

## SENATE BILL 141

B1

0lr0173  
CF HB 151

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

Introduced and read first time: January 20, 2010

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2010**

3 FOR the purpose of altering the calculation of certain distributions required to be  
4 made to certain counties and Baltimore City based on per capita yield of county  
5 income taxes; altering or repealing certain required appropriations; altering the  
6 distribution of certain revenues; altering or repealing certain funding  
7 requirements; altering or repealing certain grant programs; authorizing certain  
8 units of government to charge a certain fee for certain purposes; repealing  
9 certain requirements for a certain notice relating to abandoned property to be  
10 published in certain newspapers; requiring the Comptroller to maintain, or  
11 cause to be maintained, an abandoned property database containing the names  
12 and last known addresses, if any, of persons listed in certain reports; requiring  
13 the Comptroller to maintain, or cause to be maintained, a certain Internet  
14 website relating to the abandoned property database; requiring the Comptroller  
15 to publish certain notices of a certain Internet website; ~~repealing~~ altering  
16 certain inflation adjustments for the calculation of certain State education  
17 funding; altering the schedule for the Judicial Compensation Commission to  
18 meet to review judicial salaries and pensions and make written  
19 recommendations to the Governor and the General Assembly; requiring the  
20 budget bill to include a certain schedule for certain proposed reductions under  
21 certain circumstances; altering a requirement that certain balances in a certain  
22 fund revert to the General Fund at the end of certain fiscal years; authorizing  
23 the use of certain funds for certain purposes; ~~repealing~~ certain grants to certain  
24 institutions; specifying the allocation of certain grants between certain  
25 institutions; authorizing the use of a certain grant for certain purposes; altering  
26 the maximum aggregate amount of a certain assessment; altering certain  
27 restrictions on the use of certain funds; altering certain provisions relating to  
28 certain requirements that certain nonprofit health service plans use certain

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

1 funds for certain purposes under certain circumstances; requiring that an  
2 application for a certain death benefit payable to the surviving spouse, child, or  
3 estate of certain individuals under certain circumstances be submitted within a  
4 certain time period; requiring the Department of Public Safety and Correctional  
5 Services under certain circumstances to take certain steps to notify potential  
6 recipients of the availability of a certain death benefit; altering the allocation of  
7 certain funds; requiring certain local employers to pay a certain portion of  
8 certain employer contributions for certain members of the Teachers' Retirement  
9 System or the Teachers' Pension System; requiring the Board of Trustees for  
10 the State Retirement and Pension System to establish a certain local  
11 contribution rate in a certain manner for certain fiscal years; providing for the  
12 manner of payment by certain local employers for certain employer  
13 contributions; altering the calculation of certain State payments for certain  
14 library employees excluded from membership in the Teachers' Retirement  
15 System or the Teachers' Pension System; requiring certain counties and  
16 Baltimore City to pay certain employer contributions for certain members of  
17 certain systems of the State Retirement and Pension System; requiring certain  
18 counties to make certain payments in certain fiscal years; requiring the  
19 Comptroller to exercise the right of setoff against any money due or becoming  
20 due to certain local employers or counties under certain circumstances;  
21 requiring the Comptroller to pay certain grants to certain local jurisdictions for  
22 a certain fiscal year; requiring the Comptroller to make a certain distribution to  
23 the Education Trust Fund; requiring the Comptroller to make a certain  
24 distribution to the General Fund; altering the distribution of certain motor fuel  
25 tax revenue; altering the distribution of certain sales and use tax revenues from  
26 short-term rental vehicles; altering the distribution of certain sales and use tax  
27 revenue for certain fiscal years; altering certain provisions relating to the  
28 funding of a certain highway; ~~repealing a certain grant program; repealing~~  
29 ~~certain credits allowed against certain taxes for the purchase of~~  
30 ~~Maryland mined coal; authorizing the Governor to transfer to the General~~  
31 ~~Fund certain amounts from certain special funds for certain fiscal years;~~  
32 ~~authorizing the Governor to transfer to the General Fund certain amounts from~~  
33 ~~certain special funds, subject to a certain contingency; providing that certain~~  
34 ~~grants to county boards of education may be funded from the Maryland~~  
35 ~~Consolidated Capital Bond Loan of 2010 proceeds of certain bonds; repealing a~~  
36 ~~requirement that the Governor provide a plan for repayment of certain monies~~  
37 ~~to a certain fund; requiring that certain units of local government receive a~~  
38 ~~certain amount of funding for certain fiscal years for certain purposes;~~  
39 ~~prohibiting the expenditure of funds in a certain fiscal year for certain rate~~  
40 ~~increases; authorizing the transfer by budget amendment of certain funds for~~  
41 ~~certain purposes; providing that certain proceeds from the corporate income tax~~  
42 ~~for a certain fiscal year be credited to the General Fund; altering certain~~  
43 ~~reporting requirements; prohibiting any new awards from being made under a~~  
44 ~~certain scholarship program for a certain academic year; limiting the size of the~~  
45 ~~incoming class at a certain residential education boarding program for at-risk~~  
46 ~~students receiving certain funding; authorizing the transfer of certain savings~~  
47 ~~and interest from certain funds into the General Fund; altering the distribution~~

1 of certain highway user revenues ~~for certain fiscal years~~; stating the intent of  
2 the General Assembly that a certain workgroup review and provide  
3 recommendations regarding distribution of local highway user revenues;  
4 prohibiting the payment of certain bonuses, merit increases, or cost-of-living  
5 adjustments for certain State employees for a certain fiscal year; providing that  
6 the State is not required to make certain employer contributions for employees  
7 participating in a certain supplemental retirement plan ~~for a certain fiscal year~~;  
8 clarifying and altering the authority of the Governor to implement certain  
9 employee furloughs and salary reduction days during certain years; clarifying  
10 the base rate for calculating overtime for certain employees under certain  
11 circumstances; requiring the State to repay certain amounts to a certain  
12 account in certain fiscal years; providing that the Governor is not required to  
13 include certain appropriations in the budget for a certain fiscal year under  
14 certain circumstances; altering the amounts of certain funds required to be  
15 charged back to certain agencies for a certain purpose; reducing a certain  
16 appropriation for a certain fiscal year; authorizing the Governor to transfer  
17 certain funds for use in a certain program for a certain fiscal year; making  
18 certain provisions of this Act subject to a certain contingency; making the  
19 provisions of this Act severable; providing for the effective dates and application  
20 of this Act; and generally relating to the financing of State government.

21 BY repealing and reenacting, with amendments,  
22 Article 24 – Political Subdivisions – Miscellaneous Provisions  
23 Section 9–1101  
24 Annotated Code of Maryland  
25 (2005 Replacement Volume and 2009 Supplement)

26 BY repealing and reenacting, with amendments,  
27 Article – Agriculture  
28 Section 8–405(c)  
29 Annotated Code of Maryland  
30 (2007 Replacement Volume and 2009 Supplement)

31 BY repealing and reenacting, with amendments,  
32 Article – Commercial Law  
33 Section 15–607 and 17–311  
34 Annotated Code of Maryland  
35 (2005 Replacement Volume and 2009 Supplement)

36 BY repealing and reenacting, with amendments,  
37 Article – Correctional Services  
38 Section 11–304(b)  
39 Annotated Code of Maryland  
40 (2008 Replacement Volume and 2009 Supplement)

41 BY repealing and reenacting, with amendments,  
42 Article – Courts and Judicial Proceedings

1       Section 1–708(c), 7–301(f), and 13–603(c)  
2       Annotated Code of Maryland  
3       (2006 Replacement Volume and 2009 Supplement)

4   BY repealing and reenacting, with amendments,  
5       Article – Economic Development  
6       Section 4–214, 4–216(b) and 10–523(a)(3)(i)  
7       Annotated Code of Maryland  
8       (2008 Volume and 2009 Supplement)

9   BY repealing and reenacting, with amendments,  
10       Article – Education  
11       ~~Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)~~  
12       Section 5–202(a)(13), 5–205(c)(3), 5–206(f), 16–305(c)(1), 16–512(a), 17–104(a),  
13       23–205(c) and (d), and 23–503(b)(1)  
14       Annotated Code of Maryland  
15       (2008 Replacement Volume and 2009 Supplement)

16   BY repealing and reenacting, with amendments,  
17       Article – Environment  
18       Section 4–411(f) and (g)  
19       Annotated Code of Maryland  
20       (2007 Replacement Volume and 2009 Supplement)

21   BY repealing and reenacting, with amendments,  
22       Article – Health – General  
23       Section 2–302, 13–1015, 13–1116(a)(1), ~~13–1117(a)(1), 13–1118(a)(1),~~  
24       19–310.1(b), (c), and (d), and 19–14B–01(c)(1)  
25       Annotated Code of Maryland  
26       (2009 Replacement Volume)

27   BY repealing  
28       Article – Health – General  
29       Section 18–108(c)  
30       Annotated Code of Maryland  
31       (2009 Replacement Volume)

32   BY repealing and reenacting, with amendments,  
33       Article – Insurance  
34       Section 14–106(d)(1) and (2)  
35       Annotated Code of Maryland  
36       (2006 Replacement Volume and 2009 Supplement)

37   BY repealing and reenacting, with amendments,  
38       Article – Public Safety  
39       Section 1–202(b)  
40       Annotated Code of Maryland

- 1           (2003 Volume and 2009 Supplement)
- 2   BY repealing and reenacting, with amendments,  
3       Article – State Finance and Procurement  
4       Section 3–306 and 7–325(a)  
5       Annotated Code of Maryland  
6       (2009 Replacement Volume)
- 7   BY adding to  
8       Article – State Finance and Procurement  
9       Section 7–114.2  
10      Annotated Code of Maryland  
11      (2009 Replacement Volume)
- 12   BY repealing and reenacting, with amendments,  
13      Article – State Government  
14      Section 9–20B–05(g–1)  
15      Annotated Code of Maryland  
16      (2009 Replacement Volume)
- 17   BY repealing and reenacting, with amendments,  
18      Article – State Personnel and Pensions  
19      Section 21–304(a) and (b), 21–307(b) and (o), 21–308(a)(1) and (d)(1), and  
20      32–205(a)  
21      Annotated Code of Maryland  
22      (2009 Replacement Volume and 2009 Supplement)
- 23   BY adding to  
24      Article – State Personnel and Pensions  
25      Section 21–309.1  
26      Annotated Code of Maryland  
27      (2009 Replacement Volume and 2009 Supplement)
- 28   BY repealing and reenacting, with amendments,  
29      Article – Tax – General  
30      Section 2–202, 2–1104, ~~and~~ 2–1302.1, and 2–1302.2  
31      Annotated Code of Maryland  
32      (2004 Replacement Volume and 2009 Supplement)
- 33   BY adding to  
34      Article – Tax – General  
35      Section 2–606(e) and (f)  
36      Annotated Code of Maryland  
37      (2004 Replacement Volume and 2009 Supplement)
- 38   BY repealing  
39      Article – Transportation

1 Section 8-403  
2 Annotated Code of Maryland  
3 (2008 Replacement Volume and 2009 Supplement)

4 BY repealing and reenacting, with amendments,  
5 Article – Transportation  
6 Section 4-321(e), 8-402(c), 8-404, 8-405, and 8-407  
7 Annotated Code of Maryland  
8 (2008 Replacement Volume and 2009 Supplement)

9 BY adding to  
10 Article – Transportation  
11 Section 8-401(c-1) and 8-403  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2009 Supplement)

14 ~~BY repealing~~  
15 ~~Article – Education~~  
16 ~~Section 18-1201 through 18-1207 and the subtitle “Subtitle 12. Private Career~~  
17 ~~School Student Grant Program”~~  
18 ~~Annotated Code of Maryland~~  
19 ~~(2008 Replacement Volume and 2009 Supplement)~~

20 BY repealing  
21 Article – Correctional Services  
22 Section 11-308, 11-309, and 11-310(a), (b), and (c)  
23 Annotated Code of Maryland  
24 (2008 Replacement Volume and 2009 Supplement)

25 BY repealing  
26 Article – Education  
27 Section 7-117  
28 Annotated Code of Maryland  
29 (2008 Replacement Volume and 2009 Supplement)

30 BY repealing  
31 Article – Health – General  
32 Section 13-1117 and 13-1118  
33 Annotated Code of Maryland  
34 (2009 Replacement Volume)

35 BY repealing  
36 Article – Natural Resources  
37 Section 10-301(m)  
38 Annotated Code of Maryland  
39 (2007 Replacement Volume and 2009 Supplement)

1 ~~BY repealing~~  
 2 ~~Article Tax General~~  
 3 ~~Section 8-406(b) and 10-704.1~~  
 4 ~~Annotated Code of Maryland~~  
 5 ~~(2004 Replacement Volume and 2009 Supplement)~~

6 BY repealing  
 7 Chapter 451 of the Acts of the General Assembly of 2003  
 8 Section 5

9 BY repealing and reenacting, with amendments,  
 10 Chapter 62 of the Acts of the General Assembly of 1992  
 11 Section 4

12 BY repealing and reenacting, with amendments,  
 13 Chapter 503 of the Acts of the General Assembly of 2007, as amended by  
 14 Chapter 200 of the Acts of the General Assembly of 2008  
 15 Section 5(c)

16 BY repealing and reenacting, with amendments,  
 17 Chapter 487 of the Acts of the General Assembly of 2009  
 18 Section 19, 35, 39, and 44

19 BY repealing  
 20 Chapter 487 of the Acts of the General Assembly of 2009  
 21 Section ~~25~~ 12, 25, 29, and 34

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

24 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

25 9-1101.

26 (a) (1) Subject to subsection (d) of this section, for each fiscal year, the  
 27 Comptroller shall distribute to a county the amount determined for each county under  
 28 this section.

29 (2) The amount a county shall receive under this section in any fiscal  
 30 year shall be based on the county income tax collected from individuals for the taxable  
 31 year that ended in the second prior fiscal year, from returns filed through [August 15]  
 32 NOVEMBER 1 immediately preceding the applicable fiscal year, as determined by the  
 33 Comptroller.

34 (b) (1) For each fiscal year, the Comptroller shall determine as rounded to  
 35 the nearest cent:

1                   (i)     The per capita yield of the county income tax for each  
2 county, based on:

3                             1.     Unless a county income tax rate of other than 2.54%  
4 was in effect, the receipts described in subsection (a)(2) of this section;

5                             2.     The population of the county as last projected by the  
6 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or  
7 the latest decennial census for the applicable taxable year; and

8                             3.     If the county income tax rate is other than 2.54% in  
9 the applicable taxable year, the receipts described in subsection (a)(2) of this section  
10 that would have been received if a county income tax rate of 2.54% had been in effect;  
11 and

12                   (ii)     The per capita statewide yield of the county income tax,  
13 based on:

14                             1.     The total receipts for county income tax described in  
15 subsection (a)(2) of this section for counties with an income tax rate of 2.54% in effect;

16                             2.     The State population as last projected by the  
17 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or  
18 the latest decennial census for the applicable taxable year; and

19                             3.     For counties with an income tax rate of other than  
20 2.54% in effect, the total receipts for county income tax described in subsection (a)(2) of  
21 this section that would have been received if a county income tax rate of 2.54% had  
22 been in effect.

23                   (2)     If the per capita yield of the county income tax for a county  
24 determined under paragraph (1)(i) of this subsection is less than 75% of the per capita  
25 statewide yield of the county income tax determined under paragraph (1)(ii) of this  
26 subsection, the Comptroller shall determine the amount that would increase the  
27 county per capita yield to equal 75% of the statewide per capita yield, as rounded to  
28 the nearest dollar.

29                   (3)     A county may not receive a distribution under this subsection if the  
30 county tax rate in that county was less than 2.4%:

31                             (i)     For the taxable year that ended in the second prior fiscal  
32 year; or

33                             (ii)     For any subsequent taxable year through the taxable year  
34 that ends in the current fiscal year.



1 15-607.

2 (A) Wages, due from or payable by the State, or a county, municipal  
3 corporation, or other political subdivision, and the public officers of the State or a  
4 county, municipal corporation, or other political subdivision to an individual, are  
5 subject to attachment process brought for the enforcement of the private legal  
6 obligations of the individual in the same manner and to the same extent as if the  
7 State, county, municipal corporation, or other political subdivision, and their  
8 respective public officers, were a private person.

9 (B) **THE STATE, OR A COUNTY, MUNICIPAL CORPORATION, OR OTHER**  
10 **POLITICAL SUBDIVISION, AND THEIR RESPECTIVE PUBLIC OFFICERS, MAY**  
11 **DEDUCT AND RETAIN FROM THE INDIVIDUAL'S WAGES AN ADDITIONAL FEE OF**  
12 **\$2 FOR EACH DEDUCTION MADE UNDER THE ATTACHMENT PROCESS OF THIS**  
13 **SUBTITLE OR UNDER TITLE 31, § 3720D OF THE UNITED STATES CODE.**

14 17-311.

