

HOUSE BILL 871

Unofficial Copy  
B1

2004 Regular Session  
4r1006  
CF 4r1005

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By: **The Speaker and the Minority Leader (By Request - Administration)**

Introduced and read first time: February 9, 2004

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation Act of 2004**

3 FOR the purpose of altering the minimum required increase in a certain grant for  
4 student transportation; altering the county share of certain costs of educating  
5 certain children; altering the minimum appropriation the Governor is required  
6 to include in the annual budget for certain purposes; delaying certain  
7 distributions to certain institutions of higher education; authorizing certain  
8 transfers within certain programs; altering the beginning dates for a certain  
9 study and certain reports; altering the authorized uses of certain funds;  
10 repealing a certain required appropriation; altering certain requirements for a  
11 certain evaluation; altering the amount of certain State grants; altering the  
12 amount of certain State aid for certain institutions of higher education for a  
13 certain fiscal year; repealing a certain State program; repealing certain State  
14 grants to certain counties; requiring the reversion of certain funds in a certain  
15 year; eliminating certain employee payments in a certain year; making the  
16 provisions of this Act severable; and generally relating to the financing of State  
17 government for certain fiscal years.

18 BY repealing and reenacting, with amendments,  
19 Article - Education  
20 Section 5-205(c), 8-415(d), 16-512(a) and (b), and 17-302(c)  
21 Annotated Code of Maryland  
22 (2001 Replacement Volume and 2003 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article - Health - General  
25 Section 13-1002(e), 13-1004, 13-1015, 13-1102(f), and 13-1115(a) and (f)  
26 Annotated Code of Maryland  
27 (2000 Replacement Volume and 2003 Supplement)

28 BY repealing and reenacting, with amendments,  
29 Article - Natural Resources  
30 Section 8-709(d)  
31 Annotated Code of Maryland

- 1 (2000 Replacement Volume and 2003 Supplement)
- 2 BY repealing and reenacting, with amendments,  
3 Article - Transportation  
4 Section 13-955  
5 Annotated Code of Maryland  
6 (2002 Replacement Volume and 2003 Supplement)
- 7 BY repealing and reenacting, with amendments,  
8 Article 83A - Department of Business and Economic Development  
9 Section 4-208  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume)
- 12 BY repealing and reenacting, with amendments,  
13 Chapter 114 of the Acts of the General Assembly of 1994, as amended by  
14 Chapter 555 of the Acts of the General Assembly of 1996  
15 Section 5(a)
- 16 BY repealing and reenacting, with amendments,  
17 Chapter 17 of the Acts of the General Assembly of 2000  
18 Section 9
- 19 BY repealing and reenacting, with amendments,  
20 Chapter 635 of the Acts of the General Assembly of 2000  
21 Section 2
- 22 BY repealing and reenacting, with amendments,  
23 Chapter 440 of the Acts of the General Assembly of 2002, as amended by  
24 Chapter 203 of the Acts of the General Assembly of 2003  
25 Section 25
- 26 BY repealing  
27 Article - Education  
28 Section 5-216  
29 Annotated Code of Maryland  
30 (2001 Replacement Volume and 2003 Supplement)
- 31 BY repealing  
32 Article 24 - Political Subdivisions - Miscellaneous Provisions  
33 Section 9-1102  
34 Annotated Code of Maryland  
35 (2001 Replacement Volume and 2003 Supplement)

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

3 **Article - Education**

4 5-205.

5 (c) (1) In this subsection, "full-time equivalent enrollment" has the  
6 meaning stated in § 5-202 of this subtitle.

