

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 935

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering a certain fee collected for certain identification of certain vehicles authorized to transport alcoholic beverages; requiring that a certain required audit report regarding the Maryland Economic Development Corporation be submitted on or before a certain date each year; altering certain provisions of law relating to funding certain functions of the Division of Labor and Industry;”; in the same line, after “tickets;” insert “delaying a requirement that the State budget include a certain appropriation to the Department of General Services to pay rent to counties, including Baltimore City, for certain space occupied by clerks of the circuit courts; requiring the State Court Administrator to establish a surcharge of a certain amount on certain recordable instruments for the Circuit Court Real Property Records Improvement Fund; altering the authority to use the Law Enforcement and Correctional Training Fund for certain purposes; requiring certain local jurisdictions to submit certain information to the Department of Public Safety and Correctional Services regarding numbers of inmates and costs of operation of local correctional facilities; requiring the Department to deduct certain amounts from certain reimbursements otherwise due the jurisdiction if a local jurisdiction fails to submit the information when due; requiring that the State pay certain costs of a new or enlarged existing local correctional facility if the Secretary of the Department of Public Safety and Correctional Services makes a certain determination under certain circumstances; requiring that the Secretary of the Department of Public Safety and Correctional Services review and study each county’s local correctional facility population under certain circumstances; clarifying the calculation of certain State aid to community colleges, Baltimore City Community College, and private institutions of higher education; making a certain technical change relating to the amount of certain payments by the State to certain institutions of higher education;”; in line 4, after “education;” insert “altering the amount of the fee collected by the Department of Health and Mental Hygiene for certain certificates and expanding the range of certificates for which a fee is collected; increasing the amount of certain fees collected by local health departments that is required to be transferred to the General Fund of the State; altering the

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calculation of reimbursement rates for certain community services providers serving individuals with developmental disabilities; altering the required frequency of certain tobacco and cancer studies; altering the calculation of certain tobacco and cancer grants to local jurisdictions; codifying a certain requirement that the Governor include a certain minimum amount in appropriations in the annual budget for certain activities aimed at reducing tobacco use in Maryland; repealing a requirement that the Office of Legislative Audits audit the Governor's Wellmobile Program annually; providing that for certain fiscal years a certain fund shall be used exclusively for certain purposes; requiring the Maryland Children's Health Program to be administered for certain individuals at certain incomes through the Maryland Medical Assistance Program and under certain requirements; repealing a MCHP private option plan requiring certain employer-sponsored health benefit plans; requiring certain individuals to pay a certain family contribution as a requirement of enrollment and participation in a managed care organization; providing that the family contribution applies on a certain basis regardless of certain enrollment in the managed care organization; altering the amount that the Governor is required to include in the annual State budget to cover certain costs of a certain program;"; in line 6, after "fund;" insert "providing that a budget amendment may not transfer any part of certain appropriations to certain purposes; changing the names of certain special accounts within the State Reserve Fund; altering certain notice and approval procedures for certain transfers from a certain special account within the State Reserve Fund; altering the amount of certain appropriations required to a certain special account within the State Reserve Fund under certain circumstances; altering the minimum appropriation the Governor is required to include in the annual budget bill for the Maryland State Arts Council;"; in line 7, strike beginning with "altering" through the second "years;" and substitute "requiring the Motor Vehicle Administration to set the levels of certain fees so that certain projected revenues fall in certain ranges; repealing certain provisions of law prohibiting the reversion of certain unspent funds to a certain account;"; in line 9, strike beginning with "restricting" through "year;" and substitute "altering the termination date for certain provisions relating to the State Employees Leave Bank and certain employees who have been ordered into active military service; delaying certain requirements that the counties and Baltimore City use certain savings for certain purposes and submit certain reports; repealing certain prohibitions on the Department increasing certain copayments from enrollees; altering a certain formula for State Aid for Police Protection Grants beginning with a certain fiscal year; altering certain distributions from the State Aid for Police Protection Fund for a certain fiscal year; defining certain terms; altering the calculation of the amount that each county board receives for fiscal year 2004 under certain components of the Governor's Teacher's Salary Challenge Grant Program; providing that for a certain fiscal year certain funds shall be excluded for purposes of calculating a certain maintenance of local education funding effort requirement; repealing certain provisions of

law establishing and relating to the Maryland Higher Education Supplemental Loan Authority;”; strike beginning with “altering” in line 10 down through “year;” in line 11 and substitute “reducing and transferring to the General Fund certain unexpended appropriations;”; in line 13, strike “permitting” and substitute “allowing certain providers to submit requests for”; strike beginning with “authorizing” in line 15 down through “circumstances;” in line 16 and substitute “providing that certain funds may be transferred for a certain fiscal year by approved budget amendment to be used for certain purposes; requiring the Governor for a certain fiscal year under certain circumstances to include in the State budget an appropriation from a certain fund of at least a certain amount for certain purposes; requiring that for certain fiscal years, certain amounts from a certain fund shall be transferred to a certain fund;”; in line 17, after “year;” insert “repealing certain provisions of law establishing and relating to the Maryland Competitive Advantage Financing Fund;”; and in line 18, after “severable;” insert “providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY repealing and reenacting, with amendments,

Article 2B -Alcoholic Beverages

Section 2-101(b)(6)

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)

BY repealing and reenacting, with amendments,

Article 83A - Department of Business and Economic Development

Section 5-212(d)

Annotated Code of Maryland

(1998 Replacement Volume and 2002 Supplement)”;

strike line 22 in its entirety and substitute:

“Section 3-201, 11-402, 11-803, 11-1203(i)(1)(ii), and 11-1206(c)”;

and after line 29, insert:

(Over)

“BY repealing and reenacting, with amendments,
Article - Courts and Judicial Proceedings
Section 1-504 and 13-604(a)
Annotated Code of Maryland
(2002 Replacement Volume)

BY repealing and reenacting, with amendments,
Article - Correctional Services
Section 8-304, 9-402, and 11-105(a) and (b)
Annotated Code of Maryland
(1999 Volume and 2002 Supplement)”.

On page 2, strike line 1 in its entirety and substitute:

“Section 16-305(c)(1), 16-317(b)(1) and (c), 16-512(a), 17-104, and 17-302”;

after line 3, insert:

“BY repealing and reenacting, with amendments,
Article - Health - General
Section 4-217(c), 7-307(d), 13-1003(b)(4) and (e)(4), 13-1004, 13-1007(b), 13-1012(a)(2),
13-1103(b)(4) and (f)(3), 13-1104, 13-1108(b), 13-1303(d)(2), 15-103.3(c)(1),
15-301(c), 15-301.1, 15-303(a)(1), and 18-108(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2002 Supplement)

BY adding to
Article - Health - General
Section 13-1007(c) and (d), 13-1015, and 13-1108(d) and (e)
Annotated Code of Maryland
(2000 Replacement Volume and 2002 Supplement)

BY repealing and reenacting, with amendments,
Article - Labor and Employment

Section 5.5-106
Annotated Code of Maryland
(1999 Replacement Volume and 2002 Supplement)”;

after line 8, insert:

“BY repealing and reenacting, with amendments,
Article - State Finance and Procurement
Section 7-210, 7-309 through 7-311, 7-314(a)(1) through (3),(b) through (f), (g)(1)(ii), (h),
and (k) through (n), 7-324, 7-325, and 7-327 (a) through (e) and (g) through (i)
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)”;

in line 16, strike “17-106(e)(2)(iv)” and substitute “12-120(d) and (e)”; strike in their entirety lines 19 through 23, inclusive; after line 23, insert:

“BY repealing
Chapter 637 of the Acts of the General Assembly of 1998
Section 7 and 8”;

strike in their entirety lines 27 through 29, inclusive; after line 32, insert:

“BY repealing and reenacting, with amendments,
Chapter 285 of the Acts of the General Assembly of 2002
Section 4”;

and after line 35, insert:

“BY repealing and reenacting, with amendments,
Chapter 453 of the Acts of the General Assembly of 2002
Section 3 and 5

BY repealing and reenacting, with amendments,

Chapter 464 of the Acts of the General Assembly of 2002

Section 3(b) and (f)

BY repealing and reenacting, with amendments,

Article 41 - Governor - Executive and Administrative Departments

Section 4-403(b)

Annotated Code of Maryland

(1997 Replacement Volume and 2002 Supplement)

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 2003)

BY adding to

Article 41 - Governor - Executive and Administrative Departments

Section 4-403(d)

Annotated Code of Maryland

(1997 Replacement Volume and 2002 Supplement)

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 2003)

BY repealing and reenacting, with amendments,

Article - Education

Section 5-216(d)(2)(iv) and (3)(iii)

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)

(As enacted by Chapter 288 of the Acts of the General Assembly of 2002)

BY repealing

Article - Education

Section 18-1301 through 18-1319 and the subtitle "Subtitle 13. Maryland Higher Education
Supplemental Loan Authority"

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)

BY repealing

Article 83A - Department of Business and Economic Development

Section 5-1301 through 5-1305 and the subtitle "Subtitle 13. Maryland Competitive
Advantage Financing Fund"

Annotated Code of Maryland

(1998 Replacement Volume and 2002 Supplement)”.

AMENDMENT NO. 3

On pages 6 and 7, strike in their entirety the lines beginning with line 11 on page 6 through line 1 on page 7, inclusive.

On pages 8 and 9, strike in their entirety the lines beginning with line 23 on page 8 through line 36 on page 9, inclusive.