15 [(a) (1) Within 365 days from the filing of the report required by § 17-310  
16 of this subtitle, the Administrator shall cause notice to be published in a newspaper of  
17 general circulation in the county in the State within which is located the last known  
18 address of any person to be named in the notice.

19 (2) If an address is not listed or if the address is outside the State, the  
20 notice shall be published in the county within which the person who held the  
21 abandoned property has the principal place of business in this State.

22 (b) The published notice shall be entitled "Notice of Names of Persons  
23 Appearing to Be Owners of Abandoned Property" and shall contain:

24 (1) The names in alphabetical order and last known addresses, if any,  
25 of persons listed in the report and entitled to notice in the county specified in this  
26 section;

27 (2) A statement that information concerning the amount or description  
28 of the property and the name and address of the person who held the property may be  
29 obtained by any person who possesses an interest in the property, by addressing an  
30 inquiry to the Administrator; and

31 (3) A statement that a proof of claim may be presented by the owner to  
32 the Administrator.

33 (c) The Administrator is not required to publish in the notice any item  
34 valued at less than \$100 unless the Administrator considers the publication to be in  
35 the public interest.]

1           **(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN**  
2 **ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN**  
3 **ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED**  
4 **PROPERTY.**

5           **(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE**  
6 **MAINTAINED, AN ABANDONED PROPERTY DATABASE.**

7           **(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT**  
8 **REQUIRED BY § 17-310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO**  
9 **THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN**  
10 **ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.**

11           **(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE**  
12 **MAINTAINED, AN INTERNET WEBSITE THAT:**

13                   **(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON**  
14 **MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS**  
15 **SUBSECTION;**

16                   **(II) CONTAINS A STATEMENT THAT INFORMATION**  
17 **CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME**  
18 **AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY**  
19 **ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING**  
20 **AN INQUIRY TO THE ADMINISTRATOR;**

21                   **(III) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY**  
22 **BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND**

23                   **(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM**  
24 **FORM.**

25           **(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE OF THE**  
26 **INTERNET WEBSITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.**

27           **(2) THE NOTICE SHALL:**

28                   **(I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR**  
29 **QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH**  
30 **COUNTY OF THE STATE; AND**

31                   **(II) CONTAIN:**

1                   **1. A STATEMENT THAT THE ADMINISTRATOR**  
 2 **MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF**  
 3 **PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;**

4                   **2. A STATEMENT THAT ANY PERSON MAY SEARCH**  
 5 **THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE**  
 6 **ADMINISTRATOR'S INTERNET WEBSITE; AND**

7                   **3. THE ADDRESS OF THE INTERNET WEBSITE.**

8           (d) Within 120 days from the receipt of the report required by § 17-310 of  
 9 this subtitle, the Administrator shall mail a notice to each person who has an address  
 10 listed in the report who appears entitled to property valued at \$100 or more and  
 11 presumed abandoned under this subtitle.

12           (e) The mailed notice shall contain:

13                   (1) A statement that, according to a report filed with the  
 14 Administrator, property is being held to which the addressee appears entitled;

15                   (2) The name and address of the person who held the property and  
 16 any necessary information regarding any change of the name or address of the holder;  
 17 and

18                   (3) A statement that a proof of claim may be presented by the owner to  
 19 the Administrator.

20                                   **Article – Correctional Services**

21           11-304.

22                   (b) (1) With the approval of the Secretary, a county may convert a work  
 23 release program established under Subtitles 1 and 7 of this title into a center that is  
 24 subject to this subtitle.

25                   (2) [The provisions of § 11-309 of this subtitle do not apply to a work  
 26 release program that is converted into a center.

27                   (3) The Secretary shall adopt regulations for the conversion of a work  
 28 release program into a center.

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

31                                   **Article – Courts and Judicial Proceedings**

1 1-708.

2 (c) [Beginning on September 1, 2009, and] ON OR AFTER SEPTEMBER 1,  
 3 2011, SEPTEMBER 1, 2013, AND every 4 years thereafter, the Commission shall  
 4 review the salaries and pensions of the judges of the courts listed in subsection (a) of  
 5 this section and make written recommendations to the Governor and General  
 6 Assembly on or before the next ensuing regular session of the General Assembly. The  
 7 Governor shall include in the budget for the next ensuing fiscal year the funding  
 8 necessary to implement those recommendations, contingent on action by the General  
 9 Assembly under subsections (d) and (e) of this section.

10 7-301.

11 (f) (1) In a traffic case in which points may be assessed under § 16-402 of  
 12 the Transportation Article, after conviction the court shall add a \$7.50 surcharge to  
 13 any fine imposed by the court.

14 (2) Subject to [paragraph (3)] **PARAGRAPHS (3) AND (4)** of this  
 15 subsection, the surcharges collected under this subsection shall be credited as follows:

16 (i) 50% to the Volunteer Company Assistance Fund to be used  
 17 in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article; and

18 (ii) 50% to the State Helicopter Replacement Fund to be used in  
 19 accordance with the provisions of § 2-801 of the Public Safety Article.

20 (3) **NOTWITHSTANDING PARAGRAPH (2) OR (4) OF THIS**  
 21 **SUBSECTION, FOR FISCAL YEAR 2010, AND FISCAL YEAR 2011, AND FISCAL YEAR**  
 22 **2012 ONLY, 100% OF THE SURCHARGES COLLECTED UNDER THIS SUBSECTION**  
 23 **SHALL BE CREDITED AS FOLLOWS:**

24 **(I) 25% TO THE VOLUNTEER COMPANY ASSISTANCE FUND**  
 25 **TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF**  
 26 **THE PUBLIC SAFETY ARTICLE; AND**

27 **(II) 75% TO THE GENERAL FUND.**

28 (4) After \$20,000,000 is credited to the Volunteer Company Assistance  
 29 Fund in accordance with paragraph (2) of this subsection, 100% of the surcharges  
 30 collected under this subsection shall be credited to the State Police Helicopter  
 31 Replacement Fund to be used in accordance with the provisions of § 2-801 of the  
 32 Public Safety Article.

33 13-603.

34 (c) The Fund shall be used to pay:



1 10-523.

2 (a) (3) (i) To assist the Corporation in complying with subsection (c) of  
 3 this section, the Governor shall include each year in the State budget bill an  
 4 appropriation to the Corporation for rural business development and assistance [for  
 5 each of fiscal years 2010 and 2011 in the amount of \$2,750,000 and for each of fiscal  
 6 years 2012 through 2020, in the amount of \$4,000,000] AS FOLLOWS:

- 7 1. FOR FISCAL YEAR 2010, \$2,750,000;
- 8 2. FOR FISCAL YEAR 2011, \$850,000;
- 9 3. FOR FISCAL YEAR 2012, \$850,000;
- 10 4. FOR FISCAL YEAR 2013, \$1,750,000;
- 11 5. FOR FISCAL YEAR 2014, \$2,750,000; AND
- 12 6. FOR EACH OF FISCAL YEARS 2015 THROUGH 2020,  
 13 \$4,000,000.

14 Article – Education

15 5-202.

16 (a) (13) “Target per pupil foundation amount” means:

17 (i) In fiscal years 2008, 2009, and 2010, \$6,694;

18 (ii) Except as provided in item (iii) of this paragraph, in  
 19 subsequent fiscal years:

20 1. The target per pupil foundation amount for the prior  
 21 fiscal year increased by the same percentage as the lesser of:

22 A. The increase in the implicit price deflator for State  
 23 and local government expenditures for the second prior fiscal year;

24 B. The Consumer Price Index for all urban consumers for  
 25 the Washington–Baltimore metropolitan area, or any successor index, for the second  
 26 prior fiscal year; or

27 C. 5%; or

1                   2. If there is no increase in the implicit price deflator for  
 2 State and local government expenditures for the second prior fiscal year or in the  
 3 Consumer Price Index for all urban consumers for the Washington–Baltimore  
 4 metropolitan area, or any successor index, for the second prior fiscal year, the target  
 5 per pupil foundation amount for the prior fiscal year; and

6                   (iii) In [fiscal year 2012] EACH OF FISCAL YEARS 2012  
 7 THROUGH 2015:

8                   1. The target per pupil foundation amount for the prior  
 9 fiscal year increased by the same percentage as the lesser of:

10                   A. The increase in the implicit price deflator for State  
 11 and local government expenditures for the second prior fiscal year;

12                   B. The Consumer Price Index for all urban consumers for  
 13 the Washington–Baltimore metropolitan area, or any successor index, for the second  
 14 prior fiscal year; or

15                   C. 1%; or

16                   2. If there is no increase in the implicit price deflator for  
 17 State and local government expenditures for the second prior fiscal year or in the  
 18 Consumer Price Index for all urban consumers for the Washington–Baltimore  
 19 metropolitan area, or any successor index, for the second prior fiscal year, the target  
 20 per pupil foundation amount for the prior fiscal year.

21 5–205.

22                   (c) (3) (i) Except as provided in [subparagraph (ii)]  
 23 **SUBPARAGRAPHS (II) AND (III)** of this paragraph, the increase in the amount of a  
 24 base grant for student transportation that is based on the increase in the private  
 25 transportation category of the Consumer Price Index may not be less than [3] 1  
 26 percent nor more than 8 percent of the amount of the grant for the previous year.

27                   (ii) **FOR FISCAL YEAR 2011, THE INCREASE IN THE AMOUNT**  
 28 **OF A BASE GRANT FOR STUDENT TRANSPORTATION THAT IS BASED ON THE**  
 29 **INCREASE IN THE PRIVATE TRANSPORTATION CATEGORY OF THE CONSUMER**  
 30 **PRICE INDEX SHALL BE 1 PERCENT OF THE AMOUNT OF THE GRANT FOR THE**  
 31 **PREVIOUS YEAR.**

32                   (III) For ~~fiscal year 2012~~ EACH OF FISCAL YEARS 2012  
 33 THROUGH 2015, the increase in the amount of a base grant for student  
 34 transportation that is based on the increase in the private transportation category of  
 35 the Consumer Price Index may not be more than 1 percent of the amount of the grant  
 36 for the previous year.

1 5-206.

2 (f) (1) In fiscal year 2006 and in each fiscal year thereafter, the State  
3 shall distribute grants to county boards under the Aging Schools Program  
4 administered by the Interagency Committee on School Construction in amounts equal  
5 to the funding level calculated under paragraph (2) of this subsection.

6 (2) The funding level for a county is:

7 (i) In fiscal year 2011, the following amounts for the following  
8 counties:

- 9 1. Allegany County.....\$97,791;
- 10 2. Anne Arundel County.....\$506,038;
- 11 3. Baltimore City.....\$1,387,924;
- 12 4. Baltimore County.....\$874,227;
- 13 5. Calvert County.....\$38,292;
- 14 6. Caroline County.....\$50,074;
- 15 7. Carroll County.....\$137,261;
- 16 8. Cecil County.....\$96,024;
- 17 9. Charles County.....\$50,074;
- 18 10. Dorchester County.....\$38,292;
- 19 11. Frederick County.....\$182,622;
- 20 12. Garrett County.....\$38,292;
- 21 13. Harford County.....\$217,379;
- 22 14. Howard County.....\$87,776;
- 23 15. Kent County.....\$38,292;
- 24 16. Montgomery County.....\$602,651;
- 25 17. Prince George’s County.....\$1,209,426;

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- 1                   18. Queen Anne's County.....\$50,074;
- 2                   19. St. Mary's County.....\$50,074;
- 3                   20. Somerset County.....\$38,292;
- 4                   21. Talbot County.....\$38,292;
- 5                   22. Washington County.....\$134,904;
- 6                   23. Wicomico County.....\$106,627; and
- 7                   24. Worcester County.....\$38,292;
- 8                   [(ii) In fiscal year 2012, the following amounts for the following
- 9                   counties:
- 10                   1. Allegany County.....\$166,000;
- 11                   2. Anne Arundel County.....\$859,000;
- 12                   3. Baltimore City.....\$2,356,000;
- 13                   4. Baltimore County.....\$1,484,000;
- 14                   5. Calvert County.....\$65,000;
- 15                   6. Caroline County.....\$85,000;
- 16                   7. Carroll County.....\$233,000;
- 17                   8. Cecil County.....\$163,000;
- 18                   9. Charles County.....\$85,000;
- 19                   10. Dorchester County.....\$65,000;
- 20                   11. Frederick County.....\$310,000;
- 21                   12. Garrett County.....\$65,000;
- 22                   13. Harford County.....\$369,000;
- 23                   14. Howard County.....\$149,000;
- 24                   15. Kent County.....\$65,000;

- 1                   16. Montgomery County.....\$1,023,000;
- 2                   17. Prince George’s County.....\$2,053,000;
- 3                   18. Queen Anne’s County.....\$85,000;
- 4                   19. St. Mary’s County.....\$85,000;
- 5                   20. Somerset County.....\$65,000;
- 6                   21. Talbot County.....\$65,000;
- 7                   22. Washington County.....\$229,000;
- 8                   23. Wicomico County.....\$181,000; and
- 9                   24. Worcester County.....\$65,000;] and

10                   [(iii) (II) [Except as provided in paragraph (3) of this  
 11 subsection, in] IN fiscal year [2013] 2012 and in each fiscal year thereafter, the  
 12 funding level for the county for the prior fiscal year [increased by the product of the  
 13 funding level for the county for the prior fiscal year and the percentage change in the  
 14 Consumer Price Index – all urban consumers – all items, as published by the Bureau  
 15 of Labor Statistics of the United States Department of Labor, for the second prior  
 16 fiscal year].

17                   [(3) If the funding level calculated under paragraph (2)(ii) of this  
 18 subsection is less than the funding level for the prior fiscal year, the funding level for  
 19 the county shall be the funding level for the prior fiscal year.]

20                   16–305.

21                   (c) (1) (i) The total State operating fund per full–time equivalent  
 22 student to the community colleges for each fiscal year as requested by the Governor  
 23 shall be:

24                                   1. In fiscal year 2009, not less than an amount equal to  
 25 26.25% of the State’s General Fund appropriation per full–time equivalent student to  
 26 the 4–year public institutions of higher education in the State as designated by the  
 27 Commission for the purpose of administering the Joseph A. Sellinger Program under  
 28 Title 17 of this article in the previous fiscal year;

29                                   2. In fiscal year 2010, not less than an amount equal to  
 30 23.6% of the State’s General Fund appropriation per full–time equivalent student to  
 31 the 4–year public institutions of higher education in the State as designated by the

1 Commission for the purpose of administering the Joseph A. Sellinger Program under  
2 Title 17 of this article in the same fiscal year;

3 3. In ~~[fiscal year 2011,] EACH OF FISCAL YEARS 2011~~  
4 ~~AND 2012,~~ ~~[not less than an amount equal to 24%~~ **21.8%** of the State's General Fund  
5 appropriation per full-time equivalent student to the 4-year public institutions of  
6 higher education in the State as designated by the Commission for the purpose of  
7 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
8 same fiscal year] ~~\$194,407,432 TO BE DISTRIBUTED AS FOLLOWS:~~

9	<del>A.</del>	<del>ALLEGANY COLLEGE OF MARYLAND ..</del>	<del>\$4,535,850;</del>
10	<del>B.</del>	<del>ANNE ARUNDEL COMMUNITY</del>	
11	<del>COLLEGE.....</del>	<del>.....</del>	<del>\$26,902,364;</del>
12	<del>C.</del>	<del>COMMUNITY COLLEGE OF BALTIMORE</del>	
13	<del>COUNTY.....</del>	<del>.....</del>	<del>\$33,649,935;</del>
14	<del>D.</del>	<del>CARROLL COMMUNITY COLLEGE.....</del>	<del>\$6,770,354;</del>
15	<del>E.</del>	<del>CECH COMMUNITY COLLEGE.....</del>	<del>\$4,448,540;</del>
16	<del>F.</del>	<del>COLLEGE OF SOUTHERN</del>	
17	<del>MARYLAND.....</del>	<del>.....</del>	<del>\$10,299,112;</del>
18	<del>G.</del>	<del>CHESAPEAKE COLLEGE .....</del>	<del>\$5,268,995;</del>
19	<del>H.</del>	<del>FREDERICK COMMUNITY COLLEGE ....</del>	<del>\$7,649,753;</del>
20	<del>I.</del>	<del>GARRETT COLLEGE .....</del>	<del>\$2,307,428;</del>
21	<del>J.</del>	<del>HAGERSTOWN COMMUNITY</del>	
22	<del>COLLEGE.....</del>	<del>.....</del>	<del>\$6,701,294;</del>
23	<del>K.</del>	<del>HARFORD COMMUNITY COLLEGE .....</del>	<del>\$9,781,228;</del>
24	<del>L.</del>	<del>HOWARD COMMUNITY COLLEGE.....</del>	<del>\$12,057,748;</del>
25	<del>M.</del>	<del>MONTGOMERY COLLEGE .....</del>	<del>\$35,379,914;</del>
26	<del>N.</del>	<del>PRINCE GEORGE'S COMMUNITY</del>	
27	<del>COLLEGE.....</del>	<del>.....</del>	<del>\$22,200,826; AND</del>
28	<del>O.</del>	<del>WOR WIC COMMUNITY COLLEGE .....</del>	<del>\$6,454,091;</del>

