

HOUSE BILL 935

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B1

2003 Regular Session
3r0160
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By: **The Minority Leader (By Request - Administration)**

Introduced and read first time: February 12, 2003

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2003**

3 FOR the purpose of altering the distribution of uncashed pari-mutuel tickets;
4 delaying certain distributions to certain institutions of higher education;
5 eliminating the ceiling on the amount of administrative expenses that may be
6 paid from a certain fund; altering the distribution from a certain fund for
7 certain years; altering the distribution of certain revenues for certain years;
8 altering the amount of certain required appropriations for a certain year;
9 restricting the expenditure of certain funds in a certain year; requiring the
10 reversion of certain funds in a certain year; altering the contribution to a certain
11 fund for a certain year; eliminating certain employee payments in a certain
12 year; restricting increases in certain rates in certain years to certain providers;
13 permitting certain exceptions in certain circumstances; requiring the Governor
14 to transfer to the General Fund certain amounts from certain special funds for
15 certain fiscal years; authorizing the Governor to transfer to the General Fund
16 certain amounts from a special fund under certain circumstances; altering
17 certain payments to certain counties for a certain fiscal year; making the
18 provisions of this Act severable; and generally relating to the financing of State
19 and local governments for certain fiscal years.

20 BY repealing and reenacting, with amendments,
21 Article - Business Regulation
22 Section 11-1203(i)(1)(ii) and 11-1206(c)
23 Annotated Code of Maryland
24 (1998 Replacement Volume and 2002 Supplement)

25 BY repealing
26 Article - Business Regulation
27 Section 11-1206(d)(2)
28 Annotated Code of Maryland
29 (1998 Replacement Volume and 2002 Supplement)

30 BY repealing and reenacting, with amendments,
31 Article - Education

1 Section 16-317(c) and 17-302
2 Annotated Code of Maryland
3 (2001 Replacement Volume and 2002 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article - Natural Resources
6 Section 8-709(d)
7 Annotated Code of Maryland
8 (2000 Replacement Volume and 2002 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article - Tax - Property
11 Section 13-209(c)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Transportation
16 Section 17-106(e)(2)(iv)
17 Annotated Code of Maryland
18 (2002 Replacement Volume)

19 BY adding to
20 Article - Transportation
21 Section 17-106(e)(2)(v)
22 Annotated Code of Maryland
23 (2002 Replacement Volume)

24 BY repealing and reenacting, with amendments,
25 Chapter 121 of the Acts of the General Assembly of 1999
26 Section 4

27 BY repealing
28 Chapter 309 of the Acts of the General Assembly of 2000
29 Section 3

30 BY repealing and reenacting, with amendments,
31 Chapter 309 of the Acts of the General Assembly of 2000
32 Section 5

33 BY repealing
34 Chapter 440 of the Acts of the General Assembly of 2002
35 Section 25

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

3 **Article - Business Regulation**

4 11-1203.

5 (i) (1) If the Corporation and the Commission find, at any time, that the
6 licensee is not in compliance with the master plan approved by the Commission under
7 this section or the expenditures required under § 11-1204 of this subtitle, the
8 Commission may direct the Corporation:

9 (ii) to reduce, in an amount proportionate to the licensee's degree of
10 noncompliance with the licensee's financial obligations, the amount of assistance
11 available to the licensee that is attributable to the licensee's takeout allocation under
12 § 11-515 of this title [and the licensee's share of uncashed pari-mutuel tickets
13 credited to the Fund under § 11-803 of this title].

14 11-1206.

15 (c) All of the following receipts of the Commission shall be placed in the Fund:

16 (1) the takeout allocation under §§ 11-515 and 11-515.3 of this title from
17 mile thoroughbred licensees;

18 (2) the takeout allocation under § 11-616 of this title from harness
19 licensees; AND

20 [(3) effective July 1, 2001 and subject to the provisions of subsection (d) of
21 this section, money from uncashed pari-mutuel tickets paid by licensees to the
22 Commission under § 11-803 of this title; and]

23 [(4)] (3) any other revenue, gift, donation, or other source under a
24 written agreement between the eligible licensees and the Corporation.

