

# HOUSE BILL 43

B1

8lr4582

---

By: **Delegates Schuh, Bates, and McKee**  
Introduced and read first time: October 29, 2007  
Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Budget – Mandatory Funding and Calculations – Modifications**

3 FOR the purpose of altering certain provisions relating to State aid to certain local  
4 governments; authorizing the Governor to determine a certain per pupil  
5 foundation amount; altering the manner of calculating a certain geographic cost  
6 of education index; repealing a required calculation for certain State funding to  
7 a certain public institution of higher education; altering the calculation of  
8 certain State funding for certain nonpublic institutions of higher education;  
9 altering a requirement that a certain amount of State funds be provided to a  
10 certain public library capital projects program; altering a requirement that the  
11 Maryland Stadium Authority contribute a certain percentage to a certain  
12 operating deficit; altering a requirement that the Authority contribute a certain  
13 amount to a certain fund; repealing the required calculation for a certain  
14 appropriation to a certain arts council; repealing a requirement to distribute to  
15 a certain local government a certain amount received from certain filing fees;  
16 repealing a requirement to provide a certain amount of funds for a certain  
17 assistance fund; requiring certain public institutions of higher education to  
18 receive an appropriation in a certain fiscal year; providing for the effective date  
19 of this Act; and generally relating to modifications to mandatory funding and  
20 required calculations of amounts in the State budget.

21 BY repealing and reenacting, with amendments,  
22 Article 24 – Political Subdivisions – Miscellaneous Provisions  
23 Section 9–1101 and 9–1102  
24 Annotated Code of Maryland  
25 (2005 Replacement Volume and 2007 Supplement)

26 BY repealing and reenacting, without amendments,  
27 Article – Education  
28 Section 5–202(b)  
29 Annotated Code of Maryland

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2006 Replacement Volume and 2007 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Education  
4 Section 5–202(a) and (f), 14–405(b), 17–104, and 23–510  
5 Annotated Code of Maryland  
6 (2006 Replacement Volume and 2007 Supplement)

7 BY repealing and reenacting, with amendments,  
8 Article – Financial Institutions  
9 Section 13–712.1(6)  
10 Annotated Code of Maryland  
11 (2003 Replacement Volume and 2007 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – State Finance and Procurement  
14 Section 7–325(a)  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume and 2007 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Transportation  
19 Section 13–208  
20 Annotated Code of Maryland  
21 (2006 Replacement Volume and 2007 Supplement)

22 BY repealing  
23 Chapter 269 of the Acts of the General Assembly of 2006  
24 Section 2

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

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

28 9–1101.

29 (a) (1) For each fiscal year, the Comptroller [shall] **MAY** distribute to a  
30 county the amount determined for each county under this section.

31 (2) The amount a county [shall] **MAY** receive under this section in any  
32 fiscal year [shall] **MAY** be based on the county income tax collected from individuals  
33 for the taxable year that ended in the second prior fiscal year, from returns filed  
34 through August 15 immediately preceding the applicable fiscal year, as determined by  
35 the Comptroller.

1 (b) (1) For each fiscal year, the Comptroller [shall] **MAY** determine as  
2 rounded to the nearest cent:

3 (i) The per capita yield of the county income tax for each  
4 county, based on:

5 1. Unless a county income tax rate of other than 2.54%  
6 was in effect, the receipts described in subsection (a)(2) of this section;

7 2. The population of the county as last projected by the  
8 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or  
9 the latest decennial census for the applicable taxable year; and

10 3. If the county income tax rate is other than 2.54% in  
11 the applicable taxable year, the receipts described in subsection (a)(2) of this section  
12 that would have been received if a county income tax rate of 2.54% had been in effect;  
13 and

14 (ii) The per capita statewide yield of the county income tax,  
15 based on:

16 1. The total receipts for county income tax described in  
17 subsection (a)(2) of this section for counties with an income tax rate of 2.54% in effect;

18 2. The State population as last projected by the  
19 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or  
20 the latest decennial census for the applicable taxable year; and

21 3. For counties with an income tax rate of other than  
22 2.54% in effect, the total receipts for county income tax described in subsection (a)(2) of  
23 this section that would have been received if a county income tax rate of 2.54% had  
24 been in effect.

