

SENATE BILL 187

B1

8lr0171
CF HB 161

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

Introduced and read first time: January 17, 2018

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2018**

3 FOR the purpose of authorizing or altering the distribution of certain revenue; altering or
4 repealing certain required appropriations; authorizing the use of certain funds for
5 certain purposes; repealing a requirement that the Comptroller pay certain amounts
6 from a certain Special Fund for a certain purpose; reducing the maximum amount of
7 certain teacher or school employee stipends; providing a certain amount of funding
8 to a certain community college; providing a certain amount of aid to certain
9 institutions of higher education in accordance with a certain action by the Board of
10 Public Works; providing a certain amount of funding for certain local health services;
11 altering certain rate increases for community service providers; altering a certain
12 reimbursement by each county and Baltimore City to the State for certain costs
13 incurred by the State Department of Assessments and Taxation; altering, for a
14 certain fiscal year, a certain budgeted Medicaid Deficit Assessment; authorizing the
15 transfer of certain funds; providing that, for a certain fiscal year, payment to certain
16 providers with rates set by the Interagency Rates Committee may not increase by
17 more than a certain percentage; providing that, for a certain fiscal year, the amount
18 of federal funds spent for a certain program may exceed a certain amount;
19 authorizing a certain agency to retain the balance of a certain fund for certain fiscal
20 years; providing that certain mandated appropriations may not increase by more
21 than a certain amount; prohibiting the General Assembly from enacting certain
22 legislation unless it contains a certain provision; and generally relating to the
23 financing of State and local government.

24 BY repealing and reenacting, with amendments,
25 Article – Business Regulation
26 Section 11–403(a)(9)
27 Annotated Code of Maryland
28 (2015 Replacement Volume and 2017 Supplement)

29 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Article – Education
2 Section 6–117.1(a)(1) and (3), 7–123(a)(1), 7–1702(a), 12–306(a)(1), and
3 18–303.1(a)(1) and (3)
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2017 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Education
8 Section 6–117.1(e)(1), 6–306(b) and (c), 7–1704, 12–306(d), 16–512(a), 17–104(a)(1),
9 18–303.1(h), and 18–19A–04.1(d)(1)
10 Annotated Code of Maryland
11 (2014 Replacement Volume and 2017 Supplement)
- 12 BY repealing
13 Article – Education
14 Section 7–123(c) and 18–303.1(g)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2017 Supplement)
- 17 BY adding to
18 Article – Education
19 Section 7–123(c) and 17–104(a)(5)
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2017 Supplement)
- 22 BY repealing and reenacting, without amendments,
23 Article – Health – General
24 Section 2–302(a), 5–626(a), 13–3003(a), 16–201.3(a), and 19–2201(a) and (e)(1)
25 Annotated Code of Maryland
26 (2015 Replacement Volume and 2017 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article – Health – General
29 Section 2–302(b)(4) and (5), 5–626(g), 7–307(d)(4), 13–3003(g), 16–201.3(d)(1),
30 19–2201(e)(2)(iv), and 19–2401(d)
31 Annotated Code of Maryland
32 (2015 Replacement Volume and 2017 Supplement)
- 33 BY adding to
34 Article – Health – General
35 Section 19–2201(e)(2)(v)
36 Annotated Code of Maryland
37 (2015 Replacement Volume and 2017 Supplement)
- 38 BY repealing and reenacting, without amendments,
39 Article – Housing and Community Development
40 Section 4–509(a)(1) and (4) and 6–510(a)

- 1 Annotated Code of Maryland
2 (2006 Volume and 2017 Supplement)
- 3 BY repealing and reenacting, with amendments,
4 Article – Housing and Community Development
5 Section 4–509(j) and 6–510(j)
6 Annotated Code of Maryland
7 (2006 Volume and 2017 Supplement)
- 8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 5–903(a)(1)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2017 Supplement)
- 13 BY repealing and reenacting, without amendments,
14 Article – State Finance and Procurement
15 Section 7–311(a)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2017 Supplement)
- 18 BY repealing and reenacting, with amendments,
19 Article – State Finance and Procurement
20 Section 7–311(j)
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2017 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article – Tax – Property
25 Section 2–106(b) and (c) and 13–209(g)(2)
26 Annotated Code of Maryland
27 (2012 Replacement Volume and 2017 Supplement)
- 28 BY repealing and reenacting, without amendments,
29 Article – Tax – Property
30 Section 2–106(d) and (e)
31 Annotated Code of Maryland
32 (2012 Replacement Volume and 2017 Supplement)
- 33 BY repealing and reenacting, with amendments,
34 Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter
35 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of
36 the General Assembly of 2014, Chapter 489 of the Acts of the General
37 Assembly of 2015, and Chapter 23 of the Acts of the General Assembly of 2017
38 Section 16(c)
- 39 BY repealing and reenacting, with amendments,

