

# SENATE BILL 141

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CF HB 151

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

Introduced and read first time: January 20, 2010

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2010**

3 FOR the purpose of altering or repealing certain required appropriations; altering the  
4 distribution of certain revenues; altering or repealing certain funding  
5 requirements; authorizing certain units of government to charge a certain fee  
6 for certain purposes; repealing certain requirements for a certain notice relating  
7 to abandoned property to be published in certain newspapers; requiring the  
8 Comptroller to maintain, or cause to be maintained, an abandoned property  
9 database containing the names and last known addresses, if any, of persons  
10 listed in certain reports; requiring the Comptroller to maintain, or cause to be  
11 maintained, a certain Internet website relating to the abandoned property  
12 database; requiring the Comptroller to publish certain notices of a certain  
13 Internet website; repealing a requirement that certain balances in a certain  
14 fund revert to the General Fund at the end of certain fiscal years; authorizing  
15 the use of certain funds for certain purposes; altering the maximum aggregate  
16 amount of a certain assessment; altering certain restrictions on the use of  
17 certain funds; altering certain provisions relating to certain requirements that  
18 certain nonprofit health service plans use certain funds for certain purposes  
19 under certain circumstances; requiring the Comptroller to make a certain  
20 distribution to the Education Trust Fund; altering the distribution of certain  
21 motor fuel tax revenue; altering the distribution of certain sales and use tax  
22 revenues from short-term rental vehicles; altering certain provisions relating to  
23 the funding of a certain highway; repealing a certain grant program; repealing  
24 certain credits allowed against certain taxes for the purchase of  
25 Maryland-mined coal; authorizing the Governor to transfer to the General  
26 Fund certain amounts from certain special funds for certain fiscal years;  
27 authorizing the Governor to transfer to the General Fund certain amounts from  
28 certain special funds, subject to a certain contingency; providing that certain  
29 grants to county boards of education may be funded from the Maryland  
30 Consolidated Capital Bond Loan of 2010; requiring that certain units of local  
31 government receive a certain amount of funding for certain fiscal years for

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 certain purposes; prohibiting the expenditure of funds in a certain fiscal year for  
2 certain rate increases; authorizing the transfer by budget amendment of certain  
3 funds for certain purposes; providing that certain proceeds from the corporate  
4 income tax for a certain fiscal year be credited to the General Fund; altering  
5 certain reporting requirements; prohibiting any new awards from being made  
6 under a certain scholarship program for a certain academic year; authorizing  
7 the transfer of certain savings and interest from certain funds into the General  
8 Fund; altering the distribution of certain highway user revenues for certain  
9 fiscal years; prohibiting the payment of certain bonuses, merit increases, or  
10 cost-of-living adjustments for certain State employees for a certain fiscal year;  
11 providing that the State is not required to make certain employer contributions  
12 for employees participating in a certain supplemental retirement plan for a  
13 certain fiscal year; clarifying and altering the authority of the Governor to  
14 implement certain employee furloughs and salary reduction days during certain  
15 years; clarifying the base rate for calculating overtime for certain employees  
16 under certain circumstances; requiring the State to repay certain amounts to a  
17 certain account in certain fiscal years; providing that the Governor is not  
18 required to include certain appropriations in the budget for a certain fiscal year  
19 under certain circumstances; altering the amounts of certain funds required to  
20 be charged back to certain agencies for a certain purpose; making the provisions  
21 of this Act severable; providing for the effective dates and application of this  
22 Act; and generally relating to the financing of State government.

23 BY repealing and reenacting, with amendments,  
24 Article – Agriculture  
25 Section 8–405(c)  
26 Annotated Code of Maryland  
27 (2007 Replacement Volume and 2009 Supplement)

28 BY repealing and reenacting, with amendments,  
29 Article – Commercial Law  
30 Section 15–607 and 17–311  
31 Annotated Code of Maryland  
32 (2005 Replacement Volume and 2009 Supplement)

33 BY repealing and reenacting, with amendments,  
34 Article – Courts and Judicial Proceedings  
35 Section 7–301(f)  
36 Annotated Code of Maryland  
37 (2006 Replacement Volume and 2009 Supplement)

38 BY repealing and reenacting, with amendments,  
39 Article – Economic Development  
40 Section 4–216(b) and 10–523(a)(3)(i)  
41 Annotated Code of Maryland  
42 (2008 Volume and 2009 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article – Education  
3 Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)  
4 Annotated Code of Maryland  
5 (2008 Replacement Volume and 2009 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article – Environment  
8 Section 4–411(f) and (g)  
9 Annotated Code of Maryland  
10 (2007 Replacement Volume and 2009 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article – Health – General  
13 Section 2–302, 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1),  
14 19–310.1(b), (c), and (d), and 19–14B–01(c)(1)  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume)
- 17 BY repealing  
18 Article – Health – General  
19 Section 18–108(c)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume)
- 22 BY repealing and reenacting, with amendments,  
23 Article – Insurance  
24 Section 14–106(d)(1) and (2)  
25 Annotated Code of Maryland  
26 (2006 Replacement Volume and 2009 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Article – State Finance and Procurement  
29 Section 3–306 and 7–325(a)  
30 Annotated Code of Maryland  
31 (2009 Replacement Volume)
- 32 BY repealing and reenacting, with amendments,  
33 Article – Tax – General  
34 Section 2–202, 2–1104, and 2–1302.1  
35 Annotated Code of Maryland  
36 (2004 Replacement Volume and 2009 Supplement)
- 37 BY adding to  
38 Article – Tax – General  
39 Section 2–606(e)  
40 Annotated Code of Maryland

1 (2004 Replacement Volume and 2009 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Transportation  
4 Section 4–321(e)  
5 Annotated Code of Maryland  
6 (2008 Replacement Volume and 2009 Supplement)

7 BY repealing  
8 Article – Education  
9 Section 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private Career  
10 School Student Grant Program”  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2009 Supplement)

13 BY repealing  
14 Article – Natural Resources  
15 Section 10–301(m)  
16 Annotated Code of Maryland  
17 (2007 Replacement Volume and 2009 Supplement)

18 BY repealing  
19 Article – Tax – General  
20 Section 8–406(b) and 10–704.1  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2009 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Chapter 62 of the Acts of the General Assembly of 1992  
25 Section 4

26 BY repealing and reenacting, with amendments,  
27 Chapter 503 of the Acts of the General Assembly of 2007, as amended by  
28 Chapter 200 of the Acts of the General Assembly of 2008  
29 Section 5(c)

30 BY repealing and reenacting, with amendments,  
31 Chapter 487 of the Acts of the General Assembly of 2009  
32 Section 19, 35, 39, and 44

33 BY repealing  
34 Chapter 487 of the Acts of the General Assembly of 2009  
35 Section 25 and 34

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



1           [(a) (1) Within 365 days from the filing of the report required by § 17–310  
2 of this subtitle, the Administrator shall cause notice to be published in a newspaper of  
3 general circulation in the county in the State within which is located the last known  
4 address of any person to be named in the notice.

5           (2) If an address is not listed or if the address is outside the State, the  
6 notice shall be published in the county within which the person who held the  
7 abandoned property has the principal place of business in this State.

8           (b) The published notice shall be entitled “Notice of Names of Persons  
9 Appearing to Be Owners of Abandoned Property” and shall contain:

10           (1) The names in alphabetical order and last known addresses, if any,  
11 of persons listed in the report and entitled to notice in the county specified in this  
12 section;

13           (2) A statement that information concerning the amount or description  
14 of the property and the name and address of the person who held the property may be  
15 obtained by any person who possesses an interest in the property, by addressing an  
16 inquiry to the Administrator; and

17           (3) A statement that a proof of claim may be presented by the owner to  
18 the Administrator.

19           (c) The Administrator is not required to publish in the notice any item  
20 valued at less than \$100 unless the Administrator considers the publication to be in  
21 the public interest.]

22           **(A) IN THIS SECTION, “ABANDONED PROPERTY DATABASE” MEANS AN**  
23 **ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN**  
24 **ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED**  
25 **PROPERTY.**

26           **(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE**  
27 **MAINTAINED, AN ABANDONED PROPERTY DATABASE.**

28           **(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT**  
29 **REQUIRED BY § 17–310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO**  
30 **THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN**  
31 **ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.**

32           **(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE**  
33 **MAINTAINED, AN INTERNET WEBSITE THAT:**

1                   **(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON**  
2 **MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS**  
3 **SUBSECTION;**

4                   **(II) CONTAINS A STATEMENT THAT INFORMATION**  
5 **CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME**  
6 **AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY**  
7 **ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING**  
8 **AN INQUIRY TO THE ADMINISTRATOR;**

9                   **(III) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY**  
10 **BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND**

11                   **(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM**  
12 **FORM.**

13           **(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE OF THE**  
14 **INTERNET WEBSITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.**

15                   **(2) THE NOTICE SHALL:**

16                   **(I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR**  
17 **QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH**  
18 **COUNTY OF THE STATE; AND**

19                   **(II) CONTAIN:**

20                   **1. A STATEMENT THAT THE ADMINISTRATOR**  
21 **MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF**  
22 **PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;**

23                   **2. A STATEMENT THAT ANY PERSON MAY SEARCH**  
24 **THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE**  
25 **ADMINISTRATOR'S INTERNET WEBSITE; AND**

26                   **3. THE ADDRESS OF THE INTERNET WEBSITE.**

27           (d) Within 120 days from the receipt of the report required by § 17-310 of  
28 this subtitle, the Administrator shall mail a notice to each person who has an address  
29 listed in the report who appears entitled to property valued at \$100 or more and  
30 presumed abandoned under this subtitle.