25 (2) If the per capita yield of the county income tax for a county  
26 determined under paragraph (1)(i) of this subsection is less than 75% of the per capita  
27 statewide yield of the county income tax determined under paragraph (1)(ii) of this  
28 subsection, the Comptroller [shall] **MAY** determine the amount that would increase  
29 the county per capita yield to equal 75% of the statewide per capita yield, as rounded  
30 to the nearest dollar.

31 (3) A county may not receive a distribution under this subsection if the  
32 county tax rate in that county was less than 2.4%:

33 (i) For the taxable year that ended in the second prior fiscal  
34 year; or

1 (ii) For any subsequent taxable year through the taxable year  
2 that ends in the current fiscal year.

3 (c) The Comptroller [shall] **MAY** make payments of the additional amounts  
4 provided under this section quarterly during the fiscal year for which the payment is  
5 made.

6 9–1102.

7 (a) [Except as provided in subsection (b) of this section, for] **FOR** each fiscal  
8 year, the State [shall] **MAY** pay [the following amounts] **FUNDS AS PROVIDED IN**  
9 **THE STATE BUDGET** to the following counties to reimburse the counties partially for  
10 the costs of the property tax exemption under § 7–237 of the Tax – Property Article:

|    |                 |              |
|----|-----------------|--------------|
| 11 | [Anne Arundel   | \$ 7,820,202 |
| 12 | Baltimore City  | 453,421      |
| 13 | Baltimore       | 1,794,835    |
| 14 | Calvert         | 6,096,574    |
| 15 | Charles         | 2,522,612    |
| 16 | Dorchester      | 187,442      |
| 17 | Garrett         | 11,907       |
| 18 | Harford         | 860,767      |
| 19 | Montgomery      | 2,765,553    |
| 20 | Prince George’s | 7,744,806    |
| 21 | Washington      | 357,082 ]    |

- 22 (1) **ANNE ARUNDEL;**
- 23 (2) **BALTIMORE CITY;**
- 24 (3) **BALTIMORE;**
- 25 (4) **CALVERT;**
- 26 (5) **CHARLES;**
- 27 (6) **DORCHESTER;**
- 28 (7) **GARRETT;**
- 29 (8) **HARFORD;**
- 30 (9) **MONTGOMERY;**
- 31 (10) **PRINCE GEORGE’S; AND**
- 32 (11) **WASHINGTON.**

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

35 (c) The] **IF FUNDS ARE PROVIDED IN THE STATE BUDGET, THE**  
36 Comptroller [shall pay the amounts provided under this section] **MAY MAKE**  
37 **PAYMENTS** to the counties in equal amounts for each quarter at the end of each  
38 quarter of the fiscal year for which the payments are made.



1 (6) "Full-time equivalent enrollment" means the sum of:

2 (i) The number of students enrolled in grades 1 through 12 or  
3 their equivalent in regular day school programs on September 30 of the previous  
4 school year;

5 (ii) Except as provided in item (iii) of this paragraph, the  
6 product of the number of students enrolled in kindergarten programs on September 30  
7 of the prior school year and:

8 1. 0.60 in fiscal year 2004;

9 2. 0.70 in fiscal year 2005;

10 3. 0.80 in fiscal year 2006;

11 4. 0.90 in fiscal year 2007; and

12 5. 1.00 in fiscal year 2008 and each fiscal year  
13 thereafter;

14 (iii) In Garrett County, the number of students enrolled in  
15 kindergarten programs on September 30 of the prior school year; and

16 (iv) The number of full-time equivalent students, as determined  
17 by a regulation of the Department, enrolled in evening high school programs during  
18 the previous school year.

