

**HB0072/153728/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 72  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “purposes;” insert “altering the maximum number of years for which the Department of Health and Mental Hygiene may renew a registration of certain manufacturers, distributors, and dispensers of certain controlled dangerous substances;”; strike beginning with “providing” in line 22 down through “years;” in line 24 and substitute “expanding, for certain fiscal years, the purposes for which the Department of the Environment may use money in the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund; altering the applicability of a certain provision of law relating to the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits; altering the calculation of the percentage of a community provider’s total operating expenses that must be spent on certain employee salaries, wages, and fringe benefits; altering a certain required appropriation so as to require, for certain fiscal years, an appropriation of a certain amount to certain accumulation funds of the State Retirement and Pension System;”.

On pages 1 and 2, strike beginning with “altering” in line 24 on page 1 down through “rates;” in line 1 on page 2 and substitute “expanding the purposes for which the Maryland Energy Administration is required to use a certain fund;”.

On page 2, strike beginning with “altering” in line 3 down through “issue;” in line 5 and substitute “requiring the Governor to provide certain information to the General Assembly when submitting certain legislation for introduction; altering, for certain fiscal years, a certain limitation on the aggregate amount of the outstanding and unpaid principal of certain revenue bonds issued by the Maryland Transportation Authority; authorizing, rather than requiring, the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; making conforming and clarifying changes to provisions of law relating to a certain ambulance transport fee; altering the

(Over)

authority of the Governor to implement certain employee furlough and temporary salary reduction plans during a certain fiscal year; repealing a certain obsolete provision;”; in line 12, after “circumstances;” insert “altering the requirements of a study to be performed by the Maryland Transportation Authority;”; in line 23, after “systems;” insert “altering certain provisions of law relating to the application of a certain credit against the State income tax and providing for the application of a certain credit against county income tax, subject to a certain contingency;”; in line 26, after “circumstances;” insert “prohibiting certain plans of compensation for State positions of employment to be amended to provide a rate of compensation lower than a certain rate; requiring that any salary or hours lost by a State employee as a result of certain actions taken on or after a certain date that reduce the employee’s compensation below a certain rate of compensation be included in a certain calculation of earnable compensation and service credits for certain purposes; authorizing the Board of Trustees for the State Retirement and Pension System to adopt certain policies and procedures; requiring certain reports;”.

On page 3, strike beginning with “setting” in line 2 down through “facility;” in line 4 and substitute “requiring, on or before a certain date, the Department of Legislative Services to conduct a certain review and submit a certain report; establishing certain requirements, for certain fiscal years, concerning certain minimum expenditures by the Maryland Transportation Authority and the maintenance by the Authority of a certain cash balance and a certain minimum level of debt service coverage; prohibiting the Authority, in certain fiscal years, from supplementing certain revenues with any funds appropriated or transferred from the Transportation Trust Fund or transferred from any other source to the Transportation Authority Fund; requiring the Attorney General to review a certain decision of the U.S. Supreme Court and advise the Comptroller and Department of Legislative Services in a certain manner; requiring the Attorney General to review a certain decision of the U.S. Supreme Court and advise the Comptroller in a certain manner; requiring the Comptroller to pay certain income tax refunds and interest due from a certain account in a certain manner under certain circumstances; requiring local governments to reimburse a certain account for their share of certain refunds and interest; requiring the Comptroller to withhold certain amounts from certain local tax distributions in a certain manner under”.

certain circumstances; providing that, for certain fiscal years, a certain transfer from a certain account to the General Fund may be made only if the transfer is authorized by a certain Act of the General Assembly;”; and in line 6, after “Act;” insert “making certain provisions of this Act subject to a certain contingency;”.

On page 3, after line 23, insert:

“BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5-302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2014 Supplement)”.

On page 4, after line 35, insert:

“BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4-411(f) and (g)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,  
Article - Health - General  
Section 7-306.3(b)(1) and (2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2014 Supplement);

and in line 38, before “and” insert “8-707(a)”.