31           (e) The mailed notice shall contain:

1 (1) A statement that, according to a report filed with the  
2 Administrator, property is being held to which the addressee appears entitled;

3 (2) The name and address of the person who held the property and  
4 any necessary information regarding any change of the name or address of the holder;  
5 and

6 (3) A statement that a proof of claim may be presented by the owner to  
7 the Administrator.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
9 read as follows:

10 **Article – Courts and Judicial Proceedings**

11 7–301.

12 (f) (1) In a traffic case in which points may be assessed under § 16–402 of  
13 the Transportation Article, after conviction the court shall add a \$7.50 surcharge to  
14 any fine imposed by the court.

15 (2) Subject to [paragraph (3)] **PARAGRAPHS (3) AND (4)** of this  
16 subsection, the surcharges collected under this subsection shall be credited as follows:

17 (i) 50% to the Volunteer Company Assistance Fund to be used  
18 in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article; and

19 (ii) 50% to the State Helicopter Replacement Fund to be used in  
20 accordance with the provisions of § 2–801 of the Public Safety Article.

21 **(3) NOTWITHSTANDING PARAGRAPH (2) OR (4) OF THIS**  
22 **SUBSECTION, FOR FISCAL YEAR 2010, FISCAL YEAR 2011, AND FISCAL YEAR**  
23 **2012 ONLY, 100% OF THE SURCHARGES COLLECTED UNDER THIS SUBSECTION**  
24 **SHALL BE CREDITED TO THE GENERAL FUND.**

25 **(4)** After \$20,000,000 is credited to the Volunteer Company Assistance  
26 Fund in accordance with paragraph (2) of this subsection, 100% of the surcharges  
27 collected under this subsection shall be credited to the State Police Helicopter  
28 Replacement Fund to be used in accordance with the provisions of § 2–801 of the  
29 Public Safety Article.

30 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
31 read as follows:

32 **Article – Economic Development**



1 4-216.

2 (b) (1) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR  
3 SHALL INCLUDE IN THE ANNUAL BUDGET BILL A PROPOSED GENERAL FUND  
4 APPROPRIATION TO THE FUND OF \$5,000,000.

5 (2) For fiscal year [2011] 2013 and each fiscal year thereafter, the  
6 Governor shall include in the annual budget bill a proposed General Fund  
7 appropriation to the Fund in an amount not less than \$6,000,000 for each fiscal year.

8 10-523.

9 (a) (3) (i) To assist the Corporation in complying with subsection (c) of  
10 this section, the Governor shall include each year in the State budget bill an  
11 appropriation to the Corporation for rural business development and assistance [for  
12 each of fiscal years 2010 and 2011 in the amount of \$2,750,000 and for each of fiscal  
13 years 2012 through 2020, in the amount of \$4,000,000] AS FOLLOWS:

- 14 1. FOR FISCAL YEAR 2010, \$2,750,000;
- 15 2. FOR FISCAL YEAR 2011, \$850,000;
- 16 3. FOR FISCAL YEAR 2012, \$850,000;
- 17 4. FOR FISCAL YEAR 2013, \$1,750,000;
- 18 5. FOR FISCAL YEAR 2014, \$2,750,000; AND
- 19 6. FOR EACH OF FISCAL YEARS 2015 THROUGH 2020,  
20 \$4,000,000.

21 Article - Education

22 5-205.

23 (c) (3) (i) Except as provided in [subparagraph (ii)]  
24 SUBPARAGRAPHS (II) AND (III) of this paragraph, the increase in the amount of a  
25 base grant for student transportation that is based on the increase in the private  
26 transportation category of the Consumer Price Index may not be less than [3] 1  
27 percent nor more than 8 percent of the amount of the grant for the previous year.

28 (ii) FOR FISCAL YEAR 2011, THE INCREASE IN THE AMOUNT  
29 OF A BASE GRANT FOR STUDENT TRANSPORTATION THAT IS BASED ON THE  
30 INCREASE IN THE PRIVATE TRANSPORTATION CATEGORY OF THE CONSUMER

1 **PRICE INDEX SHALL BE 1 PERCENT OF THE AMOUNT OF THE GRANT FOR THE**  
2 **PREVIOUS YEAR.**

3 (III) For fiscal year 2012, the increase in the amount of a base  
4 grant for student transportation that is based on the increase in the private  
5 transportation category of the Consumer Price Index may not be more than 1 percent  
6 of the amount of the grant for the previous year.

7 16-305.

8 (c) (1) (i) The total State operating fund per full-time equivalent  
9 student to the community colleges for each fiscal year as requested by the Governor  
10 shall be:

11 1. In fiscal year 2009, not less than an amount equal to  
12 26.25% of the State's General Fund appropriation per full-time equivalent student to  
13 the 4-year public institutions of higher education in the State as designated by the  
14 Commission for the purpose of administering the Joseph A. Sellinger Program under  
15 Title 17 of this article in the previous fiscal year;

16 2. In fiscal year 2010, not less than an amount equal to  
17 23.6% of the State's General Fund appropriation per full-time equivalent student to  
18 the 4-year public institutions of higher education in the State as designated by the  
19 Commission for the purpose of administering the Joseph A. Sellinger Program under  
20 Title 17 of this article in the same fiscal year;

21 3. In [fiscal year 2011,] **EACH OF FISCAL YEARS 2011**  
22 **AND 2012,** [not less than an amount equal to 24% of the State's General Fund  
23 appropriation per full-time equivalent student to the 4-year public institutions of  
24 higher education in the State as designated by the Commission for the purpose of  
25 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
26 same fiscal year] **\$194,407,432 TO BE DISTRIBUTED AS FOLLOWS:**

27 A. ALLEGANY COLLEGE OF MARYLAND ..\$4,535,850;

28 B. ANNE ARUNDEL COMMUNITY  
29 COLLEGE.....\$26,902,364;

30 C. COMMUNITY COLLEGE OF BALTIMORE  
31 COUNTY.....\$33,649,935;

32 D. CARROLL COMMUNITY COLLEGE.....\$6,770,354;

33 E. CECIL COMMUNITY COLLEGE.....\$4,448,540;

1	F.	COLLEGE	OF	SOUTHERN	
2	MARYLAND.....				\$10,299,112;
3	G.	CHESAPEAKE COLLEGE .....			\$5,268,995;
4	H.	FREDERICK COMMUNITY COLLEGE ....			\$7,649,753;
5	I.	GARRETT COLLEGE .....			\$2,307,428;
6	J.	HAGERSTOWN		COMMUNITY	
7	COLLEGE.....				\$6,701,294;
8	K.	HARFORD COMMUNITY COLLEGE .....			\$9,781,228;
9	L.	HOWARD COMMUNITY COLLEGE.....			\$12,057,748;
10	M.	MONTGOMERY COLLEGE .....			\$35,379,914;
11	N.	PRINCE	GEORGE'S	COMMUNITY	
12	COLLEGE.....				\$22,200,826; AND
13	O.	WOR-WIC COMMUNITY COLLEGE.....			\$6,454,091;

14                                   4.     [In fiscal year 2012, not less than an amount equal to  
15 25% of the State's General Fund appropriation per full-time equivalent student to the  
16 4-year public institutions of higher education in the State as designated by the  
17 Commission for the purpose of administering the Joseph A. Sellinger Program under  
18 Title 17 of this article in the same fiscal year;

19                                   5.]    In fiscal year 2013, not less than an amount equal to  
20 [27%] 22% of the State's General Fund appropriation per full-time equivalent student  
21 to the 4-year public institutions of higher education in the State as designated by the  
22 Commission for the purpose of administering the Joseph A. Sellinger Program under  
23 Title 17 of this article in the same fiscal year; [and]

24                                   [6.] 5. In fiscal year 2014 [and in each fiscal year  
25 thereafter], not less than an amount equal to [29%] 24% of the State's General Fund  
26 appropriation per full-time equivalent student to the 4-year public institutions of  
27 higher education in the State as designated by the Commission for the purpose of  
28 administering the Joseph A. Sellinger Program under Title 17 of this article in the  
29 same fiscal year;

30                                   6.    IN FISCAL YEAR 2015, NOT LESS THAN AN  
31 AMOUNT EQUAL TO 26.5% OF THE STATE'S GENERAL FUND APPROPRIATION

1 PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS  
2 OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION  
3 FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM  
4 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND

5           7. IN FISCAL YEAR 2016 AND EACH FISCAL YEAR  
6 THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 29% OF THE STATE'S  
7 GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO  
8 THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS  
9 DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE  
10 JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE  
11 SAME FISCAL YEAR.

