

Report of the Conference Committee on SB 191

April 12, 2004

Mr. President,
Mr. Speaker,
Ladies and Gentlemen of the General Assembly of Maryland:

The report of the Conference Committee on SB 191 – the Maryland Consolidated Capital Bond Loan of 2004 is submitted for your review.

The Senate adopted 42 amendments to the original bill. The House adopted 27 amendments to the bill as amended by the Senate. The Senate rejected all of the House amendments and called for a Conference Committee. The House refused to recede and agreed to a Conference Committee. The Conference Committee worked to reconcile the differences between the Senate and House versions of the bill.

Action of the Conference Committee

The Conference Committee recommends the authorization of \$655,000,000 in net new State debt. Moreover, the Conference Committee recommends:

1. The adoption of the following House amendments:

1, 3 and 4, 6 – 9, 11 and 12, 16 – 18, 22, 25 – 27

2. The rejection of the following House amendments:

10

3. The action indicated on the following House amendments:

<u>Adopt</u>		<u>Reject</u>		Conference Committee Amendment
2	1
5	2
13	3
14	4
15	5
19	6
20	7
21	8
23	9
24	10

4. The Conference Committee also adopted Conference Committee amendments:

11 – 19

Attached is a listing of the approved projects.

Respectfully submitted,

Senator Edward J. Kasemeyer, Chairman

Delegate Adrienne A. Jones, Chairman

Senator Ida G. Ruben

Delegate Melony G. Griffith

Senator Ulysses Currie

Delegate Norman H. Conway

Senator Patrick J. Hogan

Delegate Joan Cadden

Senator Donald F. Munson

Delegate John L. Bohanan, Jr.

Maryland Consolidated Capital Bond Loan of 2004

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
State Facilities						
DA02.01(A)	OID: Accessibility Modifications	1,600,000	0	1,600,000	0	0
DE02.01(A)	State House Renovations	4,600,000	0	4,600,000	0	0
DE02.01(B)	2100 Guilford Avenue	5,344,000	0	5,344,000	0	0
DE02.01(C)	301 West Preston Street	1,700,000	0	1,700,000	0	0
DE02.01(D)	DGS: Capital Facility Renewal	8,049,000	0	6,049,000	0	-2,000,000
DE02.01(E)	Public Safety Communications System	5,000,000	0	5,000,000	0	0
DE02.01(F)	DGS: Asbestos Abatement Program	2,000,000	0	2,000,000	0	0
DE02.01(G)	Construction Contingency Fund	1,000,000	0	2,000,000	0	1,000,000
DE02.01(H)	Underground Heating Storage Tank Replace	1,000,000	0	500,000	0	-500,000
DE02.01(I)	Centreville District Court Park	580,000	0	0	0	-580,000
DE02.01(J)	DGS: CFC Mitigation Fund	350,000	0	350,000	0	0
DE02.01(K)	Rockville District Court.	2,378,000	0	2,378,000	0	0
DE02.01(L)	Centreville District Court/Multiservice Center	<u>294,000</u>	<u>0</u>	<u>230,000</u>	<u>0</u>	-64,000
	Subtotal	33,895,000	0	31,751,000	0	-2,144,000
Health/Social						
DA07(A)	Aging: Senior Citizens Activities Centers	1,986,000	0	1,986,000	0	0
MA01(A)	DHMH: Community Health Facilities	8,447,000	0	8,447,000	0	0
MA01(B)	DHMH: Federally Qualified Health Centers	2,400,000	0	2,400,000	0	0
ML10(A)	Clifton T. Perkins Hosp. Center: Security Wing	9,625,000	0	9,625,000	0	0
VA01(A)	DJS: Juvenile Services Facilities	3,337,000	0	3,337,000	0	0
VA01(B)	DJS: Charles H. Hickey, Jr. School	2,691,000	0	108,000	0	-2,583,000
ZA00(O)	Prince George's Hospital Center	0	0	4,025,000	0	4,025,000
ZC01(A)	MHA: Franklin Square Hospital	209,000	0	209,000	0	0
ZC01(B)	MHA: Greater Baltimore Medical Center	535,000	0	535,000	0	0
ZC01(C)	MHA: Holy Cross Health	1,522,000	0	1,522,000	0	0