1                   4.     ~~¶~~In fiscal year 2012, not less than an amount equal to  
 2 ~~25%~~ **20%** of the State's General Fund appropriation per full-time equivalent student  
 3 to the 4-year public institutions of higher education in the State as designated by the  
 4 Commission for the purpose of administering the Joseph A. Sellinger Program under  
 5 Title 17 of this article in the same fiscal year;

6                   5.~~¶~~     In fiscal year 2013, not less than an amount equal to  
 7 **[27%]** ~~22%~~ **21%** of the State's General Fund appropriation per full-time equivalent  
 8 student to the 4-year public institutions of higher education in the State as designated  
 9 by the Commission for the purpose of administering the Joseph A. Sellinger Program  
 10 under Title 17 of this article in the same fiscal year; **[and]**

11                   **[6.]** ~~5.~~ **6.**     In fiscal year 2014 **[and in each fiscal year**  
 12 **thereafter]**, not less than an amount equal to **[29%]** ~~24%~~ **22%** of the State's General  
 13 Fund appropriation per full-time equivalent student to the 4-year public institutions  
 14 of higher education in the State as designated by the Commission for the purpose of  
 15 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
 16 same fiscal year;

17                   ~~6.~~ **7.**     **IN FISCAL YEAR 2015, NOT LESS THAN AN**  
 18 **AMOUNT EQUAL TO ~~26.5%~~ 23% OF THE STATE'S GENERAL FUND**  
 19 **APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR**  
 20 **PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED**  
 21 **BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A.**  
 22 **SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL**  
 23 **YEAR; ~~AND~~**

24                   **8.     IN FISCAL YEAR 2016, NOT LESS THAN AN**  
 25 **AMOUNT EQUAL TO 24% OF THE STATE'S GENERAL FUND APPROPRIATION PER**  
 26 **FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF**  
 27 **HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR**  
 28 **THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM**  
 29 **UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND**

30                   ~~7.~~ **9.**     **IN FISCAL YEAR ~~2016~~ 2017 AND EACH FISCAL**  
 31 **YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO ~~29%~~ 25% OF THE**  
 32 **STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT**  
 33 **STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE**  
 34 **STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF**  
 35 **ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF**  
 36 **THIS ARTICLE IN THE SAME FISCAL YEAR.**

37                   (ii)     For purposes of this subsection, the State's General Fund  
 38 appropriation per full-time equivalent student to the 4-year public institutions of

1 higher education in the State for a fiscal year shall include noncapital appropriations  
2 from the Higher Education Investment Fund.

3 (III) NOTWITHSTANDING THE PROVISIONS OF  
4 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE TOTAL STATE OPERATING FUNDS  
5 TO BE DISTRIBUTED UNDER THIS SUBSECTION TO THE COMMUNITY COLLEGES  
6 FOR EACH OF FISCAL YEARS 2011 AND 2012 SHALL BE \$194,407,432.

7 16-512.

8 (a) (1) The total State operating fund per full-time equivalent student  
9 appropriated to Baltimore City Community College for each fiscal year as requested by  
10 the Governor shall be:

11 (i) In fiscal year 2009, not less than an amount equal to 67.25%  
12 of the State's General Fund appropriation per full-time equivalent student to the  
13 4-year public institutions of higher education in the State as designated by the  
14 Commission for the purpose of administering the Joseph A. Sellinger Program under  
15 Title 17 of this article in the previous fiscal year;

16 (ii) In fiscal year 2010, not less than an amount equal to 65.1%  
17 of the State's General Fund appropriation per full-time equivalent student to the  
18 4-year public institutions of higher education in the State as designated by the  
19 Commission for the purpose of administering the Joseph A. Sellinger Program under  
20 Title 17 of this article in the same fiscal year;

21 (iii) In fiscal year 2011, not less than an amount equal to 65.5%  
22 of the State's General Fund appropriation per full-time equivalent student to the  
23 4-year public institutions of higher education in the State as designated by the  
24 Commission for the purpose of administering the Joseph A. Sellinger Program under  
25 Title 17 of this article in the same fiscal year;

26 (iv) In fiscal year 2012, not less than an amount equal to [66%]  
27 63% of the State's General Fund appropriation per full-time equivalent student to the  
28 4-year public institutions of higher education in the State as designated by the  
29 Commission for the purpose of administering the Joseph A. Sellinger Program under  
30 Title 17 of this article in the same fiscal year;

31 (v) In fiscal year 2013, not less than an amount equal to [67%]  
32 63.5% of the State's General Fund appropriation per full-time equivalent student to  
33 the 4-year public institutions of higher education in the State as designated by the  
34 Commission for the purpose of administering the Joseph A. Sellinger Program under  
35 Title 17 of this article in the same fiscal year; [and]

36 (VI) IN FISCAL YEAR 2014, NOT LESS THAN AN AMOUNT  
37 EQUAL TO 64% OF THE STATE'S GENERAL FUND APPROPRIATION PER

1 FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF  
 2 HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR  
 3 THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM  
 4 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

5 (VII) IN FISCAL YEAR 2015, NOT LESS THAN AN AMOUNT  
 6 EQUAL TO 64.5% OF THE STATE'S GENERAL FUND APPROPRIATION PER  
 7 FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF  
 8 HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR  
 9 THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM  
 10 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

11 (VIII) IN FISCAL YEAR 2016, NOT LESS THAN AN AMOUNT  
 12 EQUAL TO 65% OF THE STATE'S GENERAL FUND APPROPRIATION PER  
 13 FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF  
 14 HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR  
 15 THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM  
 16 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND

17 [(vi)] (IX) In fiscal year [2014] 2017 and each fiscal year  
 18 thereafter, not less than an amount equal to [68.5%] 66% of the State's General Fund  
 19 appropriation per full-time equivalent student to the 4-year public institutions of  
 20 higher education in the State as designated by the Commission for the purpose of  
 21 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
 22 same fiscal year.

23 (2) For purposes of this subsection, the State's General Fund  
 24 appropriation per full-time equivalent student to the 4-year public institutions of  
 25 higher education in the State for a fiscal year shall include noncapital appropriations  
 26 from the Higher Education Investment Fund.

27 (3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF  
 28 THIS SUBSECTION, THE TOTAL STATE OPERATING FUND APPROPRIATED TO  
 29 BALTIMORE CITY COMMUNITY COLLEGE FOR EACH OF FISCAL YEARS 2011 AND  
 30 2012 SHALL BE \$40,187,695.

31 17-104.

32 (a) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
 33 SUBSECTION, THE Maryland Higher Education Commission shall compute the  
 34 amount of the annual apportionment for each institution that qualifies under this  
 35 subtitle by multiplying the number of full-time equivalent students enrolled at the  
 36 institution during the fall semester of the fiscal year preceding the fiscal year for  
 37 which the aid apportionment is made, as determined by the Maryland Higher  
 38 Education Commission by:

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

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

7           ~~**[(III)] (3)**~~       In fiscal year 2011, an amount not less than ~~13%~~  
8 **9.8%** of the State's General Fund per full-time equivalent student appropriation to  
9 the 4-year public institutions of higher education in this State for the same fiscal year;

10           ~~**[(4)] (IV)**~~       In fiscal year 2012, an amount not less than ~~13.5%~~ **9.2%** of  
11 the State's General Fund per full-time equivalent student appropriation to the 4-year  
12 public institutions of higher education in this State for the same fiscal year;†

13           **[(5)] ~~[(III)] (V)~~** In fiscal year 2013, an amount not less than [14%] ~~8.5%~~  
14 **10%** of the State's General Fund per full-time equivalent student appropriation to the  
15 4-year public institutions of higher education in this State for the same fiscal year;

16           **[(6)] ~~[(IV)] (VI)~~** In fiscal year 2014, an amount not less than [14.5%]  
17 ~~10%~~ **10.5%** of the State's General Fund per full-time equivalent student  
18 appropriation to the 4-year public institutions of higher education in this State for the  
19 same fiscal year; [and]

20           ~~**[(7)] (VII)**~~       **IN FISCAL YEAR 2015, AN AMOUNT NOT LESS**  
21 **THAN ~~11.5%~~ 11% OF THE STATE'S GENERAL FUND PER FULL-TIME**  
22 **EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS**  
23 **OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;**

24           ~~**[(8)] (VIII)**~~       **IN FISCAL YEAR 2016, AN AMOUNT NOT LESS**  
25 **THAN ~~13.5%~~ 11.5% OF THE STATE'S GENERAL FUND PER FULL-TIME**  
26 **EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS**  
27 **OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR; AND**

28           **[(7)] ~~[(VII)] (IX)~~** In fiscal year [2015] **2017** and each fiscal year  
29 thereafter, an amount not less than ~~15.5%~~ **12%** of the State's General Fund per  
30 full-time equivalent student appropriation to the 4-year public institutions of higher  
31 education in this State for the same fiscal year.

32           **(2) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE TOTAL**  
33 **AMOUNT OF THE APPORTIONMENT UNDER THIS SECTION, AS DETERMINED BY**  
34 **THE MARYLAND HIGHER EDUCATION COMMISSION FOR AID PROVIDED UNDER**  
35 **THIS SUBTITLE SHALL BE \$38,445,958, TO BE ALLOCATED AMONG THE**

1 INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE, ~~SHALL BE \$30,000,000~~ IN  
2 PROPORTION TO THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS  
3 ENROLLED AT EACH INSTITUTION DURING THE FALL SEMESTER OF THE FISCAL  
4 YEAR PRECEDING THE FISCAL YEAR FOR WHICH THE AID APPORTIONMENT IS  
5 MADE, AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION.

6 23-205.

7 (c) (1) Each year each participating regional resource center shall receive  
8 a minimum amount of funding for each resident of the area served, to be used for  
9 operating and capital expenses.

10 (2) The allocation shall be calculated as follows:

11 (i) For fiscal year 2009..... \$6.50 per each resident of the  
12 area served;

13 (ii) For fiscal year 2010..... \$6.75 per each resident of the  
14 area served; AND

15 (iii) For fiscal year 2011 AND EACH FISCAL YEAR  
16 THEREAFTER..... \$6.75 per each resident of the area served];

17 (iv) For fiscal year 2012.....\$7.50 per each resident of the  
18 area served; and

19 (v) for fiscal year 2013 and each fiscal year  
20 thereafter.....\$8.50 per each resident of the area served].

21 (d) (1) Each year the State Library Resource Center shall receive a  
22 minimum amount of funding for each State resident in the previous fiscal year, to be  
23 used for operating and capital expenses.

24 (2) The allocation shall be calculated as follows:

25 (i) For fiscal year 2009.....\$1.85 per State resident; AND

26 (ii) For [each of fiscal years 2010 and 2011] FISCAL YEAR 2010  
27 AND EACH FISCAL YEAR THEREAFTER.....\$1.67 per State resident]; and

28 (iii) For fiscal year 2012 and each fiscal year  
29 thereafter.....\$1.85 per State resident].

30 23-503.



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

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

7 (4) Paying insurance costs by the State to extend or implement the  
8 benefits of the Fund; AND

9 (5) **EXPENSES RELATED TO OIL-RELATED ACTIVITIES IN THE**  
10 **DEPARTMENT’S WATER POLLUTION CONTROL PROGRAMS.**

11 **Article – Health – General**

12 2-302.

13 (a) The funding required in the State budget for local health services,  
14 exclusive of special fund and federal appropriations, shall be at least the amount set  
15 forth in subsection (b) of this section.

16 (b) The funding shall be:

17 (1) **[\$41.0 million for fiscal year 1997] \$37,283,484 IN EACH OF**  
18 **FISCAL YEARS 2011 AND 2012, TO BE DISTRIBUTED AS FOLLOWS:**

- 19 (I) ALLEGANY COUNTY ..... \$908,719;
- 20 (II) ANNE ARUNDEL COUNTY ..... \$3,141,951;
- 21 (III) BALTIMORE CITY ..... \$6,675,053;
- 22 (IV) BALTIMORE COUNTY ..... \$4,302,255;
- 23 (V) CALVERT COUNTY ..... \$369,812;
- 24 (VI) CAROLINE COUNTY..... \$538,253;
- 25 (VII) CARROLL COUNTY ..... \$1,231,995;
- 26 (VIII) CECIL COUNTY ..... \$806,392;
- 27 (IX) CHARLES COUNTY ..... \$994,528;
- 28 (X) DORCHESTER COUNTY ..... \$428,709;

1	(XI) FREDERICK COUNTY .....	\$1,512,159;
2	(XII) GARRETT COUNTY .....	\$437,403;
3	(XIII) HARFORD COUNTY .....	\$1,737,473;
4	(XIV) HOWARD COUNTY .....	\$1,215,070;
5	(XV) KENT COUNTY.....	\$335,941;
6	(XVI) MONTGOMERY COUNTY .....	\$3,014,680;
7	(XVII) PRINCE GEORGE'S COUNTY.....	\$5,007,057;
8	(XVIII) QUEEN ANNE'S COUNTY.....	\$417,744;
9	(XIX) ST. MARY'S COUNTY.....	\$808,576;
10	(XX) SOMERSET COUNTY.....	\$429,385;
11	(XXI) TALBOT COUNTY.....	\$328,705;
12	(XXII) WASHINGTON COUNTY .....	\$1,381,306;
13	(XXIII) WICOMICO COUNTY .....	\$947,374; AND
14	(XXIV) WORCESTER COUNTY .....	\$312,944; and

15 (2) For fiscal year [1998] **2013** and each subsequent fiscal year, [the  
16 amount of funding for fiscal year 1997] **\$37,283,484** adjusted for:

17 (i) Inflation, as measured by the Consumer Price Index — all  
18 urban consumers for the second preceding fiscal year, calculated by the U.S.  
19 Department of Commerce; and

20 (ii) Population growth, as measured by the growth in the total  
21 population of the State of Maryland for the second preceding fiscal year, according to  
22 the most recent statistics available through the Department of Health and Mental  
23 Hygiene.

24 (c) [(1) For fiscal year 1997, no subdivision may receive less State funding  
25 for local health services under this section than that subdivision received in fiscal year  
26 1996.



1 STATEWIDE ACADEMIC HEALTH CENTER CANCER RESEARCH GRANTS UNDER  
2 THIS SECTION; AND

3 2. THE GRANTS SHALL BE DISTRIBUTED BETWEEN  
4 THE STATEWIDE ACADEMIC HEALTH CENTERS AS FOLLOWS:

5 A. \$2,007,300 TO THE UNIVERSITY OF MARYLAND  
6 MEDICAL GROUP; AND

7 B. \$392,700 TO THE JOHN HOPKINS INSTITUTIONS.

8 (II) For fiscal year [2010 and fiscal year 2011] **2013** AND EACH  
9 FISCAL YEAR THEREAFTER, ~~the~~;

10 1. THE Governor shall include at least ~~\$6,700,000~~  
11 \$13,000,000 in the annual budget in appropriations for the Statewide Academic  
12 Health Center Cancer Research Grants under this section; AND

13 2. THE GRANTS SHALL BE DISTRIBUTED ACCORDING  
14 TO HISTORICAL ALLOCATIONS BETWEEN THE ACADEMIC HEALTH CENTERS.

15 ~~13-1117.~~

16 ~~(a) (1) (i) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE~~  
17 ~~GOVERNOR SHALL INCLUDE AT LEAST \$300,000 IN THE ANNUAL BUDGET IN~~  
18 ~~APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER~~  
19 ~~TOBACCO RELATED DISEASES RESEARCH GRANT UNDER THIS SECTION.~~

20 ~~(ii) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH~~  
21 ~~FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,250,000 in the~~  
22 ~~annual budget in appropriations for the Statewide Academic Health Center~~  
23 ~~Tobacco Related Diseases Research Grant under this section.~~

24 ~~13-1118.~~

25 ~~(a) (1) (i) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE~~  
26 ~~GOVERNOR SHALL INCLUDE AT LEAST \$450,000 IN THE ANNUAL BUDGET IN~~  
27 ~~APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER NETWORK~~  
28 ~~GRANT UNDER THIS SECTION.~~

29 ~~(ii) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH~~  
30 ~~FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,900,000 in the~~  
31 ~~annual budget in appropriations for the Statewide Academic Health Center Network~~  
32 ~~Grant under this section.~~

1 18–108.