7 (2) Subject to the limitations under paragraph (3) of this subsection, for  
8 fiscal year 2004 and every year thereafter the amount of a county's base grant for  
9 student transportation shall be equal to the amount of the county's base grant for  
10 student transportation for the previous year increased by the same percentage as the  
11 increase in the private transportation category of the Consumer Price Index for all  
12 urban consumers, for the Washington-Baltimore metropolitan area, as of July of the  
13 fiscal year preceding the year for which the amount is being calculated, plus an  
14 additional amount equal to the product of:

15 (i) The total amount of funds distributed by the State as base  
16 grants for student transportation for the previous fiscal year divided by the statewide  
17 full-time equivalent enrollment for the previous fiscal year; and

18 (ii) The difference between the full-time equivalent enrollment in a  
19 county for the current fiscal year and the full-time equivalent enrollment in the  
20 county for the previous fiscal year, or, if the full-time equivalent enrollment in a  
21 county for the current fiscal year is less than the full-time equivalent enrollment in  
22 the county for the previous fiscal year, zero.

23 (3) The increase in the amount of a base grant for student transportation  
24 that is based on the increase in the private transportation category of the Consumer  
25 Price Index may not be less than [3] 0 percent nor more than 8 percent of the amount  
26 of the grant for the previous year.

27 8-415.

28 (d) (1) In this subsection, "basic cost" as to each county, means the average  
29 amount spent by the county from county, State, and federal sources for the public  
30 education of a nonhandicapped child. "Basic cost" does not include amounts  
31 specifically allocated and spent for identifiable compensatory programs for  
32 disadvantaged children.

33 (2) As provided in paragraphs (3) and (4) of this subsection, the State  
34 and the counties shall share collectively in the cost of educating children with  
35 disabilities in nonpublic programs under § 8-406 of this subtitle.

36 (3) (i) Subject to the limitation under subparagraph (ii) of this  
37 paragraph, for each of these children domiciled in the county, the county shall  
38 contribute for each placement the sum of:

- 1                                   1.       The local share of the basic cost;
- 2                                   2.       An additional amount equal to 200 percent of the basic  
3 cost; and
- 4                                   3.       An additional amount equal to [20 percent] THE  
5 PERCENTAGE of the approved cost or reimbursement in excess of the sum of items 1  
6 and 2 of this subparagraph AS FOLLOWS:
- 7                                   A.       25 PERCENT FOR THE FISCAL YEAR BEGINNING JULY 1,  
8 2004;
- 9                                   B.       30 PERCENT FOR THE FISCAL YEAR BEGINNING JULY 1,  
10 2005;
- 11                                  C.       40 PERCENT FOR THE FISCAL YEAR BEGINNING JULY 1,  
12 2006; AND
- 13                                  D.       50 PERCENT FOR THE FISCAL YEAR BEGINNING JULY 1,  
14 2007 AND EACH SUBSEQUENT FISCAL YEAR.

15                               (ii)       The amount that a county is required to contribute under  
16 subparagraph (i) of this paragraph may not exceed the total cost or reimbursement  
17 amount approved by the Department.

18                               (4)       For each of these children, the State shall contribute an amount  
19 equal to the amount of the approved cost or reimbursement in excess of the amount  
20 the county is required to contribute under paragraph (3) of this subsection.

21 16-512.

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

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

30                               (ii)       In fiscal year 2005, not less than an amount equal to [63.4%]  
31 60.1% of the State's General Fund appropriation per full-time equivalent student to  
32 the 4-year public institutions of higher education in the State as designated by the  
33 Commission for the purpose of administering the Joseph A. Sellinger Program under  
34 Title 17 of this article in the previous fiscal year; and

35                               (iii)       In fiscal year 2006 and each fiscal year thereafter, not less than  
36 an amount equal to 66% of the State's General Fund appropriation per full-time  
37 equivalent student to the 4-year public institutions of higher education in the State

1 as designated by the Commission for the purpose of administering the Joseph A.  
2 Sellinger Program under Title 17 of this article in the previous fiscal year.

3 (2) For purposes of this subsection, the State's General Fund  
4 appropriation per full-time equivalent student to the 4-year public institutions of  
5 higher education in the State for the previous fiscal year shall reflect any  
6 amendments or reductions to the appropriation for the previous fiscal year.

