

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO
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;~~ requiring that any increase in
7 judicial salary be included in the portion of the budget bill relating to the judiciary
8 department; establishing the Commission on Innovation and Excellence in
9 Education Fund as a special, nonlapsing fund; specifying the purpose of the Fund;
10 requiring the State Department of Education to administer the Fund; requiring the
11 State Treasurer to hold the Fund and the Comptroller to account for the Fund;
12 specifying the contents of the Fund; specifying the purpose for which the Fund may
13 be used; providing for the investment of money in and expenditures from the Fund;
14 requiring interest earnings of the Fund to be credited to the Fund; exempting the
15 Fund from a certain provision of law requiring interest earnings on State money to
16 accrue to the General Fund of the State; requiring a certain amount of certain
17 revenue to be distributed to a certain Fund on or before a certain date; ~~reducing the~~
18 ~~maximum amount of certain teacher or school employee stipends; providing a certain~~
19 ~~amount of funding to a certain community college; providing a certain amount of aid~~
20 ~~to certain institutions of higher education in accordance with a certain action by the~~
21 ~~Board of Public Works;~~ providing a certain amount of funding for certain local health
22 services; clarifying the calculation for certain local health services funding; altering
23 ~~certain rate increases for community service providers; altering the definition of an~~
24 “interagency agreement” for the purposes of the Department of Budget and
25 Management’s review of those agreements; repealing the provision of law requiring
26 a certain report to include a certain review; altering the cap on a certain adjustment
27 to a certain revenue estimate relating to nonwithholding income tax revenues;
28 requiring a certain period for review and comment, rather than approval, by a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 certain committee before certain funds may be transferred from certain accounts;
 2 altering a certain date by which the State is required to discontinue a certain
 3 prescription drug benefit for certain retirees, spouses, and dependent children;
 4 authorizing certain retirees who participate in a certain prescription drug benefit
 5 plan with a certain spouse or dependent child to elect to have the spouse or
 6 dependent child covered under a certain State prescription drug benefit plan under
 7 certain circumstances; authorizing certain surviving spouses and surviving
 8 dependent children to elect to enroll in a certain State prescription drug benefit plan
 9 under certain circumstances; requiring the Secretary of Budget and Management to
 10 provide a certain notice to certain individuals of certain changes no later than a
 11 certain date; requiring that a certain notice include information concerning certain
 12 coverage options in certain prescription drug plans and the potential for certain
 13 penalties under certain circumstances; requiring that a certain distribution to the
 14 Local Reserve Account continue after a certain fiscal year; ~~altering a certain~~
 15 ~~reimbursement by each county and Baltimore City to the State for certain costs~~
 16 ~~incurred by the State Department of Assessments and Taxation; altering the~~
 17 ~~deadline for the submission of a certain financial forecast; repealing certain~~
 18 ~~provisions allocating certain work zone speed control system revenues to fund~~
 19 ~~certain activities; altering, for a certain fiscal year, a certain budgeted Medicaid~~
 20 ~~Deficit Assessment; authorizing the transfer of certain funds; providing that, for a~~
 21 ~~certain fiscal year, payment to certain providers with rates set by the Interagency~~
 22 ~~Rates Committee may not increase by more than a certain percentage; providing~~
 23 ~~that, for a certain fiscal year, the amount of federal funds spent for a certain program~~
 24 ~~may not exceed a certain amount; authorizing a certain agency to retain the balance~~
 25 ~~of a certain fund for certain fiscal years; providing that certain mandated~~
 26 ~~appropriations may not increase by more than a certain amount; prohibiting the~~
 27 ~~General Assembly from enacting certain legislation unless it contains a certain~~
 28 ~~provision; requiring that certain money received by the State as a result of the~~
 29 ~~approval of a certain merger be expended only in a certain manner; requiring the~~
 30 ~~Maryland Department of Health and the Health Services Cost Review Commission~~
 31 ~~to develop certain cost savings targets; requiring certain cost savings targets to be in~~
 32 ~~addition to certain goals; requiring the Department and the Commission to report to~~
 33 ~~the Governor and the General Assembly on or before certain dates certain~~
 34 ~~information on certain cost savings targets; defining a certain term; repealing certain~~
 35 ~~obsolete provisions; and generally relating to the financing of State and local~~
 36 ~~government.~~

1 cont.

37 ~~BY repealing and reenacting, with amendments,~~

38 ~~Article – Business Regulation~~

39 ~~Section 11-403(a)(9)~~

40 ~~Annotated Code of Maryland~~

41 ~~(2015 Replacement Volume and 2017 Supplement)~~

42 BY repealing and reenacting, with amendments,

43 Article – Courts and Judicial Proceedings

44 Section 1-704

45 Annotated Code of Maryland

1 Cont.

(2013 Replacement Volume and 2017 Supplement)

BY adding to

Article – Education

Section 5–219

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section ~~6–117.1(a)(1) and (3), 7–123(a)(1), 7–1702(a), 12–306(a)(1), and 6–117.1(a)(1)~~
and (3) and 18–303.1(a)(1) and (3)

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~6–117.1(e)(1), 6–306(b) and (c), 7–1704, 12–306(d), 16–512(a), 17–104(a)(1),~~
~~6–306(c), 18–303.1(h), and 18–19A–04.1(d)(1)~~

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

BY repealing

Article – Education

Section ~~7–123(e) and 18–303.1(g)~~

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

~~BY adding to~~

~~Article – Education~~

~~Section ~~7–123(e) and 17–104(a)(5)~~~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2017 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Health – General

Section ~~2–302(a), 5–626(a), 13–3003(a), 16–201.3(a), and 19–2201(a) and (e)(1)~~
~~2–302(a) and (b)(4)~~

Annotated Code of Maryland

(2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section ~~2–302(b)(4) and (5), 5–626(g), 7–307(d)(4), 13–3003(g), 16–201.3(d)(1),~~
~~19–2201(e)(2)(iv), and 19–2401(d)~~ Section 2–302(b)(5)

Annotated Code of Maryland

(2015 Replacement Volume and 2017 Supplement)

1 cont.

