

SENATE BILL 91

B1

8lr0221
CF HB 101

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

Introduced and read first time: January 16, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2008**

3 FOR the purpose of altering a certain fee assessed for the Drinking Driver Monitor
4 Program; repealing the termination of a certain fee; altering a requirement that
5 the State budget include a certain appropriation to pay rent to counties for
6 certain space occupied by clerks of the circuit courts; altering the calculation of
7 certain State aid to private institutions of higher education; altering the
8 calculation of certain State aid to libraries; authorizing the use of certain funds
9 for the Medical Assistance Program and the Health Care Coverage Fund;
10 authorizing the Governor to transfer to the General Fund certain amounts from
11 a certain special fund for a certain fiscal year; making the provisions of this Act
12 severable; and generally relating to the financing of State government.

13 BY repealing and reenacting, with amendments,

14 Article – Correctional Services

15 Section 6–115(b) and (c)

16 Annotated Code of Maryland

17 (1999 Volume and 2007 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Courts and Judicial Proceedings

20 Section 1–504

21 Annotated Code of Maryland

22 (2006 Replacement Volume and 2007 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Education

25 Section 17–104(a), 23–205(c), and 23–503(b)

26 Annotated Code of Maryland

27 (2006 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,
2 Article – Insurance
3 Section 19–804(c)
4 Annotated Code of Maryland
5 (2006 Replacement Volume and 2007 Supplement)

6 BY adding to
7 Article – Insurance
8 Section 19–804(e)
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2007 Supplement)

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

13 **Article – Correctional Services**

14 6–115.

15 (b) All supervisees placed in the Drinking Driver Monitor Program by the
16 Division shall be:

17 (1) subject to a monthly supervision fee in accordance with § 6–226 of
18 the Criminal Procedure Article; and

19 (2) [for fiscal years 2006 through 2010 only,] assessed a monthly
20 program fee of [\$45] **\$55** by the Division.

21 (c) (1) The Program fee imposed under this section shall be paid to the
22 Division by all supervisees in the Drinking Driver Monitor Program [from July 1, 2005
23 through June 30, 2010].

24 (2) The Division shall pay the Program fees collected under this
25 section into the Drinking Driver Monitor Program Fund.

26 **Article – Courts and Judicial Proceedings**

27 1–504.

28 (a) [There] **THE CHIEF JUDGE OF THE COURT OF APPEALS** shall
29 **CERTIFY TO THE GOVERNOR FOR INCLUSION** [be included] in each State budget an
30 appropriation [to the Department of General Services in the total amount necessary]
31 **NOT TO EXCEED \$500,000** to pay rent directly to counties for space occupied in
32 county facilities by clerks of the circuit courts, as provided in this section.

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

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

6 (3) For fiscal year 2009 and each fiscal year thereafter, at a rate of
7 \$10].

Article - Education

13 17-104.

28 (III) IN FISCAL YEAR 2009, AN AMOUNT EQUAL TO
29 \$56,051,065;

30 (IV) IN FISCAL YEAR 2010, AN AMOUNT NOT LESS THAN
31 15.25% OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT
32 STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER
33 EDUCATION IN THIS STATE FOR THE PRECEDING FISCAL YEAR; AND

5 23-205.

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

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

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

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

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

18 (v) FOR FISCAL YEAR 2010.....\$7.50 PER EACH
19 RESIDENT OF THE AREA SERVED: AND

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

22 23-503.

26 (i) For fiscal year 2006 – \$12,000;

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

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

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

30 (v) For fiscal year 2010 - \$15.00; AND

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

Article - Insurance

7 19-804.

11 (i) to pay for health care provider subsidies in calendar years
12 2006 through 2008; and

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any
5 other provision of law, on or before June 30, 2009, the Governor may transfer to the
6 General Fund \$25,000,000 of the funds in the Central Collection Fund established
7 under § 3-306 of the State Finance and Procurement Article.

8 SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this
9 Act or the application thereof to any person or circumstance is held invalid for any
10 reason in a court of competent jurisdiction, the invalidity does not affect other
11 provisions or any other application of this Act which can be given effect without the
12 invalid provision or application, and for this purpose the provisions of this Act are
13 declared severable.

14 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2008.