19 (7) "Local contribution rate" means the figure that is calculated as  
20 follows:

21 (i) Multiply the statewide full-time equivalent enrollment by  
22 \$624, and multiply this product by:

23 1. 0.46 in fiscal year 2004;

24 2. 0.47 in fiscal year 2005;

25 3. 0.48 in fiscal year 2006;

26 4. 0.49 in fiscal year 2007; and

27 5. 0.50 in fiscal year 2008 and each fiscal year  
28 thereafter;

29 (ii) Multiply the statewide full-time equivalent enrollment by  
30 the amount that the annual per pupil foundation amount exceeds \$624, and multiply  
31 this product by 0.50;

1 (iii) Add the two products calculated in items (i) and (ii) of this  
2 paragraph, and divide the resulting sum by the sum of the wealth of all of the counties  
3 in this State; and

4 (iv) Round the result obtained in item (iii) of this paragraph to  
5 seven decimal places and express as a percent with five decimal places.

6 (8) “Local share of the foundation program” means the product of the  
7 local contribution rate and a county’s wealth.

8 (9) “Net taxable income” means the amount certified by the State  
9 Comptroller for the second completed calendar year before the school year for which  
10 the calculation of State aid under this section is made, based on tax returns filed on or  
11 before September 1 after this calendar year.

12 (10) “Personal property” means all property classified as personal  
13 property under § 8–101(c) of the Tax – Property Article.

14 (11) “Real property” means all property classified as real property  
15 under § 8–101(b) of the Tax – Property Article.

16 (12) “State share of the foundation program” means the greater of:

17 (i) The difference between the foundation program and the  
18 local share of the foundation program; and

19 (ii) The result obtained by multiplying the annual per pupil  
20 foundation amount by the county’s full-time equivalent enrollment, and multiplying  
21 this product by:

- 22 1. 0.25 in fiscal year 2004;
- 23 2. 0.24 in fiscal year 2005;
- 24 3. 0.22 in fiscal year 2006;
- 25 4. 0.19 in fiscal year 2007; and
- 26 5. 0.15 in fiscal year 2008 and each fiscal year  
27 thereafter.

28 (13) “Target per pupil foundation amount” [means:

29 (i) In fiscal year 2004, \$5,730; and

30 (ii) In subsequent fiscal years:

1                   1.     The target per pupil foundation amount for the prior  
2 fiscal year increased by the same percentage as the increase in the implicit price  
3 deflator for State and local government expenditures for the second prior fiscal year;  
4 or

5                   2.     If there is no increase in the implicit price deflator for  
6 State and local government expenditures for the second prior fiscal year, the target  
7 per pupil foundation amount for the prior fiscal year] **IN FISCAL YEAR 2009 AND**  
8 **EACH FISCAL YEAR THEREAFTER, MEANS AN AMOUNT DETERMINED BY THE**  
9 **GOVERNOR.**

10                   (14)    "Wealth" means the sum of:

11                           (i)     Net taxable income;

12                           (ii)    100 percent of the assessed value of the operating real  
13 property of public utilities;

14                           (iii)  40 percent of the assessed valuation of all other real  
15 property; and

16                           (iv)   50 percent of assessed value of personal property.

17                   (b)     Subject to the other provisions of this section, each year the State shall  
18 distribute the State share of the foundation program to each county board.

19                   (f)     (1)    In this subsection, "GCEI adjustment" means the **STATE SHARE**  
20 **OF THE** foundation program for each county multiplied by:

21                           (i)     0.000 in Allegany;

22                           (ii)    0.018 in Anne Arundel;

23                           (iii)  0.042 in Baltimore City;

24                           (iv)    0.008 in Baltimore;

25                           (v)     0.021 in Calvert;

26                           (vi)   0.000 in Caroline;

27                           (vii)  0.014 in Carroll;

28                           (viii) 0.000 in Cecil;

29                           (ix)   0.020 in Charles;



- 1 (x) 0.000 in Dorchester;
- 2 (xi) 0.024 in Frederick;
- 3 (xii) 0.000 in Garrett;
- 4 (xiii) 0.000 in Harford;
- 5 (xiv) 0.015 in Howard;
- 6 (xv) 0.010 in Kent;
- 7 (xvi) 0.034 in Montgomery;
- 8 (xvii) 0.048 in Prince George's;
- 9 (xviii) 0.011 in Queen Anne's;
- 10 (xix) 0.002 in St. Mary's;
- 11 (xx) 0.000 in Somerset;
- 12 (xxi) 0.000 in Talbot;
- 13 (xxii) 0.000 in Washington;
- 14 (xxiii) 0.000 in Wicomico; and
- 15 (xxiv) 0.000 in Worcester.