1 Chapter 25 of the Acts of the General Assembly of 2016
2 Section 4

3 BY repealing and reenacting, with amendments,
4 Chapter 145 of the Acts of the General Assembly of 2016, as amended by Chapter 23
5 of the Acts of the General Assembly of 2017
6 Section 2

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

9 **Article – Business Regulation**

10 11–403.

11 (a) The Comptroller shall pay from the Special Fund an annual grant of:

12 (9) beginning July 1, 2017, from the money distributed under § 9–120(b) of
13 the State Government Article:

14 (i) \$500,000 to a purse for the Maryland International thoroughbred
15 race under § 11–522.1 of this title; AND

16 (ii) [\$350,000 to the Maryland Office of Sports Marketing in the
17 Maryland Stadium Authority for incentive grants for youth and amateur sporting events;
18 and

19 (iii)] \$150,000 to the Maryland Humanities Council for Maryland
20 History Day and other programming.

21 **Article – Education**

22 6–117.1.

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

24 (3) “Program” means the Teacher Induction, Retention, and Advancement
25 Pilot Program.

26 (e) (1) (i) For fiscal year 2018, the Governor shall include in the annual
27 budget bill an appropriation of \$2,100,000 to the Program.

28 [(ii) For fiscal year 2019 and each fiscal year thereafter, the Governor
29 shall include in the annual budget bill an appropriation of \$5,000,000 to the Program.]

30 **(II) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR**

1 **THEREAFTER, THE GOVERNOR MAY INCLUDE FUNDING IN THE ANNUAL BUDGET**
2 **BILL FOR THE PROGRAM.**

3 6–306.

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

7 (2) A classroom teacher or other nonadministrative school–based employee
8 in a public school identified by the State Board as having comprehensive needs who holds
9 a standard professional certificate or an advanced professional certificate who is employed
10 by a county board and who holds a certificate issued by the National Board for Professional
11 Teaching Standards [shall] **MAY** receive a stipend from the State in an amount equal to
12 the county grant for national certification, up to a maximum of[:

13 (i) For fiscal year 2018,] \$2,000 per qualified individual[; and

14 (ii) For fiscal year 2019 and each fiscal year thereafter, \$4,000 per
15 qualified individual].

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

23 (4) To the maximum extent practicable, each public school shall utilize
24 teachers who have obtained National Board Certification in leadership roles within the
25 school.

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

29 A. In improvement, corrective action, or restructuring;

30 B. Categorized by the local school system as a Title I school;
31 or

32 C. In the highest 25% of schools in the State based on a
33 ranking of the percentage of students who receive free and reduced priced meals.

34 2. The program established under subparagraph 1 of this

1 subparagraph may include financial incentives, leadership changes, or other incentives.

2 (ii) 1. The State Board shall adopt guidelines to implement this
3 paragraph.

4 2. Nothing in this paragraph shall be construed to prohibit a
5 local school system from employing more stringent standards than the guidelines adopted
6 under this subparagraph.

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

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

11 (i) Outside of the collective bargaining process; or

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

14 (3) For fiscal years 2017 [through 2019] **AND 2018**, the Governor shall
15 include in the State operating budget funding for the stipends provided in this subsection.

16 (4) (i) Except as provided in subparagraph (ii) of this paragraph, a
17 classroom teacher shall receive a stipend from the State in an amount equal to the county
18 grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if
19 the teacher:

20 1. Teaches in a public middle or high school in which at least
21 30% of the students as a percentage of full-time equivalent students as defined in § 5–202
22 of this article qualify for free and reduced price meals under the National School Lunch
23 Program;

24 2. Holds a standard or advanced professional certificate; and

25 3. Is employed by the county board.