On page 5, in line 15, strike “17-220(d)(2) and 17-222(a)” and substitute “7-311(j)(1)”; after line 17, insert:

“BY repealing and reenacting, with amendments,  
Article - State Government  
Section 9-20B-05(f)  
Annotated Code of Maryland  
(2014 Replacement Volume)”;

in line 25, after “2-1302.1(b),” insert “10-703,”; in line 26, strike “10-730(f)(1),”; and after line 38, insert:

“BY adding to  
Article – Transportation  
Section 3-216(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,  
Article - Transportation  
Section 4-306(b)(1) and 5-415  
Annotated Code of Maryland  
(2008 Replacement Volume and 2014 Supplement)”.

On page 6, after line 9, insert:

“BY repealing and reenacting, with amendments,  
Chapter 62 of the Acts of the General Assembly of 1992, as amended by Chapter  
484 of the Acts of the General Assembly of 2010  
Section 4”;

and after line 14, insert:

“BY repealing and reenacting, with amendments,  
Chapter 397 of the Acts of the General Assembly of 2014

Section 1(b)”.

AMENDMENT NO. 2

On page 8, after line 21, insert:

“Article – Criminal Law

5-302.

(a) A registration expires on the date set by the Department unless it is renewed for an additional term as provided in this section.

(b) A registration may not be renewed for more than [2] 3 years.”.

AMENDMENT NO. 3

On page 25, after line 2, insert:

“Article – Environment

4-411.

(f) (1) There is a Maryland Oil Disaster Containment, Clean-Up and Contingency Fund for the Department to use to develop equipment, personnel, and plans; for contingency actions to respond to, contain, clean-up, and remove from the land and waters of the State discharges of oil, petroleum products, and their by-products into, upon, or adjacent to the waters of the State; and restore natural resources damaged by discharges. The Fund may also be used by the Department for oil-related activities in water pollution control programs. The cost of containment, clean-up, removal, and restoration, including attorneys’ fees and litigation costs, shall be reimbursed to the State by the person responsible for the discharge. The reimbursement shall be credited to the Fund. The Fund shall be limited in accordance with the limits set forth in this section. To this sum shall be credited every license fee, fine, if imposed

(Over)

by the circuit court for any county, and any other charge related to this subtitle. To this Fund shall be charged every expense the Department of the Environment has which relates to this section.

**(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IN FISCAL YEARS 2015 AND 2016 ONLY, THE FUND MAY BE USED TO PAY COSTS ASSOCIATED WITH THE PURPOSES OF THE OIL CONTAMINATED SITE ENVIRONMENTAL CLEANUP FUND SPECIFIED IN § 4-704 OF THIS TITLE.**

(g) Money in the Fund not needed currently to meet the Department of the Environment's obligations in the exercise of its responsibility under this section shall be deposited with the State Treasurer to the credit of the Fund, and may be invested as provided by law. Interest received on the investment shall be credited to the Fund. The Secretary of the Environment shall determine the proper allocation of the moneys credited to the Fund only for the following purposes:

(1) Administrative expenses, personnel expenses, and equipment costs of the Department related to the purposes of this section;

(2) Prevention, control, containment, clean-up, and removal of discharges into, upon, or adjacent to waters of the State of discharges of oil, petroleum products and their by-products, and the restoration of natural resources damaged by such discharges;

(3) Development of containment and clean-up equipment, plans, and procedures in accordance with the purposes of this section;

(4) Paying insurance costs by the State to extend or implement the benefits of the Fund; [and]

(5) Expenses related to oil-related activities in the Department's water pollution control programs; AND

**(6) IN FISCAL YEARS 2015 AND 2016 ONLY, PAYING COSTS ASSOCIATED WITH THE PURPOSES OF THE OIL CONTAMINATED SITE ENVIRONMENTAL CLEANUP FUND SPECIFIED IN § 4-704 OF THIS TITLE.**

AMENDMENT NO. 4

On page 25, before line 3, insert:

“Article – Health - General

7-306.3.

