

# SENATE BILL 1004

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By: **Senators Brinkley and Pipkin**

Introduced and read first time: February 22, 2010

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Balancing Act**

3 FOR the purpose of repealing certain required appropriations; repealing the Maryland  
4 Stem Cell Research Fund, the Stem Cell Research Commission, and certain  
5 provisions of law providing for State-funded stem cell research; repealing  
6 certain grant programs; altering or repealing certain funding requirements;  
7 repealing a certain unit in the Department of Labor, Licensing, and Regulation;  
8 altering a certain limit on the amount of certain distributions required to be  
9 made to certain counties and Baltimore City based on per capita yield of county  
10 income taxes; altering certain State aid to local jurisdictions for local  
11 expenditures for police protection for certain fiscal years; authorizing certain  
12 units of government to charge a certain fee for certain purposes; repealing  
13 certain requirements for a certain notice relating to abandoned property to be  
14 published in certain newspapers; requiring the Comptroller to maintain, or  
15 cause to be maintained, an abandoned property database containing the names  
16 and last known addresses, if any, of persons listed in certain reports; requiring  
17 the Comptroller to maintain, or cause to be maintained, a certain Internet  
18 website relating to the abandoned property database; requiring the Comptroller  
19 to publish certain notices of a certain Internet website; requiring the counties  
20 and Baltimore City to reimburse the State for certain costs to employ certain  
21 law clerks; prohibiting the use of State general funds for certain purposes;  
22 repealing certain inflation adjustments for the calculation of certain State  
23 funding requirements; limiting certain rates established under certain  
24 programs; requiring certain county boards of education to pay for certain costs  
25 of certain residential boarding education programs for certain at-risk youth;  
26 altering the calculation of certain State aid to community colleges; altering  
27 certain State aid provided to certain nonpublic institutions of higher education;  
28 authorizing the use of certain funds for certain purposes; altering the maximum  
29 aggregate amount of a certain assessment; altering certain restrictions on the  
30 use of certain funds; altering certain provisions relating to certain requirements  
31 that certain nonprofit health service plans use certain funds for certain

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 purposes under certain circumstances; requiring the State to discontinue  
2 providing retirees a certain prescription drug benefit plan included in certain  
3 State employee health benefits; requiring counties to pay a certain portion of  
4 certain employer contributions for certain members of the Teachers' Retirement  
5 System or the Teachers' Pension System; providing for the method of payment  
6 each county is required to make to the Board of Trustees for the State  
7 Retirement and Pension System regarding a certain portion of employer  
8 contributions for certain members of the Teachers' Retirement System or the  
9 Teachers' Pension System; altering the employee contribution rate for certain  
10 members of the Employees' Pension System or the Teachers' Pension System;  
11 altering the distribution of certain State admission and amusement tax  
12 revenues; requiring the Comptroller to make a certain distribution to the  
13 Education Trust Fund; altering the distribution of certain motor fuel tax  
14 revenue; altering the distribution of certain sales and use tax revenues from  
15 short-term rental vehicles; altering the distribution of certain sales and use tax  
16 revenue for certain fiscal years; altering certain provisions relating to the  
17 funding of a certain highway; altering certain requirements for the percentage  
18 of operating costs that must be recovered from certain revenues for certain  
19 public transit services; altering the share of the operating deficits of a certain  
20 regional transit system that the State is required to fund by certain annual  
21 grants from the Department of Transportation; clarifying and altering the  
22 authority of the Governor to implement certain employee furloughs and salary  
23 reduction days during certain years; providing that the Governor is not required  
24 to include certain appropriations in the budget for a certain fiscal year under  
25 certain circumstances; altering the amounts of certain funds required to be  
26 charged back to certain agencies for a certain purpose; altering the distribution  
27 of certain highway user revenues for certain fiscal years; authorizing the  
28 Governor to transfer to the General Fund certain amounts from certain special  
29 funds for certain fiscal years; authorizing the Governor to transfer to the  
30 General Fund certain amounts from certain special funds, subject to a certain  
31 contingency; providing that certain grants to county boards of education may be  
32 funded from the Maryland Consolidated Capital Bond Loan of 2010; requiring  
33 that certain units of local government receive a certain amount of funding for  
34 certain fiscal years for certain purposes; prohibiting the expenditure of funds in  
35 a certain fiscal year for certain rate increases; authorizing the transfer by  
36 budget amendment of certain funds for certain purposes; providing that certain  
37 proceeds from the corporate income tax for a certain fiscal year be credited to  
38 the General Fund; altering certain reporting requirements; prohibiting any new  
39 awards from being made under a certain scholarship program for a certain  
40 academic year; authorizing the transfer of certain savings and interest from  
41 certain funds into the General Fund; prohibiting the payment of certain  
42 bonuses, merit increases, or cost-of-living adjustments for certain State  
43 employees for a certain fiscal year; providing that the State is not required to  
44 make certain employer contributions for employees participating in a certain  
45 supplemental retirement plan for a certain fiscal year; clarifying the base rate  
46 for calculating overtime for certain employees under certain circumstances;  
47 requiring the State to repay certain amounts to a certain account in certain  
48 fiscal years; stating certain intent of the General Assembly regarding

1           restraining spending in the State budget by implementation of certain actions;  
2           making the provisions of this Act severable; providing for the effective dates and  
3           application of this Act; and generally relating to the financing of State  
4           government.

5   BY repealing

6           Article 24 – Political Subdivisions – Miscellaneous Provisions  
7           Section 9–1104  
8           Annotated Code of Maryland  
9           (2005 Replacement Volume and 2009 Supplement)

10  BY repealing

11           Article – Economic Development  
12           Section 10–429 through 10–432 and 10–434 through 10–442 and the part “Part  
13           III. Stem Cell Research”  
14           Annotated Code of Maryland  
15           (2008 Volume and 2009 Supplement)

16  BY repealing

17           Article – Education  
18           Section 5–202(f), 6–112, 6–306; and 18–1201 through 18–1207 and the subtitle  
19           “Subtitle 12. Private Career School Student Grant Program”  
20           Annotated Code of Maryland  
21           (2008 Replacement Volume and 2009 Supplement)

22  BY repealing

23           Article – Labor and Employment  
24           Section 2–107(f)  
25           Annotated Code of Maryland  
26           (2008 Replacement Volume and 2009 Supplement)

27  BY repealing

28           Article – Natural Resources  
29           Section 10–301(m)  
30           Annotated Code of Maryland  
31           (2007 Replacement Volume and 2009 Supplement)

32  BY repealing

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

35  BY repealing and reenacting, without amendments,

36           Article 24 – Political Subdivisions – Miscellaneous Provisions  
37           Section 9–1101(a)(1)  
38           Annotated Code of Maryland  
39           (2005 Replacement Volume and 2009 Supplement)

40  BY repealing and reenacting, with amendments,

- 1 Article 24 – Political Subdivisions – Miscellaneous Provisions  
2 Section 9–1101(d)  
3 Annotated Code of Maryland  
4 (2005 Replacement Volume and 2009 Supplement)
- 5 BY adding to  
6 Article 41 – Governor – Executive and Administrative Departments  
7 Section 4–407  
8 Annotated Code of Maryland  
9 (2003 Replacement Volume and 2009 Supplement)
- 10 BY repealing and reenacting, with amendments,  
11 Article – Agriculture  
12 Section 8–405(c)  
13 Annotated Code of Maryland  
14 (2007 Replacement Volume and 2009 Supplement)
- 15 BY repealing and reenacting, with amendments,  
16 Article – Commercial Law  
17 Section 15–607 and 17–311  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2009 Supplement)
- 20 BY repealing and reenacting, with amendments,  
21 Article – Courts and Judicial Proceedings  
22 Section 2–512  
23 Annotated Code of Maryland  
24 (2006 Replacement Volume and 2009 Supplement)
- 25 BY repealing and reenacting, with amendments,  
26 Article – Economic Development  
27 Section 4–216(b) and 10–523(a)(3)(i)  
28 Annotated Code of Maryland  
29 (2008 Volume and 2009 Supplement)
- 30 BY adding to  
31 Article – Economic Development  
32 Section 10–640(g) and 10–643(g)  
33 Annotated Code of Maryland  
34 (2008 Volume and 2009 Supplement)
- 35 BY repealing and reenacting, with amendments,  
36 Article – Education  
37 Section 5–202(a)(13), 5–205(c), 5–206(f), 8–417, 8–710, 14–405(b)(2),  
38 16–305(c)(1), 17–103, and 17–104(a)  
39 Annotated Code of Maryland  
40 (2008 Replacement Volume and 2009 Supplement)

- 1 BY repealing and reenacting, without amendments,  
2 Article – Education  
3 Section 5–207(a)(4), 5–208(a)(6), 5–209(a)(7), 8–310.3(a)(4) and (b), and  
4 8–317(a)(4), (b), and (c)  
5 Annotated Code of Maryland  
6 (2008 Replacement Volume and 2009 Supplement)
- 7 BY repealing and reenacting, with amendments,  
8 Article – Environment  
9 Section 4–411(f) and (g)  
10 Annotated Code of Maryland  
11 (2007 Replacement Volume and 2009 Supplement)
- 12 BY repealing and reenacting, with amendments,  
13 Article – Health – General  
14 Section 2–301, 2–302, 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1),  
15 13–2206(b), 19–310.1(b), (c), and (d), and 19–14B–01(c)(1)  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume)
- 18 BY repealing and reenacting, without amendments,  
19 Article – Health – General  
20 Section 13–2206(a)  
21 Annotated Code of Maryland  
22 (2009 Replacement Volume)
- 23 BY repealing  
24 Article – Health – General  
25 Section 18–108(c)  
26 Annotated Code of Maryland  
27 (2009 Replacement Volume)
- 28 BY repealing and reenacting, with amendments,  
29 Article – Insurance  
30 Section 14–106(d)(1) and (2)  
31 Annotated Code of Maryland  
32 (2006 Replacement Volume and 2009 Supplement)
- 33 BY repealing and reenacting, with amendments,  
34 Article – Labor and Employment  
35 Section 2–107(g)  
36 Annotated Code of Maryland  
37 (2008 Replacement Volume and 2009 Supplement)
- 38 BY repealing and reenacting, with amendments,  
39 Article – State Finance and Procurement  
40 Section 7–325(a)  
41 Annotated Code of Maryland

