

HB0072/899132/1

BY: Budget and Taxation 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; codifying a certain attorney disciplinary fund; authorizing the Court of Appeals to adopt certain rules for the administration and operation of the disciplinary fund, set a certain fee, and provide for certain penalties; providing for the purposes, accounting, investment, and uses of the fund;”; and in line 18, after the second semicolon, insert “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;”.

On page 2, in line 14, after “hospitals;” insert “requiring the Developmental Disabilities Administration to reimburse certain providers 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”; in line 37, strike “a” and substitute “an amount for”; in line 38, strike “benefit” and substitute “deductibles and out-of-pocket limits beginning on a certain date; requiring the Department of Budget and Management to adjust the amount of certain prescription drug out-of-pocket limits on or before a certain date and based on certain factors”; strike beginning with “who” in line 39 down through “date” in line 40; and strike beginning with “setting” in line 44 down through “System;” in line 45.

On page 4, in line 12, after “circumstances;” insert “authorizing the payment of certain grants for a certain fiscal year;”; strike beginning with “altering” in line 17

(Over)

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; and strike beginning with the second “altering” in line 39 down through “inspections;” in line 40.

On page 5, 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;”; and strike beginning with “requiring” in line 25 down through the semicolon in line 31.

AMENDMENT NO. 2

On page 5, after line 33, insert:

“BY repealing and reenacting, with amendments,

Article 24 - Political Subdivisions - Miscellaneous Provisions

Section 9-1101(b)(2)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article - Business Occupations and Professions

Section 10-316 to be under the new part, “Part III. Disciplinary Fund”

Annotated Code of Maryland

(2010 Replacement Volume)”;

in line 36, strike the first comma and substitute “and”; and in the same line, strike “, and 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 “16-310(d)(1),” insert “16-512(a)(1),”; and in line 23, after “Section” insert “5-202(i)”.

On page 7, in line 6, strike “15-702” and substitute “7-308 and 15-702”.

On page 8, in line 1, strike “Three/One” and substitute “Two/Zero”; in line 3, strike “Three/One” and substitute “Two/Zero”; in line 11, strike “(b)”; 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 15, strike “, 5-415,”; in line 25, strike “12-120,” and substitute “12-118(e)(1), 12-120(a),”; in the same line, after “13-613(b),” insert “and”; and in the same line, strike “, and 23-205”.

On page 10, after line 7, insert:

“BY repealing
Article – Education

Section 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private Career School Student Grant Program”
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On page 15, strike beginning with “SHALL” in line 21 down through “PARAGRAPH” in line 30; and after line 31, insert:

“(IV) FOR FISCAL YEAR 2012 ONLY, BEFORE THE DISTRIBUTION TO THE GENERAL FUND UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$2,078,000 FROM THE SURCHARGES COLLECTED UNDER THIS SUBSECTION 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.”

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, \$1,000,000;
3. FOR FISCAL YEAR 2013, \$2,000,000;
4. FOR FISCAL YEAR 2014, \$3,000,000; AND
5. FOR EACH OF FISCAL YEARS 2015 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) THE CHILD WAS INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5-202 OF THIS ARTICLE”.

AMENDMENT NO. 6

On page 18, strike beginning with “EXCEPT” in line 26 down through “APPROVAL” in line 27 and substitute “APPROVAL”.

AMENDMENT NO. 7

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

AMENDMENT NO. 8

On pages 49 and 50, strike in their entirety the lines beginning with line 30 on page 49 through line 4 on page 50 and substitute:

“(I) RETIRED FROM A STATE SYSTEM UNDER DIVISION II OF THIS ARTICLE ON OR BEFORE JUNE 30, 2011;

(II) 1. HAD AT LEAST 10 YEARS OF CREDITABLE SERVICE ON OR BEFORE JULY 1, 2011; AND

2. A. WAS IN STATE SERVICE ON JULY 1, 2011;
OR

B. WAS NOT IN STATE SERVICE ON JULY 1, 2011, BUT WAS WITHIN 5 YEARS BEFORE THE AGE AT WHICH A VESTED RETIREMENT ALLOWANCE WOULD NORMALLY BEGIN WHEN THE RETIREE ENDED STATE SERVICE; OR

(III) 1. RETIRES FROM A STATE SYSTEM UNDER DIVISION II OF THIS ARTICLE ON OR AFTER JULY 1, 2011; AND

2. ON OR BEFORE JUNE 30, 2011, ENDED, BUT DID NOT RETIRE DIRECTLY FROM, STATE SERVICE AND HAD AT LEAST 16 YEARS OF CREDITABLE SERVICE WHEN THE RETIREE ENDED STATE SERVICE.”.