2 [(c) The Governor shall include in the annual budget State general funds of  
3 at least \$250,000 to cover the administrative and food costs of the Program.]

4 19–310.1.

5 (b) (1) The Department may impose a quality assessment on each  
6 freestanding nursing facility subject to this section.

7 (2) The amount assessed in the aggregate on all nursing facilities may  
8 not exceed [2%] 4% of the operating revenue for all nursing facilities subject to this  
9 section for the previous fiscal quarter.

10 [(3) The aggregate annual assessment may not exceed the amount  
11 necessary to fully fund the nursing facility payment system taking into consideration  
12 any other revenue source or cost savings the Department determines could be used to  
13 reduce funding shortfalls.]

14 [(4)] (3) The assessment authorized by this section shall be paid by  
15 each nursing facility in accordance with this section.

16 (c) (1) On or before the 60th day after each quarter of the State fiscal  
17 year, each nursing facility subject to this section shall pay to the Comptroller an  
18 amount determined by the Department based on an amount per non–Medicare day of  
19 service for the previous fiscal quarter.

20 (2) The assessment shall be based on an amount per patient day, not  
21 including Medicare days[, necessary to fully fund the nursing facility payment system  
22 as provided under subsection (b)(3) of this section].

23 (d) (1) All amounts collected by the State Comptroller under this section  
24 shall be distributed to a special fund, to be used by the Department only to fund  
25 reimbursements to nursing facilities under the Medicaid program.

26 (2) [The] **AT LEAST 65% OF THE** funds allocated by the Department  
27 as reimbursements to nursing facilities under this section shall be in addition to and  
28 may not supplant funds already appropriated for this purpose.

29 19–14B–01.

30 (c) (1) [Up to 25%] **A PORTION** of the revenues generated by the quality  
31 assessment under § 19–310.1 of this title shall be in an incentive program to be  
32 distributed as provided in this section, to the extent federal law allows.

33

1 14–106.

2 (d) (1) Notwithstanding subsection (c) of this section, a nonprofit health  
3 service plan that is subject to this section and issues comprehensive health care  
4 benefits in the State shall:

5 (i) offer health care products in the individual market;

6 (ii) offer health care products in the small employer group  
7 market in accordance with Title 15, Subtitle 12 of this article;

8 (iii) subsidize the Senior Prescription Drug Assistance Program  
9 established under Subtitle 5, Part II of this title;

10 (iv) subsidize the [Maryland Pharmacy Discount Program]  
11 **KIDNEY DISEASE PROGRAM ESTABLISHED** under [§ 15–124.1] **TITLE 13,**  
12 **SUBTITLE 3** of the Health – General Article; and

13 (v) support the costs of the Community Health Resources  
14 Commission under Title 19, Subtitle 21 of the Health – General Article, including:

15 1. operating grants to community health resources;

16 2. funding for a unified data information system;

17 3. the documented direct costs of fulfilling the statutory  
18 and regulatory duties of the Commission; and

19 4. the administrative costs of the Commission.

20 (2) (i) ~~[(The] FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT~~  
21 ~~FISCAL YEAR, THE~~ support provided under paragraph [(1)(v)1, 3, and 4] **(1)(V)** of this  
22 subsection to the Community Health Resources Commission shall be:

23 **1.** [limited to:

24 1. \$2,000,000 in fiscal year 2006; and

25 2. in fiscal year 2007 and annually thereafter, the value  
26 of the premium tax exemption less:

27 A. the subsidy required under this subsection for the  
28 Senior Prescription Drug Assistance Program;

1 B. the subsidy required under this subsection for the  
2 Maryland Pharmacy Discount Program; and

3 C. the funding required under this subsection for the  
4 unified data information system.

5 (ii) The subsidy provided under paragraph (1)(iv) of this  
6 subsection for the Maryland Pharmacy Discount Program shall be limited to:

7 1. \$500,000 in fiscal year 2006; and

8 2. \$300,000 in fiscal year 2007 and annually thereafter.

9 (iii) The amount provided under paragraph (1)(v)2 of this  
10 subsection to fund a unified data information system shall be limited to:

11 1. \$500,000 in fiscal year 2006; and

12 2. \$1,700,000 in fiscal year 2007 and annually  
13 thereafter] **\$3,000,000 FOR EACH OF FISCAL YEARS 2011 AND 2012; AND**

14 **2. \$6,000,000 FOR FISCAL YEAR 2013 AND EACH**  
15 **SUBSEQUENT FISCAL YEAR.**

16 (ii) **FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT FISCAL**  
17 **YEAR, THE SUBSIDY PROVIDED UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION**  
18 **TO THE KIDNEY DISEASE PROGRAM SHALL BE EQUAL TO THE VALUE OF THE**  
19 **PREMIUM TAX EXEMPTION LESS:**

20 1. **THE SUBSIDY REQUIRED UNDER THIS**  
21 **SUBSECTION FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM;**  
22 **AND**

23 2. **THE SUBSIDY REQUIRED UNDER THIS**  
24 **SUBSECTION FOR THE COMMUNITY HEALTH RESOURCES COMMISSION.**

25 (iii) **OF THE SUBSIDY PROVIDED TO THE KIDNEY DISEASE**  
26 **PROGRAM UNDER THIS SUBSECTION, THE SECRETARY OF HEALTH AND**  
27 **MENTAL HYGIENE MAY TRANSFER ANY AMOUNTS RECEIVED BUT NOT SPENT BY**  
28 **THE KIDNEY DISEASE PROGRAM TO THE COMMUNITY HEALTH RESOURCES**  
29 **COMMISSION FUND ESTABLISHED UNDER § 19-2201 OF THE**  
30 **HEALTH – GENERAL ARTICLE.**

31 **Article – Public Safety**

1 1-202.

2 (b) (1) Subject to subsection (c) of this section and [paragraph (2)]  
3 PARAGRAPHS (2) AND (3) of this subsection, a death benefit of \$125,000 shall be paid  
4 to the surviving spouse, child, dependent parent, or estate of each of the following  
5 individuals who is killed or dies in the performance of duties on or after January 1,  
6 2006:

7 (i) a law enforcement officer;

8 (ii) a correctional officer;

9 (iii) a volunteer or career firefighter or rescue squad member;

10 (iv) a sworn member of the office of State Fire Marshal;

11 (v) a public safety aviation employee;

12 (vi) a Maryland resident who was a member of the uniform  
13 services of the United States serving in the Afghanistan or Iraq conflict; or

14 (vii) a hazardous material response team employee.

15 (2) For fiscal year 2009, and for each following fiscal year, the death  
16 benefit provided in the prior fiscal year shall be adjusted by any change in the  
17 calendar year preceding the fiscal year in the Consumer Price Index (all urban  
18 customers – United States city average – all items), as published by the United States  
19 Bureau of Labor Statistics.

20 **(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
21 **PARAGRAPH, AN APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION**  
22 **SHALL BE SUBMITTED WITHIN 3 YEARS AFTER THE DEATH OF THE DECEDENT.**

23 **(II) IF THE DECEDENT DIED BEFORE JUNE 1, 2010, AN**  
24 **APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION SHALL BE**  
25 **SUBMITTED ON OR BEFORE MAY 31, 2013.**

26 **[(3)] (4) A death benefit under this subsection is in addition to:**

27 (i) any workers' compensation benefits;

28 (ii) the proceeds of any form of life insurance, regardless of who  
29 paid the premiums on the insurance; and

30 (iii) the funeral benefit provided under subsection (d) of this  
31 section.

1           **(5) ON RECEIVING NOTICE OF THE DEATH OF AN INDIVIDUAL**  
 2 **DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF**  
 3 **PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL TAKE REASONABLE**  
 4 **STEPS TO NOTIFY POTENTIAL RECIPIENTS OF THE POTENTIAL DEATH BENEFITS**  
 5 **AVAILABLE UNDER THIS SUBSECTION:**

6                   **(I) WHEN THE DEPARTMENT RECEIVES NOTICE OF THE**  
 7 **DEATH; AND**

8                   **(II) AGAIN 1 YEAR AFTER THE DATE OF THE DEATH, IF AN**  
 9 **APPLICATION FOR A DEATH BENEFIT WITH RESPECT TO THE DEATH OF THE**  
 10 **DECEDENT HAS NOT BEEN SUBMITTED.**

11                                   **Article – State Finance and Procurement**

12    3–306.

13           (a)    There is a Central Collection Fund.

14           (b)    The Central Collection Fund is a continuing, nonlapsing fund that is not  
 15 subject to § 7–302 of this article.

16           (c)    The Fund shall consist of all fees collected under § 3–304(a)(2) of this  
 17 subtitle.

18           (d)    Subject to the appropriation process in the State budget ~~and~~ subject to  
 19 subsection (h) of this section~~],~~ the Department shall use the Fund for the expenses of  
 20 operating the Central Collection Unit.

21           (e)    The State Treasurer shall hold and the State Comptroller shall account  
 22 for the Fund.

23           (f)    The Fund shall be invested and reinvested in the same manner as other  
 24 State funds.

25           (g)    Investment earnings accrue to the benefit of the Fund.

26           ~~f~~(h)   For any fiscal year beginning on or after July 1, 2010, any balance in the  
 27 Fund at the end of the fiscal year in excess of ~~10%~~ **15%** of the actual expenses of  
 28 operating the Central Collection Unit for that fiscal year reverts to the General Fund  
 29 of the State.~~]~~

30    **7–114.2.**





1                                   **4. A SUPERINTENDENT;**

2                                   **5. A SUPERVISOR; OR**

3                                   **6. A TEACHER;**

4                                   **(II) A LIBRARIAN OR CLERICAL EMPLOYEE OF A LIBRARY**  
 5 **THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR**

6                                   **(III) A MEMBER OF THE FACULTY OR A PROFESSIONAL OR**  
 7 **CLERICAL EMPLOYEE OF A COMMUNITY COLLEGE, OTHER THAN BALTIMORE**  
 8 **CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION**  
 9 **ARTICLE.**

10                                  **(7) “LOCAL EMPLOYER” MEANS:**

11                                   **(I) A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY**  
 12 **AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE**  
 13 **CITY BOARD OF SCHOOL COMMISSIONERS;**

14                                   **(II) A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER**  
 15 **THE EDUCATION ARTICLE; OR**

16                                   **(III) A COMMUNITY COLLEGE, OTHER THAN BALTIMORE**  
 17 **CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION**  
 18 **ARTICLE.**

19                                  **[(5)] (8) “State member” does not include a member on whose behalf**  
 20 **a participating governmental unit is required to make an employer contribution under**  
 21 **§ 21–305 or § 21–306 of this subtitle.**

22                                  **(9) “TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES”**  
 23 **MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER**  
 24 **SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO THE LOCAL**  
 25 **EMPLOYEES OF EACH LOCAL EMPLOYER.**

26                                  **(b) (1) [Each] SUBJECT TO PARAGRAPHS (4) THROUGH (6) OF THIS**  
 27 **SUBSECTION, EACH fiscal year, on behalf of the State members of each State system,**  
 28 **the State shall pay to the appropriate accumulation fund an amount equal to or**  
 29 **greater than the sum of the amount, if any, required to be included in the budget bill**  
 30 **under § 3–501(c)(2)(ii) of this article and the product of multiplying:**

31                                   **(i) the aggregate annual earnable compensation of the State**  
 32 **members of that State system; and**

1                   (ii) 1. for State members of the Law Enforcement Officers'  
2 Retirement System, State Police Retirement System, and the Judges' Retirement  
3 System, the sum of the normal contribution rate and the accrued liability contribution  
4 rate, as determined under this section;

5                   2. for State members of the Employees' Pension System,  
6 Employees' Retirement System, Correctional Officers' Retirement System, and  
7 Legislative Pension Plan, the employees' systems contribution rate determined under  
8 subsection (e) of this section; or

9                   3. for State members of the Teachers' Pension System  
10 and Teachers' Retirement System, the teachers' systems contribution rate determined  
11 under subsection (f) of this section.

12                   (2) The amount determined under paragraph (1) of this subsection for  
13 each State system shall be based on an actuarial determination of the amounts that  
14 are required to preserve the integrity of the funds of the several systems using:

15                   (i) the entry-age actuarial cost method; and

16                   (ii) actuarial assumptions adopted by the Board of Trustees.

17                   (3) For the purpose of making the determinations required under this  
18 section:

19                   (i) the Employees' Retirement System, the Employees' Pension  
20 System, the Correctional Officers' Retirement System, and the Legislative Pension  
21 Plan shall be considered together as one State system; and

22                   (ii) the Teachers' Retirement System and the Teachers' Pension  
23 System shall be considered together as one State system.

24                   **(4) BEGINNING JULY 1, 2011, ON BEHALF OF THE LOCAL**  
25 **EMPLOYEES OF THE LOCAL EMPLOYER, SUBJECT TO § 21-309.1 OF THIS**  
26 **SUBTITLE, EACH LOCAL EMPLOYER SHALL PAY EACH FISCAL YEAR TO THE**  
27 **APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO THE LOCAL SHARE**  
28 **OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES AS**  
29 **DETERMINED UNDER PARAGRAPH (5) OF THIS SUBSECTION.**

30                   **(5) FOR EACH LOCAL EMPLOYER, THE LOCAL SHARE OF THE**  
31 **TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES IS THE AGGREGATE**  
32 **ANNUAL EARNABLE COMPENSATION OF LOCAL EMPLOYEES OF THAT LOCAL**  
33 **EMPLOYER MULTIPLIED TIMES:**

34                   **(i) 1% FOR FISCAL YEAR 2012;**

1                   **(II) 3% FOR FISCAL YEAR 2013;**

2                   **(III) 5% FOR EACH OF FISCAL YEARS 2014 AND 2015; AND**

3                   **(IV) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR**  
4 **THEREAFTER, THE RATE ESTABLISHED BY THE BOARD OF TRUSTEES UNDER §**  
5 **21-309.1 OF THIS SUBTITLE.**

6                   **(6) THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER**  
7 **CONTRIBUTION FOR LOCAL EMPLOYEES AND THE LOCAL SHARE OF THE TOTAL**  
8 **EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES FOR EACH LOCAL**  
9 **EMPLOYER SHALL BE THE OBLIGATION OF THE STATE.**

10 21-307.

11                   **(b) [(1)] For THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH**  
12 **SUBSEQUENT FISCAL YEAR, FOR a master in chancery or a master in juvenile causes**  
13 **who is eligible for benefits under the Judges' Retirement System, the county where the**  
14 **master serves shall pay to the Judges' Retirement System [a portion of] the employer**  
15 **contributions required to be paid on behalf of the master [as determined under**  
16 **paragraph (2) of this subsection.**

17                   **(2) The amount payable by a county for a master under this subsection**  
18 **is the product of multiplying:**

19                                   **(i) the sum of the accrued liability contribution rate and the**  
20 **normal contribution rate; and**

21                                   **(ii) the difference between the master's current earnable**  
22 **compensation and the earnable compensation of the master as of January 1, 1989].**

23                   **(o) (1) For the fiscal year beginning July 1, 2009, and each subsequent**  
24 **fiscal year, for a deputy sheriff employed by the Baltimore City Sheriff's Department**  
25 **who is a member of the Law Enforcement Officers' Pension System, Baltimore City**  
26 **shall pay the employer contributions otherwise required to be made by the State on**  
27 **behalf of the [members] MEMBER.**

28                   **(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH**  
29 **SUBSEQUENT FISCAL YEAR, FOR AN EMPLOYEE OF THE BALTIMORE CITY**  
30 **SHERIFF'S DEPARTMENT WHO IS A MEMBER OF THE EMPLOYEES' RETIREMENT**  
31 **SYSTEM OR THE EMPLOYEES' PENSION SYSTEM, BALTIMORE CITY SHALL PAY**  
32 **THE EMPLOYER CONTRIBUTIONS OTHERWISE REQUIRED TO BE MADE BY THE**  
33 **STATE ON BEHALF OF THE MEMBER.**

1 21-308.

