

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL NO. 184
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "defining a certain term;"

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 20, inclusive; in lines 21 and 22, strike "(4)" and "(5)", respectively, and substitute "(3)" and "(4)", respectively.

On page 3, in line 15, strike "2001" and substitute "2002".

On pages 3 through 6, strike in their entirety the lines beginning with line 23 on page 3 through line 18 on page 6, inclusive, and substitute:

"(2) THE BOARD SHALL BE COMPOSED OF 13 MEMBERS AS FOLLOWS:

(I) 11 MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AS FOLLOWS:

1. TWO REPRESENTATIVES FROM THE EXECUTIVE BRANCH OF STATE GOVERNMENT;

2. ONE REPRESENTATIVE FROM THE CHILD WELFARE ADVOCACY COMMUNITY OR A PROVIDER;

3. ONE REPRESENTATIVE FROM THE STATEWIDE HEALTH ADVOCACY COMMUNITY, OR A PROVIDER, WITH EXPERTISE IN PROVIDING HEALTH CARE TO ECONOMICALLY DISADVANTAGED CITIZENS OF THE STATE;

(Over)

4. ONE REPRESENTATIVE FROM THE STATEWIDE HUNGER AND HOMELESS ADVOCACY COMMUNITY OR A PROVIDER TO THE HUNGRY OR THE HOMELESS;

5. THREE REPRESENTATIVES FROM MULTI-ISSUED ORGANIZATIONS WITH A HISTORY OF ADVOCACY ON ISSUES THAT AFFECT THE POOR; AND

6. THREE REPRESENTATIVES FROM THE GENERAL PUBLIC;

(II) ONE REPRESENTATIVE APPOINTED BY THE PRESIDENT OF THE SENATE OF MARYLAND; AND

(III) ONE REPRESENTATIVE APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES.

(3) THE MEMBERS OF THE BOARD SHALL REFLECT THE GEOGRAPHIC, RACIAL, AND GENDER MAKEUP OF THE STATE.

(4) (I) THE TERM OF A MEMBER IS 4 YEARS.

(II) THE TERMS OF MEMBERS SHALL BE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 1999.

(III) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(IV) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(V) A MEMBER MAY BE REMOVED ONLY FOR CAUSE.

(VI) THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE MEMBERS.

(VII) ATTENDANCE BY A MAJORITY OF THE VOTING MEMBERS SHALL CONSTITUTE A QUORUM.

(5) THE BOARD SHALL MEET AS OFTEN AS THE BOARD'S DUTIES REQUIRE, BUT NO LESS THAN TWICE A YEAR.

(6) THE MEMBERS OF THE BOARD ARE SUBJECT TO THE PROVISIONS OF THE MARYLAND PUBLIC ETHICS LAW.

(7) A MEMBER OF THE BOARD MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(8) THE DEPARTMENT OF HUMAN RESOURCES SHALL PROVIDE STAFF SUPPORT TO THE BOARD.

(G) (1) THE BOARD SHALL ADVISE THE GOVERNOR ON THE MANAGEMENT OF THE FUND.

(2) THE BOARD SHALL BE BRIEFED TWICE A YEAR BY THE GOVERNOR AND THE APPROPRIATE STATE AGENCIES ON THE:

(I) FINANCIAL STATUS OF THE FUND; AND

(II) STATUS OF PROGRAMS THAT SERVE ECONOMICALLY DISADVANTAGED CITIZENS OF THE STATE.

(3) SUBJECT TO THE RESTRICTIONS IN SUBSECTION (H) OF THIS SECTION, THE BOARD MAY FORWARD RECOMMENDATIONS TO THE GOVERNOR FOR

(Over)

EXPENDITURES FROM THE FUND.

(H) (1) THE GOVERNOR SHALL REVIEW AND RESPOND TO THE RECOMMENDATIONS OF THE BOARD IN A TIMELY MANNER.

(2) SUBJECT TO THE RESTRICTIONS IN THIS SUBSECTION, THE GOVERNOR MAY AUTHORIZE THE EXPENDITURE OF MONEYS FROM THE FUND.

(3) IF THE GOVERNOR AUTHORIZES AN EXPENDITURE FROM THE FUND NOT RECOMMENDED BY THE BOARD, THE GOVERNOR SHALL NOTIFY THE BOARD PRIOR TO THE AUTHORIZATION.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE GOVERNOR MAY AUTHORIZE IN A FISCAL YEAR THE EXPENDITURE OF UP TO 25% OF THE INVESTMENT EARNINGS OF THE FUND FROM THE PRECEDING FISCAL YEAR.

(5) UPON CERTIFICATION FROM THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION THAT THE STATEWIDE UNEMPLOYMENT RATE HAS INCREASED FOR 3 CONSECUTIVE MONTHS, THE GOVERNOR MAY AUTHORIZE IN A FISCAL YEAR THE EXPENDITURE OF UP TO:

(I) 100% OF THE INVESTMENT EARNINGS OF THE FUND FROM THE PRECEDING FISCAL YEAR; AND

(II) 40% OF THE REMAINING BALANCE OF THE FUND.

(6) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBSECTION, MONEYS MAY NOT BE EXPENDED FROM THE FUND UNTIL THE BALANCE IN THE FUND HAS REACHED \$15,000,000.

(7) (I) THE FUND SHALL BE USED ON A STATEWIDE BASIS TO MEET THE EMERGENCY NEEDS OF ECONOMICALLY DISADVANTAGED CITIZENS OF THE STATE.

(II) MONEYS FROM THE FUND MAY NOT BE CONSIDERED THE SOLE SOURCE OF FUNDS TO MEET THE EMERGENCY NEEDS OF ECONOMICALLY DISADVANTAGED CITIZENS OF THE STATE.

(III) THE FUND SHALL BE USED ONLY FOR PROGRAMS AND SERVICES THAT:

1. SERVE CHILDREN IN NEED;
2. PROVIDE HEALTH SERVICES TO INDIVIDUALS IN NEED WHO ARE AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL; AND
3. PROVIDE FOOD OR SHELTER ASSISTANCE TO INDIVIDUALS IN NEED.

(8) THE FUND MAY NOT BE USED TO SUPPLANT EXISTING PUBLIC AND PRIVATE EXPENDITURES, UNLESS THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION MAKES THE CERTIFICATION UNDER PARAGRAPH (5) OF THIS SUBSECTION AND REDUCTIONS IN PUBLIC AND PRIVATE EXPENDITURES WARRANT SUPPLANTATION.

(9) EXPENDITURES FROM THE FUND MAY BE:

(I) INCLUDED IN THE STATE BUDGET SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY; OR

(II) MADE BY BUDGET AMENDMENT TO THE EXPENDITURE ACCOUNT OF THE APPROPRIATE UNIT OF STATE GOVERNMENT ONLY AFTER THE PROPOSED BUDGET AMENDMENT HAS BEEN SUBMITTED TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE OF THE GENERAL ASSEMBLY.”.

(Over)

AMENDMENT NO. 3

On page 6, before line 33, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal year 2001, the Governor may include in the budget bill an appropriation to the Joseph Fund equal to the lesser of:

- (i) 40% of the unappropriated surplus as of June 30, 1999; or
- (ii) \$10,000,000.”;

in line 33, strike “3.” and substitute “4.”.