On page 51, in line 7, strike “**(I)**”; strike beginning with “**EXCEPT**” in line 7 down through the second “**THIS**” in line 8 and substitute “**THIS**”; in line 8, after “**WHO**” insert “:

(I);

in line 9, after “**2011**” insert “;**OR**

(II) 1. BEGAN STATE SERVICE BEFORE JULY 1, 2011;

AND

2. HAD LESS THAN 10 YEARS OF CREDITABLE SERVICE ON JULY 1, 2011”;

strike in their entirety lines 10 and 11; in line 14, strike “**ENDED**” and substitute “:

(I) ENDS”;

in the same line, strike “**25**” and substitute “**10**”; in line 15, after “**SERVICE**” insert “;
AND

(II) RETIRES DIRECTLY FROM STATE SERVICE”.

On page 52, in line 14, strike “**THE**” and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**”; in line 15, after “**THAT**” insert “**, BEGINNING JULY 1, 2011, REQUIRES THE RETIREE TO PAY**”; strike in their entirety lines 16 through 20, inclusive, and substitute:

“(I) A DEDUCTIBLE OF \$500; AND

(Over)

(II) OUT-OF-POCKET LIMITS EQUAL TO:

1. \$2,000 FOR THE RETIREE ONLY; AND

2. \$3,000 FOR A RETIREE AND THE RETIREE'S
FAMILY.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
ON OR BEFORE JUNE 30 OF EACH YEAR THE DEPARTMENT SHALL ADJUST THE
OUT-OF-POCKET LIMITS UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION TO
REFLECT THE PRESCRIPTION DRUG COMPONENT OF THE MEDICAL CONSUMER
PRICE INDEX FOR THE CALENDAR YEAR ENDING DECEMBER 31 THAT FISCAL
YEAR.

(II) ANY ADJUSTMENT UNDER SUBPARAGRAPH (I) OF THIS
PARAGRAPH TO THE OUT-OF-POCKET LIMITS MAY NOT RESULT IN OUT-OF-
POCKET LIMITS GREATER THAN THE OUT-OF-POCKET LIMITS PROVIDED UNDER
THE FEDERAL MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND
MODERNIZATION ACT OF 2003 FOR THAT SAME FISCAL YEAR.

(4) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY
OUT THIS SUBSECTION.”;

and strike beginning with “WHO” in line 22 down through “2011” in line 24 and substitute “OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE WHO:

(I) RETIRED UNDER AN OPTIONAL RETIREMENT PROGRAM
UNDER TITLE 30 OF THIS ARTICLE ON OR BEFORE JUNE 30, 2011;

(II) 1. HAD AT LEAST 10 YEARS OF SERVICE AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT ON OR BEFORE JULY 1, 2011; AND

2. A. WAS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT ON JULY 1, 2011; OR

B. WAS NOT AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT ON JULY 1, 2011, BUT WAS AT LEAST AGE 57 WHEN THE RETIREE ENDED STATE SERVICE; OR

(III) 1. RETIRES UNDER AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE ON OR AFTER JULY 1, 2011; AND

2. ON OR BEFORE JUNE 30, 2011, ENDED SERVICE WITH, BUT DID NOT RETIRE DIRECTLY FROM, A STATE INSTITUTION OF HIGHER EDUCATION AND HAD AT LEAST 16 YEARS OF SERVICE AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT WHEN THE INDIVIDUAL ENDED SERVICE WITH A STATE INSTITUTION OF HIGHER EDUCATION”.