- 1 (2009 Replacement Volume)
- 2 BY repealing and reenacting, with amendments,  
3 Article – State Personnel and Pensions  
4 Section 2–509.1, 21–304(a) and (b), and 23–212(c)  
5 Annotated Code of Maryland  
6 (2009 Replacement Volume and 2009 Supplement)
- 7 BY adding to  
8 Article – State Personnel and Pensions  
9 Section 21–309.1  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume and 2009 Supplement)
- 12 BY repealing and reenacting, with amendments,  
13 Article – Tax – General  
14 Section 2–202, 2–1104, 2–1302.1, and 2–1302.2  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2009 Supplement)
- 17 BY adding to  
18 Article – Tax – General  
19 Section 2–606(e)  
20 Annotated Code of Maryland  
21 (2004 Replacement Volume and 2009 Supplement)
- 22 BY repealing and reenacting, with amendments,  
23 Article – Transportation  
24 Section 4–321(e), 7–208(b), and 10–205(b)  
25 Annotated Code of Maryland  
26 (2008 Replacement Volume and 2009 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Chapter 62 of the Acts of the General Assembly of 1992  
29 Section 4
- 30 BY repealing and reenacting, with amendments,  
31 Chapter 503 of the Acts of the General Assembly of 2007, as amended by  
32 Chapter 200 of the Acts of the General Assembly of 2008  
33 Section 5(c)
- 34 BY repealing and reenacting, with amendments,  
35 Chapter 487 of the Acts of the General Assembly of 2009  
36 Section 19, 35, 39, and 44
- 37 BY repealing and reenacting, with amendments,  
38 Article – Transportation  
39 Section 8–403

1 Annotated Code of Maryland  
2 (2008 Replacement Volume and 2009 Supplement)  
3 (As enacted by Chapter 487 of the Acts of the General Assembly of 2009)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
5 MARYLAND, That Section(s) 9–1104 of Article 24 – Political Subdivisions –  
6 Miscellaneous Provisions of the Annotated Code of Maryland be repealed.

7 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10–429  
8 through 10–432 and 10–434 through 10–442 and the part “Part III. Stem Cell  
9 Research” of Article – Economic Development of the Annotated Code of Maryland be  
10 repealed.

11 SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 5–202(f),  
12 6–112, 6–306; and 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private  
13 Career School Student Grant Program” of Article – Education of the Annotated Code  
14 of Maryland be repealed.

15 SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 2–107(f) of  
16 Article – Labor and Employment of the Annotated Code of Maryland be repealed.

17 SECTION 5. AND BE IT FURTHER ENACTED, That Section(s) 10–301(m) of  
18 Article – Natural Resources of the Annotated Code of Maryland be repealed.

19 SECTION 6. AND BE IT FURTHER ENACTED, That Section(s) 25 and 34 of  
20 Chapter 487 of the Acts of the General Assembly of 2009 be repealed.

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

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

24 9–1101.

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

28 (d) For fiscal year 2011 and each subsequent fiscal year, the distribution  
29 provided to any county or Baltimore City under this section may not exceed AN  
30 **AMOUNT EQUAL TO 60% OF** the amount distributed to the county or Baltimore City  
31 for fiscal year 2010.

32 **Article 41 – Governor – Executive and Administrative Departments**

33 **4–407.**

1           NOTWITHSTANDING THE PROVISIONS OF § 4-403 OF THIS SUBTITLE, FOR  
2 EACH OF FISCAL YEARS 2011 THROUGH 2015:

3           (1) TOTAL FUNDING FOR STATE AID FOR POLICE PROTECTION  
4 UNDER THIS SUBTITLE SHALL BE \$45,420,982; AND

5           (2) EACH SUBDIVISION OR MUNICIPALITY SHALL RECEIVE THE  
6 SAME STATE FUNDING UNDER THIS SUBTITLE THAT THE SUBDIVISION OR  
7 MUNICIPALITY RECEIVED IN FISCAL YEAR 2010.

8   Article - Agriculture

9 8-405.

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

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

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

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

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

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

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

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

22   Article - Commercial Law

23 15-607.

24           (A) Wages, due from or payable by the State, or a county, municipal  
25 corporation, or other political subdivision, and the public officers of the State or a  
26 county, municipal corporation, or other political subdivision to an individual, are  
27 subject to attachment process brought for the enforcement of the private legal  
28 obligations of the individual in the same manner and to the same extent as if the  
29 State, county, municipal corporation, or other political subdivision, and their  
30 respective public officers, were a private person.



1           **(B) THE STATE, OR A COUNTY, MUNICIPAL CORPORATION, OR OTHER**  
2 **POLITICAL SUBDIVISION, AND THEIR RESPECTIVE PUBLIC OFFICERS, MAY**  
3 **DEDUCT AND RETAIN FROM THE INDIVIDUAL’S WAGES AN ADDITIONAL FEE OF**  
4 **\$2 FOR EACH DEDUCTION MADE UNDER THE ATTACHMENT PROCESS OF THIS**  
5 **SUBTITLE OR UNDER TITLE 31, § 3720D OF THE UNITED STATES CODE.**

6 17–311.

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

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

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

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

19           **(2) A statement that information concerning the amount or description**  
20 **of the property and the name and address of the person who held the property may be**  
21 **obtained by any person who possesses an interest in the property, by addressing an**  
22 **inquiry to the Administrator; and**

23           **(3) A statement that a proof of claim may be presented by the owner to**  
24 **the Administrator.**

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

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

32           **(B) (1) THE ADMINISTRATOR SHALL MAINTAIN OR CAUSE TO BE**  
33 **MAINTAINED AN ABANDONED PROPERTY DATABASE.**

34           **(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT**  
35 **REQUIRED BY § 17–310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO**

1 THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN  
2 ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.

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

5 (I) PROVIDES REASONABLE MEANS BY WHICH A PERSON  
6 MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS  
7 SUBSECTION;

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

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

15 (IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM  
16 FORM.

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

19 (2) THE NOTICE SHALL:

20 (I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR  
21 QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH  
22 COUNTY OF THE STATE; AND

23 (II) CONTAIN:

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

27 2. A STATEMENT THAT ANY PERSON MAY SEARCH  
28 THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE  
29 ADMINISTRATOR'S INTERNET WEBSITE; AND

30 3. THE ADDRESS OF THE INTERNET WEBSITE.

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

5 (e) The mailed notice shall contain:

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

8 (2) The name and address of the person who held the property and  
9 any necessary information regarding any change of the name or address of the holder;  
10 and

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

### 13 Article – Courts and Judicial Proceedings

14 2-512.

15 (a) Each circuit court judge shall have one law clerk, to be employed by the  
16 State.

17 (b) The budget for the Administrative Office of the Courts shall include funds  
18 to employ one law clerk for each circuit court judge.

19 **(c) (1) EACH COUNTY AND BALTIMORE CITY SHALL REIMBURSE THE**  
20 **ADMINISTRATIVE OFFICE OF THE COURTS FOR 100% OF THE SALARY AND**  
21 **OTHER EXPENSES TO EMPLOY ONE LAW CLERK FOR EACH CIRCUIT COURT**  
22 **JUDGE IN THE COUNTY OR BALTIMORE CITY.**

23 **(2) THE AMOUNTS RECEIVED UNDER THIS SUBSECTION SHALL BE**  
24 **CREDITED TO A SPECIAL FUND, TO BE USED ONLY TO PROVIDE FUNDS TO**  
25 **EMPLOY LAW CLERKS FOR EACH CIRCUIT COURT JUDGE AS PROVIDED IN THIS**  
26 **SECTION.**

27 **(3) NOTWITHSTANDING TITLE 2, SUBTITLE 6 OF THE TAX –**  
28 **GENERAL ARTICLE, IF THE ADMINISTRATIVE OFFICE OF THE COURTS**  
29 **CERTIFIES TO THE COMPTROLLER THAT A COUNTY OR BALTIMORE CITY IS**  
30 **MORE THAN 90 DAYS IN ARREARS IN PAYING THE AMOUNTS DUE UNDER THIS**  
31 **SUBSECTION, THE COMPTROLLER SHALL WITHHOLD FROM THE COUNTY**  
32 **INCOME TAX OTHERWISE DUE TO BE DISTRIBUTED TO THE COUNTY OR**  
33 **BALTIMORE CITY AND SHALL PAY TO THE ADMINISTRATIVE OFFICE OF THE**  
34 **COURTS THE AMOUNT DUE.**

1 **Article – Economic Development**

2 4–216.

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

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

9 10–523.

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

15 1. **FOR FISCAL YEAR 2010, \$2,750,000;**16 2. **FOR FISCAL YEAR 2011, \$850,000;**17 3. **FOR FISCAL YEAR 2012, \$850,000;**18 4. **FOR FISCAL YEAR 2013, \$1,750,000;**19 5. **FOR FISCAL YEAR 2014, \$2,750,000; AND**20 6. **FOR EACH OF FISCAL YEARS 2015 THROUGH 2020,**  
21 **\$4,000,000.**

22 10–640.

23 (G) **GENERAL FUNDS OF THE STATE MAY NOT BE USED TO PAY ANY**  
24 **OBLIGATION OF THE AUTHORITY UNDER SUBSECTION (F) OF THIS SECTION.**

25 10–643.

26 (G) **GENERAL FUNDS OF THE STATE MAY NOT BE USED TO PAY ANY**  
27 **OBLIGATION OF THE AUTHORITY UNDER SUBSECTION (F) OF THIS SECTION.**

28 **Article – Education**

29 5–202.

- 1           (a)    (13)  “Target per pupil foundation amount” means[:
- 2                           (i)    In fiscal years 2008, 2009, and 2010,] \$6,694[;
- 3                           (ii)  Except as provided in item (iii) of this paragraph, in  
4 subsequent fiscal years:
- 5                                1.    The target per pupil foundation amount for the prior  
6 fiscal year increased by the same percentage as the lesser of:
- 7                                    A.    The increase in the implicit price deflator for State  
8 and local government expenditures for the second prior fiscal year;
- 9                                    B.    The Consumer Price Index for all urban consumers for  
10 the Washington–Baltimore metropolitan area, or any successor index, for the second  
11 prior fiscal year; or
- 12                                   C.    5%; or
- 13                                2.    If there is no increase in the implicit price deflator for  
14 State and local government expenditures for the second prior fiscal year or in the  
15 Consumer Price Index for all urban consumers for the Washington–Baltimore  
16 metropolitan area, or any successor index, for the second prior fiscal year, the target  
17 per pupil foundation amount for the prior fiscal year; and
- 18                           (iii)  In fiscal year 2012:
- 19                                1.    The target per pupil foundation amount for the prior  
20 fiscal year increased by the same percentage as the lesser of:
- 21                                    A.    The increase in the implicit price deflator for State  
22 and local government expenditures for the second prior fiscal year;
- 23                                    B.    The Consumer Price Index for all urban consumers for  
24 the Washington–Baltimore metropolitan area, or any successor index, for the second  
25 prior fiscal year; or
- 26                                   C.    1%; or
- 27                                2.    If there is no increase in the implicit price deflator for  
28 State and local government expenditures for the second prior fiscal year or in the  
29 Consumer Price Index for all urban consumers for the Washington–Baltimore  
30 metropolitan area, or any successor index, for the second prior fiscal year, the target  
31 per pupil foundation amount for the prior fiscal year].
- 32 5–205.

