

HB0072/873128/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 72, AS AMENDED
(First Reading File Bill - Committee Reprint)

AMENDMENT NO. 1

On page 2, strike beginning with “making” in line 20 down through “tax;” in line 21, inclusive.

On page 4, strike beginning with “; altering” in line 29 down through “inspections” in line 33; and in line 39, after the semicolon, insert “repealing the Maryland Stem Cell Research Fund, the Stem Cell Research Commission, and certain provisions of law providing for State-funded stem cell research; repealing certain laws authorizing and relating to senatorial and delegate scholarships; repealing a certain graduate and professional scholarship program; repealing certain laws requiring certain contractors and subcontractors to pay certain employees certain minimum wage rates under certain State procurement contracts; requiring certain counties to reimburse the State for certain costs of providing parole release hearings for certain inmates, as determined by the Maryland Parole Commission; prohibiting the use of State funds for certain purposes; requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; altering for a certain fiscal year and repealing certain provisions authorizing certain stipends and bonuses paid by the State for certain teachers and other school-based employees; altering the calculation of certain State funding for Baltimore City Community College; prohibiting the Director of the Maryland Historical Trust after a certain fiscal year from issuing initial tax credits for a certain tax credit for certain rehabilitations; altering a termination provision for a certain tax credit authorized for certain costs of certain rehabilitations; altering certain requirements for the percentage of operating costs that must be recovered from certain revenues for certain public transit services; altering the share of the operating deficits of a certain regional transit system that the State is required to fund by certain annual grants from the”

(Over)

Department of Transportation; stating the intent of the General Assembly regarding constraining spending in the State budget by implementation of certain actions;”.

AMENDMENT NO. 2

On page 5, after line 29, insert:

“BY adding to

Article – Correctional Services

Section 7–209

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)”.

On page 6, after line 5, insert:

“BY adding to

Article – Economic Development

Section 10–640(g) and 10–643(g)

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)”.

On page 6, in line 8, strike “5-202(a)(13),” and substitute “4-122(b)(2), 5-202(a), 5-205(c),”; in the same line, after “5-206(f)(1),” insert “6-306,”; in the same line, after “11-105(o),” insert “14-405(b)(2),”; and in the same line, after “16-310(d)(1),” insert “16-512(a),”.

On pages 6 and 7, strike in their entirety the lines beginning with line 40 on page 6 through line 4 on page 7, inclusive.

On page 7, strike in their entirety lines 10 through 14, inclusive; in line 23, after “3A-309(e)” insert “, 5A-303(d)(3)(vi) and (i)”; and after line 25, insert:

“BY repealing

Article – State Finance and Procurement
Section 5A-303(d)(3)(iv) and (v)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)”.

On page 8, in line 40, strike “and”; and in the same line, after “8-403” insert “, and 10-205(b)”.

On page 9, strike in their entirety lines 12 through 16, inclusive; after line 29, insert:

“BY repealing

Article – Economic Development
Section 10-429 through 10-442 and the part “Part III. Stem Cell Research”
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)

BY repealing

Article – Education
Section 5-202(e) and (f); 6-112; 18-401 through 18-408 and the subtitle
“Subtitle 4. Senatorial Scholarships”; 18-501 through 18-507 and the
subtitle “Subtitle 5. Delegate Scholarships”; and 18-2601 and the subtitle
“Subtitle 26. Maryland Graduate and Professional Scholarship Program”
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)”;

and after line 35, insert:

“BY repealing

Article – State Finance and Procurement
Section 18-101 through 18-109 and the title “Title 18. Living Wage”
Annotated Code of Maryland

(Over)

(2009 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On page 14, after line 7, insert:

“7-209.

(A) IN THIS SECTION, “COUNTY” DOES NOT INCLUDE BALTIMORE CITY.