26 (ii) For fiscal year 2018, the maximum stipend a teacher may receive
27 under subparagraph (i) of this paragraph is \$750.

28 7–123.

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

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

1 **(C) THE GOVERNOR MAY INCLUDE FUNDING IN THE ANNUAL STATE**
2 **BUDGET FOR THE PROGRAM.**

3 7-1702.

4 (a) There is a Public School Opportunities Enhancement Program.

5 7-1704.

6 (a) For fiscal year 2018, the Governor shall include in the annual budget bill an
7 appropriation of \$2,500,000 to the Program.

8 **(b) FOR FISCAL YEAR 2019, THE GOVERNOR MAY INCLUDE IN THE ANNUAL**
9 **BUDGET BILL AN APPROPRIATION OF \$2,500,000 TO THE PROGRAM.**

10 **(C) For fiscal years [2019 through] 2020 AND 2021, [the Governor shall include**
11 **in the annual budget bill an appropriation of \$7,500,000 to the Program] FUNDING FOR**
12 **THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET.**

13 12-306.

14 (a) (1) There is a University of Maryland Center for Economic and
15 Entrepreneurship Development (UMCEED).

16 (d) **(1)** The Governor [shall] **MAY** appropriate [at least] the following amounts
17 in general funds to UMCEED for the following fiscal years:

18 **[(1)] (I) \$2,000,000 for fiscal year 2018; AND**

19 **[(2)] (II) [\$4,000,000] \$2,000,000 for fiscal year 2019]; and**

20 **(3) \$6,000,000 for fiscal year 2020 and each fiscal year thereafter].**

21 **(2) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER,**
22 **FUNDING FOR UMCEED SHALL BE AS PROVIDED IN THE STATE BUDGET.**

23 16-512.

24 (a) (1) The total State operating fund per full-time equivalent student
25 appropriated to Baltimore City Community College for each fiscal year other than fiscal
26 year 2013, as requested by the Governor shall be:

27 (i) In fiscal year 2009, not less than an amount equal to 67.25% of
28 the State's General Fund appropriation per full-time equivalent student to the 4-year
29 public institutions of higher education in the State as designated by the Commission for
30 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article

1 in the previous fiscal year;

2 (ii) In fiscal year 2010, not less than an amount equal to 65.1% of the
3 State's General Fund appropriation per full-time equivalent student to the 4-year public
4 institutions of higher education in the State as designated by the Commission for the
5 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
6 the same fiscal year;

7 (iii) In fiscal year 2011, not less than an amount equal to 65.5% of the
8 State's General Fund appropriation per full-time equivalent student to the 4-year public
9 institutions of higher education in the State as designated by the Commission for the
10 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
11 the same fiscal year;

12 (iv) In fiscal year 2012, not less than an amount equal to 63% of the
13 State's General Fund appropriation per full-time equivalent student to the 4-year public
14 institutions of higher education in the State as designated by the Commission for the
15 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
16 the same fiscal year;

17 (v) In fiscal year 2014, an amount that is the greater of 61% of the
18 State's General Fund appropriation per full-time equivalent student to the 4-year public
19 institutions of higher education in the State as designated by the Commission for the
20 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
21 the same fiscal year or \$5,695.63 per full-time equivalent student;

22 (vi) In fiscal year 2015, an amount that is the greater of 61% of the
23 State's General Fund appropriation per full-time equivalent student to the 4-year public
24 institutions of higher education in the State as designated by the Commission for the
25 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
26 the same fiscal year or \$5,695.63 per full-time equivalent student;

27 (vii) In fiscal year 2016, an amount that is the greater of 58% of the
28 State's General Fund appropriation per full-time equivalent student to the 4-year public
29 institutions of higher education in the State as designated by the Commission for the
30 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
31 the same fiscal year or \$5,695.63 per full-time equivalent student;

32 (viii) In fiscal year 2017, an amount that is the greater of 58% of the
33 State's General Fund appropriation per full-time equivalent student to the 4-year public
34 institutions of higher education in the State as designated by the Commission for the
35 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
36 the same fiscal year or \$5,695.63 per full-time equivalent student;

