

SB0046/863522/1

BY: Senator Brinkley

AMENDMENTS TO SENATE BILL 46, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0046/579230/1), strike beginning with “altering” in line 5 of Amendment No. 1 down through “years;” in line 6 and substitute “altering the distribution of the motor fuel tax revenue for certain fiscal years; altering the distribution of the corporate income tax for certain fiscal years; requiring that certain funds in a certain account of the Maryland Health Care Provider Rate Stabilization Fund be transferred to the General Fund;”; strike beginning with “requiring” in line 7 down through “extent;” in line 8; in line 11, strike beginning with “providing” through “Act;” and substitute “delaying the implementation and funding of a certain health care coverage expansion;”; in line 16, after “Section” insert “2-1104, 2-1302.1, and”; and after line 20, insert:

“BY repealing and reenacting, without amendments,

Article - Insurance

Section 19-804(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article - Insurance

Section 19-804(e)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)”.

On page 2 of the Budget and Taxation Committee Amendments, in line 1 of Amendment No. 1, strike “10-105(a),” and substitute “2-613.1,”.

(Over)

AMENDMENT NO. 2

On page 2 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 2, before “Article” insert:

“Article – Insurance

19–804.

(c) (1) Portions of the Rate Stabilization Account that exceed the amount necessary to pay for health care provider subsidies shall remain in the Rate Stabilization Account to be used:

(i) to pay for health care provider subsidies in calendar years 2006 through 2008; and

(ii) after the fiscal year 2009 allocation to the Rate Stabilization Account under § 19–803(b) of this subtitle, by the Medical Assistance Program Account for the purposes specified under § 19–807(b) of this subtitle.

(2) Any disbursements from the Rate Stabilization Account to a medical professional liability insurer that is not used to provide a rate reduction, credit, or refund to a health care provider shall be returned to the State Treasurer for reversion to the Fund.

(3) Notwithstanding paragraph (1) of this subsection, amounts necessary to pay for health care provider subsidies under § 19–805(b)(3) of this subtitle shall remain in the Rate Stabilization Account.

(E) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION OR ANY OTHER PROVISION OF LAW, IN FISCAL YEAR 2009, \$83,275,000 OF THE BALANCE

REMAINING IN THE RATE STABILIZATION ACCOUNT AT THE END OF FISCAL YEAR 2008 SHALL BE TRANSFERRED AS FOLLOWS:

(1) \$7,000,000 TO THE MEDICAL ASSISTANCE PROGRAM ACCOUNT, TO BE USED BY THE SECRETARY TO INCREASE FEE-FOR-SERVICE PROVIDER RATES TO DENTISTS IN FISCAL YEAR 2009;

(2) \$76,275,000 TO THE GENERAL FUND OF THE STATE.”;

and after line 2, insert:

“2-1104.

(A) [After] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AFTER making the distributions required under §§ 2-1101 through 2-1103 of this subtitle, from the remaining motor fuel tax revenue, the Comptroller shall distribute:

(1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and

(2) any remaining balance to the Gasoline and Motor Vehicle Revenue Account of the Transportation Trust Fund.

(B) FOR EACH OF THE FISCAL YEARS BEGINNING JULY 1, 2008, JULY 1, 2009, AND JULY 1, 2010, INSTEAD OF THE DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE 2.3% OF THE REMAINING MOTOR FUEL TAX REVENUE TO THE GENERAL FUND OF THE STATE.

2-1302.1.

(Over)

(A) [After] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AFTER making the distributions required under §§ 2–1301 and 2–1302 of this subtitle, of the sales and use tax collected on short–term vehicle rentals under § 11–104(c) of this article the Comptroller shall distribute:

(1) 45% to the Transportation Trust Fund established under § 3–216 of the Transportation Article; and

(2) the remainder to the Chesapeake Bay 2010 Trust Fund.

(B) FOR EACH OF THE FISCAL YEARS BEGINNING JULY 1, 2008, JULY 1, 2009, AND JULY 1, 2010, AFTER THE DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINDER OF THE SALES AND USE TAX COLLECTED ON SHORT–TERM VEHICLE RENTALS UNDER § 11–104(C) OF THIS ARTICLE TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On page 2 of the Budget and Taxation Committee Amendments, after the last line of Amendment No. 2, insert:

“2–613.1.

After making the distribution required under § 2–613 of this subtitle [:

(1)], of the remaining income tax revenue from corporations, the Comptroller shall distribute [:

(i) for fiscal year 2008 only:

1. \$16,000,000 to the Higher Education Investment Fund established under § 15-106.6 of the Education Article; and

2. the amount by which 15.15% of the remaining income tax revenue from corporations exceeds \$16,000,000 to the General Fund; and

(ii) for fiscal year 2009 only:

1. 6% to the Higher Education Investment Fund established under § 15-106.6 of the Education Article; and

2. 9.15% to the General Fund; and

(2) for fiscal year 2010 and subsequent fiscal years, the Comptroller shall distribute] 15.15% of the remaining income tax revenue from corporations to the General Fund of the State.”.

AMENDMENT NO. 4

On pages 3 through 5 of the Budget and Taxation Committee Amendments, in Amendment No. 2, strike beginning with “10-105.” in line 9 on page 3 down through “\$1,000,000.” in line 9 on page 5.

AMENDMENT NO. 5

On page 5 of the Budget and Taxation Committee Amendments, strike beginning with “SECTION” in line 2 of Amendment No. 3 down through “Act.” in line 6; and in line 7, strike “5.” and substitute “4.”.

On page 6 of the Budget and Taxation Committee Amendments, strike beginning with “SECTION” in line 1 of Amendment No. 3 down through “2007.” in line 2 and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the expansion of health care coverage enacted by Chapter 7 of the Acts of the General Assembly of the 2007 Special Session may not be implemented before fiscal year 2012, and no funds may be expended for that expansion of health care coverage until fiscal year 2012.”;

and in line 3, strike “7.” and substitute “6.”.