25 (d) [(2) Beginning July 1, 2002 and annually thereafter, to the extent deemed
26 appropriate by the Corporation, the receipts of the Fund related to uncashed
27 pari-mutuel tickets under subsection (c)(3) of this section that are not needed to pay
28 the costs under paragraph (1) of this subsection shall be paid to the Commission to be
29 credited to the Racing Special Fund established under § 11-401 of this title.]

30 **Article - Education**

31 16-317.

32 (c) Payments shall be made by the State:

33 (1) In the first eligible period, only with respect to contributions which
34 are paid by the eligible donors to the eligible institution before July 1, 2004;

1 (2) In the second eligible period, only with respect to contributions which
2 are paid by the eligible donors to the eligible institution before July 1, 2006; and

3 (3) In the [second] THIRD fiscal year following the fiscal year during
4 which the contributions are made.

5 17-302.

6 (a) Except as provided in subsections (b) and (f) of this section, each eligible
7 institution shall receive from the State, in the manner and subject to the limitations
8 of this subtitle, with respect to the amounts pledged by eligible private donors as
9 voluntary donations at any time during the previous fiscal year to the eligible
10 institution for eligible programs as follows:

11 (1) An amount equal to the first \$250,000 or any portion thereof of
12 pledged amounts;

13 (2) An amount equal to one-half of the next \$1,000,000 or any portion
14 thereof of pledged amounts; and

15 (3) An amount equal to one-third of the amount in excess of \$1,250,000
16 or any portion thereof of pledged amounts.

17 (b) Bowie State University, Coppin State College, Morgan State University,
18 and University of Maryland Eastern Shore shall receive from the State, in the
19 manner and subject to the limitations of this subtitle, with respect to the amounts
20 pledged by eligible private donors as voluntary donations at any time during the
21 previous fiscal year to the eligible institution for eligible programs as follows:

22 (1) For amounts pledged on or after July 1, 2001, an amount equal to \$2
23 for every \$1 of the first \$250,000 or any portion thereof of pledged amounts; and

24 (2) For amounts pledged on or after July 1, 2001, an amount equal to the
25 next \$1,000,000 or any portion thereof of pledged amounts.

26 (c) Payments shall be made by the State[:

27 (1) Only] ONLY with respect to pledged amounts that are paid by the
28 eligible private donor to:

29 [(i)] (1) Bowie State University, Coppin State College, Morgan
30 State University, and University of Maryland Eastern Shore before January 1, 2006;
31 and

32 [(ii)] (2) All other eligible institutions [before July 1, 2004] IN
33 EQUAL INSTALLMENTS IN FISCAL YEARS 2005, 2006, 2007, AND 2008[; and

34 (2) In the fiscal year following the fiscal year during which the amounts
35 are paid].

36 (d) Payments by the State under this subtitle may not exceed:

- 1 (1) \$250,000 to each community college campus;
- 2 (2) \$1,250,000 each to the University of Maryland, College Park, the
3 University of Maryland, Baltimore, and the University of Maryland Baltimore
4 County;
- 5 (3) \$1,500,000 each to Bowie State University, Coppin State College,
6 Morgan State University, and University of Maryland Eastern Shore; and
- 7 (4) \$750,000 to each other eligible institution.

8 (e) (1) To determine eligibility for State payments, each donation shall be
9 compared to the amount donated during the base year. The following criteria shall be
10 the basis for comparison:

- 11 (i) Each donation must be from a new donor; or
- 12 (ii) Each donation must represent an increase over the amount
13 given by the donor during the base year.
- 14 (2) A donation received during the base year that fulfills a pledge made
15 prior to the base year may not be included in the determination of the amount
16 donated during the base year.
- 17 (3) Each donation must be specifically designated as an endowment.

18 (f) An institution may not receive funds for a donation that qualifies for a
19 contribution by the State under § 16-317 of this article.

20 **Article - Natural Resources**

21 8-709.

22 (d) Notwithstanding the provisions of subsection (a) of this section, for each of
23 fiscal years 2003 and 2004, as provided in the State budget, the Department may use
24 [up to 50% of] the moneys in the Waterway Improvement Fund for administrative
25 expenses directly relating to implementing the purposes of the Waterway
26 Improvement Fund.

27 **Article - Tax - Property**

28 13-209.