37 (ix) In fiscal year 2018, not less than an amount equal to 60% of the
38 State's General Fund appropriation per full-time equivalent student to the 4-year public
39 institutions of higher education in the State as designated by the Commission for the

1 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
2 the same fiscal year;

3 (x) In fiscal year 2019, not less than an amount equal to 61% of the
4 State's General Fund appropriation per full-time equivalent student to the 4-year public
5 institutions of higher education in the State as designated by the Commission for the
6 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
7 the same fiscal year;

8 (xi) In fiscal year 2020, not less than an amount equal to 62.5% of the
9 State's General Fund appropriation per full-time equivalent student to the 4-year public
10 institutions of higher education in the State as designated by the Commission for the
11 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
12 the same fiscal year;

13 (xii) In fiscal year 2021, not less than an amount equal to 64.5% of the
14 State's General Fund appropriation per full-time equivalent student to the 4-year public
15 institutions of higher education in the State as designated by the Commission for the
16 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
17 the same fiscal year;

18 (xiii) In fiscal year 2022, not less than an amount equal to 66.5% of the
19 State's General Fund appropriation per full-time equivalent student to the 4-year public
20 institutions of higher education in the State as designated by the Commission for the
21 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in
22 the same fiscal year; and

23 (xiv) In fiscal year 2023 and each fiscal year thereafter, not less than
24 an amount equal to 68.5% of the State's General Fund appropriation per full-time
25 equivalent student to the 4-year public institutions of higher education in the State as
26 designated by the Commission for the purpose of administering the Joseph A. Sellinger
27 Program under Title 17 of this article in the same fiscal year.

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

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

35 (4) In fiscal year 2013, the total State operating funds appropriated to
36 Baltimore City Community College under this section shall be \$39,863,729.

37 **(5) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS**
38 **SUBSECTION, OR ANY OTHER PROVISION OF LAW, THE TOTAL STATE OPERATING**

1 **FUNDS APPROPRIATED TO BALTIMORE CITY COMMUNITY COLLEGE UNDER THIS**
2 **SECTION FOR FISCAL YEAR 2019 SHALL BE \$38,946,307.**

3 17–104.

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

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

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

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

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

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

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

30 (vii) In fiscal year 2017, an amount not less than 10.1% of the State’s
31 General Fund per full–time equivalent student appropriation to the 4–year public
32 institutions of higher education in this State for the same fiscal year;

33 (viii) In fiscal year 2018, an amount not less than 10.5% of the State’s
34 General Fund per full–time equivalent student appropriation to the 4–year public
35 institutions of higher education in this State for the same fiscal year;

36 [(ix) In fiscal year 2019, an amount not less than 10.8% of the State’s

1 General Fund per full-time equivalent student appropriation to the 4-year public
2 institutions of higher education in this State for the same fiscal year;]

3 ~~[(x)]~~ **(IX)** In fiscal year 2020, an amount not less than 11.1% of the
4 State's General Fund per full-time equivalent student appropriation to the 4-year public
5 institutions of higher education in this State for the same fiscal year; and

6 ~~[(xi)]~~ **(X)** In fiscal year 2021 and each fiscal year thereafter, an
7 amount not less than 15.5% of the State's General Fund per full-time equivalent student
8 appropriation to the 4-year public institutions of higher education in this State for the
9 same fiscal year.

10 **(5) IN FISCAL YEAR 2019, THE TOTAL AMOUNT OF AID PROVIDED**
11 **UNDER THIS SUBTITLE SHALL BE \$48,908,667, TO BE ALLOCATED AMONG THE**
12 **INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE IN THE SAME AMOUNT AS THE**
13 **ALLOCATION FOR FISCAL YEAR 2018 AFTER THE SEPTEMBER 6, 2017, BOARD OF**
14 **PUBLIC WORKS ACTION.**

15 18-303.1.

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

17 (3) "Program" means the Next Generation Scholars of Maryland Program.

18 [(g) Except as provided in subsection (h) of this section, funds for the Program
19 shall be as provided in the State budget.]

