

# HOUSE BILL 1

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By: **The Speaker (By Request – Administration)**

Introduced and read first time: October 29, 2007

Assigned to: Appropriations and Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: November 6, 2007

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## A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation Act**

3 FOR the purpose of repealing certain provisions relating to certain State aid to certain  
4 counties; altering the calculation of certain State aid for public elementary and  
5 secondary education; establishing a supplemental grant program to provide  
6 certain county boards of education with certain grants; altering the calculation  
7 of certain State aid to community colleges, Baltimore City Community College,  
8 and certain nonpublic institutions of higher education in certain fiscal years;  
9 ~~repealing a partial exemption under the property tax for machinery and~~  
10 ~~equipment used to generate electricity or steam for sale or hot or chilled water~~  
11 ~~for sale that is used for certain purposes;~~ authorizing the governing body of a  
12 county to increase the percent of the assessment of certain personal property  
13 that is subject to the county property tax under certain circumstances;  
14 authorizing the governing body of a county to enter an agreement with the  
15 owner of a facility for the generation of electricity that is located or locates in  
16 the county for a negotiated payment by the owner in lieu of taxes on the facility;  
17 requiring Washington County to distribute a certain portion of the certain  
18 property tax revenues or proceeds of a certain payment in lieu of taxes under  
19 certain circumstances; providing that property tax revenues in an amount equal  
20 to payments that a county would have been entitled to receive under a certain  
21 provision of law shall be excluded from a certain calculation; providing that  
22 certain transfer tax revenues in a certain special fund shall be used for certain  
23 purposes; altering the distribution of certain transfer tax revenues in a certain  
24 fund; requiring the synopses for certain bills to include a certain statement;  
25 requiring certain fiscal notes and a certain report to contain certain  
26 information; altering a certain date for the Maryland Agricultural and  
27 Resource-Based Industry Development Corporation to become financially self-  
28 sufficient; altering certain requirements that certain appropriations for certain

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## HOUSE BILL 1

1 purposes be included in the annual State budget for certain fiscal years;  
 2 limiting the amount of State general funds that may be used for certain  
 3 purposes; altering the purpose for which the Circuit Court Real Property  
 4 Records Improvement Fund may be used for certain fiscal years; repealing a  
 5 certain termination provision; altering certain grants to county boards of  
 6 education under a certain aging schools program; repealing certain State  
 7 programs; altering a certain local cost share for a certain nonpublic education  
 8 program; repealing a required appropriation to a certain fund; delaying certain  
 9 increases in certain funding calculations for certain resource centers and county  
 10 libraries; repealing a requirement that a certain amount of State funds be  
 11 provided to a certain public library capital projects program; ~~repealing a certain~~  
 12 ~~provision of law requiring the Department of Health and Mental Hygiene to~~  
 13 ~~adjust a certain payment to certain providers as recommended by the~~  
 14 ~~Community Services Reimbursement Rate Commission;~~ altering the  
 15 commission that a licensed agent of the State Lottery Agency is required to be  
 16 paid on sales made during a year; providing for the distribution of certain sales  
 17 and use tax revenue to a certain special fund; ~~providing~~ declaring a certain  
 18 legislative intent that the Governor in formulating a certain fiscal year budget  
 19 shall apply certain monies in a certain fund for a certain purpose and that  
 20 certain employees receive a certain pay period in which certain health  
 21 insurance contributions are not required; repealing an obsolete provision of law;  
 22 requiring the Governor to reduce certain regular positions and general fund  
 23 expenditures associated with those positions in a certain budget; withdrawing  
 24 certain appropriations from a certain fiscal year; declaring a certain legislative  
 25 intent relating to the development of a certain budget and the reduction of  
 26 certain positions; defining certain terms; making certain provisions of this Act  
 27 subject to certain contingencies; providing for the application of certain  
 28 provisions of this Act; providing for the effective date of this Act; and generally  
 29 relating to the financing of State and local government.

30 BY repealing

31 Article 24 – Political Subdivisions – Miscellaneous Provisions  
 32 Section 9–1102  
 33 Annotated Code of Maryland  
 34 (2005 Replacement Volume and 2007 Supplement)

35 BY repealing and reenacting, with amendments,

36 Article 24 – Political Subdivisions – Miscellaneous Provisions  
 37 Section 9–1103(a)  
 38 Annotated Code of Maryland  
 39 (2005 Replacement Volume and 2007 Supplement)

40 BY repealing and reenacting, with amendments,

41 Article – Education  
 42 Section 5–202(a)(13), ~~16–305(c)(1)(ii), 16–512(a)(2), and 17–104(d)~~ 5–206(f),  
 43 8–415(d)(3)(i), 13–104, 16–305(c)(1), 16–512(a), 17–104, 23–205(c),  
 44 23–503, and 23–510(e)(5)  
 45 Annotated Code of Maryland

1 (2006 Replacement Volume and 2007 Supplement)

2 BY repealing

3 Article – Education

4 Section 5–202(e) , 7–117, and 7–118

5 Annotated Code of Maryland

6 (2006 Replacement Volume and 2007 Supplement)

7 BY adding to

8 Article – Education

9 Section 5–202(e)

10 Annotated Code of Maryland

11 (2006 Replacement Volume and 2007 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Tax – General

14 Section 2–1303

15 Annotated Code of Maryland

16 (2004 Replacement Volume and 2007 Supplement)

17 (As enacted by Chapter \_\_\_\_\_ (H.B. 5) of the Acts of the General Assembly of the

18 2007 Special Session)

19 BY repealing and reenacting, with amendments,

20 Article – Tax – Property

21 Section 7–237

22 Annotated Code of Maryland

23 (2007 Replacement Volume)

24 BY adding to

25 Article – Tax – Property

26 Section 7–514

27 Annotated Code of Maryland

28 (2007 Replacement Volume)

29 BY repealing and reenacting, ~~without~~ with amendments,

30 Article – Natural Resources

31 Section 5–903(a) and (b)

32 Annotated Code of Maryland

33 (2005 Replacement Volume and 2007 Supplement)

34 ~~BY repealing and reenacting, with amendments,~~

35 ~~Article – Natural Resources~~

36 ~~Section 5–903(b)~~

37 ~~Annotated Code of Maryland~~

38 ~~(2005 Replacement Volume and 2007 Supplement)~~

39 BY repealing and reenacting, with amendments,

40 Article – State Government

1 Section 9–117(a)(1), 2–1501, 2–1504, and 2–1505(e) and (j)  
2 Annotated Code of Maryland  
3 (2004 Replacement Volume and 2007 Supplement)

4 BY repealing and reenacting, without amendments,  
5 Article – State Government  
6 Section 2–1505(c)(1)  
7 Annotated Code of Maryland  
8 (2004 Replacement Volume and 2007 Supplement)

9 BY repealing and reenacting, without amendments,  
10 Article 41 – Governor – Executive and Administrative Departments  
11 Section 13–503(a)  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article 41 – Governor – Executive and Administrative Departments  
16 Section 13–513(c)  
17 Annotated Code of Maryland  
18 (2003 Replacement Volume and 2007 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Agriculture  
21 Section 8–405  
22 Annotated Code of Maryland  
23 (2007 Replacement Volume)

24 BY repealing and reenacting, with amendments,  
25 Article – Courts and Judicial Proceedings  
26 Section 1–504 and 13–603(c)  
27 Annotated Code of Maryland  
28 (2006 Replacement Volume and 2007 Supplement)

29 BY repealing and reenacting, without amendments,  
30 Article – Courts and Judicial Proceedings  
31 Section 13–602(a)(1)  
32 Annotated Code of Maryland  
33 (2006 Replacement Volume and 2007 Supplement)

34 BY repealing  
35 Article – Courts and Judicial Proceedings  
36 Section 13–607  
37 Annotated Code of Maryland  
38 (2006 Replacement Volume and 2007 Supplement)

39 BY repealing and reenacting, without amendments,  
40 Article – Education

1 Section 16-305(a) and (b), 16-512(b), and 23-510(a) and (b)  
2 Annotated Code of Maryland  
3 (2006 Replacement Volume and 2007 Supplement)

4 ~~BY repealing~~  
5 ~~Article – Health – General~~  
6 ~~Section 16-201.2~~  
7 ~~Annotated Code of Maryland~~  
8 ~~(2005 Replacement Volume and 2007 Supplement)~~

9 BY repealing and reenacting, with amendments,  
10 Article – State Finance and Procurement  
11 Section 7-325  
12 Annotated Code of Maryland  
13 (2006 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Chapter 269 of the Acts of the General Assembly of 2006  
16 Section 2

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

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

20 [9-1102.