2 (a) (1) On or before December 1 of each year, the Board of Trustees shall:

3 (i) certify to the Governor and the Secretary of Budget and  
 4 Management the rates to be used to determine the amounts to be paid by the State to  
 5 the accumulation fund of each of the several systems during the next fiscal year; and

6 (ii) provide to the Secretary of Budget and Management a  
 7 statement of the total amount to be paid **BY THE STATE AS DETERMINED UNDER §**  
 8 **21-304 OF THIS SUBTITLE** to the Teachers' Retirement System and the Teachers'  
 9 Pension System expressed as a percentage of the payroll of all members of those State  
 10 systems.

11 (d) (1) (i) The State Superintendent of Schools shall determine the  
 12 amount that equals the applicable percentage as determined under subparagraph (ii)  
 13 of this paragraph of the payroll of the professional and clerical employees of the  
 14 Department of Public Libraries of Montgomery County who are members of the  
 15 Employees' Retirement System of Montgomery County and are excluded from  
 16 membership in the Teachers' Retirement System or the Teachers' Pension System.

17 (ii) The applicable percentage under subparagraph (i) of this  
 18 paragraph is the lesser of:

19 1. the **DIFFERENCE BETWEEN THE** State's contribution  
 20 percentage for the Teachers' Retirement System and the Teachers' Pension System  
 21 **AND THE LOCAL CONTRIBUTION RATE DETERMINED UNDER § 21-309.1 OF THIS**  
 22 **SUBTITLE**, as certified by the Board of Trustees; or

23 2. the percentage of the payroll of its employees that  
 24 Montgomery County has contributed to the Employees' Retirement System of  
 25 Montgomery County, as determined by an actuarial valuation.

26 **21-309.1.**

27 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
 28 **MEANINGS INDICATED.**

29 (2) **"LOCAL CONTRIBUTION RATE" MEANS THE RATE TO BE**  
 30 **APPLIED TO THE AGGREGATE EARNABLE COMPENSATION OF LOCAL**  
 31 **EMPLOYEES TO CALCULATE THE LOCAL SHARE OF THE TOTAL EMPLOYER**  
 32 **CONTRIBUTION FOR LOCAL EMPLOYEES UNDER § 21-304 OF THIS SUBTITLE.**

33 (3) **"LOCAL EMPLOYEE" HAS THE MEANING STATED IN § 21-304**  
 34 **OF THIS SUBTITLE.**

1           **(4) "LOCAL EMPLOYER" HAS THE MEANING STATED IN § 21-304**  
2 **OF THIS SUBTITLE.**

3           **(B) (1) (i) ON OR BEFORE DECEMBER 1, 2014, AND ON OR BEFORE**  
4 **DECEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL**  
5 **ESTABLISH THE LOCAL CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR AS**  
6 **PROVIDED IN THIS SUBSECTION.**

7           **(ii) ON OR BEFORE NOVEMBER 1, 2014, AND ON OR BEFORE**  
8 **NOVEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL**  
9 **PROVIDE LOCAL EMPLOYERS A PRELIMINARY ESTIMATE OF THE LOCAL**  
10 **CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR.**

11           **(2) FOR EACH FISCAL YEAR, THE LOCAL CONTRIBUTION RATE**  
12 **SHALL BE ESTABLISHED AT THE RATE THAT WHEN ADDED TO THE RATE OF THE**  
13 **EMPLOYER SOCIAL SECURITY CONTRIBUTION REQUIRED BY FEDERAL LAW**  
14 **EQUALS ONE-HALF OF THE SUM OF:**

15           **(i) THE TEACHERS' SYSTEM CONTRIBUTION RATE FOR THE**  
16 **FISCAL YEAR DETERMINED UNDER § 21-304(F) OF THIS SUBTITLE; AND**

17           **(ii) THE RATE OF THE EMPLOYER SOCIAL SECURITY**  
18 **CONTRIBUTION REQUIRED BY FEDERAL LAW.**

19           **(C) ON OR BEFORE DECEMBER 1, 2010, AND ON OR BEFORE DECEMBER**  
20 **1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL DETERMINE**  
21 **THE AMOUNTS PAYABLE BY EACH LOCAL EMPLOYER UNDER § 21-304(B)(4) OF**  
22 **THIS SUBTITLE FOR THE NEXT FISCAL YEAR.**

23           **(D) EACH YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO EACH**  
24 **LOCAL EMPLOYER THE LOCAL CONTRIBUTION RATE AND THE AMOUNTS**  
25 **PAYABLE BY THE LOCAL EMPLOYER UNDER § 21-304(B)(4) OF THIS SUBTITLE**  
26 **FOR THE NEXT FISCAL YEAR.**

27           **(E) (1) ON OR BEFORE OCTOBER 1, JANUARY 1, APRIL 16, AND JUNE**  
28 **1 OF EACH FISCAL YEAR, EACH LOCAL EMPLOYER SHALL PAY TO THE BOARD OF**  
29 **TRUSTEES 25% OF THE AMOUNT OF THE CHARGES CERTIFIED TO THE LOCAL**  
30 **EMPLOYER BY THE BOARD OF TRUSTEES UNDER SUBSECTION (D) OF THIS**  
31 **SECTION.**

32           **(2) A LOCAL EMPLOYER MAY ELECT TO HAVE THE AMOUNTS**  
33 **REQUIRED UNDER THIS SECTION DEDUCTED FROM STATE AID DISTRIBUTIONS**  
34 **UNDER THE EDUCATION ARTICLE.**

1           **(3) IF A LOCAL EMPLOYER DOES NOT PAY THE AMOUNTS**  
2 **REQUIRED UNDER THIS SECTION WITHIN THE TIME REQUIRED, THE LOCAL**  
3 **EMPLOYER IS LIABLE FOR INTEREST ON DELINQUENT AMOUNTS AT A RATE OF**  
4 **4% A YEAR UNTIL PAYMENT.**

5           **(4) THE SECRETARY OF THE BOARD OF TRUSTEES MAY ALLOW A**  
6 **GRACE PERIOD NOT TO EXCEED 10 CALENDAR DAYS FOR PAYMENT OF THE**  
7 **AMOUNTS CERTIFIED UNDER THIS SECTION.**

8           **(5) ON NOTIFICATION BY THE SECRETARY OF THE BOARD OF**  
9 **TRUSTEES THAT A DELINQUENCY EXISTS, THE STATE COMPTROLLER**  
10 **IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY**  
11 **DUE OR COMING DUE TO THAT LOCAL EMPLOYER FROM THE STATE.**

12           **(F) ON RECEIPT OF THE PAYMENTS FROM EACH LOCAL EMPLOYER, THE**  
13 **BOARD OF TRUSTEES SHALL CREDIT THESE AMOUNTS TO THE ACCUMULATION**  
14 **FUND OF THE APPROPRIATE STATE SYSTEM.**

15           **(G) (1) NOTWITHSTANDING § 5-202(D) OF THE EDUCATION ARTICLE,**  
16 **IN FISCAL YEARS 2012 THROUGH 2014 ONLY, A COUNTY THAT DOES NOT MEET**  
17 **THE MAINTENANCE OF EFFORT REQUIREMENT AND DOES NOT RECEIVE A**  
18 **WAIVER SHALL BE REQUIRED TO PAY TO THE COUNTY BOARD OF EDUCATION**  
19 **THE DIFFERENCE BETWEEN THE LOCAL APPROPRIATION TO THE COUNTY**  
20 **SCHOOL OPERATING BUDGET AND THE AMOUNT CERTIFIED BY THE STATE**  
21 **SUPERINTENDENT AS THE REQUIRED LOCAL MAINTENANCE OF EFFORT**  
22 **AMOUNT UNDER § 5-202(D)(1)(II) OF THE EDUCATION ARTICLE.**

23           **(2) IF A COUNTY DOES NOT MAKE THE PAYMENT REQUIRED**  
24 **UNDER THIS SUBSECTION TO THE COUNTY BOARD BY MAY 15 OF THE FISCAL**  
25 **YEAR FOR WHICH THE PAYMENT IS REQUIRED, THE STATE COMPTROLLER**  
26 **IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY**  
27 **DUE OR COMING DUE TO THAT COUNTY FROM THE STATE AND CREDIT IT TO THE**  
28 **COUNTY BOARD OF EDUCATION.**

29 **32-205.**

30           **(a) For each participating employee who makes contributions under § 32-204**  
31 **of this subtitle, TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET,**  
32 **the State [shall] MAY contribute to the applicable State supplemental plan employer**  
33 **contributions an amount equal to the lesser of the participating employee's**  
34 **contributions or \$600 per fiscal year.**

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

**Article – Tax – General**

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2–202.

**(A)** After making the distribution required under § 2–201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION**, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4–102(d) of this article:

(i) the revenue attributable to a tax rate of 20% to the General Fund of the State; and

(ii) the revenue attributable to a tax rate in excess of 20% to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article; and

(2) the remaining admissions and amusement tax revenue:

(i) to the Maryland Stadium Authority, county, or municipal corporation that is the source of the revenue; or

(ii) if the Maryland Stadium Authority and also a county or municipal corporation tax a reduced charge or free admission:

1. 80% of that revenue to the Authority; and

2. 20% to the county or municipal corporation.

**(B) THE REVENUE TO BE DISTRIBUTED IN ACCORDANCE WITH SUBSECTION (A)(1) OF THIS SECTION:**

**(1) FOR FISCAL YEAR 2010 ONLY, SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE; AND**

**(2) FOR FISCAL YEAR 2011 ONLY, SHALL BE DISTRIBUTED AS FOLLOWS:**

**(I) ~~\$1,000,000~~ \$500,000 TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

**(II) \$500,000 TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND**

1                   **(III) THE BALANCE TO THE GENERAL FUND OF THE STATE.**

2                   **(C) (1) FOR FISCAL YEAR 2011, THE COMPTROLLER SHALL PAY**  
 3 **FROM THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(2)(II) OF THIS**  
 4 **SECTION A GRANT TO THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC**  
 5 **BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES THAT ARE THE SOURCE**  
 6 **OF THE REVENUE ARE LOCATED, TO BE USED BY THE LOCAL JURISDICTIONS**  
 7 **ONLY FOR ONE-TIME CAPITAL EXPENDITURES.**

8                   **(2) A GRANT UNDER THIS SUBSECTION SHALL BE PAID TO A**  
 9 **MUNICIPAL CORPORATION IF THE MACHINES ARE LOCATED IN A MUNICIPAL**  
 10 **CORPORATION OR TO A COUNTY IF THE MACHINES ARE NOT LOCATED IN A**  
 11 **MUNICIPAL CORPORATION.**

12                   **(3) THE GRANTS UNDER THIS SUBSECTION SHALL BE PAID TO**  
 13 **EACH LOCAL JURISDICTION IN PROPORTION TO THE AMOUNT OF TAX REVENUE**  
 14 **DERIVED FROM MACHINES IN EACH JURISDICTION.**

15                   SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
 16 read as follows:

17   **Article – Tax – General**

18                   **2-606.**

19                   **(E) (1) ON OR BEFORE JUNE 30, 2010, THE COMPTROLLER SHALL**  
 20 **DISTRIBUTE \$350,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED**  
 21 **TO COMPLY WITH THIS SECTION TO THE EDUCATION TRUST FUND**  
 22 **ESTABLISHED UNDER § 9-1A-30 OF THE STATE GOVERNMENT ARTICLE.**

23                   **(2) IN EACH OF FISCAL YEARS 2014 THROUGH 2020, THE STATE**  
 24 **SHALL PAY TO THE LOCAL INCOME TAX RESERVE ACCOUNT \$50,000,000 TO**  
 25 **REPAY THE \$350,000,000 TRANSFER TO THE EDUCATION TRUST FUND**  
 26 **AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

27                   SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
 28 read as follows:

29   **Article – Tax – General**

30                   **2-606.**

31                   **(F) (1) ON OR BEFORE JUNE 30, 2011, THE COMPTROLLER SHALL**  
 32 **DISTRIBUTE \$389,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED**

1 TO COMPLY WITH THIS SECTION TO THE GENERAL FUND OF THE STATE FOR  
2 USE IN FUNDING THE MARYLAND MEDICAID PROGRAM FOR FISCAL YEAR 2011.

3 (2) IN EACH OF FISCAL YEARS 2021 THROUGH 2026, THE STATE  
4 SHALL PAY TO THE LOCAL INCOME TAX RESERVE ACCOUNT \$63,833,333 TO  
5 REPAY THE \$389,000,000 TRANSFER TO THE GENERAL FUND AUTHORIZED  
6 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

7 SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
8 read as follows:

9 Article – Tax – General

10 2–1104.

11 (a) Except as provided in subsections (b) [and], (c), AND (D) of this section,  
12 after making the distributions required under §§ 2–1101 through 2–1103 of this  
13 subtitle, from the remaining motor fuel tax revenue, the Comptroller shall distribute:

14 (1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and

15 (2) any remaining balance to the Gasoline and Motor Vehicle Revenue  
16 Account of the Transportation Trust Fund.

17 (b) For the fiscal year beginning July 1, 2008, instead of the distribution  
18 required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3%  
19 of the remaining motor fuel tax revenue as follows:

20 (1) \$6,500,000 to the General Fund of the State; and

21 (2) the balance to the Chesapeake Bay 2010 Trust Fund.

22 (c) For the fiscal year beginning July 1, 2009, instead of the distribution  
23 required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3%  
24 of the remaining motor fuel tax revenue as follows:

25 (1) \$8,385,845 to the General Fund of the State; and

26 (2) the balance to the Chesapeake Bay 2010 Trust Fund.

27 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, INSTEAD OF THE  
28 DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE  
29 COMPTROLLER SHALL DISTRIBUTE 2.3% OF THE REMAINING MOTOR FUEL TAX  
30 REVENUE AS FOLLOWS:





1 (3) At least \$10,000,000 federal aid from any source in amounts as  
2 deemed prudent.

3 8-401.

4 **(C-1) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY AUTHORIZED**  
5 **BY LAW TO CONSTRUCT OR MAINTAIN STREETS OR ROADS.**

6 8-402.

7 (c) (1) **[During] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
8 **SUBSECTION, FOR each fiscal year [,]:**

9 **(I) 19% OF THE REVENUE CREDITED TO THE ACCOUNT**  
10 **SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE;**

11 **(II) 71.5% OF THE REVENUE CREDITED TO THE ACCOUNT**  
12 **MAY BE USED AS PROVIDED IN § 3-216 OF THIS ARTICLE; AND**

13 **(III) THE BALANCE OF the Account shall be used to pay the**  
14 **allocations of highway user revenues provided by this subtitle to the counties,**  
15 **municipalities, and Baltimore City[; and].**

16 **[(2) The balance of the Account may be used as provided in § 3-216 of**  
17 **this article.]**

18 **(2) FOR FISCAL YEARS 2010 THROUGH 2012, THE ACCOUNT**  
19 **SHALL BE DISTRIBUTED AS FOLLOWS:**

20 **(I) A PORTION TO THE GENERAL FUND OF THE STATE AS**  
21 **FOLLOWS:**

22 **1. 19.6% FOR FISCAL 2010;**

23 **2. 22.5% FOR FISCAL YEAR 2011; AND**

24 **3. 20.1% FOR FISCAL YEAR 2012;**

25 **(II) A PORTION TO BE USED AS PROVIDED IN § 3-216 OF**  
26 **THIS ARTICLE, AS FOLLOWS:**

27 **1. 70% FOR FISCAL YEAR 2010;**

28 **2. 68.6% FOR FISCAL YEAR 2011; AND**

1                                   **3.     71.5% FOR FISCAL YEAR 2012; AND**

2                                   **(III) THE BALANCE TO BE USED TO PAY THE ALLOCATIONS**  
3 **OF HIGHWAY USER REVENUES PROVIDED UNDER THIS SUBTITLE TO THE**  
4 **COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY.**

5 **8-403.**

6                   **(A) SUBJECT TO §§ 3-307 AND 3-308 OF THIS ARTICLE, AND EXCEPT AS**  
7 **PROVIDED IN SUBSECTION (B) OF THIS SECTION, FOR EACH FISCAL YEAR, FROM**  
8 **THE TOTAL HIGHWAY USER REVENUES:**

9                   **(1) AN AMOUNT SHALL BE DISTRIBUTED TO BALTIMORE CITY**  
10 **MONTHLY EQUAL TO 8.8% OF TOTAL HIGHWAY USER REVENUES;**

11                   **(2) AN AMOUNT SHALL BE DISTRIBUTED TO THE COUNTIES AT**  
12 **THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS**  
13 **PROVIDED IN § 8-404 OF THIS SUBTITLE, EQUAL TO 0.6% OF TOTAL HIGHWAY**  
14 **USER REVENUES; AND**

15                   **(3) AN AMOUNT SHALL BE DISTRIBUTED TO THE MUNICIPALITIES**  
16 **AT THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS**  
17 **PROVIDED IN § 8-405 OF THIS SUBTITLE, EQUAL TO 0.1% OF TOTAL HIGHWAY**  
18 **USER REVENUES.**

19                   **(B) (1) FOR FISCAL YEAR 2010:**

20                   **(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY**  
21 **UNDER THIS SUBTITLE SHALL EQUAL 8.5% OF TOTAL HIGHWAY USER**  
22 **REVENUES;**

23                   **(II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER**  
24 **THIS SUBTITLE SHALL EQUAL 1.5% OF TOTAL HIGHWAY USER REVENUES; AND**

25                   **(III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES**  
26 **UNDER THIS SUBTITLE SHALL EQUAL 0.4% OF TOTAL HIGHWAY USER**  
27 **REVENUES.**

28                   **(2) FOR FISCAL YEAR 2011:**

29                   **(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY**  
30 **UNDER THIS SUBTITLE SHALL EQUAL 8.2% OF TOTAL HIGHWAY USER**  
31 **REVENUES;**

1                   (II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER  
2 THIS SUBTITLE SHALL EQUAL 0.6% OF TOTAL HIGHWAY USER REVENUES; AND

3                   (III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES  
4 UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER  
5 REVENUES.