20 [(h) For fiscal years 2018 through 2023:

21 (1) The Governor shall annually include \$5,000,000 in general funds in the
22 State budget for the Program; and]

23 **(G) (1) FOR FISCAL YEAR 2018, FUNDING FOR THE PROGRAM SHALL BE**
24 **\$5,000,000.**

25 **(2) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER,**
26 **FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET.**

27 ~~[(2)]~~ **(3)** The Department shall distribute grants to nonprofit
28 organizations that:

29 (i) Are selected in accordance with subsection (d) of this section; and

30 (ii) Will administer the Program in local school systems in which at
31 least 50% of the students as a percentage of full-time equivalent students as defined in §
32 5-202 of this article are eligible to receive a free lunch under the National School Lunch

1 Program in the 2015–2016 school year.

2 18–19A–04.1.

3 (d) (1) The Governor shall appropriate in the budget bill at least the following
4 amounts for State contributions:

5 (i) \$5,000,000 in fiscal year 2018; AND

6 (ii) [~~\$7,000,000~~] **\$2,000,000** in fiscal year 2019]; and

7 (iii) \$10,000,000 in fiscal year 2020] and each fiscal year thereafter.

8 **Article – Health – General**

9 2–302.

10 (a) The funding required in the State budget for local health services, exclusive of
11 special fund and federal appropriations, shall be at least the amount set forth in subsection
12 (b) of this section.

13 (b) The funding shall be:

14 (4) For fiscal [year] **YEARS 2018 AND 2019**, \$49,488,474 to be distributed
15 to each municipality or subdivision in the same amount as the municipality or subdivision
16 received in fiscal year 2017; and

17 (5) For fiscal year [~~2019~~] **2020** and each subsequent fiscal year, the
18 amount of funding for the preceding fiscal year adjusted for:

19 (i) Inflation, as measured by the Consumer Price Index (All Urban
20 Consumers), for the second preceding fiscal year, calculated by the U.S. Department of
21 Commerce; and

22 (ii) Population growth, as measured by the growth in the total
23 population of the State for the second preceding fiscal year, according to the most recent
24 statistics available through the Maryland Department of Health.

25 5–626.

26 (a) In this section, “Fund” means the Advance Directive Program Fund.

27 (g) **(1) FOR FISCAL YEAR 2019, MONEY IN THE FUND MAY BE USED FOR**
28 **MATERNAL AND CHILD HEALTH QUALITY INITIATIVES.**

29 **(2) [Money] FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR**

1 **THEREAFTER, MONEY** in the Fund may be used [only] to carry out the purposes of the
2 Advance Directive Program established under § 5–620 of this subtitle **OR FOR MATERNAL**
3 **AND CHILD HEALTH QUALITY INITIATIVES.**

4 7–307.

5 (d) (4) The Governor’s proposed budget for fiscal year 2019 shall include a
6 [3.5%] **1.0%** rate increase for community service providers over the funding provided in the
7 legislative appropriation for Object 08 Contractual Services in Program M00M01.02
8 Community Services for fiscal year 2018.

9 13–3003.

10 (a) There is a Cord Blood Transplant Center Support Fund.

11 (g) The Fund may be used [only] for [the]:

12 (1) **THE** establishment of or support for a cord blood transplant center at a
13 qualified medical institution; **OR**

14 (2) **MATERNAL AND CHILD HEALTH SURVEILLANCE.**

15 16–201.3.

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

17 (2) “Community provider” means a community–based agency or program
18 funded by the Behavioral Health Administration or the Medical Care Programs
19 Administration to serve individuals with mental disorders, substance–related disorders, or
20 a combination of these disorders.

21 (3) “Rate” means the reimbursement rate paid by the Department to a
22 community provider from the State General Fund, Maryland Medical Assistance Program
23 funds, other State or federal funds, or a combination of these funds.

24 (d) (1) The Governor’s proposed budget for fiscal year 2019 **SHALL INCLUDE**
25 **A 2.0% RATE INCREASE** and **FOR** fiscal year 2020 shall include a 3.5% rate increase for
26 community providers over the funding provided in the legislative appropriation for the
27 immediately preceding fiscal year for each of the following:

28 (i) Object 08 Contractual Services in Program M00Q01.10 Medicaid
29 Behavioral Health Provider Reimbursement – Medical Care Programs Administration;

30 (ii) Object 08 Contractual Services in Program M00L01.02
31 Community Services – Behavioral Health Administration; and

1 (iii) Object 08 Contractual Services in Program M00L01.03
2 Community Services for Medicaid State Fund Recipients – Behavioral Health
3 Administration.