(B) FOR EACH FISCAL YEAR, THE COMMISSION SHALL DETERMINE FOR EACH COUNTY THE FULL COSTS OF PROVIDING PAROLE RELEASE HEARINGS FOR INMATES HELD IN A LOCAL CORRECTIONAL FACILITY IN THAT COUNTY, INCLUDING:

(1) THE COSTS TO THE DIVISION OF PAROLE AND PROBATION OF PRE-PAROLE INVESTIGATIONS MADE FOR THOSE INMATES; AND

(2) THE COSTS OF SCHEDULING AND CONDUCTING PAROLE HEARINGS FOR THOSE INMATES AND OTHER PROCESSING COSTS INCURRED BY THE COMMISSION IN CONNECTION WITH PROVIDING PAROLE RELEASE HEARINGS FOR THOSE INMATES.

(C) EACH COUNTY SHALL REIMBURSE THE STATE FOR THE FULL COSTS OF PROVIDING PAROLE RELEASE HEARINGS FOR INMATES HELD IN A LOCAL CORRECTIONAL FACILITY IN THAT COUNTY AS DETERMINED BY THE COMMISSION UNDER THIS SECTION.”.

AMENDMENT NO. 4

On page 16, after line 12, insert:

“Article – Economic Development

10–640.

(G) NOTWITHSTANDING SUBSECTION (F) OF THIS SECTION, FOR FISCAL YEAR 2012 AND ANY FISCAL YEAR THEREAFTER, STATE FUNDS MAY NOT BE USED TO PAY MORE THAN 50% OF ANY OBLIGATION OF THE AUTHORITY UNDER SUBSECTION (F) OF THIS SECTION FOR ANNUAL OPERATING DEFICITS OR A CAPITAL RESERVE FUND.

10–643.

(G) NOTWITHSTANDING SUBSECTION (F) OF THIS SECTION, FOR FISCAL YEAR 2012 AND ANY FISCAL YEAR THEREAFTER, STATE FUNDS MAY NOT BE USED TO PAY MORE THAN 50% OF ANY OBLIGATION OF THE AUTHORITY UNDER SUBSECTION (F) OF THIS SECTION FOR ANNUAL OPERATING DEFICITS OR A CAPITAL RESERVE FUND.”.

AMENDMENT NO. 5

On page 16, after line 13, insert:

“4–122.

(b) (2) The service providing local education agency shall include a child enrolled as the result of an out-of-county living arrangement in their full-time equivalent enrollment as provided by [§ 5–202(a)(6)] § 5–202(A) of this article.”;

after line 14, insert:

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

(Over)

(2) “ABSENTEEISM RATE” MEANS THE DIFFERENCE BETWEEN 1.00 AND THE AVERAGE DAILY ATTENDANCE RATE.

[(2)] (3) “Annual per pupil foundation amount” means:

(i) For fiscal years 2004 through 2008, the sum, rounded to the nearest dollar, of:

1. The fiscal year 2002 per pupil foundation amount of \$4,124; and

2. The product of the difference between the target per pupil foundation amount and \$4,124 and:

A. 0.40 in fiscal year 2004;

B. 0.52 in fiscal year 2005;

C. 0.71 in fiscal year 2006; and

D. 0.83 in fiscal year 2007; and

(ii) For fiscal year 2008 and each fiscal year thereafter, the target per pupil foundation amount.

[(3)] (4) “Assessed valuation of real property” means the most recent estimate made by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly, of the assessed value of real property for State purposes as of July 1 of the first completed fiscal year before the school year for which the calculation of State aid is made under this section.

[(4)] (5) “Assessed value of personal property” means the most recent estimate by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly of the assessed value for county purposes of personal property as of July 1 of the first completed fiscal year before the school year for which the calculation is made under this section.

(6) “AVERAGE DAILY ATTENDANCE RATE” MEANS THE SUM OF STUDENTS ATTENDING SCHOOL EACH DAY DURING THE SECOND PRIOR SCHOOL YEAR DIVIDED BY THE SUM OF STUDENT ENROLLMENT FOR EACH DAY DURING THE SECOND PRIOR SCHOOL YEAR.

[(5)] (7) “Foundation program” means the product of the annual per pupil foundation amount and a county’s full-time equivalent enrollment.