7 (b) Notwithstanding subsection (a) of this section, the State appropriation to  
8 Baltimore City Community College requested by the Governor may not be less than  
9 the State appropriation to the College [requested by the Governor] in the previous  
10 fiscal year.

11 17-302.

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

13 (1) Only with respect to pledged amounts that are paid by the eligible  
14 private donor to:

15 (i) Bowie State University, Coppin State College, Morgan State  
16 University, and University of Maryland Eastern Shore before January 1, 2006; and

17 (ii) All other eligible institutions before July 1, 2004; and

18 (2) (i) To Bowie State University, Coppin State College, Morgan State  
19 University, and the University of Maryland Eastern Shore, in the fiscal year following  
20 the fiscal year during which the amounts are paid by eligible private donors; and

21 (ii) To all other eligible institutions, in equal installments in fiscal  
22 years [2005,] 2006, 2007, [and 2008] 2008, AND 2009.

23 **Article - Health - General**

24 13-1002.

25 (e) (1) The annual budget bill shall specify the amount of funding that is  
26 allocated to each component of the Program.

27 (2) Except as provided in paragraph (3) of this subsection, money that is  
28 allocated to a component of the Program in the State budget:

29 (i) May only be expended for the purpose for which it is  
30 appropriated; and

31 (ii) May not be transferred to any other component of the Program,  
32 any other program in the Department, or any other unit of State government.

33 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the  
34 Department may transfer a maximum of 10% of the total amount of money that is

1 allocated to the Program in the State budget among components of the Program [if  
2 the transfer is specifically authorized in the annual budget bill as enacted].

3 (ii) The Department may not transfer money to the Administrative  
4 Component from any other component of the Program.

5 (iii) If the Department transfers any money among the components  
6 of the Program as authorized under subparagraph (i) of this paragraph, the  
7 Department shall report the transfer to the Senate Budget and Taxation Committee,  
8 Senate Finance Committee, House Appropriations Committee, and House  
9 Environmental Matters Committee within 60 days of the transfer.

10 (iv) The Department may transfer money that is allocated to a  
11 component of the Program in the State budget to another program in the Department,  
12 or another unit of State government if the transfer is specifically authorized by:

13 1. A provision of this subtitle; or

14 2. A provision of the annual budget bill as enacted that  
15 relates specifically to the transfer of funds from that component.

16 13-1004.

17 (a) Beginning in fiscal year [2005] 2006 and in every second year thereafter,  
18 the Department shall conduct a Tobacco Study which shall measure the same factors  
19 that are set forth in § 13-1003(c) of this subtitle and use the same methodology or  
20 model that was used for the Baseline Tobacco Study.

21 (b) To carry out the evaluation and surveillance functions of this subtitle, the  
22 Department may conduct any other tobacco study measuring the factors set forth in §  
23 13-1003(c) of this subtitle and using a methodology or model that is consistent with  
24 but need not be identical to that used to conduct the Baseline Tobacco Study.

25 (c) (1) Subject to paragraphs (2) through (4) of this subsection, the  
26 Department shall contract with a higher education institution or private entity to  
27 conduct the Biennial Tobacco Study.

28 (2) The Department shall issue a request for proposal to select the entity  
29 that will conduct the Biennial Tobacco Study.

30 (3) The Department may contract with an entity to conduct one or more  
31 biennial tobacco studies.

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

34 (d) On or before September 1 of each [even numbered] ODD-NUMBERED  
35 fiscal year, beginning in fiscal year [2006] 2007, the Department shall submit a  
36 report to the Governor and, subject to § 2-1246 of the State Government Article, the  
37 General Assembly on the results of the Biennial Tobacco Study.

1 13-1015.

