

HB0072/203623/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “programs;” insert “altering for a certain fiscal year a certain percentage used to determine eligibility for and the amount of certain State grants to certain counties and Baltimore City based on per capita yield of county income taxes;”; strike beginning with “altering” in line 7 down through “website;” in line 14; in line 18, after “Probation;” insert “altering certain provisions relating to the annual budgets of county boards of education;”; in the same line, strike “a certain fiscal year;” and substitute “certain fiscal years; requiring the State to provide a certain grant to a county board of education if certain funding provided to a county board decreases by a certain amount;”; and in line 23, after “colleges;” insert “authorizing certain community college boards of trustees to charge out-of-county fees to certain students enrolled in certain programs;”.

On page 2, in line 14, after “hospitals;” insert “requiring the Developmental Disabilities Administration to ensure that certain providers do not have an overall funding reduction for a certain year as a result of certain changes in reimbursement policies for certain absence days;”; in line 32, after “funds;” insert “authorizing the Service to credit to certain project reserve funds only moneys that are reimbursable to the State;”; in line 33, strike the first “the” and substitute “certain”; and strike beginning with “setting” in line 44 down through “System;” in line 45.

On page 3, in line 18, after “System;” insert “providing that certain members of the Employees’ Pension System or Teachers’ Pension System who separate from service and return to service under certain circumstances are subject to a certain benefit; requiring the Board of Trustees of the State Retirement and Pension System”.

(Over)

to submit a certain annual report to the Joint Committee on Pensions on or before a certain date for a certain period of time;”; strike beginning with “altering” in line 33 down through “System;” in line 34; in line 37, strike “providing for” and substitute “altering”; in line 39, strike “who are subject to the reformed contributory pension benefit”; and in line 45, after “Commission” insert “, the Judicial Compensation Commission,”.

On page 4, in line 5, after “funds” insert “, except under certain circumstances”; in the same line, after the semicolon insert “requiring certain amounts transferred from certain funds to be reimbursed from certain payments for administrative and operational expenses; reducing certain amounts required to be included annually in the budget bill by the amount of certain administrative and operational expenses required to be paid by certain employers; requiring the Board of Trustees to certify certain amounts to the Governor and the Secretary of Budget and Management relating to the State’s contribution to the State Retirement and Pension System; requiring the Governor to include certain amounts in the budget bill in addition to certain required contributions; requiring the State to pay a certain share of the administrative and operational expenses for certain libraries;”; strike beginning with “determine” in line 6 down through “payable” in line 7 and substitute “certify to the Secretary of Budget and Management certain percentages of membership employed by certain employers as of a certain date and certify to certain local employers certain amounts payable to the Board of Trustees; requiring the Board of Trustees to provide certain notifications”; strike beginning with “amount” in line 7 down through “Trustees” in line 8 and substitute “appropriation for administrative and operational expenses”; in line 10, after “employers;” insert “authorizing certain employers to deduct certain amounts from certain required employer contributions;”; in line 12, after “circumstances;” insert “authorizing the payment of certain grants for a certain fiscal year;”; strike beginning with “altering” in line 17 down through “granted;” in line 24; in line 32, after “fares” insert “and collect other operating revenues”; in line 33, after “requirement;” insert “prohibiting the Administration from reducing the level of services provided for the purpose of achieving a certain farebox recovery requirement;”; strike beginning with “requiring” in line 33 down through “fee;” in line

35; strike beginning with the second “altering” in line 39 down through “inspections;” in line 40 and substitute “altering the amount a vehicle dealer may retain for collecting and remitting the vehicle excise tax; altering a certain limitation on the amount that a vehicle dealer may charge as a dealer processing charge;”; and in line 47, after “regulations;” insert “repealing certain prohibitions on the State entering into certain agreements or spending funds for certain purposes;”.

On page 5, in line 10, after “assessments;” insert “authorizing certain funds in the Fair Campaign Financing Fund to be used to implement an online campaign finance reporting system in a certain fiscal year;”; in line 16, after “manner;” insert “authorizing the Governor to include in the budget bill for a certain fiscal year a certain amount for the State’s contributions to the State Retirement and Pension System;”; strike beginning with “providing” in line 19 down through “Fund;” in line 23; in line 25, after “contingencies;” insert “allowing a county under certain circumstances to deduct any reduction in certain costs from the amount the county is required to appropriate to the county board of education for a certain fiscal year; stating the intent of the General Assembly that certain funds shifted by Baltimore City to the Baltimore City Board of School Commissioners be included in the calculation of certain State education aid for a certain fiscal year; requiring that a penalty imposed on a county or Baltimore City for not meeting a certain local maintenance of funding effort requirement be calculated in a certain manner;”; strike beginning with “requiring” in line 25 down through the semicolon in line 31 and substitute “providing that a certain memorandum of understanding negotiated and ratified within a certain period complies with certain provisions of law governing collective bargaining; defining certain terms; altering certain definitions;”; and in line 32, after “Act;” insert “making certain provisions of this Act subject to certain contingencies;”.

AMENDMENT NO. 2

On page 5, after line 33, insert:

“BY repealing and reenacting, with amendments,

(Over)

Article 24 - Political Subdivisions - Miscellaneous Provisions
Section 9-1101(b)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)”;

and in line 36, strike beginning with the first comma through “17-317(a)”.

On page 6, after line 14, insert:

“BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)”;

in line 17, after “Section” insert “5-103,”; in the same line, after “16-310(d)(1),” insert “16-512(a)(1),”; in line 18, after “17-104(a)(1)” insert “and (b)”; and in line 23, after “Section” insert “5-202(i)”.

On page 7, in line 27, after “5-212.1(g)” insert “(2)”; and in line 38, after “23-212(d)” insert “, 23-215.1”.

