

SENATE BILL 1021

B1

71r3416

By: **Senator Stoltzfus**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 9, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation Act of 2007**

3 FOR the purpose of altering certain provisions relating to State aid to certain local
4 governments; altering certain provisions requiring the Governor to include
5 certain appropriations in the annual Budget Bill; altering the calculation of
6 certain State aid for public elementary and secondary education; altering the
7 calculation of certain State funding for community colleges, the Baltimore City
8 Community College, and certain nonpublic institutions of higher education;
9 altering the calculation of certain State funding for local health services;
10 requiring the Department of Health and Mental Hygiene to establish a
11 premium plan for Maryland Medical Assistance Program recipients as
12 authorized by and subject to the restrictions under a certain federal act;
13 repealing certain obsolete provisions; and generally relating to the financing of
14 State government.

15 BY repealing and reenacting, with amendments,
16 Article 24 – Political Subdivisions – Miscellaneous Provisions
17 Section 9–1101(a)(1) and 9–1102(a) and (b)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2006 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article 41 – Governor – Executive and Administrative Departments
22 Section 13–513(c)(5)(i)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2003 Replacement Volume and 2006 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article 83A – Department of Business and Economic Development
5 Section 4–208(g)
6 Annotated Code of Maryland
7 (2003 Replacement Volume and 2006 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 5–202(a)(13), 16–305(c)(1)(i), 16–512(a)(1), and 17–104(a)
11 Annotated Code of Maryland
12 (2006 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 2–302(b) and 15–103(a)(3)
16 Annotated Code of Maryland
17 (2005 Replacement Volume and 2006 Supplement)

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

20 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

21 9–1101.

22 (a) (1) For each fiscal year, the Comptroller shall distribute to a county
23 **AN AMOUNT EQUAL TO 95% OF** the amount determined for [each] **THAT** county
24 under **SUBSECTION (B) OF** this section.

25 9–1102.

26 (a) [Except as provided in subsection (b) of this section, for] **FOR** each fiscal
27 year **THAT BEGINS ON OR BEFORE JULY 1, 2009**, the State shall pay **THE**
28 **PERCENTAGE SPECIFIED IN SUBSECTION (B) OF THIS SECTION OF** the following
29 amounts to the following counties to reimburse the counties partially for the costs of
30 the property tax exemption under § 7–237 of the Tax – Property Article:

31 Anne Arundel

\$7,820,202

| | | |
|----|-----------------|-----------|
| 1 | Baltimore City | 453,421 |
| 2 | Baltimore | 1,794,835 |
| 3 | Calvert | 6,096,574 |
| 4 | Charles | 2,522,612 |
| 5 | Dorchester | 187,442 |
| 6 | Garrett | 11,907 |
| 7 | Harford | 860,767 |
| 8 | Montgomery | 2,765,553 |
| 9 | Prince George's | 7,744,806 |
| 10 | Washington | 357,082 |

11 (b) [For the fiscal year that begins on July 1, 2000, the State shall pay 50%
 12 of] **OF** the amounts specified in subsection (a) of this section, **THE STATE SHALL PAY:**

13 (1) **75% FOR THE FISCAL YEAR THAT BEGINS ON JULY 1, 2007;**

14 (2) **50% FOR THE FISCAL YEAR THAT BEGINS ON JULY 1, 2008;**

15 **AND**

16 (3) **25% FOR THE FISCAL YEAR THAT BEGINS ON JULY 1, 2009.**

17 **Article 41 – Governor – Executive and Administrative Departments**

18 13–513.

19 (c) (5) (i) In order to assist the Corporation in meeting the
 20 requirement specified in paragraph (4) of this subsection, the Governor shall include
 21 each year in the budget bill an appropriation to the Corporation for rural business
 22 development and assistance as follows:

23 1. For fiscal year 2008, [\$3,000,000] **\$1,500,000;**

24 2. For fiscal year 2009, [\$3,500,000] **\$2,000,000;** and

1 1. [In fiscal year 2007, not less than an amount equal to
2 25% of the State's General Fund appropriation per full-time equivalent student to the
3 4-year public institutions of higher education in the State as designated by the
4 Commission for the purpose of administering the Joseph A. Sellinger Program under
5 Title 17 of this article in the previous fiscal year;

6 2.] In fiscal year 2008, not less than an amount equal to
7 [25.5%] **23.5%** of the State's General Fund appropriation per full-time equivalent
8 student to the 4-year public institutions of higher education in the State as designated
9 by the Commission for the purpose of administering the Joseph A. Sellinger Program
10 under Title 17 of this article in the previous fiscal year;

11 [3.] **2.** In fiscal year 2009, not less than an amount equal to
12 [26.25%] **24.25%** of the State's General Fund appropriation per full-time equivalent
13 student to the 4-year public institutions of higher education in the State as designated
14 by the Commission for the purpose of administering the Joseph A. Sellinger Program
15 under Title 17 of this article in the previous fiscal year;