On page 10, strike in their entirety lines 6 through 10, inclusive; after line 10, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That the unexpended appropriations for the following purposes that were included in the fiscal year 2003 operating budget (Chapter 439, Acts of 2002) are reduced by the amounts indicated below and are hereby transferred to the State General Fund:

<u>Fiscal Year</u>	<u>Program</u>	<u>Entitled</u>	<u>Amount of Reduction</u> <u>General Funds</u>
<u>2003</u>	<u>D25E03.01</u>	<u>Board of Public Works-Interagency Committee</u> <u>for School Construction</u>	<u>30,058</u>
<u>2003</u>	<u>F10A04.01</u>	<u>State Chief of Information Technology</u>	<u>2,200,000</u>
<u>2003</u>	<u>K00A17.08</u>	<u>Resource Management</u>	<u>95,000</u>
<u>2003</u>	<u>R62I00.07</u>	<u>Educational Grants</u>	<u>200,000</u>
<u>2003</u>	<u>V00E01.03</u>	<u>Baltimore City Juvenile Justice Center</u>	<u>2,500,000.”;</u>

and in line 39, strike “\$10,000,000” and substitute “\$18,800,000”.

On page 11, strike in their entirety lines 5 and 6; in line 9, strike “\$2,450,000” and substitute “\$2,550,000”; in line 11, strike “\$550,000 of the funds” and substitute “\$450,000”; in line 17, strike “\$2,000,000” and substitute “\$4,000,000”; in line 23, strike “\$10,225,500” and substitute “\$23,627,500”; in line 30, strike “\$327,500” and substitute “\$250,000”; and after line 33, insert:

“\$10,000,000 of the funds in the Economic Development Opportunities Program Fund

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established under § 7-314 of the State Finance and Procurement Article;

\$1,315,977 of the funds in the Vehicle Theft Prevention Fund established under Article 88B, § 74 of the Code;

\$10,000,000 of the funds in the Maryland Housing Fund established under Article 83B, § 3-206 of the Code;

\$3,000,000 of the funds in the Universal Service Trust Fund established under § 3-807 of the State Finance and Procurement Article; and”.

On page 12, in line 4, strike “\$10,000,000” and substitute “\$11,000,000”; strike in their entirety lines 6 and 7; strike in their entirety lines 10 and 11; in line 13, strike the period and substitute “;”;

\$1,602,311 of the funds in the Vehicle Theft Prevention Fund established under Article 88B, § 74 of the Code; and

Any balance remaining in the account of the Maryland Higher Education Supplemental Loan Authority.”;

and strike in their entirety lines 14 through 21, inclusive.

On pages 12 and 13, strike in their entirety the lines beginning with line 27 on page 12 through line 14 on page 13, inclusive, and substitute:

<u>“Allegany</u>	<u>\$77</u>
<u>Anne Arundel</u>	<u>1,054</u>
<u>Baltimore City</u>	<u>565</u>
<u>Baltimore County</u>	<u>1,312</u>
<u>Calvert</u>	<u>177</u>
<u>Caroline</u>	<u>39</u>
<u>Carroll</u>	<u>284</u>
<u>Cecil</u>	<u>145</u>
<u>Charles</u>	<u>242</u>

<u>Dorchester</u>	<u>46</u>
<u>Frederick</u>	<u>388</u>
<u>Garrett</u>	<u>59</u>
<u>Harford</u>	<u>379</u>
<u>Howard</u>	<u>639</u>
<u>Kent</u>	<u>41</u>
<u>Montgomery</u>	<u>2,420</u>
<u>Prince George's</u>	<u>1,233</u>
<u>Queen Anne's</u>	<u>98</u>
<u>St. Mary's</u>	<u>154</u>
<u>Somerset</u>	<u>22</u>
<u>Talbot</u>	<u>110</u>
<u>Washington</u>	<u>202</u>
<u>Wicomico</u>	<u>117</u>
<u>Worcester</u>	<u>197</u> ".

AMENDMENT NO. 4

On page 3, after line 2, insert:

"Article 2B - Alcoholic Beverages

2-101.

(b) (6) (i) The Office of the Comptroller shall prescribe a means of identification for each vehicle authorized under an individual transportation permit or a transportation or public storage and transportation permit. The identification shall be kept in or on the vehicle at all times when alcoholic beverages are being transported.

(ii) The fee for the identification is [\$2] \$20 for each vehicle.

Article 83A - Department of Business and Economic Development

5-212.

(Over)

(d) As soon as practical after the closing of the fiscal year, an audit shall be made of the financial books, records, and accounts of the Corporation. The audit shall be made by independent certified public accountants, selected by the Corporation and licensed to practice in the State. The accountants may not have a personal interest either directly or indirectly in the fiscal affairs of the Corporation. They shall be experienced and qualified in the accounting and auditing of public bodies. [The] ON OR BEFORE JANUARY 1 FOLLOWING THE END OF EACH FISCAL YEAR, THE accountants shall report the results of their examination, including their unqualified opinion on the presentation of the financial position of the various funds and the results of the Corporation's financial operations. If they are unable to express an unqualified opinion they shall state and explain in detail the reasons for their qualifications, disclaimer, or opinion including recommendations necessary to make possible future unqualified opinions.”;

after line 3, insert:

“3-201.

(a) The Commissioner shall administer and enforce this title.

(b) (1) The proposed budget of the Division of Labor and Industry shall include an appropriation from the [General Fund of the State] WORKERS' COMPENSATION COMMISSION to cover the cost of administering and enforcing this title.

(2) The Workers' Compensation Commission shall [reimburse the General Fund of the State for this] PAY THE cost OF ADMINISTERING AND ENFORCING THIS TITLE from money that the Commission receives under § 9-316 of the Labor and Employment Article.

11-402.

The Special Fund consists of:

- (1) the State share of daily licensee fees;
- (2) pari-mutuel taxes;

(3) the impact aid under § 11-812 of this title;

(4) MONEY FROM UNCASHED PARI-MUTUEL TICKETS THAT ARE FROM BETS MADE INTO THE BETTING POOLS OF LICENSEES; and

[(4)] (5) any permit fees under §§ 11-820 and 11-832 of this title.

11-803.

(a) If a winning ticket is not redeemed within 1 year, the licensee into whose betting pool the bet was placed shall pay the amount needed to redeem the ticket to the Commission, to be credited to the [Racing Facility Redevelopment Bond] SPECIAL Fund under Subtitle [12] 4 of this title.

(b) Every year for the preceding calendar year, each licensee shall:

(1) report to the Commission the amount payable to the Commission under this section; and

(2) pay that amount to the Commission.

(c) (1) The license of a licensee shall be revoked if the licensee:

(i) fails to report when money under this section is due; or

(ii) knowingly or willfully submits a report that understates the amount due.

(2) A licensee whose license is revoked under this subsection may not hold a license for at least 1 year.”;

and after line 29, insert:

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“Article - Courts and Judicial Proceedings

1-504.

(a) There shall be included in each State budget an appropriation to the Department of General Services in the total amount necessary to pay rent directly to counties for space occupied in county facilities by clerks of the circuit courts, as provided in this section.

(b) To the extent provided in the State budget the rent shall be calculated per net usable square foot, with no additional reimbursement of maintenance and utility cost:

(1) For fiscal year [2004] 2007, at a rate not to exceed \$2.50;

(2) For fiscal year [2005] 2008, at a rate not to exceed \$5.00; and

(3) For fiscal year [2006] 2009 and each fiscal year thereafter, at a rate of \$10.

(c) Unless the Administrative Office of the Courts and a county agree otherwise, the county may not decrease the net usable square footage allocated to the clerk of the circuit court for the county below the net usable square footage allotted for fiscal year 2002.

13-604.

(a) The Administrator [may] SHALL establish a surcharge [not to exceed \$5] OF \$20 for each type of recordable instrument to be recorded among the land records and the financing statement records.

Article - Correctional Services

8-304.

(a) Expenditures under this section shall be made in accordance with an appropriation approved by the General Assembly in the State budget.

(b) [(1)] The Department shall include in its annual operating [and capital budget

requests] BUDGET REQUEST an itemized list of requests for the use of money from the Fund.

[(2) The list shall include a brief description of each project, an estimate of its cost, and the benefits to be derived.]

(c) [(1) Disbursements from the Fund shall supplement and may not substitute for any amounts designated in the State budget for assistance to State and local jurisdictions for law enforcement and correctional training purposes.

(2)] Money from the Fund may ONLY be used to fund the operating budget of the Police Training Commission or the Correctional Training Commission.

9-402.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE State shall reimburse each county according to the following formula so that each county receives the greater of:

(1) for sentenced inmates who are sentenced on or after January 1, 1987, the State shall reimburse a county for each day from the 91st day through the 365th day that sentenced inmates are confined in a local correctional facility at a rate of reimbursement of 50% of the rate set forth in § 9-403 of this subtitle; or

(2) for each fiscal year, the Secretary shall determine for each county the difference between the actual number of inmate days for the previous fiscal year and the average number of inmate days and multiply this number of inmate days, if positive, by 85% of the rate of reimbursement set forth in § 9-403 of this subtitle.

(B) (1) EACH COUNTY SHALL SUBMIT TO THE DEPARTMENT:

(I) ON OR BEFORE DECEMBER 1 OF THE FISCAL YEAR, CLOSEOUT DATA FOR THE PREVIOUS FISCAL YEAR;

(II) ON OR BEFORE OCTOBER 1 OF THE FISCAL YEAR, INMATE

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DAYS REPORTS FOR THE PREVIOUS FISCAL YEAR.

