

BY: Conference Committee
(To be offered in the Conference Committee)

AMENDMENTS TO SENATE BILL 141
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 7 down through “website;” in line 15; in line 17, after “funding;” insert “altering a certain requirement for reimbursement of certain volunteer firefighters and ambulance or rescue squad members under a certain tuition reimbursement program; requiring certain funds to be used for certain purposes for a certain fiscal year;”; and in line 20, after “bill” insert “to specify how certain savings will be achieved and”.

On page 2, in line 2, after “funds;” insert “altering certain requirements governing expenditures from a certain fund;”; in the same line, after “altering” insert “for a certain fiscal year”; strike beginning with “requiring” in line 10 down through “System;” in line 18; strike beginning with “requiring” in line 20 down through “circumstances;” in line 23; in line 25, after “distribution” insert “from a certain account”; in line 27, after “distribution” insert “from a certain account”; and strike beginning with “altering” in line 29 down through “years;” in line 30.

On pages 2 and 3, strike beginning with “limiting” in line 47 on page 2 down through “funding;” in line 2 on page 3 and substitute “requiring a certain residential boarding program and the State Department of Education to negotiate a certain modification to a certain contract and to submit a certain report to the budget committees of the General Assembly by a certain date;”.

On page 3, in line 17, after “circumstances;” insert “repealing a requirement that the Comptroller include a certain tax add-on system that allows contributions to the Fair Campaign Financing Fund; authorizing the transfer of certain funds in the Fair Campaign Finance Fund for certain purposes; requiring that certain funds transferred from the Fair Campaign Finance Fund not used for certain purposes shall”.

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revert to the Fund; providing for a study and report by a certain date by an independent consultant regarding certain issues relating to certain voting systems;”; strike beginning with “reducing” in line 18 down through “year;” in line 19; and in line 21, after “contingency;” insert “authorizing the transfer of certain amounts from certain special funds to the General Fund to support a certain business licensing project; establishing a certain commission to study and make recommendations relating to State funded benefits and pensions provided to State and public education employees and retirees; requiring the commission to submit certain reports to a certain commission and certain committees on or before certain dates; stating certain intent of the General Assembly;”.

AMENDMENT NO. 2

On page 3, in line 26, after “9-1101” insert “(a)”; and strike in their entirety lines 29 through 38, inclusive.

On page 4, in line 8, strike “and 10-523(a)(3)(i)” and substitute “, and 4-801(g)”; in line 14, after “17-104(a).” insert “18-603.”; in line 15, strike “and (d)”; after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Election Law

Section 15-103

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)”;

after line 33, insert:

“BY repealing and reenacting, with amendments,

Article - Human Services

Section 8-504

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)”;

and strike in their entirety lines 34 through 38, inclusive.

On page 5, in line 22, strike “21-304(a) and (b).”; in the same line, strike “, 21-308(a)(1) and (d)(1).”; strike in their entirety lines 26 through 30, inclusive; in line 33, after “2-1104,” insert “and”; and in the same line, strike “, and 2-1302.2”.

On page 7, in line 20, after “35,” insert “38.”.

AMENDMENT NO. 3

On pages 8 and 9, strike in their entirety the lines beginning with line 1 on page 8 through line 17 on page 9, inclusive.

AMENDMENT NO. 4

On page 9, strike in their entirety lines 18 through 31, inclusive.

AMENDMENT NO. 5

On pages 10 through 12, strike in their entirety the lines beginning with line 1 on page 10 through line 20 on page 12, inclusive.

AMENDMENT NO. 6

On page 13, in line 21, strike “**PARAGRAPH (2) OR (4)**” and substitute “**ANY OTHER PROVISION**”; and in line 22, strike “**AND FISCAL YEAR 2011**”.

AMENDMENT NO. 7

On page 14, in line 24, strike “**\$2,000,000**” and substitute “**\$2,350,000**”; strike beginning with “**EACH**” in line 24 down through “**2012**” in line 25 and substitute “**FISCAL YEAR 2011**”; in line 26, strike “**2013**” and substitute “**2012**”; and in line 31, strike “**\$4,000,000**” and substitute “**\$5,000,000**”.

