

CHAPTER 2

(House Bill 1)

AN ACT concerning

Budget Reconciliation Act

FOR the purpose of repealing certain provisions relating to certain State aid to certain counties; altering the calculation of certain State aid for public elementary and secondary education; establishing a supplemental grant program to provide certain county boards of education with certain grants; altering the calculation of certain State aid to community colleges, Baltimore City Community College, and certain nonpublic institutions of higher education ~~in certain fiscal years; repealing a partial exemption under the property tax for machinery and equipment used to generate electricity or steam for sale or hot or chilled water for sale that is used for certain purposes;~~ authorizing the governing body of a county to increase the percent of the assessment of certain personal property that is subject to the county property tax under certain circumstances; authorizing the governing body of a county to enter an agreement with the owner of a facility for the generation of electricity that is located or locates in the county for a negotiated payment by the owner in lieu of taxes on the facility; requiring Washington County to distribute a certain portion of the certain property tax revenues or proceeds of a certain payment in lieu of taxes under certain circumstances; providing that property tax revenues in an amount equal to payments that a county would have been entitled to receive under a certain provision of law shall be excluded from a certain calculation; providing that certain transfer tax revenues in a certain special fund shall be used for certain purposes; altering the distribution of certain transfer tax revenues in a certain fund; requiring the synopses for certain bills to include a certain statement; requiring certain fiscal notes and a certain report to contain certain information; providing that the Comptroller's appointment of the Chief of the Bureau of Revenue Estimates is subject to the approval of the Board of Revenue Estimates; providing that the Chief may be removed only by a majority of the Board for certain reasons; providing that the Chief is subject to the supervision of a certain Deputy Comptroller, except under certain circumstances; providing for the appointment of other employees of the Bureau by the Chief; requiring the Bureau to submit certain reports including certain information regarding certain revenues to the Board each year; altering a provision relating to certain studies of State revenue sources conducted by the Bureau; requiring the Bureau to submit certain reports to the Governor and to the General Assembly; establishing a Consensus Revenue Monitoring and Forecasting Group to perform certain functions and to advise and collaborate with the Bureau; requiring the Comptroller and the Bureau to provide certain data and certain documents to

~~members of the Group; requiring the Board to submit certain reports to the General Assembly each year; requiring the Governor to incorporate a certain estimate of revenues in the State budget and any supplemental budget submitted to the General Assembly; requiring the Governor to submit a certain statement to the General Assembly under certain circumstances; requiring the Department of Transportation to incorporate in a certain financial forecast a certain estimate of revenues by the Board; altering a certain date for the Maryland Agricultural and Resource-Based Industry Development Corporation to become financially self-sufficient; altering certain requirements that certain appropriations for certain purposes be included in the annual State budget for certain fiscal years; limiting the amount of State general funds that may be used for certain purposes; altering the purpose for which the Circuit Court Real Property Records Improvement Fund may be used for certain fiscal years; repealing a certain termination provision; altering certain grants to county boards of education under a certain aging schools program; repealing certain State programs; altering a certain local cost share for a certain nonpublic education program; repealing a required appropriation to a certain fund; delaying certain increases in certain funding calculations for certain resource centers and county libraries; repealing a requirement that a certain amount of State funds be provided to a certain public library capital projects program; repealing a certain provision of law requiring the Department of Health and Mental Hygiene to adjust a certain payment to certain providers as recommended by the Community Services Reimbursement Rate Commission; altering the commission that a licensed agent of the State Lottery Agency is required to be paid on sales made during a year; providing for the distribution of certain sales and use tax revenue to a certain special fund; providing declaring a certain legislative intent that the Governor in formulating a certain fiscal year budget shall apply certain monies in a certain fund for a certain purpose and that certain employees and retirees receive a certain pay period or equivalent adjustment in which certain health insurance contributions are not required; repealing an obsolete provision of law; requiring the Governor to reduce certain regular positions and general fund expenditures associated with those positions in a certain budget; withdrawing certain appropriations from a certain fiscal year; declaring a certain legislative intent relating to the development of a certain budget and the reduction of certain positions; requiring the State Department of Education to update a certain Geographic Cost of Education Index (GCEI) at certain times; requiring the State Department of Education to submit a certain proposed GCEI adjustment update to the Governor and the General Assembly and to recommend certain legislation at certain times; requiring a certain GCEI adjustment to be used in certain fiscal years; requiring the review of certain supplemental grants in a certain adequacy study; authorizing the transfer of certain funds by budget amendment for a certain fiscal year from a certain special fund to be used only to provide a certain grant; providing that a certain grant may not be provided except under certain circumstances; defining certain terms; making certain provisions of this Act subject to certain contingencies; providing for the application of certain~~

provisions of this Act; providing for the effective date of this Act; and generally relating to the financing of State and local government.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1102
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section ~~5–202(a)(13), 16–305(e)(1)(ii), 16–512(a)(2), and 17–104(d)~~ ~~5–206(f),~~
~~8–415(d)(3)(i), 13–104, 16–305(e)(1), 16–512(a), 17–104, 23–205(e),~~
~~23–503, and 23–510(e)(5)~~ 16–305(c)(1)(ii), 16–512(a)(2), and 17–104(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing

Article – Education
Section ~~5–202(e), 7–117, and 7–118~~
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Education
Section 5–202(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

~~Article – Tax – General
Section ~~2–1303~~
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter ~~—~~ (H.B. 5) of the Acts of the General Assembly of the
2007 Special Session)~~

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 7–237
Annotated Code of Maryland

(2007 Replacement Volume)

BY adding to

Article – Tax – Property
Section 7-514
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, ~~without~~ with amendments,
 Article – Natural Resources
 Section 5-903(a) and (b)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 5-903(b)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Government
Section ~~9-117(a)(1),~~ 2-1501, 2-1504, and 2-1505(e) and (j)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Government
 Section 2-1505(c)(1)
 Annotated Code of Maryland
 (2004 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article 41 – Governor – Executive and Administrative Departments~~
~~Section 13-503(a)~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article 41 – Governor – Executive and Administrative Departments~~
~~Section 13-513(e)~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Agriculture~~

~~Section 8-405
Annotated Code of Maryland
(2007 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section ~~1-504~~ and 13-603(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 13-602(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing
Article – Courts and Judicial Proceedings
Section 13-607
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Education
Section 16-305(a) and (b), 16-512(b), and 23-510(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)~~

~~BY repealing
Article – Health – General
Section 16-201.2
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~7-325~~ 6-103, 6-104, 6-106, and 7-311(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, with amendments,
Chapter 269 of the Acts of the General Assembly of 2006
Section 2~~

BY adding to
Article – State Finance and Procurement
Section 6-105

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.1(l)(2)

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

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

[9–1102.

(a) Except as provided in subsection (b) of this section, for each fiscal year, the State shall pay the following amounts to the following counties to reimburse the counties partially for the costs of the property tax exemption under § 7–237 of the Tax – Property Article:

Anne Arundel	\$ 7,820,202
Baltimore City	453,421
Baltimore	1,794,835
Calvert	6,096,574
Charles	2,522,612
Dorchester	187,442
Garrett	11,907
Harford	860,767
Montgomery	2,765,553
Prince George's	7,744,806
Washington	357,082

(b) For the fiscal year that begins on July 1, 2000, the State shall pay 50% of the amounts specified in subsection (a) of this section.

(c) The Comptroller shall pay the amounts provided under this section to the counties in equal amounts for each quarter at the end of each quarter of the fiscal year for which the payments are made.

(d) 35% of the payment received by Washington County under this section shall be paid to the Town of Williamsport.]

9–1103.

(a) [In addition to any reimbursement provided under § 9–1102 of this subtitle, if] **IF** on or before January 1, 2020, the Federal Nuclear Regulatory Commission license for the Calvert Cliffs Nuclear Power Plant expires and is not extended or renewed, for each of the 5 property tax years following the expiration and nonrenewal, the State shall pay as a grant to Calvert County an amount equal to the applicable percentage, determined under subsection (b) of this section, of the difference between:

(1) The product of multiplying \$14,554,000 times the percentage specified for the taxable year under § 7–237(b) of the Tax – Property Article; and

(2) The sum of:

(i) \$2,000,000; and

(ii) The county’s property tax revenue for the taxable year derived from personal property that is machinery or equipment used to generate electricity for sale.