29 (c) (1) Subject to subsection (e) of this section, [for each of the fiscal years
30 beginning July 1, 2002 and July 1, 2003,] of the balance of the revenue in the special
31 fund, not required under subsection (b) of this section:

32 (i) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, \$47,268,585
33 shall be allocated to the general fund of the State;

1 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, \$102,833,869
2 SHALL BE ALLOCATED TO THE GENERAL FUND OF THE STATE;

3 (III) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, \$100,000,000
4 SHALL BE ALLOCATED TO THE GENERAL FUND OF THE STATE; and

5 [(ii)] (IV) The remainder shall be allocated as provided in subsection
6 (d) of this section.

7 (2) Subject to subsection (e) of this section, for the fiscal years beginning
8 July 1, [2004] 2005 and each subsequent fiscal year, the balance of the revenue in the
9 special fund, not required under subsection (b) of this section shall be allocated as
10 provided in subsection (d) of this section.

11 Article - Transportation

12 17-106.

13 (e) (2) (iv) For [each] THE fiscal year beginning [on or after] July 1, 2003
14 AND EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2005, the percentage of the
15 penalties specified under subparagraph (i)1 of this paragraph shall be allocated
16 among the School Bus Safety Enforcement Fund, the Vehicle Theft Prevention Fund,
17 the Maryland Automobile Insurance Fund, and the General Fund as follows:

18 1. \$600,000 to the School Bus Safety Enforcement Fund;

19 2. \$2,000,000 to the Vehicle Theft Prevention Fund;

20 3. The amount distributed to the Maryland Automobile
21 Insurance Fund in the prior fiscal year under the provisions of this [paragraph]
22 SECTION adjusted by the change for the calendar year preceding the fiscal year in the
23 Consumer Price Index - All Urban Consumers - Medical Care as published by the
24 United States Bureau of Labor Statistics to the Maryland Automobile Insurance
25 Fund; and

26 4. The balance to the General Fund.

27 (V) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, THE
28 PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS
29 PARAGRAPH SHALL BE ALLOCATED AMONG THE SCHOOL BUS SAFETY
30 ENFORCEMENT FUND, THE VEHICLE THEFT PREVENTION FUND, THE MARYLAND
31 AUTOMOBILE INSURANCE FUND, AND THE GENERAL FUND AS FOLLOWS:

32 1. \$600,000 TO THE SCHOOL BUS SAFETY ENFORCEMENT
33 FUND;

34 2. \$2,000,000 TO THE VEHICLE THEFT PREVENTION FUND;

35 3. \$3,000,000 TO THE MARYLAND AUTOMOBILE INSURANCE
36 FUND; AND

1 4. THE BALANCE TO THE GENERAL FUND.

2 **Chapter 121 of the Acts of 1999**

3 SECTION 4. AND BE IT FURTHER ENACTED, That for fiscal year [2001]
4 2004 and each fiscal year thereafter, the Governor shall include not less than
5 [\$21,000,000] \$18,000,000 in the annual budget in appropriations for activities aimed
6 at reducing tobacco use in Maryland as recommended by the Centers for Disease
7 Control and Prevention, including:

8 (1) Media campaigns aimed at reducing smoking initiation and
9 encouraging smokers to quit smoking;

10 (2) Media campaigns educating the public about the dangers of
11 secondhand smoke exposure;

12 (3) Enforcement of existing laws banning the sale or distribution of
13 tobacco products to minors;

14 (4) Promotion and implementation of smoking cessation programs; and

15 (5) Implementation of school-based tobacco education programs.

16 **Chapter 309 of the Acts of 2000**

17 [SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article - Business Regulation**

20 11-402.

21 The special fund consists of:

22 (1) the State share of daily license fees;

23 (2) pari-mutuel taxes;

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

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

26 11-803.

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

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

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

3 (2) pay that amount to the Commission, whichever is applicable.

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

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

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

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

10 SECTION 5. AND BE IT FURTHER ENACTED, That [Sections] SECTION 2
11 [and 3] of this Act shall remain effective until the bonds issued by the Maryland
12 Economic Development Corporation for the purposes of this Act, and the obligations
13 thereunder, have been fully satisfied and are expired, and with no further action
14 required by the General Assembly, [Sections] SECTION 2 [and 3] of this Act shall be
15 abrogated and of no further force and effect.

