

SENATE BILL 172

B1

4r0148
CF 4r0149

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

Introduced and read first time: January 15, 2014

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2014**

3 FOR the purpose of authorizing certain funds to be used for certain purposes;
4 authorizing or altering the distribution of certain revenue; altering or repealing
5 certain required appropriations; altering the rate of certain commissions;
6 providing for the transfer of certain funds; altering the rate of a certain
7 assessment; requiring the Health Services Cost Review Commission to establish
8 a Community Partnership Assistance Program; requiring certain funding for
9 the Program for certain purposes; providing for the sources and permissible
10 uses of the funding; requiring that certain plans be developed in accordance
11 with certain guidelines; providing that certain guidelines contain certain
12 criteria and specifications; providing for the submission and approval of certain
13 plans; requiring the Commission to take action on a certain plan; requiring that
14 certain preferences be given to certain plans or collaborations; altering the
15 timing of certain increases in certain rates for payments to certain providers for
16 a certain fiscal year; setting certain limits in increases in payments to certain
17 providers for a certain fiscal year; defining certain terms; making a conforming
18 change; making the provisions of this Act severable; providing for the effective
19 dates for certain provisions of this Act; and generally relating to the financing of
20 State and local government.

21 BY repealing and reenacting, with amendments,
22 Article – Corporations and Associations
23 Section 1–203.3(b)
24 Annotated Code of Maryland
25 (2007 Replacement Volume and 2013 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – Courts and Judicial Proceedings
28 Section 7–301(f)
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2013 Replacement Volume and 2013 Supplement)
- 2 BY repealing and reenacting, with amendments,
3 Article – Economic Development
4 Section 5–1204 and 10–523(a)(3)(i) and (c)
5 Annotated Code of Maryland
6 (2008 Volume and 2013 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 16–305(c)(1)(i) and 17–104(a)(1)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2013 Supplement)
- 12 BY adding to
13 Article – Education
14 Section 16–305(c)(1)(v) and 17–104(a)(4)
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2013 Supplement)
- 17 BY repealing and reenacting, with amendments,
18 Article – State Government
19 Section 9–117(a)(1) and (b)(2) and 9–20B–05(g)
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2013 Supplement)
- 22 BY repealing and reenacting, with amendments,
23 Article – State Personnel and Pensions
24 Section 21–308(a)(4)
25 Annotated Code of Maryland
26 (2009 Replacement Volume and 2013 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article – Tax – General
29 Section 2–1302.1(b)
30 Annotated Code of Maryland
31 (2010 Replacement Volume and 2013 Supplement)
- 32 BY repealing and reenacting, with amendments,
33 Article – Tax – Property
34 Section 13–209(h)(2)
35 Annotated Code of Maryland
36 (2012 Replacement Volume and 2013 Supplement)
- 37 BY repealing
38 Article – State Government
39 Section 9–20B–05(g–1) and (g–2)

1 Annotated Code of Maryland
2 (2009 Replacement Volume and 2013 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – Health – General
5 Section 19–214(d)(1)
6 Annotated Code of Maryland
7 (2009 Replacement Volume and 2013 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 19–214(d)(3)(i)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2013 Supplement)

13 BY adding to
14 Article – Health – General
15 Section 19–219.1
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2013 Supplement)

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

20 **Article – Corporations and Associations**

21 1–203.3.

22 (b) Subject to the appropriation process in the State budget, the Department
23 shall use the fund:

24 (1) For the costs of reviewing, processing, and auditing documents
25 filed or requested under this article or other articles of the Code; [and]

26 (2) To pay redemption or extinguishment amounts to former owners of
27 ground rents redeemed or extinguished in accordance with § 8–110 of the Real
28 Property Article; AND

29 **(3) FOR OTHER COSTS INCURRED BY THE DEPARTMENT TO**
30 **ADMINISTER THE PROVISIONS OF THIS ARTICLE.**

31 **Article – Courts and Judicial Proceedings**

32 7–301.

1 (f) (1) This subsection does not apply to a traffic case under § 21–202.1, §
2 21–809, § 21–810, or § 21–1414 of the Transportation Article or to a parking or
3 impounding case.

4 (2) In a traffic case under subsection (a)(1) of this section the court
5 shall add a \$7.50 surcharge to any fine imposed by the court.