- 1 ~~BY adding to~~
2 ~~Article – Health – General~~
3 ~~Section 19–2201(e)(2)(v)~~
4 ~~Annotated Code of Maryland~~
5 ~~(2015 Replacement Volume and 2017 Supplement)~~
- 6 BY repealing and reenacting, without amendments,
7 Article – Housing and Community Development
8 Section 4–509(a)(1) and (4) and 6–510(a)
9 Annotated Code of Maryland
10 (2006 Volume and 2017 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Housing and Community Development
13 Section 4–509(j) and 6–510(j)
14 Annotated Code of Maryland
15 (2006 Volume and 2017 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Natural Resources
18 Section ~~5–903(a)(1)~~ 5–903(a)
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2017 Supplement)
- 21 BY repealing and reenacting, with amendments,
22 Article – State Finance and Procurement
23 Section 3–207, 6–104(e), 6–226(a)(2)(ii)101. and 102., 7–310(d), 7–311(j), and
24 7–324(d)
25 Annotated Code of Maryland
26 (2015 Replacement Volume and 2017 Supplement)
- 27 BY repealing and reenacting, without amendments,
28 Article – State Finance and Procurement
29 Section 6–104(a)(1), 6–226(a)(2)(i), 7–310(a), 7–311(a), and 7–324(a)
30 Annotated Code of Maryland
31 (2015 Replacement Volume and 2017 Supplement)
- 32 BY adding to
33 Article – State Finance and Procurement
34 Section 6–226(a)(2)(ii)103.
35 Annotated Code of Maryland
36 (2015 Replacement Volume and 2017 Supplement)
- 37 BY repealing and reenacting, with amendments,
38 Article – State Personnel and Pensions
39 Section 2–509.1

1 Cont.

Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

BY adding to

Article – Tax – General
Section 2–605.1

Annotated Code of Maryland
(2016 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–606(a) and (h)

Annotated Code of Maryland
(2016 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section ~~2–106(b) and (c)~~ and 13–209(g)(2)

Annotated Code of Maryland
(2012 Replacement Volume and 2017 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Tax – Property~~
~~Section 2–106(d) and (e)~~

~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2017 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Transportation
Section 4–210(a)

Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 4–210(b)

Annotated Code of Maryland
(2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 12–118(c)(2)

Annotated Code of Maryland
(2012 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

1 cont.

Section 12-118(e)
Annotated Code of Maryland
(2012 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter
425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of
the General Assembly of 2014, Chapter 489 of the Acts of the General
Assembly of 2015, and Chapter 23 of the Acts of the General Assembly of 2017
Section 16(c)

~~BY repealing and reenacting, with amendments,
Chapter 25 of the Acts of the General Assembly of 2016
Section 4~~

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

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

~~Article – Business Regulation~~

2

~~11-403.~~

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

~~(9) beginning July 1, 2017, from the money distributed under § 9-120(b) of
the State Government Article;~~

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

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

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

Article – Courts and Judicial Proceedings

3

1-704.

(3 cont.)

1 Any increase in judicial salary shall be included in the portion of the budget bill
2 relating to the [executive department, and not the portion relating to the] judiciary
3 department. Any proposed increase in judicial salary is subject to legislative review and
4 approval.

5 Article – Education

(4)

6 5-219.

7 (A) IN THIS SECTION, “FUND” MEANS THE COMMISSION ON INNOVATION
8 AND EXCELLENCE IN EDUCATION FUND.

9 (B) THERE IS A COMMISSION ON INNOVATION AND EXCELLENCE IN
10 EDUCATION FUND.

11 (C) THE PURPOSE OF THE FUND IS TO ASSIST IN PROVIDING ADEQUATE
12 FUNDING FOR EARLY CHILDHOOD EDUCATION AND PRIMARY AND SECONDARY
13 EDUCATION TO PROVIDE A WORLD-CLASS EDUCATION TO STUDENTS SO THEY ARE
14 PREPARED FOR COLLEGE AND A CAREER IN THE GLOBAL ECONOMY OF THE 21ST
15 CENTURY, BASED ON THE FINAL RECOMMENDATIONS OF THE COMMISSION ON
16 INNOVATION AND EXCELLENCE IN EDUCATION.

17 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

18 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
19 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

20 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
21 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

22 (F) THE FUND CONSISTS OF:

23 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 2-605.1 OF THE
24 TAX – GENERAL ARTICLE;

25 (2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;
26 AND

27 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
28 THE BENEFIT OF THE FUND.

29 (G) THE FUND MAY BE USED ONLY TO ASSIST IN PROVIDING ADEQUATE
30 FUNDING FOR EARLY CHILDHOOD EDUCATION AND PRIMARY AND SECONDARY
31 EDUCATION THROUGH REVISED EDUCATION FUNDING FORMULAS BASED ON THE

(4 Cont.)

1 FINAL RECOMMENDATIONS OF THE COMMISSION ON INNOVATION AND
2 EXCELLENCE IN EDUCATION.

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

5 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
6 THE FUND.