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AMENDMENT NO. 8

On page 15, strike in their entirety lines 4 through 16, inclusive.

AMENDMENT NO. 9

On page 23, in line 16, strike "AND"; after line 16, insert:

“(IX) IN FISCAL YEAR 2017, NOT LESS THAN AN AMOUNT EQUAL TO 65.5% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(X) IN FISCAL YEAR 2018, NOT LESS THAN AN AMOUNT EQUAL TO 66% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(XI) IN FISCAL YEAR 2019, NOT LESS THAN AN AMOUNT EQUAL TO 66.5% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(XII) IN FISCAL YEAR 2020, NOT LESS THAN AN AMOUNT EQUAL TO 67.5% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER

EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND”;

in line 17, strike “(IX)” and substitute “(XIII)”; in the same line, strike “2017” and substitute “2021”; in line 18, strike the brackets; in the same line, strike “66%”; and in line 29, after “COLLEGE” insert “UNDER THIS SECTION”.

AMENDMENT NO. 10

On page 21, in line 29, strike “AND”; strike beginning with “AND” in line 30 down through “THEREAFTER” in line 31; and in line 36, after “YEAR” insert “;

10. IN FISCAL YEAR 2018, NOT LESS THAN AN AMOUNT EQUAL TO 26% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

11. IN FISCAL YEAR 2019, NOT LESS THAN AN AMOUNT EQUAL TO 27% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

12. IN FISCAL YEAR 2020, NOT LESS THAN AN AMOUNT EQUAL TO 28% OF THE STATE’S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR

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THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND

13. IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 29% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR".

AMENDMENT NO. 11

On page 24, in line 27, strike "AND"; after line 27, insert:

"(IX) IN FISCAL YEAR 2017, AN AMOUNT NOT LESS THAN 12% OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;

(X) IN FISCAL YEAR 2018, AN AMOUNT NOT LESS THAN 13% OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;

(XI) IN FISCAL YEAR 2019, AN AMOUNT NOT LESS THAN 14% OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;

(XII) IN FISCAL YEAR 2020, AN AMOUNT NOT LESS THAN 15% OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR; AND;

in line 28, strike “(IX)” and substitute “(XIII)”; in line 28, strike “2017” and substitute “2021”; and in line 29, strike “12%” and substitute “15.5%”.

AMENDMENT NO. 12

On page 25, in line 14, strike “AND”; strike beginning with “AND” in line 15 down through “THEREAFTER” in line 16; in line 16, strike the bracket; in the same line, after the semicolon insert “AND”; in line 17, after “2012” insert “AND EACH FISCAL YEAR THEREAFTER”; strike beginning with “; and” in line 18 down through “served]” in line 20; and strike in their entirety lines 21 through 29.

On page 26, in line 1, strike the brackets; in the same line, strike “FOR EACH FISCAL YEAR, EACH”; strike beginning with “AN” in line 2 down through “\$14.00” in line 3; in line 4, strike the bracket; in line 7, after the semicolon, insert “AND”; in line 8, after “2012” insert “AND EACH FISCAL YEAR THEREAFTER”; and strike beginning with “; and” in line 8 down through “\$16.00]” in line 10.

AMENDMENT NO. 13

On page 29, strike beginning with “FOR” in line 22 down through “(C)” in line 25; in line 25, strike “2014” and substitute “2013”; in line 26, strike the brackets; and in line 27, strike “\$13,000,000”.

AMENDMENT NO. 14

On page 47, in line 1, strike “\$9,100,000” and substitute “\$5,000,000”.

On page 48, in line 1, strike “\$23,000,000” and substitute “\$17,101,428”.

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AMENDMENT NO. 15

On page 31, after line 32, insert:

“Article – Human Services

8–504.

Expenditures from the Fund shall be made:

(1) in accordance with the [budget amendment procedure in § 7–209 of the] State Finance and Procurement Article; AND

(2) [to each county through the county’s local management board to support a locally–driven interagency effort to maximize all available resources for children and family services; and

(3) to reflect the priorities, policies, and procedures that the Children’s Cabinet adopts.”.