12 17-104.

13           (a) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
14 SUBSECTION, THE Maryland Higher Education Commission shall compute the  
15 amount of the annual apportionment for each institution that qualifies under this  
16 subtitle by multiplying the number of full-time equivalent students enrolled at the  
17 institution during the fall semester of the fiscal year preceding the fiscal year for  
18 which the aid apportionment is made, as determined by the Maryland Higher  
19 Education Commission by:

20           [(1)] (I) In fiscal year 2009, an amount not less than 16% of the  
21 State's General Fund per full-time equivalent student appropriation to the 4-year  
22 public institutions of higher education in this State for the preceding fiscal year;

23           [(2)] (II) In fiscal year 2010, an amount not less than 12.85% of the  
24 State's General Fund per full-time equivalent student appropriation to the 4-year  
25 public institutions of higher education in the State for the same fiscal year;

26           [(3)] In fiscal year 2011, an amount not less than 13% of the State's  
27 General Fund per full-time equivalent student appropriation to the 4-year public  
28 institutions of higher education in this State for the same fiscal year;

29           (4) In fiscal year 2012, an amount not less than 13.5% of the State's  
30 General Fund per full-time equivalent student appropriation to the 4-year public  
31 institutions of higher education in this State for the same fiscal year;]

32           [(5)] (III) In fiscal year 2013, an amount not less than [14%] 8.5% of  
33 the State's General Fund per full-time equivalent student appropriation to the 4-year  
34 public institutions of higher education in this State for the same fiscal year;



1 be deposited with the State Treasurer to the credit of the Fund, and may be invested  
 2 as provided by law. Interest received on the investment shall be credited to the Fund.  
 3 The Secretary of the Environment shall determine the proper allocation of the moneys  
 4 credited to the Fund only for the following purposes:

5 (1) Administrative expenses, personnel expenses, and equipment costs  
 6 of the Department related to the purposes of this section[.];

7 (2) Prevention, control, containment, clean-up, and removal of  
 8 discharges into, upon, or adjacent to waters of the State of discharges of oil, petroleum  
 9 products and their by-products, and the restoration of natural resources damaged by  
 10 such discharges[.];

11 (3) Development of containment and clean-up equipment, plans, and  
 12 procedures in accordance with the purposes of this section[.];

13 (4) Paying insurance costs by the State to extend or implement the  
 14 benefits of the Fund; AND

15 (5) EXPENSES RELATED TO THE DEPARTMENT'S WATER  
 16 POLLUTION CONTROL PROGRAMS.

### 17 Article - Health - General

18 2-302.

19 (a) The funding required in the State budget for local health services,  
 20 exclusive of special fund and federal appropriations, shall be at least the amount set  
 21 forth in subsection (b) of this section.

22 (b) The funding shall be:

23 (1) [\$41.0 million for fiscal year 1997] **\$37,283,484 IN EACH OF**  
 24 **FISCAL YEARS 2011 AND 2012, TO BE DISTRIBUTED AS FOLLOWS:**

25 (I) ALLEGANY COUNTY ..... **\$908,719;**

26 (II) ANNE ARUNDEL COUNTY ..... **\$3,141,951;**

27 (III) BALTIMORE CITY ..... **\$6,675,053;**

28 (IV) BALTIMORE COUNTY ..... **\$4,302,255;**

29 (V) CALVERT COUNTY ..... **\$369,812;**

- 1                   (VI) CAROLINE COUNTY .....\$538,253;
- 2                   (VII) CARROLL COUNTY.....\$1,231,995;
- 3                   (VIII) CECIL COUNTY.....\$806,392;
- 4                   (IX) CHARLES COUNTY .....\$994,528;
- 5                   (X) DORCHESTER COUNTY.....\$428,709;
- 6                   (XI) FREDERICK COUNTY .....\$1,512,159;
- 7                   (XII) GARRETT COUNTY.....\$437,403;
- 8                   (XIII) HARFORD COUNTY .....\$1,737,473;
- 9                   (XIV) HOWARD COUNTY.....\$1,215,070;
- 10                  (XV) KENT COUNTY.....\$335,941;
- 11                  (XVI) MONTGOMERY COUNTY .....\$3,014,680;
- 12                  (XVII) PRINCE GEORGE’S COUNTY.....\$5,007,057;
- 13                  (XVIII) QUEEN ANNE’S COUNTY .....\$417,744;
- 14                  (XIX) ST. MARY’S COUNTY.....\$808,576;
- 15                  (XX) SOMERSET COUNTY.....\$429,385;
- 16                  (XXI) TALBOT COUNTY.....\$328,705;
- 17                  (XXII) WASHINGTON COUNTY .....\$1,381,306;
- 18                  (XXIII) WICOMICO COUNTY .....\$947,374; AND
- 19                  (XXIV) WORCESTER COUNTY .....\$312,944; and

20                   (2) For fiscal year [1998] **2013** and each subsequent fiscal year, [the  
 21 amount of funding for fiscal year 1997] **\$37,283,484** adjusted for:

22                   (i) Inflation, as measured by the Consumer Price Index — all  
 23 urban consumers for the second preceding fiscal year, calculated by the U.S.  
 24 Department of Commerce; and

1 (ii) Population growth, as measured by the growth in the total  
2 population of the State of Maryland for the second preceding fiscal year, according to  
3 the most recent statistics available through the Department of Health and Mental  
4 Hygiene.

5 (c) [(1) For fiscal year 1997, no subdivision may receive less State funding  
6 for local health services under this section than that subdivision received in fiscal year  
7 1996.

8 (2) For fiscal year [1998] **2013** and each subsequent fiscal year, no  
9 subdivision may receive less State funding for local health services under this section  
10 than that subdivision received in fiscal year [1997] **2012**.

11 [(3)] **(D)** The Secretary shall, in consultation with local health  
12 department directors, adopt regulations to guide the distribution of the funding  
13 required under this section. The regulations shall give consideration to appropriate  
14 measures of community health need, local funding effort, and other relevant factors.

15 13-1015.

16 (a) For fiscal year 2010 [and fiscal year 2011], the Governor shall include at  
17 least \$7,000,000 in the annual budget in appropriations for activities aimed at  
18 reducing tobacco use in Maryland as recommended by the Centers for Disease Control  
19 and Prevention, including:

20 (1) Media campaigns aimed at reducing smoking initiation and  
21 encouraging smokers to quit smoking;

22 (2) Media campaigns educating the public about the dangers of  
23 secondhand smoke exposure;

24 (3) Enforcement of existing laws banning the sale or distribution of  
25 tobacco products to minors;

26 (4) Promotion and implementation of smoking cessation programs;  
27 and

28 (5) Implementation of school-based tobacco education programs.

29 (b) For fiscal year [2006] **2011 AND EACH FISCAL YEAR THEREAFTER**, the  
30 Governor shall include at least [\$10,000,000] **\$6,000,000** in the annual budget in  
31 appropriations for the purposes described in subsection (a) of this section.

32 13-1116.



1           (a)   (1)   **(I)   FOR EACH OF FISCAL YEARS 2011 AND 2012, THE**  
2 **GOVERNOR SHALL INCLUDE AT LEAST \$1,650,000 IN THE ANNUAL BUDGET IN**  
3 **APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER CANCER**  
4 **RESEARCH GRANTS UNDER THIS SECTION.**

5                               **(II)   For fiscal year [2010 and fiscal year 2011] 2013 AND EACH**  
6 **FISCAL YEAR THEREAFTER,** the Governor shall include at least \$6,700,000 in the  
7 annual budget in appropriations for the Statewide Academic Health Center Cancer  
8 Research Grants under this section.

9   13-1117.

10           (a)   (1)   **(I)   FOR EACH OF FISCAL YEARS 2011 AND 2012, THE**  
11 **GOVERNOR SHALL INCLUDE AT LEAST \$300,000 IN THE ANNUAL BUDGET IN**  
12 **APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER**  
13 **TOBACCO-RELATED DISEASES RESEARCH GRANT UNDER THIS SECTION.**

14                               **(II)   For fiscal year [2010 and fiscal year 2011] 2013 AND EACH**  
15 **FISCAL YEAR THEREAFTER,** the Governor shall include at least \$1,250,000 in the  
16 annual budget in appropriations for the Statewide Academic Health Center  
17 Tobacco-Related Diseases Research Grant under this section.

18   13-1118.