21 (a) Except as provided in subsection (b) of this section, for each fiscal year,  
22 the State shall pay the following amounts to the following counties to reimburse the  
23 counties partially for the costs of the property tax exemption under § 7-237 of the Tax  
24 – Property Article:

25	Anne Arundel	\$ 7,820,202
26	Baltimore City	453,421
27	Baltimore	1,794,835
28	Calvert	6,096,574
29	Charles	2,522,612
30	Dorchester	187,442
31	Garrett	11,907
32	Harford	860,767
33	Montgomery	2,765,553
34	Prince George’s	7,744,806
35	Washington	357,082

36 (b) For the fiscal year that begins on July 1, 2000, the State shall pay 50% of  
37 the amounts specified in subsection (a) of this section.

1 (c) The Comptroller shall pay the amounts provided under this section to the  
 2 counties in equal amounts for each quarter at the end of each quarter of the fiscal year  
 3 for which the payments are made.

4 (d) 35% of the payment received by Washington County under this section  
 5 shall be paid to the Town of Williamsport.]

6 9–1103.

7 (a) [In addition to any reimbursement provided under § 9–1102 of this  
 8 subtitle, if] **IF** on or before January 1, 2020, the Federal Nuclear Regulatory  
 9 Commission license for the Calvert Cliffs Nuclear Power Plant expires and is not  
 10 extended or renewed, for each of the 5 property tax years following the expiration and  
 11 nonrenewal, the State shall pay as a grant to Calvert County an amount equal to the  
 12 applicable percentage, determined under subsection (b) of this section, of the  
 13 difference between:

14 (1) The product of multiplying \$14,554,000 times the percentage  
 15 specified for the taxable year under § 7–237(b) of the Tax – Property Article; and

16 (2) The sum of:

17 (i) \$2,000,000; and

18 (ii) The county’s property tax revenue for the taxable year  
 19 derived from personal property that is machinery or equipment used to generate  
 20 electricity for sale.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
 22 read as follows:

23 **Article – Education**

24 5–202.

25 (a) (13) “Target per pupil foundation amount” means:

26 (i) In fiscal [year 2004, \$5,730] **YEARS 2008, 2009, AND 2010,**  
 27 **\$6,694;** and

28 (ii) In subsequent fiscal years:

29 1. The target per pupil foundation amount for the prior  
 30 fiscal year increased by the same percentage as the **LESSER OF:**

31 **A.** **THE** increase in the ~~f~~implicit price deflator for State  
 32 and local government expenditures for the second prior fiscal year~~†~~;

1                   **B.    THE CONSUMER PRICE INDEX FOR ALL URBAN**  
2 **CONSUMERS FOR THE WASHINGTON-BALTIMORE METROPOLITAN AREA, OR**  
3 **ANY SUCCESSOR INDEX, FOR THE SECOND PREVIOUS FISCAL YEAR; or**

4                   **C.    5%; OR**

5                   2.    If there is no increase in the ~~implicit~~ price deflator  
6 for State and local government expenditures for the second prior fiscal year ~~]~~ **OR IN**  
7 **THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE**  
8 **WASHINGTON-BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX,**  
9 **FOR THE SECOND PREVIOUS FISCAL YEAR,** the target per pupil foundation amount  
10 for the prior fiscal year.

11                   [(e) (1)    In fiscal year 2004, the State shall distribute a partnership grant  
12 of \$28,186,032 to the Baltimore City Board of School Commissioners.

13                   (2)    In fiscal year 2005, the State shall distribute a partnership grant  
14 of \$21,139,524 to the Baltimore City Board of School Commissioners.

15                   (3)    In fiscal year 2006, the State shall distribute a partnership grant  
16 of \$14,093,016 to the Baltimore City Board of School Commissioners.]

17                   **(E)    (1)    IN THIS SUBSECTION, “STATE FINANCIAL ASSISTANCE FOR**  
18 **PUBLIC EDUCATION” MEANS THE TOTAL FINANCIAL ASSISTANCE PROVIDED BY**  
19 **THE STATE TO A COUNTY BOARD UNDER THE FOLLOWING PROGRAMS:**

20                                   **(I)    FUNDING FOR THE FOUNDATION PROGRAM UNDER THIS**  
21 **SECTION;**

22                                   **(II)    ~~FUNDING~~ FUNDING IN FISCAL YEAR 2009, 50% OF THE FUNDING**  
23 **RECEIVED UNDER THE GCEI ADJUSTMENT GRANT PROGRAM UNDER**  
24 **SUBSECTION (F) OF THIS SECTION AND IN FISCAL YEAR 2010, 60% OF THE**  
25 **FUNDING RECEIVED UNDER THE GCEI ADJUSTMENT GRANT PROGRAM UNDER**  
26 **SUBSECTION (F) OF THIS SECTION;**

27                                   **(III)    TRANSPORTATION AID UNDER § 5-205 OF THIS**  
28 **SUBTITLE;**

29                                   **(IV)    FUNDING FOR COMPENSATORY EDUCATION UNDER**  
30 **§ 5-207 OF THIS SUBTITLE;**

31                                   **(V)    FUNDING FOR STUDENTS WITH LIMITED ENGLISH**  
32 **PROFICIENCY UNDER § 5-208 OF THIS SUBTITLE;**

1 (VI) FUNDING FOR SPECIAL EDUCATION STUDENTS UNDER §  
2 **5-209 OF THIS SUBTITLE;**

3 (VII) FUNDING FOR THE GUARANTEED TAX BASE PROGRAM  
4 UNDER § **5-210 OF THIS SUBTITLE;**

5 (VIII) 50% OF THE STATE PAYMENTS FOR RETIREMENT  
6 CONTRIBUTIONS FOR EMPLOYEES OF A LOCAL SCHOOL SYSTEM IN  
7 ACCORDANCE WITH THE PROVISIONS OF DIVISION II OF THE STATE  
8 PERSONNEL AND PENSIONS ARTICLE; AND

9 (IX) FUNDING FOR SUPPLEMENTAL GRANTS UNDER THIS  
10 SUBSECTION.

11 (2) (I) FOR FISCAL YEARS 2009 AND 2010 ONLY, THE STATE  
12 SHALL PROVIDE A SUPPLEMENTAL GRANT TO A COUNTY BOARD THAT DOES NOT  
13 RECEIVE AT LEAST A 1% INCREASE IN STATE FINANCIAL ASSISTANCE FOR  
14 PUBLIC EDUCATION OVER THE AMOUNT RECEIVED BY THE COUNTY BOARD IN  
15 THE PREVIOUS FISCAL YEAR.

16 (II) THE SUPPLEMENTAL GRANT UNDER THIS PARAGRAPH  
17 SHALL BE THE AMOUNT NECESSARY TO INCREASE A COUNTY BOARD'S STATE  
18 FINANCIAL ASSISTANCE FOR PUBLIC EDUCATION BY 1% OVER THE AMOUNT  
19 RECEIVED BY THE COUNTY BOARD IN THE PREVIOUS FISCAL YEAR.

20 (3) FOR FISCAL ~~YEAR~~ YEARS 2011 ~~AND EACH FISCAL YEAR~~  
21 ~~THEREAFTER~~ THROUGH 2013, A COUNTY BOARD SHALL RECEIVE A  
22 SUPPLEMENTAL GRANT EQUAL TO THE AMOUNT THE COUNTY BOARD RECEIVED  
23 UNDER PARAGRAPH (2) OF THIS SUBSECTION IN FISCAL YEAR 2010.