16 **Chapter 440 of the Acts of 2002**

17 [SECTION 25. AND BE IT FURTHER ENACTED, That notwithstanding §
18 16-319 or § 7-302 of the Education Article or any other provision of law, the portion
19 of fiscal year 2002 and 2003 payments required under § 16-319 of the Education
20 Article for private technology donation incentives or under § 17-302 of the Education
21 Article for private donation incentives that are not funded in the fiscal 2003 budget
22 shall be deferred until fiscal year 2004.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding
24 § 16-305 of the Education Article or any other provision of law, the appropriations for
25 fiscal year 2004 required under § 16-305(c) and (f) of the Education Article shall be as
26 follows:

27	Allegany College	\$3,619,507
28	Anne Arundel Community College	20,673,189
29	Community College of Baltimore County	32,130,873
30	Carroll Community College	4,512,106
31	Cecil Community College	2,963,326
32	College of Southern Maryland	7,623,695
33	Chesapeake College	4,192,473
34	Frederick Community College	5,465,367
35	Garrett Community College	1,765,674
36	Hagerstown Junior College	4,496,836
37	Harford Community College	7,396,632

1	Howard Community College	8,193,822
2	Montgomery College	26,605,077
3	Prince George's Community College	17,913,286
4	Wor-Wic Community College	4,704,860

5 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding
6 § 16-512 of the Education Article or any other provision of law, the appropriations for
7 fiscal year 2004 required under § 16-512 of the Education Article to Baltimore City
8 Community College shall be \$31,433,101.

9 SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding
10 § 17-104 of the Education Article or any other provision of law, the appropriations for
11 fiscal year 2004 required under § 17-104 of the Education Article shall be as follows:

12	Baltimore Hebrew University	\$124,411
13	Baltimore International College	577,930
14	Capitol College	568,267
15	College of Notre Dame	1,705,271
16	Columbia Union College	1,011,869
17	George Meany Center NCL	822,233
18	Goucher College	1,895,547
19	Hood College	1,161,850
20	Johns Hopkins University	17,573,143
21	Loyola College	5,480,081
22	Maryland Institute, College of Art	1,790,063
23	McDaniel College	2,849,124
24	Mount St. Mary's College	1,857,136
25	St. John's College	749,206
26	Sojourner-Douglass College	1,282,758
27	Villa Julie College	2,607,344
28	Washington College	1,692,794

29 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding the
30 provisions of § 14-405 of the Education Article or any other provision of law, in fiscal
31 year 2004 the State General Fund appropriation to St. Mary's College of Maryland
32 shall not exceed \$14,315,970.

33 SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding the
34 provisions of § 7-325 of the State Finance and Procurement Article or any other
35 provision of law, in fiscal year 2004 the State General Fund appropriation to the State
36 Arts Council shall not exceed \$12,280,142.

37 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding the
38 provisions of Chapter 439 of the Acts of 2002 (the Budget Bill for Fiscal Year 2003),

1 Section 29, funds appropriated to the various State departments and agencies in
2 Comptroller object 0182 (Employee Transit Expenses), for the use of Baltimore area
3 transit services by State employees shall not be transferred or expended for any
4 purpose and the general fund share of all such appropriations shall revert to the
5 General Fund of the State.

6 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding the
7 provisions of § 32-205 of the State Personnel and Pensions Article, in fiscal year 2004
8 the State shall not be required to make the employer contributions to the applicable
9 State supplemental plan for participating employees in the Optional Defined
10 Contribution System.

11 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any
12 provision of law, State employees employed by any entity to which funds are
13 appropriated in the State budget shall not receive bonuses related to individual
14 performance, merit increases, or cost-of-living adjustments in fiscal year 2004. This
15 provision shall not affect salaries for constitutional officers or members of the General
16 Assembly.

17 SECTION 10. AND BE IT FURTHER ENACTED, That:

18 (a) Except as provided in subsection (b) of this section, no amounts may be
19 expended in fiscal year 2004 to pay increases over the rates in effect on January 17,
20 2003, for providers of nonpublic placements paid under § 8-406 of the Education
21 Article or for providers with rates set by the "Interagency Rates Committee" under §
22 8-417 of the Education Article.

23 (b) Payments in excess of the rates in effect on January 17, 2003, may be made
24 in fiscal year 2004 upon recommendation by the Subcabinet for Children, Youth, and
25 Families and approval of the recommendation by the Secretary of Budget and
26 Management for cases of extreme financial hardship.