On page 72, after line 2, insert:

“SECTION 49. AND BE IT FURTHER ENACTED, That § 8-504 of the Human Services Article as enacted by this Act shall be construed to apply retroactively to July 1, 2009, and shall be applied to and interpreted to affect any contract invoices submitted on or after July 1, 2009.”.

AMENDMENT NO. 16

On pages 31 through 33, strike in their entirety the lines beginning with line 33 on page 31 through line 30 on page 33, inclusive.

On page 71, after line 29, insert:

“SECTION 42. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 19–2201(e) of the Health – General Article or any other provision of law, in fiscal year 2011, the Governor may transfer by budget amendment up to \$10,500,000 from the Community Health Resources Commission Fund to the Kidney Disease Treatment Program (M00Q01.06) in the Medical Care Programs Administration.”.

AMENDMENT NO. 17

On page 45, in line 24, strike “INCOME TAX”; and in line 32, strike “\$389,000,000” and substitute “\$200,000,000”.

On page 46, in line 4, strike “INCOME TAX”; in the same line, strike “\$63,833,333” and substitute “\$33,333,333”; and in line 5, strike “\$389,000,000” and substitute “\$200,000,000”.

AMENDMENT NO. 18

On pages 37 through 40, strike in their entirety the lines beginning with line 5 on page 37 through line 9 on page 40, inclusive.

On pages 41 through 43, strike in their entirety the lines beginning with line 1 on page 41 through line 28 on page 43, inclusive.

AMENDMENT NO. 19

On page 15, after line 3, insert:

“4–801.

(g) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE Fund may be used only for preventing the closure, [or] termination, OR FINANCIAL

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DISTRESS of cultural arts organizations, including museums, or similar entities in the State.

(2) FOR FISCAL YEAR 2011:

(i) \$450,000 FROM THE FUND SHALL BE USED TO PROVIDE A GRANT TO THE BALTIMORE SYMPHONY ORCHESTRA; AND

(ii) \$50,000 FROM THE FUND SHALL BE USED TO PROVIDE A GRANT TO THE NATIONAL PHILHARMONIC.”.

AMENDMENT NO. 20

On page 48, strike in their entirety lines 5 through 12, inclusive.

AMENDMENT NO. 21

On page 48, in line 27, strike “**\$81,900,000**” and substitute “**AT LEAST \$80,000,000**”; and in line 29, strike “**\$75,013,000**” and substitute “**THE REMAINING BALANCE**”.

AMENDMENT NO. 22

On page 49, in line 9, strike “**19%**” and substitute “**19.3%**”; in lines 22, 23, 24, and 28, strike “**19.6%**”, “**22.5%**”, “**20.1%**”, and “**68.6%**”, respectively, and substitute “**19.5%**”, “**23%**”, “**20.4%**”, and “**68.5%**”, respectively; and in line 22, after “**FISCAL**” insert “**YEAR**”.

On page 50, in lines 10, 13, 17, 21, and 30, strike “**8.8%**”, “**0.6%**”, “**0.1%**”, “**8.5%**”, and “**8.2%**”, respectively, and substitute “**7.5%**”, “**1.4%**”, “**0.3%**”, “**8.6**”, and “**7.9%**”, respectively; strike beginning with “**SHALL**” in line 9 down through “**MONTHLY**” in line 10; and in line 10, after “**REVENUES**” insert “**SHALL BE DISTRIBUTED TO BALTIMORE CITY IN MONTHLY INSTALLMENTS**”.

On page 51, in lines 2 and 8, strike “0.6%” and “7.8%”, respectively, and substitute “0.5%” and “7.5%”, respectively; in line 28, strike “AN ELIGIBLE MUNICIPALITY” and substitute “ELIGIBLE MUNICIPALITIES IN THE COUNTY”; and in line 30, strike “AN ELIGIBLE MUNICIPALITY” and substitute “ELIGIBLE MUNICIPALITIES IN THE STATE”.