6                   (3) FOR FISCAL YEAR 2012:

7                   (I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY  
8 UNDER THIS SUBTITLE SHALL EQUAL 7.8% OF TOTAL HIGHWAY USER  
9 REVENUES;

10                   (II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER  
11 THIS SUBTITLE SHALL EQUAL 0.5% OF TOTAL HIGHWAY USER REVENUES; AND

12                   (III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES  
13 UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER  
14 REVENUES.

15 8-404.

16           (a) Highway user revenues shall be allocated to the counties:

17                   (1) One half on a county road mileage basis, as provided in subsection  
18 (b)(1) of this section; and

19                   (2) One half on a motor vehicle registration basis, as provided in  
20 subsection (b)(2) of this section.

21           (b) The Administration shall allocate for the account of each county, out of  
22 the highway user revenues [provided for] TO BE DISTRIBUTED TO THE COUNTIES  
23 under § 8-403 of this subtitle, [its gross] THE COUNTY'S share, to be determined by  
24 adding:

25                   (1) The amount that results from applying to one half of these  
26 highway user revenues the ratio that, as of December 1 of the preceding calendar year,  
27 the total mileage of county roads in the county, NOT INCLUDING THE TOTAL  
28 MILEAGE OF COUNTY ROADS IN AN ELIGIBLE MUNICIPALITY, bears to the total  
29 mileage of county roads in all of the counties, NOT INCLUDING THE TOTAL MILEAGE  
30 OF COUNTY ROADS IN AN ELIGIBLE MUNICIPALITY; and

31                   (2) The amount that results from applying to one half of these  
32 highway user revenues the ratio that, as of December 1 of the preceding calendar year,  
33 the total number of motor vehicles registered to owners having addresses in the

1 county, NOT INCLUDING MOTOR VEHICLES REGISTERED TO AN OWNER HAVING  
2 AN ADDRESS IN AN ELIGIBLE MUNICIPALITY, bears to the total number of motor  
3 vehicles registered to owners in all the counties, NOT INCLUDING MOTOR VEHICLES  
4 REGISTERED TO AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE  
5 MUNICIPALITY.

6 [(c) The allocation of highway user revenues to a county under subsection (b)  
7 of this section may not be less than the amount allocated to the county from highway  
8 user revenue sources in the fiscal year that began July 1, 1967.

9 (d) From each county's share of highway user revenues determined under  
10 this section, the Administration shall deduct the amount of highway user revenues  
11 allocated to any municipality in the county under § 8-405 of this subtitle. The  
12 resulting amount is the county's net share of highway user revenues.]

13 8-405.

14 [(a) Any municipality authorized by law to construct or maintain streets or  
15 roads may request its share of the highway user revenues provided under this subtitle  
16 from the Administration. The request shall be made in writing at least 6 months  
17 before the start of the fiscal year in which the funds are desired.]

18 (A) HIGHWAY USER REVENUES SHALL BE ALLOCATED TO THE ELIGIBLE  
19 MUNICIPALITIES:

20 (1) ONE HALF ON A MUNICIPAL ROAD MILEAGE BASIS, AS  
21 PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION; AND

22 (2) ONE HALF ON A MOTOR VEHICLE REGISTRATION BASIS, AS  
23 PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION.

24 (b) [During the fiscal year beginning after a request is made, the] THE  
25 Administration shall allocate [to the] FOR THE ACCOUNT OF EACH ELIGIBLE  
26 municipality, [from the gross share of] OUT OF THE highway user revenues [allocated  
27 under § 8-404] TO BE DISTRIBUTED TO THE MUNICIPALITIES UNDER § 8-403 of  
28 this subtitle [to the county within which the municipality is located, its net] THE  
29 ELIGIBLE MUNICIPALITY'S share [of highway user revenues], to be determined by  
30 adding:

31 (1) The amount that results from applying to one half of the available  
32 revenues the ratio that, as of December 1 of the preceding calendar year, the total  
33 mileage of county roads in the ELIGIBLE municipality bears to the total mileage of  
34 county roads LOCATED in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE;  
35 and

1           (2) The amount that results from applying to one half of the available  
2 revenues the ratio that, as of December 1 of the preceding calendar year, the total  
3 number of motor vehicles registered to owners having addresses in the ELIGIBLE  
4 municipality bears to the total number of motor vehicles registered to owners having  
5 addresses in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE.

6           (c) For purposes of the mileage formula distributions under this section, each  
7 special improvement district in Prince George's County in existence in January, 1953,  
8 shall be treated as a municipality, but the amounts distributed shall be:

9           (1) Paid to the county and retained by it as credits to the district; and

10           (2) Applied to the cost of maintaining the streets and roads in the  
11 district so long as the district has any indebtedness.

12 8-407.

13           (a) (1) If a county's OR MUNICIPALITY'S road construction,  
14 reconstruction, or maintenance is performed by the Administration, the county's [net]  
15 OR MUNICIPALITY'S share of highway user revenues shall be credited to the account  
16 of the Administration to be spent on warrants of the State Comptroller.

17           (2) If a county has paid any debt service on bonds or other evidences of  
18 obligation issued by a municipality in the county for the construction, reconstruction,  
19 or maintenance of roads or streets, an amount sufficient to reimburse the county for  
20 these payments shall be paid to the county from the municipality's [net] share of  
21 highway user revenues.

22           (3) In all other cases, a county's or municipality's [net] share of  
23 highway user revenues shall be paid to or on the order of:

24           (i) The proper official of the county or municipality designated  
25 by local law; or

26           (ii) If no designation is made, the county or municipality.

27           (b) Payments of a county's or municipality's [net] share of highway user  
28 revenues shall be made:

29           (1) At monthly intervals; or

30           (2) At other appropriate times reasonably requested.

31           SECTION 11. AND BE IT FURTHER ENACTED, That Section(s) 11-308,  
32 11-309, and 11-310(a) through (c) of Article – Correctional Services of the Annotated  
33 Code of Maryland be repealed.

1           SECTION 12. AND BE IT FURTHER ENACTED, That Section(s) 7–117 of  
2 Article – Education of the Annotated Code of Maryland be repealed.

3           SECTION 13. AND BE IT FURTHER ENACTED, That Section(s) 13–1117 and  
4 13–1118 of Article – Health – General of the Annotated Code of Maryland be repealed.

5           ~~SECTION 8. AND BE IT FURTHER ENACTED, That Section(s) 18–1201~~  
6 ~~through 18–1207 and the subtitle “Subtitle 12. Private Career School Student Grant~~  
7 ~~Program” of Article – Education of the Annotated Code of Maryland be repealed.~~

8           ~~SECTION 9. 14. AND BE IT FURTHER ENACTED, That Section(s) 10–301(m)~~  
9 ~~of the Natural Resources Article of the Annotated Code of Maryland be repealed.~~

10           SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any  
11 other provision of law, for fiscal year 2011 only, up to \$300,000 of the allocation to the  
12 University of Maryland Medical Group under § 13–1116 of the Health – General  
13 Article as enacted by this Act may be used to offset a deficit resulting from the  
14 termination of the Statewide Academic Health Center Tobacco–Related Diseases  
15 Research Grant Program and the Statewide Academic Health Center Network Grant  
16 Program under this Act.

17           ~~SECTION 10. AND BE IT FURTHER ENACTED, That Section(s) 8–406(b) and~~  
18 ~~10–704.1 of the Tax – General Article of the Annotated Code of Maryland be repealed.~~

19           ~~SECTION 11. 16.~~ SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding  
20 any other provision of law, on or before June 30, 2010, the Governor may transfer to  
21 the General Fund:

22           \$155,000,000 of the unexpended balance in the Bay Restoration Fund  
23 established under § 9–1605.2 of the Environment Article that is not needed to pay debt  
24 service on Revenue Bonds issued by the Water Quality Financing Administration for  
25 the Enhanced Nutrient Removal Program;

26           \$85,051,173 of the funds in the accounts of the University System of Maryland;

27           ~~\$39,693,790, or any balance remaining, of the funds in the Heritage Structure~~  
28 ~~Rehabilitation Tax Credit Reserve Fund established under § 5A–303 of the State~~  
29 ~~Finance and Procurement Article;~~

30           ~~\$25,000,000 of the funds in the Circuit Court Real Property Records~~  
31 ~~Improvement Fund established by § 13–602 of the Courts and Judicial Proceedings~~  
32 ~~Article;~~

33           ~~\$20,000,000 of the funds in the Injured Workers’ Insurance Fund established~~  
34 ~~under § 10–104 of the Labor and Employment Article;~~

1           \$13,509,450 of the funds in the Waterway Improvement Fund established under  
2 § 8–707 of the Natural Resources Article;

3           \$6,000,000 of the funds in the Injured Workers' Insurance Fund reserve for  
4 actuarial liability for claims against the State, established under § 10–104 of the  
5 Labor and Employment Article;

6           \$5,221,332 of the funds in the State Insurance Trust Fund established under §  
7 9–103 of the State Finance and Procurement Article;

8           \$3,628,687 of the unexpended balance in the Neighborhood Business  
9 Development Fund established under § 6–301 of the Housing and Community  
10 Development Article;

11           \$3,401,000 of the unexpended balance in the Ocean Beach Replenishment Fund  
12 established under § 8–1103 of the Natural Resources Article;

13           \$3,000,000 of the funds in the special fund established under § 1–203.3 of the  
14 Corporations and Associations Article;

15           \$2,500,000 of the funds in the Chesapeake and Atlantic Coastal Bays 2010  
16 Trust Fund established under § 8–2A–02 of the Natural Resources Article;

17           ~~\$2,200,000~~ \$1,000,000 of the funds in the Maryland Oil Disaster Containment,  
18 Cleanup and Contingency Fund established under § 4–411 of the Environment Article;

19           \$1,200,000 of the funds in the Oil Reserve Fund established under § 4–607 of  
20 the Environment Article;

21           \$2,176,565 of the funds in the Special Loan Programs Fund established under §  
22 4–505 of the Housing and Community Development Article;

23           \$2,000,000 of the funds in the Insurance Regulation Fund established under §  
24 2–505 of the Insurance Article;

25           \$1,824,924 of the funds in the Vehicle Theft Prevention Fund established under  
26 § 2–703 of the Public Safety Article;

27           \$1,800,000 of the funds in the Community Health Resources Commission Fund  
28 established under § 19–2201 of the Health – General Article;

29           \$1,664,227 of the funds in the accounts of Morgan State University;

30           \$1,559,000 of the funds in the Spinal Cord Injury Research Trust Fund  
31 established under § 13–1406 of the Health – General Article;

1 \$1,500,000 of the funds in the Land Trust Grant Fund established under §  
2 3-2A-02 of the Natural Resources Article;

3 ~~\$1,200,000~~ \$3,000,000 of the funds in the Oil Contaminated Site Environmental  
4 Cleanup Fund established under § 4-704 of the Environment Article;

5 \$1,100,000 of the funds in the State Used Tire Cleanup and Recycling Fund  
6 established under § 9-273 of the Environment Article;

7 \$1,000,000 of the funds in the Tidal Wetlands Compensation Fund established  
8 under § 16-205 of the Environment Article;

9 \$733,339 of the funds in the Cash Management Improvement Fund in the State  
10 Treasurer's Office;

11 \$602,800 of the funds in the special fund established under § 11-401 of the  
12 Business Regulation Article;

13 \$527,619 of the funds in the Board of Physicians Fund established under §  
14 14-207 of the Health Occupations Article;

15 \$500,000 of the funds in the Central Collection Fund established under § 3-306  
16 of the State Finance and Procurement Article;

17 \$500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund  
18 established under § 3-507 of the Correctional Services Article;

19 ~~\$500,000 of the funds in the State administrative costs account of the Injured~~  
20 ~~Workers' Insurance Fund established under § 10-104 of the Labor and Employment~~  
21 ~~Article;~~

22 \$472,026 of the funds in the Maryland Health Care Commission Fund  
23 established under § 19-111 of the Health – General Article;

24 \$449,373 of the funds in the Community Legacy Financial Assistance Fund  
25 established under § 6-213 of the Housing and Community Development Article;

26 \$305,549 of the funds in the Board of Nursing Fund established under § 8-206  
27 of the Health Occupations Article;

28 \$305,481 of the funds in the Shore Erosion Control Construction Loan Fund  
29 established under § 8-1005 of the Natural Resources Article;

30 \$300,000 of the funds in the Maryland Clean Air Fund established under §  
31 2-107 of the Environment Article;

1       \$300,000 of the funds in the State Occupational and Professional Licensing  
2 Design Boards' Fund established under § 2–106.1 of the Business Regulation Article;

3       \$204,368 of the funds in the accounts of St. Mary's College of Maryland;

4       \$150,000 of the funds in the State Chemist Reserve Account consisting of  
5 special funds established under §§ 5–103, 6–103, 6–204, and 6–303 of the Agriculture  
6 Article;

7       \$150,000 of the funds in the State Radiation Control Fund established under §  
8 8–306 of the Environment Article;

9       \$98,544 of the funds in the State Board of Pharmacy Fund established under §  
10 12–206 of the Health Occupations Article;

11       \$96,541 of the funds in the accounts of Baltimore City Community College;

12       \$92,040 of the funds in the Homeownership Programs Fund established under §  
13 4–502 of the Housing and Community Development Article;

14       \$87,758 of the funds in the Rental Housing Programs Fund established under §  
15 4–504 of the Housing and Community Development Article;

16       \$87,758 of the funds in the Partnership Rental Housing Fund established under  
17 § 4–503 of the Housing and Community Development Article;

18       \$73,530 of the funds in the State Board of Dental Examiners Fund established  
19 under § 4–207 of the Health Occupations Article;

20       \$52,097 of the funds in the State Board of Social Work Examiners Fund  
21 established under § 19–206 of the Health Occupations Article;

22       \$36,128 of the funds in the State Board of Chiropractic and Massage Therapy  
23 Examiners Fund established under § 3–206 of the Health Occupations Article;

24       \$23,718 of the funds in the State Board of Examiners of Psychologists Fund  
25 established under § 18–207 of the Health Occupations Article;

26       \$22,013 of the funds in the State Board of Professional Counselors and  
27 Therapists Fund established under § 17–206 of the Health Occupations Article;

28       \$17,567 of the funds in the State Board of Physical Therapy Examiners Fund  
29 established under § 13–207 of the Health Occupations Article;

30       \$13,698 of the funds in the State Board of Examiners for Audiologists, Hearing  
31 Aid Dispensers, and Speech Language Pathologists Fund established under § 2–206 of  
32 the Health Occupations Article;

1           \$11,923 of the funds in the State Board of Occupational Therapy Practice Fund  
2 established under § 10–206 of the Health Occupations Article;

3           \$9,837 of the funds in the State Board of Examiners in Optometry Fund  
4 established under § 11–207 of the Health Occupations Article;

5           \$9,666 of the funds in the State Acupuncture Board Fund established under §  
6 1A–206 of the Health Occupations Article;

7           \$9,566 of the funds in the State Board of Morticians and Funeral Directors  
8 Fund established under § 7–206 of the Health Occupations Article;

9           \$7,283 of the funds in the State Board of Podiatric Medical Examiners Fund  
10 established under § 16–206 of the Health Occupations Article;

11           \$4,092 of the funds in the Kidney Disease Fund established under § 13–310.1 of  
12 the Health – General Article; and

13           \$3,738 of the funds in the State Board of Dietetic Practice Fund established  
14 under § 5–206 of the Health Occupations Article.

