

SENATE BILL 141

B1

0lr0173
CF HB 151

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

Introduced and read first time: January 20, 2010

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of altering the calculation of certain distributions required to be
4 made to certain counties and Baltimore City based on per capita yield of county
5 income taxes; altering or repealing certain required appropriations; altering the
6 distribution of certain revenues; altering or repealing certain funding
7 requirements; altering or repealing certain grant programs; authorizing certain
8 units of government to charge a certain fee for certain purposes; repealing
9 certain requirements for a certain notice relating to abandoned property to be
10 published in certain newspapers; requiring the Comptroller to maintain, or
11 cause to be maintained, an abandoned property database containing the names
12 and last known addresses, if any, of persons listed in certain reports; requiring
13 the Comptroller to maintain, or cause to be maintained, a certain Internet
14 website relating to the abandoned property database; requiring the Comptroller
15 to publish certain notices of a certain Internet website; ~~repealing~~ altering
16 certain inflation adjustments for the calculation of certain State education
17 funding; altering the schedule for the Judicial Compensation Commission to
18 meet to review judicial salaries and pensions and make written
19 recommendations to the Governor and the General Assembly; requiring the
20 budget bill to include a certain schedule for certain proposed reductions under
21 certain circumstances; altering a requirement that certain balances in a certain
22 fund revert to the General Fund at the end of certain fiscal years; authorizing
23 the use of certain funds for certain purposes; ~~repealing~~ certain grants to certain
24 institutions; specifying the allocation of certain grants between certain
25 institutions; authorizing the use of a certain grant for certain purposes; altering

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the maximum aggregate amount of a certain assessment; altering certain
2 restrictions on the use of certain funds; altering certain provisions relating to
3 certain requirements that certain nonprofit health service plans use certain
4 funds for certain purposes under certain circumstances; requiring that an
5 application for a certain death benefit payable to the surviving spouse, child, or
6 estate of certain individuals under certain circumstances be submitted within a
7 certain time period; requiring the Department of Public Safety and Correctional
8 Services under certain circumstances to take certain steps to notify potential
9 recipients of the availability of a certain death benefit; altering the allocation of
10 certain funds; requiring certain local employers to pay a certain portion of
11 certain employer contributions for certain members of the Teachers' Retirement
12 System or the Teachers' Pension System; requiring the Board of Trustees for
13 the State Retirement and Pension System to establish a certain local
14 contribution rate in a certain manner for certain fiscal years; providing for the
15 manner of payment by certain local employers for certain employer
16 contributions; altering the calculation of certain State payments for certain
17 library employees excluded from membership in the Teachers' Retirement
18 System or the Teachers' Pension System; requiring certain counties and
19 Baltimore City to pay certain employer contributions for certain members of
20 certain systems of the State Retirement and Pension System; requiring certain
21 counties to make certain payments in certain fiscal years; requiring the
22 Comptroller to exercise the right of setoff against any money due or becoming
23 due to certain local employers or counties under certain circumstances;
24 requiring the Comptroller to pay certain grants to certain local jurisdictions for
25 a certain fiscal year; requiring the Comptroller to make a certain distribution to
26 the Education Trust Fund; requiring the Comptroller to make a certain
27 distribution to the General Fund; altering the distribution of certain motor fuel
28 tax revenue; altering the distribution of certain sales and use tax revenues from
29 short-term rental vehicles; altering the distribution of certain sales and use tax
30 revenue for certain fiscal years; altering certain provisions relating to the
31 funding of a certain highway; ~~repealing a certain grant program; repealing~~
32 ~~certain credits allowed against certain taxes for the purchase of~~
33 ~~Maryland mined coal; authorizing the Governor to transfer to the General~~
34 ~~Fund certain amounts from certain special funds for certain fiscal years;~~
35 ~~authorizing the Governor to transfer to the General Fund certain amounts from~~
36 ~~certain special funds, subject to a certain contingency; providing that certain~~
37 ~~grants to county boards of education may be funded from the Maryland~~
38 ~~Consolidated Capital Bond Loan of 2010 proceeds of certain bonds; repealing a~~
39 ~~requirement that the Governor provide a plan for repayment of certain monies~~
40 ~~to a certain fund; requiring that certain units of local government receive a~~
41 ~~certain amount of funding for certain fiscal years for certain purposes;~~
42 ~~prohibiting the expenditure of funds in a certain fiscal year for certain rate~~
43 ~~increases; authorizing the transfer by budget amendment of certain funds for~~
44 ~~certain purposes; providing that certain proceeds from the corporate income tax~~
45 ~~for a certain fiscal year be credited to the General Fund; altering certain~~
46 ~~reporting requirements; prohibiting any new awards from being made under a~~
47 ~~certain scholarship program for a certain academic year; limiting the size of the~~

1 incoming class at a certain residential education boarding program for at-risk
2 students receiving certain funding; authorizing the transfer of certain savings
3 and interest from certain funds into the General Fund; altering the distribution
4 of certain highway user revenues ~~for certain fiscal years~~; stating the intent of
5 the General Assembly that a certain workgroup review and provide
6 recommendations regarding distribution of local highway user revenues;
7 prohibiting the payment of certain bonuses, merit increases, or cost-of-living
8 adjustments for certain State employees for a certain fiscal year; providing that
9 the State is not required to make certain employer contributions for employees
10 participating in a certain supplemental retirement plan ~~for a certain fiscal year~~;
11 clarifying and altering the authority of the Governor to implement certain
12 employee furloughs and salary reduction days during certain years; clarifying
13 the base rate for calculating overtime for certain employees under certain
14 circumstances; requiring the State to repay certain amounts to a certain
15 account in certain fiscal years; providing that the Governor is not required to
16 include certain appropriations in the budget for a certain fiscal year under
17 certain circumstances; altering the amounts of certain funds required to be
18 charged back to certain agencies for a certain purpose; reducing a certain
19 appropriation for a certain fiscal year; authorizing the Governor to transfer
20 certain funds for use in a certain program for a certain fiscal year; making
21 certain provisions of this Act subject to a certain contingency; making the
22 provisions of this Act severable; providing for the effective dates and application
23 of this Act; and generally relating to the financing of State government.

24 BY repealing and reenacting, with amendments,

25 Article 24 – Political Subdivisions – Miscellaneous Provisions

26 Section 9–1101

27 Annotated Code of Maryland

28 (2005 Replacement Volume and 2009 Supplement)

29 BY repealing and reenacting, with amendments,

30 Article – Agriculture

31 Section 8–405(c)

32 Annotated Code of Maryland

33 (2007 Replacement Volume and 2009 Supplement)

34 BY repealing and reenacting, with amendments,

35 Article – Commercial Law

36 Section 15–607 and 17–311

37 Annotated Code of Maryland

38 (2005 Replacement Volume and 2009 Supplement)

39 BY repealing and reenacting, with amendments,

40 Article – Correctional Services

41 Section 11–304(b)

42 Annotated Code of Maryland

43 (2008 Replacement Volume and 2009 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Courts and Judicial Proceedings
3 Section 1–708(c), 7–301(f), and 13–603(c)
4 Annotated Code of Maryland
5 (2006 Replacement Volume and 2009 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Economic Development
8 Section 4–214, 4–216(b) and 10–523(a)(3)(i)
9 Annotated Code of Maryland
10 (2008 Volume and 2009 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Education
13 ~~Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)~~
14 Section 5–202(a)(13), 5–205(c)(3), 5–206(f), 16–305(c)(1), 16–512(a), 17–104(a),
15 23–205(c) and (d), and 23–503(b)(1)
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2009 Supplement)
- 18 BY repealing and reenacting, with amendments,
19 Article – Environment
20 Section 4–411(f) and (g)
21 Annotated Code of Maryland
22 (2007 Replacement Volume and 2009 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article – Health – General
25 Section 2–302, 13–1015, 13–1116(a)(1), ~~13–1117(a)(1), 13–1118(a)(1),~~
26 19–310.1(b), (c), and (d), and 19–14B–01(c)(1)
27 Annotated Code of Maryland
28 (2009 Replacement Volume)
- 29 BY repealing
30 Article – Health – General
31 Section 18–108(c)
32 Annotated Code of Maryland
33 (2009 Replacement Volume)
- 34 BY repealing and reenacting, with amendments,
35 Article – Insurance
36 Section 14–106(d)(1) and (2)
37 Annotated Code of Maryland
38 (2006 Replacement Volume and 2009 Supplement)
- 39 BY repealing and reenacting, with amendments,

1 Article – Public Safety
2 Section 1–202(b)
3 Annotated Code of Maryland
4 (2003 Volume and 2009 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – State Finance and Procurement
7 Section 3–306 and 7–325(a)
8 Annotated Code of Maryland
9 (2009 Replacement Volume)

10 BY adding to
11 Article – State Finance and Procurement
12 Section 7–114.2
13 Annotated Code of Maryland
14 (2009 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – State Government
17 Section 9–20B–05(g–1)
18 Annotated Code of Maryland
19 (2009 Replacement Volume)

20 BY repealing and reenacting, with amendments,
21 Article – State Personnel and Pensions
22 Section 21–304(a) and (b), 21–307(b) and (o), 21–308(a)(1) and (d)(1), and
23 32–205(a)
24 Annotated Code of Maryland
25 (2009 Replacement Volume and 2009 Supplement)

26 BY adding to
27 Article – State Personnel and Pensions
28 Section 21–309.1
29 Annotated Code of Maryland
30 (2009 Replacement Volume and 2009 Supplement)

31 BY repealing and reenacting, with amendments,
32 Article – Tax – General
33 Section 2–202, 2–1104, ~~and~~ 2–1302.1, and 2–1302.2
34 Annotated Code of Maryland
35 (2004 Replacement Volume and 2009 Supplement)

36 BY adding to
37 Article – Tax – General
38 Section 2–606(e) and (f)
39 Annotated Code of Maryland
40 (2004 Replacement Volume and 2009 Supplement)

- 1 BY repealing
2 Article – Transportation
3 Section 8–403
4 Annotated Code of Maryland
5 (2008 Replacement Volume and 2009 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 4–321(e), 8–402(c), 8–404, 8–405, and 8–407
9 Annotated Code of Maryland
10 (2008 Replacement Volume and 2009 Supplement)
- 11 BY adding to
12 Article – Transportation
13 Section 8–401(c–1) and 8–403
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2009 Supplement)
- 16 ~~BY repealing~~
17 ~~Article – Education~~
18 ~~Section 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private Career~~
19 ~~School Student Grant Program”~~
20 ~~Annotated Code of Maryland~~
21 ~~(2008 Replacement Volume and 2009 Supplement)~~
- 22 BY repealing
23 Article – Correctional Services
24 Section 11–308, 11–309, and 11–310(a), (b), and (c)
25 Annotated Code of Maryland
26 (2008 Replacement Volume and 2009 Supplement)
- 27 BY repealing
28 Article – Education
29 Section 7–117
30 Annotated Code of Maryland
31 (2008 Replacement Volume and 2009 Supplement)
- 32 BY repealing
33 Article – Health – General
34 Section 13–1117 and 13–1118
35 Annotated Code of Maryland
36 (2009 Replacement Volume)
- 37 BY repealing
38 Article – Natural Resources
39 Section 10–301(m)

1 Annotated Code of Maryland
2 (2007 Replacement Volume and 2009 Supplement)

3 ~~BY repealing~~

4 ~~Article Tax General~~

5 ~~Section 8 406(b) and 10 704.1~~

6 ~~Annotated Code of Maryland~~

7 ~~(2004 Replacement Volume and 2009 Supplement)~~

8 BY repealing

9 Chapter 451 of the Acts of the General Assembly of 2003

10 Section 5

11 BY repealing and reenacting, with amendments,

12 Chapter 62 of the Acts of the General Assembly of 1992

13 Section 4

14 BY repealing and reenacting, with amendments,

15 Chapter 503 of the Acts of the General Assembly of 2007, as amended by

16 Chapter 200 of the Acts of the General Assembly of 2008

17 Section 5(c)

18 BY repealing and reenacting, with amendments,

19 Chapter 487 of the Acts of the General Assembly of 2009

20 Section 19, 35, 39, and 44

21 BY repealing

22 Chapter 487 of the Acts of the General Assembly of 2009

23 Section ~~25~~ 12, 25, 29, and 34

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

26 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

27 9–1101.

28 (a) (1) Subject to subsection (d) of this section, for each fiscal year, the
29 Comptroller shall distribute to a county the amount determined for each county under
30 this section.

31 (2) The amount a county shall receive under this section in any fiscal
32 year shall be based on the county income tax collected from individuals for the taxable
33 year that ended in the second prior fiscal year, from returns filed through [August 15]
34 NOVEMBER 1 immediately preceding the applicable fiscal year, as determined by the
35 Comptroller.

1 **(b) (1)** For each fiscal year, the Comptroller shall determine as rounded to
2 the nearest cent:

3 **(i)** The per capita yield of the county income tax for each
4 county, based on:

5 **1.** Unless a county income tax rate of other than 2.54%
6 was in effect, the receipts described in subsection (a)(2) of this section;

7 **2.** The population of the county as last projected by the
8 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or
9 the latest decennial census for the applicable taxable year; and

10 **3.** If the county income tax rate is other than 2.54% in
11 the applicable taxable year, the receipts described in subsection (a)(2) of this section
12 that would have been received if a county income tax rate of 2.54% had been in effect;
13 and

14 **(ii)** The per capita statewide yield of the county income tax,
15 based on:

16 **1.** The total receipts for county income tax described in
17 subsection (a)(2) of this section for counties with an income tax rate of 2.54% in effect;

18 **2.** The State population as last projected by the
19 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or
20 the latest decennial census for the applicable taxable year; and

21 **3.** For counties with an income tax rate of other than
22 2.54% in effect, the total receipts for county income tax described in subsection (a)(2) of
23 this section that would have been received if a county income tax rate of 2.54% had
24 been in effect.

25 **(2)** If the per capita yield of the county income tax for a county
26 determined under paragraph (1)(i) of this subsection is less than 75% of the per capita
27 statewide yield of the county income tax determined under paragraph (1)(ii) of this
28 subsection, the Comptroller shall determine the amount that would increase the
29 county per capita yield to equal 75% of the statewide per capita yield, as rounded to
30 the nearest dollar.

31 **(3)** A county may not receive a distribution under this subsection if the
32 county tax rate in that county was less than 2.4%:

33 **(i)** For the taxable year that ended in the second prior fiscal
34 year; or

1 (ii) For any subsequent taxable year through the taxable year
2 that ends in the current fiscal year.

