

SB0001/949430/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 8 down through “purposes” in line 12 and substitute “authorizing a county governing body to enter into an agreement with the owner of a facility for the generation of electricity that is located or locates in the county for a negotiated payment by the owner in lieu of taxes on the facility; providing that property tax revenues in an amount equal to payments that a county would have been entitled to receive under a certain provision of law shall be excluded from a certain calculation; altering the percentage of certain State funds that may be used for certain capital improvements under certain circumstances; repealing certain provisions relating to the amount of certain funds available for certain capital improvements that may be used to operate certain forests and parks; requiring at least a certain amount of certain funds to be used to reduce a certain backlog of projects in State parks; limiting the amount of a supersedeas bond required to stay the enforcement of a judgment in certain actions under certain circumstances; altering the purpose for which the Circuit Court Real Property Records Improvement Fund may be used; repealing a certain termination provision; providing that the Comptroller’s appointment of the Chief of the Bureau of Revenue Estimates is subject to the approval of the Board of Revenue Estimates; providing that the Chief may be removed only by a majority of the Board for certain reasons; providing that the Chief is subject to the supervision of a certain Deputy Comptroller, except under certain circumstances; providing for the appointment of other employees of the Bureau by the Chief; requiring the Bureau to submit certain reports including certain information regarding certain revenues to the Board each year; altering a provision relating to certain studies of State revenue sources conducted by the Bureau; requiring the Bureau to submit certain reports to the Governor and to the General Assembly; establishing a Consensus Revenue Monitoring and Forecasting Group to perform certain functions and to advise and collaborate with the Bureau; requiring the

(Over)

Comptroller and the Bureau to provide certain data and certain documents to members of the Group; requiring the Board to submit certain reports to the General Assembly each year; requiring the Governor to incorporate a certain estimate of revenues in the State budget and any supplemental budget submitted to the General Assembly; requiring the Governor to submit a certain statement to the General Assembly under certain circumstances; requiring the Department of Transportation to incorporate in a certain financial forecast a certain estimate of revenues by the Board”; and in line 14, after “law;” insert “requiring the Governor to reduce certain regular positions and general fund expenditures associated with those positions in a certain budget; declaring a certain legislative intent relating to the development of a certain budget and the reduction of certain positions; requiring the State Department of Education to update a certain Geographic Cost of Education Index (GCEI) at certain times; requiring the State Department of Education to submit a certain proposed GCEI adjustment update to the Governor and the General Assembly and to recommend certain legislation at certain times; requiring a certain GCEI Adjustment to be used in certain fiscal years; defining certain terms; altering certain definitions;”.

AMENDMENT NO. 2

On page 2, in line 15, after “repealing” insert “and reenacting, without amendments,”; after line 19, insert:

“BY adding to

Article – Tax – Property

Section 7-514

Annotated Code of Maryland

(2007 Replacement Volume)”;

strike in their entirety lines 20 through 24, inclusive; in line 27, strike “5-903(b)” and substitute “5-903(g)”; and after line 29, insert:

“BY adding to

Article – Courts and Judicial Proceedings
Section 12-301.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 13-602(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 13-603(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing
Article – Courts and Judicial Proceedings
Section 13-607
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–103, 6–104, 6–106, and 7–311(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–105

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 2-103.1(1)(2)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)”.

AMENDMENT NO. 3

On page 4, in line 7, after the second “the” insert “**LESSER OF:**

A. THE”;

in the same line, strike the bracket; in line 8, strike the bracket and substitute “**;**

B. THE”;

after line 11, insert:

“C. 5%; OR”;

in line 12, strike the bracket; and in line 13, strike the bracket and substitute “**OR IN THE**”.

AMENDMENT NO. 4

On page 6, in line 27, and on page 7, in line 6, in each instance, strike the bracket.

On page 7, after line 6, insert:

“7-514.

(A) THIS SECTION SHALL BE APPLICABLE TO ALL TAXABLE YEARS BEGINNING AFTER JUNE 30, 2008.

(B) (1) THE GOVERNING BODY OF A COUNTY MAY ENTER INTO AN AGREEMENT WITH THE OWNER OF A FACILITY FOR THE GENERATION OF ELECTRICITY THAT IS LOCATED OR LOCATES IN THE COUNTY FOR A NEGOTIATED PAYMENT BY THE OWNER IN LIEU OF TAXES ON THE FACILITY.