(b) (1) **(I) [This] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS subsection applies in fiscal [2015] YEAR 2016 and each fiscal year thereafter before the earlier of:**

**[(i)] 1. The implementation of the payment system required under § 7-306.2 of this subtitle; or**

**[(ii)] 2. The end of fiscal year 2019.**

**(II) THIS SUBSECTION DOES NOT APPLY IN ANY FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.**

(Over)

(2) The percentage of a community provider’s total reported operating expenses, excluding interest on capital and other capital expenses, that is spent on direct support employee salaries, wages, and fringe benefits for a fiscal year, as reported to the Department by the provider in its fiscal year cost report data form, may not be less than the percentage of the community provider’s total reported operating expenses spent on direct support employee salaries, wages, and fringe benefits for [fiscal year 2014] THE LAST FISCAL YEAR IN WHICH THE RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS IS LESS THAN 3.0% OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES IN THE PRIOR FISCAL YEAR.”.

AMENDMENT NO. 5

On page 25, in line 5, strike “**2015, AND 2016**” and substitute “AND 2015”; in line 17, strike “years” and substitute “YEAR”; and in the same line, strike “AND 2016”.

AMENDMENT NO. 6

On page 25, after line 18, insert:

“8-707.

(a) There is a Waterway Improvement Fund for the purposes specified in this subtitle. Except as provided in § 8-709 of this subtitle, any money received into the Waterway Improvement Fund shall be used solely for the following projects:

(1) Marking channels and harbors and establishing aids to navigation in cooperation with and as an extension of operations of the United States Coast Guard;

(2) Clearing debris, aquatic vegetation, and obstruction from waters of the State;



(3) Dredging channels and harbors and construction of jetties and breakwaters in cooperation with and as an extension of operations of the United States Army Corps of Engineers;

(4) **DREDGING PONDS, LAKES, AND RESERVOIRS OWNED BY THE STATE;**

(5) Constructing and maintaining marine facilities beneficial to the boating public, including constructing pump-out stations for use by the general boating public at public and private marinas. The Secretary may use the funds to install pump-out stations for use by the general boating public and to supplement maintenance costs at the discretion of the Secretary. Before approving the construction of any pump-out station at a public or private marina, the Secretary shall consult with the Department of the Environment to assure that the wastewater collection and treatment system of the marina is adequate to handle any increased flow. The Department may adopt regulations to govern the use and operation of pump-out stations for use by the general boating public constructed or supported by State funds under this section;

~~[(5)]~~ (6) Improvement, reconstruction, or removal of bridges, drawbridges, or similar structures over or across waters, if those structures delay, impede, or obstruct the boating public. With the approval of the Board of Public Works, funds from another public or any private source may be received and used to supplement and increase the funds in the Waterway Improvement Fund for the purpose of this subsection. Also, the Board of Public Works may enter into an agreement with a private company or person which owns such a structure, for the improvement, reconstruction, or removal of the structure, in order to provide a sharing of the cost of the improvement, reconstruction, or removal;

~~[(6)]~~ (7) Evaluation of water-oriented recreation needs and recreational capacities of Maryland waterways and development of comprehensive plans for waterway improvements;

(Over)

[(7)] (8) To provide matching grants to local governments for the construction of marine facilities for marine firefighting, marine police, or medical services and for the acquisition of vessels and equipment for vessels for marine firefighting, police, medical, and communication equipment for promoting safety of life and property and general service to the boating public utilizing the waters of the State. The ownership, operation, and maintenance of any equipment acquired under this subtitle shall be the responsibility of the local governing body;

[(8)] (9) Structural and nonstructural shore erosion control under subsection (b) of this section;

[(9)] (10) Acquisition of equipment and State vessels for firefighting, policing, first aid and medical assistance, and communications, in order to promote safety of life and property and general service to the boating public utilizing waters of the State;

[(10)] (11) Boating information and education; and

[(11)] (12) To provide interest-free loans to a governing body for the benefit of a residential property owner, or group of residential property owners, with land abutting a channel adjacent to a federal, State, county, or municipal main channel or harbor for dredging the adjacent channel.”.