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

9 6-117.1.

(5)

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

11 (3) "Program" means the Teacher Induction, Retention, and Advancement
12 Pilot Program.

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

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

17 (II) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN
18 THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$3,000,000 FOR THE PROGRAM.

19 (III) FOR FISCAL YEAR 2019 2020 AND EACH FISCAL YEAR
20 THEREAFTER, THE GOVERNOR MAY INCLUDE FUNDING SHALL INCLUDE IN THE
21 ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 FOR THE PROGRAM.

22 6-306.

23 ~~(b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor shall~~
24 ~~include in each year's operating budget funding for the stipends and bonuses provided in~~
25 ~~this subsection.~~

(6)

26 ~~(2) A classroom teacher or other nonadministrative school-based employee~~
27 ~~in a public school identified by the State Board as having comprehensive needs who holds~~
28 ~~a standard professional certificate or an advanced professional certificate who is employed~~
29 ~~by a county board and who holds a certificate issued by the National Board for Professional~~
30 ~~Teaching Standards [shall] MAY receive a stipend from the State in an amount equal to~~
31 ~~the county grant for national certification, up to a maximum of:~~

6 cont.

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

(ii) ~~For fiscal year 2019 and each fiscal year thereafter, \$4,000 per qualified individual];~~

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

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

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

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

~~B. Categorized by the local school system as a Title I school;~~

~~or~~

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

~~2. The program established under subsubparagraph 1 of this subparagraph may include financial incentives, leadership changes, or other incentives.~~

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

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

(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

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

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

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

9 1. Teaches in a public middle or high school in which at least
10 30% of the students as a percentage of full-time equivalent students as defined in § 5-202
11 of this article qualify for free and reduced price meals under the National School Lunch
12 Program;

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

14 3. Is employed by the county board.

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

17 ~~7-123.~~

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

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

21 ~~(c) THE GOVERNOR MAY INCLUDE FUNDING IN THE ANNUAL STATE~~
22 ~~BUDGET FOR THE PROGRAM.~~

23 ~~7-1702.~~

24 (a) ~~There is a Public School Opportunities Enhancement Program.~~

25 ~~7-1704.~~

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

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

7

8

(8 cont.)

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

~~12-306.~~

(9)

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

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

~~[(1)] (i) \$2,000,000 for fiscal year 2018; AND~~

~~[(2)] (ii) [\$4,000,000] \$2,000,000 for fiscal year 2019[; and~~

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

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

~~16-512.~~

(10)

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

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

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

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

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

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

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

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

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

~~(ix) In fiscal year 2018, not less than an amount equal to 60% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

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

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

(10 Cont.)

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

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

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

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

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

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

~~(5) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, OR ANY OTHER PROVISION OF LAW, THE TOTAL STATE OPERATING FUNDS APPROPRIATED TO BALTIMORE CITY COMMUNITY COLLEGE UNDER THIS SECTION FOR FISCAL YEAR 2019 SHALL BE \$38,946,307.~~

~~17-104.~~

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

(11)

11 Cont.

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

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

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

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

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

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

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

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

~~[(ix) In fiscal year 2019, an amount not less than 10.8% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the same fiscal year;]~~

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

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

(11 cont.)

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

6 18-303.1.

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

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

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

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

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

14 (G) (1) FOR FISCAL YEAR 2018, FUNDING FOR THE PROGRAM SHALL BE
15 \$5,000,000.

16 (2) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE
17 ANNUAL BUDGET BILL AN APPROPRIATION OF \$4,700,000 FOR THE PROGRAM.

18 (3) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER
19 YEARS 2020 THROUGH 2023, FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN
20 THE STATE BUDGET. THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL
21 AN APPROPRIATION OF \$5,000,000 TO THE PROGRAM.

22 [(2)] (3) (4) The Department shall distribute grants to nonprofit
23 organizations that:

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

25 (ii) Will administer the Program in local school systems in which at
26 least 50% of the students as a percentage of full-time equivalent students as defined in §
27 5-202 of this article are eligible to receive a free lunch under the National School Lunch
28 Program in the 2015-2016 school year.

29 18-19A-04.1.

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

(12)

- (i) \$5,000,000 in fiscal year 2018; AND
- (ii) ~~[\$7,000,000] \$2,000,000~~ \$3,000,000 in fiscal year 2019[; and
- (iii) \$10,000,000 in fiscal year 2020] and each fiscal year thereafter.

Article – Health – General

2–302.

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

(b) The funding shall be:

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

(5) For fiscal year ~~[2019] 2020~~ and each subsequent fiscal year, the amount of funding PROVIDED THROUGH THE FORMULA for the preceding fiscal year adjusted for:

(i) Inflation, as measured by the Consumer Price Index (All Urban Consumers), ~~for~~ ON JUNE 30 OF the second preceding fiscal year, calculated by the U.S. Department of Commerce; and

(ii) Population growth, as measured by the growth in the total population of the State ~~for~~ ON JUNE 30 OF the second preceding fiscal year, according to the most recent statistics available through the Maryland Department of Health.

~~5–626.~~

~~(a) In this section, "Fund" means the Advance Directive Program Fund.~~

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

~~(2) [Money] FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, MONEY in the Fund may be used [only] to carry out the purposes of the Advance Directive Program established under § 5–620 of this subtitle OR FOR MATERNAL AND CHILD HEALTH QUALITY INITIATIVES.~~

~~7–307.~~

(16 cont.)