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

Article – Education

5–202.

(a) (13) “Target per pupil foundation amount” means:

(i) In fiscal [year 2004, \$5,730] **YEARS 2008, 2009, AND 2010, \$6,694;** and

(ii) 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 ~~f~~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 PREVIOUS FISCAL YEAR;** or

C. **5%; OR**

2. If there is no increase in the ~~implicit price deflator~~ 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 PREVIOUS FISCAL YEAR,~~ the target per pupil foundation amount for the prior fiscal year.

[(e) (1) In fiscal year 2004, the State shall distribute a partnership grant of \$28,186,032 to the Baltimore City Board of School Commissioners.

(2) In fiscal year 2005, the State shall distribute a partnership grant of \$21,139,524 to the Baltimore City Board of School Commissioners.

(3) In fiscal year 2006, the State shall distribute a partnership grant of \$14,093,016 to the Baltimore City Board of School Commissioners.]

(E) (1) IN THIS SUBSECTION, "STATE FINANCIAL ASSISTANCE FOR PUBLIC EDUCATION" MEANS THE TOTAL FINANCIAL ASSISTANCE PROVIDED BY THE STATE TO A COUNTY BOARD UNDER THE FOLLOWING PROGRAMS:

(I) FUNDING FOR THE FOUNDATION PROGRAM UNDER THIS SECTION;

(II) ~~FUNDING~~ FUNDING IN FISCAL YEAR 2009, 50% OF THE FUNDING RECEIVED UNDER THE GCEI ADJUSTMENT GRANT PROGRAM UNDER SUBSECTION (F) OF THIS SECTION AND IN FISCAL YEAR 2010, 60% OF THE FUNDING RECEIVED UNDER THE GCEI ADJUSTMENT GRANT PROGRAM UNDER SUBSECTION (F) OF THIS SECTION;

(III) TRANSPORTATION AID UNDER § 5-205 OF THIS SUBTITLE;

(IV) FUNDING FOR COMPENSATORY EDUCATION UNDER § 5-207 OF THIS SUBTITLE;

(V) FUNDING FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY UNDER § 5-208 OF THIS SUBTITLE;

(VI) FUNDING FOR SPECIAL EDUCATION STUDENTS UNDER § 5-209 OF THIS SUBTITLE;

(VII) FUNDING FOR THE GUARANTEED TAX BASE PROGRAM UNDER § 5-210 OF THIS SUBTITLE;

(VIII) 50% OF THE STATE PAYMENTS FOR RETIREMENT CONTRIBUTIONS FOR EMPLOYEES OF A LOCAL SCHOOL SYSTEM IN ACCORDANCE WITH THE PROVISIONS OF DIVISION II OF THE STATE PERSONNEL AND PENSIONS ARTICLE; AND

(IX) FUNDING FOR SUPPLEMENTAL GRANTS UNDER THIS SUBSECTION.

(2) (I) FOR FISCAL YEARS 2009 AND 2010 ONLY, THE STATE SHALL PROVIDE A SUPPLEMENTAL GRANT TO A COUNTY BOARD THAT DOES NOT RECEIVE AT LEAST A 1% INCREASE IN STATE FINANCIAL ASSISTANCE FOR PUBLIC EDUCATION OVER THE AMOUNT RECEIVED BY THE COUNTY BOARD IN THE PREVIOUS FISCAL YEAR.

(II) THE SUPPLEMENTAL GRANT UNDER THIS PARAGRAPH SHALL BE THE AMOUNT NECESSARY TO INCREASE A COUNTY BOARD'S STATE FINANCIAL ASSISTANCE FOR PUBLIC EDUCATION BY 1% OVER THE AMOUNT RECEIVED BY THE COUNTY BOARD IN THE PREVIOUS FISCAL YEAR.

(3) FOR FISCAL ~~YEAR YEARS~~ YEAR 2011 AND EACH FISCAL YEAR THEREAFTER ~~AND EACH FISCAL YEAR THEREAFTER THROUGH 2013~~, A COUNTY BOARD SHALL RECEIVE A SUPPLEMENTAL GRANT EQUAL TO THE AMOUNT THE COUNTY BOARD RECEIVED UNDER PARAGRAPH (2) OF THIS SUBSECTION IN FISCAL YEAR 2010.

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

~~Article — Education~~

~~16-305.~~

~~(e) (1) (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 the previous fiscal year shall:~~

~~1. INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND~~

~~2. [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.~~

~~16-512.~~

~~(a) (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 the previous fiscal year shall:~~

~~(I) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND~~

~~(II) [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.~~

~~17-104.~~

~~(d) For purposes of this section, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for the previous fiscal year shall:~~

~~(1) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND~~

~~(2) [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.~~

~~**Article Tax General**~~

~~2-1303.~~

~~After making the distributions required under §§ 2-1301 through 2-1302.2 of this subtitle, the Comptroller shall pay:~~

~~(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under Article 83A, § 5-216 of the Code; [and]~~

~~(2) TO THE TOURISM, ARTS, AND CULTURAL DEVELOPMENT FUND ESTABLISHED UNDER § 7-238 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, ONE THIRD OF THE SALES AND USE TAX REVENUE ATTRIBUTABLE TO THE SALE OF A RIGHT TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST SUBJECT TO THE TAX RATE SPECIFIED IN § 11-104(G) OF THIS ARTICLE; AND~~

~~[(2)] (3) the remaining sales and use tax revenue into the General Fund of the State.~~

~~*Article - Education*~~

16-305.

(c) (1) (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 the previous fiscal year shall:

1. INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND

2. [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.

16-512.

(a) (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 the previous fiscal year shall:

(I) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND

(II) [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.

17-104.

(d) For purposes of this section, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for the previous fiscal year shall:

(1) INCLUDE NONCAPITAL APPROPRIATIONS FROM THE HIGHER EDUCATION INVESTMENT FUND; AND

(2) [reflect] REFLECT any amendments or reductions to the appropriation for the previous fiscal year.

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

Article - Tax - Property

¶7-237.

(a) Except as provided in subsection (b) of this section, personal property is exempt from property tax if the property is machinery or equipment used to generate:

- (1) electricity or steam for sale; or
- (2) hot or chilled water for sale that is used to heat or cool a building.

(b) ~~Personal~~ **SUBJECT TO § 7-514 OF THIS TITLE, PERSONAL** property that is machinery or equipment described in subsection (a) of this section is subject to county or municipal corporation property tax on:

- (1) 75% of its value for the taxable year beginning July 1, 2000; and
- (2) 50% of its value for the taxable year beginning July 1, 2001 and each subsequent taxable year.†

7-514.

(A) THIS SECTION SHALL BE APPLICABLE TO ALL TAXABLE YEARS BEGINNING AFTER JUNE 30, 2008.

(B) (1) NOTWITHSTANDING § 7-237 OF THIS TITLE, AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR A TAXABLE YEAR BEGINNING BEFORE JULY 1, 2011, THE GOVERNING BODY OF A COUNTY MAY INCREASE TO NOT MORE THAN 65%, BY LAW, THE PERCENT OF THE ASSESSMENT OF ANY PERSONAL PROPERTY DESCRIBED IN § 7-237 OF THIS TITLE THAT IS SUBJECT TO COUNTY PROPERTY TAX.

(2) THE GOVERNING BODY OF A COUNTY MAY NOT INCREASE THE PERCENT OF ASSESSMENT OF PERSONAL PROPERTY DESCRIBED IN § 7-237 OF THIS TITLE THAT IS SUBJECT TO COUNTY PERSONAL PROPERTY TAX TO MORE THAN:

- (I) 65% FOR THE TAXABLE YEAR BEGINNING JULY 1, 2008;**
- (II) 60% FOR THE TAXABLE YEAR BEGINNING JULY 1, 2009;**

AND

- (III) 55% FOR THE TAXABLE YEAR BEGINNING JULY 1, 2010.**

(2) (3) (I) A COUNTY THAT INCREASES THE PERCENT OF ASSESSMENT OF TAXABLE PERSONAL PROPERTY UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SUBMIT A COPY OF THE LAW TO THE DEPARTMENT.