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:

(I)”;

(Over)

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”; in line 37, after “2011” insert “; OR”

(II) 1. BEGAN SERVICE AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT BEFORE JULY 1, 2011;

2. HAD LESS THAN 10 YEARS OF SERVICE AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT, ON JULY 1, 2011; AND

3. WAS IN SERVICE AS AN EMPLOYEE OF THE STATE ON JULY 1, 2011”.

On page 54, strike beginning with “AND” in line 7 down through “57” in line 8 and substitute “AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT”; in line 8, after the semicolon insert “AND”; strike beginning with “ENDED” in line 9 down through “3.” in line 11; and strike beginning with “AND” in line 11 down through the first “OF” in line 12.

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)”.

AMENDMENT NO. 9

On page 63, strike in their entirety lines 1 through 33, inclusive.

On page 64, strike in their entirety lines 1 through 6, inclusive.

On page 74, in line 28, strike “30” and substitute “92 YEARS OF COMBINED AGE AND”.

On page 79, in line 23, strike “subsection”; in the same line, strike “(b)” and substitute “SUBSECTIONS (B) AND (C)”; strike beginning with the colon in line 24 down through “(1)” in line 25; strike beginning with “RECEIVED” in line 25 down through “2011” in line 28; and in line 29, after “(b)” insert “THE CONTRIBUTION RATE FOR AN INDIVIDUAL WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2011 IS 8 % OF THE MEMBER’S EARNABLE COMPENSATION.”.

On page 80, in line 1, before “After” insert “(C)”.

On page 84, in lines 24 and 26, in each instance, strike “THREE/ONE” and substitute “TWO/ZERO”.

On page 85, in line 13, strike “3%” and substitute “2%”; and in line 18, strike “1%” and substitute “0%”.

On page 87, in line 3, strike “THREE/ONE” and substitute “TWO/ZERO”.

AMENDMENT NO. 10

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

(I) \$1,000,000 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:

(Over)

“(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.

[(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) \$500,000 AS AN APPROPRIATION TO THE MARYLAND STATE ARTS COUNCIL;

(II) \$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;

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

(IV) 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. 11

On page 95, in line 6, strike “**\$16,669,444**” and substitute “**\$13,669,444**”.

AMENDMENT NO. 12

On page 96, in line 30, strike “**50%**” and substitute “**90%**”.

On page 97, in lines 1 and 3, in each instance, strike “**50%**” and substitute “**90%**”.

AMENDMENT NO. 13

On page 113, after line 15, insert:

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

AMENDMENT NO. 14

On page 113, in line 27, strike “\$1,000,000” and substitute “\$500,000”.

AMENDMENT NO. 15

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

AMENDMENT NO. 16

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:

“(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 in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland in accordance with policies adopted by the governing boards of those institutions.

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

AMENDMENT NO. 17

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. 18

On page 10, before line 21, insert:

“Article – Business Occupations and Professions

10-314. RESERVED.

10-315. RESERVED.

PART III. DISCIPLINARY FUND.

10-316.

(A) IN THIS SECTION, “FUND” MEANS THE DISCIPLINARY FUND.

(Over)

(B) (1) THERE IS A DISCIPLINARY FUND.

(2) THE COURT OF APPEALS MAY ADOPT RULES THAT PROVIDE FOR THE ADMINISTRATION AND OPERATION OF THE FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE MONEY FOR THE OPERATION OF THE ATTORNEY GRIEVANCE COMMISSION ESTABLISHED BY RULE BY THE COURT OF APPEALS.

(D) BY RULE, THE COURT OF APPEALS MAY:

(1) REQUIRE A LAWYER TO PAY AN ANNUAL FEE TO THE FUND;
AND

(2) SPECIFY THE PENALTIES, INCLUDING SUSPENSION AND DISBARMENT, FOR PRACTICING LAW WITHOUT HAVING PAID THE ANNUAL FEE.

(E) THE FUND CONSISTS OF:

(1) FEES AND PENALTIES PAID INTO THE FUND UNDER SUBSECTION (C) OF THIS SECTION; AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE FUND MAY BE USED ONLY TO PAY THE OPERATING EXPENSES OF THE ATTORNEY GRIEVANCE COMMISSION.

