

HB0451/619833/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 451
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “fund;” in line 6; in line 8, after “jars;” insert “requiring that certain funds distributed to the Council be included in the Council’s prior fiscal year appropriation for purposes of a certain calculation;”; and strike in their entirety lines 11 through 16, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, after “4-512(a)” insert “and 4-801”; after line 9, insert:

“BY repealing and reenacting, without amendments,

Article - State Finance and Procurement

Section 7-325(a)(2)

Annotated Code of Maryland

(2015 Replacement Volume)”;

strike in their entirety lines 10 through 13, inclusive; in line 14, strike “2.” and substitute “1.”; in the same line, strike “AND IT BE FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”; in line 22, strike “**§ 2-202(A)(1)(II)**” and substitute “**§ 2-202(A)(1)(II)2**”; and after line 24, insert:

“4-801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(b) There is a Special Fund for Preservation of Cultural Arts in Maryland.

(Over)

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(c) The purpose of the Fund is to provide supplemental grants to cultural arts organizations in the State that qualify for general operating support grants from the Maryland State Arts Council.

(d) The Secretary of Commerce shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2-202(a)(1)(ii)] § 2-202(A)(1)(II)1 of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.

(g) The Fund shall be used to provide supplemental grants for operating and programmatic improvements that strengthen the organizational capacity and financial stability of cultural arts organizations in the State that qualify for general operating support grants from the Maryland State Arts Council.

(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.

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(i) For each appropriation to the Fund, the Governor may:

(1) include the funds in the State budget subject to appropriation by the General Assembly; or

(2) transfer the funds by budget amendment from the Fund to the expenditure account of the Maryland State Arts Council.

(j) Supplemental grants made from the Fund are supplemental to and may not take the place of funding that otherwise would be appropriated for qualifying organizations.”.

AMENDMENT NO. 3

On page 3, in line 6, after “5%” insert “AS FOLLOWS:”

1. \$1,000,000”;

in the same line, strike the bracket; in line 8, strike the bracket and substitute “;AND

2. THE REMAINDER TO THE”;

and after line 9, insert:

“Article – State Finance and Procurement

7-325.

(a) (2) For fiscal year 2013 and each fiscal year thereafter, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland State Arts Council in an amount not less than the amount of the General Fund appropriation for the Council as approved in the State

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budget as enacted by the General Assembly for the prior fiscal year, increased by not less than the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6–106(b) of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2–202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation for purposes of calculating the required appropriation under § 7–325 of the State Finance and Procurement Article.”.