AMENDMENT NO. 7

On page 27, after line 6, insert:

“7-311.

(j) (1) Except as provided in paragraph (2) of this subsection and § 13-209(g) of the Tax – Property Article, for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:

**(I) FOR EACH OF THE FISCAL YEARS 2017 THROUGH 2020:**

**1. TO THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM AN AMOUNT, UP TO A MAXIMUM OF \$50,000,000, THAT IS EQUAL TO ONE-HALF OF THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000; AND**

**2. 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, LESS THE AMOUNT OF THE APPROPRIATION UNDER ITEM 1 OF THIS PARAGRAPH; AND**

**(II) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, 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.”**

On page 47, after line 15, insert:

**“SECTION 24. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Department of Legislative Services shall conduct a review of the amounts required to be appropriated to the accumulation funds of the State Retirement and Pension System under § 7-311(j)(1) of the State Finance and Procurement Article. The review shall include findings and recommendations regarding the appropriate amount of funding and whether the required amount of funding should be altered or eliminated. The results of the review shall be reported to the Governor, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2-1246 of the State Government Article.”**

(Over)

AMENDMENT NO. 8

On pages 27 and 28, strike in their entirety the lines beginning with line 29 on page 27 through line 6 on page 28, inclusive.

AMENDMENT NO. 9

On page 28, after line 6, insert:

“Article – State Government

9–20B–05.

(f) The Administration shall use the Fund:

(1) to invest in the promotion, development, and implementation of:

(i) cost-effective energy efficiency and conservation programs, projects, or activities, including measurement and verification of energy savings;

(ii) renewable and clean energy resources;

(iii) climate change programs directly related to reducing or mitigating the effects of climate change; and

(iv) demand response programs that are designed to promote changes in electric usage by customers in response to:

1. changes in the price of electricity over time; or

2. incentives designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized;

(2) to provide targeted programs, projects, activities, and investments to reduce electricity consumption by customers in the low-income and moderate-income residential sectors;

(3) to provide supplemental funds for low-income energy assistance through the Electric Universal Service Program established under § 7-512.1 of the Public Utilities Article and other electric assistance programs in the Department of Human Resources;

(4) 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;

(5) to provide grants, loans, and other assistance and investment as necessary and appropriate to implement the purposes of the Program as set forth in § 9-20B-03 of this subtitle;

(6) to implement energy-related public education and outreach initiatives regarding reducing energy consumption and greenhouse gas emissions;

(7) to provide rebates under the Electric Vehicle Recharging Equipment Rebate Program established under § 9-2009 of this title; [and]

**(8) TO PROVIDE GRANTS TO ENCOURAGE COMBINED HEAT AND POWER PROJECTS AT INDUSTRIAL FACILITIES; AND**

**[(8)] (9) to pay the expenses of the Program.”.**

AMENDMENT NO. 10

On page 29, strike in their entirety lines 28 through 33, inclusive.

(Over)

AMENDMENT NO. 11

On page 32, after line 19, insert:

“Article – Transportation

3-216.

**(G) (1) THIS SUBSECTION APPLIES ONLY TO A BILL OR AN AMENDMENT THAT WOULD:**

**(I) REDUCE ANY TAX OR FEE THAT OTHERWISE WOULD BE CREDITED TO THE TRANSPORTATION TRUST FUND; OR**

**(II) INCREASE TRANSPORTATION AID TO LOCAL GOVERNMENTS BY USING FUNDS FROM THE TRANSPORTATION TRUST FUND.**

**(2) WHEN SUBMITTING A PROPOSED BILL OR AMENDMENT FOR INTRODUCTION IN THE GENERAL ASSEMBLY ON BEHALF OF THE ADMINISTRATION, AN EXECUTIVE DEPARTMENT, OR ANY OTHER UNIT OF STATE GOVERNMENT, THE GOVERNOR SHALL PROVIDE TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, A DETAILED ANALYSIS OF THE EFFECT THE PROPOSED BILL OR AMENDMENT WILL HAVE ON THE TRANSPORTATION TRUST FUND AND THE FUNDING OF PROJECTS SPECIFIED IN THE CONSOLIDATED TRANSPORTATION PROGRAM, INCLUDING AN ANALYSIS OF WHETHER THE REDUCTION OF AVAILABLE FUNDS WILL RESULT IN THE ELIMINATION OF ANY PROJECT OR THE ALTERATION OF THE SCOPE, DESIGN, OR SCHEDULING OF ANY PROJECT.”**

AMENDMENT NO. 12

On page 32, after line 19, insert:

“4-306.