[(6)] (8) “Full-time equivalent enrollment” means the [sum of] DIFFERENCE BETWEEN:

(i) THE SUM OF:

1. The number of students enrolled in [grades 1 through] KINDERGARTEN THROUGH GRADE 12 or their equivalent in regular day school programs on September 30 of the previous school year;

[(ii) Except as provided in item (iii) of this paragraph, the product of the number of students enrolled in kindergarten programs on September 30 of the prior school year and:

1. 0.60 in fiscal year 2004;
2. 0.70 in fiscal year 2005;

3. 0.80 in fiscal year 2006;
4. 0.90 in fiscal year 2007; and
5. 1.00 in fiscal year 2008 and each fiscal year thereafter;

(iii) In Garrett County, the number of students enrolled in kindergarten programs on September 30 of the prior school year;] and

[(iv)] 2. The number of full-time equivalent students, as determined by a regulation of the Department, enrolled in evening high school programs during the previous school year; AND

(ii) THE PRODUCT OF MULTIPLYING:

1. THE NUMBER DERIVED IN ITEM (I) OF THIS PARAGRAPH; AND

2. THE ABSENTEEISM RATE.

[(7)] (9) “Local contribution rate” means the figure that is calculated as follows:

(i) Multiply the statewide full-time equivalent enrollment by \$624, and multiply this product by:

1. 0.46 in fiscal year 2004;
2. 0.47 in fiscal year 2005;

3. 0.48 in fiscal year 2006;
4. 0.49 in fiscal year 2007; and
5. 0.50 in fiscal year 2008 and each fiscal year thereafter;

(ii) Multiply the statewide full-time equivalent enrollment by the amount that the annual per pupil foundation amount exceeds \$624, and multiply this product by 0.50;

(iii) Add the two products calculated in items (i) and (ii) of this paragraph, and divide the resulting sum by the sum of the wealth of all of the counties in this State; and

(iv) Round the result obtained in item (iii) of this paragraph to seven decimal places and express as a percent with five decimal places.

[(8)] (10) “Local share of the foundation program” means the product of the local contribution rate and a county’s wealth.

[(9)] (11) “Net taxable income” means the amount certified by the State Comptroller for the second completed calendar year before the school year for which the calculation of State aid under this section is made, based on tax returns filed on or before September 1 after this calendar year.

[(10)] (12) “Personal property” means all property classified as personal property under § 8–101(c) of the Tax – Property Article.

[(11)] (13) “Real property” means all property classified as real property under § 8–101(b) of the Tax – Property Article.

[(12)] (14) “State share of the foundation program” means the greater of:

(i) The difference between the foundation program and the local share of the foundation program; and

(ii) The result obtained by multiplying the annual per pupil foundation amount by the county’s full-time equivalent enrollment, and multiplying this product by:

1. 0.25 in fiscal year 2004;
2. 0.24 in fiscal year 2005;
3. 0.22 in fiscal year 2006;
4. 0.19 in fiscal year 2007; and
5. 0.15 in fiscal year 2008 and each fiscal year thereafter.”;

in line 15, strike “(a)”; and in the same line, strike “(13)” and substitute “**(15)**”.

On page 17, in line 4, strike “2015” and substitute “**2016**”; after line 17, insert:

“[(14)] (16) “Wealth” means the sum of:

- (i) Net taxable income;
- (ii) 100 percent of the assessed value of the operating real property of public utilities;

(iii) 40 percent of the assessed valuation of all other real property; and

(iv) 50 percent of assessed value of personal property.

5-205.

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

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

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

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

(3) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price

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Index may not be less than 1 percent nor more than 8 percent of the amount of the grant for the previous year.

(ii) For fiscal year 2011, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index shall be 1 percent of the amount of the grant for the previous year.

(iii) For each of fiscal years 2012 through [2015] 2016, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index may not be more than 1 percent of the amount of the grant for the previous year.”;

and after line 23, insert:

“6-306.

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

(2) “County grant for national certification” means an annual grant distributed to a teacher certified by the National Board for Professional Teaching Standards established:

(i) Outside of the collective bargaining process; or

(ii) As part of a collective bargaining agreement with the local employee organization.

(3) “School-based employee” means a certificated employee who works directly with students or teachers at a public school.

(b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor shall include in each year's operating budget funding for the stipends and bonuses provided in this subsection.