16 [4.] **3.** In fiscal year 2010, not less than an amount equal to
17 [27%] **25%** of the State's General Fund appropriation per full-time equivalent student
18 to the 4-year public institutions of higher education in the State as designated by the
19 Commission for the purpose of administering the Joseph A. Sellinger Program under
20 Title 17 of this article in the previous fiscal year;

21 [5.] **4.** In fiscal year 2011, not less than an amount equal to
22 [28%] **26%** of the State's General Fund appropriation per full-time equivalent student
23 to the 4-year public institutions of higher education in the State as designated by the
24 Commission for the purpose of administering the Joseph A. Sellinger Program under
25 Title 17 of this article in the previous fiscal year;

26 [6.] **5.** In fiscal year 2012, not less than an amount equal to
27 [29%] **27%** of the State's General Fund appropriation per full-time equivalent student
28 to the 4-year public institutions of higher education in the State as designated by the
29 Commission for the purpose of administering the Joseph A. Sellinger Program under
30 Title 17 of this article in the previous fiscal year; and

31 [7.] **6.** In fiscal year 2013 and in each fiscal year thereafter,
32 not less than an amount equal to [30%] **28%** of the State's general fund appropriation
33 per full-time equivalent student to the 4-year public institutions of higher education
34 in the State as designated by the Commission for the purpose of administering the
35 Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year.

1 16-512.

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

5 (i) [In fiscal year 2007, not less than an amount equal to 66% of
6 the State's General Fund appropriation per full-time equivalent student to the 4-year
7 public institutions of higher education in the State as designated by the Commission
8 for the purpose of administering the Joseph A. Sellinger Program under Title 17 of
9 this article in the previous fiscal year;

10 (ii) In fiscal year 2008, not less than an amount equal to
11 [66.5%] **63.7%** of the State's General Fund appropriation per full-time equivalent
12 student to the 4-year public institutions of higher education in the State as designated
13 by the Commission for the purpose of administering the Joseph A. Sellinger Program
14 under Title 17 of this article in the previous fiscal year;

15 [(iii)] (II) In fiscal year 2009, not less than an amount equal to
16 [67.25%] **64.45%** of the State's General Fund appropriation per full-time equivalent
17 student to the 4-year public institutions of higher education in the State as designated
18 by the Commission for the purpose of administering the Joseph A. Sellinger Program
19 under Title 17 of this article in the previous fiscal year;

20 [(iv)] (III) In fiscal year 2010, not less than an amount equal to
21 [68%] **65.2%** of the State's General Fund appropriation per full-time equivalent
22 student to the 4-year public institutions of higher education in the State as designated
23 by the Commission for the purpose of administering the Joseph A. Sellinger Program
24 under Title 17 of this article in the previous fiscal year;

25 [(v)] (IV) In fiscal year 2011, not less than an amount equal to
26 [69%] **66.2%** 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 designated
28 by the Commission for the purpose of administering the Joseph A. Sellinger Program
29 under Title 17 of this article in the previous fiscal year;

30 [(vi)] (V) In fiscal year 2012, not less than an amount equal to
31 [70%] **67.2%** of the State's General Fund appropriation per full-time equivalent
32 student to the 4-year public institutions of higher education in the State as designated
33 by the Commission for the purpose of administering the Joseph A. Sellinger Program
34 under Title 17 of this article in the previous fiscal year; and

1 [(vii)] (VI) In fiscal year 2013 and in each fiscal year thereafter,
2 not less than an amount equal to [71%] **68.2%** of the State's General Fund
3 appropriation per full-time equivalent student to the 4-year public institutions of
4 higher education in the State as designated by the Commission for the purpose of
5 administering the Joseph A. Sellinger Program under Title 17 of this article in the
6 previous fiscal year.

7 17-104.

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

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

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

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

22 [(iii)] In fiscal year [2006] **2008** and each fiscal year thereafter,
23 an amount not less than [16%] **12.5%** of the State's General Fund per full-time
24 equivalent student appropriation to the 4-year public institutions of higher education
25 in this State for the preceding fiscal year.

26 Article - Health - General

27 2-302.

28 (b) The funding shall be:

29 (1) [\$41.0 million] **\$63,667,951** for fiscal year [1997] **2008**; and

1 (2) For fiscal year [1998] **2009** and each subsequent fiscal year, the
2 amount of funding for fiscal year [1997] **2008** adjusted for:

3 (i) Inflation, as measured by the Consumer Price Index — all
4 urban consumers for the second preceding fiscal year, calculated by the U.S.
5 Department of Commerce; and

6 (ii) Population growth, as measured by the growth in the total
7 population of the State of Maryland for the second preceding fiscal year, according to
8 the most recent statistics available through the Department of Health and Mental
9 Hygiene.

10 15–103.

11 (a) (3) **(I)** Subject to restrictions in federal law or waivers, the
12 Department may impose cost-sharing on Program recipients.

13 **(II) AS AUTHORIZED BY AND SUBJECT TO THE**
14 **RESTRICTIONS UNDER THE FEDERAL DEFICIT REDUCTION ACT OF 2005 (P.L.**
15 **109–171), THE DEPARTMENT SHALL ESTABLISH A PREMIUM PLAN FOR**
16 **PROGRAM RECIPIENTS.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2007.