19           (a)   (1)   **(I)   FOR EACH OF FISCAL YEARS 2011 AND 2012, THE**  
20 **GOVERNOR SHALL INCLUDE AT LEAST \$450,000 IN THE ANNUAL BUDGET IN**  
21 **APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER NETWORK**  
22 **GRANT UNDER THIS SECTION.**

23                               **(II)   For fiscal year [2010 and fiscal year 2011] 2013 AND EACH**  
24 **FISCAL YEAR THEREAFTER,** the Governor shall include at least \$1,900,000 in the  
25 annual budget in appropriations for the Statewide Academic Health Center Network  
26 Grant under this section.

27   18-108.

28           **[(c)   The Governor shall include in the annual budget State general funds of**  
29 **at least \$250,000 to cover the administrative and food costs of the Program.]**

30   19-310.1.

31           (b)   (1)   The Department may impose a quality assessment on each  
32 freestanding nursing facility subject to this section.



1 (ii) offer health care products in the small employer group  
2 market in accordance with Title 15, Subtitle 12 of this article;

3 (iii) subsidize the Senior Prescription Drug Assistance Program  
4 established under Subtitle 5, Part II of this title;

5 (iv) subsidize the [Maryland Pharmacy Discount Program]  
6 **KIDNEY DISEASE PROGRAM ESTABLISHED** under [§ 15–124.1] **TITLE 13,**  
7 **SUBTITLE 3** of the Health – General Article; and

8 (v) support the costs of the Community Health Resources  
9 Commission under Title 19, Subtitle 21 of the Health – General Article, including:

- 10 1. operating grants to community health resources;
- 11 2. funding for a unified data information system;
- 12 3. the documented direct costs of fulfilling the statutory  
13 and regulatory duties of the Commission; and
- 14 4. the administrative costs of the Commission.

15 (2) (i) [The] **FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT**  
16 **FISCAL YEAR, THE** support provided under paragraph [(1)(v)1, 3, and 4] **(1)(V)** of this  
17 subsection to the Community Health Resources Commission shall be [limited to:

- 18 1. \$2,000,000 in fiscal year 2006; and
- 19 2. in fiscal year 2007 and annually thereafter, the value  
20 of the premium tax exemption less:
  - 21 A. the subsidy required under this subsection for the  
22 Senior Prescription Drug Assistance Program;
  - 23 B. the subsidy required under this subsection for the  
24 Maryland Pharmacy Discount Program; and
  - 25 C. the funding required under this subsection for the  
26 unified data information system.

27 (ii) The subsidy provided under paragraph (1)(iv) of this  
28 subsection for the Maryland Pharmacy Discount Program shall be limited to:

- 29 1. \$500,000 in fiscal year 2006; and
- 30 2. \$300,000 in fiscal year 2007 and annually thereafter.

1 (iii) The amount provided under paragraph (1)(v)2 of this  
2 subsection to fund a unified data information system shall be limited to:

- 3 1. \$500,000 in fiscal year 2006; and  
4 2. \$1,700,000 in fiscal year 2007 and annually  
5 thereafter] **\$3,000,000.**

6 **(II) FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT FISCAL**  
7 **YEAR, THE SUBSIDY PROVIDED UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION**  
8 **TO THE KIDNEY DISEASE PROGRAM SHALL BE EQUAL TO THE VALUE OF THE**  
9 **PREMIUM TAX EXEMPTION LESS:**

10 **1. THE SUBSIDY REQUIRED UNDER THIS**  
11 **SUBSECTION FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM;**  
12 **AND**

13 **2. THE SUBSIDY REQUIRED UNDER THIS**  
14 **SUBSECTION FOR THE COMMUNITY HEALTH RESOURCES COMMISSION.**

15 **(III) OF THE SUBSIDY PROVIDED TO THE KIDNEY DISEASE**  
16 **PROGRAM UNDER THIS SUBSECTION, THE SECRETARY OF HEALTH AND**  
17 **MENTAL HYGIENE MAY TRANSFER ANY AMOUNTS RECEIVED BUT NOT SPENT BY**  
18 **THE KIDNEY DISEASE PROGRAM TO THE COMMUNITY HEALTH RESOURCES**  
19 **COMMISSION FUND ESTABLISHED UNDER § 19-2201 OF THE**  
20 **HEALTH – GENERAL ARTICLE.**

21 **Article – State Finance and Procurement**

22 3–306.

23 (a) There is a Central Collection Fund.

24 (b) The Central Collection Fund is a continuing, nonlapsing fund that is not  
25 subject to § 7–302 of this article.

26 (c) The Fund shall consist of all fees collected under § 3–304(a)(2) of this  
27 subtitle.

28 (d) Subject to the appropriation process in the State budget [and subject to  
29 subsection (h) of this section], the Department shall use the Fund for the expenses of  
30 operating the Central Collection Unit.

1 (e) The State Treasurer shall hold and the State Comptroller shall account  
2 for the Fund.

3 (f) The Fund shall be invested and reinvested in the same manner as other  
4 State funds.

5 (g) Investment earnings accrue to the benefit of the Fund.

6 [(h) For any fiscal year beginning on or after July 1, 2010, any balance in the  
7 Fund at the end of the fiscal year in excess of 10% of the actual expenses of operating  
8 the Central Collection Unit for that fiscal year reverts to the General Fund of the  
9 State.]

10 7-325.

11 (a) **(1) IN EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR**  
12 **SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL**  
13 **ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE**  
14 **ARTS COUNCIL OF NOT LESS THAN \$13,298,434.**

15 **(2) For [each] fiscal year 2013 AND EACH FISCAL YEAR**  
16 **THEREAFTER,** the Governor shall include in the annual budget bill submitted to the  
17 General Assembly a General Fund appropriation for the Maryland State Arts Council  
18 in an amount not less than the amount of the General Fund appropriation for the  
19 Council as approved in the State budget as enacted by the General Assembly for the  
20 prior fiscal year, increased by not less than the percentage by which the projected total  
21 General Fund revenues for the upcoming fiscal year exceed the revised estimate of  
22 total General Fund revenues for the current fiscal year, as contained in the report of  
23 estimated State revenues submitted by the Board of Revenue Estimates to the  
24 Governor under § 6-106(b) of this article.

25 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
26 read as follows:

27 **Article – Tax – General**

28 2-202.

29 **(A)** After making the distribution required under § 2-201 of this subtitle,  
30 within 20 days after the end of each quarter, the Comptroller shall distribute:

31 **(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**  
32 from the revenue from the State admissions and amusement tax on electronic bingo  
33 and electronic tip jars under § 4-102(d) of this article:

1 (i) the revenue attributable to a tax rate of 20% to the General  
2 Fund of the State; and

3 (ii) the revenue attributable to a tax rate in excess of 20% to the  
4 Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of  
5 the Economic Development Article; and

6 (2) the remaining admissions and amusement tax revenue:

7 (i) to the Maryland Stadium Authority, county, or municipal  
8 corporation that is the source of the revenue; or

9 (ii) if the Maryland Stadium Authority and also a county or  
10 municipal corporation tax a reduced charge or free admission:

11 1. 80% of that revenue to the Authority; and

12 2. 20% to the county or municipal corporation.

13 **(B) THE REVENUE TO BE DISTRIBUTED IN ACCORDANCE WITH**  
14 **SUBSECTION (A)(1) OF THIS SECTION:**

15 **(1) FOR FISCAL YEAR 2010 ONLY, SHALL BE DISTRIBUTED TO THE**  
16 **GENERAL FUND OF THE STATE; AND**

17 **(2) FOR FISCAL YEAR 2011 ONLY, SHALL BE DISTRIBUTED AS**  
18 **FOLLOWS:**

19 **(I) \$1,000,000 TO THE SPECIAL FUND FOR PRESERVATION**  
20 **OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC**  
21 **DEVELOPMENT ARTICLE; AND**

22 **(II) THE BALANCE TO THE GENERAL FUND OF THE STATE.**

23 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
24 read as follows:

25 **Article – Tax – General**

26 2–606.

27 **(E) ON OR BEFORE JUNE 30, 2010, THE COMPTROLLER SHALL**  
28 **DISTRIBUTE \$350,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED**  
29 **TO COMPLY WITH THIS SECTION TO THE EDUCATION TRUST FUND**  
30 **ESTABLISHED UNDER § 9–1A–30 OF THE STATE GOVERNMENT ARTICLE.**

1 2-1104.

2 (a) Except as provided in subsections (b) [and], (c), AND (D) of this section,  
3 after making the distributions required under §§ 2-1101 through 2-1103 of this  
4 subtitle, from the remaining motor fuel tax revenue, the Comptroller shall distribute:

5 (1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and

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

8 (b) For the fiscal year beginning July 1, 2008, instead of the distribution  
9 required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3%  
10 of the remaining motor fuel tax revenue as follows:

11 (1) \$6,500,000 to the General Fund of the State; and

12 (2) the balance to the Chesapeake Bay 2010 Trust Fund.