On page 52, in lines 1 and 2, strike “AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE MUNICIPALITY” and substitute “OWNERS HAVING ADDRESSES IN ELIGIBLE MUNICIPALITIES IN THE COUNTY”; in lines 4 and 5, strike “AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE MUNICIPALITY” and substitute “OWNERS HAVING ADDRESSES IN ELIGIBLE MUNICIPALITIES IN THE STATE”; in lines 14 and 17, in each instance, strike the bracket; strike beginning with “Any” in line 14 down through “roads” in line 15 and substitute “AN ELIGIBLE MUNICIPALITY”; and in lines 18 and 24, strike “(A)” and “(b)”, respectively, and substitute “(B)” and “(C)”, respectively.

On page 53, in line 6, strike “(c)” and substitute “(D)”.

AMENDMENT NO. 23

On page 25, after line 5, insert:

“18–603.

(a) There is a Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program under this section.

(b) [Any] AS PROVIDED IN THE STATE BUDGET, ANY career or volunteer firefighter or ambulance or rescue squad member who is a resident of Maryland shall receive PARTIAL OR full and complete reimbursement by the Office for tuition costs not to exceed the resident tuition rates at the 4–year public institution of higher

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education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate, for courses credited toward a degree in fire service technology or emergency medical technology.

(c) (1) The tuition reimbursement application shall be filed with the Office no later than July 1 immediately following the academic year for which tuition reimbursement is sought.

(2) Payment shall be made 1 year after successful completion of each academic year.

(3) Payment may be made only if the applicant is still employed or actively engaged as a career or volunteer firefighter or ambulance or rescue squad member in an organized fire department or ambulance or rescue squad in this State.”.

On page 71, in line 31, after “repealed.” insert:

“SECTION 44. AND BE IT FURTHER ENACTED, That, notwithstanding § 18-107 of the Education Article or any other provision of law, for fiscal year 2011 only, carry-forward funds available from scholarship programs under Title 18 of the Education Article shall first be allocated to fully fund the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program. It is the intent of the General Assembly that carry-forward funds from non-need based scholarships be used before carry-forward funds from need-based scholarship funds are used.”.

AMENDMENT NO. 24

On page 54, in line 26, strike “\$85,051,173” and substitute “\$133,319,852”.

On page 55, in line 29, strike “\$1,664,227” and substitute “\$2,113,653”.

On page 57, in line 7, strike “\$150,000” and substitute “\$500,000”; and in line 11, strike “\$96,541” and substitute “\$1,374,254”.

On page 59, in line 10, strike “\$55,532,294” and substitute “\$11,731,321”; in line 18, strike “\$1,783,395” and substitute “\$822,287”; in line 20, strike “\$1,051,307” and substitute “\$750,574”; and in line 31, strike “\$602,800” and substitute “\$500,000”.

AMENDMENT NO. 25

On page 71, after line 31, insert:

“SECTION 45. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2011, up to \$479,196 in special funds from the following agencies may be transferred to the General Fund to support the Central Business Licensing Project as follows:

Department of Health and Mental Hygiene:

<u>State Acupuncture Board Fund</u>	<u>\$969</u>
<u>State Board of Dietetic Practice Fund</u>	<u>796</u>
<u>State Board of Professional Counselors and Therapists Fund</u>	<u>5,540</u>
<u>State Board of Chiropractic and Massage Therapy Examiners Fund</u>	<u>5,319</u>
<u>State Board of Dental Examiners Fund</u>	<u>16,892</u>
<u>State Board for Morticians and Funeral Directors Fund</u>	<u>922</u>
<u>State Board of Occupational Therapy Practice Fund</u>	<u>3,341</u>
<u>State Board of Examiners in Optometry Fund</u>	<u>1,534</u>
<u>State Board of Pharmacy Fund</u>	<u>32,821</u>
<u>State Board of Physical Therapy Examiners Fund</u>	<u>15,311</u>
<u>State Board of Podiatric Medical Examiners Fund</u>	<u>1,647</u>
<u>State Board of Examiners of Psychologists Fund</u>	<u>3,724</u>
<u>State Board of Social Work Examiners Fund</u>	<u>6,766</u>
<u>State Board of Examiners for Audiologists, Hearing Aid Dispensers,</u> <u>and Speech Language Pathologists Fund</u>	<u>1,954</u>
<u>Kidney Disease Fund</u>	<u>134</u>

