

HOUSE BILL 1194

B1

8lr2405
CF SB 527

By: **Chair, Appropriations Committee**
Introduced and read first time: February 8, 2008
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Spending Mandate Relief Act**

3 FOR the purpose of altering a requirement that the State budget include a certain
4 appropriation to pay rent to counties for certain space occupied by clerks of the
5 circuit courts; altering the calculation of certain State aid to private institutions
6 of higher education; altering the calculation of certain State aid to libraries;
7 and generally relating to certain State spending mandates.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 1–504
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 17–104(a), 23–205(c), and 23–503(b)
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2007 Supplement)

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

20 **Article – Courts and Judicial Proceedings**

21 1–504.

22 (a) [There] **THE CHIEF JUDGE OF THE COURT OF APPEALS** shall
23 **CERTIFY TO THE GOVERNOR FOR INCLUSION** [be included] in each State budget an
24 appropriation [to the Department of General Services in the total amount necessary]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **NOT TO EXCEED \$500,000** to pay rent directly to counties for space occupied in
2 county facilities by clerks of the circuit 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].

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

14 **Article – Education**

15 17–104.

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

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

23 (2) (i) In each of fiscal years 2003 and 2004, an amount not less
24 than 14.3% of the State’s General Fund per full–time equivalent student appropriation
25 to the 4–year public institutions of higher education in this State for the preceding
26 fiscal year;

27 (ii) In fiscal year 2005, an amount not less than 15.2% of the
28 State’s General Fund per full–time equivalent student appropriation to the 4–year
29 public institutions of higher education in this State for the preceding fiscal year; [and]

30 (III) **IN FISCAL YEAR 2009, AN AMOUNT EQUAL TO**
31 **\$56,051,065;**

32 (IV) **IN FISCAL YEAR 2010, AN AMOUNT NOT LESS THAN**
33 **15.25% OF THE STATE’S GENERAL FUND PER FULL–TIME EQUIVALENT**

1 **STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER**
2 **EDUCATION IN THIS STATE FOR THE PRECEDING FISCAL YEAR; AND**

3 [(iii)] (V) In fiscal year [2006] **2011** and each fiscal year
4 thereafter, an amount not less than 16% of the State’s General Fund per full-time
5 equivalent student appropriation to the 4-year public institutions of higher education
6 in this State for the preceding fiscal year.

7 23–205.

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

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

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

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

16 (iii) For fiscal year 2008.....\$6.50 per each resident of the
17 area served;

18 (iv) For fiscal year 2009.....[\$7.50] **\$6.50** per each resident
19 of the area served; [and]

20 (v) **FOR FISCAL YEAR 2010.....\$7.50 PER EACH**
21 **RESIDENT OF THE AREA SERVED; AND**

22 (VI) For fiscal year [2010] **2011** and each fiscal year
23 thereafter..... \$8.50 per each resident of the area served.

24 23–503.

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

28 (i) For fiscal year 2006 – \$12.00;

29 (ii) For fiscal year 2007 – \$13.00;

30 (iii) For fiscal year 2008 – \$14.00;

31 (iv) For fiscal year 2009 – [\$15.00; and] **\$14.00;**

1 (v) For fiscal year 2010 – **\$15.00; AND**

2 (vi) **FOR FISCAL YEAR 2011** and each fiscal year thereafter –
3 \$16.00.

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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2008.