3 (c) The Comptroller shall make payments of the additional amounts
4 provided under this section quarterly during the fiscal year for which the payment is
5 made.

6 (d) For fiscal year 2011 and each subsequent fiscal year, [the distribution
7 provided to any county or Baltimore City] IF THE SUM OF THE AMOUNTS
8 DETERMINED FOR ALL COUNTIES under SUBSECTION (B) OF this section [may not
9 exceed the amount distributed to the county or Baltimore City for fiscal year 2010]
10 EXCEEDS \$120,000,000, THE COMPTROLLER SHALL DISTRIBUTE TO EACH
11 COUNTY AN AMOUNT EQUAL TO THE AMOUNT OTHERWISE DETERMINED FOR
12 THE COUNTY UNDER SUBSECTION (B) OF THIS SECTION MULTIPLIED BY A
13 FRACTION:

14 (1) THE NUMERATOR OF WHICH IS \$120,000,000; AND

15 (2) THE DENOMINATOR OF WHICH IS THE SUM OF THE AMOUNTS
16 DETERMINED FOR ALL COUNTIES FOR THE APPLICABLE FISCAL YEAR UNDER
17 SUBSECTION (B) OF THIS SECTION WITHOUT REGARD TO THIS SUBSECTION.

18 **Article – Agriculture**

19 8–405.

20 (c) [(1) The Governor shall include in the annual budget bill an amount
21 sufficient to employ not less than 110 field personnel in the soil conservation districts
22 under this title.

23 (2)] The appropriation for the 24 soil conservation districts shall be as
24 follows:

25 [(i) For fiscal year 2008, \$8,800,000;

26 (ii) For fiscal year 2009, \$9,200,000;

27 (iii)] (1) For fiscal year 2010, \$9,600,000; [and]

28 (2) **FOR EACH OF FISCAL YEARS 2011 AND 2012, \$9,200,000;**

29 (3) **FOR FISCAL YEAR 2013, \$9,600,000; AND**

30 [(iv)] (4) For fiscal year [2011] **2014**, and each fiscal year
31 thereafter, \$10,000,000.

1 **Article – Commercial Law**

2 15–607.

3 (A) Wages, due from or payable by the State, or a county, municipal
4 corporation, or other political subdivision, and the public officers of the State or a
5 county, municipal corporation, or other political subdivision to an individual, are
6 subject to attachment process brought for the enforcement of the private legal
7 obligations of the individual in the same manner and to the same extent as if the
8 State, county, municipal corporation, or other political subdivision, and their
9 respective public officers, were a private person.

10 (B) **THE STATE, OR A COUNTY, MUNICIPAL CORPORATION, OR OTHER**
11 **POLITICAL SUBDIVISION, AND THEIR RESPECTIVE PUBLIC OFFICERS, MAY**
12 **DEDUCT AND RETAIN FROM THE INDIVIDUAL’S WAGES AN ADDITIONAL FEE OF**
13 **\$2 FOR EACH DEDUCTION MADE UNDER THE ATTACHMENT PROCESS OF THIS**
14 **SUBTITLE OR UNDER TITLE 31, § 3720D OF THE UNITED STATES CODE.**

15 17–311.

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

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

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

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

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

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

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

4 **(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN**
5 **ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN**
6 **ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED**
7 **PROPERTY.**

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

10 **(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT**
11 **REQUIRED BY § 17-310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO**
12 **THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN**
13 **ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.**

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

16 **(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON**
17 **MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS**
18 **SUBSECTION;**

19 **(II) CONTAINS A STATEMENT THAT INFORMATION**
20 **CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME**
21 **AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY**
22 **ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING**
23 **AN INQUIRY TO THE ADMINISTRATOR;**

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

26 **(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM**
27 **FORM.**

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

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

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

1 (II) CONTAIN:

2 1. A STATEMENT THAT THE ADMINISTRATOR
3 MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF
4 PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;

5 2. A STATEMENT THAT ANY PERSON MAY SEARCH
6 THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE
7 ADMINISTRATOR'S INTERNET WEBSITE; AND

8 3. THE ADDRESS OF THE INTERNET WEBSITE.

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

13 (e) The mailed notice shall contain:

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

16 (2) The name and address of the person who held the property and
17 any necessary information regarding any change of the name or address of the holder;
18 and

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

21 **Article – Correctional Services**

22 11-304.

23 (b) (1) With the approval of the Secretary, a county may convert a work
24 release program established under Subtitles 1 and 7 of this title into a center that is
25 subject to this subtitle.

26 (2) [The provisions of § 11-309 of this subtitle do not apply to a work
27 release program that is converted into a center.

28 (3) The Secretary shall adopt regulations for the conversion of a work
29 release program into a center.

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

1 **Article – Courts and Judicial Proceedings**

2 1–708.

3 (c) [Beginning on September 1, 2009, and] ON OR AFTER SEPTEMBER 1,
 4 2011, SEPTEMBER 1, 2013, AND every 4 years thereafter, the Commission shall
 5 review the salaries and pensions of the judges of the courts listed in subsection (a) of
 6 this section and make written recommendations to the Governor and General
 7 Assembly on or before the next ensuing regular session of the General Assembly. The
 8 Governor shall include in the budget for the next ensuing fiscal year the funding
 9 necessary to implement those recommendations, contingent on action by the General
 10 Assembly under subsections (d) and (e) of this section.

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, AND FISCAL YEAR 2011, AND FISCAL YEAR**
 23 **2012 ONLY, 100% OF THE SURCHARGES COLLECTED UNDER THIS SUBSECTION**
 24 **SHALL BE CREDITED AS FOLLOWS:**

25 **(I) 25% TO THE VOLUNTEER COMPANY ASSISTANCE FUND**
 26 **TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF**
 27 **THE PUBLIC SAFETY ARTICLE; AND**

28 **(II) 75% TO THE GENERAL FUND.**

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

1 13-603.

2 (c) The Fund shall be used to pay:

3 (1) The operating expenses of the land records offices of the clerks of
 4 the circuit courts and to repair, replace, improve, modernize, and update office
 5 equipment and equipment related services in the land records office of the clerk of the
 6 circuit court for each county, as the Administrator considers appropriate, with advice
 7 from the oversight committee; and

8 (2) For [fiscal years 2009 and 2010, for] major information technology
 9 development projects of the Judiciary Department, as the Administrator considers
 10 appropriate.

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

13 **Article – Economic Development**

14 4-214.

15 The Board shall:

16 (1) set policies for spending money on tourism advertising, written and
 17 graphic materials, cooperative and matching promotional programs, and other tourism
 18 and travel developmental and promotional activities for the State;

19 (2) spend money of the Fund to plan, advertise, promote, assist, and
 20 develop the tourism and travel industries in the State; and

21 (3) [beginning in fiscal year 2011,] provide grants [of not less than
 22 \$2,500,000 in total each fiscal year] to destination marketing organizations for the
 23 purpose of attracting visitors to the State OF NOT LESS THAN:

24 (I) \$2,000,000 IN TOTAL FOR EACH OF FISCAL YEARS 2011
 25 AND 2012; AND

26 (II) \$2,500,000 IN TOTAL FOR FISCAL YEAR 2013 AND FOR
 27 EACH FISCAL YEAR THEREAFTER.

28 4-216.

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

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

4 10-523.

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

- 10 **1. FOR FISCAL YEAR 2010, \$2,750,000;**
- 11 **2. FOR FISCAL YEAR 2011, \$850,000;**
- 12 **3. FOR FISCAL YEAR 2012, \$850,000;**
- 13 **4. FOR FISCAL YEAR 2013, \$1,750,000;**
- 14 **5. FOR FISCAL YEAR 2014, \$2,750,000; AND**
- 15 **6. FOR EACH OF FISCAL YEARS 2015 THROUGH 2020,**
 16 **\$4,000,000.**

17 **Article – Education**

18 5-202.

19 (a) (13) “Target per pupil foundation amount” means:

- 20 (i) In fiscal years 2008, 2009, and 2010, \$6,694;
- 21 (ii) Except as provided in item (iii) of this paragraph, in
 22 subsequent fiscal years:
 - 23 1. The target per pupil foundation amount for the prior
 24 fiscal year increased by the same percentage as the lesser of:
 - 25 A. The increase in the implicit price deflator for State
 26 and local government expenditures for the second prior fiscal year;
 - 27 B. The Consumer Price Index for all urban consumers for
 28 the Washington–Baltimore metropolitan area, or any successor index, for the second
 29 prior fiscal year; or

1 C. 5%; or

2 2. If there is no increase in the implicit price deflator for
 3 State and local government expenditures for the second prior fiscal year or in the
 4 Consumer Price Index for all urban consumers for the Washington–Baltimore
 5 metropolitan area, or any successor index, for the second prior fiscal year, the target
 6 per pupil foundation amount for the prior fiscal year; and

7 (iii) In [fiscal year 2012] EACH OF FISCAL YEARS 2012
 8 THROUGH 2015:

9 1. The target per pupil foundation amount for the prior
 10 fiscal year increased by the same percentage as the lesser of:

11 A. The increase in the implicit price deflator for State
 12 and local government expenditures for the second prior fiscal year;

13 B. The Consumer Price Index for all urban consumers for
 14 the Washington–Baltimore metropolitan area, or any successor index, for the second
 15 prior fiscal year; or

16 C. 1%; or

17 2. If there is no increase in the implicit price deflator for
 18 State and local government expenditures for the second prior fiscal year or in the
 19 Consumer Price Index for all urban consumers for the Washington–Baltimore
 20 metropolitan area, or any successor index, for the second prior fiscal year, the target
 21 per pupil foundation amount for the prior fiscal year.

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

33 (III) For ~~fiscal year 2012~~ EACH OF FISCAL YEARS 2012
 34 THROUGH 2015, the increase in the amount of a base grant for student
 35 transportation that is based on the increase in the private transportation category of

1 the Consumer Price Index may not be more than 1 percent of the amount of the grant
2 for the previous year.

3 5-206.

4 (f) (1) In fiscal year 2006 and in each fiscal year thereafter, the State
5 shall distribute grants to county boards under the Aging Schools Program
6 administered by the Interagency Committee on School Construction in amounts equal
7 to the funding level calculated under paragraph (2) of this subsection.

8 (2) The funding level for a county is:

9 (i) In fiscal year 2011, the following amounts for the following
10 counties:

- 11 1. Allegany County.....\$97,791;
- 12 2. Anne Arundel County.....\$506,038;
- 13 3. Baltimore City.....\$1,387,924;
- 14 4. Baltimore County.....\$874,227;
- 15 5. Calvert County.....\$38,292;
- 16 6. Caroline County.....\$50,074;
- 17 7. Carroll County.....\$137,261;
- 18 8. Cecil County.....\$96,024;
- 19 9. Charles County.....\$50,074;
- 20 10. Dorchester County.....\$38,292;
- 21 11. Frederick County.....\$182,622;
- 22 12. Garrett County.....\$38,292;
- 23 13. Harford County.....\$217,379;
- 24 14. Howard County.....\$87,776;
- 25 15. Kent County.....\$38,292;
- 26 16. Montgomery County.....\$602,651;

- 1 15. Kent County.....\$65,000;
- 2 16. Montgomery County.....\$1,023,000;
- 3 17. Prince George’s County.....\$2,053,000;
- 4 18. Queen Anne’s County.....\$85,000;
- 5 19. St. Mary’s County.....\$85,000;
- 6 20. Somerset County.....\$65,000;
- 7 21. Talbot County.....\$65,000;
- 8 22. Washington County.....\$229,000;
- 9 23. Wicomico County.....\$181,000; and
- 10 24. Worcester County.....\$65,000;] and

11 [(iii) (II) [Except as provided in paragraph (3) of this
 12 subsection, in] IN fiscal year [2013] 2012 and in each fiscal year thereafter, the
 13 funding level for the county for the prior fiscal year [increased by the product of the
 14 funding level for the county for the prior fiscal year and the percentage change in the
 15 Consumer Price Index – all urban consumers – all items, as published by the Bureau
 16 of Labor Statistics of the United States Department of Labor, for the second prior
 17 fiscal year].

18 [(3) If the funding level calculated under paragraph (2)(ii) of this
 19 subsection is less than the funding level for the prior fiscal year, the funding level for
 20 the county shall be the funding level for the prior fiscal year.]

21 16–305.

22 (c) (1) (i) The total State operating fund per full–time equivalent
 23 student to the community colleges for each fiscal year as requested by the Governor
 24 shall be:

25 1. In fiscal year 2009, not less than an amount equal to
 26 26.25% of the State’s General Fund appropriation per full–time equivalent student to
 27 the 4–year public institutions of higher education in the State as designated by the
 28 Commission for the purpose of administering the Joseph A. Sellinger Program under
 29 Title 17 of this article in the previous fiscal year;

30 2. In fiscal year 2010, not less than an amount equal to
 31 23.6% of the State’s General Fund appropriation per full–time equivalent student to

1 the 4-year public institutions of higher education in the State as designated by the
 2 Commission for the purpose of administering the Joseph A. Sellinger Program under
 3 Title 17 of this article in the same fiscal year;

4 3. In ~~[fiscal year 2011,] EACH OF FISCAL YEARS 2011~~
 5 ~~AND 2012,~~ [not less than an amount equal to ~~24%~~ 21.8% of the State's General Fund
 6 appropriation per full-time equivalent student to the 4-year public institutions of
 7 higher education in the State as designated by the Commission for the purpose of
 8 administering the Joseph A. Sellinger Program under Title 17 of this article in the
 9 same fiscal year.] ~~\$194,407,432 TO BE DISTRIBUTED AS FOLLOWS:~~

10	A.	ALLEGANY COLLEGE OF MARYLAND ..	\$4,535,850;
11	B.	ANNE ARUNDEL COMMUNITY	
12		COLLEGE.....	\$26,902,364;
13	C.	COMMUNITY COLLEGE OF BALTIMORE	
14		COUNTY.....	\$33,649,935;
15	D.	CARROLL COMMUNITY COLLEGE.....	\$6,770,354;
16	E.	CECIL COMMUNITY COLLEGE.....	\$4,448,540;
17	F.	COLLEGE OF SOUTHERN	
18		MARYLAND.....	\$10,299,112;
19	G.	CHESAPEAKE COLLEGE.....	\$5,268,995;
20	H.	FREDERICK COMMUNITY COLLEGE....	\$7,649,753;
21	I.	GARRETT COLLEGE.....	\$2,307,428;
22	J.	HAGERSTOWN COMMUNITY	
23		COLLEGE.....	\$6,701,294;
24	K.	HARFORD COMMUNITY COLLEGE.....	\$9,781,228;
25	L.	HOWARD COMMUNITY COLLEGE.....	\$12,057,748;
26	M.	MONTGOMERY COLLEGE.....	\$35,379,914;
27	N.	PRINCE GEORGE'S COMMUNITY	
28		COLLEGE.....	\$22,200,826; AND
29	O.	WOR WIC COMMUNITY COLLEGE.....	\$6,454,091;