(2) A classroom teacher or other nonadministrative school-based employee in a public school identified by the State Board as having comprehensive needs who holds a standard professional certificate or an advanced professional certificate who is employed by a county board and who holds a certificate issued by the National Board for Professional Teaching Standards shall receive a stipend from the State in an amount equal to the county grant for national certification, up to a maximum of \$2,000 per qualified individual.

(3) A classroom teacher or other nonadministrative school-based employee in a school not identified by the State Board as having comprehensive needs who holds a standard professional certificate or an advanced professional certificate who is employed by a county board and who holds a certificate issued by the National Board for Professional Teaching Standards shall receive a stipend from the State in an amount equal to the county grant for national certification, up to a maximum of \$1,000 per qualified individual.

(4) A classroom teacher who holds an advanced professional certificate and teaches in a public school identified by the State Board as a school having comprehensive needs shall receive a stipend from the State in the amount of \$1,500 for each year that the teacher performs satisfactorily in the classroom.]

[(5) (i) 1.] (A) (1) The State Board shall establish a program to support locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for highly effective classroom teachers and principals to work in public schools that are:

[A.] (I) In improvement, corrective action, or restructuring;

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[B.] (II) Categorized by the local school system as a Title I school; or

[C.] (III) In the highest 25% of schools in the State based on a ranking of the percentage of students who receive free and reduced priced meals.

[2.] (2) The program established under [subsubparagraph 1 of this subparagraph] PARAGRAPH (1) OF THIS SUBSECTION may include financial incentives, leadership changes, or other incentives.

[(ii) 1.] (B) (1) The State Board shall adopt guidelines to implement this [paragraph] SECTION.

[2.] (2) Nothing in this [paragraph] SECTION shall be construed to prohibit a local school system from employing more stringent standards than the guidelines adopted under this [subparagraph] SUBSECTION.

[(c) An individual who receives a stipend or bonus under subsection (b) of this section may not be deemed an employee of the State.

(d) The employer of an individual who receives a stipend or bonus under subsection (b) of this section shall pay the increase in fringe benefit costs associated with the stipend or bonus.

(e) The Department shall act as fiscal agent for funds disbursed under this section.]”.

On page 18, after line 25, insert:

“14-405.

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

(II) FOR FISCAL YEAR 2012, THE GRANT SHALL EQUAL 95% OF THE GRANT FOR FISCAL YEAR 2011.

[(ii)] (III) For fiscal year [1994] 2013 and each year thereafter, the proposed grant shall be equal to the grant of the prior year augmented by funds required to offset inflation as indicated by the implicit price deflator for State and local government.

On page 19, in line 17, after “year:” insert “AND”; in line 18, after “2013” insert “AND IN EACH FISCAL YEAR THEREAFTER”; and in line 19, strike “18.5%” and substitute “19.5%”.

On pages 19 and 20, strike beginning with the semicolon in line 22 on page 19 down through “year” in line 36 on page 20.

On page 21, after line 12, 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

(Over)

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; AND

(v) In fiscal year 2013 AND EACH FISCAL YEAR THEREAFTER, not less than an amount equal to [63.5%] **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[;

(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% 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% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

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

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

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

(xiii) In fiscal year 2021 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 administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year].

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

(3) Notwithstanding the provisions of paragraph (1) of this subsection, the total State operating fund appropriated to Baltimore City Community College under this section for each of fiscal years 2011 and 2012 shall be \$40,187,695.”;

in line 31, after “year:” insert “AND”; in line 32, after “2013” insert “AND EACH FISCAL YEAR THEREAFTER”; in the same line, strike the brackets; and in the same line, strike “9.5%”.

On pages 21 and 22, strike beginning with the semicolon in line 34 on page 21 down through “year” in line 22 on page 22.

AMENDMENT NO. 6

On pages 35 and 36, strike in their entirety the lines beginning with line 25 on page 35 through line 6 on page 36, inclusive.

On page 37, strike in their entirety lines 28 through 33, inclusive.

AMENDMENT NO. 7

On page 44, after line 18, insert:

“5A–303.

(d) (3) [(iv) For each of fiscal years 2011, 2012, 2013, and 2014, the Governor shall include in the budget bill an appropriation to the Reserve Fund.