(b) (1) (i) Subject to subparagraph (ii) of this paragraph, revenue bonds secured by toll revenue may be issued in any amount as long as the aggregate outstanding and unpaid principal balance of the revenue bonds secured by toll revenue and revenue bonds of prior issues does not exceed \$3,000,000,000 OR, IN FISCAL YEARS 2015 THROUGH 2020, \$2,325,000,000, on June 30 of any year.

(ii) The maximum aggregate amount of revenue bonds that may be outstanding and unpaid under subparagraph (i) of this paragraph shall be reduced by the amount of:

1. Any loan extended to the State under the federal Transportation Infrastructure Finance and Innovation Act; and
2. Any line of credit extended to the State under the federal Transportation Infrastructure Finance and Innovation Act, to the extent the State draws on the line of credit.”.

On page 47, after line 15, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in fiscal year 2016 and each fiscal year thereafter through fiscal year 2020, the Maryland Transportation Authority:

- (1) may not spend less than \$275 million per year for operating expenses, exclusive of debt service payments;
- (2) may not spend less than \$275 million per year for capital expenses;
- (3) shall maintain:

(Over)

(i) at least \$350 million per year in unrestricted cash balances;  
and

(ii) a minimum annual debt service coverage level of 250% of debt service; and

(4) may not supplement revenues credited to the Transportation Authority Fund under § 4-313 of the Transportation Article with any funds appropriated or transferred from the Transportation Trust Fund or transferred from any other source to the Transportation Authority Fund.”.

AMENDMENT NO. 13

On page 32, before line 20, insert:

“5-415.

(a) In this section, “Fire Rescue Service” means the Maryland Aviation Administration Fire Rescue Service.

(b) Subject to [subsection (c)] SUBSECTIONS (C) AND (E) of this section, the Fire Rescue Service [shall] MAY charge an ambulance transport fee [set in regulations adopted under subsection (d) of this section] to an individual if the Fire Rescue Service transports the individual to a hospital from property owned by the Administration or property subject to a mutual aid agreement to which the Administration is a party.

(c) [(1)] The Fire Rescue Service may not:

[(i)] (1) Question an individual about ability to pay [the] AN ambulance transport fee at the time that ambulance transportation is requested or provided; or



[(ii)] (2) Fail to provide ambulance transportation and emergency medical services because of an individual's actual or perceived inability to pay [the] AN ambulance transport fee.

[(2)] (D) The Administration may procure the services of a third party billing company to administer [its] AN ambulance transport fee program UNDER THIS SECTION.

[(d)] (E) [The] BEFORE THE FIRE RESCUE SERVICE MAY CHARGE AN AMBULANCE TRANSPORT FEE UNDER THIS SECTION, THE Administration shall adopt regulations to:

(1) Set the AMOUNT OF THE ambulance transport fee; and

(2) Administer the collection of the ambulance transport fee, including regulations governing:

(i) A waiver of the ambulance transport fee in the event of financial hardship;

(ii) The acceptance of reduced payments by commercial insurers and other third-party payors, including Medicare and Medicaid; and

(iii) A requirement that each individual receiving an ambulance transport provide financial information, including the individual's insurance coverage, and assign insurance benefits to the Administration.

[(e)] (F) The Administration shall deposit the fees collected under this section in the Transportation Trust Fund.”