(2) IF A COUNTY FAILS TO SUBMIT THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WHEN DUE, THE DEPARTMENT SHALL DEDUCT AN AMOUNT EQUAL TO 20% OF THE TOTAL REIMBURSEMENT OTHERWISE DUE THE COUNTY UNDER THE SECTION FOR EACH 30 DAYS OR PART OF 30 DAYS AFTER THE DUE DATE THAT THE INFORMATION HAS NOT BEEN SUBMITTED.

11-105.

(a) If the Secretary determines that the anticipated confinement of inmates in a county's local correctional facility as a result of [§ 9-104(b) of this article] THE SENTENCING STIPULATION EFFECTIVE ON JANUARY 1, 1987, would exceed the capacity of the local correctional facility, [the county may apply to the Secretary for financial assistance for the construction of a new local correctional facility or enlargement of an existing local correctional facility] THE STATE SHALL PAY 100% OF THE COSTS LISTED UNDER SUBSECTION (C) OF THIS SECTION OF A NEW OR ENLARGED EXISTING LOCAL CORRECTIONAL FACILITY.

(b) For the purpose of anticipating inmate confinement under subsection (a) of this section, the Secretary annually shall review and study each county's local correctional facility population in conjunction with data relevant to patterns of:

(1) sentencing; [and]

(2) geographic distribution of inmates; AND

(3) THE RATES OF GROWTH IN THE NUMBER OF INMATES SENTENCED TO NOT LESS THAN 6 MONTHS BUT NOT EXCEEDING 12 MONTHS:

(I) BEFORE JANUARY 1, 1987; AND

(II) ON OR AFTER JANUARY 1, 1987.”.

On page 3, after line 30, insert:
“16-305.

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

[(i)] 1. In each of fiscal years 2003 and 2004, not less than an amount equal to 23.1% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

[(ii)] 2. In fiscal year 2005, not less than an amount equal to 24% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year; and

[(iii)] 3. In fiscal year 2006 and each fiscal year thereafter, not less than an amount equal to 25% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State, as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year.

(II) FOR PURPOSES OF THIS SUBSECTION, THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE FOR THE PREVIOUS FISCAL YEAR SHALL REFLECT ANY AMENDMENTS OR REDUCTIONS TO THE APPROPRIATION FOR THE PREVIOUS FISCAL YEAR.”;

and after line 31, insert:

“(b) (1) Each eligible institution shall receive from the State, in the manner and subject to the limitations of this section, with respect to the contributions made by eligible donors as

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voluntary donations at any time during the first eligible period to the eligible institution for eligible programs, an amount equal to the first [\$200,000] \$150,000 or any portion thereof from contributions by eligible donors.”.

On page 4, after line 4, insert:

“16-512.

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

[(1)] (I) In each of fiscal years 2003 and 2004, not less than an amount equal to 60.9% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

[(2)] (II) In fiscal year 2005, not less than an amount equal to 63.4% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year; and

[(3)] (III) In fiscal year 2006 and each fiscal year thereafter, not less than an amount equal to 66% of the State’s General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year.

(2) FOR PURPOSES OF THIS SUBSECTION, THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE FOR THE PREVIOUS FISCAL YEAR SHALL REFLECT ANY AMENDMENTS OR REDUCTIONS TO THE APPROPRIATION FOR THE PREVIOUS FISCAL YEAR.

17-104.

(a) The Maryland Higher Education Commission shall compute the amount of the annual apportionment for each institution that qualifies under this subtitle by multiplying:

(1) The number of full-time equivalent students enrolled at the institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission times;

(2) (i) In each of fiscal years 2003 and 2004, an amount not less than 14.3% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year;

(ii) In fiscal year 2005, an amount not less than 15.2% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year; and

(iii) In fiscal year 2006 and each fiscal year thereafter, an amount not less than 16% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year.

(b) Full-time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.

(c) Payments of State general funds under Subtitle 3 of this title shall be excluded from the computation required by subsection (a) of this section.

(D) FOR PURPOSES OF THIS SECTION, THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE FOR THE PREVIOUS FISCAL YEAR SHALL REFLECT ANY AMENDMENTS OR REDUCTIONS TO THE APPROPRIATION FOR THE PREVIOUS FISCAL YEAR.”;

in line 26, strike the bracket; in line 27, strike “[] ONLY”; in line 29, strike the brackets; in the same line, strike “(1)”; in line 32, strike both sets of brackets; in the same line, strike “(2)”; strike

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beginning with “IN” in line 32 down through “2008[“ in line 33; in line 34, strike “In” and substitute “(I) TO BOWIE STATE UNIVERSITY, COPPIN STATE COLLEGE, MORGAN STATE UNIVERSITY, AND THE UNIVERSITY OF MARYLAND EASTERN SHORE, IN”; and in line 35, strike the bracket and substitute “BY ELIGIBLE PRIVATE DONORS; AND

(II) TO ALL OTHER ELIGIBLE INSTITUTIONS, IN EQUAL INSTALLMENTS IN FISCAL YEARS 2005, 2006, 2007, AND 2008”.

AMENDMENT NO. 6

On page 5, in line 19, after “article.” insert:

“Article - Health - General

4-217.

(c) (1) Except as otherwise provided by law, the Department shall collect a [\$6] \$12 fee [for]:

(I) FOR each certified or abridged copy of a birth, death, fetal death, [or] marriage, ADOPTION, FOREIGN ADOPTION, LEGITIMATION, ADJUDICATION OF PATERNITY, AFFIDAVIT OF PARENTAGE, OR DIVORCE VERIFICATION certificate [or for];

(II) FOR a report that a search of the files was made and the requested record is not on file; OR

(III) FOR EACH CHANGE TO A CERTIFICATE MADE LATER THAN ONE YEAR AFTER THE ORIGINAL REQUEST FOR THE CERTIFICATE.

(2) From the fee the Department collects under paragraph (1) of this subsection, the Department shall transfer the entire fee to the General Fund.

(3) (i) Any local health department may set and collect a fee for processing and issuing a birth certificate, or for a report that a search of the files was made and the requested record is not on file, that covers:

1. The administrative costs of providing this service; and

2. The requirements of subparagraph (iii) of this paragraph.

(ii) The fee set by the local health department for processing and issuing a birth certificate or for a report under subparagraph (i) of this paragraph may not exceed the actual costs to the local health department for processing and issuing a birth certificate or a report.

(iii) From the fee the local health department collects under subparagraph (i) of this paragraph, [~~\$4~~] \$10 shall be transferred to the General Fund.

(iv) Prior to setting and collecting a fee for processing and issuing a birth certificate or for a report under subparagraph (i) of this paragraph, the local health department shall enter into a memorandum of understanding with the Department of Health and Mental Hygiene that outlines the local health department's fee structure.

(4) The Department or a local health department may collect a fee for a certificate requested by an agency of the State or any of its political subdivisions.

(5) The Secretary may waive all or part of a fee if chargeable to an agency of the United States.

(6) The Department may not collect a fee for a copy of a vital record issued to:

(i) A current or former member of the armed forces of the United States;

or

(ii) The surviving spouse or child of the member, if the copy will be used in connection with a claim for a dependent or beneficiary of the member.

7-307.

(d) The Department shall increase the rate of reimbursement for community services providers by an amount that:

(Over)

- (1) Reduces the disparity amount to 80% on or before July 1, 2002;
- (2) Reduces the disparity amount to [60%] 62% on or before July 1, 2003;
- (3) Reduces the disparity amount to 40% on or before July 1, 2004;
- (4) Reduces the disparity amount to 20% on or before July 1, 2005; and
- (5) Eliminates the disparity amount on or before July 1, 2006.”.

AMENDMENT NO. 7

On page 5, after line 19, insert:

“13-1003.

(b) The purposes of the Surveillance and Evaluation Component are to:

(4) Conduct [an Annual] A BIENNIAL Tobacco Study, as provided under § 13-1004 of this title.

(e) (4) The Department may contract with an entity to conduct the Baseline Tobacco Study and one or more [annual] BIENNIAL tobacco studies as required under § 13-1004 of this subtitle.

13-1004.

(a) [Each year following the year in which the Baseline Tobacco Study is completed] BEGINNING IN FISCAL YEAR 2005 AND IN EVERY SECOND YEAR THEREAFTER, the Department shall conduct [an Annual] A BIENNIAL Tobacco Study[.

(b) The Annual Tobacco Study:

(1) Shall] WHICH SHALL measure the same factors that are set forth in § 13-1003(c) of this subtitle[;

(2) Subject to item (3) of this subsection, shall use a methodology or model that is consistent with the methodology or model that was used to conduct the Baseline Tobacco Study; and

(3) At least every other year, shall measure the factors listed in § 13-1003(c) of this subtitle using] AND USE the same methodology or model that was used for the Baseline Tobacco Study.

(B) TO CARRY OUT THE EVALUATION AND SURVEILLANCE FUNCTIONS OF THIS SUBTITLE, THE DEPARTMENT MAY CONDUCT ANY OTHER TOBACCO STUDY MEASURING THE FACTORS SET FORTH IN § 13-1003(C) OF THIS SUBTITLE AND USING A METHODOLOGY OR MODEL THAT IS CONSISTENT WITH BUT NEED NOT BE IDENTICAL TO THAT USED TO CONDUCT THE BASELINE TOBACCO STUDY.

(c) (1) Subject to paragraphs (2) through (4) of this subsection, the Department shall contract with a higher education institution or private entity to conduct the [Annual] BIENNIAL Tobacco Study.