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

~~13-3003.~~

(17)

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

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

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

~~(2) MATERNAL AND CHILD HEALTH SURVEILLANCE.~~

(18)

~~16-201.3.~~

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

~~(2) "Community provider" means a community-based agency or program funded by the Behavioral Health Administration or the Medical Care Programs Administration to serve individuals with mental disorders, substance-related disorders, or a combination of these disorders.~~

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

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

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

~~(ii) Object 08 Contractual Services in Program M00L01.02 Community Services - Behavioral Health Administration; and~~

~~(iii) Object 08 Contractual Services in Program M00L01.03 Community Services for Medicaid State Fund Recipients - Behavioral Health Administration.~~

~~19-2201.~~

(19)

19 cont.

(a) ~~In this section, "Fund" means the Community Health Resources Commission Fund.~~

(c) (1) ~~Subject to paragraph (2) of this subsection, the Fund may be used only to:~~

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

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

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

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

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

(v) ~~FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$4,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(H)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

~~19-2401.~~

20

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

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

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

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

20 cont.

~~(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.~~

Article – Housing and Community Development

21

4-509.

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

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

(j) (1) For fiscal years YEAR [2018] ~~2019 through 2022~~, the Governor [shall] ~~MAY~~ include in the annual budget bill or the capital budget bill an appropriation [of \$5,000,000] to the Fund.

(2) FOR FISCAL YEARS 2020 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 FOR THE FUND.

6-510.

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

(j) (1) For fiscal years YEAR [2018] ~~2019 through 2022~~, the Governor ~~[shall]~~ ~~MAY~~ include in the budget bill or the capital budget bill an appropriation to the Fund ~~[in the amount of \$12,000,000]~~ \$8,000,000.

(2) FOR FISCAL YEARS 2020 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION FOR THE FUND IN THE AMOUNT OF \$12,000,000.

Article – Natural Resources

5-903.

(a) (1) (i) ~~Subject to subparagraph (ii) of this paragraph, of~~ OF the funds distributed to Program Open Space under § 13-209 of the Tax – Property Article, up to ~~\$6,000,000~~ \$3,000,000 may be transferred by an appropriation in the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

23

(23 cont.)

~~(ii) If the amount transferred in accordance with subparagraph (i) of this paragraph exceeds \$3,000,000, the amount exceeding \$3,000,000 shall be provided from the State's share of funds.~~

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

(2) (i) 1. Of the remaining funds not appropriated under paragraph (1) of this subsection:

A. One half of the funds shall be used for recreation and open space purposes by the Department and the Historic St. Mary's City Commission; and

B. 20% of the funds or \$21,000,000, whichever is greater, shall be appropriated to the Forest and Park Service in the Department to operate State forests and parks.

2. Except as otherwise provided in this section, any funds the General Assembly appropriates to the State under this subsection shall be used only for land acquisition projects.

(ii) 1. As specified in subsubparagraph 2 of this subparagraph, a portion of the State's share of funds available under subparagraph (i) 1A of this paragraph for this program shall be utilized to make grants to Baltimore City for projects which meet park purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive under subsection (b) of this section, and may be used for acquisition or development. In order for Baltimore City to be eligible for a State grant, the Department shall review projects or land to be acquired within Baltimore City, and upon the Department's recommendation, the Board of Public Works may approve projects and land including the cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore City. The State is not responsible for costs involved in the development or maintenance of the land.

2. The grants to Baltimore City under subsubparagraph 1 of this subparagraph shall be made in the following amounts:

A. For fiscal year 2017, \$1,500,000;

B. For fiscal year 2018, \$3,500,000;

C. For fiscal year 2019, \$5,500,000; and

D. For fiscal year 2020, and for each subsequent fiscal year, \$6,000,000.

(23 cont.)

1 3. The grants made under this subparagraph supplement
2 rather than supplant any other funding for park purposes in Baltimore City, no matter the
3 source.

4 4. For fiscal year 2018, the grant funds to Baltimore City in
5 excess of \$1,500,000 under subparagraph 1 of this subparagraph may only be used for
6 capital purposes related to the following projects in the amounts specified:

7 A. \$400,000 for Herring Run Park;

8 B. \$500,000 for Clifton Park;

9 C. \$300,000 for Druid Hill Park Trail Head;

10 D. \$300,000 for athletic field renovations at Gwynns Falls
11 Park;

12 E. \$300,000 for Patterson Park; and

13 F. \$200,000 for field lights and other improvements at
14 Frederic B. Leidig Recreation Center.

15 5. For fiscal year 2019, a portion of the grant funds to
16 Baltimore City in excess of \$1,500,000 under subparagraph 1 of this subparagraph may
17 only be used for capital purposes related to the following projects in the amounts specified:

18 A. \$100,000 for Herring Run Park;

19 B. \$100,000 for Clifton Park; and

20 C. \$100,000 for field lights and other improvements at
21 Frederic B. Leidig Recreation Center.

22 (iii) 1. A portion of the State's share of funds available under
23 subparagraph (i)1A of this paragraph for this program not to exceed \$8,000,000 for each
24 fiscal year may be transferred by an appropriation in the State budget to the Rural Legacy
25 Program under Subtitle 9A of this title.

26 2. In each fiscal year, up to \$2 million of the funds
27 transferred under this subparagraph to the Rural Legacy Program may be used to purchase
28 zero coupon bonds for easements.

29 3. Sums allocated to the Rural Legacy Program may not
30 revert to the General Fund of the State.

23 cont.