13 (c) For the fiscal year beginning July 1, 2009, instead of the distribution  
14 required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3%  
15 of the remaining motor fuel tax revenue as follows:

16 (1) \$8,385,845 to the General Fund of the State; and

17 (2) the balance to the Chesapeake Bay 2010 Trust Fund.

18 (D) **FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, INSTEAD OF THE**  
19 **DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE**  
20 **COMPTROLLER SHALL DISTRIBUTE 2.3% OF THE REMAINING MOTOR FUEL TAX**  
21 **REVENUE AS FOLLOWS:**

22 (1) **\$5,000,000 TO THE GENERAL FUND OF THE STATE; AND**

23 (2) **THE BALANCE TO THE CHESAPEAKE BAY 2010 TRUST FUND.**

24 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
25 read as follows:

26 **Article – Tax – General**

27 2-1302.1.

28 (a) Except as provided in subsections (b) [and], (c), AND (D) of this section,  
29 after making the distributions required under §§ 2-1301 and 2-1302 of this subtitle, of

1 the sales and use tax collected on short-term vehicle rentals under § 11-104(c) of this  
2 article the Comptroller shall distribute:

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

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

6 (b) For the fiscal year beginning July 1, 2008, after the distribution required  
7 under subsection (a)(1) of this section, the Comptroller shall distribute the remainder  
8 of the sales and use tax collected on short-term vehicle rentals under § 11-104(c) of  
9 this article as follows:

10 (1) \$18,500,000 to the General Fund of the State; and

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

12 (c) For the fiscal year beginning July 1, 2009, after the distribution required  
13 under subsection (a)(1) of this section, the Comptroller shall distribute the remainder  
14 of the sales and use tax collected on short-term vehicle rentals under § 11-104(c) of  
15 this article as follows:

16 (1) [~~\$13,100,711~~] **\$21,100,711** to the General Fund of the State; and

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

18 **(D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AFTER THE**  
19 **DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE**  
20 **COMPTROLLER SHALL DISTRIBUTE THE REMAINDER OF THE SALES AND USE**  
21 **TAX COLLECTED ON SHORT-TERM VEHICLE RENTALS UNDER § 11-104(C) OF**  
22 **THIS ARTICLE AS FOLLOWS:**

23 **(1) \$17,101,428 TO THE GENERAL FUND OF THE STATE; AND**

24 **(2) THE REMAINDER TO THE CHESAPEAKE BAY 2010 TRUST**  
25 **FUND.**

26 SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
27 read as follows:

28 **Article – Transportation**

29 4-321.

30 (e) The Governor shall transfer to the Authority for the Intercounty  
31 Connector:



1 (1) From the Transportation Trust Fund, at least \$30,000,000 each  
2 year for fiscal years 2007 through 2010;

3 (2) From the General Fund or general obligation bonds, an aggregate  
4 appropriation by fiscal year [2011] **2012** equal to \$264,913,000, as follows:

5 (i) \$53,000,000 for fiscal year 2007;

6 (ii) \$55,000,000 for fiscal year 2010; [and]

7 (iii) [~~\$156,913,000~~] **\$126,900,000** for fiscal year 2011; and

8 **(IV) \$30,013,000 FOR FISCAL YEAR 2012; AND**

9 (3) At least \$10,000,000 federal aid from any source in amounts as  
10 deemed prudent.

11 SECTION 8. AND BE IT FURTHER ENACTED, That Section(s) 18–1201  
12 through 18–1207 and the subtitle “Subtitle 12. Private Career School Student Grant  
13 Program” of Article – Education of the Annotated Code of Maryland be repealed.

14 SECTION 9. AND BE IT FURTHER ENACTED, That Section(s) 10–301(m) of  
15 the Natural Resources Article of the Annotated Code of Maryland be repealed.

16 SECTION 10. AND BE IT FURTHER ENACTED, That Section(s) 8–406(b) and  
17 10–704.1 of the Tax – General Article of the Annotated Code of Maryland be repealed.

18 SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any  
19 other provision of law, on or before June 30, 2010, the Governor may transfer to the  
20 General Fund:

21 \$155,000,000 of the unexpended balance in the Bay Restoration Fund  
22 established under § 9–1605.2 of the Environment Article that is not needed to pay debt  
23 service on Revenue Bonds issued by the Water Quality Financing Administration for  
24 the Enhanced Nutrient Removal Program;

25 \$85,051,173 of the funds in the accounts of the University System of Maryland;

26 \$39,693,790, or any balance remaining, of the funds in the Heritage Structure  
27 Rehabilitation Tax Credit Reserve Fund established under § 5A–303 of the State  
28 Finance and Procurement Article;

29 \$25,000,000 of the funds in the Circuit Court Real Property Records  
30 Improvement Fund established by § 13–602 of the Courts and Judicial Proceedings  
31 Article;

1           \$20,000,000 of the funds in the Injured Workers' Insurance Fund established  
2 under § 10–104 of the Labor and Employment Article;

3           \$13,509,450 of the funds in the Waterway Improvement Fund established under  
4 § 8–707 of the Natural Resources Article;

5           \$6,000,000 of the funds in the Injured Workers' Insurance Fund reserve for  
6 actuarial liability for claims against the State, established under § 10–104 of the  
7 Labor and Employment Article;

8           \$5,221,332 of the funds in the State Insurance Trust Fund established under §  
9 9–103 of the State Finance and Procurement Article;

10          \$3,628,687 of the unexpended balance in the Neighborhood Business  
11 Development Fund established under § 6–301 of the Housing and Community  
12 Development Article;

13          \$3,401,000 of the unexpended balance in the Ocean Beach Replenishment Fund  
14 established under § 8–1103 of the Natural Resources Article;

15          \$3,000,000 of the funds in the special fund established under § 1–203.3 of the  
16 Corporations and Associations Article;

17          \$2,200,000 of the funds in the Maryland Oil Disaster Containment, Cleanup  
18 and Contingency Fund established under § 4–411 of the Environment Article;

19          \$2,176,565 of the funds in the Special Loan Programs Fund established under §  
20 4–505 of the Housing and Community Development Article;

21          \$2,000,000 of the funds in the Insurance Regulation Fund established under §  
22 2–505 of the Insurance Article;

23          \$1,824,924 of the funds in the Vehicle Theft Prevention Fund established under  
24 § 2–703 of the Public Safety Article;

25          \$1,800,000 of the funds in the Community Health Resources Commission Fund  
26 established under § 19–2201 of the Health – General Article;

27          \$1,664,227 of the funds in the accounts of Morgan State University;

28          \$1,559,000 of the funds in the Spinal Cord Injury Research Trust Fund  
29 established under § 13–1406 of the Health – General Article;

30          \$1,500,000 of the funds in the Land Trust Grant Fund established under §  
31 3–2A–02 of the Natural Resources Article;

1           \$1,200,000 of the funds in the Oil Contaminated Site Environmental Cleanup  
2 Fund established under § 4–704 of the Environment Article;

3           \$1,100,000 of the funds in the State Used Tire Cleanup and Recycling Fund  
4 established under § 9–273 of the Environment Article;

5           \$1,000,000 of the funds in the Tidal Wetlands Compensation Fund established  
6 under § 16–205 of the Environment Article;

7           \$733,339 of the funds in the Cash Management Improvement Fund in the State  
8 Treasurer’s Office;

9           \$602,800 of the funds in the special fund established under § 11–401 of the  
10 Business Regulation Article;

11           \$527,619 of the funds in the Board of Physicians Fund established under §  
12 14–207 of the Health Occupations Article;

13           \$500,000 of the funds in the Central Collection Fund established under § 3–306  
14 of the State Finance and Procurement Article;

15           \$500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund  
16 established under § 3–507 of the Correctional Services Article;

17           \$500,000 of the funds in the State administrative costs account of the Injured  
18 Workers’ Insurance Fund established under § 10–104 of the Labor and Employment  
19 Article;

20           \$472,026 of the funds in the Maryland Health Care Commission Fund  
21 established under § 19–111 of the Health – General Article;

22           \$449,373 of the funds in the Community Legacy Financial Assistance Fund  
23 established under § 6–213 of the Housing and Community Development Article;

24           \$305,549 of the funds in the Board of Nursing Fund established under § 8–206  
25 of the Health Occupations Article;

26           \$305,481 of the funds in the Shore Erosion Control Construction Loan Fund  
27 established under § 8–1005 of the Natural Resources Article;

28           \$300,000 of the funds in the Maryland Clean Air Fund established under §  
29 2–107 of the Environment Article;

30           \$204,368 of the funds in the accounts of St. Mary’s College of Maryland;

1           \$150,000 of the funds in the State Chemist Reserve Account consisting of  
2 special funds established under §§ 5–103, 6–103, 6–204, and 6–303 of the Agriculture  
3 Article;

4           \$150,000 of the funds in the State Radiation Control Fund established under §  
5 8–306 of the Environment Article;