2 For fiscal year 2005 and each fiscal year thereafter, the Governor shall include  
3 at least [\$21,000,000] \$12,000,000 in the annual budget in appropriations for  
4 activities aimed at reducing tobacco use in Maryland as recommended by the Centers  
5 for Disease Control and Prevention, including:

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

8 (2) Media campaigns educating the public about the dangers of  
9 secondhand smoke exposure;

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

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

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

14 13-1102.

15 (f) (1) The annual budget bill shall specify the amount of funding that is  
16 allocated to each component of the Program.

17 (2) Except as provided in paragraph (3) of this subsection, money that is  
18 allocated to a component of the Program in the State budget:

19 (i) May only be expended for the purpose for which it is  
20 appropriated; and

21 (ii) May not be transferred to any other component in the Program,  
22 any other program in the Department, or any unit of State government.

23 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the  
24 Department may transfer a maximum of 10% of the total amount of money that is  
25 allocated to the Program among the components of the Program [if the transfer is  
26 specifically authorized in the annual budget bill as enacted].

27 (ii) The Department may not transfer funds to the Statewide  
28 Academic Health Center Component or the Administrative Component from any  
29 other component of the Program.

30 (iii) If the Department transfers any money among the components  
31 of the Program as authorized under subparagraph (i) of this paragraph, the  
32 Department shall report the transfer to the Senate Budget and Taxation Committee,  
33 Senate Finance Committee, House Appropriations Committee, and House  
34 Environmental Matters Committee within 60 days after the transfer.

1 (iv) The Department may transfer money that is allocated to a  
2 component of the Program in the State budget to another program in the Department  
3 or another unit of State government if the transfer is specifically authorized by:

4 1. A provision of this subtitle; or

5 2. A provision of the annual budget bill as enacted that  
6 relates specifically to the transfer of funds from that component.

7 13-1115.

8 (a) (1) Subject to the other provisions of this section, the University of  
9 Maryland Medical Group and the Johns Hopkins Institutions may each apply for a  
10 Statewide Academic Health Center Public Health Grant.

11 (2) The amount of each Statewide Academic Health Center Public  
12 Health Grant that is distributed to the University of Maryland Medical Group or the  
13 Johns Hopkins Institutions, respectively, shall be equal to the sum of:

14 (i) [\$2,000,000] 9.5% OF TOTAL PUBLIC HEALTH TOBACCO  
15 GRANTS AND THE STATEWIDE ACADEMIC HEALTH CENTER PUBLIC HEALTH GRANTS;  
16 and

17 (ii) One-half of any money that is transferred from the Local Public  
18 Health Component to the Statewide Academic Health Center Component under §  
19 13-1108(c) of this subtitle.

20 (f) (1) Rather than distributing a Statewide Academic Health Center Public  
21 Health Grant to the University of Maryland Medical Group or the Johns Hopkins  
22 Institutions under this section, the Department may distribute to the Baltimore City  
23 Health Department or another person designated by the Department a Local Public  
24 Health Cancer Grant for the purpose of coordinating Baltimore City's cancer  
25 prevention, education, screening, and treatment efforts if:

26 (i) The University of Maryland Medical Group or the Johns  
27 Hopkins Institutions are unwilling to coordinate these efforts;

28 (ii) The University of Maryland Medical Group or the Johns  
29 Hopkins Institutions have been unsuccessful in implementing cancer prevention,  
30 education, screening, and treatment initiatives that satisfy performance standards  
31 established by the Department; or

32 (iii) The University of Maryland Medical Group or the Johns  
33 Hopkins Institutions lack sufficient staff or resources to coordinate these efforts.

34 (2) If the Department distributes a Local Public Health Cancer Grant to  
35 the Baltimore City Health Department or another person designated by the  
36 Department under this subsection rather than distributing a Statewide Academic  
37 Health Center Public Health Grant to the University of Maryland Medical Group, the  
38 amount of the Grant shall equal the sum of:



1 (i) [\$2,000,000] 9.5% OF TOTAL LOCAL PUBLIC HEALTH CANCER  
2 GRANTS AND THE STATEWIDE ACADEMIC HEALTH CENTER PUBLIC HEALTH GRANTS;  
3 and

4 (ii) One-half of any money that is transferred from the Local Public  
5 Health Component to the Statewide Academic Health Center Component under §  
6 13-1108(c) of this subtitle.

