

Chapter 484

(Senate Bill 141)

AN ACT concerning

Budget Reconciliation and Financing Act of 2010

FOR the purpose of altering the calculation of certain distributions required to be made to certain counties and Baltimore City based on per capita yield of county income taxes; altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering or repealing certain grant programs; ~~authorizing certain units of government to charge a certain fee for certain purposes; repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet website relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet website; repealing~~ altering certain inflation adjustments for the calculation of certain State education funding; altering a certain requirement for reimbursement of certain volunteer firefighters and ambulance or rescue squad members under a certain tuition reimbursement program; requiring certain funds to be used for certain purposes for a certain fiscal year; altering the schedule for the Judicial Compensation Commission to meet to review judicial salaries and pensions and make written recommendations to the Governor and the General Assembly; requiring the budget bill to specify how certain savings will be achieved and to include a certain schedule for certain proposed reductions under certain circumstances; altering a requirement that certain balances in a certain fund revert to the General Fund at the end of certain fiscal years; authorizing the use of certain funds for certain purposes; repealing certain grants to certain institutions; specifying the allocation of certain grants between certain institutions; authorizing the use of a certain grant for certain purposes; altering the maximum aggregate amount of a certain assessment; altering certain restrictions on the use of certain funds; altering certain requirements governing expenditures from a certain fund; altering for a certain fiscal year certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; requiring that an application for a certain death benefit payable to the surviving spouse, child, or estate of certain individuals under certain circumstances be submitted within a certain time period; requiring the Department of Public Safety and Correctional Services under certain circumstances to take certain steps to notify potential recipients of the

~~availability of a certain death benefit; altering the allocation of certain funds; requiring certain local employers to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to establish a certain local contribution rate in a certain manner for certain fiscal years; providing for the manner of payment by certain local employers for certain employer contributions; altering the calculation of certain State payments for certain library employees excluded from membership in the Teachers' Retirement System or the Teachers' Pension System; requiring certain counties and Baltimore City to pay certain employer contributions for certain members of certain systems of the State Retirement and Pension System; requiring certain counties to make certain payments in certain fiscal years; requiring the Comptroller to exercise the right of setoff against any money due or becoming due to certain local employers or counties under certain circumstances; requiring the Comptroller to pay certain grants to certain local jurisdictions for a certain fiscal year; requiring the Comptroller to make a certain distribution *from a certain account* to the Education Trust Fund; requiring the Comptroller to make a certain distribution *from a certain account* to the General Fund; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short-term rental vehicles; ~~altering the distribution of certain sales and use tax revenue for certain fiscal years;~~ altering certain provisions relating to the funding of a certain highway; ~~repealing a certain grant program; repealing certain credits allowed against certain taxes for the purchase of Maryland mined coal;~~ authorizing the Governor to transfer to the General Fund certain amounts from certain special funds for certain fiscal years; ~~authorizing the Governor to transfer to the General Fund certain amounts from certain special funds, subject to a certain contingency;~~ providing that certain grants to county boards of education may be funded from the ~~Maryland Consolidated Capital Bond Loan of 2010~~ proceeds of certain bonds; ~~repealing a requirement that the Governor provide a plan for repayment of certain monies to a certain fund;~~ requiring that certain units of local government receive a certain amount of funding for certain fiscal years for certain purposes; prohibiting the expenditure of funds in a certain fiscal year for certain rate increases; authorizing the transfer by budget amendment of certain funds for certain purposes; providing that certain proceeds from the corporate income tax for a certain fiscal year be credited to the General Fund; ~~altering certain reporting requirements; prohibiting any new awards from being made under a certain scholarship program for a certain academic year; limiting the size of the incoming class at a certain residential education boarding program for at-risk students receiving certain funding;~~ *requiring a certain residential boarding program and the State Department of Education to negotiate a certain modification to a certain contract and to submit a certain report to the budget committees of the General Assembly by a certain date;* authorizing the transfer of certain savings and interest from certain funds into the General Fund; altering the distribution of certain highway user revenues ~~for certain fiscal years;~~ stating the intent of the General Assembly~~

that a certain workgroup review and provide recommendations regarding distribution of local highway user revenues; prohibiting the payment of certain bonuses, merit increases, or cost-of-living adjustments for certain State employees for a certain fiscal year; providing that the State is not required to make certain employer contributions for employees participating in a certain supplemental retirement plan for a certain fiscal year; clarifying and altering the authority of the Governor to implement certain employee furloughs and salary reduction days during certain years; clarifying the base rate for calculating overtime for certain employees under certain circumstances; requiring the State to repay certain amounts to a certain account in certain fiscal years; providing that the Governor is not required to include certain appropriations in the budget for a certain fiscal year under certain circumstances; *repealing a requirement that the Comptroller include a certain tax add-on system that allows contributions to the Fair Campaign Financing Fund; authorizing the transfer of certain funds in the Fair Campaign Finance Fund for certain purposes; requiring that certain funds transferred from the Fair Campaign Finance Fund not used for certain purposes shall revert to the Fund; providing for a study and report by a certain date by an independent consultant regarding certain issues relating to certain voting systems;* altering the amounts of certain funds required to be charged back to certain agencies for a certain purpose; ~~reducing a certain appropriation for a certain fiscal year;~~ authorizing the Governor to transfer certain funds for use in a certain program for a certain fiscal year; making certain provisions of this Act subject to a certain contingency; *authorizing the transfer of certain amounts from certain special funds to the General Fund to support a certain business licensing project; establishing a certain commission to study and make recommendations relating to State funded benefits and pensions provided to State and public education employees and retirees; requiring the commission to submit certain reports to a certain commission and certain committees on or before certain dates; stating certain intent of the General Assembly;* making the provisions of this Act severable; providing for the effective dates and application of this Act; and generally relating to the financing of State government.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9-1101(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

~~Article – Agriculture~~

~~Section 8-405(e)~~

~~Annotated Code of Maryland~~

~~(2007 Replacement Volume and 2009 Supplement)~~

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

~~Article – Commercial Law
Section 15–607 and 17–311
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 11–304(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 1–708(c), 7–301(f), and 13–603(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 4–214, 4–216(b) and 10–523(a)(3)(i), and 4–801(g)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
~~Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)~~
Section 5–202(a)(13), 5–205(c)(3), 5–206(f), 16–305(c)(1), 16–512(a), 17–104(a),
18–603, 23–205(c) and (d), and 23–503(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

*Article – Election Law
Section 15–103
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)*

BY repealing and reenacting, with amendments,

Article – Environment
Section 4–411(f) and (g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 2-302, 13-1015, 13-1116(a)(1), ~~13-1117(a)(1), 13-1118(a)(1),~~
19-310.1(b), (c), and (d), and 19-14B-01(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing

Article – Health – General
Section 18-108(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 8-504
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

~~Article – Insurance~~
~~Section 14-106(d)(1) and (2)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2009 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 1-202(b)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 3-306 and 7-325(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 7-114.2
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9-20B-05(g-1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section ~~21-304(a) and (b)~~, 21-307(b) and (c), ~~21-308(a)(1) and (d)(1)~~, and
32-205(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

~~BY adding to~~

~~Article – State Personnel and Pensions~~

~~Section 21-309.1~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2009 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2-202, 2-1104, *and* ~~and~~ 2-1302.1, ~~and 2-1302.2~~

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – General

Section 2-606(e) *and* (f)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing

Article – Transportation

Section 8-403

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 4-321(e), 8-402(c), 8-404, 8-405, and 8-407

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 8-401(c-1) and 8-403

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

~~BY repealing~~

~~Article – Education~~

~~Section 18-1201 through 18-1207 and the subtitle "Subtitle 12. Private Career School Student Grant Program"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2009 Supplement)~~

BY repealing

Article – Correctional Services
Section 11-308, 11-309, and 11-310(a), (b), and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Education
Section 7-117
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Health – General
Section 13-1117 and 13-1118
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing

Article – Natural Resources
Section 10-301(m)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

~~BY repealing~~

~~Article – Tax – General~~
~~Section 8-406(b) and 10-704.1~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2009 Supplement)~~

BY repealing

Chapter 451 of the Acts of the General Assembly of 2003
Section 5

BY repealing and reenacting, with amendments,

Chapter 62 of the Acts of the General Assembly of 1992
Section 4

BY repealing and reenacting, with amendments,

Chapter 503 of the Acts of the General Assembly of 2007, as amended by
Chapter 200 of the Acts of the General Assembly of 2008

Section 5(c)

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009
Section 19, 35, ~~38~~, 39, and 44

BY repealing
Chapter 487 of the Acts of the General Assembly of 2009
Section ~~25~~ 12, 25, 29, and 34

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

Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(a) (1) Subject to subsection (d) of this section, for each fiscal year, the Comptroller shall distribute to a county the amount determined for each county under this section.

(2) The amount a county shall receive under this section in any fiscal year shall be based on the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, from returns filed through [August 15] NOVEMBER 1 immediately preceding the applicable fiscal year, as determined by the Comptroller.

~~(b) (1) For each fiscal year, the Comptroller shall determine as rounded to the nearest cent:~~

~~(i) The per capita yield of the county income tax for each county, based on:~~

~~1. Unless a county income tax rate of other than 2.54% was in effect, the receipts described in subsection (a)(2) of this section;~~

~~2. The population of the county as last projected by the Department of Health and Mental Hygiene for July 1 of the applicable taxable year or the latest decennial census for the applicable taxable year; and~~

~~3. If the county income tax rate is other than 2.54% in the applicable taxable year, the receipts described in subsection (a)(2) of this section that would have been received if a county income tax rate of 2.54% had been in effect; and~~

~~(ii) The per capita statewide yield of the county income tax, based on:~~

~~1. The total receipts for county income tax described in subsection (a)(2) of this section for counties with an income tax rate of 2.54% in effect;~~

~~2. The State population as last projected by the Department of Health and Mental Hygiene for July 1 of the applicable taxable year or the latest decennial census for the applicable taxable year; and~~

~~3. For counties with an income tax rate of other than 2.54% in effect, the total receipts for county income tax described in subsection (a)(2) of this section that would have been received if a county income tax rate of 2.54% had been in effect.~~

~~(2) If the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.~~

~~(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than 2.4%:~~

~~(i) For the taxable year that ended in the second prior fiscal year; or~~

~~(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.~~

~~(e) The Comptroller shall make payments of the additional amounts provided under this section quarterly during the fiscal year for which the payment is made.~~

~~(d) For fiscal year 2011 and each subsequent fiscal year, [the distribution provided to any county or Baltimore City] IF THE SUM OF THE AMOUNTS DETERMINED FOR ALL COUNTIES under SUBSECTION (B) OF this section [may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010] EXCEEDS \$120,000,000, THE COMPTROLLER SHALL DISTRIBUTE TO EACH COUNTY AN AMOUNT EQUAL TO THE AMOUNT OTHERWISE DETERMINED FOR THE COUNTY UNDER SUBSECTION (B) OF THIS SECTION MULTIPLIED BY A FRACTION:~~

~~(1) THE NUMERATOR OF WHICH IS \$120,000,000; AND~~

~~(2) THE DENOMINATOR OF WHICH IS THE SUM OF THE AMOUNTS DETERMINED FOR ALL COUNTIES FOR THE APPLICABLE FISCAL YEAR UNDER SUBSECTION (B) OF THIS SECTION WITHOUT REGARD TO THIS SUBSECTION.~~

~~Article – Agriculture~~

~~§ 405.~~

~~(e) [(1) The Governor shall include in the annual budget bill an amount sufficient to employ not less than 110 field personnel in the soil conservation districts under this title.~~

~~(2) The appropriation for the 24 soil conservation districts shall be as follows:~~

~~[(i) For fiscal year 2008, \$8,800,000;~~

~~(ii) For fiscal year 2009, \$9,200,000;~~

~~[(iii)] (1) For fiscal year 2010, \$9,600,000; [and]~~

~~(2) FOR EACH OF FISCAL YEARS 2011 AND 2012, \$9,200,000;~~

~~(3) FOR FISCAL YEAR 2013, \$9,600,000; AND~~

~~[(iv)] (4) For fiscal year [2011] 2014, and each fiscal year thereafter, \$10,000,000.~~

~~Article – Commercial Law~~

~~15-607.~~

~~(A) Wages, due from or payable by the State, or a county, municipal corporation, or other political subdivision, and the public officers of the State or a county, municipal corporation, or other political subdivision to an individual, are subject to attachment process brought for the enforcement of the private legal obligations of the individual in the same manner and to the same extent as if the State, county, municipal corporation, or other political subdivision, and their respective public officers, were a private person.~~

~~(B) THE STATE, OR A COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION, AND THEIR RESPECTIVE PUBLIC OFFICERS, MAY DEDUCT AND RETAIN FROM THE INDIVIDUAL'S WAGES AN ADDITIONAL FEE OF \$2 FOR EACH DEDUCTION MADE UNDER THE ATTACHMENT PROCESS OF THIS SUBTITLE OR UNDER TITLE 31, § 3720D OF THE UNITED STATES CODE.~~

~~17-311.~~

~~[(a) (1) Within 365 days from the filing of the report required by § 17-310 of this subtitle, the Administrator shall cause notice to be published in a newspaper of general circulation in the county in the State within which is located the last known address of any person to be named in the notice.]~~

~~(2) If an address is not listed or if the address is outside the State, the notice shall be published in the county within which the person who held the abandoned property has the principal place of business in this State.~~

~~(b) The published notice shall be entitled "Notice of Names of Persons Appearing to Be Owners of Abandoned Property" and shall contain:~~

~~(1) The names in alphabetical order and last known addresses, if any, of persons listed in the report and entitled to notice in the county specified in this section;~~

~~(2) A statement that information concerning the amount or description of the property and the name and address of the person who held the property may be obtained by any person who possesses an interest in the property, by addressing an inquiry to the Administrator; and~~

~~(3) A statement that a proof of claim may be presented by the owner to the Administrator.~~

~~(c) The Administrator is not required to publish in the notice any item valued at less than \$100 unless the Administrator considers the publication to be in the public interest.]~~

~~(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY.~~

~~(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN ABANDONED PROPERTY DATABASE.~~

~~(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT REQUIRED BY § 17-310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.~~

~~(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN INTERNET WEBSITE THAT:~~

~~(i) PROVIDES REASONABLE MEANS BY WHICH A PERSON MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS SUBSECTION;~~

~~(ii) CONTAINS A STATEMENT THAT INFORMATION CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING AN INQUIRY TO THE ADMINISTRATOR;~~

~~(iii) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND~~

~~(iv) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM FORM.~~

~~(c) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE OF THE INTERNET WEBSITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.~~

~~(2) THE NOTICE SHALL:~~

~~(i) BE PUBLISHED AT LEAST ONCE EACH CALENDAR QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE; AND~~

~~(ii) CONTAIN:~~

~~1. A STATEMENT THAT THE ADMINISTRATOR MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;~~

~~2. A STATEMENT THAT ANY PERSON MAY SEARCH THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE ADMINISTRATOR'S INTERNET WEBSITE; AND~~

~~3. THE ADDRESS OF THE INTERNET WEBSITE.~~

~~(d) Within 120 days from the receipt of the report required by § 17-310 of this subtitle, the Administrator shall mail a notice to each person who has an address listed in the report who appears entitled to property valued at \$100 or more and presumed abandoned under this subtitle.~~

~~(e) The mailed notice shall contain:~~

~~(1) A statement that, according to a report filed with the Administrator, property is being held to which the addressee appears entitled;~~

~~(2) The name and address of the person who held the property and any necessary information regarding any change of the name or address of the holder; and~~

~~(3) A statement that a proof of claim may be presented by the owner to the Administrator.~~

Article – Correctional Services

11-304.

(b) (1) With the approval of the Secretary, a county may convert a work release program established under Subtitles 1 and 7 of this title into a center that is subject to this subtitle.

(2) [The provisions of § 11-309 of this subtitle do not apply to a work release program that is converted into a center.

(3) The Secretary shall adopt regulations for the conversion of a work release program into a center.

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

Article – Courts and Judicial Proceedings

1-708.

(c) [Beginning on September 1, 2009, and] ON OR AFTER SEPTEMBER 1, 2011, SEPTEMBER 1, 2013, AND every 4 years thereafter, the Commission shall review the salaries and pensions of the judges of the courts listed in subsection (a) of this section and make written recommendations to the Governor and General Assembly on or before the next ensuing regular session of the General Assembly. The Governor shall include in the budget for the next ensuing fiscal year the funding necessary to implement those recommendations, contingent on action by the General Assembly under subsections (d) and (e) of this section.

