

BY: Delegate Flanagan

AMENDMENTS TO HOUSE BILL NO. 1425
(First Reading File Bill - Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 26, after "Fund;" insert "providing for the distribution of certain tobacco tax revenues to the Cigarette Restitution Fund; providing that the Cigarette Restitution Fund shall be used for certain purposes; requiring that at least a certain amount of the Cigarette Restitution Fund be appropriated for certain purposes for certain fiscal years;".

On page 2, strike beginning with "programs" in line 15 down through "treatment" in line 17 and substitute "the use of certain State funds related to tobacco".

On page 3, after line 5, insert:

"BY adding to

Article - Tax - General

Section 2-1602.1

Annotated Code of Maryland

(1997 Replacement Volume and 1999 Supplement)

BY repealing and reenacting, with amendments,

Article - Tax - General

Section 2-1603

Annotated Code of Maryland

(1997 Replacement Volume and 1999 Supplement)".

AMENDMENT NO. 2

On page 4, after line 21, insert:

(Over)

“WHEREAS, The General Assembly is concerned with the need to improve critical governmental services for vulnerable individuals; and

WHEREAS, Various bills have been introduced by members of the General Assembly during the 2000 Session to improve critical governmental services for vulnerable citizens, including nursing home care, foster care, protection of children from child abuse, and care for the elderly to avoid nursing home care; and”.

AMENDMENT NO. 3

On page 53, in line 25, after “Fund” insert “:

(I) THE TOBACCO TAX REVENUE DISTRIBUTED TO THE FUND UNDER § 2-1602.1 OF THE TAX - GENERAL ARTICLE; AND

(II)”.

On page 54, in line 19, strike “AND”; after line 19, insert:

“(III) THE ENHANCEMENT OF CRITICAL GOVERNMENTAL SERVICES TO VULNERABLE INDIVIDUALS, INCLUDING CHILD PROTECTIVE SERVICES, FAMILY PRESERVATION, FOSTER CARE, KINSHIP CARE, NURSING HOME CARE, AND PROGRAMS TO HELP THE FRAIL AND ELDERLY REMAIN IN THE COMMUNITY; AND”;

and in line 20, strike “(III)” and substitute “(IV)”.

On page 55, in line 14, after “(3)” insert “(I) FOR EACH FISCAL YEAR FOR WHICH APPROPRIATIONS ARE MADE, AT LEAST AN AMOUNT EQUAL TO THE AMOUNT OF TOBACCO TAX REVENUE DISTRIBUTED TO THE FUND UNDER § 2-1602.1 OF THE TAX - GENERAL ARTICLE SHALL BE APPROPRIATED FOR THE PURPOSES ENUMERATED IN SUBSECTION (F)(1)(III) OF THIS SECTION.

(II)”;

in line 15, after "appropriations" insert "OTHER THAN THE APPROPRIATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH"; and in line 16, strike "(III)" and substitute "(IV)".

AMENDMENT NO. 4

On page 55, after line 31, insert:

"Article - Tax - General

2-1602.1.

AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2-1601 AND 2-1602 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE TO THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7-317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE:

(1) FOR FISCAL YEAR 2002, \$35,000,000; AND

(2) FOR EACH FISCAL YEAR AFTER FISCAL YEAR 2002, AN AMOUNT EQUAL TO ONE-HALF OF THE AMOUNT INCLUDED IN THE GOVERNOR'S BUDGET SUBMISSION TO THE GENERAL ASSEMBLY FOR THAT FISCAL YEAR IN APPROPRIATIONS FROM THE CIGARETTE RESTITUTION FUND FOR THE PURPOSES ENUMERATED IN § 7-317(F)(1)(I), (II), AND (IV) 1 THROUGH 9 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

2-1603.

After making the distributions required under §§ 2-1601 [and 2-1602] THROUGH 2-1602.1 of this subtitle, the Comptroller shall distribute the remaining tobacco tax revenue to the General Fund of the State."