24 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
25 read as follows:

26 ~~Article—Education~~

27 ~~16-305.~~

28 ~~(e) (1) (ii) For purposes of this subsection, the State's General Fund~~  
29 ~~appropriation per full-time equivalent student to the 4-year public institutions of~~  
30 ~~higher education in the State for the previous fiscal year shall:~~

31 ~~1. INCLUDE NONCAPITAL APPROPRIATIONS FROM~~  
32 ~~THE HIGHER EDUCATION INVESTMENT FUND; AND~~



1 ~~2. [reflect] REFLECT any amendments or reductions to~~  
2 ~~the appropriation for the previous fiscal year.~~

3 ~~16-512.~~

4 ~~(a) (2) For purposes of this subsection, the State's General Fund~~  
5 ~~appropriation per full-time equivalent student to the 4-year public institutions of~~  
6 ~~higher education in the State for the previous fiscal year shall:~~

7 ~~(I) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE~~  
8 ~~HIGHER EDUCATION INVESTMENT FUND; AND~~

9 ~~(II) [reflect] REFLECT any amendments or reductions to the~~  
10 ~~appropriation for the previous fiscal year.~~

11 ~~17-104.~~

12 ~~(d) For purposes of this section, the State's General Fund appropriation per~~  
13 ~~full-time equivalent student to the 4-year public institutions of higher education in~~  
14 ~~the State for the previous fiscal year shall:~~

15 ~~(1) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER~~  
16 ~~EDUCATION INVESTMENT FUND; AND~~

17 ~~(2) [reflect] REFLECT any amendments or reductions to the~~  
18 ~~appropriation for the previous fiscal year.~~

19 Article - Tax - General

20 2-1303.

21 After making the distributions required under §§ 2-1301 through 2-1302.2 of  
22 this subtitle, the Comptroller shall pay:

23 (1) revenues from the hotel surcharge into the Dorchester County  
24 Economic Development Fund established under Article 83A, § 5-216 of the Code;  
25 [and]

26 (2) TO THE TOURISM, ARTS, AND CULTURAL DEVELOPMENT  
27 FUND ESTABLISHED UNDER § 7-238 OF THE STATE FINANCE AND  
28 PROCUREMENT ARTICLE, ONE-THIRD OF THE SALES AND USE TAX REVENUE  
29 ATTRIBUTABLE TO THE SALE OF A RIGHT TO OCCUPY A ROOM OR LODGINGS AS  
30 A TRANSIENT GUEST SUBJECT TO THE TAX RATE SPECIFIED IN § 11-104(G) OF  
31 THIS ARTICLE; AND

1                    [(2)] (3)     the remaining sales and use tax revenue into the General  
2 Fund of the State.

3             SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
4 read as follows:

5   **Article – Tax – Property**

6 ~~¶~~7-237.

7             (a)     Except as provided in subsection (b) of this section, personal property is  
8 exempt from property tax if the property is machinery or equipment used to generate:

9                   (1)     electricity or steam for sale; or

10                  (2)     hot or chilled water for sale that is used to heat or cool a building.

11             (b)     ~~Personal~~ **SUBJECT TO § 7-514 OF THIS TITLE, PERSONAL** property  
12 that is machinery or equipment described in subsection (a) of this section is subject to  
13 county or municipal corporation property tax on:

14                   (1)     75% of its value for the taxable year beginning July 1, 2000; and

15                   (2)     50% of its value for the taxable year beginning July 1, 2001 and  
16 each subsequent taxable year.†

17 **7-514.**

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

20             **(B) (1) NOTWITHSTANDING § 7-237 OF THIS TITLE, THE GOVERNING**  
21 **BODY OF A COUNTY MAY INCREASE TO NOT MORE THAN 65%, BY LAW, THE**  
22 **PERCENT OF THE ASSESSMENT OF ANY PERSONAL PROPERTY DESCRIBED IN §**  
23 **7-237 OF THIS TITLE THAT IS SUBJECT TO COUNTY PROPERTY TAX.**

24                   **(2) (I) A COUNTY THAT INCREASES THE PERCENT OF**  
25 **ASSESSMENT OF TAXABLE PERSONAL PROPERTY UNDER PARAGRAPH (1) OF**  
26 **THIS SUBSECTION SHALL SUBMIT A COPY OF THE LAW TO THE DEPARTMENT.**

27                                   **(II) IF THE DEPARTMENT RECEIVES A COPY OF THE LAW ON**  
28 **OR BEFORE MAY 1, THE CHANGE SHALL BE EFFECTIVE FOR THE TAXABLE YEAR**  
29 **FOLLOWING THE DATE THE LAW IS ENACTED.**

30             **(C) (1) THE GOVERNING BODY OF A COUNTY MAY ENTER INTO AN**  
31 **AGREEMENT WITH THE OWNER OF A FACILITY FOR THE GENERATION OF**

1 ELECTRICITY THAT IS LOCATED OR LOCATES IN THE COUNTY FOR A  
2 NEGOTIATED PAYMENT BY THE OWNER IN LIEU OF TAXES ON THE FACILITY.

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

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

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

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

17 (E) FOR EACH TAXABLE YEAR, WASHINGTON COUNTY SHALL  
18 DISTRIBUTE TO THE TOWN OF WILLIAMSPORT AN AMOUNT EQUAL TO 35% OF:

19 (1) ANY COUNTY PROPERTY TAX REVENUE ATTRIBUTABLE TO  
20 INCREASING THE PERCENT OF ASSESSMENT OF ANY PERSONAL PROPERTY  
21 DESCRIBED IN § 7-237 OF THIS TITLE THAT IS SUBJECT TO COUNTY PROPERTY  
22 TAX, AS AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION; OR

23 (2) ANY AMOUNT RECEIVED BY THE COUNTY UNDER A  
24 NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION.

25 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
26 read as follows:

27 **Article – Natural Resources**

28 5–903.

29 (a) (1) Of the funds distributed to Program Open Space under § 13–209 of  
30 the Tax – Property Article, up to \$3,000,000 may be transferred by an appropriation in  
31 the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of  
32 the State Finance and Procurement Article, to the Maryland Heritage Areas Authority  
33 Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions  
34 Article to be used for the purposes provided in that subtitle.

1           (2)   (i)    Of the remaining funds not appropriated under paragraph  
2 (1) of this subsection, one half of the funds shall be used for recreation and open space  
3 purposes by the Department and the Historic St. Mary's City Commission. Except as  
4 otherwise provided in this section, any funds the General Assembly appropriates to  
5 the State under this subsection shall be used only for land acquisition projects.

6                   (ii)   At least \$1,500,000 of the State's share of funds available  
7 under this program shall be utilized to make grants to Baltimore City for projects  
8 which meet park purposes. The grants shall be in addition to any funds Baltimore City  
9 is eligible to receive under subsection (b) of this section, and may be used for  
10 acquisition or development. In order for Baltimore City to be eligible for a State grant,  
11 the Department shall review projects or land to be acquired within Baltimore City,  
12 and upon the Department's recommendation, the Board of Public Works may approve  
13 projects and land including the cost. Title to the land shall be in the name of the  
14 Mayor and City Council of Baltimore City. The State is not responsible for costs  
15 involved in the development or maintenance of the land.

16                   (iii)  1.    A portion of the State's share of funds available under  
17 this Program not to exceed the amounts specified below may be transferred by an  
18 appropriation in the State budget to the Rural Legacy Program under Subtitle 9A of  
19 this title:

20                           A.    In fiscal year 1998, \$4 million;  
21                           B.    In fiscal year 1999, \$5 million;  
22                           C.    In fiscal year 2000, \$6 million;  
23                           D.    In fiscal year 2001, \$7 million; and  
24                           E.    In fiscal year 2002 and each fiscal year thereafter, \$8  
25 million.

26                           2.    In each fiscal year, up to \$2 million of the funds  
27 transferred under this subparagraph to the Rural Legacy Program may be used to  
28 purchase zero coupon bonds for easements.

29                           3.    Sums allocated to the Rural Legacy Program may not  
30 revert to the General Fund of the State.

31                   **(3)    OF THE REMAINING FUNDS NOT APPROPRIATED UNDER**  
32 **PARAGRAPH (1) OF THIS SUBSECTION, 20% OF THE FUNDS OR \$21 MILLION,**  
33 **WHICHEVER IS GREATER, SHALL BE APPROPRIATED TO THE FOREST AND PARK**  
34 **SERVICE IN THE DEPARTMENT TO OPERATE STATE FORESTS AND PARKS.**

1 (b) ~~OF THE GENERAL ASSEMBLY SHALL APPROPRIATE~~ the remaining  
 2 funds not appropriated under subsection ~~(a)(1)~~ (A) of this section, ~~the General~~  
 3 ~~Assembly shall appropriate the other half of the funds AS FOLLOWS:~~

4 ~~(1) \$21,000,000 TO THE FOREST AND PARK SERVICE IN THE~~  
 5 ~~DEPARTMENT TO OPERATE STATE FORESTS AND PARKS; AND~~

6 ~~(2) THE REMAINDER~~ to assist local governing bodies in acquisition  
 7 and development of land for recreation and open space purposes.