(II) IF THE DEPARTMENT RECEIVES A COPY OF THE LAW ON OR BEFORE MAY 1, THE CHANGE SHALL BE EFFECTIVE FOR THE TAXABLE YEAR FOLLOWING THE DATE THE LAW IS ENACTED.

(C) (1) THE GOVERNING BODY OF A COUNTY MAY ENTER INTO AN AGREEMENT WITH THE OWNER OF A FACILITY FOR THE GENERATION OF ELECTRICITY THAT IS LOCATED OR LOCATES IN THE COUNTY FOR A NEGOTIATED PAYMENT BY THE OWNER IN LIEU OF TAXES ON THE FACILITY.

(2) AN AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION SHALL PROVIDE THAT, FOR THE TERM SPECIFIED IN THE AGREEMENT:

(I) THE OWNER SHALL PAY TO THE COUNTY A SPECIFIED AMOUNT EACH YEAR IN LIEU OF THE PAYMENT OF COUNTY REAL AND PERSONAL PROPERTY TAX; AND

(II) ALL OR A SPECIFIED PART OF THE REAL AND PERSONAL PROPERTY AT THE FACILITY SHALL BE EXEMPT FROM COUNTY PROPERTY TAX FOR THE TERM OF THE AGREEMENT.

(D) AS SPECIFIED IN THE AGREEMENT FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION, FOR THE TERM SPECIFIED IN THE AGREEMENT, THE REAL AND PERSONAL PROPERTY AT A FACILITY FOR THE GENERATION OF ELECTRICITY THAT IS LOCATED OR LOCATES IN THE COUNTY IS EXEMPT FROM COUNTY PROPERTY TAX.

(E) FOR EACH TAXABLE YEAR, WASHINGTON COUNTY SHALL DISTRIBUTE TO THE TOWN OF WILLIAMSPORT AN AMOUNT EQUAL TO 35% OF:

(1) ANY COUNTY PROPERTY TAX REVENUE ATTRIBUTABLE TO INCREASING THE PERCENT OF ASSESSMENT OF ANY PERSONAL PROPERTY DESCRIBED IN § 7-237 OF THIS TITLE THAT IS SUBJECT TO COUNTY PROPERTY TAX, AS AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION; OR

(2) ANY AMOUNT RECEIVED BY THE COUNTY UNDER A NEGOTIATED PAYMENT IN LIEU OF TAXES UNDER THIS SECTION.

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

Article – Natural Resources

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

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

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

B. **20% OF THE FUNDS OR \$21,000,000, WHICHEVER IS GREATER, SHALL BE APPROPRIATED TO THE FOREST AND PARK SERVICE IN THE DEPARTMENT TO OPERATE STATE FORESTS AND PARKS.**

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

(ii) At least \$1,500,000 of the State's share of funds available under **SUBPARAGRAPH (I)1A OF THIS PARAGRAPH FOR** this program shall be utilized to make grants to Baltimore City for projects which meet park purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive under subsection (b) of this section, and may be used for acquisition or development. In order for Baltimore City to be eligible for a State grant, the Department shall review projects or land to be acquired within Baltimore City, and upon the Department's recommendation, the Board of Public Works may approve projects and land including the cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore City. The State is not responsible for costs involved in the development or maintenance of the land.

(iii) 1. A portion of the State's share of funds available under **SUBPARAGRAPH (I)1A OF THIS PARAGRAPH FOR** this Program not to exceed ~~the amounts specified below~~ **\$8,000,000 FOR EACH FISCAL YEAR** may be transferred by an appropriation in the State budget to the Rural Legacy Program under Subtitle 9A of this title:

~~**A.** In fiscal year 1998, \$4 million;~~

~~**B.** In fiscal year 1999, \$5 million;~~

- ~~C. In fiscal year 2000, \$6 million;~~
- ~~D. In fiscal year 2001, \$7 million; and~~
- ~~E. In fiscal year 2002 and each fiscal year thereafter, \$8 million.~~

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

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

~~(3) OF THE REMAINING FUNDS NOT APPROPRIATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, 20% OF THE FUNDS OR \$21 MILLION, WHICHEVER IS GREATER, SHALL BE APPROPRIATED TO THE FOREST AND PARK SERVICE IN THE DEPARTMENT TO OPERATE STATE FORESTS AND PARKS.~~

(b) ~~OF THE GENERAL ASSEMBLY SHALL APPROPRIATE~~ the remaining funds not appropriated under subsection ~~(a)(1)~~ (A) of this section, ~~the General Assembly shall appropriate the other half of the funds AS FOLLOWS:~~

~~(1) \$21,000,000 TO THE FOREST AND PARK SERVICE IN THE DEPARTMENT TO OPERATE STATE FORESTS AND PARKS; AND~~

~~(2) THE REMAINDER~~ to assist local governing bodies in acquisition and development of land for recreation and open space purposes.

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

Article - State Government

2-1501.

(a) In this Part I of this subtitle the following words have the meanings indicated.

(b) “Bill” includes a joint resolution.

(c) “Mandate” means a directive in a bill requiring a local government unit to perform a task or assume a responsibility that has a discernible fiscal impact on the local government unit.

(D) “MANDATED APPROPRIATION” MEANS A REQUIREMENT IN A BILL THAT THE GOVERNOR PROVIDE A CERTAIN LEVEL OF FUNDING IN THE ANNUAL BUDGET BILL FOR A SPECIFIC PROGRAM IN THE STATE.

2-1504.

(a) For each regular or special session of the General Assembly, the Department of Legislative Services shall prepare and distribute, in serial order:

(1) a synopsis of each Senate bill that is introduced; and

(2) a synopsis of each House bill that is introduced.

(b) If the Department determines that a bill imposes a mandate on a local government unit, the synopsis shall include a statement that “This bill imposes a mandate on a local government unit.”

(C) IF THE DEPARTMENT DETERMINES THAT A BILL REQUIRES A MANDATED APPROPRIATION, THE SYNOPSIS SHALL INCLUDE A STATEMENT THAT “THIS BILL REQUIRES A MANDATED APPROPRIATION IN THE ANNUAL BUDGET BILL.”

2-1505.

(c) (1) The Executive Director of the Department of Legislative Services shall have that Department prepare a fiscal note for each bill.

(e) (1) A fiscal note for a bill shall contain an estimate of the fiscal impact of the bill on the revenues and expenditures of the State government and of local governments:

(i) during the year in which the bill is to become effective and the next 4 years after that year; and

(ii) if the full fiscal impact of a bill is not expected to occur during those years, during each year until and the first year during which that impact is expected to occur.

(2) If a bill, as introduced or amended, imposes a mandate on a local government unit, the fiscal note for the bill shall contain:

(i) a statement that clearly identifies the imposition of the mandate; and

(ii) an estimate of the fiscal impact of the mandate and, if applicable and if data is available, the effect on local property tax rates.

(3) IF A BILL, AS INTRODUCED OR AMENDED, REQUIRES A MANDATED APPROPRIATION, THE FISCAL NOTE FOR THE BILL SHALL CONTAIN:

(I) A STATEMENT THAT CLEARLY IDENTIFIES THE IMPOSITION OF THE MANDATED APPROPRIATION; AND

(II) AN ESTIMATE OF THE FISCAL IMPACT OF THE MANDATED APPROPRIATION.

~~[(3)]~~ **(4) A fiscal note shall identify the sources of the information that the Department used in preparing the estimates of fiscal impact.**

(j) (1) In its summary report of legislation enacted by the General Assembly that has a fiscal impact, the Department of Legislative Services shall include a list of legislation that:

(I) affects local government units and indicate which legislation imposes mandates on local government units; OR

(II) REQUIRES A MANDATED APPROPRIATION IN THE ANNUAL BUDGET BILL.

(2) Where applicable and if data is available, the report shall indicate:

(i) the fiscal impact of the bill on local government units;

(ii) the impact of the bill on local property tax rates; [and]

(iii) the cumulative fiscal impact of all legislation imposing mandates on more than one local government unit; AND

(IV) THE CUMULATIVE FISCAL IMPACT OF ALL LEGISLATION REQUIRING MANDATED APPROPRIATIONS.