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<u>Board of Nursing Fund</u>	<u>289,754</u>
<u>Board of Physicians Fund</u>	<u>40,829</u>
<u>Department of Labor, Licensing, and Regulation:</u>	
<u>State Occupational and Professional Licensing Design Boards' Fund</u>	<u>13,043</u>
<u>Department of Agriculture:</u>	
<u>Registration and Inspection Fees</u>	<u>4,018</u>
<u>Department of the Environment:</u>	
<u>Special Indirect Cost Recoveries</u>	<u>21,951</u>
<u>Department of Transportation:</u>	
<u>Transportation Trust Fund</u>	<u>9,725</u>
<u>Department of Natural Resources:</u>	
<u>Waterway Improvement Fund</u>	<u>788</u>
<u>Maryland Insurance Administration:</u>	
<u>Insurance Regulation Fund</u>	<u>1,418".</u>

AMENDMENT NO. 26

On page 62, strike beginning with “, the” in line 24 down through “students.” in line 26 and substitute “:

(a) The SEED School of Maryland and the Maryland State Department of Education shall negotiate a modification to their contract to extend from five to six years the time by which the SEED School reaches the State-supported maximum of 400 students, as authorized in § 8-710 of the Education Article and to limit the total student population at the SEED School to less than 320 students in the fall of 2011 and to less than 400 students in the fall of 2012, in a manner so that the required

appropriation in the State budget for support of the school is less than \$8,000,000 in fiscal year 2012 and less than \$10,000,000 in fiscal year 2013.

(b) On or before October 1, 2010, the SEED School and the Department shall report on the renegotiated contract and provide a copy of the proposed new contract to the budget committees of the General Assembly. The budget committees shall have 45 days from the date of receipt of the report to review and comment on the proposed new contract before it is executed.”.

AMENDMENT NO. 27

On page 62, in line 35, after “section” insert “and except as otherwise provided in this Act”.

AMENDMENT NO. 28

On page 26, after line 10, insert:

“Article – Election Law

15–103.

(a) There is a Fair Campaign Financing Fund.

(b) The Comptroller shall administer the Fund in accordance with this section.

(c) [For each taxable year, the Comptroller shall establish a tax add-on system that allows contributions to the Fund:

(1) by an individual, other than a nonresident alien, filing a personal State income tax return; and

(2) in an amount not to exceed \$500.

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(d)] In accordance with this title, the Comptroller shall:

(1) credit to the Fund all money collected under this title;

(2) subject to the usual investing procedures for State funds, invest the money in the Fund; and

(3) make distributions from the Fund promptly on authorization by the State Board.

[(e)] (D) The Comptroller shall distribute public contributions:

(1) only on authorization of the State Board; and

(2) as to each eligible gubernatorial ticket, to the same campaign account of a single campaign finance entity established under Title 13, Subtitle 2 of this article.

[(f)] (E) The Comptroller shall submit a statement of the Fund's balance to the State Board at the State Board's request and on May 15 of each year."

On page 70, after line 30, insert:

"SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15-103 of the Election Law Article cannot operate as originally contemplated.

(b) Subject to subsection (c) of this section, up to \$2,000,000 of the balance in the Fund may be transferred to the Maryland Information Technology Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.

(c) A transfer under this section may not reduce the balance in the Fund below \$1,000,000.

(d) Any funds transferred from the Fair Campaign Financing Fund to the Major Information Technology Development Project Fund as authorized under this section that are not used to purchase a new Optical Scan Voting System may not be retained by the Major Information Technology Development Project Fund and [may only be transferred to the Maryland Election Modernization Fund established under § 2-107 of the Election Law Article] SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

(E) SUBJECT TO SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEAR 2011, AN AMOUNT UP TO \$150,000 OF THE BALANCE IN THE FUND MAY BE TRANSFERRED TO THE DEPARTMENT OF LEGISLATIVE SERVICES FOR THE PURPOSE OF PAYING THE COST OF A CONTRACT WITH AN INDEPENDENT CONSULTANT TO CONDUCT A STUDY OF THE ISSUES ENUMERATED IN SUBSECTION (G) OF THIS SECTION.