7-301.

(f) (1) In a traffic case in which points may be assessed under § 16–402 of the Transportation Article, after conviction the court shall add a \$7.50 surcharge to any fine imposed by the court.

(2) Subject to [paragraph (3)] **PARAGRAPHS (3) AND (4)** of this subsection, the surcharges collected under this subsection shall be credited as follows:

(i) 50% to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article; and

(ii) 50% to the State Helicopter Replacement Fund to be used in accordance with the provisions of § 2–801 of the Public Safety Article.

(3) **NOTWITHSTANDING ~~PARAGRAPH (2) OR (4)~~ ANY OTHER PROVISION OF THIS SUBSECTION, FOR FISCAL YEAR 2010, ~~AND FISCAL YEAR 2011, AND FISCAL YEAR 2012~~ ONLY, ~~100% OF~~ THE SURCHARGES COLLECTED UNDER THIS SUBSECTION SHALL BE CREDITED AS FOLLOWS:**

(I) 25% TO THE VOLUNTEER COMPANY ASSISTANCE FUND TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE; AND

(II) 75% TO THE GENERAL FUND.

(4) After \$20,000,000 is credited to the Volunteer Company Assistance Fund in accordance with paragraph (2) of this subsection, 100% of the surcharges collected under this subsection shall be credited to the State Police Helicopter Replacement Fund to be used in accordance with the provisions of § 2–801 of the Public Safety Article.

13–603.

(c) The Fund shall be used to pay:

(1) The operating expenses of the land records offices of the clerks of the circuit courts and to repair, replace, improve, modernize, and update office equipment and equipment related services in the land records office of the clerk of the circuit court for each county, as the Administrator considers appropriate, with advice from the oversight committee; and

(2) For [fiscal years 2009 and 2010, for] major information technology development projects of the Judiciary Department, as the Administrator considers appropriate.

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

Article – Economic Development

4-214.

The Board shall:

(1) set policies for spending money on tourism advertising, written and graphic materials, cooperative and matching promotional programs, and other tourism and travel developmental and promotional activities for the State;

(2) spend money of the Fund to plan, advertise, promote, assist, and develop the tourism and travel industries in the State; and

(3) [beginning in fiscal year 2011,] provide grants [of not less than \$2,500,000 in total each fiscal year] to destination marketing organizations for the purpose of attracting visitors to the State OF NOT LESS THAN:

(I) ~~\$2,000,000~~ \$2,350,000 IN TOTAL FOR EACH OF FISCAL YEARS 2011 AND 2012 FISCAL YEAR 2011; AND

(II) \$2,500,000 IN TOTAL FOR FISCAL YEAR ~~2013~~ 2012 AND FOR EACH FISCAL YEAR THEREAFTER.

4-216.

(b) (1) **FOR EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL A PROPOSED GENERAL FUND APPROPRIATION TO THE FUND OF ~~\$5,000,000~~ ~~\$4,000,000~~ \$5,000,000.**

(2) For fiscal year [2011] **2013** and each fiscal year thereafter, the Governor shall include in the annual budget bill a proposed General Fund appropriation to the Fund in an amount not less than \$6,000,000 for each fiscal year.

4-801.

(g) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE Fund may be used only for preventing the closure, [or] termination, OR FINANCIAL DISTRESS of cultural arts organizations, including museums, or similar entities in the State.

(2) FOR FISCAL YEAR 2011:

(I) \$450,000 FROM THE FUND SHALL BE USED TO PROVIDE A GRANT TO THE BALTIMORE SYMPHONY ORCHESTRA; AND

(II) \$50,000 FROM THE FUND SHALL BE USED TO PROVIDE A GRANT TO THE NATIONAL PHILHARMONIC.

~~10-523.~~

~~(a) (3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance [for each of fiscal years 2010 and 2011 in the amount of \$2,750,000 and for each of fiscal years 2012 through 2020, in the amount of \$4,000,000] AS FOLLOWS:~~

~~1. FOR FISCAL YEAR 2010, \$2,750,000;~~

~~2. FOR FISCAL YEAR 2011, \$850,000;~~

~~3. FOR FISCAL YEAR 2012, \$850,000;~~

~~4. FOR FISCAL YEAR 2013, \$1,750,000;~~

~~5. FOR FISCAL YEAR 2014, \$2,750,000; AND~~

~~6. FOR EACH OF FISCAL YEARS 2015 THROUGH 2020, \$4,000,000.~~

Article - Education

~~5-202.~~

~~(a) (13) "Target per pupil foundation amount" means:~~

~~(i) In fiscal years 2008, 2009, and 2010, \$6,694;~~

~~(ii) Except as provided in item (iii) of this paragraph, in subsequent fiscal years:~~

~~1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:~~

~~A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;~~

B. The Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 5%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year; and

(iii) In [fiscal year 2012] EACH OF FISCAL YEARS 2012 THROUGH 2015:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 1%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year.

5–205.

(c) (3) (i) Except as provided in [subparagraph (ii)] SUBPARAGRAPHS (II) AND (III) of this paragraph, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index may not be less than [3] 1 percent nor more than 8 percent of the amount of the grant for the previous year.

(ii) **FOR FISCAL YEAR 2011, THE INCREASE IN THE AMOUNT OF A BASE GRANT FOR STUDENT TRANSPORTATION THAT IS BASED ON THE INCREASE IN THE PRIVATE TRANSPORTATION CATEGORY OF THE CONSUMER PRICE INDEX SHALL BE 1 PERCENT OF THE AMOUNT OF THE GRANT FOR THE PREVIOUS YEAR.**

(III) For ~~fiscal year 2012~~ **EACH OF FISCAL YEARS 2012 THROUGH 2015**, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index may not be more than 1 percent of the amount of the grant for the previous year.

5-206.

(f) (1) In fiscal year 2006 and in each fiscal year thereafter, the State shall distribute grants to county boards under the Aging Schools Program administered by the Interagency Committee on School Construction in amounts equal to the funding level calculated under paragraph (2) of this subsection.

(2) The funding level for a county is:

(i) In fiscal year 2011, the following amounts for the following counties:

<u>1.</u>	<u>Allegany County</u>	<u>\$97,791;</u>
<u>2.</u>	<u>Anne Arundel County</u>	<u>\$506,038;</u>
<u>3.</u>	<u>Baltimore City</u>	<u>\$1,387,924;</u>
<u>4.</u>	<u>Baltimore County</u>	<u>\$874,227;</u>
<u>5.</u>	<u>Calvert County</u>	<u>\$38,292;</u>
<u>6.</u>	<u>Caroline County.....</u>	<u>\$50,074;</u>
<u>7.</u>	<u>Carroll County</u>	<u>\$137,261;</u>
<u>8.</u>	<u>Cecil County.....</u>	<u>\$96,024;</u>
<u>9.</u>	<u>Charles County</u>	<u>\$50,074;</u>
<u>10.</u>	<u>Dorchester County</u>	<u>\$38,292;</u>
<u>11.</u>	<u>Frederick County.....</u>	<u>\$182,622;</u>
<u>12.</u>	<u>Garrett County</u>	<u>\$38,292;</u>
<u>13.</u>	<u>Harford County.....</u>	<u>\$217,379;</u>
<u>14.</u>	<u>Howard County.....</u>	<u>\$87,776;</u>

- 15. Kent County..... \$38,292;
- 16. Montgomery County..... \$602,651;
- 17. Prince George’s County..... \$1,209,426;
- 18. Queen Anne’s County..... \$50,074;
- 19. St. Mary’s County \$50,074;
- 20. Somerset County \$38,292;
- 21. Talbot County \$38,292;
- 22. Washington County..... \$134,904;
- 23. Wicomico County \$106,627; and
- 24. Worcester County \$38,292;

counties: **[(ii)** In fiscal year 2012, the following amounts for the following

- 1. Allegany County \$166,000;
- 2. Anne Arundel County \$859,000;
- 3. Baltimore City \$2,356,000;
- 4. Baltimore County \$1,484,000;
- 5. Calvert County \$65,000;
- 6. Caroline County..... \$85,000;
- 7. Carroll County \$233,000;
- 8. Cecil County..... \$163,000;
- 9. Charles County \$85,000;
- 10. Dorchester County \$65,000;
- 11. Frederick County..... \$310,000;

<u>12.</u>	<u>Garrett County</u>	<u>\$65,000;</u>
<u>13.</u>	<u>Harford County.....</u>	<u>\$369,000;</u>
<u>14.</u>	<u>Howard County.....</u>	<u>\$149,000;</u>
<u>15.</u>	<u>Kent County.....</u>	<u>\$65,000;</u>
<u>16.</u>	<u>Montgomery County.....</u>	<u>\$1,023,000;</u>
<u>17.</u>	<u>Prince George’s County.....</u>	<u>\$2,053,000;</u>
<u>18.</u>	<u>Queen Anne’s County.....</u>	<u>\$85,000;</u>
<u>19.</u>	<u>St. Mary’s County</u>	<u>\$85,000;</u>
<u>20.</u>	<u>Somerset County</u>	<u>\$65,000;</u>
<u>21.</u>	<u>Talbot County</u>	<u>\$65,000;</u>
<u>22.</u>	<u>Washington County.....</u>	<u>\$229,000;</u>
<u>23.</u>	<u>Wicomico County</u>	<u>\$181,000; and</u>
<u>24.</u>	<u>Worcester County.....</u>	<u>\$65,000;] and</u>

[(iii)] (II) [Except as provided in paragraph (3) of this subsection, in] IN fiscal year [2013] 2012 and in each fiscal year thereafter, the funding level for the county for the prior fiscal year [increased by the product of the funding level for the county for the prior fiscal year and the percentage change in the Consumer Price Index – all urban consumers – all items, as published by the Bureau of Labor Statistics of the United States Department of Labor, for the second prior fiscal year].

[(3) If the funding level calculated under paragraph (2)(ii) of this subsection is less than the funding level for the prior fiscal year, the funding level for the county shall be the funding level for the prior fiscal year.]

16–305.

(c) (1) (i) The total State operating fund per full-time equivalent student to the community colleges for each fiscal year as requested by the Governor shall be:

1. In fiscal year 2009, not less than an amount equal to 26.25% 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;

2. In fiscal year 2010, not less than an amount equal to 23.6% 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;

3. In ~~the~~ fiscal year 2011, ~~EACH OF FISCAL YEARS 2011 AND 2012,~~ ~~not less than an amount equal to 24%~~ **21.8%** 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] ~~\$194,407,432 TO BE DISTRIBUTED AS FOLLOWS:~~

A.	ALLEGANY COLLEGE OF MARYLAND ..	\$4,535,850;
B.	ANNE ARUNDEL COMMUNITY COLLEGE.....	\$26,902,364;
C.	COMMUNITY COLLEGE OF BALTIMORE COUNTY.....	\$33,649,935;
D.	CARROLL COMMUNITY COLLEGE.....	\$6,770,354;
E.	CECIL COMMUNITY COLLEGE.....	\$4,448,540;
F.	COLLEGE OF SOUTHERN MARYLAND.....	\$10,299,112;
G.	CHESAPEAKE COLLEGE	\$5,268,995;
H.	FREDERICK COMMUNITY COLLEGE	\$7,649,753;
I.	GARRETT COLLEGE	\$2,307,428;
J.	HAGERSTOWN COMMUNITY COLLEGE.....	\$6,701,294;
K.	HARFORD COMMUNITY COLLEGE	\$9,781,228;

L.	HOWARD COMMUNITY COLLEGE.....	\$12,057,748;
M.	MONTGOMERY COLLEGE.....	\$35,379,914;
N.	PRINCE GEORGE'S COMMUNITY COLLEGE.....	\$22,200,826; AND
O.	WOR WIC COMMUNITY COLLEGE.....	\$6,454,091;

4. ~~¶~~ In fiscal year 2012, not less than an amount equal to ~~25%~~ **20%** 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;

5. ~~¶~~ In fiscal year 2013, not less than an amount equal to [27%] ~~22%~~ **21%** 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]

[6.] ~~5.~~ **6.** In fiscal year 2014 [and in each fiscal year thereafter], not less than an amount equal to [29%] ~~24%~~ **22%** 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;

~~6.~~ **7.** IN FISCAL YEAR 2015, NOT LESS THAN AN AMOUNT EQUAL TO ~~26.5%~~ **23%** 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~~

8. IN FISCAL YEAR 2016, NOT LESS THAN AN AMOUNT EQUAL TO 24% 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~~

~~7.9. IN FISCAL YEAR 2016 2017 AND EACH FISCAL YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 29% 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 SAME FISCAL YEAR;~~

10. IN FISCAL YEAR 2018, NOT LESS THAN AN AMOUNT EQUAL TO 26% 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;

11. IN FISCAL YEAR 2019, NOT LESS THAN AN AMOUNT EQUAL TO 27% 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;

12. IN FISCAL YEAR 2020, NOT LESS THAN AN AMOUNT EQUAL TO 28% 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

13. IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 29% 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.

(ii) 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.

(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE TOTAL STATE OPERATING FUNDS

TO BE DISTRIBUTED UNDER THIS SUBSECTION TO THE COMMUNITY COLLEGES FOR EACH OF FISCAL YEARS 2011 AND 2012 SHALL BE \$194,407,432.

16-512.

(a) (1) The total State operating fund per full-time equivalent student appropriated to Baltimore City Community College for each fiscal year 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 [66%] 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 2013, not less than an amount equal to [67%] 63.5% 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]

(VI) IN FISCAL YEAR 2014, NOT LESS THAN AN AMOUNT EQUAL TO 64% 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;

(VII) IN FISCAL YEAR 2015, 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;

(VIII) IN FISCAL YEAR 2016, NOT LESS THAN AN AMOUNT EQUAL TO 65% 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~~

(IX) IN FISCAL YEAR 2017, 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;

(X) IN FISCAL YEAR 2018, NOT LESS THAN AN AMOUNT EQUAL TO 66% 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 2019, 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;

(XII) IN FISCAL YEAR 2020, NOT LESS THAN AN AMOUNT EQUAL TO 67.5% 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

~~[(vi)]~~ ~~(IX)~~ **(XIII)** In fiscal year [2014] ~~2017~~ **2021** and each fiscal year thereafter, not less than an amount equal to ~~468.5%~~ **66%** 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.

17-104.

(a) **(1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) 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:

[(1)] (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;

[(2)] (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)] ~~(3)~~ In fiscal year 2011, an amount not less than ~~13%~~ **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;

~~(4)~~ **(IV)** In fiscal year 2012, an amount not less than ~~13.5%~~ **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;~~1~~

[(5)] ~~(III)~~ **(V)** In fiscal year 2013, an amount not less than **[14%]** ~~8.5%~~ **10%** 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;

[(6)] ~~(IV)~~ (VI) In fiscal year 2014, an amount not less than [14.5%] ~~10%~~ 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; [and]

~~(V)~~ (VII) IN FISCAL YEAR 2015, AN AMOUNT NOT LESS THAN ~~11.5%~~ 11% 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;

~~(VI)~~ (VIII) IN FISCAL YEAR 2016, AN AMOUNT NOT LESS THAN ~~13.5%~~ 11.5% 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; ~~AND~~

(IX) IN FISCAL YEAR 2017, AN AMOUNT NOT LESS THAN 12% 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) IN FISCAL YEAR 2018, AN AMOUNT NOT LESS THAN 13% 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;

(XI) IN FISCAL YEAR 2019, AN AMOUNT NOT LESS THAN 14% 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;

(XII) IN FISCAL YEAR 2020, AN AMOUNT NOT LESS THAN 15% 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

[(7)] ~~(VII)~~ ~~(IX)~~ (XIII) In fiscal year [2015] ~~2017~~ 2021 and each fiscal year thereafter, an amount not less than ~~15.5%~~ ~~12%~~ 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.

(2) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE TOTAL AMOUNT OF THE APPORTIONMENT UNDER THIS SECTION, AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION FOR AID PROVIDED UNDER THIS SUBTITLE SHALL BE \$38,445,958, TO BE ALLOCATED AMONG THE INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE, SHALL BE \$30,000,000 IN PROPORTION TO THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS ENROLLED AT EACH 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.

18-603.

(a) There is a Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program under this section.