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

~~Article 41—Governor—Executive and Administrative Departments~~

~~13-503.~~

~~(a) There is a Maryland Agricultural and Resource Based Industry Development Corporation.~~

~~13-513.~~

~~(e) (1) The Corporation may receive annual funding through an appropriation in the State budget.~~

~~(2) The Corporation may also receive funds for projects included in the budgets of State units.~~

~~(3) All unexpended and unencumbered funds appropriated to the Corporation shall remain with the Corporation for future uses.~~

~~(4) The Corporation shall conduct its financial affairs in such a manner that, by the year [2020] 2022, it shall be self-sufficient and in no further need of general operating support by the State.~~

~~(5) (i) In order to assist the Corporation in meeting the requirement specified in paragraph (4) of this subsection, the Governor shall include each year in the budget bill an appropriation to the Corporation for rural business development and assistance as follows:~~

~~1. For fiscal [year] YEARS 2008 THROUGH 2011, \$3,000,000;~~

~~2. For fiscal year [2009] 2012, \$3,500,000; and~~

~~3. For each of fiscal years [2010] 2013 through [2020] 2022, \$4,000,000.~~

~~(ii) In addition to any funds provided under subparagraph (i) of this paragraph, the Governor may include each year in the budget bill an appropriation to the Corporation in an amount up to \$5,000,000 for rural land acquisition and easement programs, including programs to assist young and beginning farmers.~~

~~Article - Agriculture~~

~~§ 405.~~

~~(a) The General Assembly finds that, from fiscal year 1991 through fiscal year 1998, inadequate resources have been provided for the soil conservation districts to employ adequate field personnel to assist farmers in the preparation of soil conservation and water quality plans.~~

~~(b) It is the intent of the General Assembly to provide sufficient technical assistance and resources through the soil conservation districts to assist farmers in~~

~~pursuit of soil conservation and water quality plans and other activities authorized under this title.~~

~~(e) (1) [The] IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 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 THROUGH FISCAL 2011, \$8,800,000;~~

~~(ii) For fiscal year [2009] 2012, \$9,200,000;~~

~~(iii) For fiscal year [2010] 2013, \$9,600,000; and~~

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

Article - Courts and Judicial Proceedings

~~1-504.~~

~~(a) [There shall be included in each State budget an appropriation to the Department of General Services in the total amount necessary] THE BUDGET FOR THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL INCLUDE FUNDS to pay rent directly to counties for space occupied in county facilities by clerks of the circuit courts, as provided in this section.~~

~~(b) [To the extent provided in the State budget the rent shall be calculated per net usable square foot, with no additional reimbursement of maintenance and utility cost:~~

~~(1) For fiscal year 2007, at a rate not to exceed \$2.50;~~

~~(2) For fiscal year 2008, at a rate not to exceed \$5.00; and~~

~~(3) For fiscal year 2009 and each fiscal year thereafter, at a rate of \$10] TO THE EXTENT PROVIDED IN THE STATE BUDGET, THE RENT DISTRIBUTED TO THE COUNTIES SHALL BE THE PRODUCT OF MULTIPLYING:~~

~~(1) THE TOTAL AMOUNT OF LEASE SPACE FUNDING APPROPRIATED IN THE ANNUAL STATE BUDGET DIVIDED BY THE TOTAL AMOUNT OF NET USABLE SQUARE FOOTAGE OCCUPIED BY THE CLERKS OF THE CIRCUIT COURTS; AND~~

~~(2) THE NET USABLE SQUARE FOOTAGE OCCUPIED BY EACH CLERK OF THE CIRCUIT COURT.~~

~~(e) Unless the Administrative Office of the Courts and a county agree otherwise, the county may not decrease the net usable square footage allocated to the clerk of the circuit court for the county below the net usable square footage allotted for fiscal year 2002.~~

~~(D) NO MORE THAN \$500,000 IN STATE GENERAL FUNDS MAY BE USED TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

~~13-602.~~

~~(a) (1) There is a Circuit Court Real Property Records Improvement Fund.~~

~~13-603.~~

~~(c) The Fund shall be used to pay [the]:~~

~~(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.~~

~~[13-607.~~

~~This subtitle shall terminate and be of no effect after June 30, 2009.]~~

~~Article — Education~~

~~5-206.~~

~~(f) [(1)] In fiscal year [2006] 2009 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 2007, the following amounts for the following counties:~~

- ~~[1.] Allegany County.....[\$166,000;] **\$173,171;**~~
- ~~[2.] Anne Arundel County.....[\$859,000;] **\$896,109;**~~
- ~~[3.] Baltimore City.....[\$2,356,000;] **\$2,457,779;**~~
- ~~[4.] Baltimore County.....[\$1,484,000;] **\$1,548,109;**~~
- ~~[5.] Calvert County.....[\$65,000;] **\$67,808;**~~
- ~~[6.] Caroline County.....[\$85,000;] **\$88,672;**~~
- ~~[7.] Carroll County.....[\$233,000;] **\$243,066;**~~
- ~~[8.] Cecil County.....[\$163,000;] **\$170,042;**~~
- ~~[9.] Charles County.....[\$85,000;] **\$88,672;**~~
- ~~[10.] Dorchester County.....[\$65,000;] **\$67,808;**~~
- ~~[11.] Frederick County.....[\$310,000;] **\$323,392;**~~
- ~~[12.] Garrett County.....[\$65,000;] **\$67,808;**~~
- ~~[13.] Harford County.....[\$369,000;] **\$384,941;**~~
- ~~[14.] Howard County.....[\$149,000;] **\$155,437;**~~
- ~~[15.] Kent County.....[\$65,000;] **\$67,808;**~~
- ~~[16.] Montgomery County...[\$1,023,000;] **\$1,067,194;**~~
- ~~[17.] Prince George's County.[\$2,053,000;] **\$2,141,690;**~~
- ~~[18.] Queen Anne's County.....[\$85,000;] **\$88,672;**~~
- ~~[19.] St. Mary's County.....[\$85,000;] **\$88,672;**~~
- ~~[20.] Somerset County.....[\$65,000;] **\$67,808;**~~

~~[21.] Talbot County.....[\$65,000;] **\$67,808;**~~

~~[22.] Washington County.....[\$229,000;] **\$238,893;**~~

~~[23.] Wicomico County.....[\$181,000;] **\$188,819;** and~~

~~[24.] Worcester County.....[\$65,000; and] **\$67,808.**~~

~~[(ii) Except as provided in paragraph (3) of this subsection, in fiscal year 2008 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.]~~

~~[7-117.~~

~~(a) In this section, “Program” means the “Share the State Fair!” Program.~~

~~(b) There is a “Share the State Fair!” Program in the Department.~~

~~(c) The purpose of the Program is to:~~

~~(1) Provide matching grants to county boards and encourage them to dedicate additional local financial support for a “Share the State Fair!” Program; and~~

~~(2) Provide an educational and cultural enrichment opportunity for students in each county in prekindergarten through Grade 8 to attend the State Fair.~~

~~(d) The Department shall administer the matching grants under the Program.~~

~~(e) Beginning in fiscal year 2009 and annually thereafter, the Governor shall include in the annual budget \$25,000 for the Program.~~

~~(f) (1) In any fiscal year, a county board may not receive aggregate grants in excess of \$1,000 under the Program.~~

~~(2) A grant may be used only to pay the costs for transportation and refreshments for students participating in the “Share the State Fair!” Program.~~

~~(g) The State Superintendent shall evaluate and make recommendations to the State Board regarding applications for a grant under this section.~~

~~(h) The State Board shall adopt regulations to implement this section.]~~

~~7-118.~~

~~(a) In this section, "Program" means the Parent Teacher Association Matching Fund Pilot Program.~~

~~(b) There is a Parent Teacher Association Matching Fund Pilot Program in Baltimore City and Prince George's County.~~

~~(c) The purpose of the Program is to:~~

~~(1) Encourage parent teacher associations to raise funds for public high schools; and~~

~~(2) Provide additional State funds for public high schools.~~

~~(d) (1) Each public high school in Baltimore City and Prince George's County is eligible for a dollar for dollar match for private funds raised by the school's parent teacher association up to:~~

~~(i) In Baltimore City, the amount raised by the parent teacher association, not to exceed the school's equal share as determined by dividing \$125,000 by the number of public high schools in Baltimore City; and~~

~~(ii) In Prince George's County, the amount raised by the parent teacher association, not to exceed the school's equal share as determined by dividing \$125,000 by the number of public high schools in Prince George's County.~~