7 (3) If the Department distributes a Local Public Health Cancer Grant to  
8 the Baltimore City Health Department or another person designated by the  
9 Department under this subsection rather than distributing a Statewide Academic  
10 Health Center Public Health Grant to the Johns Hopkins Institutions, the amount of  
11 the Grant shall equal the sum of:

12 (i) [\$2,000,000] 9.5% OF TOTAL LOCAL PUBLIC HEALTH CANCER  
13 GRANTS AND THE STATEWIDE ACADEMIC HEALTH CENTER PUBLIC HEALTH GRANTS;  
14 and

15 (ii) One-half of any money that is transferred from the Local Public  
16 Health Component to the Statewide Academic Health Center Component under §  
17 13-1108(c) of this subtitle.

18 (4) The Department shall use money that is allocated to the Statewide  
19 Academic Health Center Component in the State budget or transferred to the  
20 Statewide Academic Health Center Component under § 13-1108(c) of this subtitle to  
21 fund a Local Public Health Cancer Grant that is distributed to the Baltimore City  
22 Health Department or another person designated by the Department under this  
23 subsection.

24 (5) If the Baltimore City Health Department or another person  
25 designated by the Department applies for a Local Public Health Cancer Grant as  
26 authorized under this subsection, the Baltimore City Health Department or other  
27 person shall comply with the requirements of §§ 13-1107 through 13-1113 of this  
28 subtitle.

29 (6) Subject to paragraph (7) of this subsection, the Department shall  
30 establish procedures for making a designation under this subsection.

31 (7) If the Department determines that it is necessary to designate a  
32 person other than the Baltimore City Health Department to coordinate the city's  
33 cancer prevention, education, screening, and treatment efforts as authorized under  
34 this subsection, the Department may designate the Department as the entity that  
35 will coordinate the city's efforts.

36 **Article - Natural Resources**

37 8-709.

38 (d) Notwithstanding the provisions of subsection (a) of this section, [for each  
39 of fiscal years 2003 and 2004,] as provided in the State budget, the Department may

1 use the moneys in the Waterway Improvement Fund for administrative expenses  
2 directly relating to implementing the purposes of the Waterway Improvement Fund.

3

### Article - Transportation

4 13-955.

5 (a) In this section, "Fund" means the Maryland Emergency Medical System  
6 Operations Fund.

7 (b) (1) There is a Maryland Emergency Medical System Operations Fund.

8 (2) The Fund is a continuing, nonlapsing fund which is not subject to §  
9 7-302 of the State Finance and Procurement Article.

10 (3) Interest and earnings on the Fund shall be separately accounted for  
11 and credited to the Fund, and are not subject to § 6-226(a) of the State Finance and  
12 Procurement Article.

13 (c) The Fund consists of:

14 (1) Registration surcharges collected under § 13-954 of this subtitle; and

15 (2) All funds, including charges for accident scene transports and  
16 interhospital transfers of patients, generated by an entity specified in subsection (e)  
17 of this section that is a unit of State government.

18 (d) Expenditures from the Fund shall be made pursuant to an appropriation  
19 approved by the General Assembly in the annual State budget or by the budget  
20 amendment procedure provided under § 7-209 of the State Finance and Procurement  
21 Article, provided that any budget amendment shall be submitted to and approved by  
22 the Legislative Policy Committee prior to the expenditure or obligation of funds.