6 (3) (i) The Comptroller annually shall credit the surcharges
7 collected under this subsection as provided in this paragraph.

8 (ii) An amount annually as set forth in the State budget shall be
9 distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition
10 Reimbursement Program as established in § 18–603 of the Education Article.

11 (iii) **AN AMOUNT ANNUALLY AS SET FORTH IN THE STATE**
12 **BUDGET SHALL BE DISTRIBUTED TO THE MARYLAND STATE FIREMEN’S**
13 **ASSOCIATION FOR THE WIDOWS’ AND ORPHANS’ FUND.**

14 (IV) After the distribution under [subparagraph]
15 SUBPARAGRAPHS (ii) AND (iii) of this paragraph, \$200,000 shall be distributed to
16 the Maryland State Firemen’s Association.

17 [(iv)] (V) After the distribution under subparagraphs (ii) [and
18 (iii)], (iii), AND (IV) of this paragraph and until a total of \$20,000,000 has been
19 distributed to the Volunteer Company Assistance Fund since the establishment of the
20 surcharge under this subsection, the remainder shall be credited to the Volunteer
21 Company Assistance Fund to be used in accordance with the provisions of Title 8,
22 Subtitle 2 of the Public Safety Article.

23 [(v)] (VI) After a total of \$20,000,000 has been distributed to
24 the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to
25 the Maryland Emergency Medical System Operations Fund established under §
26 13–955 of the Transportation Article.

27 [(vi)] (VII) On or before September 1 of each year until
28 \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, the
29 State Court Administrator shall submit a report to the Senate Budget and Taxation
30 Committee and the House Appropriations Committee, in accordance with § 2–1246 of
31 the State Government Article, on the amount of revenue distributed to the Volunteer
32 Company Assistance Fund under this paragraph.

33 **Article – Economic Development**

34 5–1204.

1 (a) (1) There is a Maryland Not-For-Profit Development Center Program
2 Fund in the Department.

3 (2) The Fund is a special, nonlapsing fund that is not subject to
4 reversion under § 7-302 of the State Finance and Procurement Article.

5 (3) The Fund consists of:

6 (i) money appropriated in the State budget to the Fund; and

7 (ii) all other money accepted for the benefit of the Fund,
8 including an additional \$50 fee to be paid for the processing of articles of incorporation
9 of a nonstock corporation in accordance with § 1-203 of the Corporations and
10 Associations Article.

11 (b) (1) The purpose of the Fund is to provide grant money to support the
12 operations of the Program consistent with this subtitle.

13 (2) **AS PROVIDED IN THE STATE BUDGET, THE FUND ALSO MAY**
14 **BE USED BY THE DEPARTMENT OF GENERAL SERVICES TO EVALUATE THE**
15 **PARTICIPATION OF NOT-FOR-PROFIT ENTITIES IN STATE PROCUREMENT.**

16 10-523.

17 (a) (3) (i) To assist the Corporation in complying with subsection (c) of
18 this section, the Governor shall include each year in the State budget bill an
19 appropriation to the Corporation for rural business development and assistance as
20 follows:

21 1. for fiscal year 2011, \$2,750,000;

22 2. for fiscal year 2012, \$2,750,000;

23 3. for fiscal year 2013, \$2,875,000;

24 4. for fiscal year 2014, \$2,875,000; [and]

25 5. **FOR FISCAL YEAR 2015, \$2,875,000; AND**

26 6. for each of the fiscal years [2015] **2016** through
27 **[2020] 2021**, \$4,000,000.

28 (c) The Corporation shall conduct its financial affairs so that, by the year
29 **[2020] 2021**, it is self-sufficient and in no further need of general operating support
30 by the State.

1

Article – Education

2 16–305.