(2) The Department shall issue a request for proposal to select the entity that will conduct the [Annual] BIENNIAL Tobacco Study.

(3) The Department may contract with an entity to conduct one or more [annual] BIENNIAL tobacco studies.

(4) The Department shall use the criteria established in § 13-1003(e)(5) of this subtitle as a guide in administering the request for proposal process.

(d) On or before September 1 of [each year] EACH EVEN NUMBERED FISCAL YEAR, BEGINNING IN FISCAL YEAR 2006, the Department shall submit [an annual] A report to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly on the results of the [Annual] BIENNIAL Tobacco Study.

13-1007.

(b) Subject to SUBSECTIONS (C) THROUGH (E) OF THIS SECTION AND §§ 13-1008 through 13-1012 of this subtitle, the Department shall distribute a Local Public Health Tobacco Grant to each county that is equal to the sum of:

(1) A BASE AMOUNT OF FUNDING AS DETERMINED BY THE DEPARTMENT FOR EACH COUNTY AND BALTIMORE CITY;

[(1)] (2) The product of:

(i) One-half of the amount [of money that is allocated] REMAINING FROM THE ALLOCATION to the Local Public Health Component in the State budget AFTER THE BASE AMOUNT UNDER ITEM (1) OF THIS SUBSECTION IS DISTRIBUTED TO EACH COUNTY AND BALTIMORE CITY; and

(ii) The number of individuals in the county under the age of 18 years who smoke or otherwise use tobacco products divided by the number of individuals in the State under the age of 18 years who smoke or otherwise use tobacco products; and

[(2)] (3) The product of:

(i) One-half of the amount [of money that is allocated] REMAINING FROM THE ALLOCATION to the Local Public Health Component in the State budget AFTER THE BASE AMOUNT UNDER ITEM (1) OF THIS SUBSECTION IS DISTRIBUTED TO EACH COUNTY AND BALTIMORE CITY; and

(ii) The number of individuals in the county who smoke or otherwise use tobacco products divided by the number of individuals in the State who smoke or otherwise use tobacco products.

(C) BEGINNING IN FISCAL YEAR 2005, THE CALCULATIONS OF THE NUMBERS OF INDIVIDUALS SMOKING OR USING TOBACCO PRODUCTS REQUIRED IN SUBSECTION (B)(2)(II) AND (3)(II) OF THIS SUBSECTION SHALL BE BASED ON THE MOST RECENT DATA AVERAGED OVER A MULTIYEAR PERIOD AS DETERMINED BY THE DEPARTMENT.

(D) THE ALLOCATION FORMULA CALCULATED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION FOR FISCAL YEAR 2005 SHALL REMAIN IN EFFECT FOR THE FOLLOWING 3 YEARS AND THEREAFTER SHALL BE RECALCULATED EVERY 4TH YEAR IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

13-1012.

(a) The Department shall review a Comprehensive Plan for Tobacco Use Prevention and Cessation submitted under § 13-1008(d) of this subtitle and determine whether:

(2) The Plan allocates resources in a manner that is consistent with the needs of the different populations in the county, including targeted minority populations, as identified in the Baseline Tobacco Study and [annual] BIENNIAL tobacco studies;

13-1015.

FOR FISCAL YEAR 2005 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE AT LEAST \$21,000,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR ACTIVITIES AIMED AT REDUCING TOBACCO USE IN MARYLAND AS RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION, INCLUDING:

(1) MEDIA CAMPAIGNS AIMED AT REDUCING SMOKING INITIATION AND ENCOURAGING SMOKERS TO QUIT SMOKING;

(2) MEDIA CAMPAIGNS EDUCATING THE PUBLIC ABOUT THE DANGERS OF SECONDHAND SMOKE EXPOSURE;

(3) ENFORCEMENT OF EXISTING LAWS BANNING THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS;

(4) PROMOTION AND IMPLEMENTATION OF SMOKING CESSATION PROGRAMS; AND

(Over)

(5) IMPLEMENTATION OF SCHOOL-BASED TOBACCO EDUCATION PROGRAMS.

13-1103.

(b) The purpose of the Surveillance and Evaluation Component is to:

(4) Conduct [an Annual] A BIENNIAL Cancer Study, as provided under § 13-1104 of this subtitle.

(f) (3) The Department may contract with an entity to conduct the Baseline Cancer Study and one or more [annual] BIENNIAL cancer studies as required under § 13-1104 of this subtitle.

13-1104.

(a) [Each year following the year in which the Baseline Cancer Study is completed] BEGINNING IN FISCAL YEAR 2004 AND BIENNIALY THEREAFTER, the Department shall conduct [an Annual] A BIENNIAL Cancer Study.

(b) The [Annual] BIENNIAL Cancer Study shall:

(1) Measure the same factors that are set forth in § 13-1103(d) of this subtitle; and

(2) Use the same methodology or model that is used to conduct the Baseline Cancer Study.

(c) The Department may:

(1) Conduct the [Annual] BIENNIAL Cancer Study or any part of the Study; or

(2) Contract with a higher education institution or private entity to conduct the [Annual] BIENNIAL Cancer Study or any part of the Study.

(d) (1) If the Department chooses to have a higher education institution or private entity conduct the [Annual] BIENNIAL Cancer Study or any part of the Study, the Department shall issue a request for proposal to select the entity that will conduct the Study or the relevant part of the Study.

(2) The Department may contract with an entity to conduct one or more [annual] BIENNIAL cancer studies or a part of one or more [annual] BIENNIAL cancer studies.

(e) On or before September 1 of [each year] EACH ODD NUMBERED FISCAL YEAR, BEGINNING IN FISCAL YEAR 2005, the Department shall submit [an annual] A report to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly, on the results of the [Annual] BIENNIAL Cancer Study.

13-1108.

(b) Subject to [subsection (c)] SUBSECTIONS (C) THROUGH (E) of this section and §§ 13-1109 through 13-1113 of this subtitle, the Department shall distribute a Local Public Health Cancer Grant to each county that is equal to the sum of:

(1) A BASE AMOUNT OF FUNDING AS DETERMINED BY THE DEPARTMENT FOR EACH COUNTY;

[(1)] (2) The product of:

(i) One-half of the amount [of money that is allocated] REMAINING FROM THE ALLOCATION to the Local Public Health Component in the State budget AFTER THE BASE AMOUNT UNDER ITEM (1) OF THIS SUBSECTION IS DISTRIBUTED TO EACH COUNTY; and

(ii) The number of individuals in the county who have any of the targeted cancers divided by the number of individuals in the State residing outside of Baltimore City who have any of the targeted cancers; and

(Over)

~~[(2)]~~ (3) The product of:

(i) One-half of the amount [of money that is allocated] REMAINING FROM THE ALLOCATION to the Local Public Health Component in the State budget AFTER THE BASE AMOUNT UNDER ITEM (1) OF THIS SUBSECTION IS DISTRIBUTED TO EACH COUNTY; and

(ii) The number of individuals in the county who died from any of the targeted cancers during the prior year divided by the number of individuals in the State residing outside of Baltimore City who died from any of the targeted cancers during the prior year.

(D) BEGINNING IN FISCAL YEAR 2004, THE CALCULATIONS REQUIRED IN SUBSECTION (B)(2)(II) AND (3)(II) OF THIS SECTION OF THE NUMBERS OF INDIVIDUALS HAVING ANY OF THE TARGETED CANCERS OR WHO DIED FROM ANY OF THE TARGETED CANCERS SHALL BE BASED ON THE MOST RECENT DATA AVERAGED OVER A MULTIYEAR PERIOD AS DETERMINED BY THE DEPARTMENT.

(E) THE ALLOCATION FORMULA CALCULATED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION FOR FISCAL YEAR 2004 SHALL REMAIN IN EFFECT FOR THE FOLLOWING 3 YEARS AND THEREAFTER BE RECALCULATED EVERY 4TH YEAR IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 8

On page 5, before line 20, insert:

“13-1303.

(d) (2) The Office of Legislative Audits shall audit the accounts and transactions of the Governor’s Wellmobile Program [annually] in accordance with §§ 2-1220 through 2-1227 of the State Government Article.

15-103.3.

(c) (1) (I) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, THE Fund shall be used exclusively for the provider reimbursement budget under

the HealthChoice Program, including providing financial incentives designed to improve the quality of care to managed care organizations that exceed performance targets.

(II) FOR FISCAL YEARS 2004 THROUGH 2006, THE FUND SHALL BE USED EXCLUSIVELY TO PROVIDE GRANTS TO THE MARYLAND MEDBANK PROGRAM.

(III) THE GRANT TO THE MARYLAND MEDBANK PROGRAM UNDER THIS SECTION MAY NOT EXCEED:

1. \$2,000,000 IN FISCAL 2004;
2. \$1,000,000 IN FISCAL 2005; AND
3. \$500,000 IN FISCAL 2006.

15-301.

(c) The Maryland Children's Health Program shall be administered:

(1) For individuals whose family income is at or below 200 percent of the federal poverty guidelines, through the program under Subtitle 1 of this title requiring individuals to enroll in managed care organizations; or

(2) For eligible individuals whose family income is above 200 percent, but at or below 300 percent of the federal poverty guidelines, [through the MCHP private option plan] THROUGH THE PROGRAM UNDER SUBTITLE 1 OF THIS TITLE REQUIRING INDIVIDUALS TO ENROLL IN MANAGED CARE ORGANIZATIONS AND UNDER THE REQUIREMENTS under § 15-301.1 of this subtitle.