8 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
 9 read as follows:

10 Article - State Government

11 2-1501.

12 (a) In this Part I of this subtitle the following words have the meanings  
 13 indicated.

14 (b) “Bill” includes a joint resolution.

15 (c) “Mandate” means a directive in a bill requiring a local government unit to  
 16 perform a task or assume a responsibility that has a discernible fiscal impact on the  
 17 local government unit.

18 (D) “MANDATED APPROPRIATION” MEANS A REQUIREMENT IN A BILL  
 19 THAT THE GOVERNOR PROVIDE A CERTAIN LEVEL OF FUNDING IN THE ANNUAL  
 20 BUDGET BILL FOR A SPECIFIC PROGRAM IN THE STATE.

21 2-1504.

22 (a) For each regular or special session of the General Assembly, the  
 23 Department of Legislative Services shall prepare and distribute, in serial order:

24 (1) a synopsis of each Senate bill that is introduced; and

25 (2) a synopsis of each House bill that is introduced.

26 (b) If the Department determines that a bill imposes a mandate on a local  
 27 government unit, the synopsis shall include a statement that “This bill imposes a  
 28 mandate on a local government unit.”

29 (C) IF THE DEPARTMENT DETERMINES THAT A BILL REQUIRES A  
 30 MANDATED APPROPRIATION, THE SYNOPSIS SHALL INCLUDE A STATEMENT  
 31 THAT “THIS BILL REQUIRES A MANDATED APPROPRIATION IN THE ANNUAL  
 32 BUDGET BILL.”

1 2-1505.

2 (c) (1) The Executive Director of the Department of Legislative Services  
3 shall have that Department prepare a fiscal note for each bill.

4 (e) (1) A fiscal note for a bill shall contain an estimate of the fiscal impact  
5 of the bill on the revenues and expenditures of the State government and of local  
6 governments:

7 (i) during the year in which the bill is to become effective and  
8 the next 4 years after that year; and

9 (ii) if the full fiscal impact of a bill is not expected to occur  
10 during those years, during each year until and the first year during which that impact  
11 is expected to occur.

12 (2) If a bill, as introduced or amended, imposes a mandate on a local  
13 government unit, the fiscal note for the bill shall contain:

14 (i) a statement that clearly identifies the imposition of the  
15 mandate; and

16 (ii) an estimate of the fiscal impact of the mandate and, if  
17 applicable and if data is available, the effect on local property tax rates.

18 **(3) IF A BILL, AS INTRODUCED OR AMENDED, REQUIRES A**  
19 **MANDATED APPROPRIATION, THE FISCAL NOTE FOR THE BILL SHALL CONTAIN:**

20 **(I) A STATEMENT THAT CLEARLY IDENTIFIES THE**  
21 **IMPOSITION OF THE MANDATED APPROPRIATION; AND**

22 **(II) AN ESTIMATE OF THE FISCAL IMPACT OF THE**  
23 **MANDATED APPROPRIATION.**

24 **[(3)] (4) A fiscal note shall identify the sources of the information**  
25 **that the Department used in preparing the estimates of fiscal impact.**

26 (j) (1) In its summary report of legislation enacted by the General  
27 Assembly that has a fiscal impact, the Department of Legislative Services shall  
28 include a list of legislation that:

29 (I) affects local government units and indicate which legislation  
30 imposes mandates on local government units; OR

31 (II) REQUIRES A MANDATED APPROPRIATION IN THE  
32 ANNUAL BUDGET BILL.

(2) Where applicable and if data is available, the report shall indicate:

(i) the fiscal impact of the bill on local government units;

(ii) the impact of the bill on local property tax rates; [and]

(iii) the cumulative fiscal impact of all legislation imposing mandates on more than one local government unit; AND

**(IV) THE CUMULATIVE FISCAL IMPACT OF ALL LEGISLATION REQUIRING MANDATED APPROPRIATIONS.**

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

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

13–503.

(a) There is a Maryland Agricultural and Resource–Based Industry Development Corporation.

13–513.

(c) (1) The Corporation may receive annual funding through an appropriation in the State budget.

(2) The Corporation may also receive funds for projects included in the budgets of State units.

(3) All unexpended and unencumbered funds appropriated to the Corporation shall remain with the Corporation for future uses.

(4) The Corporation shall conduct its financial affairs in such a manner that, by the year [2020] 2022, it shall be self–sufficient and in no further need of general operating support by the State.

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

1. For fiscal [year] YEARS 2008 THROUGH 2011, \$3,000,000;

2. For fiscal year [2009] 2012, \$3,500,000; and





1 rent directly to counties for space occupied in county facilities by clerks of the circuit  
2 courts, as provided in this section.

3 (b) [To the extent provided in the State budget the rent shall be calculated  
4 per net usable square foot, with no additional reimbursement of maintenance and  
5 utility cost:

6 (1) For fiscal year 2007, at a rate not to exceed \$2.50;

7 (2) For fiscal year 2008, at a rate not to exceed \$5.00; and

8 (3) For fiscal year 2009 and each fiscal year thereafter, at a rate of  
9 \$10] **TO THE EXTENT PROVIDED IN THE STATE BUDGET, THE RENT**  
10 **DISTRIBUTED TO THE COUNTIES SHALL BE THE PRODUCT OF MULTIPLYING:**

11 (1) **THE TOTAL AMOUNT OF LEASE SPACE FUNDING**  
12 **APPROPRIATED IN THE ANNUAL STATE BUDGET DIVIDED BY THE TOTAL**  
13 **AMOUNT OF NET USABLE SQUARE FOOTAGE OCCUPIED BY THE CLERKS OF THE**  
14 **CIRCUIT COURTS; AND**

15 (2) **THE NET USABLE SQUARE FOOTAGE OCCUPIED BY EACH**  
16 **CLERK OF THE CIRCUIT COURT.**

17 (c) Unless the Administrative Office of the Courts and a county agree  
18 otherwise, the county may not decrease the net usable square footage allocated to the  
19 clerk of the circuit court for the county below the net usable square footage allotted for  
20 fiscal year 2002.

21 (D) **NO MORE THAN \$500,000 IN STATE GENERAL FUNDS MAY BE USED**  
22 **TO CARRY OUT THE PROVISIONS OF THIS SECTION.**

23 13-602.

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

26 13-603.

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

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

1                   (2) FOR FISCAL YEARS 2009 AND 2010, FOR MAJOR  
 2 INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS OF THE JUDICIARY  
 3 DEPARTMENT, AS THE ADMINISTRATOR CONSIDERS APPROPRIATE.

4 [13-607.

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

6   **Article - Education**

7 5-206.

8                   (f) [(1) In fiscal year [2006] 2009 and in each fiscal year thereafter, the  
 9 State shall distribute grants to county boards under the Aging Schools Program  
 10 administered by the Interagency Committee on School Construction in [amounts equal  
 11 to the funding level calculated under paragraph (2) of this subsection.

12                   (2) The funding level for a county is:

13   (i) In fiscal year 2007,] the following amounts for the following  
 14 counties:

15   [1.] Allegany County.....[\$166,000;] **\$173,171;**

16   [2.] Anne Arundel County.....[\$859,000;] **\$896,109;**

17   [3.] Baltimore City.....[\$2,356,000;] **\$2,457,779;**

18   [4.] Baltimore County.....[\$1,484,000;] **\$1,548,109;**

19   [5.] Calvert County.....[\$65,000;] **\$67,808;**

20   [6.] Caroline County.....[\$85,000;] **\$88,672;**

21   [7.] Carroll County.....[\$233,000;] **\$243,066;**

22   [8.] Cecil County.....[\$163,000;] **\$170,042;**

23   [9.] Charles County.....[\$85,000;] **\$88,672;**

24   [10.] Dorchester County.....[\$65,000;] **\$67,808;**

25   [11.] Frederick County.....[\$310,000;] **\$323,392;**

26   [12.] Garrett County.....[\$65,000;] **\$67,808;**

- 1                    [13.] Harford County.....[\$369,000;] **\$384,941;**
- 2                    [14.] Howard County.....[\$149,000;] **\$155,437;**
- 3                    [15.] Kent County.....[\$65,000;] **\$67,808;**
- 4                    [16.] Montgomery County....[\$1,023,000;] **\$1,067,194;**
- 5                    [17.] Prince George’s County.[\$2,053,000;] **\$2,141,690;**
- 6                    [18.] Queen Anne’s County.....[\$85,000;] **\$88,672;**
- 7                    [19.] St. Mary’s County.....[\$85,000;] **\$88,672;**
- 8                    [20.] Somerset County.....[\$65,000;] **\$67,808;**
- 9                    [21.] Talbot County.....[\$65,000;] **\$67,808;**
- 10                   [22.] Washington County.....[\$229,000;] **\$238,893;**
- 11                   [23.] Wicomico County.....[\$181,000;] **\$188,819; and**
- 12                   [24.] Worcester County.....[\$65,000; and] **\$67,808.**

13                    [(ii) Except as provided in paragraph (3) of this subsection, in  
 14 fiscal year 2008 and in each fiscal year thereafter, the funding level for the county for  
 15 the prior fiscal year increased by the product of the funding level for the county for the  
 16 prior fiscal year and the percentage change in the Consumer Price Index – all urban  
 17 consumers – all items, as published by the Bureau of Labor Statistics of the United  
 18 States Department of Labor, for the second prior fiscal year.