On page 8, in line 1, strike “Three/One” and substitute “Two and One-Half/One”; strike in their entirety lines 2 and 3 and substitute “31-116.2, and”; in line 10, strike “21-302(b)” and substitute “21-302(a) and (b)”; in line 11, strike “(b),”; in line 13, after “23-212(c),” insert “23-215,”; in line 14, strike “27-202,”; in line 15, after “29-303(b),” insert “29-404,”; in line 26, after “2-202(b)” insert “and (c)”; and in line 36, strike “and 9-103(d)(1) and (4)”.

On pages 8 and 9, strike in their entirety the lines beginning with line 39 on page 8 through line 2 on page 9, inclusive.

On page 9, in line 10, strike “and 8-403” and substitute “8-403, 13-812(a), and 15-311.1(b)”; in line 15, strike “, 5-415,”; and strike line 25 in its entirety and substitute:

“Section 12-118(e)(1), 12-120(a), 13-613(b), 13-802, and 13-955(c)”.

On page 10, after line 1, insert:

“BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010
Section 38(j)”;

and after line 7, insert:

“BY repealing
Article - Transportation
Section 7-402
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On page 15, strike beginning with “**VOLUNTEER**” in line 22 down through “**ARTICLE**” in line 23 and substitute “**MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND ESTABLISHED UNDER § 13-955 OF THE TRANSPORTATION ARTICLE**”; and strike in their entirety lines 27 through 31, inclusive, and substitute:

“(IV) FOR FISCAL YEARS 2012 AND 2013 ONLY, BEFORE THE DISTRIBUTION TO THE MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, FROM

(Over)

THE SURCHARGES COLLECTED UNDER THIS SUBSECTION, AN AMOUNT EQUAL TO \$8,201,311 FOR FISCAL YEAR 2012 AND \$2,114,000 FOR FISCAL YEAR 2013 SHALL BE CREDITED TO THE VOLUNTEER COMPANY ASSISTANCE FUND TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE.”.

On page 109, before line 24, insert:

“13-955.

(c) The Fund consists of:

(1) Registration surcharges collected under § 13-954 of this subtitle;

[and]

(2) All funds, including charges for accident scene transports and interhospital transfers of patients, generated by an entity specified in subsection (e) of this section that is a unit of State government; AND

(3) REVENUES DISTRIBUTED TO THE FUND FROM THE SURCHARGES COLLECTED UNDER § 7-301(F) OF THE COURTS ARTICLE.”.

AMENDMENT NO. 4

On page 16, after line 28, insert:

“Article – Economic Development

10-523.

(a) (3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an

appropriation to the Corporation for rural business development and assistance [for each of fiscal years 2010 and 2011 in the amount of \$2,750,000 and for each of fiscal years 2012 through 2020, in the amount of \$4,000,000] AS FOLLOWS:

1. FOR FISCAL YEAR 2011, \$2,750,000;
2. FOR FISCAL YEAR 2012, \$2,750,000;
3. FOR FISCAL YEAR 2013, \$3,000,000; AND
4. FOR EACH OF FISCAL YEARS 2014 THROUGH 2020, \$4,000,000.”.

AMENDMENT NO. 5

On page 18, in line 9, after the first “COUNTY” insert “BOARD”; in line 11, after “COUNTY” insert “BOARD”; in line 18, strike “AND”; and in line 21, after “TITLE” insert “; AND”

(3) THE CHILD WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5-202 OF THIS ARTICLE”.

On page 24, in line 24, after the first “COUNTY” insert “BOARD”; and in line 26, after “COUNTY” insert “BOARD”.

On page 25, in line 2, strike “AND”; and in line 5, after “ARTICLE” insert “; AND”

(4) WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5-202 OF THIS ARTICLE”.

(Over)

AMENDMENT NO. 6

On page 26, in line 26, strike “\$140,000” and substitute “\$500,000”.

AMENDMENT NO. 7

On page 51, in line 14, strike “ENDED” and substitute “:

(I) ENDS”;

and in line 15, after “SERVICE” insert “:

(II) ENDS STATE SERVICE WITH A LEAST 10 YEARS OF CREDITABLE SERVICE WITHIN 5 YEARS BEFORE THE AGE AT WHICH A VESTED RETIREMENT ALLOWANCE NORMALLY WOULD BEGIN;

(III) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE RETIREMENT ALLOWANCE AND HAS 10 YEARS OF CREDITABLE SERVICE;
OR

(IV) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE DISABILITY RETIREMENT ALLOWANCE”.

On page 52, in line 14, strike “THE” and substitute “SUBJECT TO § 2-509.1 OF THIS SUBTITLE, ON OR AFTER JULY 1, 2011, THE”; in line 16, after “COINSURANCE,” insert “AND”; in line 17, strike “, AND OUT-OF-POCKET LIMITS”; in line 18, strike “AND”; in line 19, strike “RETIREEES” and substitute “:

1. RETIREES WHO QUALIFY FOR THE MAXIMUM STATE SUBSIDY”;

and in line 20, after “BENEFIT” insert “; AND”

2. RETIREES WHO QUALIFY FOR A PARTIAL STATE SUBSIDY TO PAY 25% OF THE PREMIUM FOR THE PRESCRIPTION DRUG BENEFIT PLUS THE PROPORTIONAL ADDITIONAL AMOUNT REQUIRED UNDER SUBSECTIONS (B)(4)(II) AND (C)(4)(II) OF THIS SECTION; AND

(III) REQUIRES RETIREES TO PAY OUT-OF-POCKET LIMITS EQUAL TO:

1. \$1,500 FOR THE RETIREE ONLY; AND

2. \$2,000 FOR THE RETIREE AND THE RETIREE’S FAMILY”;

in line 22, after “RETIREE” insert “OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE”; and in line 23, strike “WITH A STATE INSTITUTION OF HIGHER EDUCATION” and substitute “AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT”.