(IV) IN ADDITION TO THE \$3,000,000 UNDER SUBSECTION (A)(1)(I) OF THIS SECTION THAT MAY BE TRANSFERRED TO THE MARYLAND HERITAGE AREAS AUTHORITY FINANCING FUND, UP TO \$3,000,000 OF THE STATE'S SHARE OF FUNDS AVAILABLE UNDER SUBPARAGRAPH (I)1A OF THIS PARAGRAPH MAY BE TRANSFERRED BY AN APPROPRIATION IN THE STATE BUDGET OR BY AN AMENDMENT TO THE STATE BUDGET UNDER TITLE 7, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE TO THE MARYLAND HERITAGE AREAS AUTHORITY FINANCING FUND ESTABLISHED UNDER TITLE 13, SUBTITLE 11 OF THE FINANCIAL INSTITUTIONS ARTICLE TO BE USED FOR THE PURPOSES PROVIDED IN THAT SUBTITLE.

[(iv)] (V) The Department may acquire real property under subparagraph (i)1A of this paragraph based on an offer by the State that is less than the lowest approved appraisal for the property.

[(v)] (VI) For each of fiscal years 2010 through 2015, \$1,217,000 of the State's share of funds available under subparagraph (i)1A of this paragraph may be appropriated in the budgets of the Department, the Department of General Services, and the Department of Planning for expenses necessary to administer this Program.

Article – State Finance and Procurement

3-207.

(a) In this section, "interagency agreement" means an agreement between an agency or unit of the Executive Branch of State government and a public institution of higher education that:

(1) has [been in place for] A DURATION OF 3 years or more; [and]

(2) WAS IN PLACE DURING ANY PART OF THE IMMEDIATELY PRECEDING FISCAL YEAR; AND

[(2)] (3) has a total VALUE of more than \$750,000 [in actual expenditures in the last 3 fiscal years].

(b) At least once every 3 years, the Department shall review each interagency agreement to determine:

(1) whether the agreement is necessary and should continue;

(2) whether the services can be provided more cost effectively by the agency or unit or through a competitive procurement; and

24

(24 cont.)

(3) whether the agreement is being utilized due to the agency's or unit's inability to recruit or retain positions and, if so, whether an annual salary review should be conducted to address recruitment or retention issues.

(c) The Department shall establish a cycle to review one-third of the interagency agreements each year.

(d) (1) Subject to paragraphs (2) and (3) of this subsection, on or before December 1 each year, the Department shall report a summary of the findings of the review required under subsection (b) of this section to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Department of Legislative Services, in accordance with § 2-1246 of the State Government Article.

(2) [The report due on or before December 1, 2017, shall include a review of interagency agreements that have a total of more than \$750,000 in actual expenditures in fiscal years 2015 through 2017.

(3) In each report required under paragraph (1) of this subsection, the Department shall provide the following information:

(i) the interagency agreements that will continue;

(ii) services that will be competitively procured;

(iii) services that will be provided by the agency or unit as a result of the review;

(iv) services that have been or will be canceled as a result of the review; and

(v) actions taken to address recruitment or retention issues identified as a result of the review.

6-104.

(25)

(a) (1) In this section, "nonwithholding income tax revenues" means the State share of income tax quarterly estimated and final payments with returns made by individuals, as defined in § 10-101 of the Tax - General Article.

(e) (1) Beginning with the revenue estimate for fiscal year 2020, the Bureau shall calculate the share of General Fund revenues represented by nonwithholding income tax revenues in accordance with this subsection.

(2) (i) For each fiscal year, the Bureau shall calculate the 10-year average share of General Fund revenues represented by nonwithholding income tax revenues.

25 cont.

(ii) 1. For each fiscal year, the 10-year average shall use the 10 most recently completed fiscal years for which data are available when the estimate is prepared in the September before the beginning of the fiscal year.

2. The same 10-year average shall be used in all subsequent revisions to the revenue estimate for that fiscal year.

(3) (i) Subject to subparagraph (ii) of this paragraph, for each fiscal year, if the Bureau's estimate of the share of General Fund revenues from nonwithholding income tax revenues is above the 10-year average share, the Bureau shall adjust the revenue estimate by reducing General Fund revenues from nonwithholding income tax revenues by an amount sufficient to align the estimated share of General Fund revenues from nonwithholding income tax revenues with the 10-year average share of General Fund revenues from nonwithholding income taxes.

(ii) The adjustment made under subparagraph (i) of this paragraph may not exceed [2%] THE FOLLOWING PERCENTAGE of total General Fund revenues:

1. 0.5% FOR FISCAL YEAR 2020;

2. 1% FOR FISCAL YEAR 2021; AND

3. 2% FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER.

(iii) The capped estimate calculated under this paragraph shall be incorporated in the revenue estimate the Bureau shall report to the Board in the report required under subsection (b)(2) of this section.

~~7-311.~~

~~6-226.~~

4 cont.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

101. the Advance Directive Program Fund; [and]

102. the Make Office Vacancies Extinct Matching Fund; AND

4 cont.

103. THE COMMISSION ON INNOVATION AND EXCELLENCE
IN EDUCATION FUND.

7-310.

25 cont.

(a) In this section, "Account" means the Dedicated Purpose Account.

(d) For each appropriation to the Account, 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 Account to the expenditure account of the appropriate unit of State government only after the proposed budget amendment has been:

(i) submitted to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly; and

(ii) [approved] SUBJECT TO A 45-DAY REVIEW AND COMMENT PERIOD by the Legislative Policy Committee.

7-311.

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

(2) "Account" means the Revenue Stabilization Account.