On page 32, after line 29, insert:

“Chapter 62 of the Acts of 1992, as amended by Chapter 484 of the Acts of 2010

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, except as prohibited by the Constitution of Maryland:

(1) [For fiscal year 2011 or during] DURING any fiscal year in which appropriations are reduced pursuant to § 7-213 of the State Finance and Procurement Article because of a projected deficit AND FOR FISCAL YEAR 2016, by Executive Order the Governor may institute a furlough or temporary salary reduction plan for Executive Branch employees of the State of Maryland.

(2) An Executive Order issued pursuant to paragraph (1) of this subsection:

(i) Shall specify how the furlough or temporary salary reduction plan applies to the various employees of the State of Maryland; and

(ii) May:

1. Scale the number of furlough days to salary; and

2. Include any other provisions related to the operation of the furlough and temporary salary reduction plan.

(b) This section shall be deemed to provide supplemental authority to the Governor and shall not be regarded as in derogation of any power now existing.”.

On page 42, in line 13, after “(a)” insert “(1)”; in line 17, strike “(b)” and substitute “(2)”; in the same line, strike “provision” and substitute “subsection”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(i)” and “(ii)”, respectively; and after line 21, insert:

“(b) (1) This subsection does not apply to the Executive Pay Plan.

(2) No plan of compensation for any State position of employment may be amended to provide a rate of compensation lower than the rate provided for the position in effect on January 1, 2015.

(c) (1) Any salary or hours lost by a State employee in fiscal year 2016 as a result of a mandatory furlough, temporary salary reduction, or other similar cost-saving measure taken on or after July 1, 2015, that reduces the employee’s compensation below the rate of compensation of the employee in the same position in effect on January 1, 2015, shall be included in the calculation of earnable compensation and service credits for the purpose of determining retirement benefits and member contributions, as provided in Chapter 62, Section 8 of the Acts of the General Assembly of 1992, as amended by Chapter 487, Section 18 of the Acts of the General Assembly of 2009.

(2) The Board of Trustees for the State Retirement and Pension System may adopt any policies and procedures necessary to carry out the provisions of this subsection.”.

AMENDMENT NO. 15

On page 33, in line 37, strike “\$20,000,000” and substitute “\$25,000,000”.

AMENDMENT NO. 16

On page 34, after line 34, insert:

“Chapter 397 of the Acts of 2014

(Over)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(b) (1) The Authority shall complete a study and submit a report on the status of its initiative to implement all–electronic tolling in accordance with this subsection.

(2) The study shall include:

(i) an analysis of all–electronic tolling in other states and a description of various all–electronic tolling programs;

(ii) an analysis of electronic toll collection interoperability;

(iii) an analysis of:

1. alternative payment methods that do not exceed the existing cash toll rate at each project;

2. a video toll rate based on an analysis of actual costs and potential savings to collect video tolls; [and]

3. a toll rate needed to address concerns with video toll collection associated with trucks AND CORRESPONDING AXLE COMBINATIONS;

4. PROCUREMENT METHODS USED IN OTHER STATES TO SELECT THE BEST ALL-ELECTRONIC TOLLING SYSTEM; AND

5. THE ECONOMIC BENEFITS OF ENSURING A HIGHLY COMPETITIVE PROCUREMENT METHOD;

(iv) an analysis of issues and factors related to all–electronic tolling that must be addressed before all–electronic tolling becomes effective at each project;

(v) an overview of revisions, if any, to the Authority’s initial all–electronic tolling proposal; and

(vi) proposed legislation, if required, relating to the implementation of all–electronic tolling.

(3) The Authority shall submit a report of its findings and recommendations on or before January 1, 2016, to:

(i) the County Executive and County Council of Cecil County;

(ii) the County Executive and County Council of Harford County;

(iii) the Mayor and Town Commission of the Town of Perryville;

(iv) the Mayor and City Council of the City of Havre de Grace; and

(v) in accordance with § 2–1246 of the State Government Article, the House Committee on Ways and Means and the Senate Finance Committee.”.

AMENDMENT NO. 17

On page 42, after line 3, insert:

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

Article – Tax - General

10–703.