16 (2) To the extent funds are provided in the State budget for the grants  
17 under this subsection, in addition to the State share of the foundation program, each  
18 county board may receive a grant to reflect regional differences in the cost of education  
19 that are due to factors outside of the control of the local jurisdiction.

20 (3) Subject to paragraph (4) of this subsection, the amount of the grant  
21 to each county board under this subsection [shall] **MAY** equal the GCEI adjustment for  
22 the county board multiplied times:

- 23 (i) 0.50 in fiscal year 2006;
- 24 (ii) 0.62 in fiscal year 2007;
- 25 (iii) 0.74 in fiscal year 2008;
- 26 (iv) 0.86 in fiscal year 2009; and
- 27 (v) 1.00 in fiscal year 2010 and each fiscal year thereafter.

1           (4) For any fiscal year, if sufficient funds are not provided in the State  
2 budget to fully fund the grants provided under this subsection, the grant to each  
3 county board under this subsection [shall] **MAY** equal the amount determined under  
4 paragraph (3) of this subsection multiplied by a fraction:

5                   (i) The numerator of which is the amount provided in the State  
6 budget to fund the grants; and

7                   (ii) The denominator of which is the sum of the amounts  
8 calculated under paragraph (3) of this subsection for all the county boards.

9 14-405.

10           (b) (1) In order to establish a predictable level of funding, the Governor  
11 shall include in the annual budget submission a General Fund grant to St. Mary's  
12 College of Maryland.

13                   (2) [(i) For fiscal year 1993, the grant shall be as provided for in the  
14 State fiscal year 1993 appropriation.

15                           (ii) For fiscal year 1994 and each year thereafter, the proposed  
16 grant shall be equal to the grant of the prior year augmented by funds required to  
17 offset inflation as indicated by the implicit price deflator for State and local  
18 government.

19                   (3)] The State shall pay the General Fund grants under this subsection  
20 to the College on a quarterly basis.

21                   [(4)] **(3)** Nothing in this subsection may be construed to restrict the  
22 budgetary power of the General Assembly.

23                   [(5)] **(4)** The College shall support all operating costs, including  
24 personnel and retirement costs, from its General Fund grant and the other revenue  
25 sources of the College.

26 17-104.

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

30                   (1) The number of full-time equivalent students enrolled at the  
31 institution during the fall semester of the fiscal year preceding the fiscal year for  
32 which the aid apportionment is made, as determined by the Maryland Higher  
33 Education Commission [times]; **AND**

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

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

8                       (iii)] In fiscal year [2006] **2009** and each fiscal year thereafter,  
9 an amount [not less than] **EQUAL TO** 16% of the State's General Fund per full-time  
10 equivalent student appropriation to the 4-year public institutions of higher education  
11 in this State for the preceding fiscal year.

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

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

17           (d)   For purposes of this section, the State's General Fund appropriation per  
18 full-time equivalent student to the 4-year public institutions of higher education in  
19 the State for the previous fiscal year shall reflect any amendments or reductions to the  
20 appropriation for the previous fiscal year.

21           **(E)   EACH INSTITUTION MAY RECEIVE THE AMOUNTS SPECIFIED IN**  
22 **SUBSECTION (A) OF THIS SECTION IF SUFFICIENT FUNDS ARE PROVIDED IN THE**  
23 **STATE BUDGET.**

24 23-510.