23 (e) The money in the Fund shall be used solely for:

24 (1) Medically oriented functions of the Department of State Police,  
25 Special Operations Bureau, Aviation Division;

26 (2) The Maryland Institute for Emergency Medical Services Systems;

27 (3) The R Adams Cowley Shock Trauma Center at the University of  
28 Maryland Medical System;

29 (4) The Maryland Fire and Rescue Institute;

30 (5) The provision of grants under the Senator William H. Amoss Fire,  
31 Rescue, and Ambulance Fund in accordance with the provisions of Title 8, Subtitle 1  
32 of the Public Safety Article; and

1           (6)     The [Low Interest Revolving Loan Account under the] Volunteer  
2 Company Assistance Fund in accordance with the provisions of Title 8, Subtitle 2 of  
3 the Public Safety Article.

4                           **Article 83A - Department of Business and Economic Development**

5 4-208.

6       (a)     There is a Maryland Tourism Development Board Fund.

7       (b)     The Fund is established to provide a continuing fund for the Board to fund  
8 programs relating to the planning, advertising, promotion, assistance, and  
9 development of the tourism industry in the State.

10      (c)     The Fund is a special, continuous, nonlapsing fund that is not subject to §  
11 7-302 of the State Finance and Procurement Article.

12      (d)     The Treasurer shall invest and reinvest the Fund in the same manner as  
13 other State funds and credit any investment earnings to the General Fund.

14      (e)     The Fund consists of:

15           (1)     Moneys appropriated in the State budget to the Fund; and

16           (2)     All funds accepted by the Board in accordance with § 4-206 of this  
17 subtitle.

18      (f)     Expenditures from the Fund may be made only by the Board in accordance  
19 with an appropriation.

20      (g)     (1)     In this subsection, "Governor's proposed General Fund  
21 appropriation" means the General Fund appropriation included by the Governor in  
22 the annual budget bill as submitted to the General Assembly, including any proposed  
23 supplemental budget, before any amendment by the General Assembly.

24           (2)     The Governor shall include in the annual budget bill a proposed  
25 General Fund appropriation to the Fund in an amount not less than:

26           (i)     \$6,000,000, for fiscal year 2003;

27           (ii)    \$6,000,000, for fiscal year 2004;

28           (iii)   [\$7,000,000] \$5,497,549, for fiscal year 2005 [and fiscal year  
29 2006, respectively; and];

30           (IV)    \$7,000,000, FOR FISCAL YEAR 2006; AND

31           [(iv)]   (V)     \$8,500,000, for fiscal year 2007 and each fiscal year  
32 thereafter.

1 (3) For each fiscal year, in addition to any appropriation for tourism  
2 marketing from the Maryland Tourism Development Board Fund, the Governor shall  
3 include in the annual budget bill submitted to the General Assembly a General Fund  
4 appropriation for the Office of Tourism Development in an amount not less than the  
5 amount of the Governor's proposed General Fund appropriation for the Office of  
6 Tourism Development for fiscal year 2001.

7 **Chapter 114 of the Acts of 1994, as amended by Chapter 555 of the Acts of**  
8 **1996**

9 SECTION 5. AND BE IT FURTHER ENACTED, That:

10 (a) Of the fees generated and paid into the Lead Poisoning Prevention Fund  
11 under § 6-843 of the Environment Article, as enacted by this Act, for fiscal years 1996  
12 and 1997 only, 50% of those fees, up to a maximum of \$750,000 per fiscal year, shall  
13 be dedicated to the Community Outreach and Education Program established under §  
14 6-848 of the Environment Article, as enacted by this Act; and starting in fiscal year  
15 [1998, at least \$750,000 per fiscal year shall be dedicated to the Community  
16 Outreach and Education Program] 2005, FUNDING SHALL BE PROVIDED FOR THE  
17 COMMUNITY OUTREACH AND EDUCATION PROGRAM AS PROVIDED IN THE STATE  
18 BUDGET.