(Over)

(a) Except as provided in subsection (b) of this section, a resident may claim a credit [only] against the [State] income tax for a taxable year in the amount determined under subsection (c) of this section for State tax on income paid to another state for the year.

(b) A credit under subsection (a) of this section is not allowed to:

(1) a resident other than a fiduciary, if the laws of the other state allow the resident a credit for State income tax paid to this State;

(2) a resident fiduciary, if the fiduciary claims, and the other state allows, a credit for State income tax paid to this State;

(3) a resident for less than the full taxable year for tax on income that is paid to another state during residency in that state; or

(4) a nonresident.

(c) (1) Except as provided in paragraph (2) of this subsection AND SUBJECT TO SUBSECTION (D) OF THIS SECTION, the credit allowed a resident under subsection (a) of this section is the lesser of:

(i) the amount of allowable tax on income that the resident paid to another state; or

(ii) an amount that does not reduce the [State] income tax to an amount less than would be payable if the income subjected to tax in the other state were disregarded.

(2) If the credit allowed a resident under subsection (a) of this section is based on tax that an S corporation pays to another state, the credit allowable to a shareholder:

(i) may not exceed that shareholder's pro rata share of the tax;  
and

(ii) will be allowed for another state's income taxes or taxes based on income.

**(D) (1) THE AMOUNT OF THE CREDIT ALLOWED UNDER SUBSECTION (A) OF THIS SECTION TO BE APPLIED AGAINST THE STATE INCOME TAX IS EQUAL TO THE AMOUNT THAT WOULD BE CALCULATED UNDER SUBSECTION (C) OF THIS SECTION USING THE STATE INCOME TAX RATE AS THE ONLY APPLICABLE RATE.**

**(2) THE AMOUNT OF THE CREDIT ALLOWED UNDER SUBSECTION (A) OF THIS SECTION TO BE APPLIED AGAINST THE COUNTY INCOME TAX IS EQUAL TO THE AMOUNT CALCULATED UNDER SUBSECTION (C) OF THIS SECTION LESS THE AMOUNT CALCULATED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**”.

On page 47, after line 15, insert:

“SECTION 26. AND BE IT FURTHER ENACTED, That the Attorney General shall review the decision of the U.S. Supreme Court in the appeal of Maryland State Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) and advise the Comptroller and the Department of Legislative Services whether the decision, expressly or in effect, invalidates the practice under Maryland law of allowing, for State tax on income paid to another state, a credit only against the State income tax, and, if the Attorney General so advises, Section 4 of this Act shall take effect on the date the advice of the Attorney General is received by the Department of Legislative Services. If Section 4 of this Act takes effect in accordance with this section, it shall apply to all taxable years beginning after December 31, 2014. If the Attorney General advises in accordance with this section that the decision of the U.S. Supreme Court, expressly or in effect, does not invalidate the practice under Maryland law of allowing, for State tax on income paid to another state, a credit only against the State income tax for State tax, Section 4 of this Act shall be null and void and of no further force and effect.

SECTION 27. AND BE IT FURTHER ENACTED, That the Attorney General shall review the decision of the U.S. Supreme Court in the appeal of Maryland State

(Over)

Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) and advise the Comptroller whether the decision, expressly or in effect, requires the payment of income tax refunds and interest attributable to taxable years beginning after December 31, 2005, but before January 1, 2015, and, if the Attorney General so advises, the Comptroller shall initially pay the refunds and interest from the Local Reserve Account (Account) established to comply with § 2-606 of the Tax – General Article. After the Comptroller pays the refunds and interest from the Account, each local government shall reimburse the Account for its share of related refunds and interest. If an affected local government does not reimburse the Account in a timely fashion, the Comptroller shall withhold the amount owed to the Account from the quarterly income tax distributions in nine equal installments, beginning with the first applicable quarterly distribution made after June 2016, until the Account is fully reimbursed.”.