1 4. ~~¶~~In fiscal year 2012, not less than an amount equal to
2 ~~25%~~ 20% of the State's General Fund appropriation per full-time equivalent student
3 to the 4-year public institutions of higher education in the State as designated by the
4 Commission for the purpose of administering the Joseph A. Sellinger Program under
5 Title 17 of this article in the same fiscal year;

6 5.~~¶~~ In fiscal year 2013, not less than an amount equal to
7 ~~[27%]~~ ~~22%~~ 21% of the State's General Fund appropriation per full-time equivalent
8 student to the 4-year public institutions of higher education in the State as designated
9 by the Commission for the purpose of administering the Joseph A. Sellinger Program
10 under Title 17 of this article in the same fiscal year; ~~[and]~~

11 ~~[6.]~~ ~~5.~~ 6. In fiscal year 2014 ~~[and in each fiscal year~~
12 ~~thereafter]~~, not less than an amount equal to ~~[29%]~~ ~~24%~~ 22% of the State's General
13 Fund appropriation per full-time equivalent student to the 4-year public institutions
14 of higher education in the State as designated by the Commission for the purpose of
15 administering the Joseph A. Sellinger Program under Title 17 of this article in the
16 same fiscal year;

17 ~~6.~~ 7. **IN FISCAL YEAR 2015, NOT LESS THAN AN**
18 **AMOUNT EQUAL TO ~~26.5%~~ 23% OF THE STATE'S GENERAL FUND**
19 **APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR**
20 **PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED**
21 **BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A.**
22 **SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL**
23 **YEAR; ~~AND~~**

24 **8. IN FISCAL YEAR 2016, NOT LESS THAN AN**
25 **AMOUNT EQUAL TO 24% OF THE STATE'S GENERAL FUND APPROPRIATION PER**
26 **FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF**
27 **HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR**
28 **THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM**
29 **UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND**

30 ~~7.~~ 9. **IN FISCAL YEAR ~~2016~~ 2017 AND EACH FISCAL**
31 **YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO ~~29%~~ 25% OF THE**
32 **STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT**
33 **STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE**
34 **STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF**
35 **ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF**
36 **THIS ARTICLE IN THE SAME FISCAL YEAR.**

37 (ii) For purposes of this subsection, the State's General Fund
38 appropriation per full-time equivalent student to the 4-year public institutions of

1 higher education in the State for a fiscal year shall include noncapital appropriations
2 from the Higher Education Investment Fund.

3 (III) NOTWITHSTANDING THE PROVISIONS OF
4 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE TOTAL STATE OPERATING FUNDS
5 TO BE DISTRIBUTED UNDER THIS SUBSECTION TO THE COMMUNITY COLLEGES
6 FOR EACH OF FISCAL YEARS 2011 AND 2012 SHALL BE \$194,407,432.

7 16-512.

8 (a) (1) The total State operating fund per full-time equivalent student
9 appropriated to Baltimore City Community College for each fiscal year as requested by
10 the Governor shall be:

11 (i) In fiscal year 2009, not less than an amount equal to 67.25%
12 of the State's General Fund appropriation per full-time equivalent student to the
13 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 (ii) In fiscal year 2010, not less than an amount equal to 65.1%
17 of the State's General Fund appropriation per full-time equivalent student to the
18 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 (iii) In fiscal year 2011, not less than an amount equal to 65.5%
22 of the State's General Fund appropriation per full-time equivalent student to the
23 4-year public institutions of higher education in the State as designated by the
24 Commission for the purpose of administering the Joseph A. Sellinger Program under
25 Title 17 of this article in the same fiscal year;

26 (iv) In fiscal year 2012, not less than an amount equal to [66%]
27 63% of the State's General Fund appropriation per full-time equivalent student to the
28 4-year public institutions of higher education in the State as designated by the
29 Commission for the purpose of administering the Joseph A. Sellinger Program under
30 Title 17 of this article in the same fiscal year;

31 (v) In fiscal year 2013, not less than an amount equal to [67%]
32 63.5% of the State's General Fund appropriation per full-time equivalent student to
33 the 4-year public institutions of higher education in the State as designated by the
34 Commission for the purpose of administering the Joseph A. Sellinger Program under
35 Title 17 of this article in the same fiscal year; [and]

36 (VI) IN FISCAL YEAR 2014, NOT LESS THAN AN AMOUNT
37 EQUAL TO 64% OF THE STATE'S GENERAL FUND APPROPRIATION PER

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

5 (VII) IN FISCAL YEAR 2015, NOT LESS THAN AN AMOUNT
 6 EQUAL TO 64.5% OF THE STATE'S GENERAL FUND APPROPRIATION PER
 7 FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF
 8 HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR
 9 THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM
 10 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

11 (VIII) IN FISCAL YEAR 2016, NOT LESS THAN AN AMOUNT
 12 EQUAL TO 65% OF THE STATE'S GENERAL FUND APPROPRIATION PER
 13 FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF
 14 HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR
 15 THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM
 16 UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; AND

17 [(vi)] (IX) In fiscal year [2014] 2017 and each fiscal year
 18 thereafter, not less than an amount equal to [68.5%] 66% of the State's General Fund
 19 appropriation per full-time equivalent student to the 4-year public institutions of
 20 higher education in the State as designated by the Commission for the purpose of
 21 administering the Joseph A. Sellinger Program under Title 17 of this article in the
 22 same fiscal year.

23 (2) For purposes of this subsection, the State's General Fund
 24 appropriation per full-time equivalent student to the 4-year public institutions of
 25 higher education in the State for a fiscal year shall include noncapital appropriations
 26 from the Higher Education Investment Fund.

27 (3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF
 28 THIS SUBSECTION, THE TOTAL STATE OPERATING FUND APPROPRIATED TO
 29 BALTIMORE CITY COMMUNITY COLLEGE FOR EACH OF FISCAL YEARS 2011 AND
 30 2012 SHALL BE \$40,187,695.

31 17-104.

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

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

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

7 ~~**[(III)] (3)**~~ In fiscal year 2011, an amount not less than ~~13%~~
8 **9.8%** of the State's General Fund per full-time equivalent student appropriation to
9 the 4-year public institutions of higher education in this State for the same fiscal year;

10 ~~**[(4)] (IV)**~~ In fiscal year 2012, an amount not less than ~~13.5%~~ **9.2%** of
11 the State's General Fund per full-time equivalent student appropriation to the 4-year
12 public institutions of higher education in this State for the same fiscal year;†

13 **[(5)] ~~[(III)] (V)~~** In fiscal year 2013, an amount not less than [14%] ~~8.5%~~
14 **10%** of the State's General Fund per full-time equivalent student appropriation to the
15 4-year public institutions of higher education in this State for the same fiscal year;

16 **[(6)] ~~[(IV)] (VI)~~** In fiscal year 2014, an amount not less than [14.5%]
17 ~~10%~~ **10.5%** of the State's General Fund per full-time equivalent student
18 appropriation to the 4-year public institutions of higher education in this State for the
19 same fiscal year; [and]

20 ~~**[(V)] (VII)**~~ **IN FISCAL YEAR 2015, AN AMOUNT NOT LESS**
21 **THAN ~~11.5%~~ 11% OF THE STATE'S GENERAL FUND PER FULL-TIME**
22 **EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS**
23 **OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;**

24 ~~**[(VI)] (VIII)**~~ **IN FISCAL YEAR 2016, AN AMOUNT NOT LESS**
25 **THAN ~~13.5%~~ 11.5% OF THE STATE'S GENERAL FUND PER FULL-TIME**
26 **EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS**
27 **OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR; AND**

28 **[(7)] ~~[(VII)] (IX)~~** In fiscal year [2015] **2017** and each fiscal year
29 thereafter, an amount not less than ~~15.5%~~ **12%** of the State's General Fund per
30 full-time equivalent student appropriation to the 4-year public institutions of higher
31 education in this State for the same fiscal year.

32 **(2) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE TOTAL**
33 **AMOUNT OF THE APPORTIONMENT UNDER THIS SECTION, AS DETERMINED BY**
34 **THE MARYLAND HIGHER EDUCATION COMMISSION FOR AID PROVIDED UNDER**
35 **THIS SUBTITLE SHALL BE \$38,445,958, TO BE ALLOCATED AMONG THE**

1 INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE, ~~SHALL BE \$30,000,000~~ IN
2 PROPORTION TO THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS
3 ENROLLED AT EACH INSTITUTION DURING THE FALL SEMESTER OF THE FISCAL
4 YEAR PRECEDING THE FISCAL YEAR FOR WHICH THE AID APPORTIONMENT IS
5 MADE, AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION.

6 23-205.

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

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

11 (i) For fiscal year 2009..... \$6.50 per each resident of the
12 area served;

13 (ii) For fiscal year 2010..... \$6.75 per each resident of the
14 area served; AND

15 (iii) For fiscal year 2011 AND EACH FISCAL YEAR
16 THEREAFTER..... \$6.75 per each resident of the area served];

17 (iv) For fiscal year 2012.....\$7.50 per each resident of the
18 area served; and

19 (v) for fiscal year 2013 and each fiscal year
20 thereafter.....\$8.50 per each resident of the area served].

21 (d) (1) Each year the State Library Resource Center shall receive a
22 minimum amount of funding for each State resident in the previous fiscal year, to be
23 used for operating and capital expenses.

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

25 (i) For fiscal year 2009.....\$1.85 per State resident; AND

26 (ii) For [each of fiscal years 2010 and 2011] FISCAL YEAR 2010
27 AND EACH FISCAL YEAR THEREAFTER.....\$1.67 per State resident]; and

28 (iii) For fiscal year 2012 and each fiscal year
29 thereafter.....\$1.85 per State resident].

30 23-503.

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

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

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

9 (5) **EXPENSES RELATED TO OIL-RELATED ACTIVITIES IN THE**
10 **DEPARTMENT'S WATER POLLUTION CONTROL PROGRAMS.**

11 **Article - Health - General**

12 2-302.

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

16 (b) The funding shall be:

17 (1) **[\$41.0 million for fiscal year 1997] \$37,283,484 IN EACH OF**
18 **FISCAL YEARS 2011 AND 2012, TO BE DISTRIBUTED AS FOLLOWS:**

- 19 (I) ALLEGANY COUNTY \$908,719;
- 20 (II) ANNE ARUNDEL COUNTY \$3,141,951;
- 21 (III) BALTIMORE CITY \$6,675,053;
- 22 (IV) BALTIMORE COUNTY \$4,302,255;
- 23 (V) CALVERT COUNTY \$369,812;
- 24 (VI) CAROLINE COUNTY..... \$538,253;
- 25 (VII) CARROLL COUNTY \$1,231,995;
- 26 (VIII) CECIL COUNTY \$806,392;
- 27 (IX) CHARLES COUNTY \$994,528;
- 28 (X) DORCHESTER COUNTY \$428,709;

1	(XI) FREDERICK COUNTY	\$1,512,159;
2	(XII) GARRETT COUNTY	\$437,403;
3	(XIII) HARFORD COUNTY	\$1,737,473;
4	(XIV) HOWARD COUNTY	\$1,215,070;
5	(XV) KENT COUNTY.....	\$335,941;
6	(XVI) MONTGOMERY COUNTY	\$3,014,680;
7	(XVII) PRINCE GEORGE'S COUNTY.....	\$5,007,057;
8	(XVIII) QUEEN ANNE'S COUNTY.....	\$417,744;
9	(XIX) ST. MARY'S COUNTY.....	\$808,576;
10	(XX) SOMERSET COUNTY.....	\$429,385;
11	(XXI) TALBOT COUNTY.....	\$328,705;
12	(XXII) WASHINGTON COUNTY	\$1,381,306;
13	(XXIII) WICOMICO COUNTY	\$947,374; AND
14	(XXIV) WORCESTER COUNTY	\$312,944; and

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

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

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

24 (c) [(1) For fiscal year 1997, no subdivision may receive less State funding
25 for local health services under this section than that subdivision received in fiscal year
26 1996.

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

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

8 13-1015.

9 (a) For fiscal year ~~2010~~ **2011 AND FISCAL YEAR 2012** [and fiscal year
10 2011], the Governor shall include at least ~~\$7,000,000~~ **\$6,000,000** in the annual
11 budget in appropriations for activities aimed at reducing tobacco use in Maryland as
12 recommended by the Centers for Disease Control and Prevention, including:

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

15 (2) Media campaigns educating the public about the dangers of
16 secondhand smoke exposure;

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

19 (4) Promotion and implementation of smoking cessation programs;
20 and

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

22 (b) **FOR FISCAL YEAR 2013, THE GOVERNOR SHALL INCLUDE AT LEAST**
23 **\$10,000,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE PURPOSES**
24 **DESCRIBED IN SUBSECTION (A) OF THIS SECTION.**

25 (c) For fiscal year [2006] ~~2011~~ **2014** AND EACH FISCAL YEAR
26 THEREAFTER, the Governor shall include at least [~~\$10,000,000~~] ~~\$6,000,000~~
27 **\$13,000,000** in the annual budget in appropriations for the purposes described in
28 subsection (a) of this section.

29 13-1116.