6           \$98,544 of the funds in the State Board of Pharmacy Fund established under §  
7 12–206 of the Health Occupations Article;

8           \$96,541 of the funds in the accounts of Baltimore City Community College;

9           \$92,040 of the funds in the Homeownership Programs Fund established under §  
10 4–502 of the Housing and Community Development Article;

11           \$87,758 of the funds in the Rental Housing Programs Fund established under §  
12 4–504 of the Housing and Community Development Article;

13           \$87,758 of the funds in the Partnership Rental Housing Fund established under  
14 § 4–503 of the Housing and Community Development Article;

15           \$73,530 of the funds in the State Board of Dental Examiners Fund established  
16 under § 4–207 of the Health Occupations Article;

17           \$52,097 of the funds in the State Board of Social Work Examiners Fund  
18 established under § 19–206 of the Health Occupations Article;

19           \$36,128 of the funds in the State Board of Chiropractic and Massage Therapy  
20 Examiners Fund established under § 3–206 of the Health Occupations Article;

21           \$23,718 of the funds in the State Board of Examiners of Psychologists Fund  
22 established under § 18–207 of the Health Occupations Article;

23           \$22,013 of the funds in the State Board of Professional Counselors and  
24 Therapists Fund established under § 17–206 of the Health Occupations Article;

25           \$17,567 of the funds in the State Board of Physical Therapy Examiners Fund  
26 established under § 13–207 of the Health Occupations Article;

27           \$13,698 of the funds in the State Board of Examiners for Audiologists, Hearing  
28 Aid Dispensers, and Speech Language Pathologists Fund established under § 2–206 of  
29 the Health Occupations Article;

30           \$11,923 of the funds in the State Board of Occupational Therapy Practice Fund  
31 established under § 10–206 of the Health Occupations Article;

1           \$9,837 of the funds in the State Board of Examiners in Optometry Fund  
2 established under § 11–207 of the Health Occupations Article;

3           \$9,666 of the funds in the State Acupuncture Board Fund established under §  
4 1A–206 of the Health Occupations Article;

5           \$9,566 of the funds in the State Board of Morticians and Funeral Directors  
6 Fund established under § 7–206 of the Health Occupations Article;

7           \$7,283 of the funds in the State Board of Podiatric Medical Examiners Fund  
8 established under § 16–206 of the Health Occupations Article;

9           \$4,092 of the funds in the Kidney Disease Fund established under § 13–310.1 of  
10 the Health – General Article; and

11           \$3,738 of the funds in the State Board of Dietetic Practice Fund established  
12 under § 5–206 of the Health Occupations Article.

13           SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any  
14 other provision of law:

15           (a)    On or before June 30, 2010, the Governor may transfer to the General  
16 Fund:

17           \$103,113,000 of the unexpended balance of the funds for the local share of  
18 Program Open Space in the special fund established under § 13–209 of the Tax –  
19 Property Article;

20           \$22,700,000 of the unexpended balance of the funds for Program Open Space  
21 Capital Development under Program Open Space in the special fund established  
22 under § 13–209 of the Tax – Property Article;

23           \$10,635,000 of the unexpended balance in the special fund established under §  
24 13–209 of the Tax – Property Article for the Rural Legacy Program as established  
25 under § 5–9A–01 of the Natural Resources Article;

26           \$10,000,000 of the unexpended balance in the special fund established under §  
27 13–209 of the Tax – Property Article for the Maryland Agricultural Land Preservation  
28 Foundation established under § 2–502 of the Agriculture Article;

29           \$4,567,000 of the unexpended balance of the funds for State land acquisition  
30 under Program Open Space in the special fund established under § 13–209 of the Tax  
31 – Property Article; and

32           \$2,058,000 of the unexpended balance of the funds for Program Open Space  
33 Capital Development – Ocean City Beach Replenishment under Program Open Space  
34 in the special fund established under § 13–209 of the Tax – Property Article.

1 (b) A transfer of funds from the special fund to the General Fund under this  
2 section may not be taken into account for purposes of determining any allocation or  
3 appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

4 SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any  
5 other provision of law, on or before June 30, 2011, the Governor may transfer to the  
6 General Fund:

7 \$51,731,321 of the funds in the accounts of the University System of Maryland;

8 \$45,000,000 of the funds in the Bay Restoration Fund established under §  
9 9–1605.2 of the Environment Article that is not needed to pay debt service on Revenue  
10 Bonds issued by the Water Quality Financing Administration for the Enhanced  
11 Nutrient Removal Program;

12 \$1,000,000 of the funds in the Board of Physicians Fund established under §  
13 14–207 of the Health Occupations Article;

14 \$822,287 of the funds in the accounts of Baltimore City Community College;

15 \$790,574 of the funds in the accounts of Morgan State University;

16 \$500,000 of the funds for the Spinal Cord Injury Research Trust Fund  
17 established under § 13–1406 of the Health – General Article;

18 \$3,934,000 of the funds in the Waterway Improvement Fund established under  
19 § 8–707 of the Natural Resources Article;

20 \$3,200,000 of the funds in the Neighborhood Business Development Fund  
21 established under § 6–310 of the Housing and Community Development Article;

22 \$3,000,000 of the funds in the Homeownership Programs Fund established  
23 under § 4–502 of the Housing and Community Development Article;

24 \$2,500,000 of the funds in the Special Loan Programs Fund established under §  
25 4–505 of the Housing and Community Development Article;

26 \$204,368 of the funds in the accounts of St. Mary’s College of Maryland;

27 \$200,000 of the funds in the State Board of Pharmacy Fund established under §  
28 12–206 of the Health Occupations Article;

29 \$50,000 of the funds in the State Board of Examiners for Psychologists Fund  
30 established under § 18–207 of the Health Occupations Article; and

1           \$50,000 of the funds in the State Board of Professional Counselors and  
2 Therapists Fund established under § 17–206 of the Health Occupations Article.

3           SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any  
4 other provision of law:

5           (a) Subject to subsection (b) of this section, on or before June 30, 2011, the  
6 Governor may transfer to the General Fund \$54,038,405 of the funds in the special  
7 fund established under § 13–209 of the Tax – Property Article. A transfer of funds  
8 from the special fund to the General Fund under this subsection may not be taken into  
9 account for purposes of determining any allocation or appropriation required under §  
10 13–209(f) or (g) of the Tax – Property Article.

11           (b) Subsection (a) of this section is contingent on legislation authorizing the  
12 creation of State general obligation debt totaling \$54,305,000 for the following  
13 purposes:

14	Program Open Space – State Land Acquisition	\$13,082,000
15	Program Open Space – Local Share	\$12,352,000
16	Rural Legacy Program	\$12,637,000
17	Program Open Space – Capital Improvements	\$4,150,000
18	Maryland Agricultural Land Preservation Foundation	\$11,814,000

19           If legislation authorizing the creation of State general obligation debt totaling  
20 \$54,305,000 for the purposes described in this subsection does not become effective,  
21 subsection (a) of this section shall be null and void without the necessity of further  
22 action by the General Assembly.

23           SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any  
24 other provision of law, in fiscal year 2011 only, the grants to county boards under the  
25 Aging Schools Program under § 5–206(f) of the Education Article may be funded from  
26 the Maryland Consolidated Capital Bond Loan of 2010.

27           SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding the  
28 provisions of Title 1, Subtitle 3 of the Public Safety Article or any other law,  
29 \$5,000,000 in fiscal year 2011 revenue from the State 9–1–1 fee on wired lines may be  
30 used to support the Computer Aided Dispatch/Records Management System project in  
31 the Maryland State Police.

32           SECTION 17. AND BE IT FURTHER ENACTED, That, notwithstanding the  
33 provisions of Article 41, § 4–403 of the Annotated Code, for each of fiscal years 2011  
34 and 2012, funding for State Aid for Police Protection shall be \$45,420,982. For each of  
35 fiscal years 2011 and 2012, a subdivision or municipality shall receive the same State  
36 funding that the subdivision or municipality received in fiscal year 2010.

37           SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding any  
38 other provision of law, no amounts may be expended in fiscal year 2011 to pay

1 increases over the rates in effect on January 20, 2010, for providers with rates set  
2 under § 8–406 or § 8–417 of the Education Article.

3 SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding any  
4 other provision of law, the Governor may transfer by budget amendment from the  
5 Senior Prescription Drug Assistance Program account of the Maryland Health  
6 Insurance Plan Fund established under § 14–504(e) of the Insurance Article to the  
7 Kidney Disease Program established under Title 13, Subtitle 3 of the Health – General  
8 Article up to \$10,500,000 in fiscal year 2010, and up to \$1,500,000 in fiscal year 2011.