AMENDMENT NO. 18

On page 42, in line 19, strike “or”; and in line 21, after the second “Maryland” insert “;

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

(iv) Operationally critical staff”;

and before line 22, insert:

“(d) On or before December 1, 2015, 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:

(1) Describes the policies adopted by the governing boards of those institutions to designate operationally critical staff;



(2) Identifies all staff designated as operationally critical for purposes of subsection (a)(2)(iv) of this section; and

(3) Details any merit increases awarded to staff as a consequence of being designated as operationally critical.

(e) On or before December 1, 2015, 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:

(1) Describes the policies adopted by the Department to govern the designation of operationally critical staff;

(2) Identifies all Executive Branch staff identified as operationally critical for purposes of subsection (a)(2)(iv) of this section; and

(3) Details any merit increases awarded to staff as a consequence of being designated as operationally critical.”.

AMENDMENT NO. 19

On page 42, in line 33, after “under” insert “subsection (a) of”.

On page 43, in line 3, strike “the federal portion of”; and after line 3, insert:

“(c) The remaining fund balance obtained from the federal Medicare program or the Medicaid program may be used in fiscal years 2016 through 2019 to support integrated care networks designed to reduce health care expenditures and improve outcomes for unmanaged high-needs Medicare patients and patients dually eligible for Medicaid and Medicare, consistent with the goals of Maryland’s all-payer model.”.

(Over)

AMENDMENT NO. 20

On page 47, strike in their entirety lines 6 through 11, inclusive.

AMENDMENT NO. 21

On page 47, after line 15, insert:

“SECTION 28. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2016, the Governor may transfer from the Special Fund for Preservation of Cultural Arts in Maryland established under § 4-801 of the Economic Development Article:

- (1) \$50,000 as a grant to the Board of Trustees of Sotterley Plantation Museum;
- (2) \$125,000 as a grant to the Maryland Historical Society;
- (3) \$175,000 as a grant to the Maryland Humanities Council;
- (4) \$790,042 as a grant to the Maryland State Arts Council for the purpose of making grants to arts organizations;
- (5) \$467,000 as a grant to the Maryland Academy of Sciences;
- (6) \$25,000 as a grant to the Doleman Black Heritage Museum;
- (7) \$200,000 as a grant to Center Stage Associates, Inc.;
- (8) \$68,080 as a grant to Arts Every Day;
- (9) \$25,000 as a grant to Arena Players, Inc.;

(10) \$24,878 as a grant to the Prince George’s African American Museum and Cultural Center at North Brentwood, Inc.; and

(11) \$50,000 as a grant to the Young Audiences of Maryland.”.

AMENDMENT NO. 22

On page 47, after line 15, insert:

“SECTION 29. AND BE IT FURTHER ENACTED, That for fiscal years 2017 and 2018 the Governor may transfer funds from the Revenue Stabilization Account of the State Reserve Fund to the General Fund only if the transfer is authorized by an Act of the General Assembly other than the State budget bill.”.

AMENDMENT NO. 23

On page 42, in lines 4, 8, 11, 22, and 27, strike “4.”, “5.”, “6.”, “7.”, and “8.”, respectively, and substitute “5.”, “6.”, “7.”, “8.”, and “9.”, respectively.

On page 43, in lines 4 and 8, strike “9.” and “10.”, respectively, and substitute “10.” and “11.”, respectively.

On page 44, in lines 9, 13, and 19, strike “11.”, “12.”, and “13.”, respectively, and substitute “12.”, “13.”, and “14.”, respectively.

On page 45, in lines 21 and 34, strike “14.” and “15.”, respectively, and substitute “15.” and “16.”, respectively.

On page 46, in lines 7, 15, 20, 25, and 36, strike “16.”, “17.”, “18.”, “19.”, and “20.”, respectively, and substitute “17.”, “18.”, “19.”, “20.”, and “21.”, respectively.

On page 47, in lines 1, 16, 21, 24, 26, and 28, strike “21.”, “24.”, “25.”, “26.”, “27.”, and “28.”, respectively, and substitute “22.”, “30.”, “31.”, “32.”, “33.”, and “34.”, respectively; and in line 29, strike “26 and 27” and substitute “32 and 33”.