30 (a) (1) **(I) FOR EACH OF FISCAL YEARS 2011 AND 2012, ~~THE:~~**

31 **1. THE GOVERNOR SHALL INCLUDE AT LEAST**
32 **~~\$1,650,000~~ \$2,400,000** IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE

1 STATEWIDE ACADEMIC HEALTH CENTER CANCER RESEARCH GRANTS UNDER
2 THIS SECTION; AND

3 **2. THE GRANTS SHALL BE DISTRIBUTED BETWEEN**
4 **THE STATEWIDE ACADEMIC HEALTH CENTERS AS FOLLOWS:**

5 **A. \$2,007,300 TO THE UNIVERSITY OF MARYLAND**
6 **MEDICAL GROUP; AND**

7 **B. \$392,700 TO THE JOHN HOPKINS INSTITUTIONS.**

8 (II) For fiscal year [2010 and fiscal year 2011] **2013** AND EACH
9 FISCAL YEAR THEREAFTER, ~~the~~;

10 **1. THE** Governor shall include at least ~~\$6,700,000~~
11 **\$13,000,000** in the annual budget in appropriations for the Statewide Academic
12 Health Center Cancer Research Grants under this section; **AND**

13 **2. THE GRANTS SHALL BE DISTRIBUTED ACCORDING**
14 **TO HISTORICAL ALLOCATIONS BETWEEN THE ACADEMIC HEALTH CENTERS.**

15 ~~13-1117.~~

16 ~~(a) (1) (i) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE~~
17 ~~GOVERNOR SHALL INCLUDE AT LEAST \$300,000 IN THE ANNUAL BUDGET IN~~
18 ~~APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER~~
19 ~~TOBACCO RELATED DISEASES RESEARCH GRANT UNDER THIS SECTION.~~

20 ~~(ii) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH~~
21 ~~FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,250,000 in the~~
22 ~~annual budget in appropriations for the Statewide Academic Health Center~~
23 ~~Tobacco Related Diseases Research Grant under this section.~~

24 ~~13-1118.~~

25 ~~(a) (1) (i) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE~~
26 ~~GOVERNOR SHALL INCLUDE AT LEAST \$450,000 IN THE ANNUAL BUDGET IN~~
27 ~~APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER NETWORK~~
28 ~~GRANT UNDER THIS SECTION.~~

29 ~~(ii) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH~~
30 ~~FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,900,000 in the~~
31 ~~annual budget in appropriations for the Statewide Academic Health Center Network~~
32 ~~Grant under this section.~~

1 18–108.

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

4 19–310.1.

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

7 (2) The amount assessed in the aggregate on all nursing facilities may
8 not exceed [2%] 4% of the operating revenue for all nursing facilities subject to this
9 section for the previous fiscal quarter.

10 [(3) The aggregate annual assessment may not exceed the amount
11 necessary to fully fund the nursing facility payment system taking into consideration
12 any other revenue source or cost savings the Department determines could be used to
13 reduce funding shortfalls.]

14 [(4)] (3) The assessment authorized by this section shall be paid by
15 each nursing facility in accordance with this section.

16 (c) (1) On or before the 60th day after each quarter of the State fiscal
17 year, each nursing facility subject to this section shall pay to the Comptroller an
18 amount determined by the Department based on an amount per non–Medicare day of
19 service for the previous fiscal quarter.

20 (2) The assessment shall be based on an amount per patient day, not
21 including Medicare days[, necessary to fully fund the nursing facility payment system
22 as provided under subsection (b)(3) of this section].

23 (d) (1) All amounts collected by the State Comptroller under this section
24 shall be distributed to a special fund, to be used by the Department only to fund
25 reimbursements to nursing facilities under the Medicaid program.

26 (2) [The] **AT LEAST 65% OF THE** funds allocated by the Department
27 as reimbursements to nursing facilities under this section shall be in addition to and
28 may not supplant funds already appropriated for this purpose.

29 19–14B–01.

30 (c) (1) [Up to 25%] **A PORTION** of the revenues generated by the quality
31 assessment under § 19–310.1 of this title shall be in an incentive program to be
32 distributed as provided in this section, to the extent federal law allows.

33

1 14–106.

2 (d) (1) Notwithstanding subsection (c) of this section, a nonprofit health
3 service plan that is subject to this section and issues comprehensive health care
4 benefits in the State shall:

5 (i) offer health care products in the individual market;

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

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

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

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

15 1. operating grants to community health resources;

16 2. funding for a unified data information system;

17 3. the documented direct costs of fulfilling the statutory
18 and regulatory duties of the Commission; and

19 4. the administrative costs of the Commission.

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

23 **1.** [limited to:

24 1. \$2,000,000 in fiscal year 2006; and

25 2. in fiscal year 2007 and annually thereafter, the value
26 of the premium tax exemption less:

27 A. the subsidy required under this subsection for the
28 Senior Prescription Drug Assistance Program;

1 B. the subsidy required under this subsection for the
2 Maryland Pharmacy Discount Program; and

3 C. the funding required under this subsection for the
4 unified data information system.

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

7 1. \$500,000 in fiscal year 2006; and

8 2. \$300,000 in fiscal year 2007 and annually thereafter.

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

11 1. \$500,000 in fiscal year 2006; and

12 2. \$1,700,000 in fiscal year 2007 and annually
13 thereafter] **\$3,000,000 FOR EACH OF FISCAL YEARS 2011 AND 2012; AND**

14 **2. \$6,000,000 FOR FISCAL YEAR 2013 AND EACH**
15 **SUBSEQUENT FISCAL YEAR.**

16 (ii) **FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT FISCAL**
17 **YEAR, THE SUBSIDY PROVIDED UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION**
18 **TO THE KIDNEY DISEASE PROGRAM SHALL BE EQUAL TO THE VALUE OF THE**
19 **PREMIUM TAX EXEMPTION LESS:**

20 1. **THE SUBSIDY REQUIRED UNDER THIS**
21 **SUBSECTION FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM;**
22 **AND**

23 2. **THE SUBSIDY REQUIRED UNDER THIS**
24 **SUBSECTION FOR THE COMMUNITY HEALTH RESOURCES COMMISSION.**

25 (iii) **OF THE SUBSIDY PROVIDED TO THE KIDNEY DISEASE**
26 **PROGRAM UNDER THIS SUBSECTION, THE SECRETARY OF HEALTH AND**
27 **MENTAL HYGIENE MAY TRANSFER ANY AMOUNTS RECEIVED BUT NOT SPENT BY**
28 **THE KIDNEY DISEASE PROGRAM TO THE COMMUNITY HEALTH RESOURCES**
29 **COMMISSION FUND ESTABLISHED UNDER § 19-2201 OF THE**
30 **HEALTH – GENERAL ARTICLE.**

31 **Article – Public Safety**

1 1-202.

2 (b) (1) Subject to subsection (c) of this section and [paragraph (2)]
3 PARAGRAPHS (2) AND (3) of this subsection, a death benefit of \$125,000 shall be paid
4 to the surviving spouse, child, dependent parent, or estate of each of the following
5 individuals who is killed or dies in the performance of duties on or after January 1,
6 2006:

7 (i) a law enforcement officer;

8 (ii) a correctional officer;

9 (iii) a volunteer or career firefighter or rescue squad member;

10 (iv) a sworn member of the office of State Fire Marshal;

11 (v) a public safety aviation employee;

12 (vi) a Maryland resident who was a member of the uniform
13 services of the United States serving in the Afghanistan or Iraq conflict; or

14 (vii) a hazardous material response team employee.

15 (2) For fiscal year 2009, and for each following fiscal year, the death
16 benefit provided in the prior fiscal year shall be adjusted by any change in the
17 calendar year preceding the fiscal year in the Consumer Price Index (all urban
18 customers – United States city average – all items), as published by the United States
19 Bureau of Labor Statistics.

20 **(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
21 **PARAGRAPH, AN APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION**
22 **SHALL BE SUBMITTED WITHIN 3 YEARS AFTER THE DEATH OF THE DECEDENT.**

23 **(II) IF THE DECEDENT DIED BEFORE JUNE 1, 2010, AN**
24 **APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION SHALL BE**
25 **SUBMITTED ON OR BEFORE MAY 31, 2013.**

26 **[(3)] (4) A death benefit under this subsection is in addition to:**

27 (i) any workers' compensation benefits;

28 (ii) the proceeds of any form of life insurance, regardless of who
29 paid the premiums on the insurance; and

30 (iii) the funeral benefit provided under subsection (d) of this
31 section.

1 **(5) ON RECEIVING NOTICE OF THE DEATH OF AN INDIVIDUAL**
 2 **DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF**
 3 **PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL TAKE REASONABLE**
 4 **STEPS TO NOTIFY POTENTIAL RECIPIENTS OF THE POTENTIAL DEATH BENEFITS**
 5 **AVAILABLE UNDER THIS SUBSECTION:**

6 **(I) WHEN THE DEPARTMENT RECEIVES NOTICE OF THE**
 7 **DEATH; AND**

8 **(II) AGAIN 1 YEAR AFTER THE DATE OF THE DEATH, IF AN**
 9 **APPLICATION FOR A DEATH BENEFIT WITH RESPECT TO THE DEATH OF THE**
 10 **DECEDENT HAS NOT BEEN SUBMITTED.**

11 **Article – State Finance and Procurement**

12 3–306.

13 (a) There is a Central Collection Fund.

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

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

18 (d) Subject to the appropriation process in the State budget ~~and~~ subject to
 19 subsection (h) of this section~~],~~ the Department shall use the Fund for the expenses of
 20 operating the Central Collection Unit.

21 (e) The State Treasurer shall hold and the State Comptroller shall account
 22 for the Fund.

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

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

26 ~~f~~(h) For any fiscal year beginning on or after July 1, 2010, any balance in the
 27 Fund at the end of the fiscal year in excess of ~~10%~~ 15% of the actual expenses of
 28 operating the Central Collection Unit for that fiscal year reverts to the General Fund
 29 of the State.~~]~~

30 **7–114.2.**

1 WHEN A PROPOSED BUDGET INCLUDES EXPENDITURE REDUCTIONS TO BE
2 APPLIED ACROSS MULTIPLE EXECUTIVE BRANCH AGENCIES, THE BUDGET BILL
3 SHALL INCLUDE A SEPARATE SCHEDULE FOR EACH REDUCTION ALLOCATING
4 THE REDUCTION FOR EACH AGENCY IN A LEVEL OF DETAIL NOT LESS THAN THE
5 3-DIGIT R*STARS FINANCIAL AGENCY CODE AND BY EACH FUND SOURCE.

6 7-325.

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

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

21 Article – State Government

22 9-20B-05.

23 (g-1) The proceeds described in subsection (g) of this section from the
24 allowances sold between March 1, 2009, and June 30, [2011] 2012, shall be allocated
25 as follows:

26 (1) up to 50% shall be credited to an energy assistance account to be
27 used as described in subsection (g)(1) of this section;

28 (2) 23% shall be credited to a rate relief account to be allocated as
29 provided in subsection (g)(2) of this section;

30 (3) at least 17.5% shall be credited to a low and moderate income
31 efficiency and conservation programs account and to a general efficiency and
32 conservation programs account to be allocated as provided in subsection (g)(3) of this
33 section;

34 (4) at least 6.5% shall be credited to a renewable and clean energy
35 programs account to be allocated as provided in subsection (g)(4) of this section; and

1 **4. A SUPERINTENDENT;**

2 **5. A SUPERVISOR; OR**

3 **6. A TEACHER;**

4 **(II) A LIBRARIAN OR CLERICAL EMPLOYEE OF A LIBRARY**
 5 **THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR**

6 **(III) A MEMBER OF THE FACULTY OR A PROFESSIONAL OR**
 7 **CLERICAL EMPLOYEE OF A COMMUNITY COLLEGE, OTHER THAN BALTIMORE**
 8 **CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION**
 9 **ARTICLE.**

10 **(7) “LOCAL EMPLOYER” MEANS:**

11 **(I) A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY**
 12 **AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE**
 13 **CITY BOARD OF SCHOOL COMMISSIONERS;**

14 **(II) A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER**
 15 **THE EDUCATION ARTICLE; OR**

16 **(III) A COMMUNITY COLLEGE, OTHER THAN BALTIMORE**
 17 **CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION**
 18 **ARTICLE.**

19 **[(5)] (8) “State member” does not include a member on whose behalf**
 20 **a participating governmental unit is required to make an employer contribution under**
 21 **§ 21–305 or § 21–306 of this subtitle.**

22 **(9) “TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES”**
 23 **MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER**
 24 **SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO THE LOCAL**
 25 **EMPLOYEES OF EACH LOCAL EMPLOYER.**

26 **(b) (1) [Each] SUBJECT TO PARAGRAPHS (4) THROUGH (6) OF THIS**
 27 **SUBSECTION, EACH fiscal year, on behalf of the State members of each State system,**
 28 **the State shall pay to the appropriate accumulation fund an amount equal to or**
 29 **greater than the sum of the amount, if any, required to be included in the budget bill**
 30 **under § 3–501(c)(2)(ii) of this article and the product of multiplying:**

31 **(i) the aggregate annual earnable compensation of the State**
 32 **members of that State system; and**

1 (ii) 1. for State members of the Law Enforcement Officers'
2 Retirement System, State Police Retirement System, and the Judges' Retirement
3 System, the sum of the normal contribution rate and the accrued liability contribution
4 rate, as determined under this section;

5 2. for State members of the Employees' Pension System,
6 Employees' Retirement System, Correctional Officers' Retirement System, and
7 Legislative Pension Plan, the employees' systems contribution rate determined under
8 subsection (e) of this section; or

9 3. for State members of the Teachers' Pension System
10 and Teachers' Retirement System, the teachers' systems contribution rate determined
11 under subsection (f) of this section.

12 (2) The amount determined under paragraph (1) of this subsection for
13 each State system shall be based on an actuarial determination of the amounts that
14 are required to preserve the integrity of the funds of the several systems using:

15 (i) the entry-age actuarial cost method; and

16 (ii) actuarial assumptions adopted by the Board of Trustees.

17 (3) For the purpose of making the determinations required under this
18 section:

19 (i) the Employees' Retirement System, the Employees' Pension
20 System, the Correctional Officers' Retirement System, and the Legislative Pension
21 Plan shall be considered together as one State system; and

22 (ii) the Teachers' Retirement System and the Teachers' Pension
23 System shall be considered together as one State system.

24 **(4) BEGINNING JULY 1, 2011, ON BEHALF OF THE LOCAL**
25 **EMPLOYEES OF THE LOCAL EMPLOYER, SUBJECT TO § 21-309.1 OF THIS**
26 **SUBTITLE, EACH LOCAL EMPLOYER SHALL PAY EACH FISCAL YEAR TO THE**
27 **APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO THE LOCAL SHARE**
28 **OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES AS**
29 **DETERMINED UNDER PARAGRAPH (5) OF THIS SUBSECTION.**

30 **(5) FOR EACH LOCAL EMPLOYER, THE LOCAL SHARE OF THE**
31 **TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES IS THE AGGREGATE**
32 **ANNUAL EARNABLE COMPENSATION OF LOCAL EMPLOYEES OF THAT LOCAL**
33 **EMPLOYER MULTIPLIED TIMES:**

34 **(i) 1% FOR FISCAL YEAR 2012;**

1 **(II) 3% FOR FISCAL YEAR 2013;**

2 **(III) 5% FOR EACH OF FISCAL YEARS 2014 AND 2015; AND**

3 **(IV) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR**
4 **THEREAFTER, THE RATE ESTABLISHED BY THE BOARD OF TRUSTEES UNDER §**
5 **21-309.1 OF THIS SUBTITLE.**

6 **(6) THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER**
7 **CONTRIBUTION FOR LOCAL EMPLOYEES AND THE LOCAL SHARE OF THE TOTAL**
8 **EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES FOR EACH LOCAL**
9 **EMPLOYER SHALL BE THE OBLIGATION OF THE STATE.**

10 21-307.