(F) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE DEPARTMENT OF LEGISLATIVE SERVICES UNDER SUBSECTION (E) OF THIS SECTION THAT ARE NOT USED TO PAY THE COST OF THE CONTRACT REQUIRED UNDER SUBSECTION (G) OF THIS SECTION MAY NOT BE RETAINED BY THE DEPARTMENT OF LEGISLATIVE SERVICES AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

(G) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONTRACT WITH AN INDEPENDENT CONSULTANT TO COMPLETE A STUDY OF THE FOLLOWING ISSUES:

(1) WHETHER THE STATE BOARD OF ELECTIONS VOTING SYSTEM SUPPORT SERVICES CONTRACT APPROVED BY THE BOARD OF PUBLIC WORKS ON FEBRUARY 24, 2010, IS MAXIMALLY COST-EFFECTIVE AND INCLUDES ONLY SERVICES THAT ARE CLEARLY NECESSARY FOR THE CONDUCT OF ELECTIONS;

(2) WHETHER THE STATE BOARD OF ELECTIONS PROPOSED PROCUREMENT OF AN OPTICAL SCAN VOTING SYSTEM FOR DEPLOYMENT IN THE 2010 ELECTIONS WAS MAXIMALLY COST-EFFECTIVE AND INCLUDED ONLY EQUIPMENT THAT IS CLEARLY NECESSARY FOR THE CONDUCT OF ELECTIONS;

(3) THE NECESSITY OF THE STATE BOARD'S PROPOSED PROCUREMENT OF VOTING BOOTHS AND SUPPLY CARTS TO IMPLEMENT AN OPTICAL SCAN VOTING SYSTEM FOR THE 2010 ELECTIONS;

(4) THE AMOUNT, IF ANY, BY WHICH VOTING SYSTEM OPERATIONS AND MAINTENANCE COSTS WOULD BE REDUCED IF AN OPTICAL SCAN VOTING SYSTEM IS IMPLEMENTED;

(5) CURRENT AND PROJECTED OPERATIONS AND MAINTENANCE COSTS FOR THE STATE'S CURRENT VOTING SYSTEM;

(6) THE PROJECTED LIFE SPAN OF THE STATE'S CURRENT VOTING SYSTEM;

(7) A COMPARISON OF THE OVERALL COST OF CONTINUING TO USE THE STATE'S CURRENT VOTING SYSTEM AS OPPOSED TO IMPLEMENTING AN OPTICAL SCAN VOTING SYSTEM; AND

(8) RECOMMENDATIONS FOR PROCURING AND IMPLEMENTING AN OPTICAL SCAN VOTING SYSTEM IN A COST-EFFECTIVE MANNER.

(H) THE INDEPENDENT CONSULTANT SHALL CONSULT WITH VOTING SYSTEM EXPERTS AND REVIEW THE VOTING SYSTEM CONTRACTS AND POLICIES OF OTHER JURISDICTIONS IN MAKING FINDINGS AND RECOMMENDATIONS CONCERNING THE ISSUES ENUMERATED IN SUBSECTION (G) OF THIS SECTION.

(I) ON OR BEFORE DECEMBER 1, 2010, THE INDEPENDENT CONSULTANT SHALL SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(J) SUBJECT TO SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEAR 2011, AN AMOUNT UP TO \$500,000 OF THE BALANCE IN THE FUND MAY BE TRANSFERRED TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF IMPLEMENTING AN ONLINE CAMPAIGN FINANCE REPORTING SYSTEM.

(K) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER SUBSECTION (J) OF THIS SECTION THAT ARE NOT USED TO PAY THE COST OF IMPLEMENTING AN ONLINE CAMPAIGN FINANCE REPORTING SYSTEM MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.”.

(Over)

AMENDMENT NO. 29

On page 71, strike in their entirety lines 22 through 29, inclusive.

AMENDMENT NO. 30

On page 36, in line 3 after “SHALL” insert “SPECIFY HOW THE SAVINGS WILL BE ACHIEVED AND WITH THE EXCEPTION OF POSITION ABOLITIONS AND ITEMS REQUIRING COLLECTIVE BARGAINING SHALL”; and in line 5, strike “SOURCE” and substitute “TYPE”.