3 (c) (1) (i) The total State operating fund per full–time equivalent
4 student to the community colleges for each fiscal year other than fiscal [year] **YEARS**
5 **2013 AND 2015**, as requested by the Governor shall be:

6 1. In fiscal year 2009, not less than an amount equal to
7 26.25% of the State’s General Fund appropriation per full–time equivalent student to
8 the 4–year public institutions of higher education in the State as designated by the
9 Commission for the purpose of administering the Joseph A. Sellinger Program under
10 Title 17 of this article in the previous fiscal year;

11 2. In fiscal year 2010, not less than an amount equal to
12 23.6% of the State’s General Fund appropriation per full–time equivalent student to
13 the 4–year public institutions of higher education in the State as designated by the
14 Commission for the purpose of administering the Joseph A. Sellinger Program under
15 Title 17 of this article in the same fiscal year;

16 3. In fiscal year 2011, not less than an amount equal to
17 21.8% of the State’s General Fund appropriation per full–time equivalent student to
18 the 4–year public institutions of higher education in the State as designated by the
19 Commission for the purpose of administering the Joseph A. Sellinger Program under
20 Title 17 of this article in the same fiscal year;

21 4. In fiscal year 2012, not less than an amount equal to
22 20% of the State’s General Fund appropriation per full–time equivalent student to the
23 4–year public institutions of higher education in the State as designated by the
24 Commission for the purpose of administering the Joseph A. Sellinger Program under
25 Title 17 of this article in the same fiscal year;

26 5. In fiscal year 2014, an amount that is the greater of
27 19.7% of the State’s General Fund appropriation per full–time equivalent student to
28 the 4–year public institutions of higher education in the State as designated by the
29 Commission for the purpose of administering the Joseph A. Sellinger Program under
30 Title 17 of this article in the same fiscal year or \$1,839.47 per full–time equivalent
31 student;

32 6. [In fiscal year 2015, an amount that is the greater of
33 19.7% of the State’s General Fund appropriation per full–time equivalent student to
34 the 4–year public institutions of higher education in the State as designated by the
35 Commission for the purpose of administering the Joseph A. Sellinger Program under
36 Title 17 of this article in the same fiscal year or \$1,839.47 per full–time equivalent
37 student;

1 7.] In fiscal year 2016, an amount that is the greater of
2 19% of the State's General Fund appropriation per full-time equivalent student to the
3 4-year public institutions of higher education in the State as designated by the
4 Commission for the purpose of administering the Joseph A. Sellinger Program under
5 Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent
6 student;

7 [8.] 7. In fiscal year 2017, an amount that is the greater
8 of 19% of the State's General Fund appropriation per full-time equivalent student to
9 the 4-year public institutions of higher education in the State as designated by the
10 Commission for the purpose of administering the Joseph A. Sellinger Program under
11 Title 17 of this article in the same fiscal year or \$1,839.47 per full-time equivalent
12 student;

13 [9.] 8. In fiscal year 2018, not less than an amount equal
14 to 20% of the State's General Fund appropriation per full-time equivalent student to
15 the 4-year public institutions of higher education in the State as designated by the
16 Commission for the purpose of administering the Joseph A. Sellinger Program under
17 Title 17 of this article in the same fiscal year;

18 [10.] 9. In fiscal year 2019, not less than an amount equal
19 to 21% of the State's General Fund appropriation per full-time equivalent student to
20 the 4-year public institutions of higher education in the State as designated by the
21 Commission for the purpose of administering the Joseph A. Sellinger Program under
22 Title 17 of this article in the same fiscal year;

23 [11.] 10. In fiscal year 2020, not less than an amount equal
24 to 23% of the State's General Fund appropriation per full-time equivalent student to
25 the 4-year public institutions of higher education in the State as designated by the
26 Commission for the purpose of administering the Joseph A. Sellinger Program under
27 Title 17 of this article in the same fiscal year;

28 [12.] 11. In fiscal year 2021, not less than an amount equal
29 to 25% of the State's General Fund appropriation per full-time equivalent student to
30 the 4-year public institutions of higher education in the State as designated by the
31 Commission for the purpose of administering the Joseph A. Sellinger Program under
32 Title 17 of this article in the same fiscal year;

33 [13.] 12. In fiscal year 2022, not less than an amount equal
34 to 27% of the State's General Fund appropriation per full-time equivalent student to
35 the 4-year public institutions of higher education in the State as designated by the
36 Commission for the purpose of administering the Joseph A. Sellinger Program under
37 Title 17 of this article in the same fiscal year; and

38 [14.] 13. In fiscal year 2023 and each fiscal year thereafter,
39 not less than an amount equal to 29% of the State's General Fund appropriation per

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

4 (v) IN FISCAL YEAR 2015, THE TOTAL STATE OPERATING
5 FUNDS FOR COMMUNITY COLLEGES SHALL BE \$223,669,968, TO BE
6 DISTRIBUTED AS FOLLOWS:

- 7 1. ALLEGANY COLLEGE\$4,872,898;
- 8 2. ANNE ARUNDEL COMMUNITY
9 COLLEGE\$28,998,941;
- 10 3. COMMUNITY COLLEGE OF BALTIMORE
11 COUNTY\$38,990,003;
- 12 4. CARROLL COMMUNITY COLLEGE\$7,488,547;
- 13 5. CECIL COMMUNITY COLLEGE\$5,217,687;
- 14 6. COLLEGE OF SOUTHERN
15 MARYLAND\$13,118,626;
- 16 7. CHESAPEAKE COLLEGE\$6,134,108;
- 17 8. FREDERICK COMMUNITY COLLEGE ...\$9,010,822;
- 18 9. GARRETT COLLEGE\$2,595,501;
- 19 10. HAGERSTOWN COMMUNITY
20 COLLEGE\$7,788,149;
- 21 11. HARFORD COMMUNITY COLLEGE ...\$10,913,980;
- 22 12. HOWARD COMMUNITY COLLEGE\$15,300,154;
- 23 13. MONTGOMERY COLLEGE\$40,402,184;
- 24 14. PRINCE GEORGE’S COMMUNITY
25 COLLEGE\$25,722,191; AND
- 26 15. WOR-WIC COMMUNITY COLLEGE\$7,116,177.

1 (a) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2), (3), AND**
2 **(4)** of this subsection, the Maryland Higher Education Commission shall compute the
3 amount of the annual apportionment for each institution that qualifies under this
4 subtitle by multiplying the number of full-time equivalent students enrolled at the
5 institution during the fall semester of the fiscal year preceding the fiscal year for
6 which the aid apportionment is made, as determined by the Maryland Higher
7 Education Commission by:

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

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

14 (iii) In fiscal year 2011, an amount not less than 9.8% of the
15 State's General Fund per full-time equivalent student appropriation to the 4-year
16 public institutions of higher education in this State for the same fiscal year;

17 (iv) In fiscal year 2012, an amount not less than 9.2% of the
18 State's General Fund per full-time equivalent student appropriation to the 4-year
19 public institutions of higher education in this State for the same fiscal year;

20 (v) In fiscal year 2014, an amount that is the greater of 9.4% of
21 the State's General Fund per full-time equivalent student appropriation to the 4-year
22 public institutions of higher education in this State for the same fiscal year or \$875.53
23 per full-time equivalent student;

24 (vi) [In fiscal year 2015, an amount that is the greater of 9.4% of
25 the State's General Fund per full-time equivalent student appropriation to the 4-year
26 public institutions of higher education in this State for the same fiscal year or \$875.53
27 per full-time equivalent student;

28 (vii)] In fiscal year 2016, an amount that is the greater of 9% of
29 the State's General Fund per full-time equivalent student appropriation to the 4-year
30 public institutions of higher education in this State for the same fiscal year or \$875.53
31 per full-time equivalent student;

32 [(viii)] **(VII)** In fiscal year 2017, an amount that is the greater of
33 9% of the State's General Fund per full-time equivalent student appropriation to the
34 4-year public institutions of higher education in this State for the same fiscal year or
35 \$875.53 per full-time equivalent student;

1 [(ix)] (VIII) In fiscal year 2018, an amount not less than 9.3% of
2 the State's General Fund per full-time equivalent student appropriation to the 4-year
3 public institutions of higher education in this State for the same fiscal year;

4 [(x)] (IX) In fiscal year 2019, an amount not less than 11.3% of
5 the State's General Fund per full-time equivalent student appropriation to the 4-year
6 public institutions of higher education in this State for the same fiscal year;

7 [(xi)] (X) In fiscal year 2020, an amount not less than 13.3% of
8 the State's General Fund per full-time equivalent student appropriation to the 4-year
9 public institutions of higher education in this State for the same fiscal year; and

10 [(xii)] (XI) In fiscal year 2021 and each fiscal year thereafter, an
11 amount not less than 15.5% of the State's General Fund per full-time equivalent
12 student appropriation to the 4-year public institutions of higher education in this
13 State for the same fiscal year.

14 **(4) IN FISCAL YEAR 2015, THE TOTAL AMOUNT OF AID DUE TO**
15 **ALL INSTITUTIONS SHALL BE \$40,943,310.**

16 **Article – State Government**

17 9–117.