On page 53, in line 26, strike “§ 2-508” and substitute “§ 2-508(B)(4)”; in line 34, strike “§ 2-508(c)(1)” and substitute “§ 2-508(B)(4)(I)”; in line 35, strike “WHO” and substitute “OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE WHO”; and in line 36, strike “WITH A STATE INSTITUTION OF HIGHER EDUCATION” and substitute “AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT”.

On page 55, in line 6, strike “§ 2-508(C)” and substitute “§ 2-508(C)(4)”; and in line 16, strike “§ 2-508(B)(4)(I)” and substitute “§ 2-508(C)(4)(I)”.

(Over)

AMENDMENT NO. 8

On page 57, strike beginning with “NOT” in line 9 down through “ARTICLE” in line 11 and substitute “A MEMBER ON OR BEFORE JUNE 30, 2011”; strike beginning with “NOT” in line 14 down through “ARTICLE” in line 16 and substitute “A MEMBER ON OR BEFORE JUNE 30, 2011”; and strike beginning with “IS” in line 18 down through “ARTICLE” in line 20 and substitute “BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011”.

On page 59, in line 26, strike “3” and substitute “5”.

On pages 63 and 64, strike in their entirety the lines beginning with line 1 on page 63 through line 6 on page 64, inclusive.

On page 69, after line 11, insert:

“23-215.

(a) [Membership] EXCEPT AS PROVIDED IN § 23-215.1 OF THIS SUBTITLE, MEMBERSHIP ends if the member:

(1) is separated from employment for more than 4 years;

(2) is separated from employment, and rehired into a position that requires enrollment in a part of the Employees’ Pension System or the Teachers’ Pension System that is subject to a different rate of member contributions and benefit accrual;

(3) withdraws the member’s accumulated contributions;

(4) becomes a retiree; or

(5) dies.

(b) Subsection (a)(2) of this section does not apply for purposes of determining eligibility for a disability retirement benefit under § 29–104(a) of this article.

23–215.1

(A) THIS SECTION APPLIES TO A MEMBER WHO:

(1) ON OR BEFORE JUNE 30, 2011, IS SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION SELECTION;

(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS; OR

(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MORE THAN 4 YEARS FOR MILITARY SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND

2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM;

(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(4) DOES NOT BECOME A RETIREE.

(Over)

(B) A MEMBER DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO ON OR BEFORE JUNE 30, 2016, RESUMES EMPLOYMENT AND IS REHIRED INTO A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM, SHALL RESUME PARTICIPATION IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.

(C) ON OR BEFORE OCTOBER 1, 2012, AND EACH OCTOBER 1 THROUGH OCTOBER 1, 2016, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES THE NUMBER OF MEMBERS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION WHO WERE:

(1) REHIRED IN THE PRECEDING FISCAL YEAR INTO A POSITION INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM; AND

(2) PARTICIPATING IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.”.

On page 71, in line 18, after “(2)” insert “EXCEPT AS PROVIDED IN § 23-215.1 OF THIS SUBTITLE,”.

On page 72, in line 4, strike “(G)” and substitute “(F)”; and in line 8, strike “(H)” and substitute “(B-1)”.

On page 74, strike beginning with “IS” in line 20 down through “TITLE” in line 21 and substitute “BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,”; in line 28, strike “30” and substitute “90 YEARS OF COMBINED AGE AND”; and in line 30, after “HAS” insert “AT LEAST”.

On page 75, in line 1, strike “ON RETIREMENT UNDER THIS SUBSECTION, A” and substitute “A”; strike beginning with “IS” in line 16 down through “TITLE” in line 17 and substitute “BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,”; in line 24, after “60” insert “BUT LESS THAN 65”; in line 25, strike “A” and substitute “AS”; in line 26, after “SUBSECTION,” insert “ON”; and strike beginning with “IS” in line 30 down through “TITLE” in line 32 and substitute “BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,”.

On page 76, in line 2, after “ALLOWANCE” insert “TO WHICH THE MEMBER WOULD OTHERWISE BE ENTITLED TO”; and in the same line, strike “(G)”.

On pages 79 and 80, strike in their entirety the lines beginning with line 22 on page 79 through line 2 on page 80, inclusive.

On page 82, after line 29, insert:

“29-404.

(a) Except as provided in subsection (b) of this section, this Part II of this subtitle applies only to an allowance received by a former member, retiree, or surviving beneficiary of a deceased member, former member, or retiree of:

(1) the Employees’ Pension System if the deceased member, former member, or retiree was an employee of a participating governmental unit or a former participating governmental unit, other than Frederick County, that has withdrawn while a member; or

(2) the Local Fire and Police System.

(Over)

(b) This Part II of this subtitle does not apply to an allowance OR PORTION OF AN ALLOWANCE that is:

(1) subject to adjustment under Part II, Part IV, Part V, [or] Part VI, OR PART VII of this subtitle; OR

(2) BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011.”.

On page 84, in line 24, strike “THREE/ONE” and substitute “TWO AND ONE-HALF/ONE”; in line 26, strike “(THREE/ONE” and substitute “(TWO AND ONE-HALF/ONE”; and strike beginning with “RECEIVED” in line 27 down through “ARTICLE” in line 32 and substitute “BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011, FOR:

(1) A FORMER MEMBER, RETIREE, OR SURVIVING SPOUSE OF A MEMBER OF:

(I) THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM;

(II) THE EMPLOYEES’ PENSION SYSTEM;

(III) THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM;

(IV) THE STATE POLICE RETIREMENT SYSTEM; OR

(V) THE TEACHERS’ PENSION SYSTEM; OR

(2) A BENEFICIARY OF THE RETIREE OR FORMER MEMBER DESCRIBED IN ITEM (1) OF THIS SUBSECTION”.

On page 85, in line 13, strike “3%” and substitute “2.5%”.