1 (c) (1) In this subsection, “full-time equivalent enrollment” has the  
2 meaning stated in § 5–202 of this subtitle.

3 (2) [Subject to the limitations under paragraph (3) of this subsection,  
4 for] **FOR** fiscal year [2004] **2011** and every year thereafter, the amount of a county’s  
5 base grant for student transportation shall be equal to the amount of the county’s base  
6 grant for student transportation for the previous year [increased by the same  
7 percentage as the increase in the private transportation category of the Consumer  
8 Price Index for all urban consumers, for the Washington–Baltimore metropolitan area,  
9 as of July of the fiscal year preceding the year for which the amount is being  
10 calculated,] plus an additional amount equal to the product of:

11 (i) The total amount of funds distributed by the State as base  
12 grants for student transportation for the previous fiscal year divided by the statewide  
13 full-time equivalent enrollment for the previous fiscal year; and

14 (ii) The difference between the full-time equivalent enrollment  
15 in a county for the current fiscal year and the full-time equivalent enrollment in the  
16 county for the previous fiscal year, or, if the full-time equivalent enrollment in a  
17 county for the current fiscal year is less than the full-time equivalent enrollment in  
18 the county for the previous fiscal year, zero.

19 [(3) (i) Except as provided in subparagraph (ii) of this paragraph,  
20 the increase in the amount of a base grant for student transportation that is based on  
21 the increase in the private transportation category of the Consumer Price Index may  
22 not be less than 3 percent nor more than 8 percent of the amount of the grant for the  
23 previous year.

24 (ii) For fiscal year 2012, the increase in the amount of a base  
25 grant for student transportation that is based on the increase in the private  
26 transportation category of the Consumer Price Index may not be more than 1 percent  
27 of the amount of the grant for the previous year.]

28 5–206.

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

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

34 (i) In fiscal year 2011, the following amounts for the following  
35 counties:

36 1. Allegany County .....\$97,791;

1	2.	Anne Arundel County .....	\$506,038;
2	3.	Baltimore City .....	\$1,387,924;
3	4.	Baltimore County .....	\$874,227;
4	5.	Calvert County .....	\$38,292;
5	6.	Caroline County.....	\$50,074;
6	7.	Carroll County .....	\$137,261;
7	8.	Cecil County.....	\$96,024;
8	9.	Charles County .....	\$50,074;
9	10.	Dorchester County .....	\$38,292;
10	11.	Frederick County.....	\$182,622;
11	12.	Garrett County .....	\$38,292;
12	13.	Harford County.....	\$217,379;
13	14.	Howard County.....	\$87,776;
14	15.	Kent County.....	\$38,292;
15	16.	Montgomery County.....	\$602,651;
16	17.	Prince George’s County.....	\$1,209,426;
17	18.	Queen Anne’s County.....	\$50,074;
18	19.	St. Mary’s County .....	\$50,074;
19	20.	Somerset County .....	\$38,292;
20	21.	Talbot County .....	\$38,292;
21	22.	Washington County.....	\$134,904;
22	23.	Wicomico County .....	\$106,627; and
23	24.	Worcester County .....	\$38,292;

1			
2	counties:	[(ii)	In fiscal year 2012, the following amounts for the following
3		1.	Allegany County .....\$166,000;
4		2.	Anne Arundel County .....\$859,000;
5		3.	Baltimore City .....\$2,356,000;
6		4.	Baltimore County .....\$1,484,000;
7		5.	Calvert County .....\$65,000;
8		6.	Caroline County.....\$85,000;
9		7.	Carroll County .....\$233,000;
10		8.	Cecil County.....\$163,000;
11		9.	Charles County .....\$85,000;
12		10.	Dorchester County .....\$65,000;
13		11.	Frederick County.....\$310,000;
14		12.	Garrett County .....\$65,000;
15		13.	Harford County.....\$369,000;
16		14.	Howard County.....\$149,000;
17		15.	Kent County.....\$65,000;
18		16.	Montgomery County.....\$1,023,000;
19		17.	Prince George's County.....\$2,053,000;
20		18.	Queen Anne's County.....\$85,000;
21		19.	St. Mary's County .....\$85,000;
22		20.	Somerset County .....\$65,000;
23		21.	Talbot County .....\$65,000;
24		22.	Washington County.....\$229,000;



1                                   23.   Wicomico County ..... \$181,000; and

2                                   24.   Worcester County .....\$65,000;] and

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

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

13   5–207.

14                                   (a)   (4)   “Compensatory education per pupil amount” means 97% of the  
15 annual per pupil foundation amount calculated under § 5–202 of this subtitle  
16 multiplied by the State share of compensatory education funding.

17   5–208.

18                                   (a)   (6)   “LEP per pupil amount” means 99% of the annual per pupil  
19 foundation amount calculated under § 5–202 of this subtitle multiplied by the State  
20 share of LEP funding.

21   5–209.

22                                   (a)   (7)   “Special education per pupil amount” means 74% of the annual per  
23 pupil foundation amount calculated under § 5–202 of this subtitle multiplied by the  
24 State share of special education funding.

25   8–310.3.

26                                   (a)   (4)   “Per pupil basic current expense figure” means the figure  
27 calculated for each fiscal year by the Department in accordance with § 5–202 of this  
28 article.

29                                   (b)   (1)   Except as provided in paragraph (2) of this subsection, the  
30 Maryland School for the Deaf shall receive an appropriation equal to or greater than  
31 the sum of:

32   (i)   75% of the prior year appropriation multiplied by the  
33 product of:

1                                   1.     The sum of the weighted enrollment growth plus one;  
2 and

3                                   2.     The sum of the growth in the per pupil basic current  
4 expense figure plus one; and

5                                   (ii)   25% of the prior year appropriation multiplied by the sum of  
6 the weighted enrollment growth plus one.

7                                   (2)   The minimum appropriation required under paragraph (1) of this  
8 subsection may be reduced to the extent reductions are made to the administrative  
9 expenses of the Maryland School for the Deaf.

10 8–317.

11                   (a)   (4)   “Per pupil basic current expense figure” means the figure  
12 calculated for each fiscal year by the Department in accordance with § 5–202 of this  
13 article.

14                   (b)   (1)   Except as provided in paragraph (2) of this subsection and  
15 subsection (c) of this section, the Maryland School for the Blind shall receive an  
16 appropriation equal to or greater than the sum of:

17                                   (i)   75% of the prior year appropriation multiplied by the  
18 product of:

19                                   1.     The sum of the weighted enrollment growth plus one;  
20 and

21                                   2.     The sum of the growth in the per pupil basic current  
22 expense figure plus one; and

23                                   (ii)   25% of the prior year appropriation multiplied by the sum of  
24 the weighted enrollment growth plus one.

25                                   (2)   The minimum appropriation required under paragraph (1) of this  
26 subsection may be reduced to the extent reductions are made to the administrative  
27 expenses of the Maryland School for the Blind.

28                   (c)   The “prior year appropriation” used to calculate the fiscal year 2000  
29 appropriation to the Maryland School for the Blind shall be \$11,585,436.

30 8–417.

31                   (a)   (1)   In this section the following words have the meanings indicated.

32                                   (2)   “Nonpublic general education school” means a nonpublic school  
33 approved under COMAR 13A.09.10 pursuant to § 2–206 of this article and operated in

1 conjunction with residential or nonresidential child care programs licensed or  
2 approved by the Department, the Department of Health and Mental Hygiene, the  
3 Department of Human Resources, or the Department of Juvenile Services.

4 (3) “Nonresidential child care program” means a program that:

5 (i) Provides services for children in a nonresidential setting,  
6 designed to achieve objectives related to the needs of children at risk of out-of-home  
7 placement; and

8 (ii) Is licensed or approved by the Department of Health and  
9 Mental Hygiene, the Department of Human Resources, or the Department of Juvenile  
10 Services.

11 (4) “Residential child care program” means a program that:

12 (i) Provides care for children 24 hours a day within a  
13 structured set of services and activities designed to achieve objectives related to the  
14 needs of the children served; and

15 (ii) Is licensed by the Department of Health and Mental  
16 Hygiene, the Department of Human Resources, or the Department of Juvenile  
17 Services.

18 (b) (1) The Department of Education, as the fiscal agent of the Children’s  
19 Cabinet Fund under Title 8, Subtitle 5 of the Human Services Article, shall administer  
20 and implement a redesigned rate setting process for nonpublic general education  
21 schools, residential child care programs, and nonresidential child care programs.

22 (2) The Department of Human Resources, the Department of Juvenile  
23 Services, the Department of Budget and Management, the Department of Health and  
24 Mental Hygiene, and the Governor’s Office for Children shall participate with the  
25 Department in the development and implementation of rates in programs licensed or  
26 approved by those agencies to the extent required by federal and State law.

27 (c) (1) A decision as to the amount or implementation of rates established  
28 under this section may be appealed by sending a written request for appeal to the  
29 Children’s Cabinet.

30 (2) The request shall set forth the specific objections to the decision as  
31 to the amount or implementation of rates established under this section.

32 (3) The Children’s Cabinet or designees shall issue a final, binding  
33 opinion upholding, reversing, or modifying the rates set by the Interagency Rates  
34 Committee within 30 days after receipt of the request for appeal.

1           **(D) FOR FISCAL YEAR 2011 OR ANY FISCAL YEAR THEREAFTER, ANY**  
2 **RATE ESTABLISHED UNDER THIS SECTION MAY NOT EXCEED A RATE EQUAL TO**  
3 **3% LESS THAN THE RATE IN EFFECT ON JANUARY 20, 2010.**

4 8-710.

5           (a) In addition to the funds disbursed in accordance with § 8-709 of this  
6 subtitle, [the Governor shall appropriate funds] **EACH COUNTY BOARD SHALL PAY** to  
7 the Department **AN AMOUNT DETERMINED** in accordance with this section to cover  
8 the transportation, boarding, and administrative costs of a program.

