beginning July 1, 2012;
  - (iii) [~~\$6,535,845~~] **\$14,535,845** for the fiscal year beginning July 1, 2013; and
  - (iv) [~~\$3,049,199~~] **\$6,249,199** for the fiscal year beginning July 1, 2014; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

### Article – Tax – Property

13–209.

(h) (2) Notwithstanding any other provision of law, the Governor may transfer funds from the special fund established under this section to the General Fund as follows:

- (i) on or before June 30, 2014, \$89,198,555;
- (ii) for the fiscal year beginning July 1, 2014, [~~\$75,062,000~~] **\$144,188,554**;
- (iii) for the fiscal year beginning July 1, 2015, \$77,654,000;
- (iv) for the fiscal year beginning July 1, 2016, \$82,771,000; and
- (v) for the fiscal year beginning July 1, 2017, \$86,028,000.

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

**Article – State Government**

9–20B–05.

(g) [Except as provided in subsection (g–1) of this section, proceeds] **PROCEEDS** received by the Fund from the sale of allowances under § 2–1002(g) of the Environment Article shall be allocated [to the following accounts] **AS FOLLOWS:**

(1) [17%] **UP TO 50%** shall be credited to an energy assistance account to be used for the Electric Universal Service Program and other electricity assistance programs in the Department of Human Resources;

(2) [except as provided in subsection (g–2) of this section, 23% shall be credited to a rate relief account to provide rate relief by offsetting electricity rates of residential customers, including an offset of surcharges imposed on ratepayers under § 7–211 of the Public Utilities Article, on a per customer basis and in a manner prescribed by the Public Service Commission;

(3) at least [46%] **20%** shall be credited to a low and moderate income efficiency and conservation programs account and to a general efficiency and conservation programs account for energy efficiency and conservation programs, projects, or activities and demand response programs, of which at least one–half shall be targeted to the low and moderate income efficiency and conservation programs account for:

(i) the low–income residential sector at no cost to the participants of the programs, projects, or activities; and

(ii) the moderate–income residential sector;

[(4)] **(3)** [up to 10.5%] **AT LEAST 20%** shall be credited to a renewable and clean energy programs account for:

(i) [subject to subsection (i) of this section,] renewable and clean energy programs and initiatives;

(ii) energy–related public education and outreach; and

(iii) climate change **AND RESILIENCY** programs; and

[(5)] **(4)** up to [3.5%] **10%**, but not more than [**\$4,000,000**] **\$5,000,000**, shall be credited to an administrative expense account for costs related to the administration of the Fund, including the review of electric company plans for

achieving electricity savings and demand reductions that the electric companies are required under law to submit to the Administration.

[(g-1) The proceeds described in subsection (g) of this section from the allowances sold between March 1, 2009, and June 30, 2012, shall be allocated as follows:

(1) up to 50% shall be credited to an energy assistance account to be used as described in subsection (g)(1) of this section;

(2) 23% shall be credited to a rate relief account to be allocated as provided in subsection (g)(2) of this section;

(3) at least 17.5% shall be credited to a low and moderate income efficiency and conservation programs account and to a general efficiency and conservation programs account to be allocated as provided in subsection (g)(3) of this section;

(4) at least 6.5% shall be credited to a renewable and clean energy programs account to be allocated as provided in subsection (g)(4) of this section; and

(5) up to 3.0%, but not more than \$4,000,000, shall be credited to an administrative expense account to be allocated as provided in subsection (g)(5) of this section.]

[(g-2) Subsection (g)(2) of this section does not apply to residential customers of a small rural electric cooperative, as defined in § 1-101 of the Public Utilities Article.]

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

### **Article – Health – General**

19–214.

(d) (1) Each year, the Commission shall assess a uniform, broad-based, and reasonable amount in hospital rates to:

(i) Reflect the aggregate reduction in hospital uncompensated care realized from the expansion of health care coverage under Chapter 7 of the Acts of the 2007 Special Session of the General Assembly; and

(ii) Operate and administer the Maryland Health Insurance Plan established under Title 14, Subtitle 5 of the Insurance Article.

(3) For the portion of the assessment under paragraph (1)(ii) of this subsection:

(i) The Commission shall ensure that the assessment:

1. Shall be included in the reasonable costs of each hospital when establishing the hospital's rates;

2. May not be considered in determining the reasonableness of rates or hospital financial performance under Commission methodologies; and

3. May not be [less as a percentage] **MORE THAN 0.5%** of net patient revenue [than the assessment of 0.8128% that was in existence on July 1, 2007]; and

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### **Article – Health – General**

#### **19-219.1.**

**(A) (1) IN THIS SECTION, “COMMUNITY PARTNERSHIP” MEANS A PARTNERSHIP WITH A CORPORATE, BUSINESS, PROVIDER, OR CITIZEN ORGANIZATION TO DEVELOP METHODOLOGIES TO IMPROVE THE HEALTH AND WELL-BEING OF THE COMMUNITY.**