(b) [Any] AS PROVIDED IN THE STATE BUDGET, ANY career or volunteer firefighter or ambulance or rescue squad member who is a resident of Maryland shall receive PARTIAL OR full and complete reimbursement by the Office for tuition costs not to exceed the resident tuition rates at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate, for courses credited toward a degree in fire service technology or emergency medical technology.

(c) (1) The tuition reimbursement application shall be filed with the Office no later than July 1 immediately following the academic year for which tuition reimbursement is sought.

(2) Payment shall be made 1 year after successful completion of each academic year.

(3) Payment may be made only if the applicant is still employed or actively engaged as a career or volunteer firefighter or ambulance or rescue squad member in an organized fire department or ambulance or rescue squad in this State.

23-205.

(c) (1) Each year each participating regional resource center shall receive a minimum amount of funding for each resident of the area served, to be used for operating and capital expenses.

(2) The allocation shall be calculated as follows:

(i) For fiscal year 2009..... \$6.50 per each resident of the area served;

(ii) For fiscal year 2010..... \$6.75 per each resident of the area served; ~~AND~~

(iii) For fiscal year 2011 ~~AND EACH FISCAL YEAR THEREAFTER~~..... \$6.75 per each resident of the area served; ~~AND~~

(iv) For fiscal year 2012 ~~AND EACH FISCAL YEAR THEREAFTER~~.....\$7.50 per each resident of the area served; ~~and~~

(v) ~~for fiscal year 2013 and each fiscal year thereafter.....\$8.50 per each resident of the area served.~~

~~(d) (1) Each year the State Library Resource Center shall receive a minimum amount of funding for each State resident in the previous fiscal year, to be used for operating and capital expenses.~~

~~(2) The allocation shall be calculated as follows:~~

~~(i) For fiscal year 2009.....\$1.85 per State resident; ~~AND~~~~

~~(ii) For ~~each of fiscal years 2010 and 2011~~ **FISCAL YEAR 2010** ~~AND EACH FISCAL YEAR THEREAFTER~~.....\$1.67 per State resident; ~~and~~~~

~~(iii) For fiscal year 2012 and each fiscal year thereafter.....\$1.85 per State resident.~~

23-503.

(b) (1) ~~[Each] **FOR EACH FISCAL YEAR, EACH** county public library system that participates in the minimum library program shall be provided ~~AN AMOUNT EQUAL TO \$14.00~~ for each resident of the county, to be used for operating and capital expenses; ~~and~~~~

(i) For fiscal year 2009 – \$14.00;

(ii) For fiscal year 2010 – \$14.00;

(iii) For fiscal year 2011 – \$14.00; ~~AND~~

(iv) For fiscal year 2012 ~~AND EACH FISCAL YEAR THEREAFTER~~ – \$15.00; ~~and~~

~~(v) For fiscal year 2013 and each fiscal year thereafter – \$16.00.~~

Article – Election Law15–103.

(a) There is a Fair Campaign Financing Fund.

(b) The Comptroller shall administer the Fund in accordance with this section.

(c) [For each taxable year, the Comptroller shall establish a tax add-on system that allows contributions to the Fund:

(1) by an individual, other than a nonresident alien, filing a personal State income tax return; and

(2) in an amount not to exceed \$500.

(d)] In accordance with this title, the Comptroller shall:

(1) credit to the Fund all money collected under this title;

(2) subject to the usual investing procedures for State funds, invest the money in the Fund; and

(3) make distributions from the Fund promptly on authorization by the State Board.

[(e)] (D) The Comptroller shall distribute public contributions:

(1) only on authorization of the State Board; and

(2) as to each eligible gubernatorial ticket, to the same campaign account of a single campaign finance entity established under Title 13, Subtitle 2 of this article.

[(f)] (E) The Comptroller shall submit a statement of the Fund's balance to the State Board at the State Board's request and on May 15 of each year.

Article – Environment

4–411.

(f) There is a Maryland Oil Disaster Containment, Clean-Up and Contingency Fund for the Department to use to develop equipment, personnel, and plans; for contingency actions to respond to, contain, clean-up, and remove from the

land and waters of the State discharges of oil, petroleum products, and their by-products into, upon, or adjacent to the waters of the State; and restore natural resources damaged by discharges. **THE FUND MAY ALSO BE USED BY THE DEPARTMENT FOR OIL-RELATED ACTIVITIES IN WATER POLLUTION CONTROL PROGRAMS.** The cost of containment, clean-up, removal, and restoration, including attorneys' fees and litigation costs, shall be reimbursed to the State by the person responsible for the discharge. The reimbursement shall be credited to the Fund. The Fund shall be limited in accordance with the limits set forth in this section. To this sum shall be credited every license fee, fine, if imposed by the circuit court for any county, and any other charge related to this subtitle. To this Fund shall be charged every expense the Department of the Environment has which relates to this section.

(g) Money in the Fund not needed currently to meet the Department of the Environment's obligations in the exercise of its responsibility under this section shall be deposited with the State Treasurer to the credit of the Fund, and may be invested as provided by law. Interest received on the investment shall be credited to the Fund. The Secretary of the Environment shall determine the proper allocation of the moneys credited to the Fund only for the following purposes:

(1) Administrative expenses, personnel expenses, and equipment costs of the Department related to the purposes of this section[.];

(2) Prevention, control, containment, clean-up, and removal of discharges into, upon, or adjacent to waters of the State of discharges of oil, petroleum products and their by-products, and the restoration of natural resources damaged by such discharges[.];

(3) Development of containment and clean-up equipment, plans, and procedures in accordance with the purposes of this section[.];

(4) Paying insurance costs by the State to extend or implement the benefits of the Fund; AND

(5) EXPENSES RELATED TO OIL-RELATED ACTIVITIES IN THE DEPARTMENT'S WATER POLLUTION CONTROL PROGRAMS.

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:

(1) [\$41.0 million for fiscal year 1997] **\$37,283,484** IN EACH OF FISCAL YEARS 2011 AND 2012, TO BE DISTRIBUTED AS FOLLOWS:

(I)	ALLEGANY COUNTY	\$908,719;
(II)	ANNE ARUNDEL COUNTY	\$3,141,951;
(III)	BALTIMORE CITY	\$6,675,053;
(IV)	BALTIMORE COUNTY	\$4,302,255;
(V)	CALVERT COUNTY	\$369,812;
(VI)	CAROLINE COUNTY.....	\$538,253;
(VII)	CARROLL COUNTY	\$1,231,995;
(VIII)	CECIL COUNTY	\$806,392;
(IX)	CHARLES COUNTY	\$994,528;
(X)	DORCHESTER COUNTY	\$428,709;
(XI)	FREDERICK COUNTY	\$1,512,159;
(XII)	GARRETT COUNTY	\$437,403;
(XIII)	HARFORD COUNTY	\$1,737,473;
(XIV)	HOWARD COUNTY	\$1,215,070;
(XV)	KENT COUNTY.....	\$335,941;
(XVI)	MONTGOMERY COUNTY	\$3,014,680;
(XVII)	PRINCE GEORGE’S COUNTY	\$5,007,057;
(XVIII)	QUEEN ANNE’S COUNTY	\$417,744;
(XIX)	ST. MARY’S COUNTY.....	\$808,576;
(XX)	SOMERSET COUNTY	\$429,385;
(XXI)	TALBOT COUNTY	\$328,705;

(XXII) WASHINGTON COUNTY.....\$1,381,306;

(XXIII) WICOMICO COUNTY..... \$947,374; AND

(XXIV) WORCESTER COUNTY \$312,944; and

(2) For fiscal year [1998] **2013** and each subsequent fiscal year, [the amount of funding for fiscal year 1997] **\$37,283,484** adjusted for:

(i) Inflation, as measured by the Consumer Price Index — all urban consumers for 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 of Maryland for the second preceding fiscal year, according to the most recent statistics available through the Department of Health and Mental Hygiene.

(c) [(1) For fiscal year 1997, no subdivision may receive less State funding for local health services under this section than that subdivision received in fiscal year 1996.

(2)] For fiscal year [1998] **2013** and each subsequent fiscal year, no subdivision may receive less State funding for local health services under this section than that subdivision received in fiscal year [1997] **2012**.

[(3)] (D) The Secretary shall, in consultation with local health department directors, adopt regulations to guide the distribution of the funding required under this section. The regulations shall give consideration to appropriate measures of community health need, local funding effort, and other relevant factors.

13-1015.

(a) For fiscal year ~~2010~~ **2011 AND FISCAL YEAR 2012** [and fiscal year 2011], the Governor shall include at least ~~\$7,000,000~~ **\$6,000,000** in the annual budget in appropriations for activities aimed at reducing tobacco use in Maryland as recommended by the Centers for Disease Control and Prevention, including:

(1) Media campaigns aimed at reducing smoking initiation and encouraging smokers to quit smoking;

(2) Media campaigns educating the public about the dangers of secondhand smoke exposure;

- (3) Enforcement of existing laws banning the sale or distribution of tobacco products to minors;
- (4) Promotion and implementation of smoking cessation programs;
- and
- (5) Implementation of school-based tobacco education programs.

(b) ~~FOR FISCAL YEAR 2013, THE GOVERNOR SHALL INCLUDE AT LEAST \$10,000,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE PURPOSES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.~~

~~(c)~~ For fiscal year [2006] ~~2011~~ ~~2014~~ 2013 AND EACH FISCAL YEAR THEREAFTER, the Governor shall include at least ~~[\$10,000,000]~~ ~~\$6,000,000~~ ~~\$13,000,000~~ in the annual budget in appropriations for the purposes described in subsection (a) of this section.

13-1116.

- (a) (1) (I) ~~FOR EACH OF FISCAL YEARS 2011 AND 2012, THE:~~
1. THE GOVERNOR SHALL INCLUDE AT LEAST ~~\$1,650,000~~ \$2,400,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER CANCER RESEARCH GRANTS UNDER THIS SECTION; AND
 2. THE GRANTS SHALL BE DISTRIBUTED BETWEEN THE STATEWIDE ACADEMIC HEALTH CENTERS AS FOLLOWS:
 - A. \$2,007,300 TO THE UNIVERSITY OF MARYLAND MEDICAL GROUP; AND
 - B. \$392,700 TO THE ~~JOHN~~ JOHNS HOPKINS INSTITUTIONS.
- (II) For fiscal year [2010 and fiscal year 2011] ~~2013~~ AND EACH FISCAL YEAR THEREAFTER, ~~the:~~
1. THE Governor shall include at least ~~\$6,700,000~~ \$13,000,000 in the annual budget in appropriations for the Statewide Academic Health Center Cancer Research Grants under this section; AND
 2. THE GRANTS SHALL BE DISTRIBUTED ACCORDING TO HISTORICAL ALLOCATIONS BETWEEN THE ACADEMIC HEALTH CENTERS.

~~13-1117.~~

~~(a) (1) (I) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR SHALL INCLUDE AT LEAST \$300,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER TOBACCO RELATED DISEASES RESEARCH GRANT UNDER THIS SECTION.~~

~~(II) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,250,000 in the annual budget in appropriations for the Statewide Academic Health Center Tobacco Related Diseases Research Grant under this section.~~

~~13-1118.~~

~~(a) (1) (I) FOR EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR SHALL INCLUDE AT LEAST \$450,000 IN THE ANNUAL BUDGET IN APPROPRIATIONS FOR THE STATEWIDE ACADEMIC HEALTH CENTER NETWORK GRANT UNDER THIS SECTION.~~

~~(II) For fiscal year [2010 and fiscal year 2011] 2013 AND EACH FISCAL YEAR THEREAFTER, the Governor shall include at least \$1,900,000 in the annual budget in appropriations for the Statewide Academic Health Center Network Grant under this section.~~

18-108.

[(c) The Governor shall include in the annual budget State general funds of at least \$250,000 to cover the administrative and food costs of the Program.]

19-310.1.

(b) (1) The Department may impose a quality assessment on each freestanding nursing facility subject to this section.

(2) The amount assessed in the aggregate on all nursing facilities may not exceed [2%] 4% of the operating revenue for all nursing facilities subject to this section for the previous fiscal quarter.

[(3) The aggregate annual assessment may not exceed the amount necessary to fully fund the nursing facility payment system taking into consideration any other revenue source or cost savings the Department determines could be used to reduce funding shortfalls.]

~~[(4)]~~ **(3)** The assessment authorized by this section shall be paid by each nursing facility in accordance with this section.

(c) (1) On or before the 60th day after each quarter of the State fiscal year, each nursing facility subject to this section shall pay to the Comptroller an amount determined by the Department based on an amount per non-Medicare day of service for the previous fiscal quarter.

(2) The assessment shall be based on an amount per patient day, not including Medicare days, necessary to fully fund the nursing facility payment system as provided under subsection (b)(3) of this section.

(d) (1) All amounts collected by the State Comptroller under this section shall be distributed to a special fund, to be used by the Department only to fund reimbursements to nursing facilities under the Medicaid program.

(2) ~~[The]~~ **AT LEAST 65% OF THE** funds allocated by the Department as reimbursements to nursing facilities under this section shall be in addition to and may not supplant funds already appropriated for this purpose.

19-14B-01.

(c) (1) ~~[Up to 25%]~~ **A PORTION** of the revenues generated by the quality assessment under § 19-310.1 of this title shall be in an incentive program to be distributed as provided in this section, to the extent federal law allows.

Article – Human Services

8-504.

Expenditures from the Fund shall be made:

(1) in accordance with the [budget amendment procedure in § 7-209 of the] State Finance and Procurement Article; AND

(2) [to each county through the county's local management board to support a locally-driven interagency effort to maximize all available resources for children and family services; and

(3) to reflect the priorities, policies, and procedures that the Children's Cabinet adopts.

~~Article – Insurance~~

~~14-106.~~

~~(d) (1) Notwithstanding subsection (c) of this section, a nonprofit health service plan that is subject to this section and issues comprehensive health care benefits in the State shall:~~

~~(i) offer health care products in the individual market;~~

~~(ii) offer health care products in the small employer group market in accordance with Title 15, Subtitle 12 of this article;~~

~~(iii) subsidize the Senior Prescription Drug Assistance Program established under Subtitle 5, Part II of this title;~~

~~(iv) subsidize the [Maryland Pharmacy Discount Program] **KIDNEY DISEASE PROGRAM ESTABLISHED** under [§ 15-124.1] **TITLE 13, SUBTITLE 3** of the Health General Article; and~~

~~(v) support the costs of the Community Health Resources Commission under Title 19, Subtitle 21 of the Health General Article, including:~~

- ~~1. operating grants to community health resources;~~
- ~~2. funding for a unified data information system;~~
- ~~3. the documented direct costs of fulfilling the statutory and regulatory duties of the Commission; and~~
- ~~4. the administrative costs of the Commission.~~

~~(2) (i) [The] **FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT FISCAL YEAR, THE** support provided under paragraph [(1)(v)1, 3, and 4] **(1)(V)** of this subsection to the Community Health Resources Commission shall be:~~

- ~~1. limited to:~~
- ~~1. \$2,000,000 in fiscal year 2006; and~~
- ~~2. in fiscal year 2007 and annually thereafter, the value of the premium tax exemption less:~~

~~A. the subsidy required under this subsection for the Senior Prescription Drug Assistance Program;~~

~~B. the subsidy required under this subsection for the Maryland Pharmacy Discount Program; and~~

~~C. the funding required under this subsection for the unified data information system.~~

~~(ii) The subsidy provided under paragraph (1)(iv) of this subsection for the Maryland Pharmacy Discount Program shall be limited to:~~

~~1. \$500,000 in fiscal year 2006; and~~

~~2. \$300,000 in fiscal year 2007 and annually thereafter.~~

~~(iii) The amount provided under paragraph (1)(v)2 of this subsection to fund a unified data information system shall be limited to:~~

~~1. \$500,000 in fiscal year 2006; and~~

~~2. \$1,700,000 in fiscal year 2007 and annually thereafter.] \$3,000,000 FOR EACH OF FISCAL YEARS 2011 AND 2012; AND~~

~~2. \$6,000,000 FOR FISCAL YEAR 2013 AND EACH SUBSEQUENT FISCAL YEAR.~~

~~(ii) FOR FISCAL YEAR 2011 AND EACH SUBSEQUENT FISCAL YEAR, THE SUBSIDY PROVIDED UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION TO THE KIDNEY DISEASE PROGRAM SHALL BE EQUAL TO THE VALUE OF THE PREMIUM TAX EXEMPTION LESS:~~

~~1. THE SUBSIDY REQUIRED UNDER THIS SUBSECTION FOR THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM; AND~~

~~2. THE SUBSIDY REQUIRED UNDER THIS SUBSECTION FOR THE COMMUNITY HEALTH RESOURCES COMMISSION.~~

~~(iii) OF THE SUBSIDY PROVIDED TO THE KIDNEY DISEASE PROGRAM UNDER THIS SUBSECTION, THE SECRETARY OF HEALTH AND MENTAL HYGIENE MAY TRANSFER ANY AMOUNTS RECEIVED BUT NOT SPENT BY THE KIDNEY DISEASE PROGRAM TO THE COMMUNITY HEALTH RESOURCES COMMISSION FUND ESTABLISHED UNDER § 19 2201 OF THE HEALTH GENERAL ARTICLE.~~

Article – Public Safety

1-202.