(v) Notwithstanding the provisions of § 7–213 of this article, the Governor may not reduce an appropriation to the Reserve Fund in the State budget as approved by the General Assembly.]

[(vi) (IV) The Director may not issue an initial credit certificate for any fiscal year after fiscal year [2014] 2011.

(i) (1) Subject to the provisions of this subsection, AS TO COMMERCIAL REHABILITATIONS, the provisions of this section and the tax credit authorized under this section shall terminate as of July 1, [2014] 2011.

(2) On and after July 1, [2014] 2011:

(i) the tax credit authorized under this section may be claimed for:

1. a rehabilitation project[,] other than a commercial rehabilitation[, for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2014]; or

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2. a commercial rehabilitation for which an initial credit certificate has been awarded under subsection (d) of this section; and

(ii) the Director shall continue to report to the Governor and the General Assembly as required under subsection (h) of this section for as long as any rehabilitation project for which the tax credit may be claimed remains incomplete.”.

AMENDMENT NO. 8

On pages 91 through 93, strike in their entirety the lines beginning with line 21 on page 91 through line 19 on page 93, inclusive, and substitute:

“2-1104.

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

(1) 2.3% AS FOLLOWS:

(I) \$5,000,000 FOR EACH FISCAL YEAR to the Chesapeake Bay 2010 Trust Fund; AND

(II) THE REMAINDER OF THE 2.3% TO THE GENERAL FUND OF THE STATE; and

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

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

- (1) \$6,500,000 to the General Fund of the State; and
- (2) the balance to the Chesapeake Bay 2010 Trust Fund.

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

- (1) \$8,385,845 to the General Fund of the State; and
- (2) the balance to the Chesapeake Bay 2010 Trust Fund.

(d) For the fiscal year beginning July 1, 2010, instead of the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3% of the remaining motor fuel tax revenue as follows:

- (1) \$5,000,000 to the General Fund of the State; and
- (2) the balance to the Chesapeake Bay 2010 Trust Fund.]

2-1302.1.

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

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

(2) [the remainder] \$15,000,000 FOR EACH FISCAL YEAR to the Chesapeake Bay 2010 Trust Fund; AND

(3) THE REMAINDER TO THE GENERAL FUND OF THE STATE.

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

- (1) \$18,500,000 to the General Fund of the State; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

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

- (1) \$21,100,711 to the General Fund of the State; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

(d) For the fiscal year beginning July 1, 2010, after the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute the remainder of the sales and use tax collected on short-term vehicle rentals under § 11-104(c) of this article as follows:

- (1) \$17,101,428 to the General Fund of the State; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.]”.

AMENDMENT NO. 9

On page 99, in line 28, strike "35" and substitute "50".

On page 103, after line 25, insert:

"10-205.

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

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

(ii) All federal operating assistance.

(2) The Department's share shall equal [100] 75 percent of the operating deficit."

AMENDMENT NO. 10

On pages 103 through 105, strike in their entirety the lines beginning with line 26 on page 103 through line 2 on page 105, inclusive.

On page 107, strike in their entirety lines 4 through 10, inclusive.

On pages 107 and 108, strike in their entirety the lines beginning with line 29 on page 107 through line 8 on page 108, inclusive.

(Over)

AMENDMENT NO. 11

On page 110, after line 33, insert:

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

SECTION 2A. AND BE IT FURTHER ENACTED, That Section(s) 5–202(e) and (f); 6–112; 18–401 through 18–408 and the subtitle “Subtitle 4. Senatorial Scholarships”; 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”; and 18–2601 and the subtitle “Subtitle 26. Maryland Graduate and Professional Scholarship Program” of Article – Education of the Annotated Code of Maryland be repealed.”;

in line 34, strike “2.” and substitute “2B.”; and after line 36, insert:

“SECTION 2C. AND BE IT FURTHER ENACTED, That Section(s) 18–101 through 18–109 and the title “Title 18. Living Wage” of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.

SECTION 2D. AND BE IT FURTHER ENACTED, That, notwithstanding the repeal of § 5–202(e) of the Education Article by this Act, for fiscal year 2012 only, the State shall provide a supplemental grant to each county board in an amount equal to 50% of the amount the county board received under § 5–202(e) of the Education Article in fiscal year 2011.