9           (b) [(1) Subject to paragraph (3) of this subsection, beginning in fiscal year  
10 2009, the Governor shall appropriate at] **THE DEPARTMENT SHALL DETERMINE:**

11                   **(1) THE TOTAL TRANSPORTATION, BOARDING, AND**  
12 **ADMINISTRATIVE COSTS OF A PROGRAM TO BE PAID BY THE COUNTY BOARDS**  
13 **UNDER THIS SECTION EQUAL TO:**

14                           **(I) AT** least \$2,000,000 [to the Department] in order for a  
15 program to serve up to 80 students[.]; **AND**

16                                   **[(2) (II) For** each additional 10 students enrolled in a program, [as  
17 reported by the Department, the Governor shall appropriate] an additional \$250,000;  
18 **AND**

19                                   **(2) A PER PUPIL SHARE OF THE TOTAL COSTS DETERMINED**  
20 **UNDER ITEM (1) OF THIS SUBSECTION.**

21                                   **[(3) The** total amount of funds appropriated under this subsection may  
22 not exceed \$10,000,000 for any fiscal year.]

23           **(C) EACH COUNTY BOARD SHALL PAY TO THE DEPARTMENT THE PER**  
24 **PUPIL SHARE DETERMINED UNDER SUBSECTION (B) OF THIS SECTION FOR**  
25 **EACH STUDENT WHO PARTICIPATES IN A PROGRAM BUT IS DOMICILED IN THE**  
26 **COUNTY.**

27           **[(c) (D) This** section may not be construed to prohibit a program from  
28 receiving funds from private, federal, or other sources.

29 14-405.

30           (b) (2) (i) For fiscal year 1993, the grant shall be as provided for in the  
31 State fiscal year 1993 appropriation.

1                    [(ii) For fiscal year 1994 and each year thereafter, the proposed  
2 grant shall be equal to the grant of the prior year augmented by funds required to  
3 offset inflation as indicated by the implicit price deflator for State and local  
4 government.]

5                    **(ii) IN EACH FISCAL YEAR BEGINNING WITH FISCAL YEAR**  
6 **2011, THE PROPOSED GRANT SHALL BE EQUAL TO THE GRANT OF THE PRIOR**  
7 **YEAR.**

8 16–305.

9            (c)    (1)    [(i) The] **FOR EACH FISCAL YEAR, THE** total State operating  
10 fund [per full–time equivalent student] to the community colleges for each fiscal year  
11 as requested by the Governor shall be[:

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

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

22                    3.    In fiscal year 2011, not less than an amount equal to  
23 24% of the State’s General Fund appropriation per full–time equivalent student to the  
24 4–year public institutions of higher education in the State as designated by the  
25 Commission for the purpose of administering the Joseph A. Sellinger Program under  
26 Title 17 of this article in the same fiscal year;

27                    4.    In fiscal year 2012, not less than an amount equal to  
28 25% of the State’s General Fund appropriation per full–time equivalent student to the  
29 4–year public institutions of higher education in the State as designated by the  
30 Commission for the purpose of administering the Joseph A. Sellinger Program under  
31 Title 17 of this article in the same fiscal year;

32                    5.    In fiscal year 2013, not less than an amount equal to  
33 27% of the State’s General Fund appropriation per full–time equivalent student to the  
34 4–year public institutions of higher education in the State as designated by the  
35 Commission for the purpose of administering the Joseph A. Sellinger Program under  
36 Title 17 of this article in the same fiscal year; and

37                    6.    In fiscal year 2014 and in each fiscal year thereafter,  
38 not less than an amount equal to 29% of the State’s General Fund appropriation per

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

4 (ii) For purposes of this subsection, the State's General Fund  
5 appropriation per full-time equivalent student to the 4-year public institutions of  
6 higher education in the State for a fiscal year shall include noncapital appropriations  
7 from the Higher Education Investment Fund] **AN AMOUNT EQUAL TO NOT LESS**  
8 **THAN \$2,050 PER FULL-TIME EQUIVALENT STUDENT.**

9 17-103.

10 (a) The Maryland Higher Education Commission shall determine which  
11 institutions are eligible for aid under this subtitle.

12 (b) To qualify for State aid under this subtitle, an institution of higher  
13 education shall **HAVE A TOTAL ENDOWMENT OF LESS THAN \$1,000,000,000 AND**  
14 **SHALL:**

15 (1) Be:

16 (i) A nonprofit private college or university that was  
17 established in the State before July 1, 1970;

18 (ii) A nonprofit private institution of higher education that  
19 formerly received State aid as a component of a private college or university that was  
20 established in this State before July 1, 1970; or

21 (iii) A private nonprofit institution of higher education that is  
22 established in this State and grants an associate of arts degree;

23 (2) Be approved by the Maryland Higher Education Commission;

24 (3) Be accredited by the Commission on Higher Education of the  
25 Middle States Association of Colleges and Schools;

26 (4) Have awarded the associate of arts or baccalaureate degrees to at  
27 least one graduating class;

28 (5) Maintain one or more earned degree programs, other than  
29 seminarian or theological programs, leading to an associate of arts or baccalaureate  
30 degree; and

31 (6) Submit each new program and each major modification of an  
32 existing program to the Maryland Higher Education Commission for its review and  
33 recommendation as to the initiation of the new or modified program.

1 17–104.

2 (a) [The] **FOR EACH FISCAL YEAR, THE** Maryland Higher Education  
3 Commission shall compute the amount of the annual apportionment for each  
4 institution that qualifies under this subtitle by multiplying the number of full–time  
5 equivalent students enrolled at the institution during the fall semester of the fiscal  
6 year preceding the fiscal year for which the aid apportionment is made, as determined  
7 by the Maryland Higher Education Commission by[:

8 (1) In fiscal year 2009, an amount not less than 16% of the State’s  
9 General Fund per full–time equivalent student appropriation to the 4–year public  
10 institutions of higher education in this State for the preceding fiscal year;

11 (2) In fiscal year 2010, an amount not less than 12.85% of the State’s  
12 General Fund per full–time equivalent student appropriation to the 4–year public  
13 institutions of higher education in the State for the same fiscal year;

14 (3) In fiscal year 2011, an amount not less than 13% of the State’s  
15 General Fund per full–time equivalent student appropriation to the 4–year public  
16 institutions of higher education in this State for the same fiscal year;

17 (4) In fiscal year 2012, an amount not less than 13.5% of the State’s  
18 General Fund per full–time equivalent student appropriation to the 4–year public  
19 institutions of higher education in this State for the same fiscal year;

20 (5) In fiscal year 2013, an amount not less than 14% of the State’s  
21 General Fund per full–time equivalent student appropriation to the 4–year public  
22 institutions of higher education in this State for the same fiscal year;

23 (6) In fiscal year 2014, an amount not less than 14.5% of the State’s  
24 General Fund per full–time equivalent student appropriation to the 4–year public  
25 institutions of higher education in this State for the same fiscal year; and

26 (7) In fiscal year 2015 and each fiscal year thereafter, an amount not  
27 less than 15.5% of the State’s General Fund per full–time equivalent student  
28 appropriation to the 4–year public institutions of higher education in this State for the  
29 same fiscal year] **AN AMOUNT NOT LESS THAN \$717.**

30 **Article – Environment**

31 4–411.

32 (f) There is a Maryland Oil Disaster Containment, Clean–Up and  
33 Contingency Fund for the Department to use to develop equipment, personnel, and  
34 plans; for contingency actions to respond to, contain, clean–up, and remove from the  
35 land and waters of the State discharges of oil, petroleum products, and their  
36 by–products into, upon, or adjacent to the waters of the State; and restore natural

1 resources damaged by discharges. **THE FUND MAY ALSO BE USED BY THE**  
 2 **DEPARTMENT FOR WATER POLLUTION CONTROL PROGRAMS.** The cost of  
 3 containment, clean-up, removal, and restoration, including attorneys' fees and  
 4 litigation costs, shall be reimbursed to the State by the person responsible for the  
 5 discharge. The reimbursement shall be credited to the Fund. The Fund shall be  
 6 limited in accordance with the limits set forth in this section. To this sum shall be  
 7 credited every license fee, fine, if imposed by the circuit court for any county, and any  
 8 other charge related to this subtitle. To this Fund shall be charged every expense the  
 9 Department of the Environment has which relates to this section.

10 (g) Money in the Fund not needed currently to meet the Department of the  
 11 Environment's obligations in the exercise of its responsibility under this section shall  
 12 be deposited with the State Treasurer to the credit of the Fund, and may be invested  
 13 as provided by law. Interest received on the investment shall be credited to the Fund.  
 14 The Secretary of the Environment shall determine the proper allocation of the moneys  
 15 credited to the Fund only for the following purposes:

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

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

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

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

26 **(5) EXPENSES RELATED TO THE DEPARTMENT'S WATER**  
 27 **POLLUTION CONTROL PROGRAMS.**

## 28 **Article – Health – General**

29 2-301.

30 The Governor shall include in the State budget, beginning with fiscal year 1997,  
 31 [at a minimum, sufficient] funds for local health services as required by this subtitle.

32 2-302.

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



1 (b) The funding shall be:

2 (1) [\$41.0 million for fiscal year 1997] **\$37,283,484 IN EACH OF**  
3 **FISCAL YEARS 2011 AND 2012, TO BE DISTRIBUTED AS FOLLOWS:**

- 4 (I) ALLEGANY COUNTY ..... **\$908,719;**
- 5 (II) ANNE ARUNDEL COUNTY ..... **\$3,141,951;**
- 6 (III) BALTIMORE CITY ..... **\$6,675,053;**
- 7 (IV) BALTIMORE COUNTY ..... **\$4,302,255;**
- 8 (V) CALVERT COUNTY ..... **\$369,812;**
- 9 (VI) CAROLINE COUNTY..... **\$538,253;**
- 10 (VII) CARROLL COUNTY ..... **\$1,231,995;**
- 11 (VIII) CECIL COUNTY ..... **\$806,392;**
- 12 (IX) CHARLES COUNTY ..... **\$994,528;**
- 13 (X) DORCHESTER COUNTY ..... **\$428,709;**
- 14 (XI) FREDERICK COUNTY ..... **\$1,512,159;**
- 15 (XII) GARRETT COUNTY ..... **\$437,403;**
- 16 (XIII) HARFORD COUNTY ..... **\$1,737,473;**
- 17 (XIV) HOWARD COUNTY ..... **\$1,215,070;**
- 18 (XV) KENT COUNTY..... **\$335,941;**
- 19 (XVI) MONTGOMERY COUNTY ..... **\$3,014,680;**
- 20 (XVII) PRINCE GEORGE’S COUNTY..... **\$5,007,057;**
- 21 (XVIII) QUEEN ANNE’S COUNTY ..... **\$417,744;**
- 22 (XIX) ST. MARY’S COUNTY ..... **\$808,576;**
- 23 (XX) SOMERSET COUNTY ..... **\$429,385;**

1                   **(XXI) TALBOT COUNTY.....\$328,705;**

2                   **(XXII) WASHINGTON COUNTY .....\$1,381,306;**

3                   **(XXIII) WICOMICO COUNTY.....\$947,374; AND**

4                   **(XXIV) WORCESTER COUNTY .....\$312,944; and**

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

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

10                   (ii) Population] **POPULATION** growth, as measured by the  
11 growth in the total population of the State of Maryland for the second preceding fiscal  
12 year, according to the most recent statistics available through the Department of  
13 Health and Mental Hygiene.