(3) "Estimated General Fund revenues" means the estimated General Fund revenues for a fiscal year stated in the report of the Board of Revenue Estimates submitted to the Governor under § 6-106 of this article in December preceding the fiscal year.

(4) "Unappropriated General Fund surplus" does not include the amount of nonwithholding income tax revenues that exceed the capped estimate determined under § 6-104(e) of this article.

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

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

(ii) for fiscal year 2020:

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

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

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

1. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$25,000,000, that is equal to one-quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000;

2. to the Postretirement Health Benefits Trust Fund established under § 34-101 of the State Personnel and Pensions Article an amount, up to a maximum of \$25,000,000, that is equal to one-quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; and

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

(2) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the Account required to be included for that fiscal year under subsection (e) of this section.

7-324.

(a) In this section, "Account" means the Catastrophic Event Account.

25 cont.

(d) After [notice to and approval] A 15-DAY REVIEW AND COMMENT PERIOD by the Legislative Policy Committee, the Governor may transfer funds by budget amendment from the Account to the expenditure accounts of the appropriate unit of State government.

Article – State Personnel and Pensions

26

2-509.1.

26 cont.

(a) Except as provided in subsection (b) of this section, the State shall continue to include a prescription drug benefit plan in the health insurance benefit options established under the Program and available to retirees under §§ 2-508 and 2-509 of this subtitle notwithstanding the enactment of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 or any other federal law permitting states to discontinue prescription drug benefit plans to retirees of a state.

(b) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ON JANUARY 1, 2019, THE State shall discontinue prescription drug benefits for:

(1) A Medicare-eligible [retirees in fiscal year 2020] RETIREE;

(2) THE MEDICARE-ELIGIBLE SPOUSE OR SURVIVING SPOUSE OF A RETIREE; AND

(3) A MEDICARE-ELIGIBLE DEPENDENT CHILD OR SURVIVING DEPENDENT CHILD OF A RETIREE.

(C) (1) IF A RETIREE IS ELIGIBLE TO PARTICIPATE IN THE PRESCRIPTION DRUG BENEFIT PLAN UNDER MEDICARE, BUT THE RETIREE'S SPOUSE OR DEPENDENT CHILD IS NOT ELIGIBLE TO PARTICIPATE IN A MEDICARE PRESCRIPTION DRUG BENEFIT PLAN, THE RETIREE MAY ELECT TO COVER THE RETIREE'S SPOUSE OR DEPENDENT CHILD UNDER THE STATE PRESCRIPTION DRUG BENEFIT PLAN.

(2) IF THE SURVIVING SPOUSE OR SURVIVING DEPENDENT CHILD OF A RETIREE IS ELIGIBLE TO ENROLL IN THE STATE PRESCRIPTION DRUG BENEFIT PLAN UNDER § 2-509 OF THIS SUBTITLE, BUT IS NOT ELIGIBLE TO PARTICIPATE IN THE PRESCRIPTION DRUG BENEFIT PLAN UNDER MEDICARE, THE SURVIVING SPOUSE OR SURVIVING DEPENDENT CHILD MAY ELECT TO ENROLL IN THE STATE PRESCRIPTION DRUG BENEFIT PLAN.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NOT LATER THAN OCTOBER 1, 2018, THE SECRETARY SHALL PROVIDE WRITTEN CERTIFIED NOTICE TO THE INDIVIDUALS LISTED IN SUBSECTION (B) OF THIS SECTION OF THE CHANGE IN THE STATE PRESCRIPTION DRUG BENEFIT PLAN UNDER THIS SECTION.

(2) THE NOTICE SHALL INCLUDE INFORMATION REGARDING:

(I) COVERAGE OPTIONS AVAILABLE IN THE MEDICARE PRESCRIPTION DRUG BENEFIT PLAN; AND

(II) THE POTENTIAL FOR SIGNIFICANT PENALTIES IF AN INDIVIDUAL DOES NOT PROMPTLY CHOOSE A MEDICARE PRESCRIPTION DRUG

26 cont.

1 BENEFIT PLAN IMMEDIATELY ON TERMINATION OF THE INDIVIDUAL'S
2 PARTICIPATION IN THE STATE PRESCRIPTION DRUG BENEFIT PLAN.

3 ~~Article – Tax – Property~~

4 Article – Tax – General

4 cont.

5 2-605.1.

6 AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2-604 AND 2-605
7 OF THIS SUBTITLE, ON OR BEFORE JUNE 30, 2019, THE COMPTROLLER SHALL
8 DISTRIBUTE \$200,000,000 OF THE INCOME TAX REVENUE FROM INDIVIDUALS TO
9 THE COMMISSION ON INNOVATION AND EXCELLENCE IN EDUCATION FUND
10 ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE.

11 2-606.

12 (a) After making the distributions required under [§§ 2-604 and 2-605]
13 §§ 2-604, 2-605, AND 2-605.1 of this subtitle, from the remaining income tax revenue
14 from individuals, the Comptroller shall distribute to an unallocated individual revenue
15 account the income tax revenue:

16 (1) with respect to which an income tax return is not filed; and

17 (2) that is attributable to:

18 (i) income tax withheld from salary, wages, or other compensation
19 for personal services under Title 10 of this article; or

20 (ii) estimated income tax payments by individuals.

21 ~~2-106.~~

22 (h) [(1) On or before June 30, 2015, the Comptroller shall distribute
23 \$100,000,000 from the Local Reserve Account established to comply with this section to the
24 General Fund of the State.