On pages 87 and 88, strike in their entirety the lines beginning with line 1 on page 87 through line 13 on page 88.

On page 123, in line 7, after the first “Commission” insert “, the Judicial Compensation Commission,”.

AMENDMENT NO. 9

On page 92, in line 26, after “DISTRIBUTED” insert “AS FOLLOWS:”

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

(II) THE BALANCE”;

and after line 31, insert:

“(c) (1) (I) For fiscal year 2011, the Comptroller shall pay from the special fund established under subsection (b)(2)(ii) of this section a grant to the local jurisdictions where the electronic bingo machines or electronic tip jar machines that are the source of the revenue are located, to be used by the local jurisdictions only for one-time capital expenditures.

[(2)] (II) A grant under this [subsection] PARAGRAPH shall be paid to a municipal corporation if the machines are located in a municipal corporation or to a county if the machines are not located in a municipal corporation.

(Over)

[(3)] (III) The grants under this [subsection] PARAGRAPH shall be paid to each local jurisdiction in proportion to the amount of tax revenue derived from machines in each jurisdiction.

(2) FOR FISCAL YEAR 2012, THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(3)(I) OF THIS SECTION MAY BE USED ONLY AS FOLLOWS:

(I) \$150,000 AS AN APPROPRIATION TO THE STATE ARCHIVES, TO BE USED ONLY FOR THE OPERATING COSTS ASSOCIATED WITH THE DEVELOPMENT AND IMPLEMENTATION OF THE STATE HOUSE MASTER PLAN AS APPROVED BY THE STATE HOUSE TRUST;

(II) \$50,000 AS A GRANT TO BE PAID BY THE COMPTROLLER TO THE MARYLAND HUMANITIES COUNCIL; AND

(III) IMPACT GRANTS TO BE PAID BY THE COMPTROLLER IN THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES ARE LOCATED, AS FOLLOWS:

1. \$150,000 IN ANNE ARUNDEL COUNTY TO THE ANNE ARUNDEL COUNTY VOLUNTEER FIREFIGHTERS ASSOCIATION FOR CAPITAL EXPENDITURES AND REPLACEMENT OF EQUIPMENT; AND

2. \$150,000 IN CALVERT COUNTY AS FOLLOWS:

A. \$125,000 TO BE DIVIDED EQUALLY BETWEEN THE TOWN OF CHESAPEAKE BEACH AND THE TOWN OF NORTH BEACH, TO BE USED ONLY FOR ONE-TIME CAPITAL EXPENDITURES; AND

B. \$25,000 TO THE BEACH TROLLEY ASSOCIATION OF CHESAPEAKE BEACH AND NORTH BEACH.

AMENDMENT NO. 10

On page 95, in line 6, strike “\$16,669,444” and substitute “\$15,169,444”.

AMENDMENT NO. 11

On page 96, in line 27, after “(B)” insert “(1)”; in the same line, strike “EACH” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH”; and in line 30, strike “(1)” and substitute “(1)”.

On page 97, in lines 1 and 3, strike “(2)” and “(3)”, respectively, and substitute “(II)” and “(III)”, respectively; and after line 7, insert:

“(2) FOR EACH OF FISCAL YEARS 2012 AND 2013, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE 90% INSTEAD OF 50% OF THE COSTS OF ADMINISTERING THE DEPARTMENT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.”

AMENDMENT NO. 12

On page 113, in line 27, strike “\$1,000,000” and substitute “\$750,000”.

AMENDMENT NO. 13

On page 113, in line 34, strike “\$75,000” and substitute “\$150,000”.

AMENDMENT NO. 14

On page 121, in line 27, strike the first comma and substitute “:

(a) Except as otherwise provided in this section.”;

in line 29, after “2014.” insert:

(Over)

“(b)”;

in line 30, after “affect” insert “:

(1)”;

in the same line, strike the comma and substitute “;

(2)”;

in line 32, strike “, or” and substitute “;

(3)”;

and in line 34, strike the period and substitute “; or

(4) for fiscal year 2012 only, operationally critical staff.

(c) On or before December 1, 2011, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2011, in accordance with § 2-1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all

executive branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 15

On pages 13 and 14, strike in their entirety the lines beginning with line 33 on page 13 through line 23 on page 14, inclusive.

AMENDMENT NO. 16

On pages 97 through 99, strike in their entirety the lines beginning with line 30 on page 97 through line 10 on page 99, inclusive.

On page 124, strike in their entirety lines 29 through 32, inclusive.

AMENDMENT NO. 17

On page 102, in line 30, strike “SHALL” and substitute “:

(1) SHALL”;

and strike beginning with “FOR” in line 31 down through “AT” in line 33 and substitute “AND COLLECT OTHER OPERATING REVENUES IN”.

On page 103, in line 2, after “SECTION” insert “;AND

(2) MAY NOT REDUCE THE LEVEL OF SERVICES PROVIDED BY THE ADMINISTRATION FOR THE PURPOSE OF ACHIEVING THE FAREBOX RECOVERY REQUIREMENT”.

AMENDMENT NO. 18

On pages 100 through 102, strike in their entirety the lines beginning with line 20 on page 100 through line 2 on page 102, inclusive.

AMENDMENT NO. 19

On page 117, strike in their entirety lines 32 through 36, inclusive.

AMENDMENT NO. 20

On page 22, in line 13, strike "9.5%" and substitute "9.7%"; and in lines 19 and 22, strike "10.5%" and "11%", respectively, and substitute "10.6%" and "11.1%", respectively.

AMENDMENT NO. 21

On page 19, in line 36, strike "18.5%" and substitute "19%".

On page 20, in line 5, strike "18.5%" and substitute "19%"; in lines 15 and 20, strike "20.5%" and "21.5%", respectively, and substitute "21%" and "22%", respectively; and in lines 25 and 30, strike "22.5%" and "23.5%", respectively, and substitute "23%" and "24%", respectively.