15-301.1.

(a) (1) In this section the following words have the meanings indicated.

(Over)

[(2) “Carrier” means:

(i) An insurer;

(ii) A nonprofit service plan;

(iii) A health maintenance organization; or

(iv) Any other person that provides health benefit plans subject to regulation by the State.]

[(3) (2) “Eligible individual” means an individual who qualifies to participate in the Maryland Children’s Health Program under § 15-301(b) of this subtitle and whose family income is above 200 percent, but at or below 300 percent of the federal poverty guidelines.

[(4) (3) “Family contribution” means the portion of the premium cost paid for an eligible individual to enroll and participate in the Maryland Children’s Health Program.

[(5) “MCHP private option plan” means the plan established under this section to provide access to health insurance coverage to eligible individuals through employer-sponsored health benefit plans and managed care organizations under the Maryland Children’s Health Program.]

(b) This section applies only to individuals whose family income is above 200 percent, but at or below 300 percent of the federal poverty guidelines.

[(c) (1) An eligible individual who is enrolled in the MCHP private option plan shall be insured through an employer’s health benefit plan if:

(i) The employer offers family health insurance coverage to the parent or guardian of an eligible individual;

(ii) The employer elects to participate in the MCHP private option plan;

(iii) The parent or guardian of an eligible individual is insured under the employer-sponsored health benefit plan;

(iv) The employer contributes to family health insurance coverage at a rate no less than 30 percent of annual premiums;

(v) The plan includes a benefit package that is determined by the Department to be at least equivalent to the Comprehensive Standard Health Benefit Plan established under § 15-1207 of the Insurance Article; and

(vi) The plan does not impose cost sharing requirements on eligible individuals.

(2) (i) The State's cost for coverage of an eligible individual enrolled in the MCHP private option plan may not be greater than the cost of coverage if the eligible individual was insured through a managed care organization as defined in § 15-101(f) of this title.

(ii) If an employer-sponsored health benefit plan that meets the criteria under paragraph (1) of this subsection is not available to the eligible individual or if the Department determines that the employer-sponsored health benefit plan is not cost effective as required in item (i) of this paragraph, the eligible individual shall be insured through a managed care organization as defined in § 15-101(f) of this title.

(d) The Department shall facilitate coverage of eligible individuals under an employer-sponsored health benefit plan by:

(1) Evaluating employer-sponsored health benefit plans to determine whether specific plans meet applicable State and federal requirements;

(2) Assisting employers that wish to participate in the MCHP private option plan to meet the eligibility criteria established under subsection (c) of this section;

(3) Collecting the family contribution under subsection (e) of this section;

(Over)

(4) Forwarding the family contribution and the State's portion of the premium directly to the carrier; and

(5) Assisting employers in enrolling the eligible dependents of employees in the employer-sponsored health benefit plan.]

[(e)] (C) (1) As a requirement of enrollment and participation in [the MCHP private option plan, through either an employer-sponsored health benefit plan or] a managed care organization, the parent or guardian of an eligible individual shall agree to pay the following annual family contribution:

(i) For an eligible individual whose family income is above 200 percent, but at or below 250 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 200 percent of the federal poverty guidelines; and

(ii) For an eligible individual whose family income is above 250 percent, but at or below 300 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 250 percent of the federal poverty guidelines.

(2) The family contribution amounts required under paragraph (1) of this subsection apply on a per family basis regardless of the number of eligible individuals each family has enrolled in the [MCHP private option plan] MANAGED CARE ORGANIZATION.

[(f)] (D) The Department shall adopt regulations necessary to implement this section.

15-303.

(a) (1) The Department shall be responsible for enrolling program recipients in managed care organizations [and employer-sponsored health benefit plans] under the Maryland Children's Health Program established under §§ 15-301 and 15-301.1 of this subtitle.

18-108.

(c) The Governor shall include in the annual budget State general funds of at least [\$1,000,000] \$250,000 to cover the administrative and food costs of the Program.

Article - Labor and Employment

5.5-106.

(a) (1) The proposed budget of the Division of Labor and Industry shall include an appropriation from the [General Fund of the State] PUBLIC SERVICE COMMISSION to cover the cost of administering this title.

(2) Unless the Board of Public Works exercises the option under subsection (b) of this section, the Public Service Commission shall [reimburse the General Fund for] PAY the cost of administering this title from money the Public Service Commission receives under § 2-110 of the Public Utility Companies Article.

(b) (1) The Board of Public Works may adopt a regulation to assess, fairly and as equally as possible, each railroad company operating in the State the cost of the State's share of activities under this title.

(2) The amount to be [reimbursed to the State General Fund] PAID BY THE PUBLIC SERVICE COMMISSION may not exceed \$1 million in any fiscal year.”.

AMENDMENT NO. 9

On page 5, after line 26, insert:

“Article - State Finance and Procurement

7-210.

(a) (1) A budget amendment may not change any language or substantive provision in the State budget.

[(b)] (2) The limitation in this [section] SUBSECTION does not apply to the monetary figures of an appropriation.

(Over)

(B) A BUDGET AMENDMENT MAY NOT TRANSFER ANY PART OF A GENERAL FUND CAPITAL APPROPRIATION TO AN OPERATING PROGRAM OR PURPOSE.

7-309.

- (a) There is a State Reserve Fund.
- (b) The State Reserve Fund comprises:
 - (1) the Dedicated Purpose [Fund] ACCOUNT;
 - (2) the Revenue Stabilization [Fund] ACCOUNT;
 - (3) the Economic Development Opportunities Program [Fund] ACCOUNT;
 - (4) the Catastrophic Event [Fund] ACCOUNT; and
 - (5) the Joseph Fund ACCOUNT.

7-310.

- (a) In this section [“Fund”] “ACCOUNT” means the Dedicated Purpose [Fund] ACCOUNT.
- (b) The Dedicated Purpose [Fund] ACCOUNT is established:
 - (1) to retain appropriations for major, multi-year expenditures where the magnitude and timing of cash needs are uncertain; and
 - (2) beginning in fiscal year 1996, to meet specific expenditure requirements.
- (c) The Governor may provide an appropriation in the budget bill to the [Fund] ACCOUNT for a specific purpose or purposes.

(d) [(1) For those appropriations to the Fund designated for a specific purpose, the Governor may:

(i) include the funds as special funds in the State budget subject to appropriation by the General Assembly; or

(ii) after notice to and approval by the Legislative Policy Committee transfer the specific purpose funds by budget amendment from the Fund to the expenditure account of the appropriate unit of State government.

(2) For [those appropriations] EACH APPROPRIATION to the [Fund for a general purpose] ACCOUNT, the Governor may:

[(i) (1) include the funds in the State budget subject to appropriation by the General Assembly; or

[(ii) (2) transfer the [general purpose] funds by budget amendment from the [Fund] ACCOUNT 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 and approved by the Legislative Policy Committee.

(e) The [Fund] ACCOUNT is a continuing, nonlapsing fund which is not subject to § 7-302 of this subtitle.

(f) (1) The unspent balance of an appropriation to the [Fund] ACCOUNT reverts to the Revenue Stabilization [Fund] ACCOUNT 4 years after the end of the fiscal year for which the appropriation was made.

(2) If the Governor determines that certain funds in the [Fund] ACCOUNT are no longer needed for the purpose for which they were originally appropriated, those funds may be transferred by budget amendment to the Revenue Stabilization [Fund] ACCOUNT after the proposed budget amendment has been submitted to the Senate Budget and Taxation Committee and the House

(Over)

Appropriations Committee of the General Assembly and approved by the Legislative Policy Committee.

7-311.

(a) In this section [“Fund”], “ACCOUNT” means the Revenue Stabilization [Fund] ACCOUNT.

(b) The Revenue Stabilization [Fund] ACCOUNT is established to retain State revenues for future needs and reduce the need for future tax increases by moderating revenue growth.

(c) The [Fund] ACCOUNT is a continuing, nonlapsing fund which is not subject to § 7-302 of this subtitle.

(d) The [Fund] ACCOUNT consists of:

(1) moneys appropriated in the State budget to the [Fund] ACCOUNT; and

(2) interest or other income earned from the investment of any portion of this [Fund] ACCOUNT or any other account in the State Reserve Fund.

(e) Except as provided in subsection (f) of this section, [beginning in fiscal year 1995 and] for each [subsequent] fiscal year [.,]:

(1) IF THE ACCOUNT BALANCE IS BELOW 3% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE ACCOUNT EQUAL TO AT LEAST \$100,000,000; AND

(2) IF THE ACCOUNT BALANCE IS AT LEAST 3% BUT LESS THAN 5% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR, the Governor shall include in the budget bill an appropriation to the Fund equal to at least the lesser of \$50,000,000 or whatever amount is required for the [Fund] ACCOUNT balance to exceed 5% of the estimated General Fund revenues for that fiscal year.

(f) The appropriations required by subsection (e) of this section are not required when the [Fund] ACCOUNT balance exceeds 5% of the estimated General Fund revenues.

(g) If authorized by an act of the General Assembly or specifically authorized in the State budget bill as enacted, the Governor may transfer funds from the [Fund] ACCOUNT to General Fund revenues.

(h) If the budget bill as submitted to the General Assembly includes a transfer of funds from the [Fund] ACCOUNT pursuant to subsection (g) of this section, the budget bill as enacted by the General Assembly may provide for a reduction of the amount of the transfer from the [Fund] ACCOUNT by an amount up to the amount of the reductions made by the General Assembly in the General Fund appropriations.