27 SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any
28 other provision of law, on or before June 30, 2003, the Governor shall transfer to the
29 General Fund:

30 \$75,000,000 of the funds in the reserve for claims against the State in the
31 Injured Workers' Insurance Fund established under § 10-104 of the Labor and
32 Employment Article;

33 \$20,583,033 and \$18,073,000 of the funds in the special fund established under
34 § 13-209 of the Tax - Property Article, representing excess actual transfer tax
35 collections for fiscal years 2002 and 2003, respectively, that would otherwise be
36 allocated to the special fund for fiscal years 2004 and 2005 as provided under §
37 13-209(f)(1) of the Tax - Property Article;

38 \$29,000,000 of the funds in the accounts of the University System of Maryland;

39 \$10,000,000 of the funds in the Maryland Agricultural Land Preservation Fund
40 established under § 2-505 of the Agriculture Article;

- 1 \$1,387,090 of the funds in the Cigarette Restitution Fund established under §
2 7-317 of the State Finance and Procurement Article;
- 3 \$8,000,000 of the funds in the Waterway Improvement Fund established under
4 § 8-707 of the Natural Resources Article;
- 5 \$5,000,000 of the funds in the 911 Trust Fund established under Article 41, §
6 18-105 of the Code;
- 7 \$2,000,000 of the funds in the Homeownership Programs Fund established
8 under Article 83B, § 2-613 of the Code;
- 9 \$2,450,000 of the funds in the Smart Growth Economic Development
10 Infrastructure Fund established under Article 83A, § 5-701 of the Code;
- 11 \$550,000 of the funds in the Maryland Competitive Advantage Financing Fund
12 established under Article 83A, § 5-1302 of the Code;
- 13 \$1,000,000 of the funds in the Equity Participation Investment Program Fund
14 established under Article 83A, § 5-1047 of the Code;
- 15 \$2,000,000 of the funds in the Enterprise Fund established under Article 83A, §
16 5-502 of the Code;
- 17 \$2,000,000 of the funds in the Maryland Economic Development Assistance
18 Fund established under Article 83A, § 5-1404 of the Code;
- 19 \$2,000,000 of the funds in the account of the State Use Industries established
20 under § 3-507 of the Correctional Services Article;
- 21 \$3,000,000 of the funds in the accounts for State projects under Title 5, Subtitle
22 9 (Program Open Space) of the Natural Resources Article;
- 23 \$10,225,500 of the funds in the account of the Major Information Technology
24 Development Fund established under § 3-410.2 of the State Finance and
25 Procurement Article;
- 26 \$661,000 of the funds in the Dedicated Purpose Fund of the State Reserve Fund
27 established under § 7-310 of the State Finance and Procurement Article which
28 constitute a portion of the funds appropriated in fiscal year 2002 for the Wilson
29 Bridge and the Metrorail Extension from Addison Road to Largo Town Center;
- 30 \$327,500 of the funds in the Dedicated Purpose Fund of the State Reserve Fund
31 established under § 7-310 of the State Finance and Procurement Article which
32 constitute a portion of the funds appropriated in fiscal year 2001 for consumer
33 education of the electric utility industry restructuring;
- 34 \$1,692,000 of the funds in the Special Fund established under § 11-401 of the
35 Business Regulation Article.

1 SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any
 2 other provision of law, on or before June 30, 2004, the Governor shall transfer to the
 3 General Fund:

4 \$10,000,000 of the funds in the Waterway Improvement Fund established under
 5 § 8-707 of the Natural Resources Article;

6 \$3,000,000 of the funds in the Uninsured Division of the Maryland Automobile
 7 Insurance Fund established under § 20-201 of the Insurance Article;

8 \$2,000,000 of the funds in the account of the State Use Industries established
 9 under § 3-507 of the Correctional Services Article;

10 \$500,000 of the funds in the account of the Maryland Affordable Housing Trust
 11 established under Article 83B, § 11-102 of the Code;

12 \$393,100 of the funds in the Special Fund established under § 11-401 of the
 13 Business Regulation Article.

14 SECTION 13. AND BE IT FURTHER ENACTED, That in fiscal year 2004, if
 15 the amount of State lottery proceeds paid to the General Fund in fiscal year 2003 is
 16 less than \$441,991,000, then the Governor may transfer from the unclaimed prize
 17 fund established in § 9-122 of the State Government Article to the General Fund the
 18 lesser of:

19 (a) The difference between the amount of State lottery proceeds paid to the
 20 General Fund in fiscal year 2003 and \$441,991,000; or

21 (b) \$10,000,000.