19                    (3) If the funding level calculated under paragraph (2)(ii) of this  
 20 subsection is less than the funding level for the prior fiscal year, the funding level for  
 21 the county shall be the funding level for the prior fiscal year.]

22                    [7-117.

- 23                    (a) In this section, “Program” means the “Share the State Fair!” Program.
- 24                    (b) There is a “Share the State Fair!” Program in the Department.
- 25                    (c) The purpose of the Program is to:

26                    (1) Provide matching grants to county boards and encourage them to  
 27 dedicate additional local financial support for a “Share the State Fair!” Program; and

1           (2) Provide an educational and cultural enrichment opportunity for  
2 students in each county in prekindergarten through Grade 8 to attend the State Fair.

3           (d) The Department shall administer the matching grants under the  
4 Program.

5           (e) Beginning in fiscal year 2009 and annually thereafter, the Governor shall  
6 include in the annual budget \$25,000 for the Program.

7           (f) (1) In any fiscal year, a county board may not receive aggregate grants  
8 in excess of \$1,000 under the Program.

9           (2) A grant may be used only to pay the costs for transportation and  
10 refreshments for students participating in the “Share the State Fair!” Program.

11           (g) The State Superintendent shall evaluate and make recommendations to  
12 the State Board regarding applications for a grant under this section.

13           (h) The State Board shall adopt regulations to implement this section.]

14 [7-118.

15           (a) In this section, “Program” means the Parent-Teacher Association  
16 Matching Fund Pilot Program.

17           (b) There is a Parent-Teacher Association Matching Fund Pilot Program in  
18 Baltimore City and Prince George’s County.

19           (c) The purpose of the Program is to:

20           (1) Encourage parent-teacher associations to raise funds for public  
21 high schools; and

22           (2) Provide additional State funds for public high schools.

23           (d) (1) Each public high school in Baltimore City and Prince George’s  
24 County is eligible for a dollar-for-dollar match for private funds raised by the school’s  
25 parent-teacher association up to:

26           (i) In Baltimore City, the amount raised by the parent-teacher  
27 association, not to exceed the school’s equal share as determined by dividing \$125,000  
28 by the number of public high schools in Baltimore City; and

29           (ii) In Prince George’s County, the amount raised by the  
30 parent-teacher association, not to exceed the school’s equal share as determined by  
31 dividing \$125,000 by the number of public high schools in Prince George’s County.

1           (2) The total amount expended under the Program may not exceed  
2 \$200,000 annually.

3           (e) Funds for the Program shall be as provided in the State budget by the  
4 Governor.

5           (f) On or before December 1 of each year, the Chief Executive Officer of the  
6 Baltimore City Public School System and the Superintendent of Schools of Prince  
7 George's County shall report to the Senate Budget and Taxation Committee and the  
8 House Ways and Means Committee, in accordance with § 2-1246 of the State  
9 Government Article, on the status of, and the benefits accrued from, the Parent-  
10 Teacher Association Matching Fund Pilot Program.]

11 8-415.

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

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

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

23                           1. The local share of the basic cost;

24                           2. An additional amount equal to 200 percent of the  
25 basic cost; and

26                           3. A. For fiscal year [2005 and fiscal year 2006]  
27 **2009** only, an additional amount equal to 25 percent of the approved cost or  
28 reimbursement in excess of the sum of items 1 and 2 of this subparagraph; and

29                           B. For fiscal year [2007] **2010** and each subsequent  
30 fiscal year, an additional amount equal to 20 percent of the approved cost or  
31 reimbursement in excess of the sum of items 1 and 2 of this subparagraph.

32 13-104.

33           (a) In this section, "Fund" means the Small Business Development Center  
34 Network Fund.

1           **(b) There is a Small Business Development Center Network Fund.**

2           **(c) The purpose of the Fund is to provide matching funds for federal grant**  
3 **funds and to support the operations of the Small Business Development Center**  
4 **Network in the University of Maryland.**

5           **(d) The Fund is a special, continuous, nonlapsing fund that is not subject to §**  
6 **7–302 of the State Finance and Procurement Article.**

7           **(e) The State Treasurer shall hold the Fund separately, and the Comptroller**  
8 **shall account for the Fund.**

9           **(f) The proceeds of the Fund shall be invested and reinvested.**

10           **(g) Any investment earnings of the Fund shall be credited to the General**  
11 **Fund of the State.**

12           **(h) The Fund consists of:**

13                   **(1) Any money appropriated to the Fund;**

14                   **(2) Any federal grant funds; and**

15                   **(3) Any other money from any other source accepted for the benefit of**  
16 **the Fund.**

17           **(i) Money in the Fund may only be expended to support the operations of the**  
18 **Small Business Development Center Network.**

19           **[(j) For the fiscal year beginning July 1, 2006 and each fiscal year thereafter,**  
20 **the Governor shall include in the annual budget bill a General Fund appropriation of**  
21 **at least \$750,000 to the Fund.]**

22 **16–305.**

23           **(a) The formula used for the distribution of funds to the community colleges**  
24 **in the State shall be known as the Senator John A. Cade Funding Formula.**

25           **(b) (1) In this section the following words have the meanings indicated.**

26                   **(2) “Assessed valuation of real property” means assessed valuation of**  
27 **real property as determined for purposes of the State aid calculated under § 5–202 of**  
28 **this article.**

29                   **(3) “Board” means:**

1                   (i) In a county that has 1 or more community colleges, the  
2 board of community college trustees for the county; or

3                   (ii) Where 2 or more counties establish a region to support a  
4 regional community college, the board of regional community college trustees.

5                   (4) “Community college” means a community college established under  
6 this title but does not include Baltimore City Community College.

7                   (5) “County share” means the total amount of money for operating  
8 funds to be provided each fiscal year to a board by the county that supports the  
9 community college or colleges or, in the case of a regional community college, the total  
10 amount of money for operating funds to be provided each fiscal year to the board by all  
11 counties that support the regional community college.

12                   (6) “Direct grants” means the sum of the following components of the  
13 State share:

14                   (i) Fixed costs;

15                   (ii) Marginal costs; and

16                   (iii) Size factor.

17                   (7) “Full-time equivalent student” is the quotient of the number of  
18 student credit hours produced in the fiscal year 2 years prior to the fiscal year for  
19 which the State share is calculated divided by 30, as certified by the Maryland Higher  
20 Education Commission.

21                   (8) “Population” means population as determined for purposes of  
22 calculating the State share of the library program using the definition in § 23-501 of  
23 this article.

24                   (9) “Region” means the counties supporting a regional community  
25 college established under Subtitle 2 of this title.

26                   (10) “Small community college” means:

27                   (i) Allegany College of Maryland;

28                   (ii) Garrett College;

29                   (iii) Hagerstown Community College;

30                   (iv) Carroll Community College;

31                   (v) Cecil Community College;

1                   (vi) Chesapeake College; or

2                   (vii) Wor–Wic Community College.

3                   (11) “State share” means the amount of money for community college  
4 operating funds to be provided each fiscal year to a board by the State.

5                   (12) “Student credit hours” means student credit hours or contact hours  
6 which are eligible, under the regulations issued by the Maryland Higher Education  
7 Commission, for inclusion in State funding calculations.

8                   (13) “Total State operating fund” means the sum of community college  
9 State appropriations for direct grants.