**(2) “COMMUNITY PARTNERSHIP” INCLUDES:**

**(I) A PARTNERSHIP WITH SKILLED NURSING FACILITIES;**

**(II) A PARTNERSHIP WITH PALLIATIVE CARE PROVIDERS;**

**(III) A PARTNERSHIP WITH MULTIDISCIPLINARY COMMUNITY-BASED CARE TEAMS;**

**(IV) A PARTNERSHIP WITH PHYSICIANS AND PHYSICIAN PRACTICES;**

**(V) A PARTNERSHIP WITH COMMUNITY HEALTH AND PUBLIC HEALTH AGENCIES; AND**

**(VI) DATA INTEGRATION THAT SUPPORTS PARTNERSHIP ACTIVITIES.**

**(B) THE COMMISSION SHALL ESTABLISH A COMMUNITY PARTNERSHIP ASSISTANCE PROGRAM.**

**(C) (1) THE COMMUNITY PARTNERSHIP ASSISTANCE PROGRAM SHALL PROVIDE FUNDING TO HOSPITALS FOR APPROVED REGIONAL OR STATEWIDE COMMUNITY PARTNERSHIP PLANS AS FOLLOWS:**

**(I) FOR FISCAL YEAR 2015, \$30,000,000; AND**

**(II) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR THEREAFTER, \$40,000,000.**

**(2) FUNDING SHALL BE PROVIDED UNDER THIS PROGRAM THROUGH THE RATE STRUCTURES OF APPROVED HOSPITALS.**

**(D) COMMUNITY PARTNERSHIP PLANS SHALL BE DEVELOPED IN ACCORDANCE WITH GUIDELINES ESTABLISHED JOINTLY BY THE DEPARTMENT AND THE COMMISSION AFTER PUBLIC COMMENT.**

**(E) (1) TO BE ELIGIBLE FOR FUNDING, A PROPOSED COMMUNITY PARTNERSHIP PLAN SHALL BE SUBMITTED TO THE COMMISSION AND THE DEPARTMENT FOR REVIEW AND CONSIDERATION FOR APPROVAL.**

**(2) THE COMMISSION SHALL TAKE ACTION ON A PROPOSED PLAN THAT HAS BEEN APPROVED BY THE DEPARTMENT.**

**(3) PREFERENCE SHALL BE GIVEN TO A MULTIHOSPITAL, STATEWIDE, OR REGIONAL COMMUNITY PARTNERSHIP PLAN OR COLLABORATION THAT:**

**(I) IMPROVES THE HEALTH AND WELL-BEING OF THE COMMUNITY; AND**

**(II) SUPPORTS THE ACHIEVEMENT OF THE GOALS ESTABLISHED IN THE STATE'S ALL-PAYER MODEL APPROVED BY THE CENTER FOR MEDICARE AND MEDICAID INNOVATION.**

**(F) A PORTION OF THE FUNDING MAY BE USED FOR THE EVALUATION OF COMMUNITY PARTNERSHIP AND COLLABORATION ACTIVITIES.**

**(G) THE GUIDELINES REQUIRED UNDER THIS SECTION SHALL INCLUDE APPLICATION CRITERIA AND SPECIFICATIONS FOR HOSPITALS AND MULTIHOSPITAL COLLABORATIONS TO COMPETE FOR FUNDING.**

SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, any revenue generated by the sale of Dauphin 365N helicopters shall be credited to the General Fund.

SECTION 6. AND BE IT FURTHER ENACTED, That, for fiscal year 2015, any increase in rates for payments to providers of nonpublic placements under § 8–406 of the Education Article shall be effective beginning January 1, 2015.

SECTION 7. AND BE IT FURTHER ENACTED, That, for fiscal year 2015, payments to providers with rates set by the Interagency Rates Committee under § 8–417 of the Education Article may not increase by more than 1.5% over the rates in effect on January 15, 2014, and that any rate increase shall be effective beginning January 1, 2015.

SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer to the General Fund:

\$300,000 of the funds in the Radiation Control Fund established under § 8–306 of the Environment Article;

\$650,000 of the funds in the Biotechnology Investment Tax Credit Reserve Fund established under § 10–725 of the Tax – General Article;

\$800,000 of the funds in the Maryland Correctional Enterprises Revolving Fund established under § 3–507 of the Correctional Services Article; and

\$2,400,000 of the funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund established under § 8–2A–02 of the Natural Resources Article.

SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer to the General Fund:

\$125,000 of the funds in the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303 of the State Finance and Procurement Article; and

\$25,814,997 of the funds in the accounts of the University System of Maryland.

SECTION 10. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 11. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this Act shall take effect July 1, 2014.

SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2014.

SECTION 13. AND BE IT FURTHER ENACTED, That, except as otherwise provided in Sections 11 and 12 of this Act, this Act shall take effect June 1, 2014.