

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 793

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 3 down through “of” in line 4 and substitute “establishing”; in line 4, after “Program;” insert “stating the intent of the General Assembly; requiring that certain grantees provide and expend a matching fund prior to the award of certain grants;”; in line 7, after “Commission;” insert “establishing the Maryland Public Art Fund; providing for the purpose of the Fund; specifying that the Fund is a special, nonlapsing fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; specifying that certain earnings shall be paid into the Fund, providing for the composition of the Fund; requiring the Commission to administer the Fund; providing that money in the Fund may only be used for certain purposes; providing for the termination of this Act;”; strike beginning with “requiring” in line 8 down through “Program;” in line 9; strike in their entirety lines 11 through 15, inclusive; and in line 23, strike “4-6A-03” and substitute “4-6A-04”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 26, inclusive.

AMENDMENT NO. 3

On page 3, strike lines 28 and 29 in their entirety and substitute:

“(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, BEGINNING IN FISCAL YEAR 2007 AND IN EACH YEAR THEREAFTER, THE GOVERNOR SHALL APPROPRIATE AN AMOUNT NOT TO EXCEED \$500,000 FOR THE PROGRAM.

“(C) PROGRAM FUNDS SHALL BE USED FOR:”;

in line 32, strike “MAINTENANCE” and substitute “PRESERVATION”; in the same line, after

(Over)

“ASSETS” insert “INCLUDING ASSETS OF THE MARYLAND COMMISSION ON PUBLIC ART”.

AMENDMENT NO. 4

On page 4, strike beginning with “THAT” in line 1 down through “BUDGET” in line 2; in line 3, strike “(C)” and substitute “(D)”; in line 12, strike beginning with “SECTION” through the second “THIS”; and in the same line, strike the comma.

AMENDMENT NO. 5

On page 5, after line 15, insert:

“(A) THERE IS A MARYLAND PUBLIC ART FUND.

(B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDS TO IMPLEMENT THE MARYLAND PUBLIC ART INITIATIVE PROGRAM.

(C) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(D) THE TREASURER SHALL HOLD THE FUND AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE PROCEEDS OF THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER AS OTHER STATE FUNDS.

(F) ANY INVESTMENT EARNINGS SHALL BE PAID INTO THE FUND.

(G) THE FUND CONSISTS OF:

(1) APPROPRIATIONS IN THE STATE BUDGET; AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(H) THE COMMISSION SHALL ADMINISTER THE FUND.

(I) MONEY IN THE FUND MAY ONLY BE EXPENDED TO CARRY OUT THE PURPOSES OF THIS SUBTITLE.

(J) EXPENDITURES FROM THE FUND MAY ONLY BE MADE IN ACCORDANCE WITH AN APPROPRIATION APPROVED BY THE GENERAL ASSEMBLY IN THE ANNUAL STATE BUDGET OR BY AN APPROVED BUDGET AMENDMENT.

(K) (1) PRIOR TO THE AWARD OF ANY GRANT UNDER THIS SUBTITLE, THE GRANTEE SHALL PROVIDE AND EXPEND A MATCHING FUND.

(2) NO PART OF THE GRANTEE'S MATCHING FUND MAY BE PROVIDED, EITHER DIRECTLY OR INDIRECTLY, FROM FUNDS OF THE STATE, WHETHER APPROPRIATED OR UNAPPROPRIATED.

(3) NO PART OF THE GRANTEE'S MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE DATE THE GRANT IS AWARDED.

4-6A-04.”;

in line 21, strike “PROGRAM” and substitute “MARYLAND PUBLIC ART FUND”; in line 26, strike “PROGRAM FUNDS” and substitute “THE MARYLAND PUBLIC ART FUND”; and in line 30, after “TRUST” insert “, IN COOPERATION WITH THE DEPARTMENT OF GENERAL SERVICES”.

AMENDMENT NO. 6

On page 5, in line 35, after “2005.” insert “It shall remain effective for a period of 5 years and, at the end of May 31, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

(Over)