11 **(b) [(1)] For THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH**
12 **SUBSEQUENT FISCAL YEAR, FOR a master in chancery or a master in juvenile causes**
13 **who is eligible for benefits under the Judges' Retirement System, the county where the**
14 **master serves shall pay to the Judges' Retirement System [a portion of] the employer**
15 **contributions required to be paid on behalf of the master [as determined under**
16 **paragraph (2) of this subsection.**

17 **(2) The amount payable by a county for a master under this subsection**
18 **is the product of multiplying:**

19 **(i) the sum of the accrued liability contribution rate and the**
20 **normal contribution rate; and**

21 **(ii) the difference between the master's current earnable**
22 **compensation and the earnable compensation of the master as of January 1, 1989].**

23 **(o) (1) For the fiscal year beginning July 1, 2009, and each subsequent**
24 **fiscal year, for a deputy sheriff employed by the Baltimore City Sheriff's Department**
25 **who is a member of the Law Enforcement Officers' Pension System, Baltimore City**
26 **shall pay the employer contributions otherwise required to be made by the State on**
27 **behalf of the [members] MEMBER.**

28 **(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH**
29 **SUBSEQUENT FISCAL YEAR, FOR AN EMPLOYEE OF THE BALTIMORE CITY**
30 **SHERIFF'S DEPARTMENT WHO IS A MEMBER OF THE EMPLOYEES' RETIREMENT**
31 **SYSTEM OR THE EMPLOYEES' PENSION SYSTEM, BALTIMORE CITY SHALL PAY**
32 **THE EMPLOYER CONTRIBUTIONS OTHERWISE REQUIRED TO BE MADE BY THE**
33 **STATE ON BEHALF OF THE MEMBER.**

1 21-308.

2 (a) (1) On or before December 1 of each year, the Board of Trustees shall:

3 (i) certify to the Governor and the Secretary of Budget and
4 Management the rates to be used to determine the amounts to be paid by the State to
5 the accumulation fund of each of the several systems during the next fiscal year; and

6 (ii) provide to the Secretary of Budget and Management a
7 statement of the total amount to be paid **BY THE STATE AS DETERMINED UNDER §**
8 **21-304 OF THIS SUBTITLE** to the Teachers' Retirement System and the Teachers'
9 Pension System expressed as a percentage of the payroll of all members of those State
10 systems.

11 (d) (1) (i) The State Superintendent of Schools shall determine the
12 amount that equals the applicable percentage as determined under subparagraph (ii)
13 of this paragraph of the payroll of the professional and clerical employees of the
14 Department of Public Libraries of Montgomery County who are members of the
15 Employees' Retirement System of Montgomery County and are excluded from
16 membership in the Teachers' Retirement System or the Teachers' Pension System.

17 (ii) The applicable percentage under subparagraph (i) of this
18 paragraph is the lesser of:

19 1. the **DIFFERENCE BETWEEN THE** State's contribution
20 percentage for the Teachers' Retirement System and the Teachers' Pension System
21 **AND THE LOCAL CONTRIBUTION RATE DETERMINED UNDER § 21-309.1 OF THIS**
22 **SUBTITLE**, as certified by the Board of Trustees; or

23 2. the percentage of the payroll of its employees that
24 Montgomery County has contributed to the Employees' Retirement System of
25 Montgomery County, as determined by an actuarial valuation.

26 **21-309.1.**

27 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
28 **MEANINGS INDICATED.**

29 (2) **"LOCAL CONTRIBUTION RATE" MEANS THE RATE TO BE**
30 **APPLIED TO THE AGGREGATE EARNABLE COMPENSATION OF LOCAL**
31 **EMPLOYEES TO CALCULATE THE LOCAL SHARE OF THE TOTAL EMPLOYER**
32 **CONTRIBUTION FOR LOCAL EMPLOYEES UNDER § 21-304 OF THIS SUBTITLE.**

33 (3) **"LOCAL EMPLOYEE" HAS THE MEANING STATED IN § 21-304**
34 **OF THIS SUBTITLE.**

1 **(4) "LOCAL EMPLOYER" HAS THE MEANING STATED IN § 21-304**
2 **OF THIS SUBTITLE.**

3 **(B) (1) (i) ON OR BEFORE DECEMBER 1, 2014, AND ON OR BEFORE**
4 **DECEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL**
5 **ESTABLISH THE LOCAL CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR AS**
6 **PROVIDED IN THIS SUBSECTION.**

7 **(ii) ON OR BEFORE NOVEMBER 1, 2014, AND ON OR BEFORE**
8 **NOVEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL**
9 **PROVIDE LOCAL EMPLOYERS A PRELIMINARY ESTIMATE OF THE LOCAL**
10 **CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR.**

11 **(2) FOR EACH FISCAL YEAR, THE LOCAL CONTRIBUTION RATE**
12 **SHALL BE ESTABLISHED AT THE RATE THAT WHEN ADDED TO THE RATE OF THE**
13 **EMPLOYER SOCIAL SECURITY CONTRIBUTION REQUIRED BY FEDERAL LAW**
14 **EQUALS ONE-HALF OF THE SUM OF:**

15 **(i) THE TEACHERS' SYSTEM CONTRIBUTION RATE FOR THE**
16 **FISCAL YEAR DETERMINED UNDER § 21-304(F) OF THIS SUBTITLE; AND**

17 **(ii) THE RATE OF THE EMPLOYER SOCIAL SECURITY**
18 **CONTRIBUTION REQUIRED BY FEDERAL LAW.**

19 **(C) ON OR BEFORE DECEMBER 1, 2010, AND ON OR BEFORE DECEMBER**
20 **1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL DETERMINE**
21 **THE AMOUNTS PAYABLE BY EACH LOCAL EMPLOYER UNDER § 21-304(B)(4) OF**
22 **THIS SUBTITLE FOR THE NEXT FISCAL YEAR.**

23 **(D) EACH YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO EACH**
24 **LOCAL EMPLOYER THE LOCAL CONTRIBUTION RATE AND THE AMOUNTS**
25 **PAYABLE BY THE LOCAL EMPLOYER UNDER § 21-304(B)(4) OF THIS SUBTITLE**
26 **FOR THE NEXT FISCAL YEAR.**

27 **(E) (1) ON OR BEFORE OCTOBER 1, JANUARY 1, APRIL 16, AND JUNE**
28 **1 OF EACH FISCAL YEAR, EACH LOCAL EMPLOYER SHALL PAY TO THE BOARD OF**
29 **TRUSTEES 25% OF THE AMOUNT OF THE CHARGES CERTIFIED TO THE LOCAL**
30 **EMPLOYER BY THE BOARD OF TRUSTEES UNDER SUBSECTION (D) OF THIS**
31 **SECTION.**

32 **(2) A LOCAL EMPLOYER MAY ELECT TO HAVE THE AMOUNTS**
33 **REQUIRED UNDER THIS SECTION DEDUCTED FROM STATE AID DISTRIBUTIONS**
34 **UNDER THE EDUCATION ARTICLE.**

1 **(3) IF A LOCAL EMPLOYER DOES NOT PAY THE AMOUNTS**
2 **REQUIRED UNDER THIS SECTION WITHIN THE TIME REQUIRED, THE LOCAL**
3 **EMPLOYER IS LIABLE FOR INTEREST ON DELINQUENT AMOUNTS AT A RATE OF**
4 **4% A YEAR UNTIL PAYMENT.**

5 **(4) THE SECRETARY OF THE BOARD OF TRUSTEES MAY ALLOW A**
6 **GRACE PERIOD NOT TO EXCEED 10 CALENDAR DAYS FOR PAYMENT OF THE**
7 **AMOUNTS CERTIFIED UNDER THIS SECTION.**

8 **(5) ON NOTIFICATION BY THE SECRETARY OF THE BOARD OF**
9 **TRUSTEES THAT A DELINQUENCY EXISTS, THE STATE COMPTROLLER**
10 **IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY**
11 **DUE OR COMING DUE TO THAT LOCAL EMPLOYER FROM THE STATE.**

12 **(F) ON RECEIPT OF THE PAYMENTS FROM EACH LOCAL EMPLOYER, THE**
13 **BOARD OF TRUSTEES SHALL CREDIT THESE AMOUNTS TO THE ACCUMULATION**
14 **FUND OF THE APPROPRIATE STATE SYSTEM.**

15 **(G) (1) NOTWITHSTANDING § 5-202(D) OF THE EDUCATION ARTICLE,**
16 **IN FISCAL YEARS 2012 THROUGH 2014 ONLY, A COUNTY THAT DOES NOT MEET**
17 **THE MAINTENANCE OF EFFORT REQUIREMENT AND DOES NOT RECEIVE A**
18 **WAIVER SHALL BE REQUIRED TO PAY TO THE COUNTY BOARD OF EDUCATION**
19 **THE DIFFERENCE BETWEEN THE LOCAL APPROPRIATION TO THE COUNTY**
20 **SCHOOL OPERATING BUDGET AND THE AMOUNT CERTIFIED BY THE STATE**
21 **SUPERINTENDENT AS THE REQUIRED LOCAL MAINTENANCE OF EFFORT**
22 **AMOUNT UNDER § 5-202(D)(1)(II) OF THE EDUCATION ARTICLE.**

23 **(2) IF A COUNTY DOES NOT MAKE THE PAYMENT REQUIRED**
24 **UNDER THIS SUBSECTION TO THE COUNTY BOARD BY MAY 15 OF THE FISCAL**
25 **YEAR FOR WHICH THE PAYMENT IS REQUIRED, THE STATE COMPTROLLER**
26 **IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY**
27 **DUE OR COMING DUE TO THAT COUNTY FROM THE STATE AND CREDIT IT TO THE**
28 **COUNTY BOARD OF EDUCATION.**

29 **32-205.**

30 **(a) For each participating employee who makes contributions under § 32-204**
31 **of this subtitle, TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET,**
32 **the State [shall] MAY contribute to the applicable State supplemental plan employer**
33 **contributions an amount equal to the lesser of the participating employee's**
34 **contributions or \$600 per fiscal year.**

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

Article – Tax – General

2–202.

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

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

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

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

(2) the remaining admissions and amusement tax revenue:

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

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

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

2. 20% to the county or municipal corporation.

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

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

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

(I) ~~\$1,000,000~~ \$500,000 TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

(II) \$500,000 TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

1 **(III) THE BALANCE TO THE GENERAL FUND OF THE STATE.**

2 **(C) (1) FOR FISCAL YEAR 2011, THE COMPTROLLER SHALL PAY**
 3 **FROM THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(2)(II) OF THIS**
 4 **SECTION A GRANT TO THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC**
 5 **BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES THAT ARE THE SOURCE**
 6 **OF THE REVENUE ARE LOCATED, TO BE USED BY THE LOCAL JURISDICTIONS**
 7 **ONLY FOR ONE-TIME CAPITAL EXPENDITURES.**

8 **(2) A GRANT UNDER THIS SUBSECTION SHALL BE PAID TO A**
 9 **MUNICIPAL CORPORATION IF THE MACHINES ARE LOCATED IN A MUNICIPAL**
 10 **CORPORATION OR TO A COUNTY IF THE MACHINES ARE NOT LOCATED IN A**
 11 **MUNICIPAL CORPORATION.**

12 **(3) THE GRANTS UNDER THIS SUBSECTION SHALL BE PAID TO**
 13 **EACH LOCAL JURISDICTION IN PROPORTION TO THE AMOUNT OF TAX REVENUE**
 14 **DERIVED FROM MACHINES IN EACH JURISDICTION.**

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

17 **Article – Tax – General**

18 **2-606.**

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

23 **(2) IN EACH OF FISCAL YEARS 2014 THROUGH 2020, THE STATE**
 24 **SHALL PAY TO THE LOCAL INCOME TAX RESERVE ACCOUNT \$50,000,000 TO**
 25 **REPAY THE \$350,000,000 TRANSFER TO THE EDUCATION TRUST FUND**
 26 **AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

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

29 **Article – Tax – General**

30 **2-606.**

31 **(F) (1) ON OR BEFORE JUNE 30, 2011, THE COMPTROLLER SHALL**
 32 **DISTRIBUTE \$389,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED**

1 TO COMPLY WITH THIS SECTION TO THE GENERAL FUND OF THE STATE FOR
2 USE IN FUNDING THE MARYLAND MEDICAID PROGRAM FOR FISCAL YEAR 2011.

3 (2) IN EACH OF FISCAL YEARS 2021 THROUGH 2026, THE STATE
4 SHALL PAY TO THE LOCAL INCOME TAX RESERVE ACCOUNT \$63,833,333 TO
5 REPAY THE \$389,000,000 TRANSFER TO THE GENERAL FUND AUTHORIZED
6 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

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

9 Article – Tax – General

10 2–1104.

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

14 (1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and

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

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

20 (1) \$6,500,000 to the General Fund of the State; and

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

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

25 (1) \$8,385,845 to the General Fund of the State; and

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

27 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, INSTEAD OF THE
28 DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE
29 COMPTROLLER SHALL DISTRIBUTE 2.3% OF THE REMAINING MOTOR FUEL TAX
30 REVENUE AS FOLLOWS:

1 (1) ~~\$5,000,000~~ \$9,100,000 TO THE GENERAL FUND OF THE
2 STATE; AND

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

4 SECTION ~~6~~ 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland
5 read as follows:

6 **Article – Tax – General**

7 2–1302.1.

8 (a) Except as provided in subsections (b) [and], (c), AND (D) of this section,
9 after making the distributions required under §§ 2–1301 and 2–1302 of this subtitle, of
10 the sales and use tax collected on short–term vehicle rentals under § 11–104(c) of this
11 article the Comptroller shall distribute:

12 (1) 45% to the Transportation Trust Fund established under § 3–216
13 of the Transportation Article; and

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

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

19 (1) \$18,500,000 to the General Fund of the State; and

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

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

25 (1) [~~\$13,100,711~~] **\$21,100,711** to the General Fund of the State; and

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

27 **(D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AFTER THE**
28 **DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE**
29 **COMPTROLLER SHALL DISTRIBUTE THE REMAINDER OF THE SALES AND USE**
30 **TAX COLLECTED ON SHORT–TERM VEHICLE RENTALS UNDER § 11–104(C) OF**
31 **THIS ARTICLE AS FOLLOWS:**

1 (1) ~~\$17,101,428~~ \$23,000,000 TO THE GENERAL FUND OF THE
2 STATE; AND

3 (2) THE REMAINDER TO THE CHESAPEAKE BAY 2010 TRUST
4 FUND.