15           SECTION ~~12~~ 17. AND BE IT FURTHER ENACTED, That, notwithstanding  
16 any other provision of law:

17           (a) On or before June 30, 2010, the Governor may transfer to the General  
18 Fund:

19           \$103,113,000 of the unexpended balance of the funds for the local share of  
20 Program Open Space in the special fund established under § 13–209 of the Tax –  
21 Property Article;

22           \$22,700,000 of the unexpended balance of the funds for Program Open Space  
23 Capital Development under Program Open Space in the special fund established  
24 under § 13–209 of the Tax – Property Article;

25           \$10,635,000 of the unexpended balance in the special fund established under §  
26 13–209 of the Tax – Property Article for the Rural Legacy Program as established  
27 under § 5–9A–01 of the Natural Resources Article;

28           \$10,000,000 of the unexpended balance in the special fund established under §  
29 13–209 of the Tax – Property Article for the Maryland Agricultural Land Preservation  
30 Foundation established under § 2–502 of the Agriculture Article;

31           \$4,567,000 of the unexpended balance of the funds for State land acquisition  
32 under Program Open Space in the special fund established under § 13–209 of the Tax  
33 – Property Article; and

1           \$2,058,000 of the unexpended balance of the funds for Program Open Space  
2 Capital Development – Ocean City Beach Replenishment under Program Open Space  
3 in the special fund established under § 13–209 of the Tax – Property Article.

4           (b) A transfer of funds from the special fund to the General Fund under this  
5 section may not be taken into account for purposes of determining any allocation or  
6 appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

7           SECTION ~~18~~ 18. AND BE IT FURTHER ENACTED, That, notwithstanding  
8 any other provision of law, on or before June 30, 2011, the Governor may transfer to  
9 the General Fund:

10           ~~\$51,731,321~~ \$55,532,294 of the funds in the accounts of the University System  
11 of Maryland;

12           \$45,000,000 of the funds in the Bay Restoration Fund established under §  
13 9–1605.2 of the Environment Article that is not needed to pay debt service on Revenue  
14 Bonds issued by the Water Quality Financing Administration for the Enhanced  
15 Nutrient Removal Program;

16           \$1,000,000 of the funds in the Board of Physicians Fund established under §  
17 14–207 of the Health Occupations Article;

18           ~~\$822,287~~ \$1,783,395 of the funds in the accounts of Baltimore City Community  
19 College;

20           ~~\$790,574~~ \$1,051,307 of the funds in the accounts of Morgan State University;

21           \$500,000 of the funds for the Spinal Cord Injury Research Trust Fund  
22 established under § 13–1406 of the Health – General Article;

23           \$3,934,000 of the funds in the Waterway Improvement Fund established under  
24 § 8–707 of the Natural Resources Article;

25           \$3,200,000 of the funds in the Neighborhood Business Development Fund  
26 established under § 6–310 of the Housing and Community Development Article;

27           \$3,000,000 of the funds in the Homeownership Programs Fund established  
28 under § 4–502 of the Housing and Community Development Article;

29           \$2,500,000 of the funds in the Special Loan Programs Fund established under §  
30 4–505 of the Housing and Community Development Article;

31           \$602,800 of the funds in the special fund established under § 11–401 of the  
32 Business Regulation Article;

1           \$204,368 of the funds in the accounts of St. Mary's College of Maryland;

2           \$200,000 of the funds in the State Board of Pharmacy Fund established under §  
3 12-206 of the Health Occupations Article;

4           \$50,000 of the funds in the State Board of Examiners for Psychologists Fund  
5 established under § 18-207 of the Health Occupations Article; and

6           \$50,000 of the funds in the State Board of Professional Counselors and  
7 Therapists Fund established under § 17-206 of the Health Occupations Article.

8           SECTION ~~14~~ 19. AND BE IT FURTHER ENACTED, That, notwithstanding  
9 any other provision of law:

10           ~~(a) Subject to subsection (b) of this section,~~ on or before June 30, 2011, the  
11 Governor may transfer to the General Fund \$54,038,405 of the funds in the special  
12 fund established under § 13-209 of the Tax – Property Article. A transfer of funds  
13 from the special fund to the General Fund under this ~~subsection~~ section may not be  
14 taken into account for purposes of determining any allocation or appropriation  
15 required under § 13-209(f) or (g) of the Tax – Property Article.

16           ~~(b) Subsection (a) of this section is contingent on legislation authorizing the  
17 creation of State general obligation debt totaling \$54,305,000 for the following  
18 purposes:~~

19	<del>Program Open Space – State Land Acquisition</del>	<del>\$13,082,000</del>
20	<del>Program Open Space – Local Share</del>	<del>\$12,352,000</del>
21	<del>Rural Legacy Program</del>	<del>\$12,637,000</del>
22	<del>Program Open Space – Capital Improvements</del>	<del>\$4,150,000</del>
23	<del>Maryland Agricultural Land Preservation Foundation</del>	<del>\$11,814,000</del>

24           ~~If legislation authorizing the creation of State general obligation debt totaling  
25 \$54,305,000 for the purposes described in this subsection does not become effective,  
26 subsection (a) of this section shall be null and void without the necessity of further  
27 action by the General Assembly.~~

28           SECTION ~~15~~ 20. AND BE IT FURTHER ENACTED, That, notwithstanding  
29 any other provision of law, in fiscal year 2011 only, the grants to county boards under  
30 the Aging Schools Program under § 5-206(f) of the Education Article may be funded  
31 from the proceeds of General Obligation bonds issued under the Maryland  
32 Consolidated Capital Bond Loan of 2010 or Qualified Zone Academy Bonds issued  
33 under Chapter (S.B. 202/H.B. 171) of the Acts of the General Assembly of 2010.

34           SECTION ~~16~~ 21. AND BE IT FURTHER ENACTED, That, notwithstanding  
35 the provisions of Title 1, Subtitle 3 of the Public Safety Article or any other law,  
36 \$5,000,000 in fiscal year 2011 revenue from the State 9-1-1 fee on wired lines may be  
37 transferred from the 9-1-1 Trust Fund to the Department of Information Technology

1 to be used to support the Computer Aided Dispatch/Records Management System  
2 project in the Maryland State Police.

3 SECTION ~~17~~ 22. AND BE IT FURTHER ENACTED, That, notwithstanding  
4 the provisions of Article 41, § 4–403 of the Annotated Code, for each of fiscal years  
5 2011 and 2012, funding for State Aid for Police Protection shall be \$45,420,982. For  
6 each of fiscal years 2011 and 2012, a subdivision or municipality shall receive the  
7 same State funding that the subdivision or municipality received in fiscal year 2010.

8 SECTION ~~18~~ 23. AND BE IT FURTHER ENACTED, That, notwithstanding  
9 any other provision of law, no amounts may be expended in fiscal year 2011 to pay  
10 increases over the rates in effect on January 20, 2010, for providers with rates set  
11 under § 8–406 or § 8–417 of the Education Article.

12 SECTION ~~19~~ 24. AND BE IT FURTHER ENACTED, That, notwithstanding  
13 any other provision of law, the Governor may transfer by budget amendment from the  
14 Senior Prescription Drug Assistance Program account of the Maryland Health  
15 Insurance Plan Fund established under § 14–504(e) of the Insurance Article to the  
16 Kidney Disease Program established under Title 13, Subtitle 3 of the Health – General  
17 Article up to \$10,500,000 in fiscal year 2010, and up to \$1,500,000 in fiscal year 2011.

18 SECTION ~~20~~ 25. AND BE IT FURTHER ENACTED, That, notwithstanding  
19 any other provision of law, in fiscal year 2010, the Governor may transfer up to  
20 ~~\$3,000,000~~ \$5,000,000 from the Senior Prescription Drug Assistance Program account  
21 of the Maryland Health Insurance Plan Fund established under § 14–504(e) of the  
22 Insurance Article to the Medical Assistance Program established under Title 15,  
23 Subtitle 1 of the Health – General Article.

24 SECTION ~~21~~ 26. AND BE IT FURTHER ENACTED, That, notwithstanding  
25 any other provision of law:

26 (a) On or before June 30, 2010, in addition to amounts authorized to be  
27 transferred under Section 12 of this Act, the Governor may transfer to the General  
28 Fund \$4,459,496 of the funds for State land acquisition under Program Open Space in  
29 the special fund established under § 13–209 of the Tax – Property Article.

30 (b) A transfer of funds from the special fund to the General Fund under this  
31 section may not be taken into account for purposes of determining any allocation or  
32 appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

33 SECTION ~~22~~ 27. AND BE IT FURTHER ENACTED, That, notwithstanding  
34 the provisions of § 3A–309 of the State Finance and Procurement Article, or any other  
35 provision of law, all money received from May 1, 2010 through June 30, 2010, and for  
36 each of fiscal years 2011 and 2012, as commissions, rebates, refunds, rate reductions,  
37 settlements, or telecommunication bypass agreements resulting from information  
38 technology services or purchases shall be credited to the General Fund.

1 SECTION ~~27~~ 28. AND BE IT FURTHER ENACTED, That, notwithstanding  
2 the provisions of §§ 2–613, 2–613.1, and 2–614 of the Tax – General Article, or any  
3 other provision of law, the first \$129,000,000 of corporate income tax paid to the State  
4 in fiscal year 2010 shall be credited entirely to the General Fund.

5 ~~SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding the~~  
6 ~~provisions of § 10–223(c) of the Tax – General Article and § 6–104(c)(2) of the State~~  
7 ~~Finance and Procurement Article, or any other provision of law, the requirement for~~  
8 ~~the Comptroller and the Bureau of Revenue Estimates to prepare and submit the~~  
9 ~~Statistics of Income Report and the Tax Incentives Study shall be waived for the tax~~  
10 ~~years ending in 2008, 2009, and 2010.~~

11 SECTION ~~25~~ 29. AND BE IT FURTHER ENACTED, That, notwithstanding  
12 the provisions of § 3A–506 of the State Finance and Procurement Article or any other  
13 provision of law, in fiscal year 2011, the Governor may transfer by budget amendment  
14 up to ~~\$1,000,000~~ \$2,000,000 from the Universal Service Trust Fund to the Maryland  
15 School for the Deaf. For the purposes of determining the minimum appropriation for  
16 the Maryland School for the Deaf under § 8–310.3(b) of the Education Article for fiscal  
17 year 2012, the prior year appropriations shall be deemed to include any General Fund  
18 appropriation for fiscal year 2011 for the Maryland School for the Deaf and any  
19 amount transferred to the Maryland School for the Deaf for fiscal year 2011 under this  
20 section.

21 SECTION 30. AND BE IT FURTHER ENACTED, That Section(s) 5 of Chapter  
22 451 of the Acts of the General Assembly of 2003 be repealed.

23 SECTION 31. AND BE IT FURTHER ENACTED, That, notwithstanding any  
24 other provision of law, the incoming class in the fall of 2010 at a residential boarding  
25 education program for at-risk youth that receives funding under Title 8, Subtitle 7 of  
26 the Education Article may not exceed 68 students.

27 ~~SECTION 26. AND BE IT FURTHER ENACTED, That, notwithstanding~~  
28 ~~Section(s) 18–1101 through 18–1106 of the Education Article, or any other provision of~~  
29 ~~law, no new scholarship awards shall be made under the Distinguished Scholar~~  
30 ~~Program for the 2010–2011 academic year. This section shall be construed to apply~~  
31 ~~retroactively to January 20, 2010, and shall be applied to and interpreted to affect any~~  
32 ~~proposed scholarship awards considered on or after that date.~~

33 SECTION ~~27~~ 32. AND BE IT FURTHER ENACTED, That, notwithstanding  
34 any other provision of law, for fiscal year 2012:

35 (a) Except as provided in subsection (b) of this section, the Governor is not  
36 required to include an appropriation in the budget for any program or item in an  
37 amount that exceeds the fiscal year 2011 appropriation for that item or program as  
38 approved in the State budget for fiscal year 2011 as enacted by the General Assembly.

39 (b) Subsection (a) of this section does not apply to:

1 (1) funding required for State aid to public elementary and secondary  
2 education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–310.3,  
3 § 8–317, or § 8–415 of the Education Article;

4 (2) the State’s employer contribution to the State Retirement and  
5 Pension System required under § 21–308 of the State Personnel and Pensions Article;  
6 or

7 (3) any appropriation required to the Revenue Stabilization Account of  
8 the State Reserve Fund under § 7–311 of the State Finance and Procurement Article.

9 SECTION ~~28~~ 33. AND BE IT FURTHER ENACTED, That, notwithstanding  
10 any other provision of law, and unless inconsistent with a federal law, grant  
11 agreement, or other federal requirement or with the terms of a gift or settlement  
12 agreement, for fiscal years 2010 and 2011, net interest on all State money allocated by  
13 the State Treasurer under § 6–226 of the State Finance and Procurement Article to  
14 special funds or accounts, and otherwise entitled to receive interest earnings, as  
15 accounted for by the Comptroller, shall accrue to the General Fund of the State, with  
16 the exception of the following funds:

17 (1) Maryland Housing Loan Funds of 1976, 1978, 1979, and 1984;

18 (2) Microsoft Cost Share Fund;

19 (3) Subsequent Injury Fund;

20 (4) Uninsured Employers’ Fund;

21 (5) State Agency Loan Program Fund;

22 (6) Jane E. Lawton Conservation Loan Program;

23 (7) Energy Overcharge Restitution Fund;

24 (8) Pepco / Connectiv Settlement Fund;

25 (9) Baseball Capital Improvements Fund;

26 (10) State Victims of Crime Fund;

27 (11) Juvenile Accountability Incentive Block Grant Fund;

28 (12) Victim and Witness Protection and Relocation Fund;

29 (13) Unclaimed Restitution – Victims of Crime;

- 1 (14) Justice Assistance Grant;
- 2 (15) Byrne Justice Assistance Grant;
- 3 (16) Maryland Election Modernization Fund;
- 4 (17) Scriven Estate Fund;
- 5 (18) Volunteer Company Assistance Fund;
- 6 (19) Radoff Memorial Fund;
- 7 (20) Archives Endowment Account within the Archives Fund;
- 8 (21) Ellefson Endowment Fund;
- 9 (22) Albert C. Ritchie Memorial Fund;
- 10 (23) Rate Stabilization Fund;
- 11 (24) Maryland Health Insurance Plan Fund;
- 12 (25) Fair Campaign Financing Fund;
- 13 (26) State Employees and Retirees Health and Welfare Benefits Fund;
- 14 (27) Major Information Technology Development Project Fund;
- 15 (28) State Retirement Agency Funds;
- 16 (29) Postretirement Health Benefits Trust Fund;
- 17 (30) Maryland Emergency Medical ~~Service~~ System Operations Fund;
- 18 (31) State Wildlife Management and Protection Fund;
- 19 (32) Fisheries Management and Protection Fund;
- 20 (33) Ocean Beach Replenishment Fund;
- 21 (34) Community Services Trust Fund;
- 22 (35) Waiting List Equity Fund;
- 23 (36) Health Care Coverage Fund;
- 24 (37) Health Services Cost Review Commission Fund;

- 1 (38) Hospital Uncompensated Care Fund;
- 2 (39) Funds in the Accounts of Morgan State University;
- 3 (40) Funds in the Accounts of St. Mary's College of Maryland;
- 4 (41) Funds in the Accounts of the University System of Maryland;
- 5 (42) Maryland Prepaid College Trust Fund;
- 6 (43) Nurse Support Program Assistance Fund;
- 7 (44) Funds in the Accounts of the Baltimore City Community College;
- 8 (45) Education Trust Fund;
- 9 (46) Section 8 Construction and Administration Funds administered by  
10 the Department of Housing and Community Development;
- 11 (47) MacArthur Grant Fund;
- 12 (48) ~~Maryland Economic Adjustment Fund~~ All special funds within the  
13 Department of Business and Economic Development;
- 14 (49) Maryland Water Quality Revolving Loan Fund;
- 15 (50) Maryland Drinking Water Revolving Loan Fund;
- 16 (51) Bay Restoration Fund;
- 17 (52) Migratory Game Bird Fund;
- 18 (53) Deer Stamp Fund;
- 19 (54) Wildlife Habitat Incentive Fund;
- 20 (55) Fisheries Research and Development Fund;
- 21 (56) Strategic Energy Investment Fund;
- 22 (57) Criminal Injuries Compensation Fund;
- 23 (58) 50% of the interest from the 9-1-1 Trust Fund;
- 24 ~~(52)~~ (59) All accounts within the State Reserve Fund; and

1           ~~(53)~~ (60)       Local revenue accounts collected by the Judiciary.