(b) (1) Subject to subsection (c) of this section and [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a death benefit of \$125,000 shall be paid to the surviving spouse, child, dependent parent, or estate of each of the following individuals who is killed or dies in the performance of duties on or after January 1, 2006:

- (i) a law enforcement officer;
- (ii) a correctional officer;
- (iii) a volunteer or career firefighter or rescue squad member;
- (iv) a sworn member of the office of State Fire Marshal;
- (v) a public safety aviation employee;
- (vi) a Maryland resident who was a member of the uniform services of the United States serving in the Afghanistan or Iraq conflict; or
- (vii) a hazardous material response team employee.

(2) For fiscal year 2009, and for each following fiscal year, the death benefit provided in the prior fiscal year shall be adjusted by any change in the calendar year preceding the fiscal year in the Consumer Price Index (all urban customers – United States city average – all items), as published by the United States Bureau of Labor Statistics.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION SHALL BE SUBMITTED WITHIN 3 YEARS AFTER THE DEATH OF THE DECEDENT.

(II) IF THE DECEDENT DIED BEFORE JUNE 1, 2010, AN APPLICATION FOR A DEATH BENEFIT UNDER THIS SUBSECTION SHALL BE SUBMITTED ON OR BEFORE MAY 31, 2013.

[(3)] (4) A death benefit under this subsection is in addition to:

- (i) any workers' compensation benefits;
- (ii) the proceeds of any form of life insurance, regardless of who paid the premiums on the insurance; and
- (iii) the funeral benefit provided under subsection (d) of this section.

(5) ON RECEIVING NOTICE OF THE DEATH OF AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL TAKE REASONABLE STEPS TO NOTIFY POTENTIAL RECIPIENTS OF THE POTENTIAL DEATH BENEFITS AVAILABLE UNDER THIS SUBSECTION:

(I) WHEN THE DEPARTMENT RECEIVES NOTICE OF THE DEATH; AND

(II) AGAIN 1 YEAR AFTER THE DATE OF THE DEATH, IF AN APPLICATION FOR A DEATH BENEFIT WITH RESPECT TO THE DEATH OF THE DECEDENT HAS NOT BEEN SUBMITTED.

Article – State Finance and Procurement

3–306.

- (a) There is a Central Collection Fund.
- (b) The Central Collection Fund is a continuing, nonlapsing fund that is not subject to § 7–302 of this article.
- (c) The Fund shall consist of all fees collected under § 3–304(a)(2) of this subtitle.
- (d) Subject to the appropriation process in the State budget ~~and~~ and subject to subsection (h) of this section~~],~~ the Department shall use the Fund for the expenses of operating the Central Collection Unit.
- (e) The State Treasurer shall hold and the State Comptroller shall account for the Fund.
- (f) The Fund shall be invested and reinvested in the same manner as other State funds.
- (g) Investment earnings accrue to the benefit of the Fund.
- ~~(h)~~ (h) For any fiscal year beginning on or after July 1, 2010, any balance in the Fund at the end of the fiscal year in excess of ~~10%~~ **15%** of the actual expenses of operating the Central Collection Unit for that fiscal year reverts to the General Fund of the State.~~]~~

7–114.2.

WHEN A PROPOSED BUDGET INCLUDES EXPENDITURE REDUCTIONS TO BE APPLIED ACROSS MULTIPLE ~~EXECUTIVE BRANCH~~ EXECUTIVE BRANCH AGENCIES, THE BUDGET BILL SHALL SPECIFY HOW THE SAVINGS WILL BE ACHIEVED AND WITH THE EXCEPTION OF POSITION ABOLITIONS AND ITEMS REQUIRING COLLECTIVE BARGAINING SHALL INCLUDE A SEPARATE SCHEDULE FOR EACH REDUCTION ALLOCATING THE REDUCTION FOR EACH AGENCY IN A LEVEL OF DETAIL NOT LESS THAN THE 3-DIGIT R*STARS FINANCIAL AGENCY CODE AND BY EACH FUND ~~SOURCE~~ TYPE.

7-325.

(a) (1) IN EACH OF FISCAL YEARS 2011 AND 2012, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE ARTS COUNCIL OF NOT LESS THAN \$13,298,434.

(2) For [each] fiscal year 2013 AND EACH FISCAL YEAR THEREAFTER, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland State Arts Council in an amount not less than the amount of the General Fund appropriation for the Council as approved in the State budget as enacted by the General Assembly for the prior fiscal year, increased by not less than the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of this article.

Article – State Government

9-20B-05.

(g-1) The proceeds described in subsection (g) of this section from the allowances sold between March 1, 2009, and June 30, [2011] 2012, shall be allocated as follows:

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

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

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

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

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

Article – State Personnel and Pensions

21-304.

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

(2) WITH RESPECT TO LOCAL EMPLOYEES, “AGGREGATE ANNUAL EARNABLE COMPENSATION” MEANS AN AMOUNT BASED ON THE AGGREGATE ANNUAL SALARY PAYABLE BY A LOCAL EMPLOYER TO LOCAL EMPLOYEES, CALCULATED AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR BEFORE THE FISCAL YEAR FOR WHICH A CALCULATION IS MADE UNDER THIS SECTION.

~~(2)~~(3) “Full funding rate” means the sum of:

(i) the aggregate normal rate that is based on the normal contribution rate calculated under subsection (c) of this section and adjusted to incorporate legislative changes in benefits to reflect changes to the normal cost; and

(ii) the aggregate unfunded accrued liability contribution rate that is based on the unfunded accrued liability contribution rate under subsection (d)(1) and (2) of this section.

~~(3)~~(4) “Funding ratio for the employees’ systems” means the actuarial value of assets for the employees’ systems divided by the actuarial accrued liability for the employees’ systems.

~~(4)~~(5) “Funding ratio for the teachers’ systems” means the actuarial value of assets for the teachers’ systems divided by the actuarial accrued liability for the teachers’ systems.

(6) “LOCAL EMPLOYEE” MEANS A MEMBER OF THE TEACHERS’ RETIREMENT SYSTEM OR THE TEACHERS’ PENSION SYSTEM WHO IS:

(1) AN EMPLOYEE OF A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, EMPLOYED AS:

- ~~1. A CLERK;~~
- ~~2. A HELPING TEACHER;~~
- ~~3. A PRINCIPAL;~~
- ~~4. A SUPERINTENDENT;~~
- ~~5. A SUPERVISOR; OR~~
- ~~6. A TEACHER;~~

~~(II) A LIBRARIAN OR CLERICAL EMPLOYEE OF A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR~~

~~(III) A MEMBER OF THE FACULTY OR A PROFESSIONAL OR CLERICAL EMPLOYEE OF A COMMUNITY COLLEGE, OTHER THAN BALTIMORE CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION ARTICLE.~~

~~(7) "LOCAL EMPLOYER" MEANS:~~

~~(I) A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS;~~

~~(II) A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR~~

~~(III) A COMMUNITY COLLEGE, OTHER THAN BALTIMORE CITY COMMUNITY COLLEGE, THAT IS ESTABLISHED UNDER THE EDUCATION ARTICLE.~~

~~[(5)] (8) "State member" does not include a member on whose behalf a participating governmental unit is required to make an employer contribution under § 21-305 or § 21-306 of this subtitle.~~

~~(9) "TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES" MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO THE LOCAL EMPLOYEES OF EACH LOCAL EMPLOYER.~~

~~(b) (1) [Each] SUBJECT TO PARAGRAPHS (4) THROUGH (6) OF THIS SUBSECTION, EACH fiscal year, on behalf of the State members of each State system,~~

~~the State shall pay to the appropriate accumulation fund an amount equal to or greater than the sum of the amount, if any, required to be included in the budget bill under § 3-501(e)(2)(ii) of this article and the product of multiplying:~~

~~(i) the aggregate annual earnable compensation of the State members of that State system; and~~

~~(ii) 1. for State members of the Law Enforcement Officers' Retirement System, State Police Retirement System, and the Judges' Retirement System, the sum of the normal contribution rate and the accrued liability contribution rate, as determined under this section;~~

~~2. for State members of the Employees' Pension System, Employees' Retirement System, Correctional Officers' Retirement System, and Legislative Pension Plan, the employees' systems contribution rate determined under subsection (c) of this section; or~~

~~3. for State members of the Teachers' Pension System and Teachers' Retirement System, the teachers' systems contribution rate determined under subsection (f) of this section.~~

~~(2) The amount determined under paragraph (1) of this subsection for each State system shall be based on an actuarial determination of the amounts that are required to preserve the integrity of the funds of the several systems using:~~

~~(i) the entry-age actuarial cost method; and~~

~~(ii) actuarial assumptions adopted by the Board of Trustees.~~

~~(3) For the purpose of making the determinations required under this section:~~

~~(i) the Employees' Retirement System, the Employees' Pension System, the Correctional Officers' Retirement System, and the Legislative Pension Plan shall be considered together as one State system; and~~

~~(ii) the Teachers' Retirement System and the Teachers' Pension System shall be considered together as one State system.~~

~~(4) BEGINNING JULY 1, 2011, ON BEHALF OF THE LOCAL EMPLOYEES OF THE LOCAL EMPLOYER, SUBJECT TO § 21-309.1 OF THIS SUBTITLE, EACH LOCAL EMPLOYER SHALL PAY EACH FISCAL YEAR TO THE APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES AS DETERMINED UNDER PARAGRAPH (5) OF THIS SUBSECTION.~~

~~(5) FOR EACH LOCAL EMPLOYER, THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES IS THE AGGREGATE ANNUAL EARNABLE COMPENSATION OF LOCAL EMPLOYEES OF THAT LOCAL EMPLOYER MULTIPLIED TIMES:~~

~~(I) 1% FOR FISCAL YEAR 2012;~~

~~(II) 3% FOR FISCAL YEAR 2013;~~

~~(III) 5% FOR EACH OF FISCAL YEARS 2014 AND 2015; AND~~

~~(IV) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR THEREAFTER, THE RATE ESTABLISHED BY THE BOARD OF TRUSTEES UNDER § 21-309.1 OF THIS SUBTITLE.~~

~~(6) THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES AND THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES FOR EACH LOCAL EMPLOYER SHALL BE THE OBLIGATION OF THE STATE.~~

21-307.

(b) [(1)] For THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH SUBSEQUENT FISCAL YEAR, FOR a master in chancery or a master in juvenile causes who is eligible for benefits under the Judges' Retirement System, the county where the master serves shall pay to the Judges' Retirement System [a portion of] the employer contributions required to be paid on behalf of the master [as determined under paragraph (2) of this subsection.

(2) The amount payable by a county for a master under this subsection is the product of multiplying:

(i) the sum of the accrued liability contribution rate and the normal contribution rate; and

(ii) the difference between the master's current earnable compensation and the earnable compensation of the master as of January 1, 1989].

(c) (1) For the fiscal year beginning July 1, 2009, and each subsequent fiscal year, for a deputy sheriff employed by the Baltimore City Sheriff's Department who is a member of the Law Enforcement Officers' Pension System, Baltimore City shall pay the employer contributions otherwise required to be made by the State on behalf of the [members] MEMBER.

(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND EACH SUBSEQUENT FISCAL YEAR, FOR AN EMPLOYEE OF THE BALTIMORE CITY SHERIFF'S DEPARTMENT WHO IS A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM OR THE EMPLOYEES' PENSION SYSTEM, BALTIMORE CITY SHALL PAY THE EMPLOYER CONTRIBUTIONS OTHERWISE REQUIRED TO BE MADE BY THE STATE ON BEHALF OF THE MEMBER.

~~21-308.~~

~~(a) (1) On or before December 1 of each year, the Board of Trustees shall:~~

~~(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year; and~~

~~(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid BY THE STATE AS DETERMINED UNDER § 21-304 OF THIS SUBTITLE to the Teachers' Retirement System and the Teachers' Pension System expressed as a percentage of the payroll of all members of those State systems.~~

~~(d) (1) (i) The State Superintendent of Schools shall determine the amount that equals the applicable percentage as determined under subparagraph (ii) of this paragraph of the payroll of the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees' Retirement System of Montgomery County and are excluded from membership in the Teachers' Retirement System or the Teachers' Pension System.~~

~~(ii) The applicable percentage under subparagraph (i) of this paragraph is the lesser of:~~

~~1. the DIFFERENCE BETWEEN THE State's contribution percentage for the Teachers' Retirement System and the Teachers' Pension System AND THE LOCAL CONTRIBUTION RATE DETERMINED UNDER § 21-309.1 OF THIS SUBTITLE, as certified by the Board of Trustees; or~~

~~2. the percentage of the payroll of its employees that Montgomery County has contributed to the Employees' Retirement System of Montgomery County, as determined by an actuarial valuation.~~

~~21-309.1.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "LOCAL CONTRIBUTION RATE" MEANS THE RATE TO BE APPLIED TO THE AGGREGATE EARNABLE COMPENSATION OF LOCAL EMPLOYEES TO CALCULATE THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES UNDER § 21-304 OF THIS SUBTITLE.~~

~~(3) "LOCAL EMPLOYEE" HAS THE MEANING STATED IN § 21-304 OF THIS SUBTITLE.~~

~~(4) "LOCAL EMPLOYER" HAS THE MEANING STATED IN § 21-304 OF THIS SUBTITLE.~~

~~(B) (1) (i) ON OR BEFORE DECEMBER 1, 2014, AND ON OR BEFORE DECEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL ESTABLISH THE LOCAL CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR AS PROVIDED IN THIS SUBSECTION.~~

~~(ii) ON OR BEFORE NOVEMBER 1, 2014, AND ON OR BEFORE NOVEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL PROVIDE LOCAL EMPLOYERS A PRELIMINARY ESTIMATE OF THE LOCAL CONTRIBUTION RATE FOR THE NEXT FISCAL YEAR.~~

~~(2) FOR EACH FISCAL YEAR, THE LOCAL CONTRIBUTION RATE SHALL BE ESTABLISHED AT THE RATE THAT WHEN ADDED TO THE RATE OF THE EMPLOYER SOCIAL SECURITY CONTRIBUTION REQUIRED BY FEDERAL LAW EQUALS ONE HALF OF THE SUM OF:~~

~~(i) THE TEACHERS' SYSTEM CONTRIBUTION RATE FOR THE FISCAL YEAR DETERMINED UNDER § 21-304(F) OF THIS SUBTITLE; AND~~

~~(ii) THE RATE OF THE EMPLOYER SOCIAL SECURITY CONTRIBUTION REQUIRED BY FEDERAL LAW.~~

~~(C) ON OR BEFORE DECEMBER 1, 2010, AND ON OR BEFORE DECEMBER 1 OF EACH YEAR THEREAFTER, THE BOARD OF TRUSTEES SHALL DETERMINE THE AMOUNTS PAYABLE BY EACH LOCAL EMPLOYER UNDER § 21-304(B)(4) OF THIS SUBTITLE FOR THE NEXT FISCAL YEAR.~~

~~(D) EACH YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO EACH LOCAL EMPLOYER THE LOCAL CONTRIBUTION RATE AND THE AMOUNTS PAYABLE BY THE LOCAL EMPLOYER UNDER § 21-304(B)(4) OF THIS SUBTITLE FOR THE NEXT FISCAL YEAR.~~

~~(E) (1) ON OR BEFORE OCTOBER 1, JANUARY 1, APRIL 16, AND JUNE 1 OF EACH FISCAL YEAR, EACH LOCAL EMPLOYER SHALL PAY TO THE BOARD OF~~