5 2-1302.2.

6 After making the distributions required under §§ 2-1301 through 2-1302.1 of
7 this subtitle, FOR EACH FISCAL YEAR, the Comptroller shall pay into the
8 Transportation Trust Fund established under § 3-216 of the Transportation Article[:

9 (1) for each fiscal year beginning before July 1, 2013.] 5.3% of the
10 remaining sales and use tax revenue[; and

11 (2) for each fiscal year beginning on or after July 1, 2013, 6.5% of the
12 remaining sales and use tax revenue].

13 SECTION 9. AND BE IT FURTHER ENACTED, That Section(s) 8-403 of
14 Article – Transportation of the Annotated Code of Maryland be repealed.

15 SECTION ~~7~~ 10. AND BE IT FURTHER ENACTED, That the Laws of
16 Maryland read as follows:

17 **Article – Transportation**

18 4-321.

19 (e) The Governor shall transfer to the Authority for the Intercounty
20 Connector:

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

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

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

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

27 (iii) [\$156,913,000] ~~\$126,900,000~~ \$81,900,000 for fiscal year
28 2011; and

29 **(IV) ~~\$30,013,000~~ \$75,013,000 FOR FISCAL YEAR 2012; AND**

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

3 8-401.

4 **(C-1) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY AUTHORIZED**
5 **BY LAW TO CONSTRUCT OR MAINTAIN STREETS OR ROADS.**

6 8-402.

7 (c) (1) **[During] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
8 **SUBSECTION, FOR each fiscal year [,]:**

9 **(I) 19% OF THE REVENUE CREDITED TO THE ACCOUNT**
10 **SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE;**

11 **(II) 71.5% OF THE REVENUE CREDITED TO THE ACCOUNT**
12 **MAY BE USED AS PROVIDED IN § 3-216 OF THIS ARTICLE; AND**

13 **(III) THE BALANCE OF the Account shall be used to pay the**
14 **allocations of highway user revenues provided by this subtitle to the counties,**
15 **municipalities, and Baltimore City[; and].**

16 **[(2) The balance of the Account may be used as provided in § 3-216 of**
17 **this article.]**

18 **(2) FOR FISCAL YEARS 2010 THROUGH 2012, THE ACCOUNT**
19 **SHALL BE DISTRIBUTED AS FOLLOWS:**

20 **(I) A PORTION TO THE GENERAL FUND OF THE STATE AS**
21 **FOLLOWS:**

22 **1. 19.6% FOR FISCAL 2010;**

23 **2. 22.5% FOR FISCAL YEAR 2011; AND**

24 **3. 20.1% FOR FISCAL YEAR 2012;**

25 **(II) A PORTION TO BE USED AS PROVIDED IN § 3-216 OF**
26 **THIS ARTICLE, AS FOLLOWS:**

27 **1. 70% FOR FISCAL YEAR 2010;**

28 **2. 68.6% FOR FISCAL YEAR 2011; AND**

1 **3. 71.5% FOR FISCAL YEAR 2012; AND**

2 **(III) THE BALANCE TO BE USED TO PAY THE ALLOCATIONS**
3 **OF HIGHWAY USER REVENUES PROVIDED UNDER THIS SUBTITLE TO THE**
4 **COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY.**

5 **8-403.**

6 **(A) SUBJECT TO §§ 3-307 AND 3-308 OF THIS ARTICLE, AND EXCEPT AS**
7 **PROVIDED IN SUBSECTION (B) OF THIS SECTION, FOR EACH FISCAL YEAR, FROM**
8 **THE TOTAL HIGHWAY USER REVENUES:**

9 **(1) AN AMOUNT SHALL BE DISTRIBUTED TO BALTIMORE CITY**
10 **MONTHLY EQUAL TO 8.8% OF TOTAL HIGHWAY USER REVENUES;**

11 **(2) AN AMOUNT SHALL BE DISTRIBUTED TO THE COUNTIES AT**
12 **THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS**
13 **PROVIDED IN § 8-404 OF THIS SUBTITLE, EQUAL TO 0.6% OF TOTAL HIGHWAY**
14 **USER REVENUES; AND**

15 **(3) AN AMOUNT SHALL BE DISTRIBUTED TO THE MUNICIPALITIES**
16 **AT THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS**
17 **PROVIDED IN § 8-405 OF THIS SUBTITLE, EQUAL TO 0.1% OF TOTAL HIGHWAY**
18 **USER REVENUES.**

19 **(B) (1) FOR FISCAL YEAR 2010:**

20 **(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY**
21 **UNDER THIS SUBTITLE SHALL EQUAL 8.5% OF TOTAL HIGHWAY USER**
22 **REVENUES;**

23 **(II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER**
24 **THIS SUBTITLE SHALL EQUAL 1.5% OF TOTAL HIGHWAY USER REVENUES; AND**

25 **(III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES**
26 **UNDER THIS SUBTITLE SHALL EQUAL 0.4% OF TOTAL HIGHWAY USER**
27 **REVENUES.**

28 **(2) FOR FISCAL YEAR 2011:**

29 **(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY**
30 **UNDER THIS SUBTITLE SHALL EQUAL 8.2% OF TOTAL HIGHWAY USER**
31 **REVENUES;**

1 (II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER
2 THIS SUBTITLE SHALL EQUAL 0.6% OF TOTAL HIGHWAY USER REVENUES; AND

3 (III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES
4 UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER
5 REVENUES.

6 (3) FOR FISCAL YEAR 2012:

7 (I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY
8 UNDER THIS SUBTITLE SHALL EQUAL 7.8% OF TOTAL HIGHWAY USER
9 REVENUES;

10 (II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER
11 THIS SUBTITLE SHALL EQUAL 0.5% OF TOTAL HIGHWAY USER REVENUES; AND

12 (III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES
13 UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER
14 REVENUES.

15 8-404.

16 (a) Highway user revenues shall be allocated to the counties:

17 (1) One half on a county road mileage basis, as provided in subsection
18 (b)(1) of this section; and

19 (2) One half on a motor vehicle registration basis, as provided in
20 subsection (b)(2) of this section.

21 (b) The Administration shall allocate for the account of each county, out of
22 the highway user revenues [provided for] TO BE DISTRIBUTED TO THE COUNTIES
23 under § 8-403 of this subtitle, [its gross] THE COUNTY'S share, to be determined by
24 adding:

25 (1) The amount that results from applying to one half of these
26 highway user revenues the ratio that, as of December 1 of the preceding calendar year,
27 the total mileage of county roads in the county, NOT INCLUDING THE TOTAL
28 MILEAGE OF COUNTY ROADS IN AN ELIGIBLE MUNICIPALITY, bears to the total
29 mileage of county roads in all of the counties, NOT INCLUDING THE TOTAL MILEAGE
30 OF COUNTY ROADS IN AN ELIGIBLE MUNICIPALITY; and

31 (2) The amount that results from applying to one half of these
32 highway user revenues the ratio that, as of December 1 of the preceding calendar year,
33 the total number of motor vehicles registered to owners having addresses in the

1 county, NOT INCLUDING MOTOR VEHICLES REGISTERED TO AN OWNER HAVING
2 AN ADDRESS IN AN ELIGIBLE MUNICIPALITY, bears to the total number of motor
3 vehicles registered to owners in all the counties, NOT INCLUDING MOTOR VEHICLES
4 REGISTERED TO AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE
5 MUNICIPALITY.

6 [(c) The allocation of highway user revenues to a county under subsection (b)
7 of this section may not be less than the amount allocated to the county from highway
8 user revenue sources in the fiscal year that began July 1, 1967.

9 (d) From each county's share of highway user revenues determined under
10 this section, the Administration shall deduct the amount of highway user revenues
11 allocated to any municipality in the county under § 8-405 of this subtitle. The
12 resulting amount is the county's net share of highway user revenues.]

13 8-405.

14 [(a) Any municipality authorized by law to construct or maintain streets or
15 roads may request its share of the highway user revenues provided under this subtitle
16 from the Administration. The request shall be made in writing at least 6 months
17 before the start of the fiscal year in which the funds are desired.]

18 (A) HIGHWAY USER REVENUES SHALL BE ALLOCATED TO THE ELIGIBLE
19 MUNICIPALITIES:

20 (1) ONE HALF ON A MUNICIPAL ROAD MILEAGE BASIS, AS
21 PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION; AND

22 (2) ONE HALF ON A MOTOR VEHICLE REGISTRATION BASIS, AS
23 PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION.

24 (b) [During the fiscal year beginning after a request is made, the] THE
25 Administration shall allocate [to the] FOR THE ACCOUNT OF EACH ELIGIBLE
26 municipality, [from the gross share of] OUT OF THE highway user revenues [allocated
27 under § 8-404] TO BE DISTRIBUTED TO THE MUNICIPALITIES UNDER § 8-403 of
28 this subtitle [to the county within which the municipality is located, its net] THE
29 ELIGIBLE MUNICIPALITY'S share [of highway user revenues], to be determined by
30 adding:

31 (1) The amount that results from applying to one half of the available
32 revenues the ratio that, as of December 1 of the preceding calendar year, the total
33 mileage of county roads in the ELIGIBLE municipality bears to the total mileage of
34 county roads LOCATED in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE;
35 and

1 (2) The amount that results from applying to one half of the available
2 revenues the ratio that, as of December 1 of the preceding calendar year, the total
3 number of motor vehicles registered to owners having addresses in the ELIGIBLE
4 municipality bears to the total number of motor vehicles registered to owners having
5 addresses in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE.

6 (c) For purposes of the mileage formula distributions under this section, each
7 special improvement district in Prince George's County in existence in January, 1953,
8 shall be treated as a municipality, but the amounts distributed shall be:

9 (1) Paid to the county and retained by it as credits to the district; and

10 (2) Applied to the cost of maintaining the streets and roads in the
11 district so long as the district has any indebtedness.

12 8-407.

13 (a) (1) If a county's OR MUNICIPALITY'S road construction,
14 reconstruction, or maintenance is performed by the Administration, the county's [net]
15 OR MUNICIPALITY'S share of highway user revenues shall be credited to the account
16 of the Administration to be spent on warrants of the State Comptroller.

17 (2) If a county has paid any debt service on bonds or other evidences of
18 obligation issued by a municipality in the county for the construction, reconstruction,
19 or maintenance of roads or streets, an amount sufficient to reimburse the county for
20 these payments shall be paid to the county from the municipality's [net] share of
21 highway user revenues.

22 (3) In all other cases, a county's or municipality's [net] share of
23 highway user revenues shall be paid to or on the order of:

24 (i) The proper official of the county or municipality designated
25 by local law; or

26 (ii) If no designation is made, the county or municipality.

27 (b) Payments of a county's or municipality's [net] share of highway user
28 revenues shall be made:

29 (1) At monthly intervals; or

30 (2) At other appropriate times reasonably requested.

31 SECTION 11. AND BE IT FURTHER ENACTED, That Section(s) 11-308,
32 11-309, and 11-310(a) through (c) of Article – Correctional Services of the Annotated
33 Code of Maryland be repealed.

1 SECTION 12. AND BE IT FURTHER ENACTED, That Section(s) 7–117 of
2 Article – Education of the Annotated Code of Maryland be repealed.

3 SECTION 13. AND BE IT FURTHER ENACTED, That Section(s) 13–1117 and
4 13–1118 of Article – Health – General of the Annotated Code of Maryland be repealed.

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

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

10 SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any
11 other provision of law, for fiscal year 2011 only, up to \$300,000 of the allocation to the
12 University of Maryland Medical Group under § 13–1116 of the Health – General
13 Article as enacted by this Act may be used to offset a deficit resulting from the
14 termination of the Statewide Academic Health Center Tobacco–Related Diseases
15 Research Grant Program and the Statewide Academic Health Center Network Grant
16 Program under this Act.

17 ~~SECTION 10. AND BE IT FURTHER ENACTED, That Section(s) 8–406(b) and~~
18 ~~10–704.1 of the Tax – General Article of the Annotated Code of Maryland be repealed.~~

19 ~~SECTION 11. 16.~~ AND BE IT FURTHER ENACTED, That, notwithstanding
20 any other provision of law, on or before June 30, 2010, the Governor may transfer to
21 the General Fund:

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

26 \$85,051,173 of the funds in the accounts of the University System of Maryland;

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

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

33 ~~\$20,000,000 of the funds in the Injured Workers’ Insurance Fund established~~
34 ~~under § 10–104 of the Labor and Employment Article;~~

1 \$13,509,450 of the funds in the Waterway Improvement Fund established under
2 § 8–707 of the Natural Resources Article;

3 \$6,000,000 of the funds in the Injured Workers' Insurance Fund reserve for
4 actuarial liability for claims against the State, established under § 10–104 of the
5 Labor and Employment Article;

6 \$5,221,332 of the funds in the State Insurance Trust Fund established under §
7 9–103 of the State Finance and Procurement Article;

8 \$3,628,687 of the unexpended balance in the Neighborhood Business
9 Development Fund established under § 6–301 of the Housing and Community
10 Development Article;

11 \$3,401,000 of the unexpended balance in the Ocean Beach Replenishment Fund
12 established under § 8–1103 of the Natural Resources Article;

13 \$3,000,000 of the funds in the special fund established under § 1–203.3 of the
14 Corporations and Associations Article;

15 \$2,500,000 of the funds in the Chesapeake and Atlantic Coastal Bays 2010
16 Trust Fund established under § 8–2A–02 of the Natural Resources Article;

17 ~~\$2,200,000~~ \$1,000,000 of the funds in the Maryland Oil Disaster Containment,
18 Cleanup and Contingency Fund established under § 4–411 of the Environment Article;

19 \$1,200,000 of the funds in the Oil Reserve Fund established under § 4–607 of
20 the Environment Article;

21 \$2,176,565 of the funds in the Special Loan Programs Fund established under §
22 4–505 of the Housing and Community Development Article;

23 \$2,000,000 of the funds in the Insurance Regulation Fund established under §
24 2–505 of the Insurance Article;