10           (c)   (1)   (i)   The total State operating fund per full–time equivalent  
11 student to the community colleges for each fiscal year as requested by the Governor  
12 shall be:

13                               1.   In fiscal year 2007, not less than an amount equal to  
14 25% of the State’s General Fund appropriation per full–time equivalent student to the  
15 4–year public institutions of higher education in the State as designated by the  
16 Commission for the purpose of administering the Joseph A. Sellinger Program under  
17 Title 17 of this article in the previous fiscal year;

18                               2.   In fiscal [year 2008] **YEARS 2008 THROUGH 2011,**  
19 not less than an amount equal to 25.5% of the State’s General Fund appropriation per  
20 full–time equivalent student to the 4–year public institutions of higher education in  
21 the State as designated by the Commission for the purpose of administering the  
22 Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

23                               3.   In fiscal year [2009] **2012,** not less than an amount  
24 equal to 26.25% of the State’s General Fund appropriation per full–time equivalent  
25 student to the 4–year public institutions of higher education in the State as designated  
26 by the Commission for the purpose of administering the Joseph A. Sellinger Program  
27 under Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST**  
28 **IS MADE;**

29                               4.   In fiscal year [2010] **2013,** not less than an amount  
30 equal to 27% of the State’s General Fund appropriation per full–time equivalent  
31 student to the 4–year public institutions of higher education in the State as designated  
32 by the Commission for the purpose of administering the Joseph A. Sellinger Program  
33 under Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST**  
34 **IS MADE;**

35                               5.   In fiscal year [2011] **2014,** not less than an amount  
36 equal to 28% of the State’s General Fund appropriation per full–time equivalent  
37 student to the 4–year public institutions of higher education in the State as designated



1 by the Commission for the purpose of administering the Joseph A. Sellinger Program  
2 under Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST**  
3 **IS MADE;**

4 6. In fiscal year [2012] **2015**, not less than an amount  
5 equal to 29% of the State's General Fund appropriation per full-time equivalent  
6 student to the 4-year public institutions of higher education in the State as designated  
7 by the Commission for the purpose of administering the Joseph A. Sellinger Program  
8 under Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST**  
9 **IS MADE;** and

10 7. In fiscal year [2013] **2016** and in each fiscal year  
11 thereafter, not less than an amount equal to 30% of the State's General Fund  
12 appropriation per full-time equivalent student to the 4-year public institutions of  
13 higher education in the State as designated by the Commission for the purpose of  
14 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
15 [previous] fiscal year **FOR WHICH THE REQUEST IS MADE.**

16 (ii) For purposes of this subsection, **IN FISCAL YEARS 2009**  
17 **THROUGH 2011**, the State's General Fund appropriation per full-time equivalent  
18 student to the 4-year public institutions of higher education in the State for the  
19 previous fiscal year shall reflect any amendments or reductions to the appropriation  
20 for the previous fiscal year.

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 by  
24 the Governor shall be:

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

30 (ii) In fiscal [year 2008] **YEARS 2008 THROUGH 2011**, not less  
31 than an amount equal to 66.5% of the State's General Fund appropriation per full-  
32 time equivalent student to the 4-year public institutions of higher education in the  
33 State as designated by the Commission for the purpose of administering the Joseph A.  
34 Sellinger Program under Title 17 of this article in the previous fiscal year;

35 (iii) In fiscal year [2009] **2012**, not less than an amount equal to  
36 67.25% of the State's General Fund appropriation per full-time equivalent student to  
37 the 4-year public institutions of higher education in the State as designated by the  
38 Commission for the purpose of administering the Joseph A. Sellinger Program under

1 Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST IS**  
2 **MADE;**

3 (iv) In fiscal year [2010] **2013**, not less than an amount equal to  
4 68% of the State's General Fund appropriation per full-time equivalent student to the  
5 4-year public institutions of higher education in the State as designated by the  
6 Commission for the purpose of administering the Joseph A. Sellinger Program under  
7 Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST IS**  
8 **MADE;**

9 (v) In fiscal year [2011] **2014**, not less than an amount equal to  
10 69% of the State's General Fund appropriation per full-time equivalent student to the  
11 4-year public institutions of higher education in the State as designated by the  
12 Commission for the purpose of administering the Joseph A. Sellinger Program under  
13 Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST IS**  
14 **MADE;**

15 (vi) In fiscal year [2012] **2015**, not less than an amount equal to  
16 70% of the State's General Fund appropriation per full-time equivalent student to the  
17 4-year public institutions of higher education in the State as designated by the  
18 Commission for the purpose of administering the Joseph A. Sellinger Program under  
19 Title 17 of this article in the [previous] fiscal year **FOR WHICH THE REQUEST IS**  
20 **MADE;** and

21 (vii) In fiscal year [2013] **2016** and in each fiscal year thereafter,  
22 not less than an amount equal to 71% of the State's General Fund appropriation per  
23 full-time equivalent student to the 4-year public institutions of higher education in  
24 the State as designated by the Commission for the purpose of administering the  
25 Joseph A. Sellinger Program under Title 17 of this article in the [previous] fiscal year  
26 **FOR WHICH THE REQUEST IS MADE.**

27 (2) For purposes of this subsection, **IN FISCAL YEARS 2009**  
28 **THROUGH 2011**, the State's General Fund appropriation per full-time equivalent  
29 student to the 4-year public institutions of higher education in the State for the  
30 previous fiscal year shall reflect any amendments or reductions to the appropriation  
31 for the previous fiscal year.

32 (b) Notwithstanding subsection (a) of this section, the State appropriation to  
33 Baltimore City Community College requested by the Governor may not be less than  
34 the State appropriation to the College in the previous fiscal year.

35 17-104.

36 (a) **SUBJECT TO SUBSECTION (E) OF THIS SECTION, [The] THE Maryland**  
37 Higher Education Commission shall compute the amount of the annual apportionment  
38 for each institution that qualifies under this subtitle by multiplying:

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

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

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

12           (iii) In fiscal year 2006 and each fiscal year thereafter,] IN  
13 **FISCAL YEARS 2006 THROUGH 2011, an amount not less than 16% of the State's**  
14 **General Fund per full-time equivalent student appropriation to the 4-year public**  
15 **institutions of higher education in this State for the preceding fiscal year; AND**

16           **(II) IN FISCAL YEAR 2012 AND EACH FISCAL YEAR**  
17 **THEREAFTER, AN AMOUNT NOT LESS THAN 16% OF THE STATE'S GENERAL**  
18 **FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR**  
19 **PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE FISCAL**  
20 **YEAR FOR WHICH THE APPORTIONMENT IS COMPUTED.**

21           (b) Full-time equivalent students enrolled in seminarian or theological  
22 programs shall be excluded from the computation required by subsection (a) of this  
23 section.

24           (c) Payments of State general funds under Subtitle 3 of this title shall be  
25 excluded from the computation required by subsection (a) of this section.

26           (d) For purposes of this section, IN FISCAL YEARS 2009 THROUGH 2011,  
27 the State's General Fund appropriation per full-time equivalent student to the 4-year  
28 public institutions of higher education in the State for the previous fiscal year shall  
29 reflect any amendments or reductions to the appropriation for the previous fiscal year.

30           **(E) IN FISCAL YEARS 2009 THROUGH 2011, THE AMOUNT OF THE TOTAL**  
31 **ANNUAL APPORTIONMENT UNDER THIS SECTION MAY NOT INCREASE MORE**  
32 **THAN THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND**  
33 **REVENUES FOR THE FISCAL YEAR FOR WHICH THE APPORTIONMENT IS**  
34 **COMPUTED EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND**  
35 **REVENUES FOR THE PREVIOUS FISCAL YEAR, AS CONTAINED IN THE REPORT OF**  
36 **ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE**

1 ESTIMATES TO THE GOVERNOR UNDER § 6-106(B) OF THE STATE FINANCE AND  
2 PROCUREMENT ARTICLE.

3 23-205.

4 (c) (1) Each year each participating regional resource center shall receive  
5 a minimum amount of funding for each resident of the area served, to be used for  
6 operating and capital expenses.