(i) Funds of the [Fund] ACCOUNT may only be transferred from the [Fund] ACCOUNT as provided in this section and are not subject to transfer by budget amendment.

(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2004 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation to the [Fund] ACCOUNT equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.

(2) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the [Fund] ACCOUNT required to be included for that fiscal year under subsection (e) of this section.

7-314.

(a) (1) In this section the following words have the meanings indicated.

(2) [“Fund”] “ACCOUNT” means the Economic Development Opportunities Program [Fund] ACCOUNT.

(3) (i) “Performance requirement” means a contractual agreement between an executive agency and [a Fund] AN ACCOUNT recipient that requires the [Fund] ACCOUNT recipient to meet minimum economic development outcomes in exchange for a grant or a loan under this section.

(b) Subject to the provisions of this section, the Economic Development Opportunities Program [Fund] ACCOUNT is established to maximize extraordinary economic development opportunities.

(c) The Governor may provide an appropriation in the budget bill to the [Fund] ACCOUNT for a specific or general purpose or purposes.

(d) After notice to and approval by the Legislative Policy Committee, the Governor may transfer funds by budget amendment from the Economic Development Opportunities Program [Fund] ACCOUNT to the expenditure account of the appropriate executive agency.

(e) (1) The [Fund] ACCOUNT is a continuing, nonlapsing fund which is not subject to § 7-302 of this subtitle.

(2) The Treasurer shall separately hold, and the Comptroller shall account for, the [Fund] ACCOUNT.

(3) The [Fund] ACCOUNT shall be invested and reinvested in the same manner as other State funds.

(4) Except as provided in paragraph (5) of this subsection, any investment earnings shall be subject to § 7-311(d) of this subtitle.

(5) Any investment earnings on moneys transferred from the [Fund] ACCOUNT to a second continuing, nonlapsing fund may be retained to the credit of the second fund.

(f) (1) Moneys appropriated or credited to the [Fund] ACCOUNT do not revert to the Revenue Stabilization [Fund] ACCOUNT.

(2) Except as provided in paragraph (3) of this subsection, repayments of principal or interest on any loan from the [Fund] ACCOUNT shall be retained to the credit of the [Fund] ACCOUNT.

(3) Repayments of principal or interest on any loan made from moneys transferred from the [Fund] ACCOUNT to a second continuing, nonlapsing fund may be retained to the credit of the second fund.

(g) (1) The Department of Business and Economic Development shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly before January 1 of each year:

(ii) for the previous 3 fiscal years, the status of [Fund] ACCOUNT disbursements for economic development projects approved by the Legislative Policy Committee under this section; and

(h) (1) Except as provided in paragraph (2) of this subsection and in subsection (i) of this section, any funds transferred from the Economic Development Opportunities Program [Fund] ACCOUNT shall be used only for extraordinary economic development opportunities that:

(i) meet the criteria provided in this section;

(ii) include performance requirements; and

(iii) in addition to the performance requirements under item (ii) of this subsection, include a performance requirement that utilizes a claw-back provision.

(2) The [Fund] ACCOUNT may pay an executive agency for administrative, legal, or actuarial expenses incurred by the agency in connection with transactions funded by transfers of moneys to the agency from the [Fund] ACCOUNT.

(k) Subject to the provisions of this subtitle, funds transferred from the Economic Development Opportunities Program [Fund] ACCOUNT, to an executive agency, may be loaned, granted, or invested for:

(1) assisting in the retention or expansion of existing private sector enterprises, public or private institutions, or federal research and development institutes;

(2) assisting in the establishment or attraction of private sector enterprises, public or private institutions, or federal research and development institutes new to this State; or

(3) providing assistance where existing State or local programs lack sufficient resources or are constrained by timing or program design from being utilized.

(l) Upon request for approval for the transfer of funds by budget amendment from the [Fund] ACCOUNT, the Governor shall provide, subject to § 2-1246 of the State Government Article, to the Legislative Policy Committee:

(1) a detailed description of:

(i) the proposed use of the funds;

(ii) the manner in which the proposed use meets the criteria as set forth in this section;

(iii) the degree to which the proposed use of funds will advance statewide or local economic development strategies and objectives; and

(iv) the degree to which available sources of federal, State, local, and private financial support has been sought and will be utilized;

(2) the terms, conditions, and performance requirements of any grant or loan for which the funds are to be used;

(3) a comprehensive economic analysis of the proposed use of the funds which estimates:

- (i) the economic impact to the State and the local jurisdictions affected;
 - (ii) a minimum level of net economic benefits to the public sector;
 - (iii) the number of jobs expected to be created as a result of the proposed economic development project and the percentage of those jobs that are expected to be held by Maryland residents;
 - (iv) the wage rates and benefit packages for the jobs expected to be created as a result of the proposed economic development project; and
 - (v) any other appropriate financial or economic benefits;
- (4) any other analysis or information that is requested by the Legislative Policy Committee; and
- (5) the date on which the executive agency expects to disburse the funds to the proposed recipient.
- (m) If an executive agency fails to disburse transferred funds to a recipient within 1 year after the expected disbursement date presented to the Legislative Policy Committee under subsection (l) of this section, the funds will revert back to the [Fund] ACCOUNT and the Governor shall:
- (1) resubmit the request to the Legislative Policy Committee to transfer funds by budget amendment to the [Fund] ACCOUNT; and
 - (2) provide the Legislative Policy Committee with the information required under subsection (l) of this section.
- (n) Funds appropriated to the Economic Development Opportunities Program [Fund] ACCOUNT may not be loaned, granted, or invested for:

- (1) substituting for funds from other State or local programs for which a project may be eligible and sufficient resources exist;
- (2) projects which are not likely to attract or retain employment opportunities;
- (3) funding projects located outside the State;
- (4) construction or land acquisition by the Maryland Stadium Authority; or
- (5) funding for any sports activity or facility.

7-324.

(a) In this section, ["Fund"] "ACCOUNT" means the ["Catastrophic Event Fund"] CATASTROPHIC EVENT ACCOUNT.

(b) Subject to the provisions of this section, the [Fund] ACCOUNT is established to enable the State to respond without undue delay to a natural disaster or other catastrophic situation that cannot be taken care of within the resources of existing appropriations.

(c) The Governor may provide an appropriation in the budget bill to the [Fund] ACCOUNT.

(d) After notice to and approval by the Legislative Policy Committee, the Governor may transfer funds by budget amendment from the [Fund] ACCOUNT to the expenditure accounts of the appropriate unit of State government.

(e) Funds appropriated to the Catastrophic Event [Fund] ACCOUNT:

- (1) may not be used to offset operating deficiencies in regular programs of State government; but
- (2) may be expended to assist a unit of State government in funding costs in connection with a natural disaster or catastrophic situation.

(f) (1) The [Fund] ACCOUNT is a continuing, nonlapsing fund which is not subject to § 7-302 of this subtitle.

(2) The Treasurer shall separately hold, and the Comptroller shall account for, the [Fund] ACCOUNT.

(3) The [Fund] ACCOUNT shall be invested and reinvested in the same manner as other State funds.

(4) Any investment earning shall be subject to § 7-311(d) of this subtitle.

(g) Moneys appropriated to the [Fund] ACCOUNT do not revert to the Revenue Stabilization [Fund] ACCOUNT.

7-325.

(a) [In this section, “Governor’s proposed general fund appropriation” means the general fund appropriation included by the Governor in the annual budget bill as submitted to the General Assembly, before any amendment by the General Assembly.]

(b) For each fiscal year, the [Governor’s proposed general fund] GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY AN appropriation for the Maryland State Arts Council [shall be] IN AN AMOUNT not less than the amount of the [Governor's proposed general fund] appropriation for the Council AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL ASSEMBLY for the [current] PRIOR fiscal year, increased by not less than the percentage by which the projected total general fund revenues for the upcoming fiscal year exceed the revised estimate of total general fund revenues for the current fiscal year, as contained in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of this article.

[(c) (B) The Legislative Auditor has the authority to conduct a review or audit of any recipient of a grant from the Maryland State Arts Council.]

(Over)

7-327.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Board” means the Joseph Fund Board.
- (3) [“Fund”] “ACCOUNT” means the Joseph Fund ACCOUNT.
- (4) “Unappropriated surplus” means the unappropriated General Fund balance in a fiscal year as of June 30.
- (b) The Joseph Fund ACCOUNT is established to set aside reserves in times of economic prosperity and use those reserves to meet the emergency needs of economically disadvantaged citizens of the State, especially in times of economic downturn.
- (c) (1) The [Fund] ACCOUNT is a continuing, nonlapsing fund which is not subject to § 7-302 of this subtitle.
- (2) The Treasurer shall separately hold and the Comptroller shall account for the [Fund] ACCOUNT.
- (3) Notwithstanding any other provision of law, the Treasurer may invest moneys in the [Fund] ACCOUNT in a manner consistent with the investment of moneys by the State Retirement and Pension System.
- (4) Any investment earnings of the [Fund] ACCOUNT shall be paid into the [Fund] ACCOUNT.
- (d) The [Fund] ACCOUNT consists of:
- (1) moneys appropriated in the State budget to the [Fund] ACCOUNT;
- (2) earnings from the investment of moneys in the [Fund] ACCOUNT; and

(3) any other moneys accepted for the benefit of the [Fund] ACCOUNT from any governmental or private source.

(e) For fiscal year 2002 and each subsequent fiscal year, the Governor may include in the budget bill an appropriation to the Joseph Fund ACCOUNT equal to the lesser of:

(1) 20% of the unappropriated surplus as of the end of the fiscal year two years prior to the fiscal year for which the appropriation is proposed; or

(2) \$5,000,000.