14                   (c) [(1) For fiscal year 1997, no subdivision may receive less State funding  
15 for local health services under this section than that subdivision received in fiscal year  
16 1996.

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

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

24 13–1015.

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

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

31                   (2) Media campaigns educating the public about the dangers of  
32 secondhand smoke exposure;

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

3           (4)    Promotion and implementation of smoking cessation programs;  
4 and

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

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

9 13-1116.

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

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

18 13-1117.

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

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

27 13-1118.

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

32                           **(II)    For fiscal year [2010 and fiscal year 2011] 2013 AND EACH**  
33 **FISCAL YEAR THEREAFTER**, the Governor shall include at least \$1,900,000 in the

1 annual budget in appropriations for the Statewide Academic Health Center Network  
2 Grant under this section.

3 13–2206.

4 (a) In fiscal year 2007, the Governor shall include in the State budget an  
5 appropriation in the amount of \$225,000 for the Child Abuse Medical Providers  
6 (Maryland CHAMP) Initiative.

7 (b) In each fiscal year beginning with fiscal ~~[2008]~~ **2011**, the Governor shall  
8 include in the annual budget bill submitted to the General Assembly a General Fund  
9 appropriation for the Child Abuse Medical Providers (Maryland CHAMP) Initiative in  
10 an amount not less than the amount of the General Fund appropriation for the  
11 Initiative as approved in the State budget as enacted by the General Assembly for the  
12 prior fiscal year~~], increased by not less than the percentage by which the projected~~  
13 ~~total General Fund revenues for the upcoming fiscal year exceed the revised estimate~~  
14 ~~of total General Fund revenues for the current fiscal year, as contained in the report of~~  
15 ~~the estimated State revenues submitted by the Board of Revenue Estimates to the~~  
16 ~~Governor under § 6–106(b) of the State Finance and Procurement Article].~~

17 18–108.

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

20 19–310.1.

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

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

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

30 ~~[(4) (3) The assessment authorized by this section shall be paid by~~  
31 ~~each nursing facility in accordance with this section.~~

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

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

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

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

10 19–14B–01.

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

14   **Article – Insurance**

15 14–106.

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

- 19                               (i)     offer health care products in the individual market;
- 20                               (ii)    offer health care products in the small employer group  
21 market in accordance with Title 15, Subtitle 12 of this article;
- 22                               (iii)  subsidize the Senior Prescription Drug Assistance Program  
23 established under Subtitle 5, Part II of this title;
- 24                               (iv)  subsidize the [Maryland Pharmacy Discount Program]  
25 **KIDNEY DISEASE PROGRAM ESTABLISHED** under [§ 15–124.1] **TITLE 13,**  
26 **SUBTITLE 3** of the Health – General Article; and

- 27                               (v)    support the costs of the Community Health Resources  
28 Commission under Title 19, Subtitle 21 of the Health – General Article, including:
  - 29   1.     operating grants to community health resources;
  - 30   2.     funding for a unified data information system;
  - 31   3.     the documented direct costs of fulfilling the statutory  
32 and regulatory duties of the Commission; and

1 4. the administrative costs of the Commission.

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

5 1. \$2,000,000 in fiscal year 2006; and

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

8 A. the subsidy required under this subsection for the  
9 Senior Prescription Drug Assistance Program;

10 B. the subsidy required under this subsection for the  
11 Maryland Pharmacy Discount Program; and

12 C. the funding required under this subsection for the  
13 unified data information system.

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

16 1. \$500,000 in fiscal year 2006; and

17 2. \$300,000 in fiscal year 2007 and annually thereafter.

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

20 1. \$500,000 in fiscal year 2006; and

21 2. \$1,700,000 in fiscal year 2007 and annually  
22 thereafter] **\$3,000,000.**

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

27 **1. THE SUBSIDY REQUIRED UNDER THIS**  
28 **SUBSECTION FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM;**  
29 **AND**

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

3                                   **(III) OF THE SUBSIDY PROVIDED TO THE KIDNEY DISEASE**  
4 **PROGRAM UNDER THIS SUBSECTION, THE SECRETARY OF HEALTH AND**  
5 **MENTAL HYGIENE MAY TRANSFER ANY AMOUNTS RECEIVED BUT NOT SPENT BY**  
6 **THE KIDNEY DISEASE PROGRAM TO THE COMMUNITY HEALTH RESOURCES**  
7 **COMMISSION FUND ESTABLISHED UNDER § 19-2201 OF THE**  
8 **HEALTH – GENERAL ARTICLE.**

9                                   **Article – Labor and Employment**

10 2–107.

11                   **[(g) (F)** Notwithstanding the funding provisions of § 3–919 of this article,  
12 for fiscal year **[2007] 2011** and for each subsequent fiscal year, the Governor shall  
13 include in the annual budget bill submitted to the General Assembly an appropriation  
14 for the Division of Labor and Industry sufficient to implement the provisions of this  
15 section, including **[amounts] AN AMOUNT** not less than**[:**

16                   **(1)]** \$315,000 for implementation of the Employment Standards Service  
17 Unit in the Division**[:** and

18                   **(2)** \$385,000 for implementation of the Prevailing Wage Unit in the  
19 Division**].**

20                                   **Article – State Finance and Procurement**

21 7–325.

22                   **(a)** For each fiscal year, the Governor shall include in the annual budget bill  
23 submitted to the General Assembly a General Fund appropriation for the Maryland  
24 State Arts Council in an amount not less than **[the amount of the General Fund**  
25 **appropriation for the Council as approved in the State budget as enacted by the**  
26 **General Assembly for the prior fiscal year, increased by not less than the percentage**  
27 **by which the projected total General Fund revenues for the upcoming fiscal year**  
28 **exceed the revised estimate of total General Fund revenues for the current fiscal year,**  
29 **as contained in the report of estimated State revenues submitted by the Board of**  
30 **Revenue Estimates to the Governor under § 6–106(b) of this article] \$6,500,000.**

31                                   **Article – State Personnel and Pensions**

32 2–509.1.





- 1                   **3. A PRINCIPAL;**
- 2                   **4. A SUPERINTENDENT;**
- 3                   **5. A SUPERVISOR; OR**
- 4                   **6. A TEACHER;**

5                   **(II) LIBRARIANS OR CLERICAL EMPLOYEES OF A LIBRARY**  
6 **THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR**

7                   **(III) FACULTY, PROFESSIONAL, OR CLERICAL EMPLOYEES OF**  
8 **A COMMUNITY COLLEGE THAT IS ESTABLISHED UNDER THE EDUCATION**  
9 **ARTICLE.**

10                  **(6) “LOCAL SHARE” MEANS 50% OF THE TOTAL EMPLOYER**  
11 **CONTRIBUTION FOR LOCAL EMPLOYEES.**

12                  **[(5)] (7)** “State member” does not include a member on whose behalf  
13 a participating governmental unit is required to make an employer contribution under  
14 § 21–305 or § 21–306 of this subtitle.

15                  **(8) “TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES”**  
16 **MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER**  
17 **SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO THE LOCAL**  
18 **EMPLOYEES OF EACH COUNTY.**

19                  (b) (1) **[Each] SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS**  
20 **SUBSECTION, EACH** fiscal year, on behalf of the State members of each State system,  
21 the State shall pay to the appropriate accumulation fund an amount equal to or  
22 greater than the sum of the amount, if any, required to be included in the budget bill  
23 under § 3–501(c)(2)(ii) of this article and the product of multiplying:

24                                  (i) the aggregate annual earnable compensation of the State  
25 members of that State system; and

26                                  (ii) 1. for State members of the Law Enforcement Officers’  
27 Retirement System, State Police Retirement System, and the Judges’ Retirement  
28 System, the sum of the normal contribution rate and the accrued liability contribution  
29 rate, as determined under this section;

30                                  2. for State members of the Employees’ Pension System,  
31 Employees’ Retirement System, Correctional Officers’ Retirement System, and  
32 Legislative Pension Plan, the employees’ systems contribution rate determined under  
33 subsection (e) of this section; or

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

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

7                               (i)    the entry–age actuarial cost method; and

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

9                               (3)    For the purpose of making the determinations required under this  
10 section:

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

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

16                              **(4) (I) THIS PARAGRAPH DOES NOT APPLY TO BALTIMORE**  
17 **CITY COMMUNITY COLLEGE.**

18                              **(II) BEGINNING JULY 1, 2011, ON BEHALF OF THE LOCAL**  
19 **EMPLOYEES OF EACH COUNTY, EACH COUNTY SHALL PAY EACH FISCAL YEAR TO**  
20 **THE APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO THE LOCAL**  
21 **SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES.**

22                              **(III) 1. FOR A REGIONAL COMMUNITY COLLEGE, AS**  
23 **DEFINED UNDER § 16–202 OF THE EDUCATION ARTICLE, THE OBLIGATION TO**  
24 **PAY THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL**  
25 **EMPLOYEES SHALL BE SHARED BY EACH COUNTY SUPPORTING THE REGIONAL**  
26 **COMMUNITY COLLEGE.**

27                              **2. EACH COUNTY'S SHARE SHALL BE PRORATED BY**  
28 **DIVIDING THE NUMBER OF FULL–TIME EQUIVALENT STUDENTS, AS**  
29 **CALCULATED UNDER § 16–305(B)(7) OF THE EDUCATION ARTICLE FOR THE**  
30 **SECOND PRIOR FISCAL YEAR, WHO ARE ENROLLED AT THE REGIONAL**  
31 **COMMUNITY COLLEGE AND ARE RESIDENTS OF THE COUNTY BY THE TOTAL**  
32 **NUMBER OF FULL–TIME EQUIVALENT STUDENTS, AS CALCULATED UNDER §**  
33 **16–305(B)(7) OF THE EDUCATION ARTICLE FOR THE SECOND PRIOR FISCAL**  
34 **YEAR, WHO ARE RESIDENTS OF THE REGION.**