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

26                       (2)   "Capital project" means the:

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

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

29                       (3)   "Construction or improvement" means planning, design,  
30 engineering, alteration, construction, reconstruction, enlargement, expansion,  
31 extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or  
32 capital equipping.

33                       (4)   "County library" means a library in a county public library system  
34 in the State.

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

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

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

7           (c) (1) On or before July 15 of each year, a county public library system  
8 may submit applications to the Division to receive grants for county library capital  
9 projects for the next fiscal year.

10           (2) In order to apply for a capital project grant, a county public library  
11 system shall have:

12                   (i) A countywide library plan that includes a mission  
13 statement, needs statement, and multiyear goals and objectives on file with the  
14 Division; and

15                   (ii) A master plan that includes a description of the capital  
16 project approved by the applicant’s governing body.

17           (3) An application shall include:

18                   (i) A description of the scope and purpose of the project;

19                   (ii) A building plan that includes the estimated total cost of the  
20 project; and

21                   (iii) Any other information required by the Division.

22           (4) A county public library system may not apply for more than three  
23 capital project grants in a fiscal year.

24           (d) (1) The Division shall develop and administer a grant program to  
25 assist in the funding of county library capital projects.

26           (2) The purpose of the grant program is to:

27                   (i) Provide a uniform and objective analysis of proposed capital  
28 projects; and

29                   (ii) Support projects that address the library needs in the State.

30           (3) Grants under the program:

1 (i) Require a matching fund from any combination of county,  
2 municipal, or private sources;

3 (ii) May not exceed 50% of the total cost of a capital project; and

4 (iii) May not be for an amount less than \$20,000.

5 (e) (1) The Division shall review grant applications submitted in  
6 accordance with subsection (c) of this section.

7 (2) On or before October 1 of each year, the Division shall make  
8 recommendations to the State Board regarding capital project grants for the next  
9 fiscal year.

10 (3) In making its recommendations, the Division shall consider:

11 (i) The public necessity and urgency of a project;

12 (ii) The need for additional sources of funding for a project;

13 (iii) The estimated cost and timeliness of executing a project;

14 (iv) The viability of matching funds for a project; and

15 (v) Geographic diversity.

16 (4) On or before November 1 of each year, the State Board shall:

17 (i) Approve capital projects for funding in the State budget for  
18 the next fiscal year; and

19 (ii) Forward the list of approved capital projects to the  
20 Department of Budget and Management.

21 (5) [For fiscal year 2008 and each fiscal year thereafter, the] **THE**  
22 Governor [shall] **MAY** include in the annual operating or capital budget submission  
23 [\$5,000,000] **FUNDS** for county library capital projects.

24 (f) The State Board shall report to the Governor and, in accordance with §  
25 2-1246 of the State Government Article, the General Assembly, on or before October 1  
26 of each year, on State grants awarded for county public library capital projects for the  
27 prior fiscal year.

28 (g) The State Board shall adopt regulations to implement the grant program  
29 established under this section.

30 **Article – Financial Institutions**

1 13-712.1.

2 The Authority may not close on the sale of bonds which constitute tax supported  
3 debt of the State, and may not otherwise borrow money in amounts exceeding \$35,000  
4 per year, to finance any segment of a facility unless the Authority:

5 (6) With respect to site acquisition and construction of an Ocean City  
6 Convention Center facility, has secured, as approved by the Board of Public Works:

7 (i) A lease or other written agreement with Ocean City  
8 pursuant to which:

9 1. Ocean City agrees to issue bonds not later than the  
10 date of the Authority's bond issuance as authorized under § 13-712(a)(1) of this  
11 subtitle and to contribute \$14,700,000 of the proceeds from the sale of the bonds for  
12 the capital costs of the expansion of the Ocean City Convention Center;

13 2. The Authority agrees to issue bonds as authorized  
14 under § 13-712(a)(1) of this subtitle and to contribute \$14,700,000 of the proceeds  
15 from the sale of the bonds for the capital costs of the expansion of the Ocean City  
16 Convention Center;