7 (2) The allocation shall be calculated as follows:

8 (i) For fiscal year 2006.....\$4.50 per each resident of the  
9 area served;

10 (ii) For fiscal year 2007.....\$5.50 per each resident of the  
11 area served;

12 (iii) For fiscal [year 2008] **YEARS 2008 THROUGH**  
13 **2011**.....\$6.50 per each resident of the area served;

14 (iv) For fiscal year [2009] **2012**.....\$7.50 per each resident of  
15 the area served; and

16 (v) For fiscal year [2010] **2013** and each fiscal year  
17 thereafter..... \$8.50 per each resident of the area served.

18 23-503.

19 (a) (1) The entire capital and operating cost of the minimum library  
20 program for this State as a whole shall be shared as provided in this subsection.

21 (2) The State shall provide:

22 (i) Approximately 40 percent of the total cost of the minimum  
23 program; and

24 (ii) Not less than 20 percent of the cost of the minimum program  
25 in any county.

26 (3) The counties participating in the program together shall provide  
27 through local taxes approximately 60 percent of the total statewide cost of the  
28 minimum program.

29 (b) (1) Each county public library system that participates in the  
30 minimum library program shall be provided for each resident of the county, to be used  
31 for operating and capital expenses:

1 (i) For fiscal year 2006 – \$12.00;  
2 (ii) For fiscal year 2007 – \$13.00;  
3 (iii) For fiscal [year 2008] **YEARS 2008 THROUGH 2011** –  
4 \$14.00;

5 (iv) For fiscal year [2009] **2012** – \$15.00; and

6 (v) For fiscal year [2010] **2013** and each fiscal year thereafter –  
7 \$16.00.

8 (2) (i) The State shall share in this amount.

9 (ii) Any county may provide an amount greater than its share  
10 under the cooperative program, but the State may not share in the excess.

11 (c) Any employer Social Security contributions required by federal law for  
12 any employee in a county public library system shall remain the obligation of the  
13 employer.

14 23–510.

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

16 (2) “Capital project” means the:

17 (i) Acquisition of land or buildings for a county library; or

18 (ii) Construction or improvement of a county library.

19 (3) “Construction or improvement” means planning, design,  
20 engineering, alteration, construction, reconstruction, enlargement, expansion,  
21 extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or  
22 capital equipping.

23 (4) “County library” means a library in a county public library system  
24 in the State.

25 (5) “Division” means the Division of Library Development and  
26 Services in the Department.

27 (b) (1) There is a State grant program for county public library capital  
28 projects in the Division.

29 (2) The grant program is in addition to the county–State minimum  
30 library program established under § 23–502 of this article.

1           (e)   (5)   ~~(4)~~   For fiscal year [2008] 2009 and each fiscal year thereafter,  
 2 the Governor shall include in the annual operating or capital budget submission  
 3 [\$5,000,000] AN APPROPRIATION for county library capital projects.

4   **Article – Health – General**

5 ~~16-201.2.~~

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

7   (2)   ~~“Community developmental disabilities services provider” means a~~  
 8 ~~community based developmental disabilities program licensed by the Department.~~

9   (3)   ~~“Community mental health services provider” means a~~  
 10 ~~community based mental health program approved by the Department or an~~  
 11 ~~individual practitioner who contracts with the Department or the appropriate core~~  
 12 ~~service agency.~~

13   (4)   ~~“Core service agency” has the meaning stated in § 10-1201 of this~~  
 14 ~~article.~~

15   (5)   ~~“Eligible individual” means a Medicaid recipient or an individual~~  
 16 ~~who receives developmental disabilities services or mental health services subsidized~~  
 17 ~~in whole or in part by the State.~~

18           (b)   ~~Notwithstanding the provisions of this subtitle, the Department shall~~  
 19 ~~reimburse a community developmental disabilities services provider or a community~~  
 20 ~~mental health services provider for approved services rendered to an eligible~~  
 21 ~~individual as provided in this section.~~

22           (c)   (1)   ~~Subject to the limitations of the State budget, beginning in fiscal~~  
 23 ~~year 2008 and in each fiscal year thereafter, the Department shall adjust for inflation~~  
 24 ~~the fees paid to a community developmental disabilities services provider and a~~  
 25 ~~community mental health services provider for approved services rendered to an~~  
 26 ~~eligible individual using the update factor recommended by the Community Services~~  
 27 ~~Reimbursement Rate Commission.~~

28   (2)   ~~Annual adjustments shall be funded with due regard to the~~  
 29 ~~expenditures necessary to meet the needs of individuals receiving services.~~

30   (3)   ~~The annual rate of change for the fees may not exceed a maximum~~  
 31 ~~rate of 5%.]~~

32   **Article – State Finance and Procurement**

33 7-325.

1           (a) [For] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,  
 2 FOR each fiscal year, the Governor shall include in the annual budget bill submitted to  
 3 the General Assembly a General Fund appropriation for the Maryland State Arts  
 4 Council in an amount not less than the amount of the General Fund appropriation for  
 5 the Council as approved in the State budget as enacted by the General Assembly for  
 6 the prior fiscal year, increased by not less than the percentage by which the projected  
 7 total General Fund revenues for the upcoming fiscal year exceed the revised estimate  
 8 of total General Fund revenues for the current fiscal year, as contained in the report of  
 9 estimated State revenues submitted by the Board of Revenue Estimates to the  
 10 Governor under § 6–106(b) of this article.

11           (b) IN FISCAL YEARS 2009 THROUGH 2011, THE GOVERNOR SHALL  
 12 INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL  
 13 ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE  
 14 ARTS COUNCIL EQUAL TO THE AMOUNT OF THE GENERAL FUND  
 15 APPROPRIATION FOR THE COUNCIL AS APPROVED IN THE STATE BUDGET AS  
 16 ENACTED BY THE GENERAL ASSEMBLY FOR FISCAL YEAR 2008.

17           (c) The Legislative Auditor has the authority to conduct a review or audit of  
 18 any recipient of a grant from the Maryland State Arts Council.

19                                   **Chapter 269 of the Acts of 2006**

20                   **SECTION 2. AND BE IT FURTHER ENACTED, That:**

21           (a) [Subject to subsection (b) of this section, for] FOR fiscal [years 2008 and]  
 22 YEAR 2009, the Governor shall include in the annual budget bill [a general fund] AN  
 23 appropriation to the Rural Broadband Assistance Fund established under Article 83A,  
 24 § 5–1902 of the Code, as enacted by Section 1 of this Act, of at least \$4,000,000 [in  
 25 each fiscal year, of which at least \$2,000,000 in each fiscal year shall be] from the  
 26 Maryland Economic Development Assistance Authority and Fund.

27           (b) If the Rural Broadband Assistance Fund receives more than \$2,000,000  
 28 from the Maryland Economic Development Assistance Authority and Fund in fiscal  
 29 year 2007, then, for fiscal year 2009 only, the funding specified in subsection (a) of this  
 30 section may be reduced by the amount by which the 2007 fiscal year funding from the  
 31 Maryland Economic Development Assistance Authority and Fund exceeds \$2,000,000.]

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

34                                   **Article – State Government**

35                   **9–117.**

1           (a)   (1)   During a calendar year, a licensed agent shall receive regular  
 2 commissions of [5.5%] 5% of the licensed agent's gross receipts from ticket sales made  
 3 during that year.

4           SECTION ~~9~~ 9. AND BE IT FURTHER ENACTED, That it is the intent of the  
 5 General Assembly that in formulating the fiscal year 2009 budget, the Governor shall  
 6 apply any funds in the State Employees and Retirees Health and Welfare Benefits  
 7 Fund estimated to be in excess of the amount necessary to fund the benefit in fiscal  
 8 year 2008 toward funding health insurance costs of employees and retirees in fiscal  
 9 year 2009 so as to reduce the cost to the General Fund of providing the benefit by at  
 10 least ~~\$82,000,000~~ \$77,000,000. It is the further intent that State employees receive  
 11 one additional pay period in which health insurance contributions are not required  
 12 during fiscal 2009.

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

14           (a)   In this section, "Executive Branch agencies" does not include the  
 15 Department of Public Safety and Correctional Services or helicopter pilots in the  
 16 Department of State Police.

17           (b)   (1) As of January 30, 2008, the number of full-time equivalent (FTE)  
 18 regular positions in Executive Branch agencies shall be reduced by 750 FTEs.

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

21           (c)   On or before January 30, 2008, the Governor shall submit to the Board of  
 22 Public Works a schedule for realigning the authorizations made under Chapter 487 of  
 23 the Acts of 2007 to reflect the reduction made in subsection (b) of this section and shall  
 24 take the actions necessary to implement the reductions.