1           **(5) (I) THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER**  
2 **CONTRIBUTION FOR LOCAL EMPLOYEES AND THE LOCAL SHARE OF THE TOTAL**  
3 **EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES FOR EACH COUNTY SHALL**  
4 **BE THE OBLIGATION OF THE STATE.**

5           **(II) IN ADDITION TO ANY PAYMENTS MADE BY THE STATE**  
6 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE SHALL PAY 100%**  
7 **OF THE AMOUNT DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION**  
8 **FOR THOSE MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM OR TEACHERS'**  
9 **PENSION SYSTEM WHO ARE:**

10                   **1. FACULTY, PROFESSIONAL, OR CLERICAL**  
11 **EMPLOYEES OF BALTIMORE CITY COMMUNITY COLLEGE;**

12                   **2. FACULTY EMPLOYEES OF AN EDUCATIONAL**  
13 **INSTITUTION, OTHER THAN A COMMUNITY COLLEGE, SUPPORTED BY AND**  
14 **UNDER THE CONTROL OF THE STATE; OR**

15                   **3. STAFF EMPLOYEES OF THE UNIVERSITY SYSTEM**  
16 **OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY'S COLLEGE WHO**  
17 **WERE MEMBERS OF THE TEACHERS' PENSION SYSTEM AS OF JANUARY 1, 1998,**  
18 **OR WHO TRANSFERRED FROM THE TEACHERS' RETIREMENT SYSTEM ON OR**  
19 **AFTER JANUARY 1, 1998.**

20 **21-309.1.**

21           **(A) EACH YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO EACH**  
22 **COUNTY THE STATE'S NORMAL CONTRIBUTION RATE AND THE STATE'S**  
23 **ACCRUED LIABILITY CONTRIBUTION RATE AND THE AMOUNTS PAYABLE UNDER**  
24 **§ 21-304(B)(4) OF THIS SUBTITLE.**

25           **(B) (1) EACH COUNTY SHALL PAY TO THE BOARD OF TRUSTEES THE**  
26 **AMOUNT OF THE CHARGES CERTIFIED TO THE COUNTY BY THE BOARD OF**  
27 **TRUSTEES UNDER SUBSECTION (A) OF THIS SECTION.**

28                   **(2) WITHIN 30 DAYS AFTER RECEIVING THE CERTIFICATION BY**  
29 **THE BOARD OF TRUSTEES, THE COUNTY SHALL PAY THAT AMOUNT TO THE**  
30 **BOARD OF TRUSTEES.**

31                   **(3) IF A COUNTY DOES NOT PAY THE AMOUNTS CERTIFIED UNDER**  
32 **THIS SECTION WITHIN THE TIME REQUIRED, THE COUNTY IS LIABLE FOR:**

33                   **(I) A PENALTY OF 10% OF THE AMOUNT DUE; AND**

1   **(II) INTEREST ON DELINQUENT AMOUNTS AT 10% A YEAR**  
2 **UNTIL PAYMENT.**

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

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

10   **(C) ON RECEIPT OF THE PAYMENTS FROM EACH COUNTY, THE BOARD**  
11 **OF TRUSTEES SHALL CREDIT THESE AMOUNTS TO THE ACCUMULATION FUND**  
12 **OF THE APPROPRIATE STATE SYSTEM.**

13 23-212.

14   (c) The contribution rate of a member who is subject to the Alternate  
15 Contributory Pension Selection under Part III of this subtitle is:

16   (1) 3% of the member's earnable compensation received from July 1,  
17 2006 to June 30, 2007, both inclusive;

18   (2) 4% of the member's earnable compensation received from July 1,  
19 2007 to June 30, 2008, both inclusive; [and]

20   (3) 5% of the member's earnable compensation received [on or after]  
21 **FROM July 1, 2008, TO JUNE 30, 2010, BOTH INCLUSIVE; AND**

22   **(4) 7% OF THE MEMBER'S EARNABLE COMPENSATION RECEIVED**  
23 **ON OR AFTER JULY 1, 2010.**

24   **Article – Tax – General**

25 2-202.

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

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

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

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

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

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

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

9 1. 80% of that revenue to the Authority; and

10 2. 20% to the county or municipal corporation.

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

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

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

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

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

21 2-606.

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

26 2-1104.

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

1           (1)    2.3% to the [Chesapeake Bay 2010 Trust Fund] **GENERAL FUND**  
2 **OF THE STATE**; and

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

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

8           (1)    \$6,500,000 to the General Fund of the State; and

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

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

13          (1)    \$8,385,845 to the General Fund of the State; and

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

15 2-1302.1.

16          [(a) Except as provided in subsections (b) and (c) of this section, after] **AFTER**  
17 making the distributions required under §§ 2-1301 and 2-1302 of this subtitle, of the  
18 sales and use tax collected on short-term vehicle rentals under § 11-104(c) of this  
19 article the Comptroller shall distribute:

20          (1)    45% to the Transportation Trust Fund established under § 3-216  
21 of the Transportation Article; and

22          (2)    the remainder to the [Chesapeake Bay 2010 Trust Fund]  
23 **GENERAL FUND OF THE STATE**.

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

28          (1)    \$18,500,000 to the General Fund of the State; and

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

30          (c) For the fiscal year beginning July 1, 2009, after the distribution required  
31 under subsection (a)(1) of this section, the Comptroller shall distribute the remainder

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

- 3 (1) \$13,100,711 to the General Fund of the State; and  
4 (2) the remainder to the Chesapeake Bay 2010 Trust 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 BEGINNING BEFORE JULY 1, 2012**, the  
8 Comptroller shall pay into the Transportation Trust Fund established under § 3-216  
9 of the Transportation Article[:

10 (1) for each fiscal year beginning before July 1, 2013, 5.3%] **2.7%** of  
11 the remaining sales and use tax revenue[; and

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

#### 14 **Article – Transportation**

15 4-321.

16 (e) The Governor shall transfer to the Authority for the Intercounty  
17 Connector:

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

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

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

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

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

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

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

28 7-208.

1 (b) (1) For fiscal year [2009] **2011** and each fiscal year thereafter, the  
2 Administration shall separately recover from fares and other operating revenues at  
3 least [35] **50** percent of the total operating costs for:

4 (i) The Administration's bus, light rail, and Metro subway  
5 services in the Baltimore region; and

6 (ii) All passenger railroad services under the Administration's  
7 control.

8 (2) The Administration shall submit, in accordance with § 2-1246 of  
9 the State Government Article, an annual report to the Senate Budget and Taxation  
10 Committee, House Ways and Means Committee, and House Appropriations  
11 Committee by December 1 of each year that includes:

12 (i) Separate farebox recovery ratios for the prior fiscal year for:

13 1. Bus, light rail, and Metro subway services provided by  
14 the Administration in the Baltimore region;

15 2. Commuter bus service provided under contract to the  
16 Administration in the Baltimore region; and

17 3. Maryland Area Rail Commuter (MARC) service  
18 provided under contract to the Administration;

19 (ii) A discussion of the success or failure to achieve the farebox  
20 recovery requirement established in paragraph (1) of this subsection; and

21 (iii) Comparisons of farebox recovery ratios for the  
22 Administration's mass transit services and other similar transit systems nationwide.

23 10-205.

24 (b) (1) Subject to the appropriation requirements and budgetary  
25 provisions of § 3-216(d) of this article and upon receipt of an approval of a grant  
26 application in such form and detail as the Secretary shall reasonably require, the  
27 Department shall provide for annual grants to the Washington Suburban Transit  
28 District for a share of the operating deficits of the regional transit system for which  
29 the District is responsible. "Operating deficit" means operating costs less:

30 (i) The greater of operating revenues or 50 percent of the  
31 operating costs; and

32 (ii) All federal operating assistance.





1 SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding §  
2 9–305 of the State Personnel and Pensions Article, **OR ANY OTHER PROVISION OF**  
3 **LAW**, an employee entitled to compensation for unused annual leave upon termination  
4 of State employment during a mandatory temporary salary reduction plan shall  
5 receive such compensation at the employee’s rate of compensation in effect  
6 immediately prior to the temporary salary reduction. This section shall be construed to  
7 apply retroactively and shall be applied to and interpreted to affect the calculation of  
8 unused annual leave payouts for employees leaving State employment on or after  
9 February 11, 2009.

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

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

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

22 (b) In the development of a new statewide human resources management  
23 system to address this deficiency, the Department of Budget and Management shall,  
24 in coordination with the Department of Information Technology, take all steps  
25 necessary to scope and define its requirements so as to qualify for funding as a Major  
26 Information Technology Development project supported through the Major  
27 Information Technology Project Development Fund established under § 3A–309 of the  
28 State Finance and Procurement Article.

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

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

1 (e) For fiscal year 2011, the Governor shall include in the State budget  
2 through the mechanism established in this section a charge back of not less than  
3 ~~[\$5,000,000]~~ **\$2,069,344**.

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

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

#### 10 **Article – Transportation**

11 8–403.

12 (a) (1) Subject to [the limitation under paragraph (2) of this subsection  
13 and subject to] §§ 3–307 and 3–308 of this article, during each fiscal year, of the total  
14 highway user revenues, an amount shall be distributed to Baltimore City equal to [the  
15 sum of:

16 (i) The greater of \$157,500,000 or 11.5% of the total highway  
17 user revenues for the fiscal year; and

18 (ii) 11.5% of the amount by which:

19 1. ~~28.5%~~ **8%** of the total highway user revenues for the  
20 fiscal year [minus the greater of \$157,500,000 or 11.5% of total highway user revenues  
21 for the fiscal year; exceeds

22 2. 28.5% of the total highway user revenues for the fiscal  
23 year that began July 1, 1997 minus the greater of \$157,500,000 or 11.5% of the total  
24 highway user revenues for the fiscal year that began July 1, 1997].

25 (2) The amount distributed under this subsection shall be distributed  
26 in monthly installments.

27 (b) Subject to §§ 3–307 and 3–308 of this article, during each fiscal year,  
28 ~~[28.5%]~~ **18.5%** of the total highway user revenues, less the amount distributed to  
29 Baltimore City under subsection (a) of this section, shall be distributed to the counties  
30 and municipalities of this State at the times specified in § 8–407 of this subtitle.