9 SECTION 20. AND BE IT FURTHER ENACTED, That, notwithstanding any  
10 other provision of law, in fiscal year 2010, the Governor may transfer up to \$3,000,000  
11 from the Senior Prescription Drug Assistance Program account of the Maryland  
12 Health Insurance Plan Fund established under § 14–504(e) of the Insurance Article to  
13 the Medical Assistance Program established under Title 15, Subtitle 1 of the Health –  
14 General Article.

15 SECTION 21. AND BE IT FURTHER ENACTED, That, notwithstanding any  
16 other provision of law:

17 (a) On or before June 30, 2010, in addition to amounts authorized to be  
18 transferred under Section 12 of this Act, the Governor may transfer to the General  
19 Fund \$4,459,496 of the funds for State land acquisition under Program Open Space in  
20 the special fund established under § 13–209 of the Tax – Property Article.

21 (b) A transfer of funds from the special fund to the General Fund under this  
22 section may not be taken into account for purposes of determining any allocation or  
23 appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

24 SECTION 22. AND BE IT FURTHER ENACTED, That, notwithstanding the  
25 provisions of § 3A–309 of the State Finance and Procurement Article, or any other  
26 provision of law, all money received from May 1, 2010 through June 30, 2010, and for  
27 each of fiscal years 2011 and 2012, as commissions, rebates, refunds, rate reductions,  
28 settlements, or telecommunication bypass agreements resulting from information  
29 technology services or purchases shall be credited to the General Fund.

30 SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding the  
31 provisions of §§ 2–613, 2–613.1, and 2–614 of the Tax – General Article, or any other  
32 provision of law, the first \$129,000,000 of corporate income tax paid to the State in  
33 fiscal year 2010 shall be credited entirely to the General Fund.

34 SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding the  
35 provisions of § 10–223(c) of the Tax – General Article and § 6–104(c)(2) of the State  
36 Finance and Procurement Article, or any other provision of law, the requirement for  
37 the Comptroller and the Bureau of Revenue Estimates to prepare and submit the  
38 Statistics of Income Report and the Tax Incentives Study shall be waived for the tax  
39 years ending in 2008, 2009, and 2010.



1 SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding the  
2 provisions of § 3A-506 of the State Finance and Procurement Article or any other  
3 provision of law, in fiscal year 2011, the Governor may transfer by budget amendment  
4 up to \$1,000,000 from the Universal Service Trust Fund to the Maryland School for  
5 the Deaf. For the purposes of determining the minimum appropriation for the  
6 Maryland School for the Deaf under § 8-310.3(b) of the Education Article for fiscal  
7 year 2012, the prior year appropriations shall be deemed to include any General Fund  
8 appropriation for fiscal year 2011 for the Maryland School for the Deaf and any  
9 amount transferred to the Maryland School for the Deaf for fiscal year 2011 under this  
10 section.

11 SECTION 26. AND BE IT FURTHER ENACTED, That, notwithstanding  
12 Section(s) 18-1101 through 18-1106 of the Education Article, or any other provision of  
13 law, no new scholarship awards shall be made under the Distinguished Scholar  
14 Program for the 2010 - 2011 academic year. This section shall be construed to apply  
15 retroactively to January 20, 2010, and shall be applied to and interpreted to affect any  
16 proposed scholarship awards considered on or after that date.

17 SECTION 27. AND BE IT FURTHER ENACTED, That, notwithstanding any  
18 other provision of law, for fiscal year 2012:

19 (a) Except as provided in subsection (b) of this section, the Governor is not  
20 required to include an appropriation in the budget for any program or item in an  
21 amount that exceeds the fiscal year 2011 appropriation for that item or program as  
22 approved in the State budget for fiscal year 2011 as enacted by the General Assembly.

23 (b) Subsection (a) of this section does not apply to:

24 (1) funding required for State aid to public elementary and secondary  
25 education as provided under Title 5, Subtitle 2 or § 4-121, § 4-122, § 6-306, § 8-310.3,  
26 § 8-317, or § 8-415 of the Education Article;

27 (2) the State's employer contribution to the State Retirement and  
28 Pension System required under § 21-308 of the State Personnel and Pensions Article;  
29 or

30 (3) any appropriation required to the Revenue Stabilization Account of  
31 the State Reserve Fund under § 7-311 of the State Finance and Procurement Article.

32 SECTION 28. AND BE IT FURTHER ENACTED, That, notwithstanding any  
33 other provision of law, for fiscal years 2010 and 2011, net interest on all State money  
34 allocated by the State Treasurer under § 6-226 of the State Finance and Procurement  
35 Article to special funds or accounts, and otherwise entitled to receive interest  
36 earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the  
37 State, with the exception of the following funds:

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- 1 (1) Maryland Housing Loan Funds of 1976, 1978, 1979, and 1984;
- 2 (2) Microsoft Cost Share Fund;
- 3 (3) Subsequent Injury Fund;
- 4 (4) Uninsured Employers' Fund;
- 5 (5) State Agency Loan Program Fund;
- 6 (6) Jane E. Lawton Conservation Loan Program;
- 7 (7) Energy Overcharge Restitution Fund;
- 8 (8) Pepco / Connectiv Settlement Fund;
- 9 (9) Baseball Capital Improvements Fund;
- 10 (10) State Victims of Crime Fund;
- 11 (11) Juvenile Accountability Incentive Block Grant Fund;
- 12 (12) Victim and Witness Protection and Relocation Fund;
- 13 (13) Unclaimed Restitution – Victims of Crime;
- 14 (14) Justice Assistance Grant;
- 15 (15) Byrne Justice Assistance Grant;
- 16 (16) Maryland Election Modernization Fund;
- 17 (17) Scriven Estate Fund;
- 18 (18) Volunteer Company Assistance Fund;
- 19 (19) Radoff Memorial Fund;
- 20 (20) Archives Endowment Account within the Archives Fund;
- 21 (21) Ellefson Endowment Fund;
- 22 (22) Albert C. Ritchie Memorial Fund;
- 23 (23) Rate Stabilization Fund;
- 24 (24) Maryland Health Insurance Plan Fund;

- 1 (25) Fair Campaign Financing Fund;
- 2 (26) State Employees and Retirees Health and Welfare Benefits Fund;
- 3 (27) Major Information Technology Development Project Fund;
- 4 (28) State Retirement Agency Funds;
- 5 (29) Postretirement Health Benefits Trust Fund;
- 6 (30) Maryland Emergency Medical Service Operations Fund;
- 7 (31) State Wildlife Management and Protection Fund;
- 8 (32) Fisheries Management and Protection Fund;
- 9 (33) Ocean Beach Replenishment Fund;
- 10 (34) Community Services Trust Fund;
- 11 (35) Waiting List Equity Fund;
- 12 (36) Health Care Coverage Fund;
- 13 (37) Health Services Cost Review Commission Fund;
- 14 (38) Hospital Uncompensated Care Fund;
- 15 (39) Funds in the Accounts of Morgan State University;
- 16 (40) Funds in the Accounts of St. Mary's College of Maryland;
- 17 (41) Funds in the Accounts of the University System of Maryland;
- 18 (42) Maryland Prepaid College Trust Fund;
- 19 (43) Nurse Support Program Assistance Fund;
- 20 (44) Funds in the Accounts of the Baltimore City Community College;
- 21 (45) Education Trust Fund;
- 22 (46) Section 8 Construction and Administration Funds administered by  
23 the Department of Housing and Community Development;
- 24 (47) MacArthur Grant Fund;

- 1 (48) Maryland Economic Adjustment Fund;
- 2 (49) Maryland Water Quality Revolving Loan Fund;
- 3 (50) Maryland Drinking Water Revolving Loan Fund;
- 4 (51) Bay Restoration Fund;
- 5 (52) All accounts within the State Reserve Fund; and
- 6 (53) Local revenue accounts collected by the Judiciary.

7 SECTION 29. AND BE IT FURTHER ENACTED, That, notwithstanding §§  
 8 8–403 through 8–405 of the Transportation Article, or any other provision of law, in  
 9 addition to the amounts required to be distributed to the General Fund and the  
 10 reductions in the amounts to be distributed to Baltimore City and the counties and  
 11 municipalities under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly  
 12 of 2009, for fiscal year 2010 only:

13 (a) \$159,502,391 of the amounts otherwise required to be distributed to  
 14 Baltimore City and the counties and municipalities under § 8–403 of the  
 15 Transportation Article shall be distributed instead to the General Fund.

