

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL NO. 856

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 45, after “terms;” insert “providing that, in order for certain additional State aid to education to be appropriated in certain fiscal years, the General Assembly must make a certain affirmation and pass a certain joint resolution at the 2004 regular session; providing that if the General Assembly does not adopt a certain joint resolution at the 2004 regular session, certain State aid for education in certain future fiscal years shall be funded, for each county, at a certain level; providing that certain appropriations proposed by the Governor revert to the General Fund, under certain circumstances; providing that certain counties, each of whose State share of basic current expenses is less than a certain amount, are subject to a certain appropriation limitation under certain circumstances; making the provisions of this Act severable;”.

AMENDMENT NO. 2

On page 86, in line 13, after “That” insert “:”

(a) Subject to subsection (b) of this section”.

On page 87, after line 5, insert:

“(b) (1) This subsection applies to Montgomery, Talbot, and Worcester counties, the three counties each of whose State share of basic current expenses under § 5-202 of the Education Article in fiscal year 2003 is less than 25 percent.

(2) If a county’s education tax effort index, calculated by dividing the local education appropriation by the local wealth and indexing the result to the State average, is less than 0.80, the State grant to that county board under this section shall be as follows:

<u>Montgomery</u>	<u>\$3,471,436</u>
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(Over)

Talbot	<u>417,165</u>
Worcester	<u>523,004</u> ".

AMENDMENT NO. 3

On page 86, in line 18, strike "1,368,568" and substitute "2,368,568"; and in line 20, strike "2,087,705" and substitute "3,087,705".

On page 90, in line 20, strike "\$78,523,604" and substitute "\$80,523,604"; and in line 27, strike "\$62,656,835" and substitute "\$64,656,835".

AMENDMENT NO. 4

On page 92, after line 5, insert:

“(d) (1) For the additional State aid for education as enacted by Section 2 of this Act to be implemented in fiscal 2005, the General Assembly at the 2004 regular session shall affirm by joint resolution adopted no later than the fiftieth day of the session that the additional State aid for education is within the State’s fiscal resources for fiscal 2005.

(2) If a joint resolution pursuant to paragraph (1) of this subsection is not adopted by the fiftieth day, then the additional State aid for education contained in Section 2 of this Act shall be funded in fiscal 2005 at 105 percent of the fiscal 2004 level as enacted by Section 2 of this Act for each county from the appropriations proposed by the Governor for the additional State aid enacted by Section 2 of this Act. The balance of the appropriations proposed by the Governor for additional State aid for education shall revert to the General Fund.

(e) If subsection (d)(2) of this section is implemented, then the additional State aid for education contained in Section 2 of this Act shall be funded at the following percentage of the fiscal 2004 level as enacted by Section 2 of this Act for each county:

- (1) 110.25 percent in fiscal 2006;
- (2) 115.75 percent in fiscal 2007; and
- (3) 121.50 percent in fiscal 2008.”;

after line 10, insert:

“SECTION 22 . AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”;

in lines 11, 14, 17, 19, and 22, strike “22.”, “23.”, “24.”, “25.”, and “26.”, respectively, and substitute “23.”, “24.”, “25.”, “26.”, and “27.”, respectively; and in line 23, strike “24” and substitute “25”.