~~TRUSTEES 25% OF THE AMOUNT OF THE CHARGES CERTIFIED TO THE LOCAL EMPLOYER BY THE BOARD OF TRUSTEES UNDER SUBSECTION (D) OF THIS SECTION.~~

~~(2) A LOCAL EMPLOYER MAY ELECT TO HAVE THE AMOUNTS REQUIRED UNDER THIS SECTION DEDUCTED FROM STATE AID DISTRIBUTIONS UNDER THE EDUCATION ARTICLE.~~

~~(3) IF A LOCAL EMPLOYER DOES NOT PAY THE AMOUNTS REQUIRED UNDER THIS SECTION WITHIN THE TIME REQUIRED, THE LOCAL EMPLOYER IS LIABLE FOR INTEREST ON DELINQUENT AMOUNTS AT A RATE OF 4% A YEAR UNTIL PAYMENT.~~

~~(4) THE SECRETARY OF THE BOARD OF TRUSTEES MAY ALLOW A GRACE PERIOD NOT TO EXCEED 10 CALENDAR DAYS FOR PAYMENT OF THE AMOUNTS CERTIFIED UNDER THIS SECTION.~~

~~(5) ON NOTIFICATION BY THE SECRETARY OF THE BOARD OF TRUSTEES THAT A DELINQUENCY EXISTS, THE STATE COMPTROLLER IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY DUE OR COMING DUE TO THAT LOCAL EMPLOYER FROM THE STATE.~~

~~(F) ON RECEIPT OF THE PAYMENTS FROM EACH LOCAL EMPLOYER, THE BOARD OF TRUSTEES SHALL CREDIT THESE AMOUNTS TO THE ACCUMULATION FUND OF THE APPROPRIATE STATE SYSTEM.~~

~~(G) (1) NOTWITHSTANDING § 5-202(D) OF THE EDUCATION ARTICLE, IN FISCAL YEARS 2012 THROUGH 2014 ONLY, A COUNTY THAT DOES NOT MEET THE MAINTENANCE OF EFFORT REQUIREMENT AND DOES NOT RECEIVE A WAIVER SHALL BE REQUIRED TO PAY TO THE COUNTY BOARD OF EDUCATION THE DIFFERENCE BETWEEN THE LOCAL APPROPRIATION TO THE COUNTY SCHOOL OPERATING BUDGET AND THE AMOUNT CERTIFIED BY THE STATE SUPERINTENDENT AS THE REQUIRED LOCAL MAINTENANCE OF EFFORT AMOUNT UNDER § 5-202(D)(1)(II) OF THE EDUCATION ARTICLE.~~

~~(2) IF A COUNTY DOES NOT MAKE THE PAYMENT REQUIRED UNDER THIS SUBSECTION TO THE COUNTY BOARD BY MAY 15 OF THE FISCAL YEAR FOR WHICH THE PAYMENT IS REQUIRED, THE STATE COMPTROLLER IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY DUE OR COMING DUE TO THAT COUNTY FROM THE STATE AND CREDIT IT TO THE COUNTY BOARD OF EDUCATION.~~

(a) For each participating employee who makes contributions under § 32–204 of this subtitle, TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET, the State [shall] MAY contribute to the applicable State supplemental plan employer contributions an amount equal to the lesser of the participating employee's contributions or \$600 per fiscal year.

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

Article – Tax – General

2–202.

(A) After making the distribution required under § 2–201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,** from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4–102(d) of this article:

(i) the revenue attributable to a tax rate of 20% to the General Fund of the State; and

(ii) the revenue attributable to a tax rate in excess of 20% to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article; and

(2) the remaining admissions and amusement tax revenue:

(i) to the Maryland Stadium Authority, county, or municipal corporation that is the source of the revenue; or

(ii) if the Maryland Stadium Authority and also a county or municipal corporation tax a reduced charge or free admission:

1. 80% of that revenue to the Authority; and

2. 20% to the county or municipal corporation.

(B) THE REVENUE TO BE DISTRIBUTED IN ACCORDANCE WITH SUBSECTION (A)(1) OF THIS SECTION:

(1) FOR FISCAL YEAR 2010 ONLY, SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE; AND

(2) FOR FISCAL YEAR 2011 ONLY, SHALL BE DISTRIBUTED AS FOLLOWS:

(I) ~~\$1,000,000~~ \$500,000 TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; ~~AND~~

(II) \$500,000 TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

(III) THE BALANCE TO THE GENERAL FUND OF THE STATE.

(C) (1) FOR FISCAL YEAR 2011, THE COMPTROLLER SHALL PAY FROM THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(2)(II) OF THIS SECTION A GRANT TO THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES THAT ARE THE SOURCE OF THE REVENUE ARE LOCATED, TO BE USED BY THE LOCAL JURISDICTIONS ONLY FOR ONE-TIME CAPITAL EXPENDITURES.

(2) A GRANT UNDER THIS SUBSECTION SHALL BE PAID TO A MUNICIPAL CORPORATION IF THE MACHINES ARE LOCATED IN A MUNICIPAL CORPORATION OR TO A COUNTY IF THE MACHINES ARE NOT LOCATED IN A MUNICIPAL CORPORATION.

(3) THE GRANTS UNDER THIS SUBSECTION SHALL BE PAID TO EACH LOCAL JURISDICTION IN PROPORTION TO THE AMOUNT OF TAX REVENUE DERIVED FROM MACHINES IN EACH JURISDICTION.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

2-606.

(E) (1) ON OR BEFORE JUNE 30, 2010, THE COMPTROLLER SHALL DISTRIBUTE \$350,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH THIS SECTION TO THE EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THE STATE GOVERNMENT ARTICLE.

(2) IN EACH OF FISCAL YEARS 2014 THROUGH 2020, THE STATE SHALL PAY TO THE LOCAL ~~INCOME TAX~~ RESERVE ACCOUNT \$50,000,000 TO REPAY THE \$350,000,000 TRANSFER TO THE EDUCATION TRUST FUND AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

2–606.

(F) (1) ON OR BEFORE JUNE 30, 2011, THE COMPTROLLER SHALL DISTRIBUTE ~~\$389,000,000~~ \$200,000,000 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH THIS SECTION TO THE GENERAL FUND OF THE STATE FOR USE IN FUNDING THE MARYLAND MEDICAID PROGRAM FOR FISCAL YEAR 2011.

(2) IN EACH OF FISCAL YEARS 2021 THROUGH 2026, THE STATE SHALL PAY TO THE LOCAL ~~INCOME TAX~~ RESERVE ACCOUNT ~~\$63,833,333~~ \$33,333,333 TO REPAY THE ~~\$389,000,000~~ \$200,000,000 TRANSFER TO THE GENERAL FUND AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

2–1104.

(a) Except as provided in subsections (b) [and], (c), AND (D) of this section, after making the distributions required under §§ 2–1101 through 2–1103 of this subtitle, from the remaining motor fuel tax revenue, the Comptroller shall distribute:

- (1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and
- (2) any remaining balance to the Gasoline and Motor Vehicle Revenue Account of the Transportation Trust Fund.

(b) For the fiscal year beginning July 1, 2008, instead of the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3% of the remaining motor fuel tax revenue as follows:

- (1) \$6,500,000 to the General Fund of the State; and
- (2) the balance to the Chesapeake Bay 2010 Trust Fund.

(c) For the fiscal year beginning July 1, 2009, instead of the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3% of the remaining motor fuel tax revenue as follows:

- (1) \$8,385,845 to the General Fund of the State; and
- (2) the balance to the Chesapeake Bay 2010 Trust Fund.

(D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, INSTEAD OF THE DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE 2.3% OF THE REMAINING MOTOR FUEL TAX REVENUE AS FOLLOWS:

(1) ~~\$5,000,000~~ ~~\$9,100,000~~ \$5,000,000 TO THE GENERAL FUND OF THE STATE; AND

(2) THE BALANCE TO THE CHESAPEAKE BAY 2010 TRUST FUND.

SECTION ~~6~~ 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

2–1302.1.

(a) Except as provided in subsections (b) [and], (c), AND (D) of this section, after making the distributions required under §§ 2–1301 and 2–1302 of this subtitle, of the sales and use tax collected on short–term vehicle rentals under § 11–104(c) of this article the Comptroller shall distribute:

- (1) 45% to the Transportation Trust Fund established under § 3–216 of the Transportation Article; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

(b) For the fiscal year beginning July 1, 2008, after the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute the remainder of the sales and use tax collected on short–term vehicle rentals under § 11–104(c) of this article as follows:

- (1) \$18,500,000 to the General Fund of the State; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

(c) For the fiscal year beginning July 1, 2009, after the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute the remainder of the sales and use tax collected on short–term vehicle rentals under § 11–104(c) of this article as follows:

- (1) ~~[\$13,100,711]~~ **\$21,100,711** to the General Fund of the State; and
- (2) the remainder to the Chesapeake Bay 2010 Trust Fund.

(D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AFTER THE DISTRIBUTION REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINDER OF THE SALES AND USE TAX COLLECTED ON SHORT-TERM VEHICLE RENTALS UNDER § 11-104(C) OF THIS ARTICLE AS FOLLOWS:

(1) ~~\$17,101,428~~ ~~\$23,000,000~~ \$17,101,428 TO THE GENERAL FUND OF THE STATE; AND

(2) THE REMAINDER TO THE CHESAPEAKE BAY 2010 TRUST FUND.

~~2-1302.2.~~

~~After making the distributions required under §§ 2-1301 through 2-1302.1 of this subtitle, FOR EACH FISCAL YEAR, the Comptroller shall pay into the Transportation Trust Fund established under § 3-216 of the Transportation Article:~~

~~(1) for each fiscal year beginning before July 1, 2013, 5.3% of the remaining sales and use tax revenue; and~~

~~(2) for each fiscal year beginning on or after July 1, 2013, 6.5% of the remaining sales and use tax revenue;~~

SECTION 9. AND BE IT FURTHER ENACTED, That Section(s) 8-403 of Article – Transportation of the Annotated Code of Maryland be repealed.

SECTION ~~7~~ 10. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

4-321.

(e) The Governor shall transfer to the Authority for the Intercounty Connector:

(1) From the Transportation Trust Fund, at least \$30,000,000 each year for fiscal years 2007 through 2010;

(2) From the General Fund or general obligation bonds, an aggregate appropriation by fiscal year [2011] **2012** equal to \$264,913,000, as follows:

(i) \$53,000,000 for fiscal year 2007;

(ii) \$55,000,000 for fiscal year 2010; [and]

(iii) ~~[\$156,913,000]~~ ~~\$126,900,000~~ ~~\$81,900,000~~ AT LEAST \$80,000,000 for fiscal year 2011; and

(IV) ~~\$30,013,000~~ ~~\$75,013,000~~ THE REMAINING BALANCE FOR FISCAL YEAR 2012; AND

(3) At least \$10,000,000 federal aid from any source in amounts as deemed prudent.

8-401.

(C-1) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY AUTHORIZED BY LAW TO CONSTRUCT OR MAINTAIN STREETS OR ROADS.

8-402.

(c) (1) [During] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR each fiscal year [,]:

(I) ~~19%~~ 19.3% OF THE REVENUE CREDITED TO THE ACCOUNT SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE;

(II) 71.5% OF THE REVENUE CREDITED TO THE ACCOUNT MAY BE USED AS PROVIDED IN § 3-216 OF THIS ARTICLE; AND

(III) THE BALANCE OF the Account shall be used to pay the allocations of highway user revenues provided by this subtitle to the counties, municipalities, and Baltimore City[; and].

[(2) The balance of the Account may be used as provided in § 3-216 of this article.]

(2) FOR FISCAL YEARS 2010 THROUGH 2012, THE ACCOUNT SHALL BE DISTRIBUTED AS FOLLOWS:

(I) A PORTION TO THE GENERAL FUND OF THE STATE AS FOLLOWS:

1. ~~19.6%~~ 19.5% FOR FISCAL YEAR 2010;
2. ~~22.5%~~ 23% FOR FISCAL YEAR 2011; AND
3. ~~20.1%~~ 20.4% FOR FISCAL YEAR 2012;

(II) A PORTION TO BE USED AS PROVIDED IN § 3-216 OF THIS ARTICLE, AS FOLLOWS:

1. 70% FOR FISCAL YEAR 2010;
2. ~~68.6%~~ 68.5% FOR FISCAL YEAR 2011; AND
3. 71.5% FOR FISCAL YEAR 2012; AND

(III) THE BALANCE TO BE USED TO PAY THE ALLOCATIONS OF HIGHWAY USER REVENUES PROVIDED UNDER THIS SUBTITLE TO THE COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY.

8-403.

(A) SUBJECT TO §§ 3-307 AND 3-308 OF THIS ARTICLE, AND EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, FOR EACH FISCAL YEAR, FROM THE TOTAL HIGHWAY USER REVENUES:

(1) AN AMOUNT ~~SHALL BE DISTRIBUTED TO BALTIMORE CITY MONTHLY~~ EQUAL TO ~~8.8%~~ 7.5% OF TOTAL HIGHWAY USER REVENUES SHALL BE DISTRIBUTED TO BALTIMORE CITY IN MONTHLY INSTALLMENTS;

(2) AN AMOUNT SHALL BE DISTRIBUTED TO THE COUNTIES AT THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS PROVIDED IN § 8-404 OF THIS SUBTITLE, EQUAL TO ~~0.6%~~ 1.4% OF TOTAL HIGHWAY USER REVENUES; AND

(3) AN AMOUNT SHALL BE DISTRIBUTED TO THE MUNICIPALITIES AT THE TIMES SPECIFIED IN § 8-407 OF THIS SUBTITLE, TO BE ALLOCATED AS PROVIDED IN § 8-405 OF THIS SUBTITLE, EQUAL TO ~~0.1%~~ 0.3% OF TOTAL HIGHWAY USER REVENUES.

(B) (1) FOR FISCAL YEAR 2010:

(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY UNDER THIS SUBTITLE SHALL EQUAL ~~8.5%~~ 8.6% OF TOTAL HIGHWAY USER REVENUES;

(II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER THIS SUBTITLE SHALL EQUAL 1.5% OF TOTAL HIGHWAY USER REVENUES; AND

(III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES UNDER THIS SUBTITLE SHALL EQUAL 0.4% OF TOTAL HIGHWAY USER REVENUES.

(2) FOR FISCAL YEAR 2011:

(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY UNDER THIS SUBTITLE SHALL EQUAL ~~8.2%~~ 7.9% OF TOTAL HIGHWAY USER REVENUES;

(II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER THIS SUBTITLE SHALL EQUAL ~~0.6%~~ 0.5% OF TOTAL HIGHWAY USER REVENUES; AND

(III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER REVENUES.

(3) FOR FISCAL YEAR 2012:

(I) THE AMOUNT DISTRIBUTED TO BALTIMORE CITY UNDER THIS SUBTITLE SHALL EQUAL ~~7.8%~~ 7.5% OF TOTAL HIGHWAY USER REVENUES;

(II) THE AMOUNT DISTRIBUTED TO THE COUNTIES UNDER THIS SUBTITLE SHALL EQUAL 0.5% OF TOTAL HIGHWAY USER REVENUES; AND

(III) THE AMOUNT DISTRIBUTED TO THE MUNICIPALITIES UNDER THIS SUBTITLE SHALL EQUAL 0.1% OF TOTAL HIGHWAY USER REVENUES.

8-404.

(a) Highway user revenues shall be allocated to the counties:

(1) One half on a county road mileage basis, as provided in subsection (b)(1) of this section; and

(2) One half on a motor vehicle registration basis, as provided in subsection (b)(2) of this section.