18 (a) (1) [(i) Except as provided in subparagraphs (ii) and (iii) of this
19 paragraph, a licensed agent shall receive regular commissions of 5.5% of the licensed
20 agent's gross receipts from ticket sales.

21 (ii) For fiscal year 2012 through December 31, 2012, only, a] **A**
22 licensed agent shall receive regular commissions of 5.0% of the licensed agent's gross
23 receipts from ticket sales.

24 [(iii) If a video lottery operation license for a video lottery facility
25 in Baltimore City is issued, a licensed agent shall receive regular commissions of 6% of
26 the licensed agent's gross receipts from ticket sales.]

27 (b) (2) The total of the bonuses and incentives may not exceed [one-half
28 of] 1% of the gross receipts from ticket sales for the year for which the bonuses or
29 incentives are awarded.

30 **Article – State Personnel and Pensions**

31 21–308.

1 (a) (4) For fiscal year 2014 and each fiscal year thereafter, in addition to
2 the amounts required under paragraph (2) of this subsection, the Governor shall
3 include in the budget bill [~~\$300,000,000~~] **\$200,000,000**.

4 **Article – Tax – General**

5 2–1302.1.

6 (b) For each fiscal year beginning on or before July 1, 2014, after the
7 distribution required under subsection (a)(1) of this section, the Comptroller shall
8 distribute the remainder of the sales and use tax collected on short-term vehicle
9 rentals under § 11–104(c) of this article as follows:

10 (1) to the General Fund of the State:

11 (i) \$15,169,444 for the fiscal year beginning July 1, 2011;

12 (ii) \$10,076,582 for the fiscal year beginning July 1, 2012;

13 (iii) [~~\$6,535,845~~] **\$14,535,845** for the fiscal year beginning July
14 1, 2013; and

15 (iv) [~~\$3,049,199~~] **\$6,249,199** for the fiscal year beginning July
16 1, 2014; and

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

18 **Article – Tax – Property**

19 13–209.

20 (h) (2) Notwithstanding any other provision of law, the Governor may
21 transfer funds from the special fund established under this section to the General
22 Fund as follows:

23 (i) on or before June 30, 2014, \$89,198,555;

24 (ii) for the fiscal year beginning July 1, 2014, [~~\$75,062,000~~]
25 **\$144,188,554**;

26 (iii) for the fiscal year beginning July 1, 2015, \$77,654,000;

27 (iv) for the fiscal year beginning July 1, 2016, \$82,771,000; and

28 (v) for the fiscal year beginning July 1, 2017, \$86,028,000.

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

3 **Article – State Government**

4 9–20B–05.

5 (g) [Except as provided in subsection (g–1) of this section, proceeds]
6 **PROCEEDS** received by the Fund from the sale of allowances under § 2–1002(g) of the
7 Environment Article shall be allocated [to the following accounts] **AS FOLLOWS:**

8 (1) [17%] **UP TO 50%** shall be credited to an energy assistance
9 account to be used for the Electric Universal Service Program and other electricity
10 assistance programs in the Department of Human Resources;

11 (2) [except as provided in subsection (g–2) of this section, 23% shall be
12 credited to a rate relief account to provide rate relief by offsetting electricity rates of
13 residential customers, including an offset of surcharges imposed on ratepayers under §
14 7–211 of the Public Utilities Article, on a per customer basis and in a manner
15 prescribed by the Public Service Commission;

16 (3) at least [46%] **20%** shall be credited to a low and moderate income
17 efficiency and conservation programs account and to a general efficiency and
18 conservation programs account for energy efficiency and conservation programs,
19 projects, or activities and demand response programs, of which at least one–half shall
20 be targeted to the low and moderate income efficiency and conservation programs
21 account for:

22 (i) the low–income residential sector at no cost to the
23 participants of the programs, projects, or activities; and

24 (ii) the moderate–income residential sector;

25 [(4)] **(3)** [up to 10.5%] **AT LEAST 20%** shall be credited to a
26 renewable and clean energy programs account for:

27 (i) [subject to subsection (i) of this section,] renewable and
28 clean energy programs and initiatives;

29 (ii) energy–related public education and outreach; and

30 (iii) climate change **AND RESILIENCY** programs; and

31 [(5)] **(4)** up to [3.5%] **10%**, but not more than [**\$4,000,000**]
32 **\$5,000,000**, shall be credited to an administrative expense account for costs related to
33 the administration of the Fund, including the review of electric company plans for

1 achieving electricity savings and demand reductions that the electric companies are
2 required under law to submit to the Administration.

