

HB0152/129234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 152
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 7 down through “Fund;” in line 10; in line 23, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”; and in line 25, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”.

On page 2, strike beginning with “information” in line 15 down through “books” in line 16 and substitute “personnel detail and strategic plan information”; strike beginning with “altering” in line 19 down through “race;” in line 21 and substitute “prohibiting the Consolidated Transportation Program from including certain capital transportation grants beyond a certain period except as authorized by law; requiring a certain financial forecast for a certain period to maximize the use of certain funds; prohibiting a certain financial forecast for a certain period from withholding or reserving certain funds for a certain purpose except as authorized by law;”; in line 24, after “year;” insert “clarifying that certain funds distributed to the Maryland State Arts Council from certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars are in addition to a certain base amount for purposes of a certain calculation;”; in line 30, after “met;” insert “requiring the Department of Health and Mental Hygiene and the Department of Human Resources to establish a certain group of stakeholders to collaborate on changes to, or redesign of, certain programs under certain circumstances; stating the intent of the General Assembly that certain actions may not be taken after a certain fiscal year;”; in line 35, after “dates;” insert “requiring the State Secretary of Transportation to engage certain entities and seek agreement on certain matters; requiring the Secretary to report to and consult with, at least a certain number of times a year, the chairs of certain committees;”; in line 39, strike “certain terms” and substitute “a certain term”; in the same line, after

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“definition;” insert “stating certain findings of the General Assembly; repealing a certain contingency provision; extending the termination date of a certain provision of law;”; and strike in their entirety lines 42 through 46, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article - Economic Development
Section 4-512(a) and 4-801(f)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article - Economic Development
Section 4-801(a)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)”.

On page 3, in line 3, after “6-117.1(a)(1) and (3)” insert “, 7-123(a)(1),”; in line 9, after “6-117.1(e)(1)” insert “, 7-123(c),”; in line 14, after “6-117.1(e)(1)” insert “, 7-123(c),”; in line 19, after “6-306(b)” insert “and (c)”; in line 24, after “19-201(b),” insert “19-213(a) and (b),”; and in line 29, after “19-208(b),” insert “19-213(c),”.

On page 4, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article - Health - General
Section 19-2401
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)”;

after line 34, insert:

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“BY repealing and reenacting, without amendments,
Article - Labor and Employment
Section 11-1302(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article - Labor and Employment
Section 11-1302(e)
Annotated Code of Maryland
(2016 Replacement Volume)”;

and after line 39, insert:

“BY repealing and reenacting, with amendments,
Article - Local Government
Section 16-501(e)
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)”.

On page 5, in line 29, strike “9-117(a)(1), 9-120(b), and 9-1A-28(f)” and substitute “9-120(b)”.

On page 6, after line 1, insert:

“BY repealing and reenacting, without amendments,
Article – Transportation
Section 2-103.1(c)(1)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

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Article - Transportation
Section 2-103.1(c)(9)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)”;

in line 4, after “Section” insert “2-103.1(m)(2) and”; and after line 15, insert:

“BY repealing
Chapter 13 of the Acts of the General Assembly of 2016
Section 3

BY repealing and reenacting, with amendments,
Chapter 13 of the Acts of the General Assembly of 2016
Section 5

BY repealing and reenacting, with amendments,
Chapter 145 of the Acts of the General Assembly of 2016
Section 2”.

On page 40, in line 1, strike “16.” and substitute “14.”.

On page 41, in lines 1, 18, and 31, strike “17.”, “18.”, and “19.”, respectively, and substitute “15.”, “16.”, and “17.”, respectively.

On page 42, in lines 19, 24, 31, and 35, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively; and in lines 31 and 33, in each instance, strike “17” and substitute “15”.

On page 43, in line 1, strike “22” and substitute “21”.

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On pages 6 through 8, strike in their entirety the lines beginning with line 18 on page 6 through line 17 on page 8, inclusive.

On page 32, in line 11, strike “AND”; in lines 12 and 18, in each instance, strike the bracket; in line 15, strike “\$1,000,000 in each fiscal year; and” and substitute “**\$500,000;**”

(V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN EACH FISCAL YEAR; AND”;

in line 16, strike “(v)]” and substitute “**(VI)**”; in line 18, strike “AND”; in the same line, strike “and (iv)” and substitute “**(IV), AND (V)**”; and strike in its entirety line 21.

On page 33, strike in their entirety lines 7 through 13, inclusive.

AMENDMENT NO. 3

On page 8, after line 17, insert:

“Article – Economic Development

4-512.

(a) The Council is entitled to:

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

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(2) funding in accordance with the State budget.

4-801.