~~(2) The total amount expended under the Program may not exceed \$200,000 annually.~~

~~(e) Funds for the Program shall be as provided in the State budget by the Governor.~~

~~(f) On or before December 1 of each year, the Chief Executive Officer of the Baltimore City Public School System and the Superintendent of Schools of Prince George's County shall report to the Senate Budget and Taxation Committee and the House Ways and Means Committee, in accordance with § 2-1246 of the State Government Article, on the status of, and the benefits accrued from, the Parent Teacher Association Matching Fund Pilot Program.]~~

~~8-415.~~

~~(d) (1) In this subsection, "basic cost" as to each county, means the average amount spent by the county from county, State, and federal sources for the public education of a nonhandicapped child. "Basic cost" does not include amounts specifically allocated and spent for identifiable compensatory programs for disadvantaged children.~~

~~(2) As provided in paragraphs (3) and (4) of this subsection, the State and the counties shall share collectively in the cost of educating children with disabilities in nonpublic programs under § 8-406 of this subtitle.~~

~~(3) (i) Subject to the limitation under subparagraph (ii) of this paragraph, for each of these children domiciled in the county, the county shall contribute for each placement the sum of:~~

~~1. The local share of the basic cost;~~

~~2. An additional amount equal to 200 percent of the basic cost; and~~

~~3. A. For fiscal year [2005 and fiscal year 2006] 2009 only, an additional amount equal to 25 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2 of this subparagraph; and~~

~~B. For fiscal year [2007] 2010 and each subsequent fiscal year, an additional amount equal to 20 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2 of this subparagraph.~~

~~13-104.~~

~~(a) In this section, "Fund" means the Small Business Development Center Network Fund.~~

~~(b) There is a Small Business Development Center Network Fund.~~

~~(c) The purpose of the Fund is to provide matching funds for federal grant funds and to support the operations of the Small Business Development Center Network in the University of Maryland.~~

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

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

~~(f) The proceeds of the Fund shall be invested and reinvested.~~

~~(g) Any investment earnings of the Fund shall be credited to the General Fund of the State.~~

~~(h) The Fund consists of:~~

~~(1) Any money appropriated to the Fund;~~

~~(2) Any federal grant funds; and~~

~~(3) Any other money from any other source accepted for the benefit of the Fund.~~

~~(i) Money in the Fund may only be expended to support the operations of the Small Business Development Center Network.~~

~~[(j) For the fiscal year beginning July 1, 2006 and each fiscal year thereafter, the Governor shall include in the annual budget bill a General Fund appropriation of at least \$750,000 to the Fund.]~~

~~16-305.~~

~~(a) The formula used for the distribution of funds to the community colleges in the State shall be known as the Senator John A. Cade Funding Formula.~~

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

~~(2) "Assessed valuation of real property" means assessed valuation of real property as determined for purposes of the State aid calculated under § 5-202 of this article.~~

~~(3) "Board" means:~~

~~(i) In a county that has 1 or more community colleges, the board of community college trustees for the county; or~~

~~(ii) Where 2 or more counties establish a region to support a regional community college, the board of regional community college trustees.~~

~~(4) "Community college" means a community college established under this title but does not include Baltimore City Community College.~~

~~(5) "County share" means the total amount of money for operating funds to be provided each fiscal year to a board by the county that supports the community college or colleges or, in the case of a regional community college, the total~~

~~amount of money for operating funds to be provided each fiscal year to the board by all counties that support the regional community college.~~

~~(6) "Direct grants" means the sum of the following components of the State share:~~

~~(i) Fixed costs;~~

~~(ii) Marginal costs; and~~

~~(iii) Size factor.~~

~~(7) "Full time equivalent student" is the quotient of the number of student credit hours produced in the fiscal year 2 years prior to the fiscal year for which the State share is calculated divided by 30, as certified by the Maryland Higher Education Commission.~~

~~(8) "Population" means population as determined for purposes of calculating the State share of the library program using the definition in § 23-501 of this article.~~

~~(9) "Region" means the counties supporting a regional community college established under Subtitle 2 of this title.~~

~~(10) "Small community college" means:~~

~~(i) Allegany College of Maryland;~~

~~(ii) Garrett College;~~

~~(iii) Hagerstown Community College;~~

~~(iv) Carroll Community College;~~

~~(v) Cecil Community College;~~

~~(vi) Chesapeake College; or~~

~~(vii) Wor-Wic Community College.~~

~~(11) "State share" means the amount of money for community college operating funds to be provided each fiscal year to a board by the State.~~

~~(12) "Student credit hours" means student credit hours or contact hours which are eligible, under the regulations issued by the Maryland Higher Education Commission, for inclusion in State funding calculations.~~

~~(13) "Total State operating fund" means the sum of community college State appropriations for direct grants.~~

~~(e) (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 2007, not less than an amount equal to 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 2008] **YEARS 2008 THROUGH 2011**, not less than an amount equal to 25.5% 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 previous fiscal year;~~

~~3. In fiscal year [2009] **2012**, 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 **FOR WHICH THE REQUEST IS MADE**;~~

~~4. In fiscal year [2010] **2013**, 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 [previous] fiscal year **FOR WHICH THE REQUEST IS MADE**;~~

~~5. In fiscal year [2011] **2014**, 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 [previous] fiscal year **FOR WHICH THE REQUEST IS MADE**;~~

~~6. In fiscal year [2012] **2015**, 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 [previous] fiscal year **FOR WHICH THE REQUEST IS MADE**; and~~

~~7. In fiscal year [2013] **2016** and in each fiscal year thereafter, not less than an amount equal to 30% 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 **FOR WHICH THE REQUEST IS MADE**.~~

~~(ii) For purposes of this subsection, **IN FISCAL YEARS 2009 THROUGH 2011**, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for the previous fiscal year shall reflect any amendments or reductions to the appropriation for the previous fiscal year.~~

~~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 2007, 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 previous fiscal year;~~

~~(ii) In fiscal [year 2008] **YEARS 2008 THROUGH 2011**, 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 previous fiscal year;~~

~~(iii) In fiscal year [2009] **2012**, 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 **FOR WHICH THE REQUEST IS MADE**;~~

~~(iv) In fiscal year [2010] **2013**, not less than an amount equal to 68% 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 FOR WHICH THE REQUEST IS MADE;~~

~~(v) In fiscal year [2011] 2014, not less than an amount equal to 69% 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 FOR WHICH THE REQUEST IS MADE;~~

~~(vi) In fiscal year [2012] 2015, not less than an amount equal to 70% 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 FOR WHICH THE REQUEST IS MADE; and~~

~~(vii) In fiscal year [2013] 2016 and in each fiscal year thereafter, not less than an amount equal to 71% 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 FOR WHICH THE REQUEST IS MADE.~~

~~(2) For purposes of this subsection, IN FISCAL YEARS 2009 THROUGH 2011, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for the previous fiscal year shall reflect any amendments or reductions to the appropriation for the previous fiscal year.~~

~~(b) Notwithstanding subsection (a) of this section, the State appropriation to Baltimore City Community College requested by the Governor may not be less than the State appropriation to the College in the previous fiscal year.~~

~~17-104.~~

~~(a) SUBJECT TO SUBSECTION (E) OF THIS SECTION, [The] THE Maryland Higher Education Commission shall compute the amount of the annual apportionment for each institution that qualifies under this subtitle by multiplying:~~

~~(1) 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 times;~~

~~(2) (i) [In each of fiscal years 2003 and 2004, an amount not less than 14.3% of the State's General Fund per full-time equivalent student appropriation to the 4-year public institutions of higher education in this State for the preceding fiscal year;~~

~~(ii) In fiscal year 2005, an amount not less than 15.2% 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 preceding fiscal year; and~~

~~(iii) In fiscal year 2006 and each fiscal year thereafter,] IN FISCAL YEARS 2006 THROUGH 2011, 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; AND~~

~~(II) IN FISCAL YEAR 2012 AND EACH FISCAL YEAR THEREAFTER, 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 FISCAL YEAR FOR WHICH THE APPORTIONMENT IS COMPUTED.~~

~~(b) Full-time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.~~

~~(c) Payments of State general funds under Subtitle 3 of this title shall be excluded from the computation required by subsection (a) of this section.~~