AMENDMENT NO. 31

On page 71, before line 32, insert:

“SECTION 46. AND BE IT FURTHER ENACTED, That:

(a) There is a Public Employees’ and Retirees’ Benefit Sustainability Commission.

(b) (1) Subject to the provisions of paragraph (2) of this subsection, the Commission consists of the following members:

(i) the State Treasurer, ex officio;

(ii) three members appointed by the Governor;

(iii) two members appointed by the President of the Senate; and

(iv) two members appointed by the Speaker of the House.

(2) (i) In the appointment of members to the Commission, special consideration shall be given to individuals who have knowledge of public or private compensation practices, benefits, and financial matters.

(ii) Except as provided in paragraph (1)(i) of this subsection, the following individuals may not be members of the Commission:

1. a member of the General Assembly;
2. a member of the Board of Trustees for the State Retirement and Pension System;
3. an employee of the State Retirement Agency; or
4. an individual that is employed by an organization that represents:
 - A. a governmental entity; or
 - B. employees of a governmental entity.

(c) The Governor shall designate the chair of the Commission.

(d) (1) The Department of Legislative Services shall provide staff for the Commission.

(2) The Department of Legislative Services' consulting actuary shall provide pension analysis for the Commission.

(3) The Department of Budget and Management's consulting actuary shall provide analysis of postemployment benefits for the Commission.

(4) At the request of the Commission, the Department of Budget and Management and the State Retirement Agency shall provide information necessary to assist in the work of the Commission.

(Over)

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The costs of the Commission relating to the evaluation of pensions shall be paid by the State Retirement Agency.

(2) The costs of the Commission relating to the Retiree Health Benefits evaluation shall be paid by the Department of Budget and Management.

(g) (1) The Commission shall study and make recommendations with respect to all aspects of State funded benefits and pensions provided to State and public education employees and retirees in the State.

(2) The Commission shall review and evaluate the recruitment practices, retention incentives, actuarial liabilities, actuarial funding method, cost drivers, employee contribution rates, and the comparability and affordability of benefit levels of:

(i) the State Employees' Retirement and Pension Systems;

(ii) the State Employee and Retiree Health Benefit Program;

and

(iii) the Teachers' Retirement and Pension Systems.

(3) The review of the Commission shall include:

(i) long-term estimated increases in the annual required contributions for the State and evaluation of the sustainability of State-only funding of the long-term contribution levels for the current benefit structure; and

(ii) an evaluation of the appropriate levels of contribution for the direct employer of public education employees in the State, including an evaluation of the related provisions of Senate Bill 141 of the 2010 Regular Session of the General Assembly as it passed the Senate of Maryland.

(h) (1) On or before December 15, 2010, the Commission shall issue a report of its findings and recommendations that are specific and actionable to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the House Appropriations Committee, the Joint Committee on Pensions, and the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

(2) On or before June 30, 2011, the Commission shall issue a final report of its findings and recommendations that are specific and actionable to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the House Appropriations Committee, the Joint Committee on Pensions, and the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

(i) It is the intent of the General Assembly that the recommendations of the Commission begin to be implemented no later than fiscal year 2013.

(j) The Commission shall terminate on June 30, 2012.”.

AMENDMENT NO. 32

On page 68, in line 30, after “Maryland.” insert “This provision does not affect financial incentives disbursed in accordance with § 21-118.1 of the State Personnel and Pensions Article, provided that any financial incentives disbursed in fiscal year

(Over)

2011 in accordance with that section may not exceed 10% of the recipient's annual salary.

AMENDMENT NO. 33

On page 30, in line 7, strike "JOHN" and substitute "JOHNS".

On page 36, in line 2, strike "EXECUTIVE BRANCH" and substitute "EXECUTIVE BRANCH".

On page 68, in line 36, after "38" insert a period.

On page 69, in line 29, after "furloughs" insert "and temporary salary reductions".

On page 71, in lines 32 and 38, strike "44." and "45.", respectively, and substitute "47." and "48.", respectively.

On page 72, in lines 3, 14, and 17, strike "46.", "47.", and "48.", respectively, and substitute "50.", "51.", and "52.", respectively; and in line 10, strike "5A" and substitute "6 of".