2           ~~SECTION 29. AND BE IT FURTHER ENACTED, That, notwithstanding §§~~  
 3 ~~8-403 through 8-405 of the Transportation Article, or any other provision of law, in~~  
 4 ~~addition to the amounts required to be distributed to the General Fund and the~~  
 5 ~~reductions in the amounts to be distributed to Baltimore City and the counties and~~  
 6 ~~municipalities under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly~~  
 7 ~~of 2009, for fiscal year 2010 only:~~

8           ~~(a)   \$159,502,391 of the amounts otherwise required to be distributed to~~  
 9 ~~Baltimore City and the counties and municipalities under § 8-403 of the~~  
 10 ~~Transportation Article shall be distributed instead to the General Fund.~~

11           ~~(b)   The amounts to be distributed to Baltimore City and the counties and~~  
 12 ~~municipalities under § 8-403 of the Transportation Article shall be reduced by the~~  
 13 ~~following amounts:~~

14	<del>Allegany County</del>	<del>\$3,698,005</del>
15	<del>Anne Arundel County</del>	<del>9,254,377</del>
16	<del>Baltimore City</del>	<del>31,612,390</del>
17	<del>Baltimore County</del>	<del>15,393,152</del>
18	<del>Calvert County</del>	<del>2,820,534</del>
19	<del>Caroline County</del>	<del>2,491,691</del>
20	<del>Carroll County</del>	<del>6,376,535</del>
21	<del>Cecil County</del>	<del>3,492,581</del>
22	<del>Charles County</del>	<del>4,279,861</del>
23	<del>Dorchester County</del>	<del>2,788,812</del>
24	<del>Frederick County</del>	<del>8,113,600</del>
25	<del>Garrett County</del>	<del>3,155,082</del>
26	<del>Harford County</del>	<del>7,196,389</del>
27	<del>Howard County</del>	<del>5,793,463</del>
28	<del>Kent County</del>	<del>1,362,596</del>
29	<del>Montgomery County</del>	<del>13,832,683</del>
30	<del>Prince George's County</del>	<del>16,121,287</del>
31	<del>Queen Anne's County</del>	<del>2,604,470</del>
32	<del>St. Mary's County</del>	<del>3,523,933</del>
33	<del>Somerset County</del>	<del>1,745,802</del>
34	<del>Talbot County</del>	<del>1,686,937</del>
35	<del>Washington County</del>	<del>5,470,612</del>
36	<del>Wicomico County</del>	<del>4,657,149</del>
37	<del>Worcester County</del>	<del>2,021,450</del>

38           ~~(c)   To the extent that the total amount to be distributed to Baltimore City~~  
 39 ~~and the counties and municipalities under § 8-403 of the Transportation Article, after~~  
 40 ~~the reductions under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly~~  
 41 ~~of 2009 and under this section, exceeds \$140,509,010, the excess shall be distributed~~  
 42 ~~as follows:~~

1           (1)    ~~11.5% to Baltimore City; and~~

2           (2)    ~~88.5% among the counties and municipalities in accordance with §§~~  
 3 ~~8-404 and 8-405 of the Transportation Article.~~

4           ~~SECTION 30. AND BE IT FURTHER ENACTED, That, notwithstanding § 12 of~~  
 5 ~~Chapter 487 of the Acts of the General Assembly of 2009, §§ 8-403 through 8-405 of~~  
 6 ~~the Transportation Article, or any other provision of law, for each of fiscal years 2011~~  
 7 ~~and 2012 only.~~

8           (a)    ~~The amounts otherwise required to be distributed to Baltimore City and~~  
 9 ~~the counties and municipalities under § 8-403 of the Transportation Article shall be~~  
 10 ~~distributed as follows:~~

11           (1)    ~~\$340,255,990 to the General Fund;~~

12           (2)    ~~Up to the next \$140,509,010 to Baltimore City and the counties~~  
 13 ~~and municipalities as follows:~~

14	<del>Allegany County</del>	<del>-0.221%</del>
15	<del>Anne Arundel County</del>	<del>-0.417%</del>
16	<del>Baltimore City</del>	<del>93.173%</del>
17	<del>Baltimore County</del>	<del>-0.794%</del>
18	<del>Calvert County</del>	<del>-0.151%</del>
19	<del>Caroline County</del>	<del>-0.147%</del>
20	<del>Carroll County</del>	<del>-0.360%</del>
21	<del>Cecil County</del>	<del>-0.192%</del>
22	<del>Charles County</del>	<del>-0.231%</del>
23	<del>Dorchester County</del>	<del>-0.164%</del>
24	<del>Frederick County</del>	<del>-0.445%</del>
25	<del>Garrett County</del>	<del>-0.187%</del>
26	<del>Harford County</del>	<del>-0.400%</del>
27	<del>Howard County</del>	<del>-0.297%</del>
28	<del>Kent County</del>	<del>-0.078%</del>
29	<del>Montgomery County</del>	<del>-0.628%</del>
30	<del>Prince George's County</del>	<del>-0.902%</del>
31	<del>Queen Anne's County</del>	<del>-0.147%</del>
32	<del>St. Mary's County</del>	<del>-0.195%</del>
33	<del>Somerset County</del>	<del>-0.105%</del>
34	<del>Talbot County</del>	<del>-0.087%</del>
35	<del>Washington County</del>	<del>-0.308%</del>
36	<del>Wicomico County</del>	<del>-0.275%</del>
37	<del>Worcester County</del>	<del>-0.096%; and</del>

38           (3)    ~~Any amounts in excess of \$480,765,000 as follows:~~

1                   (i) ~~11.5% to Baltimore City; and~~

2                   (ii) ~~88.5% among the counties and municipalities in accordance~~  
3 ~~with §§ 8-404 and 8-405 of the Transportation Article.~~

4                   (b) ~~For fiscal year 2011:~~

5                   (1) ~~The distribution to the General Fund required under subsection (a)~~  
6 ~~of this section is in lieu of the distribution to the General Fund required under § 12 of~~  
7 ~~Chapter 487 of the Acts of the General Assembly of 2009; and~~

8                   (2) ~~The reductions required under § 12 of Chapter 487 of the Acts of~~  
9 ~~the General Assembly of 2009 in the amounts to be distributed to Baltimore City and~~  
10 ~~the counties and municipalities are superseded by the required distributions provided~~  
11 ~~for under subsection (a) of this section.~~

12                   SECTION 34. AND BE IT FURTHER ENACTED, That it is the intent of the  
13 General Assembly that the Governor by budget amendment partially restore local  
14 highway user revenues for fiscal year 2010 that were reduced by actions taken by the  
15 Board of Public Works in August 2009, to implement the distributions of highway user  
16 revenues for fiscal year 2010 as reflected in § 8-403 of the Transportation Article as  
17 enacted by this Act.

18                   SECTION 35. AND BE IT FURTHER ENACTED, That it is the intent of the  
19 General Assembly that a working group formed in statute or by order of the President  
20 of the Senate or the Speaker of the House looking at transportation funding or local  
21 aid issues shall review and provide recommendations for how local highway user  
22 revenues shall be distributed in fiscal year 2013 and thereafter.

23                   ~~SECTION 34.~~ SECTION 36. AND BE IT FURTHER ENACTED, That, notwithstanding  
24 any other provision of law, State employees employed by any entity, including the  
25 University System of Maryland, Morgan State University, and St. Mary's College of  
26 Maryland, may not receive bonuses, merit increases, or cost-of-living adjustments in  
27 fiscal year 2011. This provision does not affect salaries for constitutional officers or  
28 members of the General Assembly or increases necessary for the retention of faculty in  
29 the University System of Maryland, Morgan State University, or St. Mary's College of  
30 Maryland.

31                   ~~SECTION 35.~~ SECTION 37. AND BE IT FURTHER ENACTED, That, notwithstanding  
32 the provisions of § 32-205 of the State Personnel and Pensions Article, in fiscal year  
33 2011 the State is not required to make the employer contributions to the applicable  
34 State supplemental plan for participating employees in the Optional Defined  
35 Contribution System.

36                   ~~SECTION 36.~~ SECTION 38 AND BE IT FURTHER ENACTED, That the Laws of  
37 Maryland read as follows:

1 **Chapter 62 of the Acts of 1992**

2 SECTION 4. AND BE IT FURTHER ENACTED, That:

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

5 (1) ~~[During] FOR FISCAL YEAR 2011 OR DURING~~ any fiscal year in  
6 which appropriations are reduced pursuant to § 7-213 of the State Finance and  
7 Procurement Article because of a projected deficit, by Executive Order the Governor  
8 may institute a furlough **OR TEMPORARY SALARY REDUCTION** plan for Executive  
9 Branch employees of the State of Maryland.

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

12 (i) Shall specify how the furlough **OR TEMPORARY SALARY**  
13 **REDUCTION** plan applies to the various employees of the State of Maryland; and

14 (ii) May:

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

16 2. Include any other provisions related to the operation  
17 of the furlough **AND TEMPORARY SALARY REDUCTION** plan.

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

20 SECTION ~~34~~ 39. AND BE IT FURTHER ENACTED, That, notwithstanding  
21 any other provision of law, calculation of the rate of overtime payments for current  
22 State employees subject to a temporary salary reduction ordered by the Governor in  
23 fiscal year 2010 or 2011 shall be based on the salary schedules in effect on July 1,  
24 2009. This section shall be construed to apply retroactively to September 23, 2009, and  
25 shall be applied to and interpreted to affect the overtime compensation of current  
26 State employees from that date.

27 SECTION ~~35~~ 40. AND BE IT FURTHER ENACTED, That, notwithstanding  
28 any other provision of law, on or before June 30, 2011, any special fund savings  
29 realized from the implementation of furloughs in fiscal year 2011 may be transferred  
30 to the General Fund.

31 ~~SECTION 36. AND BE IT FURTHER ENACTED, That, in each of fiscal years~~  
32 ~~2014 through 2020, the State shall pay to the Local Income Tax Reserve Account~~  
33 ~~\$50,000,000 to repay the \$350,000,000 transfer to the Education Trust Fund~~  
34 ~~authorized under § 2-606(e) of the Tax General Article as enacted by this Act.~~

1 SECTION ~~37~~ 41. AND BE IT FURTHER ENACTED, That the Laws of  
2 Maryland read as follows:

3 **Chapter 503 of the Acts of 2007, as amended by Chapter 200 of the Acts of**  
4 **2008**

5 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the  
6 General Assembly that:

7 (c) [Up to 25%] **A PORTION** of the revenues generated by the quality  
8 assessment shall be in an incentive program to be distributed as provided in this  
9 section, to the extent federal law allows. Further, the distribution of revenues as  
10 provided in this section shall be used as an incentive for nursing facilities to provide  
11 quality care, and may not be used to directly or indirectly hold harmless any nursing  
12 facility.

13 **Chapter 487 of the Acts of 2009**

14 SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding §  
15 9–305 of the State Personnel and Pensions Article, **OR ANY OTHER PROVISION OF**  
16 **LAW**, an employee entitled to compensation for unused annual leave upon termination  
17 of State employment during a mandatory temporary salary reduction plan shall  
18 receive such compensation at the employee's rate of compensation in effect  
19 immediately prior to the temporary salary reduction. This section shall be construed to  
20 apply retroactively and shall be applied to and interpreted to affect the calculation of  
21 unused annual leave payouts for employees leaving State employment on or after  
22 February 11, 2009.

23 SECTION 35. AND BE IT FURTHER ENACTED, That, notwithstanding any  
24 other provision of law, for fiscal [year] **YEARS 2011 AND 2012** only, the Governor is  
25 not required to include in the budget bill any appropriation to the Revenue  
26 Stabilization Account of the State Reserve Fund otherwise required under § 7–311 of  
27 the State Finance and Procurement Article to the extent that the Governor determines  
28 that the appropriation would result in the loss of funds otherwise made available to  
29 the State under the American Recovery and Reinvestment Act of 2009 (P.L. 111–5) **OR**  
30 **ANY OTHER FEDERAL LAW**.

31 SECTION 39. AND BE IT FURTHER ENACTED, That:

32 (a) The General Assembly finds that the existing technology supporting  
33 State administration of its human resources management system is outmoded and  
34 inadequate for efficient administration of the State workforce.

35 (b) In the development of a new statewide human resources management  
36 system to address this deficiency, the Department of Budget and Management shall,  
37 in coordination with the Department of Information Technology, take all steps

1 necessary to scope and define its requirements so as to qualify for funding as a Major  
 2 Information Technology Development project supported through the Major  
 3 Information Technology Project Development Fund established under § 3A-309 of the  
 4 State Finance and Procurement Article.

5 (c) To support this project, for fiscal years 2011, 2012, and 2013 only, the  
 6 Department of Budget and Management shall establish a statewide subobject for the  
 7 purpose of charging back to each fund account of the State agencies the cost of  
 8 developing, acquiring, and implementing the needed information technology.

9 (d) Costs shall be allocated to each agency based on that proportion of total  
 10 positions authorized in each agency on June 30 of the second year preceding the year  
 11 for which the budget is prepared compared to the total number of positions authorized  
 12 for Executive agencies. Funds shall be credited to the Major Information Technology  
 13 Project Development Fund solely for support of the project created under subsection  
 14 (b) of this section.

15 (e) For fiscal year 2011, the Governor shall include in the State budget  
 16 through the mechanism established in this section a charge back of not less than  
 17 **[\$5,000,000] \$2,069,344.**

18 SECTION 44. AND BE IT FURTHER ENACTED, That Section 3 of this Act  
 19 shall take effect July 1, 2009. [It shall remain effective for a period of 2 years and, at  
 20 the end of June 30, 2011, with no further action required by the General Assembly,  
 21 Section 3 of this Act shall be abrogated and of no further force and effect.]

22 SECTION 42. AND BE IT FURTHER ENACTED, That, notwithstanding any  
 23 other provision of law, the special fund appropriation in the fiscal 2010 State budget  
 24 for program L00A12.10 Marketing and Agricultural Development in the Department  
 25 of Agriculture is reduced by \$700,000. The reduction provided under this section shall  
 26 be made only to programs supported by funds from the Cigarette Restitution Fund.  
 27 For fiscal year 2010, the Governor is authorized to transfer \$700,000 from the  
 28 Cigarette Restitution Fund to program M00Q01.03 Medical Care Provider  
 29 Reimbursements in the Department of Health and Mental Hygiene.

30 SECTION ~~38~~ 43. AND BE IT FURTHER ENACTED, That Section(s) ~~25~~ 12, 25,  
 31 29, and 34 of Chapter 487 of the Acts of the General Assembly of 2009 be repealed.

32 SECTION ~~39~~ 44. AND BE IT FURTHER ENACTED, That, if any provision of  
 33 this Act or the application thereof to any person or circumstance is held invalid for any  
 34 reason in a court of competent jurisdiction, the invalidity does not affect other  
 35 provisions or any other application of this Act which can be given effect without the  
 36 invalid provision or application, and for this purpose the provisions of this Act are  
 37 declared severable.

38 SECTION ~~40~~ 45. AND BE IT FURTHER ENACTED, That the provisions of  
 39 Sections 2, 4, ~~6~~, and ~~28~~ 8, and 33 of this Act shall be construed retroactively and shall

1 be applied to any taxes, interest earnings, payments, or other revenue received by the  
2 State on or after June 1, 2009.

3 SECTION 46. AND BE IT FURTHER ENACTED, That Section 6 of this Act  
4 shall take effect January 1, 2011, contingent on the failure of the federal government  
5 to act, on or before December 31, 2010, to extend beyond December 31, 2010, the  
6 increase in the State's federal medical assistance percentage as provided in the  
7 American Recovery and Reinvestment Act of 2009, and if the federal government acts,  
8 on or before December 31, 2010, to extend beyond December 31, 2010, the increase in  
9 Maryland's federal medical assistance percentage as provided in the American  
10 Recovery and Reinvestment Act of 2009, Section 5A this Act shall be null and void  
11 without the necessity of further action by the General Assembly.

12 ~~SECTION 41. AND BE IT FURTHER ENACTED, That Section 10 of this Act~~  
13 ~~shall be applicable to all taxable years beginning after December 31, 2009.~~

14 SECTION ~~42.~~ 47. AND BE IT FURTHER ENACTED, That Section ~~35~~ 40 of this  
15 Act shall be construed to apply retroactively and shall be applied to and interpreted to  
16 affect any Executive Order issued on or after January 20, 2010.

17 SECTION ~~43.~~ 48. AND BE IT FURTHER ENACTED, That, except as otherwise  
18 provided in this Act, this Act shall take effect June 1, 2010.