27

25 (2) In each of fiscal years 2017 through 2025,] FOR FISCAL YEAR 2017
26 AND EACH FISCAL YEAR THEREAFTER, in addition to the amounts distributed under
27 subsection (b) of this section, the Comptroller shall distribute \$10,000,000 of the remaining
28 income tax revenue from individuals to the Local Reserve Account [to repay the
29 \$100,000,000 transfer to the General Fund required under paragraph (1) of this subsection]
30 ESTABLISHED TO COMPLY WITH THIS SECTION.

31 Article – Tax – Property

28

~~(b) [(1)] [Except as provided in paragraph (2) of this subsection, each] EACH county and Baltimore City shall be responsible for reimbursing the State for the costs of administering the Department as follows:~~

~~[(i)] (1) [50%] 90% of the costs of real property valuation;~~

~~[(ii)] (2) [50%] 90% of the costs of business personal property valuation; [and]~~

~~[(iii)] (3) [50%] 90% of the costs of the Office of Information Technology within the Department, including any funding for departmental projects in the Major Information Technology Development Project Fund established under § 3A-309 of the State Finance and Procurement Article; AND~~

~~(4) 90% OF THE COSTS OF THE OFFICE OF THE DIRECTOR.~~

~~[(2) For each of fiscal years 2012 and 2013, each county and Baltimore City shall be responsible for reimbursing the State 90% instead of 50% of the costs of administering the Department described in paragraph (1) of this subsection.]~~

~~(e) Costs under subsection (b) of this section shall be allocated among the counties and Baltimore City as follows:~~

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

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

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

~~(1) July 1;~~

~~(2) October 1;~~

~~(3) January 1; and~~

~~(4) April 1.~~

28
cont.

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

13-209.

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

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

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

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

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

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

A. exceeds the required appropriation under this paragraph; and

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

Article – Transportation

29

4-210.

(a) Each year, the Authority shall develop and adopt a 6-year financial forecast for the operations of the Authority.

(b) In accordance with § 2-1246 of the State Government Article, the Authority shall submit to the General Assembly:

(1) A draft of the financial forecast on submission of the budget bill to the presiding officers of the General Assembly; and

(2) The financial forecast as approved by the Authority on or before [July] **SEPTEMBER** 1 of each year.

(30)

1 12-118.

2 (c) (2) The Comptroller shall distribute revenue from the civil fines collected
3 through use of a work zone speed control system under § 21-810 of this article to a special
4 fund, to be used only as provided in subsection (e) of this section.

5 (e) [(1) Subject to paragraph (2) of this subsection, money] MONEY in the
6 special fund established under subsection (c)(2) of this section:

7 [(i)] (1) Shall be distributed first to the Department of State Police
8 and the State Highway Administration to cover the costs of implementing and
9 administering work zone speed control systems; and

10 [(ii)] (2) After the distribution under item [(i)] (1) of this
11 [paragraph:

12 1. For each of fiscal years 2013 through 2015 only,
13 \$3,000,000] SUBSECTION, shall be distributed to the Department of State Police to be used
14 only for the purchase of replacement vehicles and related motor vehicle equipment used to
15 outfit police vehicles]; and

16 2. For each of fiscal years 2016 through 2018 only, at least
17 \$7,000,000 shall be distributed to the Department of State Police to be used only for the
18 purchase of replacement vehicles and related motor vehicle equipment used to outfit police
19 vehicles.

20 (2) The balance of the money in the special fund shall be distributed to the
21 Department of State Police to fund roadside enforcement activities].

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

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

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

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

32 (3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be
33 \$364,825,000.

(31)

1 (4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be
2 ~~[\$329,825,000] \$339,825,000~~ \$334,825,000.

3 (5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be
4 \$294,825,000.

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

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

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

14 ~~Chapter 25 of the Acts of 2016~~

(32)

15 ~~SECTION 4. AND BE IT FURTHER ENACTED, That, for [each of fiscal years 2018~~
16 ~~through] FISCAL YEARS 2020 AND 2021, the Governor [shall] MAY appropriate in the~~
17 ~~annual budget [at least] an additional \$4,000,000 to the University System of Maryland~~
18 ~~Office for the purpose of increasing the estimated funding guideline attainment levels of~~
19 ~~the primarily residential institutions in the System with the lowest estimated funding~~
20 ~~guideline attainment levels in fiscal year 2016. The University System of Maryland shall~~
21 ~~allocate the funds each year in a manner that brings the primarily residential institutions~~
22 ~~with the lowest estimated funding guideline attainment levels in fiscal year 2016 as close~~
23 ~~as possible to a 64% estimated funding guideline attainment level by fiscal year 2021. The~~
24 ~~general funds distributed under this section each year are in addition to the annual~~
25 ~~appropriation for each institution, and shall be included in each institution's base budget~~
26 ~~for all fiscal years after the distribution.~~

27 ~~Chapter 145 of the Acts of 2016, as amended by Chapter 23 of the Acts of 2017~~

(33)

28 ~~SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the~~
29 ~~Maryland State Arts Council in accordance with § 2-202 of the Tax General Article as~~
30 ~~enacted in this Act [shall] MAY NOT be included in the Maryland State Arts Council's prior~~
31 ~~fiscal year appropriation [in addition to the amount of the General Fund appropriation for~~
32 ~~the prior fiscal year and the sum shall be used] for purposes of calculating the required~~
33 ~~appropriation under § 7-325 of the State Finance and Procurement Article.~~

34 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other
35 provision of law, the fiscal year 2019 appropriation for the Revenue Stabilization Account

1 established under § 7-311 of the State Finance and Procurement Article is reduced by
2 ~~\$193,000,000~~ \$150,329,000.