22 SECTION 14. AND BE IT FURTHER ENACTED, That:

23 (a) For fiscal year 2004, prior to making the reimbursements required under §
 24 9-104(q) of the Tax - Property Article, the Department of Assessments and Taxation
 25 shall deduct from the funds due each county the following amounts to reimburse a
 26 portion of the State's cost of property tax administration:

27	Allegany	\$77,328
28	Anne Arundel	1,054,330
29	Baltimore City	564,840
30	Baltimore County	1,312,406
31	Calvert	176,951
32	Caroline	38,820
33	Carroll	283,760
34	Cecil	144,585
35	Charles	241,950
36	Dorchester	46,104

1	Frederick	388,249
2	Garrett	58,536
3	Harford	379,418
4	Howard	638,601
5	Kent	40,879
6	Montgomery	2,419,823
7	Prince George's	1,233,298
8	Queen Anne's	98,138
9	St. Mary's	154,180
10	Somerset	21,574
11	Talbot	110,398
12	Washington	202,367
13	Wicomico	116,555
14	Worcester	196,910

15 (b) If any amount in subsection (a) of this section exceeds the amount of funds
 16 due to a county for reimbursement of tax credit payments, no additional payment
 17 shall be required from the county under this section.

18 (c) Notwithstanding § 9-104(a-1) of the Tax - Property Article, the Governor
 19 shall not be required to include in the fiscal year 2005 budget bill a deficiency
 20 appropriation for any tax credit reimbursements to counties for fiscal year 2004.

21 SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any
 22 other provision of law, for fiscal year 2004 only, \$8,232,636 of the funds in the Joseph
 23 Fund of the State Reserve Fund established under § 7-327 of the State Finance and
 24 Procurement Article may be transferred to the Department of Human Resources for
 25 child welfare services provided by local departments of social services.

26 SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding
 27 anything to the contrary in § 8-403 of the Transportation Article or any other
 28 provision of State law, for fiscal years 2003, 2004, and 2005, only: (a) the amount to be
 29 distributed under § 8-403(b) of the Transportation Article shall be reduced by
 30 \$17,949,407 for fiscal year 2003 and \$102,440,128 for fiscal years 2004 and 2005 and
 31 those amounts shall be distributed to the General Fund; and (b) the amount to be
 32 distributed to Baltimore City under § 8-403(a) of the Transportation Article shall be
 33 limited to \$171,817,132 in fiscal year 2003 and \$170,000,000 in each of fiscal years
 34 2004 and 2005.

35 SECTION 17. AND BE IT FURTHER ENACTED, That, notwithstanding the
 36 provisions of § 8-402 of the Transportation Article or any other provision of law, in
 37 each of fiscal years 2003 and 2004, \$150,000,000 of motor vehicle registration
 38 revenues and other user fees from the Motor Vehicle Administration shall be
 39 deposited in the General Fund rather than in the Gasoline and Motor Vehicle
 40 Revenue Account of the Transportation Trust Fund or the Transportation Trust Fund,
 41 respectively. Notwithstanding the provisions of this section and except as provided in

1 Section 16 of this Act, the calculation of the local share of highway user revenues
2 pursuant to § 8-403 of the Transportation Article shall not be affected and the total
3 amount of highway user revenues for the purpose of such calculation shall be
4 calculated in accordance with the provisions of law in effect prior to the passage of
5 this Act.

6 SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding the
7 provisions of Chapter 440 of the Acts of 2002 or any other provision of law, the amount
8 to be transferred in fiscal year 2003 from the Racing Facility Redevelopment Bond
9 Fund established under § 11-1206 of the Business Regulation Article shall be
10 \$2,211,284.

11 SECTION 19. AND BE IT FURTHER ENACTED, That if any provision of this
12 Act or the application thereof to any person or circumstance is held invalid for any
13 reason in a court of competent jurisdiction, the invalidity does not affect other
14 provisions or any other application of this Act which can be given effect without the
15 invalid provision or application, and for this purpose the provisions of this Act are
16 declared severable.

17 SECTION 20. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect June 1, 2003.