31 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any  
32 other provision of law, on or before June 30, 2010, the Governor may transfer to the  
33 General Fund:

34 \$155,000,000 of the unexpended balance in the Bay Restoration Fund  
35 established under § 9–1605.2 of the Environment Article that is not needed to pay debt

1 service on Revenue Bonds issued by the Water Quality Financing Administration for  
2 the Enhanced Nutrient Removal Program;

3 \$85,051,173 of the funds in the accounts of the University System of Maryland;

4 \$39,693,790, or any balance remaining, of the funds in the Heritage Structure  
5 Rehabilitation Tax Credit Reserve Fund established under § 5A-303 of the State  
6 Finance and Procurement Article;

7 \$25,000,000 of the funds in the Circuit Court Real Property Records  
8 Improvement Fund established by § 13-602 of the Courts and Judicial Proceedings  
9 Article;

10 \$13,509,450 of the funds in the Waterway Improvement Fund established under  
11 § 8-707 of the Natural Resources Article;

12 \$6,000,000 of the funds in the Injured Workers' Insurance Fund reserve for  
13 actuarial liability for claims against the State, established under § 10-104 of the  
14 Labor and Employment Article;

15 \$5,221,332 of the funds in the State Insurance Trust Fund established under §  
16 9-103 of the State Finance and Procurement Article;

17 \$3,628,687 of the unexpended balance in the Neighborhood Business  
18 Development Fund established under § 6-301 of the Housing and Community  
19 Development Article;

20 \$3,401,000 of the unexpended balance in the Ocean Beach Replenishment Fund  
21 established under § 8-1103 of the Natural Resources Article;

22 \$3,000,000 of the funds in the special fund established under § 1-203.3 of the  
23 Corporations and Associations Article;

24 \$2,200,000 of the funds in the Maryland Oil Disaster Containment, Cleanup  
25 and Contingency Fund established under § 4-411 of the Environment Article;

26 \$2,176,565 of the funds in the Special Loan Programs Fund established under §  
27 4-505 of the Housing and Community Development Article;

28 \$2,000,000 of the funds in the Insurance Regulation Fund established under §  
29 2-505 of the Insurance Article;

30 \$1,824,924 of the funds in the Vehicle Theft Prevention Fund established under  
31 § 2-703 of the Public Safety Article;

32 \$1,800,000 of the funds in the Community Health Resources Commission Fund  
33 established under § 19-2201 of the Health – General Article;

- 1           \$1,664,227 of the funds in the accounts of Morgan State University;
- 2           \$1,559,000 of the funds in the Spinal Cord Injury Research Trust Fund  
3 established under § 13-1406 of the Health – General Article;
- 4           \$1,500,000 of the funds in the Land Trust Grant Fund established under §  
5 3-2A-02 of the Natural Resources Article;
- 6           \$1,200,000 of the funds in the Oil Contaminated Site Environmental Cleanup  
7 Fund established under § 4-704 of the Environment Article;
- 8           \$1,100,000 of the funds in the State Used Tire Cleanup and Recycling Fund  
9 established under § 9-273 of the Environment Article;
- 10          \$1,000,000 of the funds in the Tidal Wetlands Compensation Fund established  
11 under § 16-205 of the Environment Article;
- 12          \$733,339 of the funds in the Cash Management Improvement Fund in the State  
13 Treasurer’s Office;
- 14          \$602,800 of the funds in the special fund established under § 11-401 of the  
15 Business Regulation Article;
- 16          \$527,619 of the funds in the Board of Physicians Fund established under §  
17 14-207 of the Health Occupations Article;
- 18          \$500,000 of the funds in the Central Collection Fund established under § 3-306  
19 of the State Finance and Procurement Article;
- 20          \$500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund  
21 established under § 3-507 of the Correctional Services Article;
- 22          \$500,000 of the funds in the State administrative costs account of the Injured  
23 Workers’ Insurance Fund established under § 10-104 of the Labor and Employment  
24 Article;
- 25          \$472,026 of the funds in the Maryland Health Care Commission Fund  
26 established under § 19-111 of the Health – General Article;
- 27          \$449,373 of the funds in the Community Legacy Financial Assistance Fund  
28 established under § 6-213 of the Housing and Community Development Article;
- 29          \$305,549 of the funds in the Board of Nursing Fund established under § 8-206  
30 of the Health Occupations Article;
- 31          \$305,481 of the funds in the Shore Erosion Control Construction Loan Fund  
32 established under § 8-1005 of the Natural Resources Article;

1           \$300,000 of the funds in the Maryland Clean Air Fund established under §  
2 2–107 of the Environment 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 10. AND BE IT FURTHER ENACTED, That, notwithstanding any  
16 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 11. AND BE IT FURTHER ENACTED, That, notwithstanding any  
8 other provision of law, on or before June 30, 2011, the Governor may transfer to the  
9 General Fund:

10           \$61,731,321 of the funds in the accounts of the University System of Maryland;

11           \$45,000,000 of the funds in the Bay Restoration Fund established under §  
12 9–1605.2 of the Environment Article that is not needed to pay debt service on Revenue  
13 Bonds issued by the Water Quality Financing Administration for the Enhanced  
14 Nutrient Removal Program;

15           \$1,000,000 of the funds in the Board of Physicians Fund established under §  
16 14–207 of the Health Occupations Article;

17           \$822,287 of the funds in the accounts of Baltimore City Community College;

18           \$790,574 of the funds in the accounts of Morgan State University;

19           \$500,000 of the funds for the Spinal Cord Injury Research Trust Fund  
20 established under § 13–1406 of the Health – General Article;

21           \$3,934,000 of the funds in the Waterway Improvement Fund established under  
22 § 8–707 of the Natural Resources Article;

23           \$3,200,000 of the funds in the Neighborhood Business Development Fund  
24 established under § 6–310 of the Housing and Community Development Article;

25           \$3,000,000 of the funds in the Homeownership Programs Fund established  
26 under § 4–502 of the Housing and Community Development Article;

27           \$2,500,000 of the funds in the Special Loan Programs Fund established under §  
28 4–505 of the Housing and Community Development Article;

29           \$204,368 of the funds in the accounts of St. Mary’s College of Maryland;

30           \$200,000 of the funds in the State Board of Pharmacy Fund established under §  
31 12–206 of the Health Occupations Article;

32           \$50,000 of the funds in the State Board of Examiners for Psychologists Fund  
33 established under § 18–207 of the Health Occupations Article; and



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

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

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

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

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

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

23           SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any  
24 other provision of law, in fiscal year 2011 only, the grants to county boards under the  
25 Aging Schools Program under § 5–206(f) of the Education Article may be funded from  
26 the Maryland Consolidated Capital Bond Loan of 2010.

27           SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding the  
28 provisions of Title 1, Subtitle 3 of the Public Safety Article or any other law,  
29 \$5,000,000 in fiscal year 2011 revenue from the State 9–1–1 fee on wired lines may be  
30 used to support the Computer Aided Dispatch/Records Management System project in  
31 the Maryland State Police.

32           SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any  
33 other provision of law, no amounts may be expended in fiscal year 2011 to pay  
34 increases over the rates in effect on January 20, 2010, for providers with rates set  
35 under § 8–406 of the Education Article.

36           SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding any  
37 other provision of law, the Governor may transfer by budget amendment from the  
38 Senior Prescription Drug Assistance Program account of the Maryland Health

1 Insurance Plan Fund established under § 14–504(e) of the Insurance Article to the  
2 Kidney Disease Program established under Title 13, Subtitle 3 of the Health – General  
3 Article up to \$10,500,000 in fiscal year 2010, and up to \$1,500,000 in fiscal year 2011.

4 SECTION 17. AND BE IT FURTHER ENACTED, That, notwithstanding any  
5 other provision of law, in fiscal year 2010, the Governor may transfer up to \$3,000,000  
6 from the Senior Prescription Drug Assistance Program account of the Maryland  
7 Health Insurance Plan Fund established under § 14–504(e) of the Insurance Article to  
8 the Medical Assistance Program established under Title 15, Subtitle 1 of the Health –  
9 General Article.

10 SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding any  
11 other provision of law:

12 (a) On or before June 30, 2010, in addition to amounts authorized to be  
13 transferred under Section 10 of this Act, the Governor may transfer to the General  
14 Fund \$4,459,496 of the funds for State land acquisition under Program Open Space in  
15 the special fund established under § 13–209 of the Tax – Property Article.

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

19 SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding the  
20 provisions of § 3A–309 of the State Finance and Procurement Article, or any other  
21 provision of law, all money received from May 1, 2010, through June 30, 2010, and for  
22 each of fiscal years 2011 and 2012, as commissions, rebates, refunds, rate reductions,  
23 settlements, or telecommunication bypass agreements resulting from information  
24 technology services or purchases shall be credited to the General Fund.

25 SECTION 20. AND BE IT FURTHER ENACTED, That, notwithstanding the  
26 provisions of §§ 2–613, 2–613.1, and 2–614 of the Tax – General Article, or any other  
27 provision of law, the first \$129,000,000 of corporate income tax paid to the State in  
28 fiscal year 2010 shall be credited entirely to the General Fund.

29 SECTION 21. AND BE IT FURTHER ENACTED, That, notwithstanding the  
30 provisions of § 10–223(c) of the Tax – General Article and § 6–104(c)(2) of the State  
31 Finance and Procurement Article, or any other provision of law, the requirement for  
32 the Comptroller and the Bureau of Revenue Estimates to prepare and submit the  
33 Statistics of Income Report and the Tax Incentives Study shall be waived for the tax  
34 years ending in 2008, 2009, and 2010.

35 SECTION 22. AND BE IT FURTHER ENACTED, That, notwithstanding the  
36 provisions of § 3A–506 of the State Finance and Procurement Article or any other  
37 provision of law, in fiscal year 2011, the Governor may transfer by budget amendment  
38 up to \$1,000,000 from the Universal Service Trust Fund to the Maryland School for  
39 the Deaf. For the purposes of determining the minimum appropriation for the  
40 Maryland School for the Deaf under § 8–310.3(b) of the Education Article for fiscal

1 year 2012, the prior year appropriations shall be deemed to include any General Fund  
2 appropriation for fiscal year 2011 for the Maryland School for the Deaf and any  
3 amount transferred to the Maryland School for the Deaf for fiscal year 2011 under this  
4 section.