(34)

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

7 SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other
8 provision of law, on or before June 30, 2018, the Governor may transfer \$1,820,520 from
9 the Tuition Stabilization Trust established under § 15-106.6 of the Education Article to the
10 Need-based Student Financial Assistance Fund established under § 18-107 of the
11 Education Article.

(35)

12 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That, for fiscal year 2019,
13 payments to providers with rates set by the Interagency Rates Committee under § 8-417
14 of the Education Article may not increase by more than ~~4%~~ 3% over the rates in effect on
15 June 30, 2018.

(36)

16 SECTION ~~5~~ 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other
17 provision of law, the federal fund spending in fiscal year 2018 for Temporary Assistance for
18 Needy Families may ~~exceed \$249,874,106~~ not exceed \$256,324,264.

(37)

19 SECTION 7. AND BE IT FURTHER ENACTED, That the unexpended
20 appropriation for a monthly benefit increase for the Temporary Disability Assistance
21 Program under the Assistance Payments Program (N00G00.08) within the Department of
22 Human Services that was restricted in the fiscal year 2018 operating budget (Chapter 150
23 of the Acts of 2017) is reduced by \$1,423,240 in general funds, which shall revert to the
24 General Fund.

(38)

25 SECTION 8. AND BE IT FURTHER ENACTED, That the unexpended
26 appropriation for a utilization review audit contract in Community Services (M00M01.02)
27 within the Department of Health Developmental Disabilities Administration, that was
28 included in the fiscal year 2018 operating budget (Chapter 150 of the Acts of 2017) is
29 reduced by \$2,389,562 in federal funds and \$3,232,937 in general funds, which shall revert
30 to the General Fund.

(38 cont.)

31 SECTION 9. AND BE IT FURTHER ENACTED, That the unexpended
32 appropriation for a financial management services contract for self-directed services in
33 Community Services (M00M01.02) within the Department of Health Developmental
34 Disabilities Administration that was included in the fiscal year 2018 operating budget
35 (Chapter 150 of the Acts of 2017) is reduced by \$602,758 in federal funds and \$815,496 in
36 general funds, which shall revert to the General Fund.

(38 cont.)

37 SECTION ~~6~~ 10. AND BE IT FURTHER ENACTED, That, notwithstanding any
38 other provision of law, for fiscal years 2018 and 2019 only, the Maryland Department of the

(1 cont.)

1 Environment may retain a balance of up to \$6,000,000 in the Maryland Clean Air Fund
2 under § 2-107 of the Environment Article.

3 SECTION ~~7~~ 11. AND BE IT FURTHER ENACTED, That, notwithstanding any
4 other provision of law, for fiscal year 2019 only, \$8,000,000 from the Maryland Trauma
5 Physician Services Fund under § 19-130 of the Health – General Article may be used for
6 Medicaid provider reimbursements. 1 cont.

7 SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other
8 provision of law, on or before June 30, 2019, the Governor may transfer the appropriation
9 for the Major Information Technology Development Project Fund (F50A01.01) within the
10 Department of Information Technology to the Help America Vote Act Program (D38I01.02)
11 within the State Board of Elections to be used for election support services. 39

12 SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other
13 provision of law, on or before June 30, 2019, the Governor may appropriate by budget
14 amendment up to \$450,000 of the unappropriated revenue deposited in the Special Fund
15 for Preservation of Cultural Arts in fiscal year 2018 for the Maryland Academy of Sciences. 39 cont.

16 ~~SECTION 8. AND BE IT FURTHER ENACTED, That:~~ 40

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

22 ~~(1) the amount of the existing formula calculation; or~~

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

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

27 ~~(1) funding required for State aid to public elementary and secondary~~
28 ~~education as provided under Title 5, Subtitle 2 or § 4-121, § 4-122, § 6-306, § 8-313, §~~
29 ~~8-3A-09, or § 8-415 of the Education Article;~~

30 ~~(2) any appropriation required to be made to the Revenue Stabilization~~
31 ~~Account under § 7-311 of the State Finance and Procurement Article;~~

32 ~~(3) any appropriation required for the payment of principal or interest on~~
33 ~~State debt; or~~

~~(4) any appropriation required for the State's employer contribution to the State Retirement and Pension System required under § 21-308 of the State Personnel and Pensions Article.~~

40 cont.

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

41

SECTION 14. AND BE IT FURTHER ENACTED, That any money received by the State as a result of conditions of an approved merger between AltaGas Ltd. and WGL Holdings, Inc. shall be expended only as specifically authorized in the annual budget bill or other legislation as enacted and not subject to transfer by budget amendment.

42

SECTION 15. AND BE IT FURTHER ENACTED, That:

43

(a) (1) The Maryland Department of Health and the Health Services Cost Review Commission shall develop 5-year and 10-year Medicaid-specific cost savings targets, which shall include a reduction in total hospital costs, total cost-of-care, and quality measures.

(2) The Medicaid-specific cost savings targets developed under paragraph (1) of this subsection shall be established in addition to, and apart from, any Medicaid-related or Medicaid-specific goals included in the successor all-payer model contract.

(b) On or before December 15, 2018, the Department and the Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the Medicaid-specific targets developed and an implementation plan to achieve the targets.

(c) On or before December 15, 2019, the Department and the Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on its progress in meeting the Medicaid-specific targets that have been developed.

SECTION ~~10~~ 16. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2018.

1 cont.