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

(f) The Fund consists of:

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

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

On page 33, in line 23, after “Article;” insert “AND”; in line 26, after “(ii)” insert “1. FOR FISCAL YEARS 2019 THROUGH 2021,”; strike beginning with “1.” in line 27 down through “2.” in line 30 and substitute “A.”; in line 30, strike “the remainder”; in line 31, after “Article” insert “, \$1,000,000 IN EACH FISCAL YEAR”; and after line 31, insert:

“B. THE REMAINDER TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”.

On page 38, before line 8, insert:

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“Chapter 145 of the Acts of 2016

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 IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED for purposes of calculating the required appropriation under § 7–325 of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 10, after line 23, insert:

“(c) (1) This subsection applies only in Anne Arundel County.

(2) In this subsection, “county grant for teaching in an economically disadvantaged school” means an annual grant distributed to a teacher who teaches in an economically disadvantaged school established:

(i) Outside of the collective bargaining process; or

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

(3) For fiscal years 2017 through 2019, the Governor shall include in the State operating budget funding for the stipends provided in this subsection.

(4) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal to the county grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if the teacher:

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[(i)] 1. Teaches in a public middle or high school in which at least 30% of the students as a percentage of full-time equivalent students as defined in § 5-202 of this article qualify for free and reduced price meals under the National School Lunch Program;

[(ii)] 2. Holds a standard or advanced professional certificate;
and

[(iii)] 3. Is employed by the county board.

(II) FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.”.

AMENDMENT NO. 5

On page 10, after line 30, insert:

“7-123.

(a) (1) There is a Robotics Grant Program in the State.

[(c) The Governor shall include in the State budget an annual appropriation of at least \$250,000 to the Program.]

(C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE PROGRAM.”.

AMENDMENT NO. 6

On page 11, in line 7, strike “\$5,000,000” and substitute “\$500,000”.

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AMENDMENT NO. 7

On page 16, in line 10, strike “\$12,000,000” and substitute “**\$16,000,000**”; in line 16, strike “**1.**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 16 down through “**THE**” in line 17; in line 18, strike “18%” and substitute “**30.5%**”; and strike in their entirety lines 21 through 23, inclusive.

On page 17, in line 7, strike “**(I)**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 7 down through “**THE**” in line 8; in line 9, strike “18%” and substitute “**30.5%**”; and strike in their entirety lines 12 through 14, inclusive, and substitute:

“19–213.”

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

(2) “Facilities” means hospitals and related institutions whose rates have been approved by the Commission.

(b) The Commission shall assess and collect user fees on facilities as defined in this section.

(c) (1) The total fees assessed by the Commission may not exceed ~~[\$12,000,000]~~ **\$16,000,000.**

(2) The total user fees assessed by the Commission may not exceed the Special Fund appropriation for the Commission by more than 20%.

(3) The user fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory

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duties of the Commission in accordance with the provisions of this subtitle and any administrative costs for services to the Commission provided by the Department.

(4) The Commission shall pay all funds collected from fees assessed in accordance with this section into the Health Services Cost Review Commission Fund.

(5) The user fees assessed by the Commission may be expended only for purposes authorized by the provisions of this subtitle.

(6) The amount specified in paragraph (1) of this subsection limits only the total user fees the Commission may assess in a fiscal year.”.

AMENDMENT NO. 8

On page 18, in line 9, strike “\$4,000,000” and substitute “\$5,750,000”.

AMENDMENT NO. 9

On page 18, after line 33, insert:

“19-2401.

(a) **THE GENERAL ASSEMBLY FINDS THAT:**

(1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND THE STATE’S INVESTMENT IN THE CENTER IS CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER;

(2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND TO TRANSITION TO THE

NEW PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

(3) THE ABILITY TO PROTECT THE STATE'S INVESTMENT IN THE NEW PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

(4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE STATE'S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE THE FINANCIAL VIABILITY OF THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR THE CENTER.

(B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing an operating grant to ensure and assist in the transition of a new Prince George's County Regional Medical System to the University of Maryland Medical System Corporation:

(i) For fiscal year 2018, the Governor shall include in the budget bill an appropriation of[:

1. \$15,000,000; or
2. \$30,000,000, if a grant of \$15,000,000 is not provided in a fiscal 2016 deficiency appropriation to the University of Maryland Medical System Corporation on or before June 30, 2016] \$28,000,000;

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(ii) For fiscal year 2019, the Governor shall include in the budget bill an appropriation of [\$15,000,000] **\$27,000,000**; [and]

(iii) For fiscal years 2020 and 2021, the Governor shall include in the budget bill an appropriation of [\$5,000,000] **\$15,000,000**; AND

(IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.

(2) Subject to subsection [(b)] (C) of this section, Prince George's County shall provide a combination of matching funds and other financial assistance to the University of Maryland Medical System Corporation that constitutes total financial assistance as follows:

(i) \$15,000,000 annually for fiscal year 2017 through fiscal year 2019; and

(ii) \$5,000,000 annually for fiscal years 2020 and 2021.