25 \$1,824,924 of the funds in the Vehicle Theft Prevention Fund established under
26 § 2–703 of the Public Safety Article;

27 \$1,800,000 of the funds in the Community Health Resources Commission Fund
28 established under § 19–2201 of the Health – General Article;

29 \$1,664,227 of the funds in the accounts of Morgan State University;

30 \$1,559,000 of the funds in the Spinal Cord Injury Research Trust Fund
31 established under § 13–1406 of the Health – General Article;

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

3 ~~\$1,200,000~~ \$3,000,000 of the funds in the Oil Contaminated Site Environmental
4 Cleanup Fund established under § 4–704 of the Environment Article;

5 \$1,100,000 of the funds in the State Used Tire Cleanup and Recycling Fund
6 established under § 9–273 of the Environment Article;

7 \$1,000,000 of the funds in the Tidal Wetlands Compensation Fund established
8 under § 16–205 of the Environment Article;

9 \$733,339 of the funds in the Cash Management Improvement Fund in the State
10 Treasurer’s Office;

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

13 \$527,619 of the funds in the Board of Physicians Fund established under §
14 14–207 of the Health Occupations Article;

15 \$500,000 of the funds in the Central Collection Fund established under § 3–306
16 of the State Finance and Procurement Article;

17 \$500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund
18 established under § 3–507 of the Correctional Services Article;

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

22 \$472,026 of the funds in the Maryland Health Care Commission Fund
23 established under § 19–111 of the Health – General Article;

24 \$449,373 of the funds in the Community Legacy Financial Assistance Fund
25 established under § 6–213 of the Housing and Community Development Article;

26 \$305,549 of the funds in the Board of Nursing Fund established under § 8–206
27 of the Health Occupations Article;

28 \$305,481 of the funds in the Shore Erosion Control Construction Loan Fund
29 established under § 8–1005 of the Natural Resources Article;

30 \$300,000 of the funds in the Maryland Clean Air Fund established under §
31 2–107 of the Environment Article;

1 \$300,000 of the funds in the State Occupational and Professional Licensing
2 Design Boards' Fund established under § 2-106.1 of the Business Regulation Article;

3 \$204,368 of the funds in the accounts of St. Mary's College of Maryland;

4 \$150,000 of the funds in the State Chemist Reserve Account consisting of
5 special funds established under §§ 5-103, 6-103, 6-204, and 6-303 of the Agriculture
6 Article;

7 \$150,000 of the funds in the State Radiation Control Fund established under §
8 8-306 of the Environment Article;

9 \$98,544 of the funds in the State Board of Pharmacy Fund established under §
10 12-206 of the Health Occupations Article;

11 \$96,541 of the funds in the accounts of Baltimore City Community College;

12 \$92,040 of the funds in the Homeownership Programs Fund established under §
13 4-502 of the Housing and Community Development Article;

14 \$87,758 of the funds in the Rental Housing Programs Fund established under §
15 4-504 of the Housing and Community Development Article;

16 \$87,758 of the funds in the Partnership Rental Housing Fund established under
17 § 4-503 of the Housing and Community Development Article;

18 \$73,530 of the funds in the State Board of Dental Examiners Fund established
19 under § 4-207 of the Health Occupations Article;

20 \$52,097 of the funds in the State Board of Social Work Examiners Fund
21 established under § 19-206 of the Health Occupations Article;

22 \$36,128 of the funds in the State Board of Chiropractic and Massage Therapy
23 Examiners Fund established under § 3-206 of the Health Occupations Article;

24 \$23,718 of the funds in the State Board of Examiners of Psychologists Fund
25 established under § 18-207 of the Health Occupations Article;

26 \$22,013 of the funds in the State Board of Professional Counselors and
27 Therapists Fund established under § 17-206 of the Health Occupations Article;

28 \$17,567 of the funds in the State Board of Physical Therapy Examiners Fund
29 established under § 13-207 of the Health Occupations Article;

30 \$13,698 of the funds in the State Board of Examiners for Audiologists, Hearing
31 Aid Dispensers, and Speech Language Pathologists Fund established under § 2-206 of
32 the Health Occupations Article;

1 \$11,923 of the funds in the State Board of Occupational Therapy Practice Fund
2 established under § 10–206 of the Health Occupations Article;

3 \$9,837 of the funds in the State Board of Examiners in Optometry Fund
4 established under § 11–207 of the Health Occupations Article;

5 \$9,666 of the funds in the State Acupuncture Board Fund established under §
6 1A–206 of the Health Occupations Article;

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

9 \$7,283 of the funds in the State Board of Podiatric Medical Examiners Fund
10 established under § 16–206 of the Health Occupations Article;

11 \$4,092 of the funds in the Kidney Disease Fund established under § 13–310.1 of
12 the Health – General Article; and

13 \$3,738 of the funds in the State Board of Dietetic Practice Fund established
14 under § 5–206 of the Health Occupations Article.

15 SECTION ~~12~~ 17. AND BE IT FURTHER ENACTED, That, notwithstanding
16 any other provision of law:

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

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

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

25 \$10,635,000 of the unexpended balance in the special fund established under §
26 13–209 of the Tax – Property Article for the Rural Legacy Program as established
27 under § 5–9A–01 of the Natural Resources Article;

28 \$10,000,000 of the unexpended balance in the special fund established under §
29 13–209 of the Tax – Property Article for the Maryland Agricultural Land Preservation
30 Foundation established under § 2–502 of the Agriculture Article;

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

1 \$2,058,000 of the unexpended balance of the funds for Program Open Space
2 Capital Development – Ocean City Beach Replenishment under Program Open Space
3 in the special fund established under § 13–209 of the Tax – Property Article.

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

7 SECTION ~~18~~ 18. AND BE IT FURTHER ENACTED, That, notwithstanding
8 any other provision of law, on or before June 30, 2011, the Governor may transfer to
9 the General Fund:

10 ~~\$51,731,321~~ \$55,532,294 of the funds in the accounts of the University System
11 of Maryland;

12 \$45,000,000 of the funds in the Bay Restoration Fund established under §
13 9–1605.2 of the Environment Article that is not needed to pay debt service on Revenue
14 Bonds issued by the Water Quality Financing Administration for the Enhanced
15 Nutrient Removal Program;

16 \$1,000,000 of the funds in the Board of Physicians Fund established under §
17 14–207 of the Health Occupations Article;

18 ~~\$822,287~~ \$1,783,395 of the funds in the accounts of Baltimore City Community
19 College;

20 ~~\$790,574~~ \$1,051,307 of the funds in the accounts of Morgan State University;

21 \$500,000 of the funds for the Spinal Cord Injury Research Trust Fund
22 established under § 13–1406 of the Health – General Article;

23 \$3,934,000 of the funds in the Waterway Improvement Fund established under
24 § 8–707 of the Natural Resources Article;

25 \$3,200,000 of the funds in the Neighborhood Business Development Fund
26 established under § 6–310 of the Housing and Community Development Article;

27 \$3,000,000 of the funds in the Homeownership Programs Fund established
28 under § 4–502 of the Housing and Community Development Article;

29 \$2,500,000 of the funds in the Special Loan Programs Fund established under §
30 4–505 of the Housing and Community Development Article;

31 \$602,800 of the funds in the special fund established under § 11–401 of the
32 Business Regulation Article;

1 \$204,368 of the funds in the accounts of St. Mary's College of Maryland;

2 \$200,000 of the funds in the State Board of Pharmacy Fund established under §
3 12-206 of the Health Occupations Article;

4 \$50,000 of the funds in the State Board of Examiners for Psychologists Fund
5 established under § 18-207 of the Health Occupations Article; and

6 \$50,000 of the funds in the State Board of Professional Counselors and
7 Therapists Fund established under § 17-206 of the Health Occupations Article.

8 SECTION ~~14~~ 19. AND BE IT FURTHER ENACTED, That, notwithstanding
9 any other provision of law:

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

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

19	Program Open Space – State Land Acquisition	\$13,082,000
20	Program Open Space – Local Share	\$12,352,000
21	Rural Legacy Program	\$12,637,000
22	Program Open Space – Capital Improvements	\$4,150,000
23	Maryland Agricultural Land Preservation Foundation	\$11,814,000

24 ~~If legislation authorizing the creation of State general obligation debt totaling
25 \$54,305,000 for the purposes described in this subsection does not become effective,
26 subsection (a) of this section shall be null and void without the necessity of further
27 action by the General Assembly.~~

28 SECTION ~~15~~ 20. AND BE IT FURTHER ENACTED, That, notwithstanding
29 any other provision of law, in fiscal year 2011 only, the grants to county boards under
30 the Aging Schools Program under § 5-206(f) of the Education Article may be funded
31 from the proceeds of General Obligation bonds issued under the Maryland
32 Consolidated Capital Bond Loan of 2010 or Qualified Zone Academy Bonds issued
33 under Chapter (S.B. 202/H.B. 171) of the Acts of the General Assembly of 2010.

34 SECTION ~~16~~ 21. AND BE IT FURTHER ENACTED, That, notwithstanding
35 the provisions of Title 1, Subtitle 3 of the Public Safety Article or any other law,
36 \$5,000,000 in fiscal year 2011 revenue from the State 9-1-1 fee on wired lines may be
37 transferred from the 9-1-1 Trust Fund to the Department of Information Technology

1 to be used to support the Computer Aided Dispatch/Records Management System
2 project in the Maryland State Police.

3 SECTION ~~17~~ 22. AND BE IT FURTHER ENACTED, That, notwithstanding
4 the provisions of Article 41, § 4–403 of the Annotated Code, for each of fiscal years
5 2011 and 2012, funding for State Aid for Police Protection shall be \$45,420,982. For
6 each of fiscal years 2011 and 2012, a subdivision or municipality shall receive the
7 same State funding that the subdivision or municipality received in fiscal year 2010.

8 SECTION ~~18~~ 23. AND BE IT FURTHER ENACTED, That, notwithstanding
9 any other provision of law, no amounts may be expended in fiscal year 2011 to pay
10 increases over the rates in effect on January 20, 2010, for providers with rates set
11 under § 8–406 or § 8–417 of the Education Article.

12 SECTION ~~19~~ 24. AND BE IT FURTHER ENACTED, That, notwithstanding
13 any other provision of law, the Governor may transfer by budget amendment from the
14 Senior Prescription Drug Assistance Program account of the Maryland Health
15 Insurance Plan Fund established under § 14–504(e) of the Insurance Article to the
16 Kidney Disease Program established under Title 13, Subtitle 3 of the Health – General
17 Article up to \$10,500,000 in fiscal year 2010, and up to \$1,500,000 in fiscal year 2011.

18 SECTION ~~20~~ 25. AND BE IT FURTHER ENACTED, That, notwithstanding
19 any other provision of law, in fiscal year 2010, the Governor may transfer up to
20 ~~\$3,000,000~~ \$5,000,000 from the Senior Prescription Drug Assistance Program account
21 of the Maryland Health Insurance Plan Fund established under § 14–504(e) of the
22 Insurance Article to the Medical Assistance Program established under Title 15,
23 Subtitle 1 of the Health – General Article.

24 SECTION ~~21~~ 26. AND BE IT FURTHER ENACTED, That, notwithstanding
25 any other provision of law:

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

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

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

1 SECTION ~~27~~ 28. AND BE IT FURTHER ENACTED, That, notwithstanding
2 the provisions of §§ 2–613, 2–613.1, and 2–614 of the Tax – General Article, or any
3 other provision of law, the first \$129,000,000 of corporate income tax paid to the State
4 in fiscal year 2010 shall be credited entirely to the General Fund.

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

11 SECTION ~~25~~ 29. AND BE IT FURTHER ENACTED, That, notwithstanding
12 the provisions of § 3A–506 of the State Finance and Procurement Article or any other
13 provision of law, in fiscal year 2011, the Governor may transfer by budget amendment
14 up to ~~\$1,000,000~~ \$2,000,000 from the Universal Service Trust Fund to the Maryland
15 School for the Deaf. For the purposes of determining the minimum appropriation for
16 the Maryland School for the Deaf under § 8–310.3(b) of the Education Article for fiscal
17 year 2012, the prior year appropriations shall be deemed to include any General Fund
18 appropriation for fiscal year 2011 for the Maryland School for the Deaf and any
19 amount transferred to the Maryland School for the Deaf for fiscal year 2011 under this
20 section.

21 SECTION 30. AND BE IT FURTHER ENACTED, That Section(s) 5 of Chapter
22 451 of the Acts of the General Assembly of 2003 be repealed.

23 SECTION 31. AND BE IT FURTHER ENACTED, That, notwithstanding any
24 other provision of law, the incoming class in the fall of 2010 at a residential boarding
25 education program for at-risk youth that receives funding under Title 8, Subtitle 7 of
26 the Education Article may not exceed 68 students.