16 (b) The amounts to be distributed to Baltimore City and the counties and  
 17 municipalities under § 8–403 of the Transportation Article shall be reduced by the  
 18 following amounts:

19	Allegany County	\$3,698,005
20	Anne Arundel County	9,254,377
21	Baltimore City	31,612,390
22	Baltimore County	15,393,152
23	Calvert County	2,829,534
24	Caroline County	2,491,691
25	Carroll County	6,376,535
26	Cecil County	3,492,581
27	Charles County	4,279,861
28	Dorchester County	2,788,812
29	Frederick County	8,113,600
30	Garrett County	3,155,082
31	Harford County	7,196,389
32	Howard County	5,793,463
33	Kent County	1,362,596
34	Montgomery County	13,832,683
35	Prince George's County	16,121,287
36	Queen Anne's County	2,604,470
37	St. Mary's County	3,523,933

1	Somerset County	1,745,802
2	Talbot County	1,686,937
3	Washington County	5,470,612
4	Wicomico County	4,657,149
5	Worcester County	2,021,450

6 (c) To the extent that the total amount to be distributed to Baltimore City  
7 and the counties and municipalities under § 8–403 of the Transportation Article, after  
8 the reductions under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly  
9 of 2009 and under this section, exceeds \$140,509,010, the excess shall be distributed  
10 as follows:

11 (1) 11.5% to Baltimore City; and

12 (2) 88.5% among the counties and municipalities in accordance with §§  
13 8–404 and 8–405 of the Transportation Article.

14 SECTION 30. AND BE IT FURTHER ENACTED, That, notwithstanding § 12 of  
15 Chapter 487 of the Acts of the General Assembly of 2009, §§ 8–403 through 8–405 of  
16 the Transportation Article, or any other provision of law, for each of fiscal years 2011  
17 and 2012 only:

18 (a) The amounts otherwise required to be distributed to Baltimore City and  
19 the counties and municipalities under § 8–403 of the Transportation Article shall be  
20 distributed as follows:

21 (1) \$340,255,990 to the General Fund;

22 (2) Up to the next \$140,509,010 to Baltimore City and the counties  
23 and municipalities as follows:

24	Allegany County	0.221%
25	Anne Arundel County	0.417%
26	Baltimore City	93.173%
27	Baltimore County	0.794%
28	Calvert County	0.151%
29	Caroline County	0.147%
30	Carroll County	0.360%
31	Cecil County	0.192%
32	Charles County	0.231%
33	Dorchester County	0.164%
34	Frederick County	0.445%
35	Garrett County	0.187%
36	Harford County	0.400%
37	Howard County	0.297%
38	Kent County	0.078%
39	Montgomery County	0.628%

1	Prince George's County	0.902%
2	Queen Anne's County	0.147%
3	St. Mary's County	0.195%
4	Somerset County	0.105%
5	Talbot County	0.087%
6	Washington County	0.308%
7	Wicomico County	0.275%
8	Worcester County	0.096%; and

9 (3) Any amounts in excess of \$480,765,000 as follows:

10 (i) 11.5% to Baltimore City; and

11 (ii) 88.5% among the counties and municipalities in accordance  
12 with §§ 8–404 and 8–405 of the Transportation Article.

13 (b) For fiscal year 2011:

14 (1) The distribution to the General Fund required under subsection (a)  
15 of this section is in lieu of the distribution to the General Fund required under § 12 of  
16 Chapter 487 of the Acts of the General Assembly of 2009; and

17 (2) The reductions required under § 12 of Chapter 487 of the Acts of  
18 the General Assembly of 2009 in the amounts to be distributed to Baltimore City and  
19 the counties and municipalities are superseded by the required distributions provided  
20 for under subsection (a) of this section.

21 SECTION 31. AND BE IT FURTHER ENACTED, That, notwithstanding any  
22 other provision of law, State employees employed by any entity, including the  
23 University System of Maryland, Morgan State University, and St. Mary's College of  
24 Maryland, may not receive bonuses, merit increases, or cost-of-living adjustments in  
25 fiscal year 2011. This provision does not affect salaries for constitutional officers or  
26 members of the General Assembly or increases necessary for the retention of faculty in  
27 the University System of Maryland, Morgan State University, or St. Mary's College of  
28 Maryland.

29 SECTION 32. AND BE IT FURTHER ENACTED, That, notwithstanding the  
30 provisions of § 32–205 of the State Personnel and Pensions Article, in fiscal year 2011  
31 the State is not required to make the employer contributions to the applicable State  
32 supplemental plan for participating employees in the Optional Defined Contribution  
33 System.

34 SECTION 33. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
35 read as follows:

36 **Chapter 62 of the Acts of 1992**

1 SECTION 4. AND BE IT FURTHER ENACTED, That:

2 (a) Notwithstanding any other provision of law, except as prohibited by the  
3 Constitution of Maryland:

4 (1) [During] **FOR FISCAL YEAR 2011 OR DURING** any fiscal year in  
5 which appropriations are reduced pursuant to § 7-213 of the State Finance and  
6 Procurement Article because of a projected deficit, by Executive Order the Governor  
7 may institute a furlough **OR TEMPORARY SALARY REDUCTION** plan for Executive  
8 Branch employees of the State of Maryland.

9 (2) An Executive Order issued pursuant to paragraph (1) of this  
10 subsection:

11 (i) Shall specify how the furlough **OR TEMPORARY SALARY**  
12 **REDUCTION** plan applies to the various employees of the State of Maryland; and

13 (ii) May:

14 1. Scale the number of furlough days to salary; and

15 2. Include any other provisions related to the operation  
16 of the furlough **AND TEMPORARY SALARY REDUCTION** plan.

17 (b) This section shall be deemed to provide supplemental authority to the  
18 Governor and shall not be regarded as in derogation of any power now existing.

19 SECTION 34. AND BE IT FURTHER ENACTED, That, notwithstanding any  
20 other provision of law, calculation of the rate of overtime payments for current State  
21 employees subject to a temporary salary reduction ordered by the Governor in fiscal  
22 year 2010 or 2011 shall be based on the salary schedules in effect on July 1, 2009. This  
23 section shall be construed to apply retroactively to September 23, 2009, and shall be  
24 applied to and interpreted to affect the overtime compensation of current State  
25 employees from that date.

26 SECTION 35. AND BE IT FURTHER ENACTED, That, notwithstanding any  
27 other provision of law, on or before June 30, 2011, any special fund savings realized  
28 from the implementation of furloughs in fiscal year 2011 may be transferred to the  
29 General Fund.

30 SECTION 36. AND BE IT FURTHER ENACTED, That, in each of fiscal years  
31 2014 through 2020, the State shall pay to the Local Income Tax Reserve Account  
32 \$50,000,000 to repay the \$350,000,000 transfer to the Education Trust Fund  
33 authorized under § 2-606(e) of the Tax – General Article as enacted by this Act.

34 SECTION 37. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
35 read as follows:





1 Information Technology Project Development Fund established under § 3A–309 of the  
2 State Finance and Procurement Article.

3 (c) To support this project, for fiscal years 2011, 2012, and 2013 only, the  
4 Department of Budget and Management shall establish a statewide subobject for the  
5 purpose of charging back to each fund account of the State agencies the cost of  
6 developing, acquiring, and implementing the needed information technology.

7 (d) Costs shall be allocated to each agency based on that proportion of total  
8 positions authorized in each agency on June 30 of the second year preceding the year  
9 for which the budget is prepared compared to the total number of positions authorized  
10 for Executive agencies. Funds shall be credited to the Major Information Technology  
11 Project Development Fund solely for support of the project created under subsection  
12 (b) of this section.

13 (e) For fiscal year 2011, the Governor shall include in the State budget  
14 through the mechanism established in this section a charge back of not less than  
15 **[\$5,000,000] \$2,069,344.**

16 SECTION 44. AND BE IT FURTHER ENACTED, That Section 3 of this Act  
17 shall take effect July 1, 2009. [It shall remain effective for a period of 2 years and, at  
18 the end of June 30, 2011, with no further action required by the General Assembly,  
19 Section 3 of this Act shall be abrogated and of no further force and effect.]

20 SECTION 38. AND BE IT FURTHER ENACTED, That Section(s) 25 and 34 of  
21 Chapter 487 of the Acts of the General Assembly of 2009 be repealed.

22 SECTION 39. AND BE IT FURTHER ENACTED, That, if any provision of this  
23 Act or the application thereof to any person or circumstance is held invalid for any  
24 reason in a court of competent jurisdiction, the invalidity does not affect other  
25 provisions or any other application of this Act which can be given effect without the  
26 invalid provision or application, and for this purpose the provisions of this Act are  
27 declared severable.

28 SECTION 40. AND BE IT FURTHER ENACTED, That the provisions of  
29 Sections 2, 4, 6, and 28 of this Act shall be construed retroactively and shall be applied  
30 to any taxes, interest earnings, payments, or other revenue received by the State on or  
31 after June 1, 2009.

32 SECTION 41. AND BE IT FURTHER ENACTED, That Section 10 of this Act  
33 shall be applicable to all taxable years beginning after December 31, 2009.

34 SECTION 42. AND BE IT FURTHER ENACTED, That Section 35 of this Act  
35 shall be construed to apply retroactively and shall be applied to and interpreted to  
36 affect any Executive Order issued on or after January 20, 2010.

1           SECTION 43. AND BE IT FURTHER ENACTED, That, except as otherwise  
2 provided in this Act, this Act shall take effect June 1, 2010.