~~(d) For purposes of this section, IN FISCAL YEARS 2009 THROUGH 2011, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for the previous fiscal year shall reflect any amendments or reductions to the appropriation for the previous fiscal year.~~

~~(E) IN FISCAL YEARS 2009 THROUGH 2011, THE AMOUNT OF THE TOTAL ANNUAL APPORTIONMENT UNDER THIS SECTION MAY NOT INCREASE MORE THAN THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE FISCAL YEAR FOR WHICH THE APPORTIONMENT IS COMPUTED EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE PREVIOUS 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 THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(e) (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 2006.....\$4.50 per each resident of the area served;~~

~~(ii) For fiscal year 2007.....\$5.50 per each resident of the area served;~~

~~(iii) For fiscal [year 2008] YEARS 2008 THROUGH 2011.....\$6.50 per each resident of the area served;~~

~~(iv) For fiscal year [2009] 2012.....\$7.50 per each resident of the area served; and~~

~~(v) For fiscal year [2010] 2013 and each fiscal year thereafter..... \$8.50 per each resident of the area served.~~

~~23-503.~~

~~(a) (1) The entire capital and operating cost of the minimum library program for this State as a whole shall be shared as provided in this subsection.~~

~~(2) The State shall provide:~~

~~(i) Approximately 40 percent of the total cost of the minimum program; and~~

~~(ii) Not less than 20 percent of the cost of the minimum program in any county.~~

~~(3) The counties participating in the program together shall provide through local taxes approximately 60 percent of the total statewide cost of the minimum program.~~

~~(b) (1) Each county public library system that participates in the minimum library program shall be provided for each resident of the county, to be used for operating and capital expenses:~~

~~(i) For fiscal year 2006 — \$12.00;~~

~~(ii) For fiscal year 2007 — \$13.00;~~

~~(iii) For fiscal [year 2008] YEARS 2008 THROUGH 2011 -- \$14.00;~~

~~(iv) For fiscal year [2009] 2012 -- \$15.00; and~~

~~(v) For fiscal year [2010] 2013 and each fiscal year thereafter -- \$16.00.~~

~~(2) (i) The State shall share in this amount.~~

~~(ii) Any county may provide an amount greater than its share under the cooperative program, but the State may not share in the excess.~~

~~(e) Any employer Social Security contributions required by federal law for any employee in a county public library system shall remain the obligation of the employer.~~

~~23-510.~~

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

~~(2) "Capital project" means the:~~

~~(i) Acquisition of land or buildings for a county library; or~~

~~(ii) Construction or improvement of a county library.~~

~~(3) "Construction or improvement" means planning, design, engineering, alteration, construction, reconstruction, enlargement, expansion, extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or capital equipping.~~

~~(4) "County library" means a library in a county public library system in the State.~~

~~(5) "Division" means the Division of Library Development and Services in the Department.~~

~~(b) (1) There is a State grant program for county public library capital projects in the Division.~~

~~(2) The grant program is in addition to the county State minimum library program established under § 23-502 of this article.~~

~~(e) (5) (I) For fiscal year [2008] 2009 and each fiscal year thereafter, the Governor shall include in the annual operating or capital budget submission [\$5,000,000] AN APPROPRIATION for county library capital projects.~~

~~**Article — Health — General**~~

~~[16 201.2.]~~

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

~~(2) “Community developmental disabilities services provider” means a community-based developmental disabilities program licensed by the Department.~~

~~(3) “Community mental health services provider” means a community-based mental health program approved by the Department or an individual practitioner who contracts with the Department or the appropriate core service agency.~~

~~(4) “Core service agency” has the meaning stated in § 10-1201 of this article.~~

~~(5) “Eligible individual” means a Medicaid recipient or an individual who receives developmental disabilities services or mental health services subsidized in whole or in part by the State.~~

~~(b) Notwithstanding the provisions of this subtitle, the Department shall reimburse a community developmental disabilities services provider or a community mental health services provider for approved services rendered to an eligible individual as provided in this section.~~

~~(c) (1) Subject to the limitations of the State budget, beginning in fiscal year 2008 and in each fiscal year thereafter, the Department shall adjust for inflation the fees paid to a community developmental disabilities services provider and a community mental health services provider for approved services rendered to an eligible individual using the update factor recommended by the Community Services Reimbursement Rate Commission.~~

~~(2) Annual adjustments shall be funded with due regard to the expenditures necessary to meet the needs of individuals receiving services.~~

~~(3) The annual rate of change for the fees may not exceed a maximum rate of 5%.]~~

~~**Article — State Finance and Procurement**~~

~~7 325.~~

~~(a) [For] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, FOR each fiscal year, 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.~~

~~(b) IN FISCAL YEARS 2009 THROUGH 2011, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND STATE ARTS COUNCIL EQUAL TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE COUNCIL AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL ASSEMBLY FOR FISCAL YEAR 2008.~~

~~(c) The Legislative Auditor has the authority to conduct a review or audit of any recipient of a grant from the Maryland State Arts Council.~~

Chapter 269 of the Acts of 2006

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) [Subject to subsection (b) of this section, for] FOR fiscal [years 2008 and] YEAR 2009, the Governor shall include in the annual budget bill [a general fund] AN appropriation to the Rural Broadband Assistance Fund established under Article 83A, § 5-1902 of the Code, as enacted by Section 1 of this Act, of at least \$4,000,000 [in each fiscal year, of which at least \$2,000,000 in each fiscal year shall be] from the Maryland Economic Development Assistance Authority and Fund.~~

~~(b) If the Rural Broadband Assistance Fund receives more than \$2,000,000 from the Maryland Economic Development Assistance Authority and Fund in fiscal year 2007, then, for fiscal year 2009 only, the funding specified in subsection (a) of this section may be reduced by the amount by which the 2007 fiscal year funding from the Maryland Economic Development Assistance Authority and Fund exceeds \$2,000,000.]~~

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

Article – State Government

~~9-117.~~

~~(a) (1) During a calendar year, a licensed agent shall receive regular commissions of [5.5%] 5% of the licensed agent's gross receipts from ticket sales made during that year.~~

Article – State Finance and Procurement

6-103.

(a) There is a Bureau of Revenue Estimates in the Office of the Comptroller.

(b) (1) The head of the Bureau is the Chief.

(2) Subject to the supervision of the Comptroller, the Chief has administrative control of the Bureau.

(3) UNLESS THE COMPTROLLER, WITH THE APPROVAL OF THE BOARD, DETERMINES THAT AN ALTERNATIVE STRUCTURE IS APPROPRIATE, THE CHIEF SHALL BE SUBJECT TO THE SUPERVISION OF THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION.

(c) (1) Except as otherwise provided by law, SUBJECT TO THE APPROVAL OF THE BOARD, the Comptroller shall appoint the Chief [and].

(2) THE CHIEF MAY BE REMOVED ONLY BY A MAJORITY OF THE BOARD FOR INCOMPETENCE OR OTHER GOOD CAUSE.

(3) THE CHIEF SHALL APPOINT other employees of the Bureau in accordance with the provisions of the State Personnel and Pensions Article.

6-104.

(a) (1) After the end of each fiscal year, the Bureau shall submit to the Board a report that:

(i) contains an itemized statement of the State revenues from all sources for that fiscal year; and

(ii) includes any recommendations of the Bureau.

(2) [Before each regular session of the General Assembly] IN DECEMBER, MARCH, AND SEPTEMBER OF EACH YEAR, the Bureau shall submit to the Board a report that contains an itemized statement of the estimated State revenues from all sources for the fiscal year following [the session] THE FISCAL YEAR IN WHICH THE REPORT IS MADE.

(3) The Bureau shall provide to the Board any other information that the Board requests.

(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE REPORTS REQUIRED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION SHALL INCLUDE AN ITEMIZED STATEMENT OF:

(I) REVENUES OR ESTIMATED REVENUES DISTRIBUTED TO THE TRANSPORTATION TRUST FUND, INCLUDING THE MOTOR FUEL TAXES IMPOSED UNDER TITLE 9, SUBTITLE 3 OF THE TAX – GENERAL ARTICLE AND MOTOR VEHICLE TITLING TAXES IMPOSED UNDER TITLE 13, SUBTITLE 8 OF THE TRANSPORTATION ARTICLE; AND

(II) REVENUES FROM THE STATE TRANSFER TAX IMPOSED UNDER TITLE 13, SUBTITLE 2 OF THE TAX – PROPERTY ARTICLE.