(b) The Administration shall allocate for the account of each county, out of the highway user revenues [provided for] **TO BE DISTRIBUTED TO THE COUNTIES** under § 8-403 of this subtitle, [its gross] **THE COUNTY'S** share, to be determined by adding:

(1) The amount that results from applying to one half of these highway user revenues the ratio that, as of December 1 of the preceding calendar year, the total mileage of county roads in the county, **NOT INCLUDING THE TOTAL MILEAGE OF COUNTY ROADS IN ~~AN ELIGIBLE MUNICIPALITY~~ ELIGIBLE MUNICIPALITIES IN THE COUNTY**, bears to the total mileage of county roads in all of the counties, **NOT INCLUDING THE TOTAL MILEAGE OF COUNTY ROADS IN ~~AN ELIGIBLE MUNICIPALITY~~ ELIGIBLE MUNICIPALITIES IN THE STATE**; and

(2) The amount that results from applying to one half of these highway user revenues the ratio that, as of December 1 of the preceding calendar year, the total number of motor vehicles registered to owners having addresses in the county, **NOT INCLUDING MOTOR VEHICLES REGISTERED TO ~~AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE MUNICIPALITY~~ OWNERS HAVING ADDRESSES IN ELIGIBLE MUNICIPALITIES IN THE COUNTY**, bears to the total number of motor vehicles registered to owners in all the counties, **NOT INCLUDING MOTOR VEHICLES REGISTERED TO ~~AN OWNER HAVING AN ADDRESS IN AN ELIGIBLE MUNICIPALITY~~ OWNERS HAVING ADDRESSES IN ELIGIBLE MUNICIPALITIES IN THE STATE**.

[(c) The allocation of highway user revenues to a county under subsection (b) of this section may not be less than the amount allocated to the county from highway user revenue sources in the fiscal year that began July 1, 1967.

(d) From each county's share of highway user revenues determined under this section, the Administration shall deduct the amount of highway user revenues allocated to any municipality in the county under § 8-405 of this subtitle. The resulting amount is the county's net share of highway user revenues.]

8-405.

~~[(a) Any municipality authorized by law to construct or maintain streets or roads~~ **AN ELIGIBLE MUNICIPALITY** may request its share of the highway user revenues provided under this subtitle from the Administration. The request shall be made in writing at least 6 months before the start of the fiscal year in which the funds are desired.]

~~(A)~~ **(B) HIGHWAY USER REVENUES SHALL BE ALLOCATED TO THE ELIGIBLE MUNICIPALITIES:**

(1) ONE HALF ON A MUNICIPAL ROAD MILEAGE BASIS, AS PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION; AND

(2) ONE HALF ON A MOTOR VEHICLE REGISTRATION BASIS, AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION.

~~(B)~~ **(C) [During the fiscal year beginning after a request is made, the] THE Administration shall allocate [to the] FOR THE ACCOUNT OF EACH ELIGIBLE municipality, [from the gross share of] OUT OF THE highway user revenues [allocated under § 8-404] TO BE DISTRIBUTED TO THE MUNICIPALITIES UNDER § 8-403 of this subtitle [to the county within which the municipality is located, its net] THE ELIGIBLE MUNICIPALITY'S share [of highway user revenues], to be determined by adding:**

(1) The amount that results from applying to one half of the available revenues the ratio that, as of December 1 of the preceding calendar year, the total mileage of county roads in the ELIGIBLE municipality bears to the total mileage of county roads LOCATED in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE; and

(2) The amount that results from applying to one half of the available revenues the ratio that, as of December 1 of the preceding calendar year, the total number of motor vehicles registered to owners having addresses in the ELIGIBLE municipality bears to the total number of motor vehicles registered to owners having addresses in [the county] ELIGIBLE MUNICIPALITIES IN THE STATE.

~~(C)~~ **(D) For purposes of the mileage formula distributions under this section, each special improvement district in Prince George's County in existence in January, 1953, shall be treated as a municipality, but the amounts distributed shall be:**

(1) Paid to the county and retained by it as credits to the district; and

(2) Applied to the cost of maintaining the streets and roads in the district so long as the district has any indebtedness.

8-407.

(a) (1) If a county's OR MUNICIPALITY'S road construction, reconstruction, or maintenance is performed by the Administration, the county's [net]

OR MUNICIPALITY'S share of highway user revenues shall be credited to the account of the Administration to be spent on warrants of the State Comptroller.

(2) If a county has paid any debt service on bonds or other evidences of obligation issued by a municipality in the county for the construction, reconstruction, or maintenance of roads or streets, an amount sufficient to reimburse the county for these payments shall be paid to the county from the municipality's [net] share of highway user revenues.

(3) In all other cases, a county's or municipality's [net] share of highway user revenues shall be paid to or on the order of:

(i) The proper official of the county or municipality designated by local law; or

(ii) If no designation is made, the county or municipality.

(b) Payments of a county's or municipality's [net] share of highway user revenues shall be made:

(1) At monthly intervals; or

(2) At other appropriate times reasonably requested.

SECTION 11. AND BE IT FURTHER ENACTED, That Section(s) 11-308, 11-309, and 11-310(a) through (c) of Article – Correctional Services of the Annotated Code of Maryland be repealed.

SECTION 12. AND BE IT FURTHER ENACTED, That Section(s) 7-117 of Article – Education of the Annotated Code of Maryland be repealed.

SECTION 13. AND BE IT FURTHER ENACTED, That Section(s) 13-1117 and 13-1118 of Article – Health – General of the Annotated Code of Maryland be repealed.

~~SECTION 8. AND BE IT FURTHER ENACTED, That Section(s) 18-1201 through 18-1207 and the subtitle “Subtitle 12. Private Career School Student Grant Program” of Article – Education of the Annotated Code of Maryland be repealed.~~

~~SECTION 9. 14. AND BE IT FURTHER ENACTED, That Section(s) 10-301(m) of the Natural Resources Article of the Annotated Code of Maryland be repealed.~~

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2011 only, up to \$300,000 of the allocation to the University of Maryland Medical Group under § 13-1116 of the Health – General Article as enacted by this Act may be used to offset a deficit resulting from the termination of the Statewide Academic Health Center Tobacco-Related Diseases

Research Grant Program and the Statewide Academic Health Center Network Grant Program under this Act.

~~SECTION 10. AND BE IT FURTHER ENACTED, That Section(s) 8-406(b) and 10-704.1 of the Tax General Article of the Annotated Code of Maryland be repealed.~~

SECTION ~~11~~ 16. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2010, the Governor may transfer to the General Fund:

\$155,000,000 of the unexpended balance in the Bay Restoration Fund established under § 9-1605.2 of the Environment Article that is not needed to pay debt service on Revenue Bonds issued by the Water Quality Financing Administration for the Enhanced Nutrient Removal Program;

~~\$85,051,173~~ \$133,319,852 of the funds in the accounts of the University System of Maryland;

~~\$39,693,790, or any balance remaining, of the funds in the Heritage Structure Rehabilitation Tax Credit Reserve Fund established under § 5A-303 of the State Finance and Procurement Article;~~

~~\$25,000,000 of the funds in the Circuit Court Real Property Records Improvement Fund established by § 13-602 of the Courts and Judicial Proceedings Article;~~

~~\$20,000,000 of the funds in the Injured Workers' Insurance Fund established under § 10-104 of the Labor and Employment Article;~~

\$13,509,450 of the funds in the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article;

\$6,000,000 of the funds in the Injured Workers' Insurance Fund reserve for actuarial liability for claims against the State, established under § 10-104 of the Labor and Employment Article;

\$5,221,332 of the funds in the State Insurance Trust Fund established under § 9-103 of the State Finance and Procurement Article;

\$3,628,687 of the unexpended balance in the Neighborhood Business Development Fund established under § 6-301 of the Housing and Community Development Article;

\$3,401,000 of the unexpended balance in the Ocean Beach Replenishment Fund established under § 8-1103 of the Natural Resources Article;

\$3,000,000 of the funds in the special fund established under § 1–203.3 of the Corporations and Associations Article;

\$2,500,000 of the funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund established under § 8–2A–02 of the Natural Resources Article;

~~\$2,200,000~~ \$1,000,000 of the funds in the Maryland Oil Disaster Containment, Cleanup and Contingency Fund established under § 4–411 of the Environment Article;

\$1,200,000 of the funds in the Oil Reserve Fund established under § 4–607 of the Environment Article;

\$2,176,565 of the funds in the Special Loan Programs Fund established under § 4–505 of the Housing and Community Development Article;

\$2,000,000 of the funds in the Insurance Regulation Fund established under § 2–505 of the Insurance Article;

\$1,824,924 of the funds in the Vehicle Theft Prevention Fund established under § 2–703 of the Public Safety Article;

\$1,800,000 of the funds in the Community Health Resources Commission Fund established under § 19–2201 of the Health – General Article;

~~\$1,664,227~~ \$2,113,653 of the funds in the accounts of Morgan State University;

\$1,559,000 of the funds in the Spinal Cord Injury Research Trust Fund established under § 13–1406 of the Health – General Article;

\$1,500,000 of the funds in the Land Trust Grant Fund established under § 3–2A–02 of the Natural Resources Article;

~~\$1,200,000~~ \$3,000,000 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article;

\$1,100,000 of the funds in the State Used Tire Cleanup and Recycling Fund established under § 9–273 of the Environment Article;

\$1,000,000 of the funds in the Tidal Wetlands Compensation Fund established under § 16–205 of the Environment Article;

\$733,339 of the funds in the Cash Management Improvement Fund in the State Treasurer's Office;

\$602,800 of the funds in the special fund established under § 11–401 of the Business Regulation Article;

\$527,619 of the funds in the Board of Physicians Fund established under § 14–207 of the Health Occupations Article;

\$500,000 of the funds in the Central Collection Fund established under § 3–306 of the State Finance and Procurement Article;

\$500,000 of the funds in the Maryland Correctional Enterprises Revolving Fund established under § 3–507 of the Correctional Services Article;

~~\$500,000 of the funds in the State administrative costs account of the Injured Workers' Insurance Fund established under § 10–104 of the Labor and Employment Article;~~

\$472,026 of the funds in the Maryland Health Care Commission Fund established under § 19–111 of the Health – General Article;

\$449,373 of the funds in the Community Legacy Financial Assistance Fund established under § 6–213 of the Housing and Community Development Article;

\$305,549 of the funds in the Board of Nursing Fund established under § 8–206 of the Health Occupations Article;

\$305,481 of the funds in the Shore Erosion Control Construction Loan Fund established under § 8–1005 of the Natural Resources Article;

\$300,000 of the funds in the Maryland Clean Air Fund established under § 2–107 of the Environment Article;

\$300,000 of the funds in the State Occupational and Professional Licensing Design Boards' Fund established under § 2–106.1 of the Business Regulation Article;

\$204,368 of the funds in the accounts of St. Mary's College of Maryland;

\$150,000 of the funds in the State Chemist Reserve Account consisting of special funds established under §§ 5–103, 6–103, 6–204, and 6–303 of the Agriculture Article;

~~\$150,000~~ \$500,000 of the funds in the State Radiation Control Fund established under § 8–306 of the Environment Article;

\$98,544 of the funds in the State Board of Pharmacy Fund established under § 12–206 of the Health Occupations Article;

~~\$96,541~~ \$1,374,254 of the funds in the accounts of Baltimore City Community College;

\$92,040 of the funds in the Homeownership Programs Fund established under § 4–502 of the Housing and Community Development Article;

\$87,758 of the funds in the Rental Housing Programs Fund established under § 4–504 of the Housing and Community Development Article;

\$87,758 of the funds in the Partnership Rental Housing Fund established under § 4–503 of the Housing and Community Development Article;

\$73,530 of the funds in the State Board of Dental Examiners Fund established under § 4–207 of the Health Occupations Article;

\$52,097 of the funds in the State Board of Social Work Examiners Fund established under § 19–206 of the Health Occupations Article;

\$36,128 of the funds in the State Board of Chiropractic and Massage Therapy Examiners Fund established under § 3–206 of the Health Occupations Article;

\$23,718 of the funds in the State Board of Examiners of Psychologists Fund established under § 18–207 of the Health Occupations Article;

\$22,013 of the funds in the State Board of Professional Counselors and Therapists Fund established under § 17–206 of the Health Occupations Article;

\$17,567 of the funds in the State Board of Physical Therapy Examiners Fund established under § 13–207 of the Health Occupations Article;

\$13,698 of the funds in the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech Language Pathologists Fund established under § 2–206 of the Health Occupations Article;

\$11,923 of the funds in the State Board of Occupational Therapy Practice Fund established under § 10–206 of the Health Occupations Article;

\$9,837 of the funds in the State Board of Examiners in Optometry Fund established under § 11–207 of the Health Occupations Article;

\$9,666 of the funds in the State Acupuncture Board Fund established under § 1A–206 of the Health Occupations Article;

\$9,566 of the funds in the State Board of Morticians and Funeral Directors Fund established under § 7–206 of the Health Occupations Article;

\$7,283 of the funds in the State Board of Podiatric Medical Examiners Fund established under § 16–206 of the Health Occupations Article;

\$4,092 of the funds in the Kidney Disease Fund established under § 13–310.1 of the Health – General Article; and

\$3,738 of the funds in the State Board of Dietetic Practice Fund established under § 5–206 of the Health Occupations Article.

SECTION ~~12~~ 17. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) On or before June 30, 2010, the Governor may transfer to the General Fund:

\$103,113,000 of the unexpended balance of the funds for the local share of Program Open Space in the special fund established under § 13–209 of the Tax – Property Article;

\$22,700,000 of the unexpended balance of the funds for Program Open Space Capital Development under Program Open Space in the special fund established under § 13–209 of the Tax – Property Article;

\$10,635,000 of the unexpended balance in the special fund established under § 13–209 of the Tax – Property Article for the Rural Legacy Program as established under § 5–9A–01 of the Natural Resources Article;

\$10,000,000 of the unexpended balance in the special fund established under § 13–209 of the Tax – Property Article for the Maryland Agricultural Land Preservation Foundation established under § 2–502 of the Agriculture Article;

\$4,567,000 of the unexpended balance of the funds for State land acquisition under Program Open Space in the special fund established under § 13–209 of the Tax – Property Article; and

\$2,058,000 of the unexpended balance of the funds for Program Open Space Capital Development – Ocean City Beach Replenishment under Program Open Space in the special fund established under § 13–209 of the Tax – Property Article.

(b) A transfer of funds from the special fund to the General Fund under this section may not be taken into account for purposes of determining any allocation or appropriation required under § 13–209(f) or (g) of the Tax – Property Article.

SECTION ~~13~~ 18. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2011, the Governor may transfer to the General Fund:

~~\$51,731,321~~ ~~\$55,532,294~~ \$11,731,321 of the funds in the accounts of the University System of Maryland;

\$45,000,000 of the funds in the Bay Restoration Fund established under § 9–1605.2 of the Environment Article that is not needed to pay debt service on Revenue Bonds issued by the Water Quality Financing Administration for the Enhanced Nutrient Removal Program;

\$1,000,000 of the funds in the Board of Physicians Fund established under § 14–207 of the Health Occupations Article;

~~\$822,287~~ ~~\$1,782,395~~ \$822,287 of the funds in the accounts of Baltimore City Community College;

~~\$790,574~~ ~~\$1,051,307~~ \$750,574 of the funds in the accounts of Morgan State University;

\$500,000 of the funds for the Spinal Cord Injury Research Trust Fund established under § 13–1406 of the Health – General Article;

\$3,934,000 of the funds in the Waterway Improvement Fund established under § 8–707 of the Natural Resources Article;

\$3,200,000 of the funds in the Neighborhood Business Development Fund established under § 6–310 of the Housing and Community Development Article;

\$3,000,000 of the funds in the Homeownership Programs Fund established under § 4–502 of the Housing and Community Development Article;

\$2,500,000 of the funds in the Special Loan Programs Fund established under § 4–505 of the Housing and Community Development Article;

~~\$602,800~~ \$500,000 of the funds in the special fund established under § 11–401 of the Business Regulation Article;

\$204,368 of the funds in the accounts of St. Mary's College of Maryland;

\$200,000 of the funds in the State Board of Pharmacy Fund established under § 12–206 of the Health Occupations Article;

\$50,000 of the funds in the State Board of Examiners for Psychologists Fund established under § 18–207 of the Health Occupations Article; and

\$50,000 of the funds in the State Board of Professional Counselors and Therapists Fund established under § 17–206 of the Health Occupations Article.

SECTION ~~14~~ 19. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) ~~Subject to subsection (b) of this section~~, on or before June 30, 2011, the Governor may transfer to the General Fund \$54,038,405 of the funds in the special fund established under § 13-209 of the Tax – Property Article. A transfer of funds from the special fund to the General Fund under this ~~subsection~~ section may not be taken into account for purposes of determining any allocation or appropriation required under § 13-209(f) or (g) of the Tax – Property Article.