On page 21, in line 2, strike "26.5%" and substitute "26%"; and in line 8, strike "28%" and substitute "27.5%".

AMENDMENT NO. 22

On page 124, strike in their entirety lines 4 through 16, inclusive.

AMENDMENT NO. 23

On page 62, after line 9, insert:

“(a) The following are obligations of the State:

(1) the payment of all allowances and other benefits payable under this Division II;

(2) the creation and maintenance of reserves in the accumulation funds of the several systems;

(3) the crediting of regular interest to the annuity savings funds of the several systems; and

(4) EXCEPT AS PROVIDED IN § 21-316 OF THIS SUBTITLE, the payment of the expenses for administration and operation of the several systems.”;

strike beginning with “WITH” in line 18 down through the first “THE” in line 21 and substitute “THE”; and after line 26, insert:

“(3) (I) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, IF A BUDGET AMENDMENT IS APPROVED IN ANY FISCAL YEAR FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY, THE BOARD OF TRUSTEES MAY TRANSFER THE AMOUNT APPROVED BY BUDGET AMENDMENT FROM THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM.

(II) ANY FUNDS TRANSFERRED FROM THE ACCUMULATION FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REIMBURSED TO THE ACCUMULATION FUNDS ON OR BEFORE JUNE 30 OF THE FOLLOWING FISCAL YEAR FROM PAYMENTS FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES RECEIVED BY THE BOARD OF TRUSTEES UNDER § 21-316 OF THIS SUBTITLE.”.

On page 66, after line 11, insert:

(Over)

“(3) THE AMOUNTS THAT THE GOVERNOR IS REQUIRED TO INCLUDE IN THE BUDGET BILL UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY THAT ARE TO BE PAID BY LOCAL EMPLOYERS UNDER § 21-316 OF THIS SUBTITLE OTHER THAN PARTICIPATING GOVERNMENTAL UNITS OR EMPLOYERS WHO ARE REQUIRED TO MAKE CONTRIBUTIONS UNDER § 21-307 OF THIS SUBTITLE.”;

in line 12, strike “(3)” and substitute “(4)”; in line 29, after “(A)” insert “(1)”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2)”;

and strike beginning with the colon in line 30 down through “OR” in line 32.

On page 67, strike in their entirety lines 1 and 2 and substitute “THE STATE.

(3) “LIBRARY” MEANS A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.”;

in line 3, strike “FOR” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR”; strike beginning with “ESTIMATED” in line 5 down through “BE” in line 6; in line 10, after “EMPLOYER” insert “FOR EACH FISCAL YEAR”; in line 11, after “EMPLOYER” insert “AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR”; strike beginning with “WHO” in line 12 down through “EMPLOYER” in line 13 and substitute “AS OF THAT DATE”; after line 13, insert:

“(3) THE STATE SHALL PAY THE PRO RATA SHARE UNDER THIS SECTION OF EACH LIBRARY.”;

strike in their entirety lines 14 through 23, inclusive, and substitute:

“(C) AS PART OF ITS ANNUAL BUDGET SUBMISSION FOR A FISCAL YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO THE SECRETARY OF BUDGET AND MANAGEMENT THE PERCENTAGE OF THE TOTAL MEMBERSHIP OF THE SEVERAL SYSTEMS THAT IS EMPLOYED BY THE STATE, THE LIBRARIES, AND EACH LOCAL EMPLOYER AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR.”;

strike beginning with the second “THE” in line 24 down through “SECTION” in line 25 and substitute “AN APPROPRIATION TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM THAT EQUALS THE AUTHORIZED ADMINISTRATIVE AND OPERATIONAL EXPENSES OF THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY FOR THE FISCAL YEAR”; after line 28, insert:

“(3) THE STATE SHALL PAY ITS PRO RATA SHARE OF THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES AUTHORIZED IN THE STATE BUDGET TO THE BOARD OF TRUSTEES ON JULY 1 OF THE APPLICABLE FISCAL YEAR.”;

in line 29, after “(1)” insert “ON OR BEFORE MAY 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL:

(I) CERTIFY TO EACH LOCAL EMPLOYER OTHER THAN A LIBRARY THE AMOUNT PAYABLE BY THE LOCAL EMPLOYER THAT IS EQUAL TO THE PERCENTAGE CERTIFIED UNDER SUBSECTION (C) OF THIS SECTION MULTIPLIED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL

(Over)

EXPENSES AUTHORIZED IN THE STATE BUDGET FOR THE NEXT FISCAL YEAR;
AND

(II) NOTIFY THE SECRETARY OF BUDGET AND
MANAGEMENT AND THE DEPARTMENT OF LEGISLATIVE SERVICES OF THE
CERTIFICATIONS SENT UNDER ITEM (I) OF THIS PARAGRAPH.

(2)”;

and in line 32, strike “SUBSECTION (C)(2)(II) OF THIS SECTION” and substitute
“PARAGRAPH (1) OF THIS SUBSECTION”.

On page 68, strike in their entirety lines 1 through 3, inclusive; and after line
14, insert:

“(6) A PARTICIPATING GOVERNMENTAL UNIT OR EMPLOYER
REQUIRED TO MAKE EMPLOYER CONTRIBUTIONS UNDER § 21-307 OF THIS
SUBTITLE MAY DEDUCT THE PAYMENTS REQUIRED UNDER THIS SECTION FROM
PAYMENTS FOR EMPLOYER CONTRIBUTIONS REQUIRED UNDER §§ 21-305
THROUGH 21-307 OF THIS SUBTITLE.”

On page 122, strike beginning with “, notwithstanding” in line 38 down through
“on” in line 40 and substitute “:

(a) Sections 21-303(d) and 21-316 of the State Personnel and Pensions
Article as enacted by this Act are applicable beginning with fiscal year 2013.