(b) In addition to these reports, the Bureau shall continually conduct studies of State revenue sources to:

(1) determine the amount of revenue produced; and

(2) devise and recommend new methods and sources for improved efficiency, equity, and economy in production [and], collection, AND ESTIMATION of revenue.

(C) (1) ON OR BEFORE DECEMBER 1, 2008, AND DECEMBER 1 OF EVERY THIRD YEAR THEREAFTER, THE BUREAU SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A TAX INCIDENCE STUDY MEASURING THE BURDEN OF ALL THE MAJOR TAXES IMPOSED BY THE STATE AND HOW THAT BURDEN IS SHARED AMONG TAXPAYERS OF DIFFERENT INCOME LEVELS.

(2) THE BUREAU SHALL PREPARE AND SUBMIT THE STATISTICS OF INCOME REPORT REQUIRED UNDER § 10-223 OF THE TAX – GENERAL ARTICLE.

6-105.

(A) IN THIS SECTION, “GROUP” MEANS THE CONSENSUS REVENUE MONITORING AND FORECASTING GROUP ESTABLISHED UNDER THIS SECTION.

(B) THERE IS A CONSENSUS REVENUE MONITORING AND FORECASTING GROUP.

(C) THE GROUP CONSISTS OF:

(1) THE CHIEF AND STAFF OF THE BUREAU AS DESIGNATED BY THE CHIEF;

(2) THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION AND STAFF AS DESIGNATED BY THE DEPUTY COMPTROLLER WITH RESPONSIBILITY FOR TAX ADMINISTRATION;

(3) STAFF OF THE OFFICE OF THE TREASURER AS DESIGNATED BY THE TREASURER;

(4) STAFF OF THE DEPARTMENT OF BUDGET AND MANAGEMENT AS DESIGNATED BY THE SECRETARY OF BUDGET AND MANAGEMENT;

(5) STAFF OF THE DEPARTMENT OF TRANSPORTATION AS DESIGNATED BY THE SECRETARY OF TRANSPORTATION; AND

(6) STAFF OF THE OFFICE OF POLICY ANALYSIS OF THE DEPARTMENT OF LEGISLATIVE SERVICES AS DESIGNATED BY THE DIRECTOR OF THE OFFICE.

(D) THE CHIEF SHALL CHAIR THE GROUP.

(E) THE GROUP AND ITS CONSTITUENT UNITS SHALL:

(1) REVIEW AND ANALYZE ATTAINMENT OF REVENUES ON A MONTHLY BASIS; AND

(2) ADVISE AND COLLABORATE WITH THE BUREAU:

(I) IN THE DEVELOPMENT OF REVENUE FORECASTS AND ANY NECESSARY REVISIONS TO THOSE FORECASTS; AND

(II) IN THE PERFORMANCE OF ANY PERTINENT STUDIES OR ANALYSES AS REQUESTED BY THE CHIEF OR AS DIRECTED BY THE BOARD.

(F) TO ASSIST THE GROUP IN PERFORMING ITS FUNCTION, THE COMPTROLLER AND THE BUREAU SHALL:

(1) WITHIN 7 CALENDAR DAYS AFTER THE END OF EACH MONTH, PROVIDE TO MEMBERS OF THE GROUP DETAILED DATA ON REVENUE COLLECTIONS; AND

(2) BEFORE ANY DOCUMENT RELATING TO THE WORK OF THE BUREAU IS PUBLISHED, PROVIDE A DRAFT OF THE DOCUMENT TO THE MEMBERS OF THE GROUP FOR REVIEW AND COMMENT.

6-106.

(a) The Board shall:

(1) study the information that the Bureau provides; and

(2) consider the recommendations of the Bureau.

(b) (1) [Annually] IN DECEMBER, MARCH, AND SEPTEMBER OF EACH YEAR, the Board shall submit to the Governor AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, a report that:

(i) contains an itemized statement of the estimated State revenues from all sources for the fiscal year following the fiscal year in which the report is made; and

(ii) includes any recommendations of the Board.

(2) (I) [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Governor shall [send the report of the Board, subject to § 2-1246 of the State Government Article, to the General Assembly] STATE THE MOST RECENT ESTIMATES OF REVENUES REPORTED BY THE BOARD IN THE PROPOSED BUDGET AND ANY SUPPLEMENTAL BUDGET SUBMITTED TO THE GENERAL ASSEMBLY.

(II) IF THE GOVERNOR USES DIFFERENT ESTIMATES OF REVENUES IN THE FORMULATION OF THE PROPOSED BUDGET AND ANY SUPPLEMENTAL BUDGET SUBMITTED TO THE GENERAL ASSEMBLY THAN THOSE REPORTED BY THE BOARD, A STATEMENT PROVIDING AN EXPLANATION AS TO THE DIFFERENCES SHALL BE INCLUDED TOGETHER WITH THOSE SUBMISSIONS.

7-311.

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

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

(3) "Estimated General Fund revenues" means the estimated General Fund revenues FOR A FISCAL YEAR stated in the [annual] report of the Board of

Revenue Estimates submitted to the Governor under § 6–106 of this article IN DECEMBER PRECEDING THE FISCAL YEAR.

Article – Transportation

2–103.1.

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

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

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

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the transportation capital program.

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

1. Actual information for the last full fiscal year; and

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

(III) THE DEPARTMENT SHALL INCORPORATE IN THE FINANCIAL FORECAST THE MOST RECENT ESTIMATES BY THE BOARD OF REVENUE ESTIMATES OF THE REVENUES FROM:

1. THE CORPORATE INCOME TAX AND THE SALES AND USE TAX FOR EACH OF THE SIX SUBSEQUENT YEARS, INCLUDING THE CURRENT FISCAL YEAR AND THE FISCAL YEAR FOR THE PROPOSED BUDGET; AND

2. MOTOR FUEL TAXES AND MOTOR VEHICLE TITLING TAXES FOR THE CURRENT FISCAL YEAR AND THE FISCAL YEAR FOR THE PROPOSED BUDGET.

~~SECTION 9.~~ SECTION 9. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in formulating the fiscal year 2009 budget, the Governor shall apply any funds in the State Employees and Retirees Health and Welfare Benefits Fund estimated to be in excess of the amount necessary to fund the benefit in fiscal year 2008 toward funding health insurance costs of employees and retirees in fiscal year 2009 so as to reduce the cost to the General Fund of providing the benefit by at least ~~\$82,000,000~~ \$77,000,000. It is the further intent that State employees *and retirees* receive one additional pay period *or equivalent adjustment* in which health insurance contributions are not required during fiscal 2009.

SECTION 10. AND BE IT FURTHER ENACTED, That:

(a) In this section, "Executive Branch agencies" does not include the Department of Public Safety and Correctional Services or helicopter pilots in the Department of State Police.

(b) (1) As of January 30, 2008, the number of full-time equivalent (FTE) regular positions in Executive Branch agencies shall be reduced by ~~750~~ 500 FTEs.

(2) It is the intent of the General Assembly that these reductions be made from vacant positions.

(c) On or before January 30, 2008, the Governor shall submit to the Board of Public Works a schedule for realigning the authorizations made under Chapter 487 of the Acts of 2007, *as amended*, to reflect the reduction made in subsection (b) of this section and shall take the actions necessary to implement the reductions.

(d) The schedule submitted by the Governor to the Board of Public Works shall identify savings of at least ~~\$7,600,000~~ \$5,000,000 in general funds plus any special or federal funds from salaries and wages in Comptroller objects other than 0152 (Health Insurance) and 0154 (Retiree Health Insurance) associated with the abolished positions.