(2) AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION SHALL PROVIDE THAT, FOR THE TERM SPECIFIED IN THE AGREEMENT:

(I) THE OWNER SHALL PAY TO THE COUNTY A SPECIFIED AMOUNT EACH YEAR IN LIEU OF THE PAYMENT OF COUNTY REAL AND PERSONAL PROPERTY TAX; AND

(II) ALL OR A SPECIFIED PART OF THE REAL AND PERSONAL PROPERTY AT THE FACILITY SHALL BE EXEMPT FROM COUNTY PROPERTY TAX FOR THE TERM OF THE AGREEMENT.

(C) AS SPECIFIED IN THE AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION, FOR THE TERM SPECIFIED IN THE AGREEMENT, THE REAL AND PERSONAL PROPERTY AT A FACILITY FOR THE GENERATION OF ELECTRICITY THAT IS LOCATED OR LOCATES IN THE COUNTY IS EXEMPT FROM COUNTY PROPERTY TAX.”.

AMENDMENT NO. 5

On pages 7 and 8, strike in their entirety the lines beginning with line 11 on page 7 through line 17 on page 8, inclusive; and after line 17, insert:

“(g) (1) For [the fiscal year commencing July 1, 1990, any amount appropriated in the State budget, and for] each [subsequent] fiscal year, up to [25] 32

(Over)

percent of the State's share of funds that would be available under the program if 100 percent of the funds not required under § 13-209(b) of the Tax – Property Article were available for distribution as provided in § 13-209(d)(3) of the Tax – Property Article may be used for capital improvements on land owned by the State for the use of the Department if the improvements are:

(i) Approved in the State budget; and

(ii) Compatible with:

1. Any master plan developed for the land; and

2. The natural features of the land.

(2) (i) [For the fiscal year commencing July 1, 1996, up to 12.5% of the State's share of funds available for capital improvements may be used to operate State forests and parks, but only if the funds expended for operating costs do not exceed the portion of the State allocation available under this subsection that is derived from current revenues, as distinguished from proceeds of bond issues.

(ii) For the fiscal year commencing July 1, 1997, up to \$1,000,000 of the State's share of funds available for capital improvements may be used to operate State forests and parks, but only if the funds expended for operating costs do not exceed the portion of the State allocation available under this subsection that is derived from current revenues, as distinguished from proceeds of bond issues.

(iii) For the fiscal year commencing July 1, 1998, and all subsequent fiscal years, up to \$1,200,000 of the State's share of funds available for capital improvements may be used to operate State forests and parks, but only if the funds expended for operating costs do not exceed the portion of the State allocation available under this subsection that is derived from current revenues, as distinguished from proceeds of bond issues.

[(iv)] (II) The only wages that can be paid with the portion of the State's share of funds authorized under [subparagraphs (ii) and (iii)] SUBPARAGRAPH (I) of this paragraph are the wages of employees in the State forests and parks.

(III) FOR FISCAL YEAR 2009, AND EACH SUBSEQUENT FISCAL YEAR, AT LEAST \$8,000,000 OF THE STATE'S SHARE OF FUNDS AVAILABLE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE USED TO REDUCE THE BACKLOG OF CRITICAL MAINTENANCE AND REHABILITATION OR REPLACEMENT CAPITAL IMPROVEMENT PROJECTS IN STATE PARKS.

(3) If the General Assembly amends the Budget Bill to strike out an improvement or operating costs under this subsection submitted by the Governor, the Governor may consider reallocating the funds through a supplemental budget for the same fiscal year:

(i) To finance specific alternative land acquisition, development projects, or operating costs; or

(ii) To the Advance Option and Purchase Fund established under § 5-904(b) of this subtitle.”.

AMENDMENT NO. 6

On page 8, before line 18, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

12-301.1.

(Over)

(A) IN THIS SECTION, “MASTER SETTLEMENT AGREEMENT” MEANS THE MASTER SETTLEMENT AGREEMENT EXECUTED BY THE STATE AND PARTICIPATING TOBACCO MANUFACTURERS.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO PRESERVE STATE REVENUE AS IT PERTAINS TO THE CIGARETTE RESTITUTION FUND.