(b) For fiscal year 2012:

(1) The State Retirement and Pension System shall be funded as provided in the fiscal year 2012 State budget bill (Chapter (H.B.70) of the Acts of the General Assembly of 2011).

(2) (i) Local school boards and community colleges shall pay their pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency appropriated in the fiscal year 2012 State budget bill as provided in paragraph (3) of this subsection.

(ii) On”;

and in line 40, after “shall” insert “, for local school board employees and community college employees”.

On page 123, strike in their entirety lines 1 through 5, inclusive, and substitute:

“1. Determine the pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency, based on the number of members of the Teachers’ Retirement System and Teachers’ Pension System employed by the local school board or community college as of June 30, 2010, compared to the total membership of the several systems as of that date other than those who are employed by participating governmental units as defined in § 20-101 of the State Personnel and Pensions Article or by employers who are required to make employer contributions under § 21-307 of the State Personnel and Pensions Article; and

2. Certify the amount determined under item 1 of this subparagraph to each local school board and community college.”;

and after line 5, insert:

(Over)

“(3) (i) A local school board shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R00A02.03 Aid for Local Employee Fringe Benefits.

(ii) A community college shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R62I00.06 Aid to Community Colleges – Fringe Benefits.

(iii) On or before October 1, 2011, January 1, 2012, April 16, 2012, and June 1, 2012, each local school board and community college shall pay 25% of the payments required under subparagraphs (i) and (ii) of this paragraph.

(iv) If a local school board or community college does not pay the amounts required under this subsection within the time required, the local school board or community college is liable for interest on delinquent amounts at a rate of 4% a year until payment.

(v) The Comptroller may allow a grace period not to exceed 10 calendar days for payment of the amounts certified under this subsection.

(vi) If a delinquency exists, the Comptroller immediately shall exercise the right of setoff against any money due or coming due to that local school board or community college from the State.”.

AMENDMENT NO. 24

On page 39, in line 1, strike the bracket; in line 2, strike the bracket and substitute “, **INCLUDING**”; in line 25, strike “**APPROPRIATED**” and substitute “**RECEIVED BY THE SERVICE**”; and in line 26, after “**(I)**” insert “**THE SERVICE MAY CREDIT TO A PROJECT RESERVE FUND ESTABLISHED UNDER PARAGRAPH**”

(1)(I)1 THROUGH 3 OF THIS SUBSECTION ONLY MONEYS THAT ARE REIMBURSABLE TO THE STATE.

(II)".

On page 40, in line 1, strike "(II)" and substitute "(III)"; in the same line, after "IF" insert "AT THE END OF A FISCAL YEAR"; in line 2, strike "(I)" and substitute "(II)"; in line 3, after the second "THE" insert "STATE"; and in line 4, strike beginning with "APPROPRIATION" through "MADE" and substitute "MONEYS IN THE PROJECT RESERVE FUND WERE ORIGINALLY APPROPRIATED".

AMENDMENT NO. 25

On page 16, in line 5, strike "EACH OF FISCAL YEARS 2012 THROUGH 2016" and substitute "RECORDABLE INSTRUMENTS EXECUTED ON OR AFTER JULY 1, 2011, BUT BEFORE JULY 1, 2015".

AMENDMENT NO. 26

On pages 106 and 107, strike in their entirety the lines beginning with line 6 on page 106 through line 15 on page 107, inclusive, and substitute:

"12-120.

(a) In this section, "miscellaneous fees" means all fees collected by the Administration under this article other than:

(1) The vehicle titling tax;

(2) ONE-HALF OF THE CERTIFICATE OF TITLE FEE UNDER § 13-802 OF THIS ARTICLE; and

(Over)

[(2)] (3) Vehicle registration fees under Part II of Title 13, Subtitle 9 of this article.”.

On page 109, in line 22, before “Except” insert “(A)”; in the same line, after “in” insert “SUBSECTION (B) OF THIS SECTION AND”; and in line 23, after the period, insert:

“(B) FOR FISCAL YEARS 2012 THROUGH 2014 ONLY, THE FEE FOR EACH CERTIFICATE OF TITLE ISSUED FOR A RENTAL VEHICLE IS \$50.”.

On page 110, strike in their entirety lines 10 through 22, inclusive.

AMENDMENT NO. 27

On pages 119 and 120, strike in their entirety the lines beginning with line 21 on page 119 through line 12 on page 120, inclusive.

AMENDMENT NO. 28

On page 124, after line 16, insert:

“SECTION 32. AND BE IT FURTHER ENACTED, That the Developmental Disabilities Administration shall ensure that no provider funded by the Developmental Disabilities Administration will have an overall funding reduction in fiscal year 2012 as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services.”.

AMENDMENT NO. 29

On page 21, after line 31, insert:

“16-512.

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

(i) In fiscal year 2009, not less than an amount equal to 67.25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

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

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

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

(v) In fiscal year 2013, not less than an amount equal to 63.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the

(Over)

Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vi) In fiscal year 2014, not less than an amount equal to 64% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vii) In fiscal year 2015, not less than an amount equal to 64.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(viii) In fiscal year 2016, not less than an amount equal to [65%] **64.75%** of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(ix) In fiscal year 2017, not less than an amount equal to [65.5%] **65.25%** of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(x) In fiscal year 2018, not less than an amount equal to [66%] **65.75%** of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2019, not less than an amount equal to [66.5%] 66.25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xii) In fiscal year 2020, not less than an amount equal to [67.5%] 67% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(XIII) IN FISCAL YEAR 2021, NOT LESS THAN AN AMOUNT EQUAL TO 67.5% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(XIV) IN FISCAL YEAR 2022, NOT LESS THAN AN AMOUNT EQUAL TO 68% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; and

[(xiii)] (XV) In fiscal year [2021] 2023 and each fiscal year thereafter, not less than an amount equal to 68.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of

(Over)

administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.”.