(g) (1) The Board shall advise the Governor on the management of the [Fund] ACCOUNT.

(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] ACCOUNT; 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 expenditures from the [Fund] ACCOUNT.

(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] ACCOUNT.

(3) If the Governor authorizes an expenditure from the [Fund] ACCOUNT not recommended by the Board, the Governor shall notify the Board prior to the authorization.

(Over)

(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] ACCOUNT 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] ACCOUNT from the preceding fiscal year; and

(ii) 40% of the remaining balance of the [Fund] ACCOUNT.

(6) Notwithstanding any other provision in this subsection, moneys may not be expended from the [Fund] ACCOUNT until the balance in the [Fund] ACCOUNT has reached \$15,000,000.

(7) (i) The [Fund] ACCOUNT shall be used on a statewide basis to meet the emergency needs of economically disadvantaged citizens of the State.

(ii) Moneys from the [Fund] ACCOUNT may not be considered the sole source of funds to meet the emergency needs of economically disadvantaged citizens of the State.

(iii) The [Fund] ACCOUNT 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] ACCOUNT 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] ACCOUNT 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.

(10) Notwithstanding any other provision of this subsection, for fiscal years 2002, 2003, and 2004, expenditures from the [Fund] ACCOUNT may be made only as follows:

(i) for fiscal year 2002, moneys may not be expended from the [Fund] ACCOUNT;

(ii) for fiscal year 2003, subject to the budget amendment procedure provided for in § 7-209 of this title, up to \$3,300,000 from the [Fund] ACCOUNT may be used for the Department of Human Resources to cover costs associated with increasing temporary cash assistance grants effective January 1, 2003; and

(iii) for fiscal year 2004, as included in the State budget or subject to the budget amendment procedure provided for in § 7-209 of this title, the remaining balance in the [Fund] ACCOUNT may be used for the Department of Human Resources to cover costs associated with increasing temporary cash assistance grants effective January 1, 2003.

(i) The Board shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly before September 1 of each year on the financial status of the [Fund] ACCOUNT and the expenditures from the [Fund] ACCOUNT for the preceding fiscal year.”

(Over)

AMENDMENT NO. 10

On page 5, in line 33, after “State” insert “AND THE REMAINDER SHALL BE ALLOCATED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION”.

On page 6, in line 2, strike the semicolon and substitute “AND THE REMAINDER SHALL BE ALLOCATED AS PROVIDED IN THE STATE BUDGET; AND”; in line 4, after “STATE” insert “, AND THE REMAINDER SHALL BE ALLOCATED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION”; strike beginning with “; and” in line 4 down through “section” in line 6; and after line 10, insert:

“Article - Transportation

12-120.

(d) [If the Administration alters the level of any miscellaneous fee as authorized under subsection (c) of this section, the] THE Administration shall set the levels of miscellaneous fees so that the total amount of projected revenues from all miscellaneous fees for the upcoming fiscal year is at least [85] 95 percent but does not exceed [90] 100 percent of the sum of:

(1) The operating budget of the Administration for that fiscal year as approved by the General Assembly in the annual State budget; and

(2) The Administration’s portion of the cost for that fiscal year of the Department’s data center operations, except for the cost of data center operations attributable to other administrations’ activities.

(e) (1) The Administration may not alter miscellaneous fees more than once in any fiscal year.

(2) The Administration need not reduce fees for the upcoming fiscal year if legislative budget modifications cause the projected cost recovery percentage to exceed [90] 100 percent.

(3) The level of a miscellaneous fee set by the Administration remains in effect until again altered by the Administration as provided under this section.”.

AMENDMENT NO. 11

On page 7, after line 1, insert:

“Chapter 637 of the Acts of 1998

[SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding § 7-310(f)(1) of the State Finance and Procurement Article, the unspent balance of funds appropriated to the Dedicated Purpose Account for the Family Investment Program may not revert to the Revenue Stabilization Account even if those funds are unspent 4 years after the end of the fiscal year for which the appropriation was made.]

[SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding § 7-310(f)(1) of the State Finance and Procurement Article, the unspent balance of funds appropriated to the Dedicated Purpose Account for the Purchase of Child Care Program may not revert to the Revenue Stabilization Account even if those funds are unspent 4 years after the end of the fiscal year for which the appropriation was made.]”;

and in line 4, strike “and each fiscal year thereafter”.

On pages 7 and 8, strike the lines beginning with line 17 on page 7 through line 9 on page 8, inclusive.

On page 8, after line 15, insert:

“Chapter 285 of the Acts of 2002

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2002. Section 1 of this Act shall remain in effect for a period of 1 year [and 6 months] and, at the end of [December 31] JUNE 30, 2003, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect”;

and after line 22, insert:

(Over)

“Chapter 453 of the Acts of 2002

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) Beginning in fiscal year [2004] 2007 and each fiscal year thereafter, each county and Baltimore City shall use the savings resulting from this Act solely to increase local expenditures for the circuit courts or related public safety purposes;

(2) In fiscal years [2004] 2007 through [2011] 2014, each county and Baltimore City shall report to the Department of Budget and Management on or before November 1 on circuit court or related public safety expenditures to which the savings resulting from this Act have been applied. The Department of Budget and Management shall report these expenditures to the Chief Judge of the Court of Appeals and, subject to § 2-1246 of the State Government Article, to the General Assembly; and

(3) Circuit court or related public safety expenditures required under this section shall be used to supplement and may not supplant existing local expenditures for the same purpose.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, [2003] 2006.

Chapter 464 of the Acts of 2002

SECTION 3. AND BE IT FURTHER ENACTED, That:

(b) [(1)] The Department may not implement a reduction in the pharmacy reimbursement rate until October 1, 2002.

[(2) The Department of Health and Mental Hygiene may not increase the total copayment collection from enrollees in the Medicaid program, including enrollees in managed care organizations.]

(f) The Department of Health and Mental Hygiene may implement measures to encourage the use of medically appropriate generic drugs and those brand name drugs on a preferred drug list, including:

(1) The use of tiered copayments for Medicaid and the Maryland Pharmacy Assistance Program [provided that the amounts set for those copayments do not result in an increase in total copayment collections];

(2) The use of differential dispensing fees to pharmacies provided that the amounts set for those dispensing fees remain revenue neutral;

(3) The use of consultation payments to pharmacies, similar to those used in the State Employee Health Benefits Plan, to encourage communication between patients, prescribers, and pharmacists regarding cost-effective drug therapies; and

(4) The implementation of education programs on the use of preferred drugs for prescribers that participate in the Medicaid and Maryland Pharmacy Assistance Programs.

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

Article 41- Governor - Executive and Administrative Departments

4-403.

(b) [For] SUBJECT TO SUBSECTION (D) OF THIS SECTION, FOR the fiscal year beginning July 1, [1975] 2004, and thereafter, the State shall pay to each subdivision, and to each qualifying municipality, each year in the manner and subject to the limitations and requirements hereinafter provided, an amount determined as follows:

(1) Share in Basic Expenditure. If the aggregate expenditures for police protection in a subdivision equal or exceed \$6.00 per capita, the State shall pay to the subdivision the amount, if any, by which the equivalent of \$6.00 per capita exceeds 0.09% of the wealth base. If the aggregate expenditures for police protection in a subdivision are less than \$6.00 per capita, the State shall pay to the subdivision the amount, if any, by which aggregate expenditures for police protection exceed that proportion of 0.09 percent of the wealth base which aggregate expenditures for police protection bear to the equivalent of \$6.00 per capita.

(Over)

(2) Share Over the Basic Expenditure. In addition to the amount, if any, payable under paragraph (1) of this subsection, the State shall pay to each subdivision an amount equal to 25% of the amount, if any, by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita. Provided however:

(i) For subdivisions with a population density less than 100 per square mile, and less than 30% of total population residing in municipalities, there shall be no payment under this paragraph.

(ii) For subdivisions with population density 100 or more but less than 500 per square mile, and for subdivisions with population density less than 100 per square mile but with 30% or more of total population residing in municipalities, payment under this paragraph shall not exceed the equivalent of \$3.50 per capita.

(iii) For subdivisions with population density 500 or more but less than 900 per square mile, payment under this paragraph shall not exceed the equivalent of \$7.50 per capita.

(iv) For subdivisions with population density 900 or more but less than 1,100 per square mile, payment under this paragraph shall not exceed the equivalent of \$8.00 per capita.

(v) For subdivisions with population density 1,100 or more but less than 1,300 per square mile, payment under this paragraph shall not exceed the equivalent of \$9.25 per capita.

(vi) For subdivisions with population density 1,300 or more but less than 8,000 per square mile, payment under this paragraph shall be 25% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita but do not exceed the equivalent of \$36.00 per capita and 50% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$36.00 per capita but do not exceed the equivalent of \$45.50 per capita.

(vii) For subdivisions with population density 8,000 or more per square mile, payment under this paragraph shall be 25% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita but do not exceed the equivalent of

\$36.00 per capita and 50% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$36.00 per capita but do not exceed the equivalent of \$101.50 per capita.

(3) Minimum Grant. The State shall pay to each subdivision the amount, if any, by which the equivalent of \$2.50 per capita exceeds the total payments determined under paragraphs (1) and (2) of this subsection. No subdivision for which the population estimate is less than the population estimated for the first year of this grant shall receive in any year a smaller amount of State aid for police protection than it received in any previous year, provided it has not reduced the level of expenditure for police protection which entitled it to the amount of that previous year's grant.