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

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

8 (2) 23% shall be credited to a rate relief account to be allocated as
9 provided in subsection (g)(2) of this section;

10 (3) at least 17.5% shall be credited to a low and moderate income
11 efficiency and conservation programs account and to a general efficiency and
12 conservation programs account to be allocated as provided in subsection (g)(3) of this
13 section;

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

16 (5) up to 3.0%, but not more than \$4,000,000, shall be credited to an
17 administrative expense account to be allocated as provided in subsection (g)(5) of this
18 section.]

19 [(g-2) Subsection (g)(2) of this section does not apply to residential customers of
20 a small rural electric cooperative, as defined in § 1-101 of the Public Utilities Article.]

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

23 **Article – Health – General**

24 19–214.

25 (d) (1) Each year, the Commission shall assess a uniform, broad-based,
26 and reasonable amount in hospital rates to:

27 (i) Reflect the aggregate reduction in hospital uncompensated
28 care realized from the expansion of health care coverage under Chapter 7 of the Acts of
29 the 2007 Special Session of the General Assembly; and

30 (ii) Operate and administer the Maryland Health Insurance
31 Plan established under Title 14, Subtitle 5 of the Insurance Article.

32 (3) For the portion of the assessment under paragraph (1)(ii) of this
33 subsection:

- 1 (i) The Commission shall ensure that the assessment:
- 2 1. Shall be included in the reasonable costs of each
3 hospital when establishing the hospital's rates;
- 4 2. May not be considered in determining the
5 reasonableness of rates or hospital financial performance under Commission
6 methodologies; and
- 7 3. May not be [less as a percentage] **MORE THAN 0.5%**
8 of net patient revenue [than the assessment of 0.8128% that was in existence on July
9 1, 2007]; and

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

12 **Article – Health – General**

13 **19-219.1.**

14 (A) (1) IN THIS SECTION, “COMMUNITY PARTNERSHIP” MEANS A
15 PARTNERSHIP WITH A CORPORATE, BUSINESS, PROVIDER, OR CITIZEN
16 ORGANIZATION TO DEVELOP METHODOLOGIES TO IMPROVE THE HEALTH AND
17 WELL-BEING OF THE COMMUNITY.

18 (2) “COMMUNITY PARTNERSHIP” INCLUDES:

19 (I) A PARTNERSHIP WITH SKILLED NURSING FACILITIES;

20 (II) A PARTNERSHIP WITH PALLIATIVE CARE PROVIDERS;

21 (III) A PARTNERSHIP WITH MULTIDISCIPLINARY
22 COMMUNITY-BASED CARE TEAMS;

23 (IV) A PARTNERSHIP WITH PHYSICIANS AND PHYSICIAN
24 PRACTICES;

25 (V) A PARTNERSHIP WITH COMMUNITY HEALTH AND
26 PUBLIC HEALTH AGENCIES; AND

27 (VI) DATA INTEGRATION THAT SUPPORTS PARTNERSHIP
28 ACTIVITIES.

1 **(B) THE COMMISSION SHALL ESTABLISH A COMMUNITY PARTNERSHIP**
2 **ASSISTANCE PROGRAM.**

3 **(C) (1) THE COMMUNITY PARTNERSHIP ASSISTANCE PROGRAM**
4 **SHALL PROVIDE FUNDING TO HOSPITALS FOR APPROVED REGIONAL OR**
5 **STATEWIDE COMMUNITY PARTNERSHIP PLANS AS FOLLOWS:**

6 **(I) FOR FISCAL YEAR 2015, \$30,000,000; AND**

7 **(II) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR**
8 **THEREAFTER, \$40,000,000.**

9 **(2) FUNDING SHALL BE PROVIDED UNDER THIS PROGRAM**
10 **THROUGH THE RATE STRUCTURES OF APPROVED HOSPITALS.**

11 **(D) COMMUNITY PARTNERSHIP PLANS SHALL BE DEVELOPED IN**
12 **ACCORDANCE WITH GUIDELINES ESTABLISHED JOINTLY BY THE DEPARTMENT**
13 **AND THE COMMISSION AFTER PUBLIC COMMENT.**