4 19–2201.

5 (a) In this section, “Fund” means the Community Health Resources Commission
6 Fund.

7 (e) (1) Subject to paragraph (2) of this subsection, the Fund may be used only
8 to:

9 (i) Cover the administrative costs of the Commission;

10 (ii) Cover the actual documented direct costs of fulfilling the
11 statutory and regulatory duties of the Commission in accordance with the provisions of this
12 subtitle;

13 (iii) Provide operating grants to qualifying community health
14 resources; and

15 (iv) Provide funding for the development, support, and monitoring of
16 a unified data information system among primary and specialty care providers, hospitals,
17 and other providers of services to community health resource members.

18 (2) (iv) For fiscal year 2019 [and each fiscal year thereafter], the Fund
19 may be used for any project or initiative authorized under Title 10, Subtitle 2 and Title 13,
20 Subtitle 3 of this article and approved by the Commission if no less than [\$8,000,000]
21 \$5,000,000 of the subsidy required under § 14–106(d)(2)(ii)2 of the Insurance Article is used
22 in each fiscal year for the purposes under paragraph (1) of this subsection.

23 **(V) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR**
24 **THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE**
25 **AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS**
26 **ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$4,000,000 OF THE**
27 **SUBSIDY REQUIRED UNDER § 14–106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS**
28 **USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS**
29 **SUBSECTION.**

30 19–2401.

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

34 (i) \$11,300,000 for fiscal year 2018;

1 (ii) **[\$48,000,000] \$19,000,000** for fiscal year 2019; [and]

2 (iii) \$56,200,000 for fiscal year 2020; AND

3 **(IV) \$29,000,000 FOR FISCAL YEAR 2021.**

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

6 **Article – Housing and Community Development**

7 4–509.

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

9 (4) “Fund” means the Seed Community Development Anchor Institution
10 Fund.

11 (j) For fiscal years **[2018] 2019** through 2022, the Governor [shall] **MAY** include
12 in the annual budget bill or the capital budget bill an appropriation [of \$5,000,000] to the
13 Fund.

14 6–510.

15 (a) In this section, “Fund” means the Baltimore Regional Neighborhood Initiative
16 Program Fund.

17 (j) For fiscal years **[2018] 2019** through 2022, the Governor [shall] **MAY** include
18 in the budget bill or the capital budget bill an appropriation to the Fund [in the amount of
19 \$12,000,000].

20 **Article – Natural Resources**

21 5–903.

22 (a) (1) (i) Subject to subparagraph (ii) of this paragraph, of the funds
23 distributed to Program Open Space under § 13–209 of the Tax – Property Article, up to
24 \$6,000,000 may be transferred by an appropriation in the State budget, or by an
25 amendment to the State budget under Title 7, Subtitle 2 of the State Finance and
26 Procurement Article, to the Maryland Heritage Areas Authority Financing Fund
27 established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for
28 the purposes provided in that subtitle.

29 (ii) If the amount transferred in accordance with subparagraph (i) of
30 this paragraph exceeds \$3,000,000, the amount exceeding \$3,000,000 shall be provided

1 from the State's share of funds.

2 **(III) OF THE AMOUNT TRANSFERRED UNDER SUBPARAGRAPH (I)**
3 **OF THIS PARAGRAPH, UP TO \$300,000 MAY BE DISTRIBUTED TO THE MARYLAND**
4 **HISTORICAL TRUST WITHIN THE DEPARTMENT OF PLANNING TO BE AWARDED AS**
5 **NONCAPITAL HISTORIC PRESERVATION GRANTS.**

6 **Article – State Finance and Procurement**

7 7–311.

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

9 (2) “Account” means the Revenue Stabilization Account.

10 (3) “Estimated General Fund revenues” means the estimated General
11 Fund revenues for a fiscal year stated in the report of the Board of Revenue Estimates
12 submitted to the Governor under § 6–106 of this article in December preceding the fiscal
13 year.

14 (4) “Unappropriated General Fund surplus” does not include the amount
15 of nonwithholding income tax revenues that exceed the capped estimate determined under
16 § 6–104(e) of this article.