(4) Incentive Grant. In addition to the payments made under paragraphs (1), (2), and (3) of this subsection, the State shall pay to each subdivision with a population density of less than 500 per square mile, an amount the equivalent of \$2.00 per capita.

(5) Supplemental Grant. (i) In addition to the payments made under paragraphs (1), (2), (3) and (4) of this subsection, the State shall pay:

1. To each subdivision, subject to subparagraph (ii) of this paragraph, an amount the equivalent of \$2.50 per capita; and

2. To Baltimore City, an amount the equivalent of fifty cents per capita.

(ii) The State shall allocate and distribute the supplemental grant to each subdivision among the subdivisions and the qualifying municipalities in those subdivisions on a per capita basis.

(6) Additional Grant. For the fiscal year ending June 30, 1981, and for each fiscal year thereafter, an additional grant equal to 10 percent of the total of the payments determined under paragraphs (1), (2), (3) and (4) of this subsection, or an amount which shall not exceed the equivalent of \$1 per capita, whichever is the larger, shall be paid to the subdivisions.

(7) Minimum Payment in Certain Years. Each subdivision shall be paid that amount, if any, by which the grant paid to the subdivision in the fiscal year ending June 30, 1984 exceeds the total payments determined under paragraphs (1), (2), (3), (4), (5) and (6) of this subsection.

(8) Municipal Sworn Officer Allocation. The State shall pay to each qualifying municipality, in addition to the payments made under paragraphs (1) through (7) of this subsection an amount equal to \$1,800 for each sworn police officer actually employed on a full-time basis by the qualifying municipality, as determined by the Secretary of State Police.

(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "CRIME ASSESSMENT" MEANS AN AMOUNT OBTAINED FOR EACH SUBDIVISION OR BALTIMORE CITY BY MULTIPLYING THE PERCENT OF TOTAL PART I CRIMES IN THE STATE THAT WERE COMMITTED IN THE SUBDIVISION OR BALTIMORE CITY BY 10 PERCENT OF THE COSTS FOR THE CRIME LABORATORY OF THE STATE POLICE AS PROVIDED IN THE STATE BUDGET FOR THE FISCAL YEAR OF THE ASSESSMENT.

(III) "PART I CRIMES" MEANS THE CRIMES REPORTED BY THE STATE POLICE AS PART I CRIMES IN THE ANNUAL UNIFORM CRIME REPORT FOR THE CALENDAR YEAR THAT ENDED THE FISCAL YEAR PRECEDING THE FISCAL YEAR OF THE CRIME ASSESSMENT.

(IV) "WEALTH ASSESSMENT" MEANS AN AMOUNT OBTAINED FOR EACH SUBDIVISION OR BALTIMORE CITY BY MULTIPLYING THE PERCENT OF THE TOTAL WEALTH BASE OF THE STATE THAT IS ATTRIBUTABLE TO THE WEALTH BASE OF THE SUBDIVISION OR BALTIMORE CITY BY 20 PERCENT OF THE COSTS FOR THE CRIME LABORATORY OF THE STATE POLICE AS PROVIDED IN THE STATE BUDGET FOR THE FISCAL YEAR OF THE ASSESSMENT.

(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND FOR EACH FISCAL YEAR THEREAFTER, THE AMOUNT DETERMINED UNDER SUBSECTION (B) OF THIS SECTION FOR EACH SUBDIVISION OR BALTIMORE CITY SHALL BE REDUCED BY

THE SUM OF THE CRIME ASSESSMENT AND THE WEALTH ASSESSMENT FOR THE SUBDIVISION OR BALTIMORE CITY.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding Article 88B, § 66 of the Code, for fiscal year 2004, the amounts to be paid to a county or Baltimore City from the State Aid for Police Protection Fund shall be reduced by the following amounts, reflecting each jurisdiction's share of the costs of the State Police Crime Lab:

<u>Allegany County</u>	<u>\$20,026</u>
<u>Anne Arundel County</u>	<u>243,132</u>
<u>Baltimore City</u>	<u>295,714</u>
<u>Baltimore County</u>	<u>341,939</u>
<u>Calvert County</u>	<u>33,622</u>
<u>Caroline County</u>	<u>9,238</u>
<u>Carroll County</u>	<u>57,108</u>
<u>Cecil County</u>	<u>32,269</u>
<u>Charles County</u>	<u>52,659</u>
<u>Dorchester County</u>	<u>10,662</u>
<u>Frederick County</u>	<u>82,723</u>
<u>Garrett County</u>	<u>9,875</u>
<u>Harford County</u>	<u>84,532</u>
<u>Howard County</u>	<u>132,895</u>
<u>Kent County</u>	<u>7,211</u>
<u>Montgomery County</u>	<u>491,768</u>
<u>Prince George's County</u>	<u>377,314</u>
<u>Queen Anne's County</u>	<u>18,255</u>
<u>St. Mary's County</u>	<u>30,197</u>
<u>Somerset County</u>	<u>5,416</u>
<u>Talbot County</u>	<u>18,970</u>
<u>Washington County</u>	<u>43,040</u>
<u>Wicomico County</u>	<u>33,736</u>
<u>Worcester County</u>	<u>33,143</u> ".

(Over)

AMENDMENT NO. 12

On page 8, before line 23, insert:

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

Article - Education

5-216.

(d) (2) The percentage component shall be calculated as follows:

(iv) For fiscal year 2004, the county board shall receive an amount that is equal to [50%] 25% of the amount of the percentage component received by the county board in fiscal year 2002; and

(3) (iii) For fiscal year 2004, the county board shall receive an amount that is equal to [50%] 25% of the amount of the wealth adjusted component received by the county board in fiscal year 2002.

SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2004 only, for the purposes of § 5-202(b)(3) of the Education Article, the calculation of a county’s highest local appropriation to its school operating budget for the prior fiscal year shall exclude disparity grant funds required by Chapter 439 of the Acts of 2002 (Fiscal Year 2003 Operating Budget).

SECTION 6. AND BE IT FURTHER ENACTED, That Section(s) 18-1301 through 18-1319 and the subtitle “Subtitle 13. Maryland Higher Education Supplemental Loan Authority” of Article - Education of the Annotated Code of Maryland be repealed.”.

AMENDMENT NO. 13

On page 6, in line 3, strike “\$100,000,000” and substitute “AN AMOUNT EQUAL TO 50% OF THE ESTIMATED FISCAL YEAR 2005 REVENUE FOR THE SPECIAL FUND”.

On page 10, in line 16, after “Assembly” insert “or increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland”; in line 23, strike “Payments” and substitute “Providers may submit requests for payment”; strike beginning with “may” in line 23 down through “for” in line 26 and substitute “in”; and in line 26, after “hardship.” insert “Those requests shall be treated in the same manner as rate appeals as set forth in § 8-417 of the Education Article of the Annotated Code of Maryland.”.

On page 12, in line 12, strike “\$393,100” and substitute “\$243,100”; and in line 13, after “Article” insert “;”

\$150,000 of the funds in the Special Fund established under § 11-401 of the Business Regulation Article, contingent on the failure of House Bill 1149”;

and after line 21, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) For fiscal 2004, \$6,000,000 of the balance of the Maryland Emergency Medical System Operations Fund established under § 13-955 of the Transportation Article may be transferred by approved budget amendment to the Low Interest Revolving Loan Account established under Article 38A, § 46E of the Annotated Code of Maryland.

(b) If the transfer authorized under subsection (a) of this section is not made for fiscal 2004, the Governor shall include in the fiscal 2005 annual budget bill a special fund appropriation from the Maryland Emergency Medical System Operations Fund to the Low Interest Revolving Loan Account in the amount of \$6,000,000.

(c) For each of the first 6 fiscal years beginning with the fiscal year after the fiscal year for which the transfer is made under subsection (a) of this section or the appropriation under subsection (b) of this section is included in the annual budget, \$1,000,000 of the funds in the Low Interest Revolving Loan Account shall be transferred to the Maryland Emergency Medical System Operations Fund.”.

(Over)

On page 13, in line 30, strike “and \$102,440,128 for fiscal years 2004 and 2005” and substitute “,\$102,440,128 for fiscal year 2004, and \$51,220,064 for fiscal year 2005”.

AMENDMENT NO. 14

On page 14, before line 11, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That Section(s) 5-1301 through 5-1305 and the subtitle “Subtitle 13. Maryland Competitive Advantage Financing Fund” of Article 83A - Department of Business and Economic Development of the Annotated Code of Maryland be repealed.

SECTION 20. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall report to the Governor and the General Assembly in accordance with § 2-1246 of the State Government Article by December 1, 2003 on the Department’s methodology for calculating the base amount of funding for each county and Baltimore City for the tobacco and cancer initiatives funded by the Cigarette Restitution Fund as required under §§ 13-1007(b)(1) and 13-1108(b)(1) of the Health - General Article as enacted under Section 1 of this Act.”;

in line 11, strike “19.” and substitute “21.”; after line 16, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2003.

SECTION 23. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2003.

SECTION 24. AND BE IT FURTHER ENACTED, That Section 19 of this Act shall take effect July 1, 2004. Any balance remaining in the Maryland Competitive Advantage Financing Fund on June 30, 2004 shall be credited to the General Fund of the State.”;

in line 17, strike “20.” and substitute “25.”; and in the same line, after “That” insert “, except as otherwise provided in Sections 22 through 24 of this Act.”.