25           (d)   The schedule submitted by the Governor to the Board of Public Works  
 26 shall identify savings of at least \$7,600,000 in general funds plus any special or federal  
 27 funds from salaries and wages in Comptroller objects other than 0152 (Health  
 28 Insurance) and 0154 (Retiree Health Insurance) associated with the abolished  
 29 positions.

30           SECTION 11. AND BE IT FURTHER ENACTED, That notwithstanding any  
 31 other provision of law, the unexpended appropriations for the following purposes that  
 32 were included in the fiscal year 2008 operating budget (Chapter 487, Acts of 2007) are  
 33 reduced by the amounts indicated below and are hereby transferred to the State  
 34 General Fund:

<u>Fiscal Year</u>	<u>Program</u>	<u>Entitled</u>	<u>Amount of Reduction</u>	<u>General Funds</u>
35 2008	N00F	DHR – Information Technology		1,000,000
36 2008	T50T0103	Maryland Technology Development Corporation		3,000,000



1        SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any  
 2 other provision of law, it is the intent of the General Assembly that in developing the  
 3 fiscal 2009 budget, the Governor consider the following recommendations for  
 4 reductions in general funds to slow the growth of the fiscal 2009 current services  
 5 baseline budget after the reductions made by the Board of Public Works in July 2007:

6	<u>Program</u>	<u>Entitled</u>	<u>Amount of Reduction General Funds</u>
7	<u>D40W0112</u>	<u>Heritage Structure Rehabilitation Tax Credit</u>	<u>10,300,000</u>
8	<u>M00L0103</u>	<u>Mental Hygiene Administration</u>	<u>2,700,000</u>
9	<u>M00Q</u>	<u>Medical Care Programs Administration</u>	<u>36,200,000</u>
10	<u>MK000201</u>	<u>Alcohol and Drug Abuse Administration</u>	<u>700,000</u>
11	<u>N00F</u>	<u>DHR – Information Technology</u>	<u>4,000,000</u>
12	<u>R00A0102</u>	<u>Maryland State Department of Education</u>	<u>2,800,000</u>
13	<u>R00A0207</u>	<u>MSDE – Infants and Toddlers Program</u>	<u>8,000,000</u>
14	<u>R00A0115</u>	<u>MSDE – Juvenile Services Education Program</u>	<u>1,700,000</u>
15	<del><u>R00A03</u></del> <u>R00A02</u>	<u>MSDE – North Bay</u>	<u>1,700,000</u>
16	<u>R30B00</u>	<u>University System of Maryland</u>	<u>3,000,000</u>
17	<u>T50T0103</u>	<u>Maryland Technology Development Corporation</u>	<u>3,000,000</u>

18        SECTION 13. AND BE IT FURTHER ENACTED, That it is the intent of the  
 19 General Assembly that the Governor provide funding for the following programs  
 20 through General Obligation bonds:

21	<u>Program</u>	<u>Entitled</u>
22	<u>D06E0201</u>	<u>Public Safety Communication System</u>
23	<u>H00C0101</u>	<u>State House repairs</u>
24	<u>S00A2402</u>	<u>Community Legacy Program</u>
25	<u>S00A2507</u>	<u>Rental Housing Program</u>
26	<u>S00A2508</u>	<u>Homeownership Program</u>
27	<u>S00A2509</u>	<u>Special Loan Program</u>
28	<u>U00A0103</u>	<u>Environment – Water Quality</u>
29	<u>U00A0104</u>	<u>Environment – Hazardous Waste</u>
30	<u>U00A0105</u>	<u>Environment – Drinking Water</u>

31        SECTION 14. AND BE IT FURTHER ENACTED, That notwithstanding any  
 32 other provision of law, it is the intent of the General Assembly that in developing the  
 33 fiscal 2009 budget, the Governor include a 2% cost-of-living increase for certain  
 34 community providers in the Department of Health and Mental Hygiene’s human  
 35 services programs and a 2% cost-of-living increase for certain providers in the  
 36 Department of Health and Mental Hygiene’s Medical Assistance programs. It is the  
 37 further intent of the General Assembly that bonus payments to Managed Care  
 38 Organizations be phased out as the Medicaid physician rate schedule increases to 90%  
 39 of the Medicare rate schedule by 2010. However, funding for the Department of Health  
 40 and Mental Hygiene’s quality of care initiative should be preserved.

41        SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any  
 42 other provision of law, by action of the governing body of a county, property tax  
 43 revenues in an amount equal to payments that a county would have been entitled to

1 receive under Article 24, § 9–1102 of the Code before its repeal under Section 1 of this  
2 Act shall be excluded from the calculation of any limitation on the ability of a county to  
3 impose property taxes.

4 SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding any  
5 other provision of law, it is the intent of the General Assembly that the Police and  
6 Correctional Training Commissions recover 95% of its cost to provide training courses  
7 from non–State agencies.

8 SECTION 17. AND BE IT FURTHER ENACTED, That it is the intent of the  
9 General Assembly to review the amount of the commission paid to lottery agents, if  
10 video lottery terminals are approved and implemented in this State, to determine if  
11 there needs to be additional compensation paid for any lost revenue.

12 SECTION 18. AND BE IT FURTHER ENACTED, That:

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

18 (b) The State Department of Education shall:

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

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

26 SECTION 19. AND BE IT FURTHER ENACTED, That the Spending  
27 Affordability Committee in cooperation with the Department of Budget and  
28 Management shall study Maryland’s budgetary structure and process. The study shall  
29 address how current laws and practices relate to national norms and best practices  
30 with respect to budget formulation, review, management and oversight by the  
31 Executive and Legislative branches. The study shall be completed by December 15,  
32 2008 and include as appropriate draft legislation for consideration by the 2009  
33 General Assembly.

34 SECTION 20. AND BE IT FURTHER ENACTED, That notwithstanding any  
35 other provision of law, it is the intent of the General Assembly that in fiscal year 2009,  
36 contingent on funds being available in the Tourism, Arts, and Cultural Development  
37 Fund established under § 7–328 of the State Finance and Procurement Article,  
38 funding for the Maryland Tourism Development Board Fund, the Maryland State Arts  
39 Council, the Film Wage Rebate program, the Office of Tourism Development, and the

1 operating deficit for the Baltimore City Convention Center, and operating deficit for  
2 the Ocean City Convention Center shall be provided from the Tourism, Arts, and  
3 Cultural Development Fund.

4 SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act  
5 shall take effect January 1, 2008, contingent on the taking effect of Chapter  
6 (H.B.5) of the Acts of the General Assembly of the Special Session of 2007, and if  
7 Chapter \_\_\_\_\_ does not become effective, Section 3 of this Act shall be null and void  
8 without the necessity of further action by the General Assembly.

9 SECTION ~~7~~ 22. AND BE IT FURTHER ENACTED, That Sections 1 and 5 of  
10 this Act shall be applicable to fiscal year 2009 and each fiscal year thereafter.

11 SECTION ~~8~~ 23. AND BE IT FURTHER ENACTED, That Section 4 of this Act  
12 shall be applicable to all taxable years beginning after June 30, 2008.

13 ~~SECTION 9. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall~~  
14 ~~take effect contingent on the taking effect of legislation passed during the Special~~  
15 ~~Session of 2007 establishing a Higher Education Investment Fund, and if legislation~~  
16 ~~establishing a Higher Education Investment Fund does not become effective, Section 3~~  
17 ~~of this Act shall be null and void without the necessity of further action by the General~~  
18 ~~Assembly.~~

19 SECTION ~~10~~ 24. AND BE IT FURTHER ENACTED, That Section 5 of this Act  
20 shall take effect contingent on the taking effect of legislation passed during the Special  
21 Session of 2007 that imposes recordation and transfer taxes on the transfer of  
22 controlling interest in an entity that owns interests in real property in Maryland, and  
23 if legislation that imposes recordation and transfer taxes on the transfer of controlling  
24 interest in an entity that owns interests in real property in Maryland does not become  
25 effective, Section 5 of this Act shall be null and void without the necessity of further  
26 action by the General Assembly.

27 SECTION 25. AND BE IT FURTHER ENACTED, That Section 6 of this Act  
28 shall take effect July 1, 2008.

29 SECTION ~~11~~ 26. AND BE IT FURTHER ENACTED, That, subject to Sections  
30 ~~7~~ 21 through ~~10~~ 25 of this Act, this Act shall take effect January 1, 2008.