[(b)] (C) The State and county funds described in subsection [(a)] (B) of this section:

(1) Shall be used to support the transition of the Prince George's County Regional Medical Center from operation under the Dimensions Health Care System to operation as a participating institution of the University of Maryland Medical System Corporation; and

(2) May be used only for:

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(i) Providing increased access to critical health care services for the region served by the Prince George’s County Regional Medical Center and improving the quality of the services provided; and

(ii) Facilitating cost containment measures to prevent additional operating losses for the Prince George’s County Regional Medical Center and its affiliated institutions.

[(c)] (D) (1) The Governor shall include in the capital or operating budget bill the following amounts that are equal to the capital funds committed by Prince George’s County to be used for the construction of the Prince George’s County Regional Medical Center:

(i) ~~[\$67,500,000]~~ **\$11,300,000** for fiscal year 2018; ~~[and]~~

(ii) \$48,000,000 for fiscal year 2019; AND

(III) \$56,200,000 FOR FISCAL YEAR 2020.

(2) Prince George’s County shall provide matching funds of \$208,000,000 for the capital construction of the Prince George’s County Regional Medical Center.”.

On page 38, after line 7, insert:

“Chapter 13 of the Acts of 2016

[SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect contingent on the University of Maryland Medical System Corporation becoming the sole corporate member of Dimensions Health Care Corporation and the University of

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Maryland Medical System Corporation assuming responsibility of the governance structure of the entity.]

SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] 12 years and 1 month and, at the end of June 30, [2021] 2028, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 10

On page 20, after line 15, insert:

“Article – Labor and Employment

11–1302.

(a) There is a Construction Education and Innovation Fund.

(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.”.

AMENDMENT NO. 11

On page 21, after line 7, insert:

“Article – Local Government

16–501.

(e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or

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Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

(iii) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section; and

2. in fiscal years 2018 and 2019, the county or Baltimore City may receive a minimum of [67.5%] 63.75% of the amount determined under subsection (c)(3) of this section.”.

AMENDMENT NO. 12

On page 24, in line 23, after “IN” insert “SUBSECTIONS (C) AND (F) OF”.

On page 25, in lines 8 and 29, in each instance, strike “BUDGET BOOKS” and substitute “SUPPORTING MATERIALS”.

On page 26, strike in their entirety lines 17 and 18; in lines 19, 25, and 29, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in line 25, strike “§ 7-115” and substitute “§ 7-115(D) AND (E)”.

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AMENDMENT NO. 13

On page 31, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 14

On page 36, after line 1, insert:

“2-103.1.

(c) (1) The Consolidated Transportation Program shall:

(i) Be revised annually; and

(9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE BUDGET REQUEST YEAR.

(m) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond

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sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and
2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) FOR THE PERIOD BEYOND THE BUDGET REQUEST YEAR, THE FINANCIAL FORECAST:

1. SHALL MAXIMIZE THE USE OF FUNDS FOR THE CAPITAL PROGRAM; AND
2. EXCEPT AS AUTHORIZED BY LAW, MAY NOT WITHHOLD OR RESERVE FUNDS FOR CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS.

(IV) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

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2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.

AMENDMENT NO. 15

On page 37, in line 18, strike “\$359,825,000” and substitute “\$364,825,000”.

AMENDMENT NO. 16

On page 39, in line 27, strike “\$2,561,757” and substitute “\$15,688,068”.

AMENDMENT NO. 17

On page 39, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 18

On page 40, in lines 9, 13, and 15, in each instance, strike “\$11,000,000” and substitute “\$12,000,000”.

AMENDMENT NO. 19

On page 41, after line 17, insert:

“(c) In developing any changes or redesign to the Medical Assistance Program or the Supplemental Nutrition Assistance Program, the Department of Health and Mental Hygiene and the Department of Human Resources shall establish a group of interested stakeholders to collaborate on any changes or program redesign.”

AMENDMENT NO. 20

On page 41, in line 18, strike “, notwithstanding” and substitute “:”

(a) Notwithstanding”;

in line 28, strike “Section” and substitute “§”; and after line 30, insert:

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“(b) It is the intent of the General Assembly that the actions taken in accordance with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.”.

AMENDMENT NO. 21

On page 41, in line 32, strike “November 1, 2018, and” and substitute “and quarterly until”.

AMENDMENT NO. 22

On page 42, after line 18, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) The State Secretary of Transportation, in coordination with the Montgomery County and Prince George’s County Departments of Transportation, shall engage the Secretary’s counterparts in Virginia and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Metropolitan Area Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

- (1) the legal and organizational structure of WMATA;
- (2) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;
- (3) labor costs and labor relations;
- (4) measures necessary to resolve WMATA’s unfunded pension liability and other postemployment benefits;

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(5) measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and

(6) financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.

(b) The Secretary shall report to and consult quarterly beginning June 30, 2017, with the Chairs of the Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee.”.