~~SECTION 11. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, the unexpended appropriations for the following purposes that were included in the fiscal year 2008 operating budget (Chapter 487, Acts of 2007) are reduced by the amounts indicated below and are hereby transferred to the State General Fund:~~

<u>Fiscal Year</u>	<u>Program</u>	<u>Entitled</u>	<u>Amount of Reduction</u>	<u>General Funds</u>
<u>2008</u>	<u>N00F</u>	<u>DHR</u>	<u>Information Technology</u>	<u>1,000,000</u>
<u>2008</u>	<u>T50T0103</u>	<u>Maryland</u>	<u>Technology Development Corporation</u>	<u>3,000,000</u>

~~SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, it is the intent of the General Assembly that in developing the~~

~~fiscal 2009 budget, the Governor consider the following recommendations for reductions in general funds to slow the growth of the fiscal 2009 current services baseline budget after the reductions made by the Board of Public Works in July 2007:~~

Program	Entitled	Amount of Reduction General Funds
D40W0112	Heritage Structure Rehabilitation Tax Credit	10,300,000
M00L0103	Mental Hygiene Administration	2,700,000
M00Q	Medical Care Programs Administration	36,200,000
MK000201	Alcohol and Drug Abuse Administration	700,000
N00F	DHR Information Technology	4,000,000
R00A0102	Maryland State Department of Education	2,800,000
R00A0207	MSDE Infants and Toddlers Program	8,000,000
R00A0115	MSDE Juvenile Services Education Program	1,700,000
R00A03 R00A02	MSDE North Bay	1,700,000
R30B00	University System of Maryland	3,000,000
T50T0103	Maryland Technology Development Corporation	3,000,000

~~SECTION 13. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor provide funding for the following programs through General Obligation bonds:~~

Program	Entitled
D06E0201	Public Safety Communication System
H00C0101	State House repairs
S00A2402	Community Legacy Program
S00A2507	Rental Housing Program
S00A2508	Homeownership Program
S00A2509	Special Loan Program
U00A0103	Environment Water Quality
U00A0104	Environment Hazardous Waste
U00A0105	Environment Drinking Water

~~SECTION 14. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, it is the intent of the General Assembly that in developing the fiscal 2009 budget, the Governor include a 2% cost of living increase for certain community providers in the Department of Health and Mental Hygiene's human services programs and a 2% cost of living increase for certain providers in the Department of Health and Mental Hygiene's Medical Assistance programs. It is the further intent of the General Assembly that bonus payments to Managed Care Organizations be phased out as the Medicaid physician rate schedule increases to 90% of the Medicare rate schedule by 2010. However, funding for the Department of Health and Mental Hygiene's quality of care initiative should be preserved.~~

~~SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:~~

(a) In developing the fiscal 2009 budget, the Governor make reductions of at least \$550,000,000 in general funds from the fiscal 2009 current services baseline budget after the reductions made by the Board of Public Works in July 2007, including the items specified in this Act.

(b) In implementing the reduction specified in subsection (a) of this section, the Governor shall consider proposing legislation at the 2008 session of the General Assembly to defer formula increases and alter funding mandates in order to slow growth in the baseline budget.

SECTION ~~15~~ 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, by action of the governing body of a county, property tax revenues in an amount equal to payments that a county would have been entitled to receive under Article 24, § 9-1102 of the Code before its repeal under Section 1 of this Act shall be excluded from the calculation of any limitation on the ability of a county to impose property taxes.

~~SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, it is the intent of the General Assembly that the Police and Correctional Training Commissions recover 95% of its cost to provide training courses from non-State agencies.~~

~~SECTION 17. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly to review the amount of the commission paid to lottery agents, if video lottery terminals are approved and implemented in this State, to determine if there needs to be additional compensation paid for any lost revenue.~~

SECTION ~~18~~ 13. AND BE IT FURTHER ENACTED, That:

(a) The Geographic Cost of Education Index (GCEI) Adjustment established in § 5-202(f) of the Education Article shall be updated every 3 years beginning September 2009 using the most current data available and the same methodology set forth in the report entitled "Adjusting for Geographic Differences in the Cost of Education Provision in Maryland (December 31, 2003)."

(b) The State Department of Education shall:

(1) submit the proposed updated GCEI Adjustment to the Governor and General Assembly, in accordance with § 2-1246 of the State Government Article, by September 1 of the year in which it is updated; and

(2) recommend legislation in the first legislative session following submission of the updated GCEI Adjustment that codifies the adjustment and requires that the GCEI adjustment be used to adjust State aid in the fiscal year that begins on July 1 of that year.

SECTION 14. AND BE IT FURTHER ENACTED, That the Spending Affordability Committee in cooperation with the Department of Budget and Management shall study Maryland's budgetary structure and process. The study shall address how current laws and practices relate to national norms and best practices with respect to budget formulation, review, management and oversight by the Executive and Legislative branches. The study shall be completed by December 15, 2008 and include as appropriate draft legislation for consideration by the 2009 General Assembly.

~~SECTION 20. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, it is the intent of the General Assembly that in fiscal year 2009, contingent on funds being available in the Tourism, Arts, and Cultural Development Fund established under § 7-328 of the State Finance and Procurement Article, funding for the Maryland Tourism Development Board Fund, the Maryland State Arts Council, the Film Wage Rebate program, the Office of Tourism Development, and the operating deficit for the Baltimore City Convention Center, and operating deficit for the Ocean City Convention Center shall be provided from the Tourism, Arts, and Cultural Development Fund.~~

SECTION 15. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the supplemental grants established in Section 2 of this Act be reviewed as part of the adequacy study required by Section 7 of Chapter 288, Acts of 2002, to determine whether the grants should continue. In making this determination, the study must consider the integrity of the State's education finance structure, the role of the supplemental grants in addressing the equity and adequacy of State education aid, and the fiscal impact on local school systems that receive the supplemental grants.

SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) For fiscal year 2008 only, up to \$20,000,000 may be transferred from the Dedicated Purpose Account established under § 7-310 of the State Finance and Procurement Article by budget amendment to the Department of Health and Mental Hygiene for the purpose of providing a special fund operating grant to an independent entity with authority over the facilities currently operated and health care services currently provided by Dimensions Healthcare System until the facilities and obligation to provide the services are transferred to a new owner or operator.

(b) (1) The Department of Health and Mental Hygiene may not provide a special fund operating grant under this section until a long-term, comprehensive solution to the control and operation of the facilities and provision of health care services currently operated and provided by Dimensions Healthcare System is reached through:

(i) an Act of the General Assembly; or

(ii) a memorandum of understanding between the State and Prince George's County.

(2) The long-term, comprehensive solution required under paragraph (1) of this subsection shall address issues related to health care needs in Prince George's County and the surrounding region, including:

(i) the transfer to a new owner or operator of the facilities currently operated and the obligation to provide the health care services currently provided by Dimensions Healthcare System;

(ii) a plan for the assets currently held by Prince George's County related to the facilities currently operated by Dimensions Healthcare System;

(iii) a mechanism to provide a steady revenue stream to help support ongoing operations of the facilities currently operated by Dimensions Healthcare System and to retire the long-term bond indebtedness and satisfy the unfunded pension liability of Dimensions Healthcare System; and

(iv) a mechanism to assure equitable and sustainable funding from Prince George's County and the State.

~~SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect January 1, 2008, contingent on the taking effect of Chapter (H.B.5) of the Acts of the General Assembly of the Special Session of 2007, and if Chapter does not become effective, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.~~

SECTION ~~7, 22,~~ 17. AND BE IT FURTHER ENACTED, That Sections 1 and 5 of this Act shall be applicable to fiscal year 2009 and each fiscal year thereafter.

SECTION ~~8, 23,~~ 18. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall be applicable to all taxable years beginning after June 30, 2008.

~~SECTION 9. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect contingent on the taking effect of legislation passed during the Special Session of 2007 establishing a Higher Education Investment Fund, and if legislation establishing a Higher Education Investment Fund does not become effective, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.~~

SECTION 19. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect contingent on the taking effect of legislation passed during the Special Session of 2007 establishing a Higher Education Investment Fund, and if legislation establishing a Higher Education Investment Fund does not become effective, Section 3

of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION ~~10, 24~~ 20. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect contingent on the taking effect of legislation passed during the Special Session of 2007 that imposes recordation and transfer taxes on the transfer of controlling interest in an entity that owns interests in real property in Maryland, and if legislation that imposes recordation and transfer taxes on the transfer of controlling interest in an entity that owns interests in real property in Maryland does not become effective, Section 5 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION ~~25~~ 21. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect July 1, 2008.

SECTION ~~11, 26~~ 22. AND BE IT FURTHER ENACTED, That, subject to Sections ~~7, 21~~ 17 through ~~10, 25~~ 21 of this Act, this Act shall take effect January 1, 2008.

Approved by the Governor, November 19, 2007.