14 **(E) (1) TO BE ELIGIBLE FOR FUNDING, A PROPOSED COMMUNITY**
15 **PARTNERSHIP PLAN SHALL BE SUBMITTED TO THE COMMISSION AND THE**
16 **DEPARTMENT FOR REVIEW AND CONSIDERATION FOR APPROVAL.**

17 **(2) THE COMMISSION SHALL TAKE ACTION ON A PROPOSED PLAN**
18 **THAT HAS BEEN APPROVED BY THE DEPARTMENT.**

19 **(3) PREFERENCE SHALL BE GIVEN TO A MULTIHOSPITAL,**
20 **STATEWIDE, OR REGIONAL COMMUNITY PARTNERSHIP PLAN OR**
21 **COLLABORATION THAT:**

22 **(I) IMPROVES THE HEALTH AND WELL-BEING OF THE**
23 **COMMUNITY; AND**

24 **(II) SUPPORTS THE ACHIEVEMENT OF THE GOALS**
25 **ESTABLISHED IN THE STATE'S ALL-PAYER MODEL APPROVED BY THE CENTER**
26 **FOR MEDICARE AND MEDICAID INNOVATION.**

27 **(F) A PORTION OF THE FUNDING MAY BE USED FOR THE EVALUATION**
28 **OF COMMUNITY PARTNERSHIP AND COLLABORATION ACTIVITIES.**

29 **(G) THE GUIDELINES REQUIRED UNDER THIS SECTION SHALL INCLUDE**
30 **APPLICATION CRITERIA AND SPECIFICATIONS FOR HOSPITALS AND**
31 **MULTIHOSPITAL COLLABORATIONS TO COMPETE FOR FUNDING.**

1 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any
2 other provision of law, any revenue generated by the sale of Dauphin 365N helicopters
3 shall be credited to the General Fund.

4 SECTION 6. AND BE IT FURTHER ENACTED, That, for fiscal year 2015, any
5 increase in rates for payments to providers of nonpublic placements under § 8–406 of
6 the Education Article shall be effective beginning January 1, 2015.

7 SECTION 7. AND BE IT FURTHER ENACTED, That, for fiscal year 2015,
8 payments to providers with rates set by the Interagency Rates Committee under §
9 8–417 of the Education Article may not increase by more than 1.5% over the rates in
10 effect on January 15, 2014, and that any rate increase shall be effective beginning
11 January 1, 2015.

12 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any
13 other provision of law, on or before June 30, 2014, the Governor may transfer to the
14 General Fund:

15 \$300,000 of the funds in the Radiation Control Fund established under § 8–306
16 of the Environment Article;

17 \$650,000 of the funds in the Biotechnology Investment Tax Credit Reserve Fund
18 established under § 10–725 of the Tax – General Article;

19 \$800,000 of the funds in the Maryland Correctional Enterprises Revolving Fund
20 established under § 3–507 of the Correctional Services Article; and

21 \$2,400,000 of the funds in the Chesapeake and Atlantic Coastal Bays 2010
22 Trust Fund established under § 8–2A–02 of the Natural Resources Article.

23 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any
24 other provision of law, on or before June 30, 2015, the Governor may transfer to the
25 General Fund:

26 \$125,000 of the funds in the Sustainable Communities Tax Credit Reserve Fund
27 established under § 5A–303 of the State Finance and Procurement Article; and

28 \$25,814,997 of the funds in the accounts of the University System of Maryland.

29 SECTION 10. AND BE IT FURTHER ENACTED, That if any provision of this
30 Act or the application thereof to any person or circumstance is held invalid for any
31 reason in a court of competent jurisdiction, the invalidity does not affect other
32 provisions or any other application of this Act which can be given effect without the
33 invalid provision or application, and for this purpose the provisions of this Act are
34 declared severable.

1 SECTION 11. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this
2 Act shall take effect July 1, 2014.

3 SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act
4 shall take effect October 1, 2014.

5 SECTION 13. AND BE IT FURTHER ENACTED, That, except as otherwise
6 provided in Sections 11 and 12 of this Act, this Act shall take effect June 1, 2014.