17 3. Ocean City and the Authority agree that if the actual  
18 capital costs of the expansion of the Ocean City Convention Center are less than  
19 \$29,400,000, the savings will be allocated:

20 A. One-half to the Authority; and

21 B. One-half to Ocean City;

22 4. Ocean City agrees to provide the Ocean City  
23 Convention Center site, as defined in § 13-701(l) of this subtitle, for the expansion and  
24 renovation of the Ocean City Convention Center; and

25 5. Ocean City and the Authority will each own a 50%  
26 leasehold interest as tenants in common in the improvements comprising the existing  
27 Ocean City Convention Center and the Ocean City Convention Center expansion for  
28 the duration of any bonds issued as authorized under § 13-712(a)(1) of this subtitle,  
29 with neither Ocean City nor the Authority entitled to sell, assign, mortgage, pledge, or  
30 encumber the Ocean City Convention Center facility (or any leasehold interest  
31 therein) without the prior consent of the other, except for liens in favor of Ocean City's  
32 and the Authority's respective bondholders;

33 (ii) A deed, lease, or written agreement with Ocean City  
34 permitting the Authority to design, construct, and equip, or contract for the design,  
35 construction, and equipping of the Ocean City Convention Center facility expansion,  
36 and to pledge the Ocean City Convention Center facility and the Ocean City

1 Convention Center site or the leasehold interest therein, as security for the Authority's  
2 bonds; and

3 (iii) A written agreement with Ocean City:

4 1. Whereby Ocean City agrees to market, promote, and  
5 operate the Ocean City Convention Center facility in a manner which maximizes the  
6 Ocean City Convention Center's economic return (which shall not be construed to  
7 require gambling activities in the Ocean City Convention Center), and to maintain  
8 and repair the Ocean City Convention Center facility so as to keep the Ocean City  
9 Convention Center facility in first class operating condition; and

10 2. That includes provisions that:

11 A. Protect the Authority's and Ocean City's respective  
12 investment in the Ocean City Convention Center facility;

13 B. Require the Authority and Ocean City to each  
14 contribute to operating deficits and a capital improvement reserve fund, for the period  
15 beginning upon the completion of the expanded and renovated Ocean City Convention  
16 Center facility and continuing during the period that the Authority's Ocean City  
17 Convention Center facility bonds are outstanding, as follows:

18 I. The Authority shall contribute [one-half] **FUNDS TO**  
19 **ANNUAL OPERATING DEFICITS** and Ocean City shall contribute [one-half to] **ANY**  
20 **REMAINING FUNDS NECESSARY TO COVER** annual operating deficits;

21 II. The Authority **SHALL ANNUALLY CONTRIBUTE**  
22 **FUNDS** and Ocean City shall [each] annually contribute \$50,000 to an appropriate  
23 Capital Improvement Reserve Fund; and

24 III. Ocean City shall be solely responsible for all operating  
25 deficits and capital improvements prior to the completion of the expanded and  
26 renovated Ocean City Convention Center facility and after the repayment of the  
27 Authority's Ocean City Convention Center facility bonds; and

28 C. Provide for remedies upon default which include the  
29 right of the Authority, in the event of a material default by Ocean City which has not  
30 been corrected after a reasonable notice and cure period, to immediately assume  
31 responsibility for maintenance and repairs of the Ocean City Convention Center  
32 facility and offset the costs of such maintenance and repairs against other amounts  
33 owed by the Authority to Ocean City, whether under the operating agreement with  
34 Ocean City or otherwise;

35 **Article – State Finance and Procurement**

36 7-325.

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

## 10 **Article - Transportation**

11 13-208.

12 [(a)] Of each filing fee received under this subtitle, the Administration shall  
13 deposit \$14 in the General Fund.

14 [(b) For each fiscal year, the Comptroller shall distribute to Baltimore City an  
15 amount equal to \$5 for each filing fee received under this subtitle.]

## 16 **Chapter 269 of the Acts of 2006**

17 [SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2009, the  
30 University System of Maryland and Morgan State University each shall receive an  
31 appropriation.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 January 1, 2008.