(b) ~~Subsection (a) of this section is contingent on legislation authorizing the creation of State general obligation debt totaling \$54,305,000 for the following purposes:~~

Program Open Space – State Land Acquisition	\$13,082,000
Program Open Space – Local Share	\$12,352,000
Rural Legacy Program	\$12,637,000
Program Open Space – Capital Improvements	\$4,150,000
Maryland Agricultural Land Preservation Foundation	\$11,814,000

~~If legislation authorizing the creation of State general obligation debt totaling \$54,305,000 for the purposes described in this subsection does not become effective, subsection (a) of this section shall be null and void without the necessity of further action by the General Assembly.~~

SECTION ~~15~~ 20. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in fiscal year 2011 only, the grants to county boards under the Aging Schools Program under § 5-206(f) of the Education Article may be funded from the proceeds of General Obligation bonds issued under the Maryland Consolidated Capital Bond Loan of 2010 or Qualified Zone Academy Bonds issued under Chapter 523 (S.B. 202/H.B. 171) of the Acts of the General Assembly of 2010.

SECTION ~~16~~ 21. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Title 1, Subtitle 3 of the Public Safety Article or any other law, \$5,000,000 in fiscal year 2011 revenue from the State 9-1-1 fee on wired lines may be transferred from the 9-1-1 Trust Fund to the Department of Information Technology to be used to support the Computer Aided Dispatch/Records Management System project in the Maryland State Police.

SECTION ~~17~~ 22. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Article 41, § 4-403 of the Annotated Code, for each of fiscal years 2011 and 2012, funding for State Aid for Police Protection shall be \$45,420,982. For each of fiscal years 2011 and 2012, a subdivision or municipality shall receive the same State funding that the subdivision or municipality received in fiscal year 2010.

SECTION ~~18~~ 23. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, no amounts may be expended in fiscal year 2011 to pay increases over the rates in effect on January 20, 2010, for providers with rates set under § 8-406 or § 8-417 of the Education Article.

SECTION ~~19~~ 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Governor may transfer by budget amendment from the Senior Prescription Drug Assistance Program account of the Maryland Health Insurance Plan Fund established under § 14-504(e) of the Insurance Article to the Kidney Disease Program established under Title 13, Subtitle 3 of the Health – General Article up to \$10,500,000 in fiscal year 2010, and up to \$1,500,000 in fiscal year 2011.

SECTION ~~20~~ 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in fiscal year 2010, the Governor may transfer up to ~~\$3,000,000~~ \$5,000,000 from the Senior Prescription Drug Assistance Program account of the Maryland Health Insurance Plan Fund established under § 14-504(e) of the Insurance Article to the Medical Assistance Program established under Title 15, Subtitle 1 of the Health – General Article.

SECTION ~~21~~ 26. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) On or before June 30, 2010, in addition to amounts authorized to be transferred under Section 12 of this Act, the Governor may transfer to the General Fund \$4,459,496 of the funds for State land acquisition under Program Open Space in the special fund established under § 13-209 of the Tax – Property Article.

(b) A transfer of funds from the special fund to the General Fund under this section may not be taken into account for purposes of determining any allocation or appropriation required under § 13-209(f) or (g) of the Tax – Property Article.

SECTION ~~22~~ 27. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 3A-309 of the State Finance and Procurement Article, or any other provision of law, all money received from May 1, 2010 through June 30, 2010, and for each of fiscal years 2011 and 2012, as commissions, rebates, refunds, rate reductions, settlements, or telecommunication bypass agreements resulting from information technology services or purchases shall be credited to the General Fund.

SECTION ~~23~~ 28. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of §§ 2-613, 2-613.1, and 2-614 of the Tax – General Article, or any other provision of law, the first \$129,000,000 of corporate income tax paid to the State in fiscal year 2010 shall be credited entirely to the General Fund.

~~SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 10-223(e) of the Tax – General Article and § 6-104(e)(2) of the State Finance and Procurement Article, or any other provision of law, the requirement for~~

~~the Comptroller and the Bureau of Revenue Estimates to prepare and submit the Statistics of Income Report and the Tax Incentives Study shall be waived for the tax years ending in 2008, 2009, and 2010.~~

SECTION ~~25~~ 29. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 3A-506 of the State Finance and Procurement Article or any other provision of law, in fiscal year 2011, the Governor may transfer by budget amendment up to ~~\$1,000,000~~ \$2,000,000 from the Universal Service Trust Fund to the Maryland School for the Deaf. For the purposes of determining the minimum appropriation for the Maryland School for the Deaf under § 8-310.3(b) of the Education Article for fiscal year 2012, the prior year appropriations shall be deemed to include any General Fund appropriation for fiscal year 2011 for the Maryland School for the Deaf and any amount transferred to the Maryland School for the Deaf for fiscal year 2011 under this section.

SECTION 30. AND BE IT FURTHER ENACTED, That Section(s) 5 of Chapter 451 of the Acts of the General Assembly of 2003 be repealed.

SECTION 31. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the incoming class in the fall of 2010 at a residential boarding education program for at-risk youth that receives funding under Title 8, Subtitle 7 of the Education Article may not exceed 68 students.

(a) The SEED School of Maryland and the Maryland State Department of Education shall negotiate a modification to their contract to extend from five to six years the time by which the SEED School reaches the State-supported maximum of 400 students, as authorized in § 8-710 of the Education Article and to limit the total student population at the SEED School to less than 320 students in the fall of 2011 and to less than 400 students in the fall of 2012, in a manner so that the required appropriation in the State budget for support of the school is less than \$8,000,000 in fiscal year 2012 and less than \$10,000,000 in fiscal year 2013.

(b) On or before October 1, 2010, the SEED School and the Department shall report on the renegotiated contract and provide a copy of the proposed new contract to the budget committees of the General Assembly. The budget committees shall have 45 days from the date of receipt of the report to review and comment on the proposed new contract before it is executed.

~~SECTION 26. AND BE IT FURTHER ENACTED, That, notwithstanding Section(s) 18-1101 through 18-1106 of the Education Article, or any other provision of law, no new scholarship awards shall be made under the Distinguished Scholar Program for the 2010-2011 academic year. This section shall be construed to apply retroactively to January 20, 2010, and shall be applied to and interpreted to affect any proposed scholarship awards considered on or after that date.~~

SECTION ~~27~~ 32. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2012:

(a) Except as provided in subsection (b) of this section and except as otherwise provided in this Act, the Governor is not required to include an appropriation in the budget for any program or item in an amount that exceeds the fiscal year 2011 appropriation for that item or program as approved in the State budget for fiscal year 2011 as enacted by the General Assembly.

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

(1) funding required for State aid to public elementary and secondary education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–310.3, § 8–317, or § 8–415 of the Education Article;

(2) the State's employer contribution to the State Retirement and Pension System required under § 21–308 of the State Personnel and Pensions Article; or

(3) any appropriation required to the Revenue Stabilization Account of the State Reserve Fund under § 7–311 of the State Finance and Procurement Article.

SECTION ~~28~~ 33. AND BE IT FURTHER ENACTED, That, 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, for fiscal years 2010 and 2011, net interest on all State money allocated by the State Treasurer under § 6–226 of the State Finance and Procurement Article 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, with the exception of the following funds:

- (1) Maryland Housing Loan Funds of 1976, 1978, 1979, and 1984;
- (2) Microsoft Cost Share Fund;
- (3) Subsequent Injury Fund;
- (4) Uninsured Employers' Fund;
- (5) State Agency Loan Program Fund;
- (6) Jane E. Lawton Conservation Loan Program;
- (7) Energy Overcharge Restitution Fund;
- (8) Pepco / Connectiv Settlement Fund;

- (9) Baseball Capital Improvements Fund;
- (10) State Victims of Crime Fund;
- (11) Juvenile Accountability Incentive Block Grant Fund;
- (12) Victim and Witness Protection and Relocation Fund;
- (13) Unclaimed Restitution – Victims of Crime;
- (14) Justice Assistance Grant;
- (15) Byrne Justice Assistance Grant;
- (16) Maryland Election Modernization Fund;
- (17) Scriven Estate Fund;
- (18) Volunteer Company Assistance Fund;
- (19) Radoff Memorial Fund;
- (20) Archives Endowment Account within the Archives Fund;
- (21) Ellefson Endowment Fund;
- (22) Albert C. Ritchie Memorial Fund;
- (23) Rate Stabilization Fund;
- (24) Maryland Health Insurance Plan Fund;
- (25) Fair Campaign Financing Fund;
- (26) State Employees and Retirees Health and Welfare Benefits Fund;
- (27) Major Information Technology Development Project Fund;
- (28) State Retirement Agency Funds;
- (29) Postretirement Health Benefits Trust Fund;
- (30) Maryland Emergency Medical ~~Service~~ System Operations Fund;
- (31) State Wildlife Management and Protection Fund;

- (32) Fisheries Management and Protection Fund;
- (33) Ocean Beach Replenishment Fund;
- (34) Community Services Trust Fund;
- (35) Waiting List Equity Fund;
- (36) Health Care Coverage Fund;
- (37) Health Services Cost Review Commission Fund;
- (38) Hospital Uncompensated Care Fund;
- (39) Funds in the Accounts of Morgan State University;
- (40) Funds in the Accounts of St. Mary's College of Maryland;
- (41) Funds in the Accounts of the University System of Maryland;
- (42) Maryland Prepaid College Trust Fund;
- (43) Nurse Support Program Assistance Fund;
- (44) Funds in the Accounts of the Baltimore City Community College;
- (45) Education Trust Fund;
- (46) Section 8 Construction and Administration Funds administered by the Department of Housing and Community Development;
- (47) MacArthur Grant Fund;
- (48) ~~Maryland Economic Adjustment Fund~~ All special funds within the Department of Business and Economic Development;
- (49) Maryland Water Quality Revolving Loan Fund;
- (50) Maryland Drinking Water Revolving Loan Fund;
- (51) Bay Restoration Fund;
- (52) Migratory Game Bird Fund;
- (53) Deer Stamp Fund;

- (54) Wildlife Habitat Incentive Fund;
- (55) Fisheries Research and Development Fund;
- (56) Strategic Energy Investment Fund;
- (57) Criminal Injuries Compensation Fund;
- (58) 50% of the interest from the 9-1-1 Trust Fund;
- ~~(52)~~ (59) All accounts within the State Reserve Fund; and
- ~~(53)~~ (60) Local revenue accounts collected by the Judiciary.

~~SECTION 29. AND BE IT FURTHER ENACTED, That, notwithstanding §§ 8-403 through 8-405 of the Transportation Article, or any other provision of law, in addition to the amounts required to be distributed to the General Fund and the reductions in the amounts to be distributed to Baltimore City and the counties and municipalities under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly of 2009, for fiscal year 2010 only:~~

~~(a) \$159,502,391 of the amounts otherwise required to be distributed to Baltimore City and the counties and municipalities under § 8-403 of the Transportation Article shall be distributed instead to the General Fund.~~

~~(b) The amounts to be distributed to Baltimore City and the counties and municipalities under § 8-403 of the Transportation Article shall be reduced by the following amounts:~~

Allegany County	\$3,698,005
Anne Arundel County	9,254,377
Baltimore City	31,612,390
Baltimore County	15,393,152
Calvert County	2,829,534
Caroline County	2,491,691
Carroll County	6,376,535
Cecil County	3,492,581
Charles County	4,279,861
Dorchester County	2,788,812
Frederick County	8,113,600
Garrett County	3,155,082
Harford County	7,196,389
Howard County	5,793,463
Kent County	1,362,596
Montgomery County	13,832,683

Prince George's County	16,121,287
Queen Anne's County	2,604,470
St. Mary's County	3,523,933
Somerset County	1,745,802
Talbot County	1,686,937
Washington County	5,470,612
Wicomico County	4,657,149
Worcester County	2,021,450

~~(e) To the extent that the total amount to be distributed to Baltimore City and the counties and municipalities under § 8-403 of the Transportation Article, after the reductions under §§ 12 and 29 of Chapter 487 of the Acts of the General Assembly of 2009 and under this section, exceeds \$140,509,010, the excess shall be distributed as follows:~~

~~(1) 11.5% to Baltimore City; and~~

~~(2) 88.5% among the counties and municipalities in accordance with §§ 8-404 and 8-405 of the Transportation Article.~~

~~SECTION 30. AND BE IT FURTHER ENACTED, That, notwithstanding § 12 of Chapter 487 of the Acts of the General Assembly of 2009, §§ 8-403 through 8-405 of the Transportation Article, or any other provision of law, for each of fiscal years 2011 and 2012 only:~~

~~(a) The amounts otherwise required to be distributed to Baltimore City and the counties and municipalities under § 8-403 of the Transportation Article shall be distributed as follows:~~

~~(1) \$340,255,990 to the General Fund;~~

~~(2) Up to the next \$140,509,010 to Baltimore City and the counties and municipalities as follows:~~

Allegany County	0.221%
Anne Arundel County	0.417%
Baltimore City	93.173%
Baltimore County	0.794%
Calvert County	0.151%
Caroline County	0.147%
Carroll County	0.360%
Cecil County	0.192%
Charles County	0.231%
Dorchester County	0.164%
Frederick County	0.445%
Garrett County	0.187%

Harford County	-0.400%
Howard County	-0.297%
Kent County	-0.078%
Montgomery County	-0.628%
Prince George's County	-0.902%
Queen Anne's County	-0.147%
St. Mary's County	-0.195%
Somerset County	-0.105%
Talbot County	-0.087%
Washington County	-0.308%
Wicomico County	-0.275%
Worcester County	-0.096%; and

~~(3) Any amounts in excess of \$480,765,000 as follows:~~

~~(i) 11.5% to Baltimore City; and~~

~~(ii) 88.5% among the counties and municipalities in accordance with §§ 8-404 and 8-405 of the Transportation Article.~~

~~(b) For fiscal year 2011:~~

~~(1) The distribution to the General Fund required under subsection (a) of this section is in lieu of the distribution to the General Fund required under § 12 of Chapter 487 of the Acts of the General Assembly of 2009; and~~

~~(2) The reductions required under § 12 of Chapter 487 of the Acts of the General Assembly of 2009 in the amounts to be distributed to Baltimore City and the counties and municipalities are superseded by the required distributions provided for under subsection (a) of this section.~~

SECTION 34. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor by budget amendment partially restore local highway user revenues for fiscal year 2010 that were reduced by actions taken by the Board of Public Works in August 2009, to implement the distributions of highway user revenues for fiscal year 2010 as reflected in § 8-403 of the Transportation Article as enacted by this Act.

SECTION 35. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a working group formed in statute or by order of the President of the Senate or the Speaker of the House looking at transportation funding or local aid issues shall review and provide recommendations for how local highway user revenues shall be distributed in fiscal year 2013 and thereafter.

SECTION ~~35~~ 36. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, State employees employed by any entity, including the

University System of Maryland, Morgan State University, and St. Mary's College of Maryland, may not receive bonuses, merit increases, or cost-of-living adjustments in fiscal year 2011. This provision does not affect salaries for constitutional officers or members of the General Assembly or increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland. *This provision does not affect financial incentives disbursed in accordance with § 21-118.1 of the State Personnel and Pensions Article, provided that any financial incentives disbursed in fiscal year 2011 in accordance with that section may not exceed 10% of the recipient's annual salary.*

SECTION ~~32~~ 37. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 32-205 of the State Personnel and Pensions Article, in fiscal year 2011 the State is not required to make the employer contributions to the applicable State supplemental plan for participating employees in the Optional Defined Contribution System.

SECTION ~~32~~ 38. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 62 of the Acts of 1992

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, except as prohibited by the Constitution of Maryland:

(1) **[During] FOR FISCAL YEAR 2011 OR DURING** any fiscal year in which appropriations are reduced pursuant to § 7-213 of the State Finance and Procurement Article because of a projected deficit, by Executive Order the Governor may institute a furlough **OR TEMPORARY SALARY REDUCTION** plan for Executive Branch employees of the State of Maryland.

(2) An Executive Order issued pursuant to paragraph (1) of this subsection:

(i) Shall specify how the furlough **OR TEMPORARY SALARY REDUCTION** plan applies to the various employees of the State of Maryland; and

(ii) May:

1. Scale the number of furlough days to salary; and
2. Include any other provisions related to the operation of the furlough **AND TEMPORARY SALARY REDUCTION** plan.

(b) This section shall be deemed to provide supplemental authority to the Governor and shall not be regarded as in derogation of any power now existing.