19 **Chapter 17 of the Acts of 2000**

20 SECTION 9. AND BE IT FURTHER ENACTED, That a comprehensive  
21 evaluation of the Tobacco Use Prevention and Cessation Program and the Cancer  
22 Prevention, Education, Screening, and Treatment Program established in this Act  
23 shall be conducted [at the end of fiscal year 2004] WITHIN 18 MONTHS OF AN  
24 APPROPRIATION FOR THE EVALUATION. The comprehensive evaluation shall be  
25 conducted by a higher education institution or private entity. The Department shall  
26 issue a request for proposal to select the entity that will conduct the comprehensive  
27 evaluation. The comprehensive evaluation shall include an evaluation of: (1) the  
28 administration of the Programs; and (2) the effectiveness of the Programs, including  
29 an analysis of: (i) whether appropriate benchmarks based on objective performance  
30 measures have been met; and (ii) the extent to which the short-term and long-term  
31 goals established under §§ 13-1007 and 13-1109 of the Health - General Article have  
32 been met. No later than [February 1, 2004] 2 MONTHS AFTER AN APPROPRIATION  
33 FOR THE EVALUATION, the Department shall submit a proposed request for proposal  
34 for the comprehensive evaluation to the Senate Budget and Taxation Committee,  
35 Senate Finance Committee, House Appropriations Committee, and House  
36 Environmental Matters Committee for review and comment. Based on the results of  
37 the comprehensive evaluation, the Department shall consider whether the Programs  
38 should be modified in any way. No later than [November 1, 2004] 6 MONTHS AFTER  
39 THE END OF THE 18-MONTH EVALUATION PERIOD, the Department shall submit a  
40 report to the Governor and, subject to § 2-1246 of the State Government Article, the  
41 General Assembly that includes the results of the comprehensive evaluation and the  
42 Department's recommendations regarding modifications to the Programs.

1

**Chapter 635 of the Acts of 2000**

2 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall  
3 include [\$500,000] \$400,000 in the State budget for fiscal year [2002] 2005, and each  
4 fiscal year thereafter, for the Senior Citizens Activities Center Operating Fund.

5

**Chapter 440 of the Acts of 2002, as amended by Chapter 203 of the Acts of  
2003**

6

7 SECTION 25. AND BE IT FURTHER ENACTED, That notwithstanding §  
8 16-317 of the Education Article or any other provision of law, the portion of fiscal year  
9 2002 and 2003 payments required under § 16-317 of the Education Article for private  
10 technology donation incentives that are not funded in the fiscal 2003 budget OR THE  
11 FISCAL YEAR 2005 BUDGET shall be deferred until fiscal year [2005] 2006.

12 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5-216 of  
13 Article - Education of the Annotated Code of Maryland be repealed.

14 SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 9-1102 of  
15 Article 24 - Political Subdivisions - Miscellaneous Provisions of the Annotated Code  
16 of Maryland be repealed.

17 SECTION 4. AND BE IT FURTHER ENACTED, That the unexpended  
18 appropriations for the following purposes that were included in the fiscal year 2004  
19 operating budget (Chapter 202, Acts of 2003) are reduced by the amounts indicated  
20 below and are hereby transferred to the State General Fund:

21 Fiscal			Amount of Reduction
22 Year	Program	Entitled	General Funds
23 2004	D25E03.02	Board of Public Works - Interagency Committee for School Construction - Aging School Programs	2,923,440
24			
25			
26 2004	M00Q01.03	Medical Care Programs Administration - Medical Care Provider Reimbursements	31,300,000
27			
28			
29 2004	W00A01.01	Maryland State Police - Office of the Superintendent	4,899,660
30			
31 2004	W00A01.02	Maryland State Police - Field Operations Bureau	52,139,981
32			
33 2004	W00A01.03	Maryland State Police - Support Services Bureau	20,917,560
34			
35 2004	W00A01.04	Maryland State Police - Administrative Services Bureau	7,724,085
36			
37 2004	W00A01.10	Maryland State Police - Information Technology and Communications Bureau	4,372,781
38			
39			

1 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 2 provisions of § 7-325 of the State Finance and Procurement Article or any other  
 3 provision of law, for fiscal year 2005, the State General Fund appropriation to the  
 4 State Arts Council is not required to exceed \$10,997,334.