AMENDMENT NO. 30

On page 106, after line 5, insert:

“12–118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section [shall be distributed to]:

(I) SHALL BE DISTRIBUTED FIRST TO the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; AND

(II) AFTER THE DISTRIBUTION UNDER ITEM (I) OF THIS PARAGRAPH, FOR EACH OF FISCAL YEARS 2013 THROUGH 2015 ONLY, \$3,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.”.

AMENDMENT NO. 31

On page 119, after line 20, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That:

(a) In this section, “county” and “county board” have the meanings stated in § 1-101 of the Education Article.

(b) (1) Notwithstanding § 5-202(d) of the Education Article, for fiscal year 2012 only, a county that shifts to the county board the recurring costs associated with

providing retiree health benefits for current retirees may deduct any reduction in those costs from the amount the county is required to appropriate to the county board in fiscal year 2012.

(2) It is the intent of the General Assembly that any funds shifted by Baltimore City to the Baltimore City Board of School Commissioners in fiscal year 2011 be included in the local appropriation on which the calculation of State aid under § 5-210 of the Education Article is based for fiscal year 2012.”.

AMENDMENT NO. 32

On page 119, before line 21, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, because of the expiration of federal funds from the American Recovery and Reinvestment Act of 2009 that were used by the State to fund increases in the education aid formulas to the counties and Baltimore City in fiscal year 2010 and 2011, if the State Board of Education imposes any penalty under § 5-213 of the Education Article on a county or Baltimore City for not meeting the required local maintenance of effort in fiscal year 2012 under § 5-202(d) of the Education Article, the penalty may not be more than the net increase in State aid over fiscal year 2011 due to a county or Baltimore City regardless of the fund source.”.

AMENDMENT NO. 33

On page 10, after line 20, insert:

“Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(b) (2) (I) [If] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide

(Over)

yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(II) FOR FISCAL YEAR 2012 ONLY, IF THE PER CAPITA YIELD OF THE COUNTY INCOME TAX FOR A COUNTY DETERMINED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS LESS THAN 77% OF THE PER CAPITA STATEWIDE YIELD OF THE COUNTY INCOME TAX DETERMINED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE COMPTROLLER SHALL DETERMINE THE AMOUNT THAT WOULD INCREASE THE COUNTY PER CAPITA YIELD TO EQUAL 77% OF THE STATEWIDE PER CAPITA YIELD, AS ROUNDED TO THE NEAREST DOLLAR.”

AMENDMENT NO. 34

On page 17, after line 32, insert:

“(I) (1) IN THIS SUBSECTION, “TOTAL DIRECT EDUCATION AID” MEANS THE TOTAL FINANCIAL ASSISTANCE PROVIDED BY THE STATE TO A COUNTY BOARD UNDER THE FOLLOWING PROGRAMS:

(I) FUNDING FOR THE FOUNDATION PROGRAM INCLUDING FUNDS FOR THE GEOGRAPHIC COST OF EDUCATION UNDER THIS SECTION;

(II) TRANSPORTATION AID UNDER § 5-205 OF THIS SUBTITLE;

(III) FUNDING FOR COMPENSATORY EDUCATION UNDER § 5-207 OF THIS SUBTITLE;

(IV) FUNDING FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY UNDER § 5-208 OF THIS SUBTITLE;

(V) FUNDING FOR SPECIAL EDUCATION STUDENTS UNDER § 5-209 OF THIS SUBTITLE;

(VI) FUNDING FOR THE GUARANTEED TAX BASE PROGRAM UNDER § 5-210 OF THIS SUBTITLE; AND

(VII) FUNDING FOR GRANTS PROVIDED UNDER THIS SUBSECTION.

(2) FOR FISCAL YEAR 2012 ONLY, IF A COUNTY BOARD'S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 6.5%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD IN AN AMOUNT NECESSARY TO ENSURE THAT A DECREASE IN TOTAL DIRECT EDUCATION AID IS NOT MORE THAN 6.5%."

AMENDMENT NO. 35

On page 113, after line 12, insert:

"Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

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

(j) Subject to subsection (c) of this section, for fiscal year 2011 OR FISCAL YEAR 2012, [an] A CUMULATIVE amount up to \$500,000 of the balance in the Fund may be transferred to the State Board of Elections for the purpose of implementing an online campaign finance reporting system."

AMENDMENT NO. 36

(Over)

On pages 10 through 13, strike in their entirety the lines beginning with line 35 on page 10 through line 32 on page 13, inclusive.

AMENDMENT NO. 37

On page 16, after line 29, insert:

“5-103.

(a) The amount requested in the annual budget of each county board for current expenses for the next school year and that is to be raised by revenue from local sources may not be less than the minimum amount required to be levied under [§ 5-202] § 5-202(D)(1)(I) of this title.

(b) The county commissioners or county council may provide funds that are more than the amount required by [§ 5-202] 5-202(D)(1)(I) of this title to support improved and additional programs.

(c) If a county council or board of county commissioners does not approve the amount requested in the budget that is more than the amount required by [§ 5-202] § 5-202(D)(1)(I) of this title:

(1) The county council or board of county commissioners shall indicate in writing, within 15 days after the adoption of the budget, which major categories of the annual budget have been reduced and the reason for the reduction; and

(2) The county board shall submit to the county governing body, within 30 days after the adoption of the budget, a report indicating how the alterations to the budget will be implemented, accompanied by reasonable supporting detail and analysis.”.

AMENDMENT NO. 38

On page 23, after line 4, insert:

“(b) (1) Full-time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.