17 (j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year
18 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an
19 appropriation:

20 (i) for [each of] fiscal [years] **YEAR** 2017 [and 2019], to the
21 accumulation funds of the State Retirement and Pension System an amount, up to a
22 maximum of \$50,000,000, that is equal to one-half of the amount by which the
23 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
24 exceeds \$10,000,000;

25 (ii) for fiscal year 2020:

26 1. to the accumulation funds of the State Retirement and
27 Pension System an amount, up to a maximum of \$50,000,000, that is equal to one-half of
28 the amount by which the unappropriated General Fund surplus as of June 30 of the second
29 preceding fiscal year exceeds \$10,000,000; and

30 2. to the Account equal to the amount by which the
31 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
32 exceeds \$10,000,000, less the amount of the appropriation under item 1 of this item; and

33 (iii) for fiscal year 2021 and each fiscal year thereafter:

1 (1) costs under subsection (b)(1)(i) [and], (iii), AND (IV) of this section will
2 be allocated based on the number of real property accounts of a county or Baltimore City
3 as a percentage of the total number of real property accounts statewide as of July 1 of the
4 preceding fiscal year; and

5 (2) costs under subsection (b)(1)(ii) of this section will be allocated based on
6 the business personal property assessable base of a county or Baltimore City as a
7 percentage of the total business personal property assessable bases statewide as of July 1
8 of the preceding fiscal year.

9 (d) Each county and Baltimore City shall remit a quarterly payment to the
10 Comptroller for 25% of the jurisdiction's share of costs on the following dates:

11 (1) July 1;

12 (2) October 1;

13 (3) January 1; and

14 (4) April 1.

15 (e) The Comptroller may withhold a portion of a local income tax distribution of
16 a county or Baltimore City that fails to make timely payment in accordance with this
17 section.

18 13-209.

19 (g) (2) (i) The Governor shall include in each of the annual budget bills for
20 fiscal years [2019,] 2020, [and] 2021, AND **2022** a General Fund appropriation to the
21 special fund in the amount of \$15,000,000.

22 (ii) The appropriations required under subparagraph (i) of this
23 paragraph:

24 1. cumulatively represent reimbursement for 50% of the
25 cumulative amount of any appropriation or transfer from the special fund to the General
26 Fund for fiscal year 2006;

27 2. are not subject to the provisions of subsections (a), (b), (c),
28 and (f) of this section;

29 3. shall be allocated as provided in subsection (d) of this
30 section and § 5-903 of the Natural Resources Article; and

31 4. shall be reduced by the amount of any appropriation from
32 the General Fund to the special fund that:

1 A. exceeds the required appropriation under this paragraph;
2 and

3 B. is identified as an appropriation for reimbursement under
4 this paragraph.

5 **Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013,**
6 **Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, and Chapter 23**
7 **of the Acts of 2017**

8 SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other
9 revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

10 (c) (1) For fiscal year 2015 and 2016, the Commission and the Department of
11 Health and Mental Hygiene shall adopt policies that will provide up to \$389,825,000 in
12 special fund revenues from hospital assessment and remittance revenue.

13 (2) For fiscal year 2017, the Governor shall reduce the budgeted Medicaid
14 Deficit Assessment by \$25,000,000 over the assessment level for the prior year.

15 (3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be
16 \$364,825,000.

17 (4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be
18 ~~[\$329,825,000]~~ **\$339,825,000**.

19 (5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be
20 \$294,825,000.

21 (6) Beginning with the State budget submission for fiscal year 2021, the
22 Governor shall reduce the budgeted Medicaid Deficit Assessment annually by \$25,000,000
23 over the assessment level for the prior fiscal year.

24 (7) To the extent that the Commission takes other actions that reduce
25 Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid Deficit
26 Assessment.

27 (8) To the maximum extent possible, the Commission and the Department
28 of Health and Mental Hygiene shall adopt policies that preserve the State's Medicare
29 waiver.