5 SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 6 provisions of Article 83A, § 4-208 of the Code or any other provision of law, for fiscal  
 7 year 2005, the State General Fund appropriation to the Office of Tourism  
 8 Development is not required to exceed \$5,955,550.

9 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 10 provisions of §§ 32-205 and 32-206 of the State Personnel and Pensions Article, for  
 11 fiscal year 2005, the State is not required to make the employer contributions to the  
 12 applicable State supplemental plan for participating employees in the Optional  
 13 Defined Contribution System.

14 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 15 provisions of § 17-104 of the Education Article or any other provision of law, the  
 16 appropriations for fiscal year 2005 required under § 17-104 of the Education Article  
 17 shall be as follows:

18 Baltimore Hebrew University	\$73,888
19 Baltimore International College	462,095
20 Capitol College	326,434
21 College of Notre Dame	1,169,465
22 Columbia Union College	716,560
23 George Meany Center NCL	500,645
24 Goucher College	1,397,080
25 Hood College	865,181
26 Johns Hopkins University	12,899,539
27 Loyola College	3,781,324
28 Maryland Institute, College of Art	1,326,515
29 McDaniel College	1,971,951
30 Mount St. Mary's College	1,305,405
31 St. John's College	537,842
32 Sojourner-Douglass College	892,513
33 Villa Julie College	1,973,185
34 Washington College	1,275,766

35 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 36 provisions of § 16-317 of the Education Article or Chapter 440 of the Acts of 2002, as  
 37 amended by Chapter 203 of the Acts of 2003, or any other provision of law, the  
 38 payments for fiscal year 2005 to eligible institutions required under § 16-317 of the  
 39 Education Article shall be as follows:

40 Allegany	\$66,500
41 Anne Arundel	87,869
42 Baltimore City	57,120
43 Carroll	68,626
44 Cecil	96,713

1 Prince Frederick	81,464
2 La Plata	34,260
3 Leonardtown	54,983
4 Chesapeake	75,551
5 Catonsville	59,394
6 Dundalk	79,090
7 Essex	60,338
8 Frederick	97,846
9 Garrett	95,897
10 Hagerstown	85,460
11 Harford	100,542
12 Howard	100,816
13 Germantown	51,674
14 Rockville	57,286
15 Takoma Park	83,467
16 Prince George's	101,253
17 Wor-Wic	36,233

18 SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 19 provisions of § 14-405 of the Education Article or any other provision of law, in fiscal  
 20 year 2005, the State General Fund appropriation to St. Mary's College of Maryland  
 21 shall be \$13,682,871.

22 SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 23 provisions of § 16-305 of the Education Article or any other provision of law, in fiscal  
 24 year 2005, each Board that received funding under § 16-305(c)(6)(ii) of the Education  
 25 Article in fiscal year 2004 shall receive the same share of the size factor in fiscal year  
 26 2005.

27 SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding the  
 28 provisions of Article 88A, §§ 94 and 95 of the Code or any other provision of law, in  
 29 fiscal years 2005 and 2006, there shall be no appropriation for the Individual  
 30 Development Account Demonstration Project.

31 SECTION 13. AND BE IT FURTHER ENACTED, That if any provision of this  
 32 Act or the application thereof to any person or circumstance is held invalid for any  
 33 reason in a court of competent jurisdiction, the invalidity does not affect other  
 34 provisions or any other application of this Act which can be given effect without the  
 35 invalid provision or application, and for this purpose the provisions of this Act are  
 36 severable.

37 SECTION 14. AND BE IT FURTHER ENACTED, That this Act shall take  
 38 effect June 1, 2004.