(C) NOTWITHSTANDING ANY OTHER LAW OR COURT RULE AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IN AN APPEAL FROM A JUDGMENT ENTERED IN FAVOR OF THE PLAINTIFFS IN AN ACTION CERTIFIED AS A CLASS ACTION OR IN AN ACTION BY MULTIPLE PLAINTIFFS IN WHICH DAMAGES ARE NOT PROVED FOR EACH PLAINTIFF INDIVIDUALLY, THE AMOUNT OF THE SUPERSEDEAS BOND REQUIRED COLLECTIVELY OF ALL APPELLANTS THAT ARE PARTICIPANTS IN THE MASTER SETTLEMENT AGREEMENT TO STAY ENFORCEMENT OF A JUDGMENT MAY NOT EXCEED \$200,000,000, REGARDLESS OF THE AMOUNT OF THE JUDGMENT.

(D) IF AN APPELLEE PROVES BY A PREPONDERANCE OF THE EVIDENCE THAT AN APPELLANT IS DISSIPATING ASSETS OUTSIDE THE ORDINARY COURSE OF BUSINESS TO AVOID THE PAYMENT OF A JUDGMENT, THE COURT MAY REQUIRE THE APPELLANT TO POST A BOND IN AN AMOUNT UP TO THE FULL AMOUNT OF THE JUDGMENT.

SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

(a) (1) There is a Circuit Court Real Property Records Improvement Fund.

13-603.

(c) The Fund shall be used to pay [the]:

(1) THE operating expenses of the land records offices of the clerks of the circuit courts and to repair, replace, improve, modernize, and update office equipment and equipment related services in the land records office of the clerk of the circuit court for each county, as the Administrator considers appropriate, with advice from the oversight committee; AND

(2) FOR INFORMATION TECHNOLOGY PROJECTS OF THE JUDICIARY DEPARTMENT.

[13-607.

This subtitle shall terminate and be of no effect after June 30, 2009.]

SECTION 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

6-103.

(a) There is a Bureau of Revenue Estimates in the Office of the Comptroller.

(b) (1) The head of the Bureau is the Chief.

(2) Subject to the supervision of the Comptroller, the Chief has administrative control of the Bureau.

(Over)

(3) UNLESS THE COMPTROLLER, WITH THE APPROVAL OF THE BOARD, DETERMINES THAT AN ALTERNATIVE STRUCTURE IS APPROPRIATE, THE CHIEF SHALL BE SUBJECT TO THE SUPERVISION OF THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION.

(c) (1) Except as otherwise provided by law, SUBJECT TO THE APPROVAL OF THE BOARD, the Comptroller shall appoint the Chief [and].

(2) THE CHIEF MAY BE REMOVED ONLY BY A MAJORITY OF THE BOARD FOR INCOMPETENCE OR OTHER GOOD CAUSE.

(3) THE CHIEF SHALL APPOINT other employees of the Bureau in accordance with the provisions of the State Personnel and Pensions Article.

6-104.

(a) (1) After the end of each fiscal year, the Bureau shall submit to the Board a report that:

(i) contains an itemized statement of the State revenues from all sources for that fiscal year; and

(ii) includes any recommendations of the Bureau.

(2) [Before each regular session of the General Assembly] IN DECEMBER, MARCH, AND SEPTEMBER OF EACH YEAR, the Bureau shall submit to the Board a report that contains an itemized statement of the estimated State revenues from all sources for the fiscal year following [the session] THE FISCAL YEAR IN WHICH THE REPORT IS MADE.

(3) The Bureau shall provide to the Board any other information that the Board requests.

(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE REPORTS REQUIRED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION SHALL INCLUDE AN ITEMIZED STATEMENT OF:

(I) REVENUES OR ESTIMATED REVENUES DISTRIBUTED TO THE TRANSPORTATION TRUST FUND, INCLUDING THE MOTOR FUEL TAXES IMPOSED UNDER TITLE 9, SUBTITLE 3 OF THE TAX – GENERAL ARTICLE AND MOTOR VEHICLE TITLING TAXES IMPOSED UNDER TITLE 13, SUBTITLE 8 OF THE TRANSPORTATION ARTICLE; AND

(II) REVENUES FROM THE STATE TRANSFER TAX IMPOSED UNDER TITLE 13, SUBTITLE 2 OF THE TAX – PROPERTY ARTICLE.