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

(a) Notwithstanding the repeal of § 6–112 of the Education Article by this Act, for fiscal year 2012 only, the State Board of Education shall select, consistent with the amount provided in the State budget for the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards, a maximum

of 500 teachers to participate in the program and the State shall pay the amounts and reimburse the counties the amounts provided under § 6–112 of the Education Article as in effect before its repeal under this Act for the teachers selected for the program; and

(b) Notwithstanding the repeal of State–paid stipends and bonuses for teachers under § 6–306 of the Education Article as amended by this Act, for fiscal year 2012 only, the State shall pay qualifying teachers 50% of the amounts of the stipends and bonuses specified in § 6–306 of the Education Article before its amendment under this Act.

SECTION 2F. AND BE IT FURTHER ENACTED, That, notwithstanding §§ 8–402 and 8–403 of the Transportation Article, for fiscal year 2012 only, \$60,000,000 of the amount otherwise required to be distributed to Baltimore City under § 8–403 of the Transportation Article shall be distributed instead to the General Fund.

SECTION 2G. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that spending be further constrained in the annual State budget by implementation of the following actions:

(1) Reducing General Fund appropriations for the University System of Maryland institutions of higher education and Morgan State University by at least 5% by eliminating positions, reducing the budget for travel and use of State vehicles, reducing free tuition for employees, and implementing operational efficiencies;

(2) Recognizing savings from consolidating the University of Maryland Center for Environmental Science administrative functions and other activities with appropriate University of Maryland institutions;

(3) Reducing General Fund appropriations by at least \$12,300,000 through across–the–board reductions of 2% to State agency general operating budgets;

(Over)

(4) Eliminating all State funding for abortions in the Medical Assistance Program;

(5) Reducing all Office of Secretary budgets for cabinet level departments by 2%;

(6) Reducing General Fund grants for the Governor's Office of Crime Control and Prevention, not including funding for the State Aid for Police Protection formula, by 10%;

(7) Realizing a General Fund savings of at least \$1,900,000 by reducing State agency advertising and promotion budgets;

(8) Capping all Executive Branch salaries at an amount equal to \$1 less than the Governor's salary;

(9) A moratorium on all out-of-state travel for State employees;

(10) Reducing the budget for Maryland Public Television by \$1,000,000;

(11) Beginning in fiscal year 2013, realizing at least \$30,000,000 in State employee and retiree health benefit General Fund savings by implementing changes consistent with the recommendations of the Public Employees' and Retirees' Benefit Sustainability Commission;

(12) Reducing the appropriation in the Board of Public Works for the Maryland Zoo at Baltimore by 10%;

(13) In light of the failure to reach a long-term, comprehensive solution to the control and operation of the Prince George's County Hospital, limiting State funds for the operation of the hospital to \$10,000,000 for fiscal year 2012 and

\$5,000,000 for fiscal year 2013 and providing no State funds thereafter for the operation of the hospital;

(14) Limiting funding for the Employment Standards Unit and the Prevailing Wage Unit of the Department of Labor, Licensing, and Regulation to the minimum statutorily required appropriations;

(15) Not providing a one-time \$750 bonus for State employees;

(16) Eliminating five positions from the Governor's Delivery Unit and eliminating funding for activities and personnel related to the Governor's Health Care Reform Policy Planning Group;

(17) Reducing the appropriation for Maryland Biotechnology Investment Tax Credit Reserve Fund by 25%;

(18) Deleting funding for the Harry Hughes Center, the Keep Maryland Community Colleges Affordable Grant, and Fine Arts Grants;

(19) Realizing savings of \$9,400,000 by providing no new General Funds for economic development grant and loan programs;

(20) Realizing Transportation Trust Fund savings from eliminating funding for the Virginia Manor Road project in Prince George's County, the Red Line and Purple Line transit projects, and the Corridor Cities Transitway; and

(21) Eliminating funding for the statewide personnel system information technology project."

On page 113, strike in their entirety lines 17 through 31, inclusive, and substitute:

(Over)

“SECTION 5. RESERVED.”

On page 114, strike in their entirety lines 12 through 18, inclusive, and substitute:

“SECTION 8. RESERVED.”