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

33 SECTION ~~27~~ 32. AND BE IT FURTHER ENACTED, That, notwithstanding
34 any other provision of law, for fiscal year 2012:

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

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

1 (1) funding required for State aid to public elementary and secondary
2 education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–310.3,
3 § 8–317, or § 8–415 of the Education Article;

4 (2) the State’s employer contribution to the State Retirement and
5 Pension System required under § 21–308 of the State Personnel and Pensions Article;
6 or

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

9 SECTION ~~28~~ 33. AND BE IT FURTHER ENACTED, That, notwithstanding
10 any other provision of law, and unless inconsistent with a federal law, grant
11 agreement, or other federal requirement or with the terms of a gift or settlement
12 agreement, for fiscal years 2010 and 2011, net interest on all State money allocated by
13 the State Treasurer under § 6–226 of the State Finance and Procurement Article to
14 special funds or accounts, and otherwise entitled to receive interest earnings, as
15 accounted for by the Comptroller, shall accrue to the General Fund of the State, with
16 the exception of the following funds:

17 (1) Maryland Housing Loan Funds of 1976, 1978, 1979, and 1984;

18 (2) Microsoft Cost Share Fund;

19 (3) Subsequent Injury Fund;

20 (4) Uninsured Employers’ Fund;

21 (5) State Agency Loan Program Fund;

22 (6) Jane E. Lawton Conservation Loan Program;

23 (7) Energy Overcharge Restitution Fund;

24 (8) Pepco / Connectiv Settlement Fund;

25 (9) Baseball Capital Improvements Fund;

26 (10) State Victims of Crime Fund;

27 (11) Juvenile Accountability Incentive Block Grant Fund;

28 (12) Victim and Witness Protection and Relocation Fund;

29 (13) Unclaimed Restitution – Victims of Crime;

- 1 (14) Justice Assistance Grant;
- 2 (15) Byrne Justice Assistance Grant;
- 3 (16) Maryland Election Modernization Fund;
- 4 (17) Scriven Estate Fund;
- 5 (18) Volunteer Company Assistance Fund;
- 6 (19) Radoff Memorial Fund;
- 7 (20) Archives Endowment Account within the Archives Fund;
- 8 (21) Ellefson Endowment Fund;
- 9 (22) Albert C. Ritchie Memorial Fund;
- 10 (23) Rate Stabilization Fund;
- 11 (24) Maryland Health Insurance Plan Fund;
- 12 (25) Fair Campaign Financing Fund;
- 13 (26) State Employees and Retirees Health and Welfare Benefits Fund;
- 14 (27) Major Information Technology Development Project Fund;
- 15 (28) State Retirement Agency Funds;
- 16 (29) Postretirement Health Benefits Trust Fund;
- 17 (30) Maryland Emergency Medical ~~Service~~ System Operations Fund;
- 18 (31) State Wildlife Management and Protection Fund;
- 19 (32) Fisheries Management and Protection Fund;
- 20 (33) Ocean Beach Replenishment Fund;
- 21 (34) Community Services Trust Fund;
- 22 (35) Waiting List Equity Fund;
- 23 (36) Health Care Coverage Fund;
- 24 (37) Health Services Cost Review Commission Fund;

- 1 (38) Hospital Uncompensated Care Fund;
- 2 (39) Funds in the Accounts of Morgan State University;
- 3 (40) Funds in the Accounts of St. Mary's College of Maryland;
- 4 (41) Funds in the Accounts of the University System of Maryland;
- 5 (42) Maryland Prepaid College Trust Fund;
- 6 (43) Nurse Support Program Assistance Fund;
- 7 (44) Funds in the Accounts of the Baltimore City Community College;
- 8 (45) Education Trust Fund;
- 9 (46) Section 8 Construction and Administration Funds administered by
10 the Department of Housing and Community Development;
- 11 (47) MacArthur Grant Fund;
- 12 (48) ~~Maryland Economic Adjustment Fund~~ All special funds within the
13 Department of Business and Economic Development;
- 14 (49) Maryland Water Quality Revolving Loan Fund;
- 15 (50) Maryland Drinking Water Revolving Loan Fund;
- 16 (51) Bay Restoration Fund;
- 17 (52) Migratory Game Bird Fund;
- 18 (53) Deer Stamp Fund;
- 19 (54) Wildlife Habitat Incentive Fund;
- 20 (55) Fisheries Research and Development Fund;
- 21 (56) Strategic Energy Investment Fund;
- 22 (57) Criminal Injuries Compensation Fund;
- 23 (58) 50% of the interest from the 9-1-1 Trust Fund;
- 24 ~~(52)~~ (59) All accounts within the State Reserve Fund; and

1 ~~(53)~~ (60) Local revenue accounts collected by the Judiciary.

2 ~~SECTION 29. AND BE IT FURTHER ENACTED, That, notwithstanding §§~~
 3 ~~8-403 through 8-405 of the Transportation Article, or any other provision of law, in~~
 4 ~~addition to the amounts required to be distributed to the General Fund and the~~
 5 ~~reductions in the amounts to be distributed to Baltimore City and the counties and~~
 6 ~~municipalities under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly~~
 7 ~~of 2009, for fiscal year 2010 only:~~

8 ~~(a) \$159,502,391 of the amounts otherwise required to be distributed to~~
 9 ~~Baltimore City and the counties and municipalities under § 8-403 of the~~
 10 ~~Transportation Article shall be distributed instead to the General Fund:~~

11 ~~(b) The amounts to be distributed to Baltimore City and the counties and~~
 12 ~~municipalities under § 8-403 of the Transportation Article shall be reduced by the~~
 13 ~~following amounts:~~

14	Allegany County	\$3,698,005
15	Anne Arundel County	9,254,377
16	Baltimore City	31,612,390
17	Baltimore County	15,393,152
18	Calvert County	2,820,534
19	Caroline County	2,491,691
20	Carroll County	6,376,535
21	Cecil County	3,492,581
22	Charles County	4,279,861
23	Dorchester County	2,788,812
24	Frederick County	8,113,600
25	Garrett County	3,155,082
26	Harford County	7,196,389
27	Howard County	5,793,463
28	Kent County	1,362,596
29	Montgomery County	13,832,683
30	Prince George's County	16,121,287
31	Queen Anne's County	2,604,470
32	St. Mary's County	3,523,933
33	Somerset County	1,745,802
34	Talbot County	1,686,937
35	Washington County	5,470,612
36	Wicomico County	4,657,149
37	Worcester County	2,021,450

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

1 (1) ~~11.5% to Baltimore City; and~~

2 (2) ~~88.5% among the counties and municipalities in accordance with §§~~
 3 ~~8-404 and 8-405 of the Transportation Article.~~

4 ~~SECTION 30. AND BE IT FURTHER ENACTED, That, notwithstanding § 12 of~~
 5 ~~Chapter 487 of the Acts of the General Assembly of 2009, §§ 8-403 through 8-405 of~~
 6 ~~the Transportation Article, or any other provision of law, for each of fiscal years 2011~~
 7 ~~and 2012 only.~~

8 (a) ~~The amounts otherwise required to be distributed to Baltimore City and~~
 9 ~~the counties and municipalities under § 8-403 of the Transportation Article shall be~~
 10 ~~distributed as follows:~~

11 (1) ~~\$340,255,990 to the General Fund;~~

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

14	Allegany County	-0.221%
15	Anne Arundel County	-0.417%
16	Baltimore City	93.173%
17	Baltimore County	-0.794%
18	Calvert County	-0.151%
19	Caroline County	-0.147%
20	Carroll County	-0.360%
21	Cecil County	-0.192%
22	Charles County	-0.231%
23	Dorchester County	-0.164%
24	Frederick County	-0.445%
25	Garrett County	-0.187%
26	Harford County	-0.400%
27	Howard County	-0.297%
28	Kent County	-0.078%
29	Montgomery County	-0.628%
30	Prince George's County	-0.902%
31	Queen Anne's County	-0.147%
32	St. Mary's County	-0.195%
33	Somerset County	-0.105%
34	Talbot County	-0.087%
35	Washington County	-0.308%
36	Wicomico County	-0.275%
37	Worcester County	-0.096%; and

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

1 (i) ~~11.5% to Baltimore City; and~~

2 (ii) ~~88.5% among the counties and municipalities in accordance~~
 3 ~~with §§ 8-404 and 8-405 of the Transportation Article.~~

4 (b) ~~For fiscal year 2011:~~

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

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

12 SECTION 34. AND BE IT FURTHER ENACTED, That it is the intent of the
 13 General Assembly that the Governor by budget amendment partially restore local
 14 highway user revenues for fiscal year 2010 that were reduced by actions taken by the
 15 Board of Public Works in August 2009, to implement the distributions of highway user
 16 revenues for fiscal year 2010 as reflected in § 8-403 of the Transportation Article as
 17 enacted by this Act.

18 SECTION 35. AND BE IT FURTHER ENACTED, That it is the intent of the
 19 General Assembly that a working group formed in statute or by order of the President
 20 of the Senate or the Speaker of the House looking at transportation funding or local
 21 aid issues shall review and provide recommendations for how local highway user
 22 revenues shall be distributed in fiscal year 2013 and thereafter.

23 ~~SECTION 34.~~ SECTION 36. AND BE IT FURTHER ENACTED, That, notwithstanding
 24 any other provision of law, State employees employed by any entity, including the
 25 University System of Maryland, Morgan State University, and St. Mary's College of
 26 Maryland, may not receive bonuses, merit increases, or cost-of-living adjustments in
 27 fiscal year 2011. This provision does not affect salaries for constitutional officers or
 28 members of the General Assembly or increases necessary for the retention of faculty in
 29 the University System of Maryland, Morgan State University, or St. Mary's College of
 30 Maryland.

31 ~~SECTION 35.~~ SECTION 37. AND BE IT FURTHER ENACTED, That, notwithstanding
 32 the provisions of § 32-205 of the State Personnel and Pensions Article, in fiscal year
 33 2011 the State is not required to make the employer contributions to the applicable
 34 State supplemental plan for participating employees in the Optional Defined
 35 Contribution System.

36 ~~SECTION 36.~~ SECTION 38 AND BE IT FURTHER ENACTED, That the Laws of
 37 Maryland read as follows:

1 **Chapter 62 of the Acts of 1992**

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

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

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

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

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

14 (ii) May:

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

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

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

20 SECTION ~~34~~ 39. AND BE IT FURTHER ENACTED, That, notwithstanding
21 any other provision of law, calculation of the rate of overtime payments for current
22 State employees subject to a temporary salary reduction ordered by the Governor in
23 fiscal year 2010 or 2011 shall be based on the salary schedules in effect on July 1,
24 2009. This section shall be construed to apply retroactively to September 23, 2009, and
25 shall be applied to and interpreted to affect the overtime compensation of current
26 State employees from that date.

27 SECTION ~~35~~ 40. AND BE IT FURTHER ENACTED, That, notwithstanding
28 any other provision of law, on or before June 30, 2011, any special fund savings
29 realized from the implementation of furloughs in fiscal year 2011 may be transferred
30 to the General Fund.

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

1 SECTION ~~37~~ 41. AND BE IT FURTHER ENACTED, That the Laws of
2 Maryland read as follows:

3 **Chapter 503 of the Acts of 2007, as amended by Chapter 200 of the Acts of**
4 **2008**

5 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the
6 General Assembly that:

7 (c) [Up to 25%] **A PORTION** of the revenues generated by the quality
8 assessment shall be in an incentive program to be distributed as provided in this
9 section, to the extent federal law allows. Further, the distribution of revenues as
10 provided in this section shall be used as an incentive for nursing facilities to provide
11 quality care, and may not be used to directly or indirectly hold harmless any nursing
12 facility.

13 **Chapter 487 of the Acts of 2009**

14 SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding §
15 9–305 of the State Personnel and Pensions Article, **OR ANY OTHER PROVISION OF**
16 **LAW**, an employee entitled to compensation for unused annual leave upon termination
17 of State employment during a mandatory temporary salary reduction plan shall
18 receive such compensation at the employee's rate of compensation in effect
19 immediately prior to the temporary salary reduction. This section shall be construed to
20 apply retroactively and shall be applied to and interpreted to affect the calculation of
21 unused annual leave payouts for employees leaving State employment on or after
22 February 11, 2009.

23 SECTION 35. AND BE IT FURTHER ENACTED, That, notwithstanding any
24 other provision of law, for fiscal [year] **YEARS 2011 AND 2012** only, the Governor is
25 not required to include in the budget bill any appropriation to the Revenue
26 Stabilization Account of the State Reserve Fund otherwise required under § 7–311 of
27 the State Finance and Procurement Article to the extent that the Governor determines
28 that the appropriation would result in the loss of funds otherwise made available to
29 the State under the American Recovery and Reinvestment Act of 2009 (P.L. 111–5) **OR**
30 **ANY OTHER FEDERAL LAW**.

31 SECTION 39. AND BE IT FURTHER ENACTED, That:

32 (a) The General Assembly finds that the existing technology supporting
33 State administration of its human resources management system is outmoded and
34 inadequate for efficient administration of the State workforce.

35 (b) In the development of a new statewide human resources management
36 system to address this deficiency, the Department of Budget and Management shall,
37 in coordination with the Department of Information Technology, take all steps

1 necessary to scope and define its requirements so as to qualify for funding as a Major
 2 Information Technology Development project supported through the Major
 3 Information Technology Project Development Fund established under § 3A-309 of the
 4 State Finance and Procurement Article.

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

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

15 (e) For fiscal year 2011, the Governor shall include in the State budget
 16 through the mechanism established in this section a charge back of not less than
 17 **[\$5,000,000] \$2,069,344.**

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

22 SECTION 42. AND BE IT FURTHER ENACTED, That, notwithstanding any
 23 other provision of law, the special fund appropriation in the fiscal 2010 State budget
 24 for program L00A12.10 Marketing and Agricultural Development in the Department
 25 of Agriculture is reduced by \$700,000. The reduction provided under this section shall
 26 be made only to programs supported by funds from the Cigarette Restitution Fund.
 27 For fiscal year 2010, the Governor is authorized to transfer \$700,000 from the
 28 Cigarette Restitution Fund to program M00Q01.03 Medical Care Provider
 29 Reimbursements in the Department of Health and Mental Hygiene.

30 SECTION ~~38~~ 43. AND BE IT FURTHER ENACTED, That Section(s) ~~25~~ 12, 25,
 31 29, and 34 of Chapter 487 of the Acts of the General Assembly of 2009 be repealed.

32 SECTION ~~39~~ 44. AND BE IT FURTHER ENACTED, That, if any provision of
 33 this Act or the application thereof to any person or circumstance is held invalid for any
 34 reason in a court of competent jurisdiction, the invalidity does not affect other
 35 provisions or any other application of this Act which can be given effect without the
 36 invalid provision or application, and for this purpose the provisions of this Act are
 37 declared severable.

38 SECTION ~~40~~ 45. AND BE IT FURTHER ENACTED, That the provisions of
 39 Sections 2, 4, ~~6~~, and ~~28~~ 8, and 33 of this Act shall be construed retroactively and shall

1 be applied to any taxes, interest earnings, payments, or other revenue received by the
2 State on or after June 1, 2009.

3 SECTION 46. AND BE IT FURTHER ENACTED, That Section 6 of this Act
4 shall take effect January 1, 2011, contingent on the failure of the federal government
5 to act, on or before December 31, 2010, to extend beyond December 31, 2010, the
6 increase in the State's federal medical assistance percentage as provided in the
7 American Recovery and Reinvestment Act of 2009, and if the federal government acts,
8 on or before December 31, 2010, to extend beyond December 31, 2010, the increase in
9 Maryland's federal medical assistance percentage as provided in the American
10 Recovery and Reinvestment Act of 2009, Section 5A this Act shall be null and void
11 without the necessity of further action by the General Assembly.

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

14 SECTION ~~42.~~ 47. AND BE IT FURTHER ENACTED, That Section ~~35~~ 40 of this
15 Act shall be construed to apply retroactively and shall be applied to and interpreted to
16 affect any Executive Order issued on or after January 20, 2010.

17 SECTION ~~43.~~ 48. AND BE IT FURTHER ENACTED, That, except as otherwise
18 provided in this Act, this Act shall take effect June 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.