(b) In addition to these reports, the Bureau shall continually conduct studies of State revenue sources to:

(1) determine the amount of revenue produced; and

(2) devise and recommend new methods and sources for improved efficiency, equity, and economy in production [and], collection, AND ESTIMATION of revenue.

(C) (1) ON OR BEFORE DECEMBER 1, 2008, AND DECEMBER 1 OF EVERY THIRD YEAR THEREAFTER, THE BUREAU SHALL SUBMIT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A TAX INCIDENCE STUDY MEASURING THE BURDEN OF ALL THE MAJOR TAXES IMPOSED BY THE STATE AND HOW THAT BURDEN IS SHARED AMONG TAXPAYERS OF DIFFERENT INCOME LEVELS.

(2) THE BUREAU SHALL PREPARE AND SUBMIT THE STATISTICS OF INCOME REPORT REQUIRED UNDER § 10-223 OF THE TAX – GENERAL ARTICLE.

6-105.

(A) IN THIS SECTION, "GROUP" MEANS THE CONSENSUS REVENUE MONITORING AND FORECASTING GROUP ESTABLISHED UNDER THIS SECTION.

(B) THERE IS A CONSENSUS REVENUE MONITORING AND FORECASTING GROUP.

(C) THE GROUP CONSISTS OF:

(1) THE CHIEF AND STAFF OF THE BUREAU AS DESIGNATED BY THE CHIEF;

(2) THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION AND STAFF AS DESIGNATED BY THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION;

(3) STAFF OF THE OFFICE OF THE TREASURER AS DESIGNATED BY THE TREASURER;

(4) STAFF OF THE DEPARTMENT OF BUDGET AND MANAGEMENT AS DESIGNATED BY THE SECRETARY OF BUDGET AND MANAGEMENT;

(5) STAFF OF THE DEPARTMENT OF TRANSPORTATION AS DESIGNATED BY THE SECRETARY OF TRANSPORTATION; AND

(6) STAFF OF THE OFFICE OF POLICY ANALYSIS OF THE DEPARTMENT OF LEGISLATIVE SERVICES AS DESIGNATED BY THE DIRECTOR OF THE OFFICE.

(D) THE CHIEF SHALL CHAIR THE GROUP.

(E) THE GROUP AND ITS CONSTITUENT UNITS SHALL:

(1) REVIEW AND ANALYZE ATTAINMENT OF REVENUES ON A MONTHLY BASIS; AND

(2) ADVISE AND COLLABORATE WITH THE BUREAU:

(I) IN THE DEVELOPMENT OF REVENUE FORECASTS AND ANY NECESSARY REVISIONS TO THOSE FORECASTS; AND

(II) IN THE PERFORMANCE OF ANY PERTINENT STUDIES OR ANALYSES AS REQUESTED BY THE CHIEF OR AS DIRECTED BY THE BOARD.

(F) TO ASSIST THE GROUP IN PERFORMING ITS FUNCTION, THE COMPTROLLER AND THE BUREAU SHALL:

(1) WITHIN 7 CALENDAR DAYS AFTER THE END OF EACH MONTH, PROVIDE TO MEMBERS OF THE GROUP DETAILED DATA ON REVENUE COLLECTIONS; AND

(2) BEFORE ANY DOCUMENT RELATING TO THE WORK OF THE BUREAU IS PUBLISHED, PROVIDE A DRAFT OF THE DOCUMENT TO THE MEMBERS OF THE GROUP FOR REVIEW AND COMMENT.

6-106.

(a) The Board shall:

(1) study the information that the Bureau provides; and

(2) consider the recommendations of the Bureau.

(Over)

(b) (1) [Annually] IN DECEMBER, MARCH, AND SEPTEMBER OF EACH YEAR, the Board shall submit to the Governor AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, a report that:

(i) contains an itemized statement of the estimated State revenues from all sources for the fiscal year following the fiscal year in which the report is made; and

(ii) includes any recommendations of the Board.

(2) (I) [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Governor shall [send the report of the Board, subject to § 2-1246 of the State Government Article, to the General Assembly] INCORPORATE THE MOST RECENT ESTIMATES OF REVENUES REPORTED BY THE BOARD IN THE STATE BUDGET AND ANY SUPPLEMENTAL BUDGET SUBMITTED TO THE GENERAL ASSEMBLY.