(2) FOR FISCAL YEAR 2012 ONLY, UP TO \$8,000,000 OF THE MONEY IN THE FUND MAY BE USED FOR OPERATING EXPENSES OF THE JUDICIARY TO OFFSET REDUCTIONS MADE BY THE GENERAL ASSEMBLY IN THE FISCAL YEAR 2012 BUDGET OF THE JUDICIARY.

(G) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”.

On page 124, after line 22, insert:

“SECTION 33. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that Title 10, Subtitle 3, Part III of the Business Occupations and Professions Article, as enacted by this Act, shall be construed to apply retroactively to affirm the authority of the Court of Appeals to establish the Disciplinary Fund under the Maryland Rules.”.

AMENDMENT NO. 19

On page 114, in line 18, strike “\$1,500,000” and substitute “\$1,000,000”.

AMENDMENT NO. 20

(Over)

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. 21

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. 22

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. 23

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

AMENDMENT NO. 24

On page 22, in line 13, strike the brackets; and in the same line, strike "9.5%"; and in lines 19 and 22, strike "10.5%" and "11%", respectively, and substitute "10.8%" and "11.3%", respectively.

AMENDMENT NO. 25

On page 19, in line 36, strike "18.5%" and substitute "19.5%".

On page 20, in line 5, strike "18.5%" and substitute "19.5%"; and in lines 15 and 20, strike "20.5%" and "21.5%", respectively, and substitute "22%" and "23%", respectively.

On page 20, in lines 25, 30, and 35, strike "22.5%", "23.5%", and "25%", respectively, and substitute "24%", "25%", and "26%", respectively.

On page 21, in line 2, strike "26.5%" and substitute "27%".

AMENDMENT NO. 26

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

AMENDMENT NO. 27

On page 114, in line 21, strike "\$2,297,142" and substitute "\$1,297,142".

AMENDMENT NO. 28

On page 67, in line 3, strike "FOR" and substitute "SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,";

after line 13, insert:

"(3) THE STATE SHALL PAY THE PRO RATA SHARE UNDER THIS SECTION OF EACH LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.";

and in line 22, after "STATE" insert "OR BY EACH LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER TITLE 23 OF THE EDUCATION ARTICLE".

AMENDMENT NO. 29

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. 30

On page 16, in line 5, strike “THROUGH 2016” and substitute “AND 2013”.

AMENDMENT NO. 31

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

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

On page 109, in line 23, after “is” insert “:

(1)”;

in the same line, after “**\$100**” insert “**FOR A VEHICLE OTHER THAN A RENTAL VEHICLE; AND**

(2) \$50 FOR A RENTAL VEHICLE”.

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

AMENDMENT NO. 32

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. 33

On page 117, strike beginning with “any” in line 38 down through “and” in line 40.

On page 118, in line 1, strike “50” and substitute “49”.

AMENDMENT NO. 34

On page 28, after line 15, insert:

(Over)

“7-308.

THE ADMINISTRATION SHALL REIMBURSE COMMUNITY PROVIDERS FOR ABSENCE DAYS FOR RESIDENTIAL, DAY, AND SUPPORTED EMPLOYMENT SERVICES.”.

AMENDMENT NO. 35

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 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%] 64.5% 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;

(Over)

(ix) In fiscal year 2017, not less than an amount equal to [65.5%] 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;

(x) In fiscal year 2018, not less than an amount equal to [66%] 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;

(xi) In fiscal year 2019, not less than an amount equal to [66.5%] 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;

(xii) In fiscal year 2020, not less than an amount equal to [67.5%] 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;

(XIII) IN FISCAL YEAR 2021, NOT LESS THAN AN AMOUNT EQUAL TO 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;

(XIV) IN FISCAL YEAR 2022, 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)] (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 administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.”.

AMENDMENT NO. 36

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

(Over)

BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.

AMENDMENT NO. 37

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. 38

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. 39

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 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. 40

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:

(Over)

(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 EACH OF FISCAL YEARS 2012 THROUGH 2016 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%, 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%."

On page 1, in line 18, strike “a certain fiscal year” and substitute “certain fiscal years”.

On page 74, in line 30, after “HAS” insert “AT LEAST”.

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.

On page 118, strike beginning with “, other” in line 11 down through “Article” in line 13.

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 line 33, strike “30” and substitute “31”; and in line 36, strike “4” and substitute “2”.