5 SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding §§  
6 18–1101 through 18–1106 of the Education Article, or any other provision of law, no  
7 new scholarship awards shall be made under the Distinguished Scholar Program for  
8 the 2010 – 2011 academic year. This section shall be construed to apply retroactively  
9 to January 20, 2010, and shall be applied to and interpreted to affect any proposed  
10 scholarship awards considered on or after that date.

11 SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any  
12 other provision of law, for fiscal year 2012:

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

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

18 (1) Funding required for State aid to public elementary and secondary  
19 education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–310.3,  
20 § 8–317, or § 8–415 of the Education Article;

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

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

27 SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any  
28 other provision of law, for fiscal years 2010 and 2011, net interest on all State money  
29 allocated by the State Treasurer under § 6–226 of the State Finance and Procurement  
30 Article to special funds or accounts, and otherwise entitled to receive interest  
31 earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the  
32 State, with the exception of the following funds:

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

34 (2) Microsoft Cost Share Fund;

35 (3) Subsequent Injury Fund;

36 (4) Uninsured Employers’ Fund;

- 1 (5) State Agency Loan Program Fund;
- 2 (6) Jane E. Lawton Conservation Loan Program;
- 3 (7) Energy Overcharge Restitution Fund;
- 4 (8) Pepco / Connectiv Settlement Fund;
- 5 (9) Baseball Capital Improvements Fund;
- 6 (10) State Victims of Crime Fund;
- 7 (11) Juvenile Accountability Incentive Block Grant Fund;
- 8 (12) Victim and Witness Protection and Relocation Fund;
- 9 (13) Unclaimed Restitution – Victims of Crime;
- 10 (14) Justice Assistance Grant;
- 11 (15) Byrne Justice Assistance Grant;
- 12 (16) Maryland Election Modernization Fund;
- 13 (17) Scriven Estate Fund;
- 14 (18) Volunteer Company Assistance Fund;
- 15 (19) Radoff Memorial Fund;
- 16 (20) Archives Endowment Account within the Archives Fund;
- 17 (21) Ellefson Endowment Fund;
- 18 (22) Albert C. Ritchie Memorial Fund;
- 19 (23) Rate Stabilization Fund;
- 20 (24) Maryland Health Insurance Plan Fund;
- 21 (25) Fair Campaign Financing Fund;
- 22 (26) State Employees and Retirees Health and Welfare Benefits Fund;
- 23 (27) Major Information Technology Development Project Fund;
- 24 (28) State Retirement Agency Funds;

- 1 (29) Postretirement Health Benefits Trust Fund;
- 2 (30) Maryland Emergency Medical Service Operations Fund;
- 3 (31) State Wildlife Management and Protection Fund;
- 4 (32) Fisheries Management and Protection Fund;
- 5 (33) Ocean Beach Replenishment Fund;
- 6 (34) Community Services Trust Fund;
- 7 (35) Waiting List Equity Fund;
- 8 (36) Health Care Coverage Fund;
- 9 (37) Health Services Cost Review Commission Fund;
- 10 (38) Hospital Uncompensated Care Fund;
- 11 (39) Funds in the Accounts of Morgan State University;
- 12 (40) Funds in the Accounts of St. Mary's College of Maryland;
- 13 (41) Funds in the Accounts of the University System of Maryland;
- 14 (42) Maryland Prepaid College Trust Fund;
- 15 (43) Nurse Support Program Assistance Fund;
- 16 (44) Funds in the Accounts of the Baltimore City Community College;
- 17 (45) Education Trust Fund;
- 18 (46) Section 8 Construction and Administration Funds administered by  
19 the Department of Housing and Community Development;
- 20 (47) MacArthur Grant Fund;
- 21 (48) Maryland Economic Adjustment Fund;
- 22 (49) Maryland Water Quality Revolving Loan Fund;
- 23 (50) Maryland Drinking Water Revolving Loan Fund;
- 24 (51) Bay Restoration Fund;

1 (52) All accounts within the State Reserve Fund; and

2 (53) Local revenue accounts collected by the Judiciary.

3 SECTION 26. AND BE IT FURTHER ENACTED, That, notwithstanding §§  
4 8–403 through 8–405 of the Transportation Article, or any other provision of law, in  
5 addition to the amounts required to be distributed to the General Fund and the  
6 reductions in the amounts to be distributed to Baltimore City and the counties and  
7 municipalities under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly  
8 of 2009, for fiscal year 2010 only:

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

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

15	Allegany County	\$ 3,698,005
16	Anne Arundel County	9,254,377
17	Baltimore City	31,612,390
18	Baltimore County	15,393,152
19	Calvert County	2,829,534
20	Caroline County	2,491,691
21	Carroll County	6,376,535
22	Cecil County	3,492,581
23	Charles County	4,279,861
24	Dorchester County	2,788,812
25	Frederick County	8,113,600
26	Garrett County	3,155,082
27	Harford County	7,196,389
28	Howard County	5,793,463
29	Kent County	1,362,596
30	Montgomery County	13,832,683
31	Prince George's County	16,121,287
32	Queen Anne's County	2,604,470
33	St. Mary's County	3,523,933
34	Somerset County	1,745,802
35	Talbot County	1,686,937
36	Washington County	5,470,612
37	Wicomico County	4,657,149
38	Worcester County	2,021,450

39 (c) To the extent that the total amount to be distributed to Baltimore City  
40 and the counties and municipalities under § 8–403 of the Transportation Article, after  
41 the reductions under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly

1 of 2009 and under this section, exceeds \$140,509,010, the excess shall be distributed  
 2 as follows:

- 3 (1) 11.5% to Baltimore City; and
- 4 (2) 88.5% among the counties and municipalities in accordance with §§  
 5 8–404 and 8–405 of the Transportation Article.

6 SECTION 27. AND BE IT FURTHER ENACTED, That, notwithstanding § 12 of  
 7 Chapter 487 of the Acts of the General Assembly of 2009, §§ 8–403 through 8–405 of  
 8 the Transportation Article, or any other provision of law, for each of fiscal years 2011  
 9 and 2012 only:

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

- 13 (1) \$290,255,990 to the General Fund;
- 14 (2) Up to the next \$140,509,010 to Baltimore City and the counties  
 15 and municipalities as follows:

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

40 (3) Any amounts in excess of \$430,765,000 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 28. AND BE IT FURTHER ENACTED, That, notwithstanding any  
13 other provision of law, State employees employed by any entity, including the  
14 University System of Maryland, Morgan State University, and St. Mary's College of  
15 Maryland, may not receive bonuses, merit increases, or cost-of-living adjustments in  
16 fiscal year 2011. This provision does not affect salaries for constitutional officers or  
17 members of the General Assembly or increases necessary for the retention of faculty in  
18 the University System of Maryland, Morgan State University, or St. Mary's College of  
19 Maryland.

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

25 SECTION 30. AND BE IT FURTHER ENACTED, That, notwithstanding any  
26 other provision of law, calculation of the rate of overtime payments for current State  
27 employees subject to a temporary salary reduction ordered by the Governor in fiscal  
28 year 2010 or 2011 shall be based on the salary schedules in effect on July 1, 2009. This  
29 section shall be construed to apply retroactively to September 23, 2009, and shall be  
30 applied to and interpreted to affect the overtime compensation of current State  
31 employees from that date.

32 SECTION 31. AND BE IT FURTHER ENACTED, That, notwithstanding any  
33 other provision of law, on or before June 30, 2011, any special fund savings realized  
34 from the implementation of furloughs in fiscal year 2011 may be transferred to the  
35 General Fund.

36 SECTION 32. AND BE IT FURTHER ENACTED, That, in each of fiscal years  
37 2014 through 2020, the State shall pay to the Local Income Tax Reserve Account



1 \$50,000,000 to repay the \$350,000,000 transfer to the Education Trust Fund  
2 authorized under § 2-606(e) of the Tax – General Article as enacted by this Act.

3 SECTION 33. AND BE IT FURTHER ENACTED, That it is the intent of the  
4 General Assembly that spending be further restrained in the annual State budget for  
5 fiscal year 2011 and future fiscal years by implementation of the following actions:

6 (1) Limiting General Fund appropriations for the State-operated  
7 institutions of higher education in the University System of Maryland and Morgan  
8 State University to an amount sufficient to provide General Fund support at the same  
9 level per full-time equivalent student as was provided in fiscal year 2007;

10 (2) Recognizing administrative savings from the relocation of  
11 University of Maryland Biotechnology Institute to various University System of  
12 Maryland institutions;

13 (3) Recognizing savings at the University of Maryland Center for  
14 Environmental Science through consolidation of administrative functions or other  
15 activities with appropriate University System of Maryland institutions;

16 (4) Funding University of Maryland – Hagerstown at the same level  
17 per student as the Universities at Shady Grove;

18 (5) Deleting General Fund appropriations for the Chesapeake Bay  
19 Critical Areas Commission;

20 (6) Deleting General Fund grants administered by the Governor's  
21 Office of Crime Control and Prevention in light of increased federal funds available for  
22 those purposes;

23 (7) Reducing by 50% State funding for the Judith P. Hoyer Early Child  
24 Care and Education Enhancement Program;

25 (8) Elimination of an additional 500 positions in the Executive Branch;

26 (9) Reduction in general operating expenses by at least \$65,000,000  
27 through recognition of additional administrative efficiencies; and

28 (10) Deleting funding for the Prevailing Wage Unit of the Department  
29 of Labor, Licensing, and Regulation and limiting funding for the Employment  
30 Standards Unit to the minimum statutorily required appropriation.

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

1           SECTION 35. AND BE IT FURTHER ENACTED, That the provisions of §§  
2 2–202 and 2–1302.1 of the Tax – General Article, as enacted by Section 7 of this Act  
3 and Section 26 of this Act, shall be construed retroactively and shall be applied to any  
4 taxes, interest earnings, payments, or other revenue received by the State on or after  
5 June 1, 2009.

6           SECTION 36. AND BE IT FURTHER ENACTED, That Section 31 of this Act  
7 shall be construed to apply retroactively and shall be applied to and interpreted to  
8 affect any Executive Order issued on or after January 20, 2010.

9           SECTION 37. AND BE IT FURTHER ENACTED, That Section 8 of this Act  
10 shall take effect July 1, 2011, the effective date of Section 30 of Chapter 487 of the  
11 Acts of the General Assembly of 2009. If the effective date of Section 30 of Chapter 487  
12 is amended, Section 8 of this Act shall take effect on the taking effect of Section 30 of  
13 Chapter 487.

14           SECTION 38. AND BE IT FURTHER ENACTED, That, except as otherwise  
15 provided in this Act, this Act shall take effect June 1, 2010.