“(2) FULL-TIME EQUIVALENT STUDENTS ENROLLED IN PROGRAMS THAT ARE PART OF AN AGREEMENT OR CONTRACT WITH FOR-PROFIT EDUCATIONAL SERVICES ENTITIES SHALL BE EXCLUDED FROM THE COMPUTATION REQUIRED BY SUBSECTION (A) OF THIS SECTION.”.

AMENDMENT NO. 39

On page 21, in line 20, after “(1)” insert “(I) 1.”; in the same line, after “section,” insert “SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH,”; in line 23, strike “, the” and substitute:

“A. THE”;

in line 24, strike “and” and substitute “; AND”

“B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,”;

and in line 25, strike the period and substitute “TO THE COMMUNITY COLLEGE.”

2. FOR A STUDENT WHO ATTENDS A COMMUNITY COLLEGE NOT SUPPORTED BY THE COUNTY IN WHICH THE STUDENT RESIDES, AT THE DISCRETION OF THE BOARD OF COMMUNITY COLLEGE TRUSTEES:

A. THE COMMUNITY COLLEGE MAY CHARGE THE STUDENT ANY APPLICABLE OUT-OF-COUNTY FEE;

B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSION SHALL PAY THE AMOUNT OF ANY APPLICABLE OUT-OF-COUNTY FEE TO THE COMMUNITY COLLEGE; AND

C. THE COMMUNITY COLLEGE SHALL REIMBURSE THE STUDENT THE AMOUNT RECEIVED FROM THE COMMISSION UNDER ITEM B OF THIS SUBSUBPARAGRAPH.

(II)".

AMENDMENT NO. 40

On page 124, before line 17, insert:

"SECTION 33. AND BE IT FURTHER ENACTED, That a memorandum of understanding negotiated between the State and an exclusive representative that is duly ratified on or after January 1, 2011, and before the effective date of this Act complies with the provisions of §§ 3-501(c) and 3-601 of the State Personnel and Pensions Article."

AMENDMENT NO. 41

On page 109, after line 23, insert:

"13-812.

(a) For collecting and remitting the tax, a licensed dealer who, on behalf of the Administration, collects the excise tax imposed by this part may keep the lesser of [\$24] \$12 per vehicle or [1.2] 0.6 percent of the gross excise tax the dealer collects."

and in line 24, strike "16-115." and substitute:

“15-311.1.

(b) (1) If a dealer charges a dealer processing charge, the charge:

(i) Shall be reasonable;

(ii) May not exceed [\$100]:

1. \$200 FOR THE PERIOD FROM JULY 1, 2011, THROUGH JUNE 30, 2014; AND

2. \$300 ON AND AFTER JULY 1, 2014; and

(iii) Shall reflect dealer expenses generally incurred for the services identified in subsection (a)(1) of this section.

16-115.”.

AMENDMENT NO. 42

On page 113, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 7-402 of Article - Transportation of the Annotated Code of Maryland be repealed.”.

AMENDMENT NO. 43

On page 93, in lines 4 and 15, in each instance, strike “**19.5%**” and substitute “**17.2%**”; in lines 11 and 21, in each instance, strike “**AND**”; and in lines 12 and 23, in each instance, after “**2012**” insert “**;**AND****”

(Over)

**(III) 19.5% FOR EACH FISCAL YEAR BEGINNING ON OR AFTER
JULY 1, 2013, BUT BEFORE JULY 1, 2016**.

On page 113, in line 22, strike "3." and substitute "4.".

On page 114, in line 3, strike "4." and substitute "5.".

On page 116, in lines 1, 16, 23, 30, and 37, strike "5.", "6.", "7.", "8.", and "9.", respectively, and substitute "6.", "7.", "8.", "9.", and "10.", respectively.

On page 117, in lines 4, 10, 16, and 26, strike "10.", "11.", "12.", and "13.", respectively, and substitute "11.", "12.", "13.", and "14.", respectively; and in line 39, strike "48" and substitute "47".

On page 118, in line 1, strike "50" and substitute "49"; strike beginning with "other" in line 11 down through "Article" in line 13; and in line 21, strike "do not erode" and substitute "preserve".

On page 120, in line 13, strike "20." and substitute "21.".

On page 121, in lines 8, 20, 26, and 35, strike "21.", "22.", "23.", and "24.", respectively, and substitute "22.", "23.", "24.", and "25.", respectively.

On page 122, in lines 3, 13, and 38, strike "25.", "26.", and "27.", respectively, and substitute "26.", "27.", and "28.", respectively.

On page 123, in lines 6, 11, and 34, strike "28.", "29.", and "30.", respectively, and substitute "29.", "30.", and "31.", respectively.

On page 124, in lines 17, 33, and 36, strike "32.", "34.", and "35.", respectively, and substitute "34.", "36.", and "37.", respectively; after line 32, insert:

“SECTION 35. AND BE IT FURTHER ENACTED, That § 7-301(f) of the Courts Article, §§ 2-614, 2-1104, and 2-1302.1 of the Tax - General Article, and §§ 12-120(a), 13-613(b), 13-802, 13-812(a), 13-955(c), and 15-311.1(b) of the Transportation Article, as enacted by this Act, shall take effect July 1, 2011.”;

in line 33, strike “30” and substitute “31”; in line 36, strike “4” and substitute “2”; and after line 37, insert:

“SECTION 38. AND BE IT FURTHER ENACTED, That Article 24, § 9-1101(b)(2) of the Code and § 5-202(i) of the Education Article as enacted by this Act and Section 19 of this Act are contingent on funding for those provisions being provided in Chapter (H.B. 70) of the Acts of the General Assembly of 2011 (Budget Bill Fiscal Year 2012), and if funding for those provisions is not provided in Chapter (H.B. 70), Article 24, § 9-1101(b)(2) of the Code and § 5-202(i) of the Education Article as enacted by this Act and Section 19 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

On page 125, in line 1, strike “36.” and substitute “39.”.