(II) IF THE GOVERNOR USES DIFFERENT ESTIMATES OF REVENUES IN THE FORMULATION OF THE STATE BUDGET AND ANY SUPPLEMENTAL BUDGET SUBMITTED TO THE GENERAL ASSEMBLY THAN THOSE REPORTED BY THE BOARD, A STATEMENT PROVIDING AN EXPLANATION AS TO THE DIFFERENCES SHALL BE INCLUDED TOGETHER WITH THOSE SUBMISSIONS.

7-311.

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

(2) “Account” means the Revenue Stabilization Account.

(3) “Estimated General Fund revenues” means the estimated General Fund revenues FOR A FISCAL YEAR stated in the [annual] report of the Board of Revenue Estimates submitted to the Governor under § 6-106 of this article IN DECEMBER PRECEDING THE FISCAL YEAR.

Article – Transportation

2–103.1.

(1) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the transportation capital program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) THE DEPARTMENT SHALL INCORPORATE IN THE FINANCIAL FORECAST THE MOST RECENT ESTIMATES BY THE BOARD OF REVENUE ESTIMATES OF THE REVENUES FROM THE CORPORATE INCOME TAX, THE SALES AND USE TAX, MOTOR FUEL TAXES, AND MOTOR VEHICLE TITLING TAXES.”

(Over)

AMENDMENT NO. 7

On page 8, after line 23, insert:

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

(a) (1) In this section, “Executive Branch agencies” includes:

(i) University System of Maryland;

(ii) St. Mary’s College of Maryland;

(iii) Morgan State University; and

(iv) Baltimore City Community College.

(2) In this section, “Executive Branch agencies” does not include the Department of Public Safety and Correctional Services.

(b) (1) As of January 1, 2008, the number of full-time equivalent (FTE) regular positions in Executive Branch agencies shall be reduced by 1,000 FTEs.

(2) It is the intent of the General Assembly that these reductions be made from vacant positions.

(c) On or before December 15, 2007, the Governor shall submit to the Board of Public Works a schedule for realigning the authorizations made under Chapter 487 of the Acts of 2007 to reflect the reduction made in subsection (b) of this section and shall take the actions necessary to implement the reductions.

(d) The schedule submitted by the Governor to the Board of Public Works shall identify savings of at least \$13,800,000 in general funds plus any special or federal funds from salaries and wages in Comptroller objects other than 0152 (Health Insurance) and 0154 (Retiree Health Insurance) associated with the abolished positions.

SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in developing the fiscal 2009 budget, the Governor make reductions of at least \$470,000,000 in general funds from the fiscal 2009 current services baseline budget after the reductions made by the Board of Public Works in July 2007.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(a) The Geographic Cost of Education Index (GCEI) Adjustment established in § 5-202(f) of the Education Article shall be updated every 3 years beginning in September 2009 using the most current data available and the same methodology set forth in the report entitled “Adjusting for Geographic Differences in the Cost of Education Provision in Maryland (December 31, 2003).”

(b) The State Department of Education shall:

(1) submit the proposed updated GCEI Adjustment to the Governor and General Assembly, in accordance with § 2-1246 of the State Government Article, by September 1 of the year in which it is updated; and

(2) recommend legislation in the first legislative session following submission of the updated GCEI Adjustment that codifies the adjustment and requires that the GCEI Adjustment be used to adjust State aid in the fiscal year that begins on July 1 of that year.

SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, by action of the governing body of a county, property tax revenues in an amount equal to payments that a county would have been entitled to receive under Article 24, § 9-1102 of the Code before its repeal under Section 1 of this Act shall be excluded from the calculation of any limitation on the ability of a county to impose property taxes.”

(Over)

AMENDMENT NO. 8

On page 8, in lines 18, 24, and 28, strike “6.”, “7.”, and “9.”, respectively, and substitute “9.”, “14.”, and “16.”, respectively; in line 24, strike “Sections 1 and 5” and substitute “Section 1”; and strike in their entirety lines 26 and 27 and substitute:

“SECTION 15. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall apply to all civil actions pending on or filed on or after the effective date of this Act.”.

AMENDMENT NO. 9

On page 9, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “11.” and substitute “17.”; and in lines 9 and 10, strike “7 through 10” and substitute “14 through 16”.