30 **Chapter 25 of the Acts of 2016**

31 SECTION 4. AND BE IT FURTHER ENACTED, That, for [each of fiscal years 2018
32 through] **FISCAL YEARS 2020 AND 2021**, the Governor [shall] **MAY** appropriate in the
33 annual budget [at least] an additional \$4,000,000 to the University System of Maryland
34 Office for the purpose of increasing the estimated funding guideline attainment levels of

1 the primarily residential institutions in the System with the lowest estimated funding
2 guideline attainment levels in fiscal year 2016. The University System of Maryland shall
3 allocate the funds each year in a manner that brings the primarily residential institutions
4 with the lowest estimated funding guideline attainment levels in fiscal year 2016 as close
5 as possible to a 64% estimated funding guideline attainment level by fiscal year 2021. The
6 general funds distributed under this section each year are in addition to the annual
7 appropriation for each institution, and shall be included in each institution's base budget
8 for all fiscal years after the distribution.

9 **Chapter 145 of the Acts of 2016, as amended by Chapter 23 of the Acts of 2017**

10 SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the
11 Maryland State Arts Council in accordance with § 2–202 of the Tax – General Article as
12 enacted in this Act [shall] **MAY NOT** be included in the Maryland State Arts Council's prior
13 fiscal year appropriation [in addition to the amount of the General Fund appropriation for
14 the prior fiscal year and the sum shall be used] for purposes of calculating the required
15 appropriation under § 7–325 of the State Finance and Procurement Article.

16 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other
17 provision of law, the fiscal year 2019 appropriation for the Revenue Stabilization Account
18 established under § 7–311 of the State Finance and Procurement Article is reduced by
19 \$193,000,000.

20 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other
21 provision of law, on or before June 30, 2018, the University System of Maryland shall
22 transfer \$9,000,000 in State-supported fund balance to the General Fund as required by
23 the September 6, 2017, Board of Public Works action.

24 SECTION 4. AND BE IT FURTHER ENACTED, That, for fiscal year 2019,
25 payments to providers with rates set by the Interagency Rates Committee under § 8–417
26 of the Education Article may not increase by more than 1% over the rates in effect on June
27 30, 2018.

28 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other
29 provision of law, the federal fund spending in fiscal year 2018 for Temporary Assistance for
30 Needy Families may exceed \$249,874,106.

31 SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other
32 provision of law, for fiscal years 2018 and 2019 only, the Maryland Department of the
33 Environment may retain a balance of up to \$6,000,000 in the Maryland Clean Air Fund
34 under § 2–107 of the Environment Article.

35 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other
36 provision of law, for fiscal year 2019 only, \$8,000,000 from the Maryland Trauma Physician
37 Services Fund under § 19–130 of the Health – General Article may be used for Medicaid
38 provider reimbursements.

1 SECTION 8. AND BE IT FURTHER ENACTED, That:

2 (a) Notwithstanding any provision of law that requires the Governor to include a
3 certain level of funding in the annual budget bill for a specific program or item, and
4 notwithstanding any other provision of law, and except as provided in subsection (b) of this
5 section, beginning in fiscal year 2020 any appropriation that would increase by operation
6 of law shall have its mandated level of spending increased by the lesser of:

7 (1) the amount of the existing formula calculation; or

8 (2) an amount equal to 1% less than the reported amount of General Fund
9 revenue growth in the report submitted by the Board of Revenue Estimates to the Governor
10 under § 6–106(b) of the State Finance and Procurement Article for December.

11 (b) Subsection (a) of this section does not apply to:

12 (1) funding required for State aid to public elementary and secondary
13 education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–313, §
14 8–3A–09, or § 8–415 of the Education Article;

15 (2) any appropriation required to be made to the Revenue Stabilization
16 Account under § 7–311 of the State Finance and Procurement Article;

17 (3) any appropriation required for the payment of principal or interest on
18 State debt; or

19 (4) any appropriation required for the State’s employer contribution to the
20 State Retirement and Pension System required under § 21–308 of the State Personnel and
21 Pensions Article.

22 SECTION 9. AND BE IT FURTHER ENACTED, That the General Assembly may
23 not enact legislation that creates a new required level of funding in the annual budget bill
24 for a future fiscal year for a specific program or item or increases a required level of funding
25 in the annual budget bill for a future fiscal year for a specific program or item unless it also
26 enacts legislation at that same session that reduces or repeals an equivalent amount of
27 required funding for the same fiscal year.

28 SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 June 1, 2018.