SECTION ~~34~~ 39. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, calculation of the rate of overtime payments for current State employees subject to a temporary salary reduction ordered by the Governor in fiscal year 2010 or 2011 shall be based on the salary schedules in effect on July 1, 2009. This section shall be construed to apply retroactively to September 23, 2009, and shall be applied to and interpreted to affect the overtime compensation of current State employees from that date.

SECTION ~~35~~ 40. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2011, any special fund savings realized from the implementation of furloughs *and temporary salary reductions* in fiscal year 2011 may be transferred to the General Fund.

~~SECTION 36. AND BE IT FURTHER ENACTED, That, in each of fiscal years 2014 through 2020, the State shall pay to the Local Income Tax Reserve Account \$50,000,000 to repay the \$350,000,000 transfer to the Education Trust Fund authorized under § 2-606(e) of the Tax General Article as enacted by this Act.~~

SECTION ~~37~~ 41. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 503 of the Acts of 2007, as amended by Chapter 200 of the Acts of 2008

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(c) [Up to 25%] **A PORTION** of the revenues generated by the quality assessment shall be in an incentive program to be distributed as provided in this section, to the extent federal law allows. Further, the distribution of revenues as provided in this section shall be used as an incentive for nursing facilities to provide quality care, and may not be used to directly or indirectly hold harmless any nursing facility.

Chapter 487 of the Acts of 2009

SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding § 9-305 of the State Personnel and Pensions Article, **OR ANY OTHER PROVISION OF LAW**, an employee entitled to compensation for unused annual leave upon termination of State employment during a mandatory temporary salary reduction plan shall receive such compensation at the employee's rate of compensation in effect immediately prior to the temporary salary reduction. This section shall be construed to apply retroactively and shall be applied to and interpreted to affect the calculation of

unused annual leave payouts for employees leaving State employment on or after February 11, 2009.

SECTION 35. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal [year] YEARS 2011 AND 2012 only, the Governor is not required to include in the budget bill any appropriation to the Revenue Stabilization Account of the State Reserve Fund otherwise required under § 7-311 of the State Finance and Procurement Article to the extent that the Governor determines that the appropriation would result in the loss of funds otherwise made available to the State under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) OR ANY OTHER FEDERAL LAW.

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15-103 of the Election Law Article cannot operate as originally contemplated.

(b) Subject to subsection (c) of this section, up to \$2,000,000 of the balance in the Fund may be transferred to the Maryland Information Technology Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.

(c) A transfer under this section may not reduce the balance in the Fund below \$1,000,000.

(d) Any funds transferred from the Fair Campaign Financing Fund to the Major Information Technology Development Project Fund as authorized under this section that are not used to purchase a new Optical Scan Voting System may not be retained by the Major Information Technology Development Project Fund and [may only be transferred to the Maryland Election Modernization Fund established under § 2-107 of the Election Law Article] SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

(E) SUBJECT TO SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEAR 2011, AN AMOUNT UP TO \$150,000 OF THE BALANCE IN THE FUND MAY BE TRANSFERRED TO THE DEPARTMENT OF LEGISLATIVE SERVICES FOR THE PURPOSE OF PAYING THE COST OF A CONTRACT WITH AN INDEPENDENT CONSULTANT TO CONDUCT A STUDY OF THE ISSUES ENUMERATED IN SUBSECTION (G) OF THIS SECTION.

(F) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE DEPARTMENT OF LEGISLATIVE SERVICES UNDER SUBSECTION (E) OF THIS SECTION THAT ARE NOT USED TO PAY THE COST OF THE CONTRACT

REQUIRED UNDER SUBSECTION (G) OF THIS SECTION MAY NOT BE RETAINED BY THE DEPARTMENT OF LEGISLATIVE SERVICES AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

(G) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONTRACT WITH AN INDEPENDENT CONSULTANT TO COMPLETE A STUDY OF THE FOLLOWING ISSUES:

(1) WHETHER THE STATE BOARD OF ELECTIONS VOTING SYSTEM SUPPORT SERVICES CONTRACT APPROVED BY THE BOARD OF PUBLIC WORKS ON FEBRUARY 24, 2010, IS MAXIMALLY COST-EFFECTIVE AND INCLUDES ONLY SERVICES THAT ARE CLEARLY NECESSARY FOR THE CONDUCT OF ELECTIONS;

(2) WHETHER THE STATE BOARD OF ELECTIONS PROPOSED PROCUREMENT OF AN OPTICAL SCAN VOTING SYSTEM FOR DEPLOYMENT IN THE 2010 ELECTIONS WAS MAXIMALLY COST-EFFECTIVE AND INCLUDED ONLY EQUIPMENT THAT IS CLEARLY NECESSARY FOR THE CONDUCT OF ELECTIONS;

(3) THE NECESSITY OF THE STATE BOARD'S PROPOSED PROCUREMENT OF VOTING BOOTHS AND SUPPLY CARTS TO IMPLEMENT AN OPTICAL SCAN VOTING SYSTEM FOR THE 2010 ELECTIONS;

(4) THE AMOUNT, IF ANY, BY WHICH VOTING SYSTEM OPERATIONS AND MAINTENANCE COSTS WOULD BE REDUCED IF AN OPTICAL SCAN VOTING SYSTEM IS IMPLEMENTED;

(5) CURRENT AND PROJECTED OPERATIONS AND MAINTENANCE COSTS FOR THE STATE'S CURRENT VOTING SYSTEM;

(6) THE PROJECTED LIFE SPAN OF THE STATE'S CURRENT VOTING SYSTEM;

(7) A COMPARISON OF THE OVERALL COST OF CONTINUING TO USE THE STATE'S CURRENT VOTING SYSTEM AS OPPOSED TO IMPLEMENTING AN OPTICAL SCAN VOTING SYSTEM; AND

(8) RECOMMENDATIONS FOR PROCURING AND IMPLEMENTING AN OPTICAL SCAN VOTING SYSTEM IN A COST-EFFECTIVE MANNER.

(H) THE INDEPENDENT CONSULTANT SHALL CONSULT WITH VOTING SYSTEM EXPERTS AND REVIEW THE VOTING SYSTEM CONTRACTS AND POLICIES OF OTHER JURISDICTIONS IN MAKING FINDINGS AND RECOMMENDATIONS CONCERNING THE ISSUES ENUMERATED IN SUBSECTION (G) OF THIS SECTION.

(I) ON OR BEFORE DECEMBER 1, 2010, THE INDEPENDENT CONSULTANT SHALL SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(J) SUBJECT TO SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEAR 2011, AN AMOUNT UP TO \$500,000 OF THE BALANCE IN THE FUND MAY BE TRANSFERRED TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF IMPLEMENTING AN ONLINE CAMPAIGN FINANCE REPORTING SYSTEM.

(K) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER SUBSECTION (J) OF THIS SECTION THAT ARE NOT USED TO PAY THE COST OF IMPLEMENTING AN ONLINE CAMPAIGN FINANCE REPORTING SYSTEM MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

SECTION 39. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that the existing technology supporting State administration of its human resources management system is outmoded and inadequate for efficient administration of the State workforce.

(b) In the development of a new statewide human resources management system to address this deficiency, the Department of Budget and Management shall, in coordination with the Department of Information Technology, take all steps necessary to scope and define its requirements so as to qualify for funding as a Major Information Technology Development project supported through the Major Information Technology Project Development Fund established under § 3A-309 of the State Finance and Procurement Article.

(c) To support this project, for fiscal years 2011, 2012, and 2013 only, the Department of Budget and Management shall establish a statewide subobject for the purpose of charging back to each fund account of the State agencies the cost of developing, acquiring, and implementing the needed information technology.

(d) Costs shall be allocated to each agency based on that proportion of total positions authorized in each agency on June 30 of the second year preceding the year for which the budget is prepared compared to the total number of positions authorized for Executive agencies. Funds shall be credited to the Major Information Technology Project Development Fund solely for support of the project created under subsection (b) of this section.

(e) For fiscal year 2011, the Governor shall include in the State budget through the mechanism established in this section a charge back of not less than ~~[\$5,000,000]~~ **\$2,069,344**.

SECTION 44. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2009. [It shall remain effective for a period of 2 years and, at the end of June 30, 2011, with no further action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.]

~~SECTION 42. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the special fund appropriation in the fiscal 2010 State budget for program L00A12.10 Marketing and Agricultural Development in the Department of Agriculture is reduced by \$700,000. The reduction provided under this section shall be made only to programs supported by funds from the Cigarette Restitution Fund. For fiscal year 2010, the Governor is authorized to transfer \$700,000 from the Cigarette Restitution Fund to program M00Q01.03 Medical Care Provider Reimbursements in the Department of Health and Mental Hygiene.~~

SECTION 42. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 19-2201(e) of the Health – General Article or any other provision of law, in fiscal year 2011, the Governor may transfer by budget amendment up to \$10,500,000 from the Community Health Resources Commission Fund to the Kidney Disease Treatment Program (M00Q01.06) in the Medical Care Programs Administration.

SECTION ~~38~~ 43. AND BE IT FURTHER ENACTED, That Section(s) ~~25~~ 12, 25, 29, and 34 of Chapter 487 of the Acts of the General Assembly of 2009 be repealed.

SECTION 44. AND BE IT FURTHER ENACTED, That, notwithstanding § 18-107 of the Education Article or any other provision of law, for fiscal year 2011 only, carry-forward funds available from scholarship programs under Title 18 of the Education Article shall first be allocated to fully fund the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program. It is the intent of the General Assembly that carry-forward funds from non-need based scholarships be used before carry-forward funds from need-based scholarship funds are used.

SECTION 45. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2011, up to \$479,196 in special funds from the following agencies may be transferred to the General Fund to support the Central Business Licensing Project as follows:

<i>Department of Health and Mental Hygiene:</i>	
<i>State Acupuncture Board Fund</i>	<i>\$969</i>
<i>State Board of Dietetic Practice Fund</i>	<i>796</i>
<i>State Board of Professional Counselors and Therapists Fund</i>	<i>5,540</i>
<i>State Board of Chiropractic and Massage Therapy</i>	
<i>Examiners Fund</i>	<i>5,319</i>

<u>State Board of Dental Examiners Fund</u>	<u>16,892</u>
<u>State Board for Morticians and Funeral Directors Fund</u>	<u>922</u>
<u>State Board of Occupational Therapy Practice Fund</u>	<u>3,341</u>
<u>State Board of Examiners in Optometry Fund</u>	<u>1,534</u>
<u>State Board of Pharmacy Fund</u>	<u>32,821</u>
<u>State Board of Physical Therapy Examiners Fund</u>	<u>15,311</u>
<u>State Board of Podiatric Medical Examiners Fund</u>	<u>1,647</u>
<u>State Board of Examiners of Psychologists Fund</u>	<u>3,724</u>
<u>State Board of Social Work Examiners Fund</u>	<u>6,766</u>
<u>State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech Language Pathologists Fund</u>	<u>1,954</u>
<u>Kidney Disease Fund</u>	<u>134</u>
<u>Board of Nursing Fund</u>	<u>289,754</u>
<u>Board of Physicians Fund</u>	<u>40,829</u>

Department of Labor, Licensing, and Regulation:

<u>State Occupational and Professional Licensing Design Boards' Fund</u>	<u>13,043</u>
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Department of Agriculture:

<u>Registration and Inspection Fees</u>	<u>4,018</u>
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Department of the Environment:

<u>Special Indirect Cost Recoveries</u>	<u>21,951</u>
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Department of Transportation:

<u>Transportation Trust Fund</u>	<u>9,725</u>
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Department of Natural Resources:

<u>Waterway Improvement Fund</u>	<u>788</u>
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Maryland Insurance Administration:

<u>Insurance Regulation Fund</u>	<u>1,418</u>
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SECTION 46. AND BE IT FURTHER ENACTED, That:

(a) There is a Public Employees' and Retirees' Benefit Sustainability Commission.

(b) (1) Subject to the provisions of paragraph (2) of this subsection, the Commission consists of the following members:

- (i) the State Treasurer, ex officio;
- (ii) three members appointed by the Governor;

(iii) two members appointed by the President of the Senate; and

(iv) two members appointed by the Speaker of the House.

(2) (i) In the appointment of members to the Commission, special consideration shall be given to individuals who have knowledge of public or private compensation practices, benefits, and financial matters.

(ii) Except as provided in paragraph (1)(i) of this subsection, the following individuals may not be members of the Commission:

1. a member of the General Assembly;

2. a member of the Board of Trustees for the State Retirement and Pension System;

3. an employee of the State Retirement Agency; or

4. an individual that is employed by an organization that represents:

A. a governmental entity; or

B. employees of a governmental entity.

(c) The Governor shall designate the chair of the Commission.

(d) (1) The Department of Legislative Services shall provide staff for the Commission.

(2) The Department of Legislative Services' consulting actuary shall provide pension analysis for the Commission.

(3) The Department of Budget and Management's consulting actuary shall provide analysis of postemployment benefits for the Commission.

(4) At the request of the Commission, the Department of Budget and Management and the State Retirement Agency shall provide information necessary to assist in the work of the Commission.

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The costs of the Commission relating to the evaluation of pensions shall be paid by the State Retirement Agency.

(2) The costs of the Commission relating to the Retiree Health Benefits evaluation shall be paid by the Department of Budget and Management.

(g) (1) The Commission shall study and make recommendations with respect to all aspects of State funded benefits and pensions provided to State and public education employees and retirees in the State.

(2) The Commission shall review and evaluate the recruitment practices, retention incentives, actuarial liabilities, actuarial funding method, cost drivers, employee contribution rates, and the comparability and affordability of benefit levels of:

(i) the State Employees' Retirement and Pension Systems;

(ii) the State Employee and Retiree Health Benefit Program; and

(iii) the Teachers' Retirement and Pension Systems.

(3) The review of the Commission shall include:

(i) long-term estimated increases in the annual required contributions for the State and evaluation of the sustainability of State-only funding of the long-term contribution levels for the current benefit structure; and

(ii) an evaluation of the appropriate levels of contribution for the direct employer of public education employees in the State, including an evaluation of the related provisions of Senate Bill 141 of the 2010 Regular Session of the General Assembly as it passed the Senate of Maryland.

(h) (1) On or before December 15, 2010, the Commission shall issue a report of its findings and recommendations that are specific and actionable to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the House Appropriations Committee, the Joint Committee on Pensions, and the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

(2) On or before June 30, 2011, the Commission shall issue a final report of its findings and recommendations that are specific and actionable to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the House Appropriations Committee, the Joint Committee on Pensions, and the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

(i) It is the intent of the General Assembly that the recommendations of the Commission begin to be implemented no later than fiscal year 2013.

(j) The Commission shall terminate on June 30, 2012.

SECTION ~~39~~ ~~44~~ 47. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION ~~40~~ ~~45~~ 48. AND BE IT FURTHER ENACTED, That the provisions of Sections 2, 4, ~~6~~, and ~~28~~ 8, and 33 of this Act shall be construed retroactively and shall be applied to any taxes, interest earnings, payments, or other revenue received by the State on or after June 1, 2009.

SECTION 49. AND BE IT FURTHER ENACTED, That § 8-504 of the Human Services Article as enacted by this Act shall be construed to apply retroactively to July 1, 2009, and shall be applied to and interpreted to affect any contract invoices submitted on or after July 1, 2009.

SECTION ~~46~~ 50. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect January 1, 2011, contingent on the failure of the federal government to act, on or before December 31, 2010, to extend beyond December 31, 2010, the increase in the State's federal medical assistance percentage as provided in the American Recovery and Reinvestment Act of 2009, and if the federal government acts, on or before December 31, 2010, to extend beyond December 31, 2010, the increase in Maryland's federal medical assistance percentage as provided in the American Recovery and Reinvestment Act of 2009, Section ~~5A~~ 6 of this Act shall be null and void without the necessity of further action by the General Assembly.

~~SECTION 41. AND BE IT FURTHER ENACTED, That Section 10 of this Act shall be applicable to all taxable years beginning after December 31, 2009.~~

SECTION ~~42~~ ~~47~~ 51. AND BE IT FURTHER ENACTED, That Section ~~35~~ 40 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any Executive Order issued on or after January 20, 2010.

SECTION ~~43~~ ~~48~~ 52. AND BE IT FURTHER ENACTED, That, except as otherwise provided in this Act, this Act shall take effect June 1, 2010.

Approved by the Governor, May 20, 2010.