5

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
ZC01(D)	MHA: Laurel Regional Hospital	675,000	0	675,000	0	0
ZC01(E)	MHA: Prince George's Hospital	300,000	0	300,000	0	0
ZC01(F)	MHA: St. Joseph Medical Center	<u>230,000</u>	<u>0</u>	<u>230,000</u>	<u>0</u>	0
	Subtotal	31,957,000	0	33,399,000	0	1,442,000
Environment						
KA05(A)	DNR: GreenPrint Program	5,000,000	0	3,000,000	0	-2,000,000
KA05(B)	DNR: Program Open Space	15,000,000	0	15,000,000	0	0
KA05(C)	DNR: State Capital Improvements	3,572,000	0	3,572,000	0	0
KA05(D)	DNR: Community Parks and Playground	5,000,000	0	5,000,000	0	0
KA05(E)	DNR: Rural Legacy Program	0	0	2,000,000	0	2,000,000
KA17(A)	DNR: Oyster Restoration Program	3,000,000	0	3,000,000	0	0
LA11(A)	MDA: Agricultural Land Preservation	5,000,000	0	5,000,000	0	0
LA11	MDA: Tobacco Transition	5,000,000	0	5,000,000	0	0
LA15(A)	MDA: Agricultural Cost Share	6,000,000	0	6,000,000	0	0
UA01(A)	MDE: Water Quality Revolving Loan Fund	6,407,000	0	6,407,000	0	0
UA01(B)	MDE: Drinking Revolving Loan Fund	1,860,000	0	1,860,000	0	0
UA01(C)	MDE: Hazardous Substance Cleanup Program	1,500,000	0	1,500,000	0	0
UA04(A1)	MDE: CBWQ Nutrient Removal	23,500,000	0	17,000,000	0	-6,500,000
UA04(A2)	MDE: CBWQ Supplemental Assistance	5,000,000	0	5,000,000	0	0
UA04(A3)	MDE: CBWQ Small Creeks and Estuaries	500,000	0	500,000	0	0
UA04(A4)	MDE: Stormwater Pollution Control	500,000	0	500,000	0	0
UA04(B)	MDE: Water Supply Assistance Fund	2,500,000	0	2,500,000	0	0
UB00(A)	MES: Infrastructure Improvement Fund	<u>3,257,000</u>	<u>0</u>	<u>3,257,000</u>	<u>0</u>	0
	Subtotal	92,596,000	0	86,096,000	0	-6,500,000
Public Safety						
QB04(A)	DPSCS: Correctional Training Center	1,060,000	0	1,060,000	0	0
QB05(A)	DPSCS: MCIW Support Services	54,000	0	54,000	0	0
QB06(A)	DPSCS: Brockbridge Correctional Facility	8,451,000	0	8,451,000	0	0

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
QB0801(A)	DPSCS: WCI-New Warehouse	322,000	0	0	0	-322,000
QB0802(A)	DPSCS: NBCI Housing Unit	17,536,000	0	17,536,000	0	0
QD00(A)	DPSCS: Patuxent Institute Electrical Services	385,000	0	385,000	0	0
QG00(A)	DPSCS: Public Safety Training Center	940,000	0	940,000	0	0
QP00A)	DPSCS: BCDC Property Acquisition	2,500,000	0	2,500,000	0	0
QP00(B)	DPSCS: BCDC Women's Detention Center	3,335,000	0	3,335,000	0	0
WA01(A)	DSP: Forensic Science Laboratory	784,000	0	784,000	0	0
WA01(B)	DSP: Easton Barrack and Garage	307,000	0	307,000	0	0
ZB02(A)	Local Jails: Baltimore County Detention Center	10,000,000	0	10,000,000	0	0
ZB02(B)	Local Jails: Charles County Detention Center	336,000	0	336,000	0	0
ZB02(C)	Local Jails: Montgomery County Detention Center	3,048,000	0	3,048,000	0	0
ZB02(D)	Local Jails: Prince George's Correctional Center	1,214,000	0	1,214,000	0	0
ZB02(E)	Local Jails: Worcester County Jail	<u>660,000</u>	<u>0</u>	<u>660,000</u>	<u>0</u>	<u>0</u>
	Subtotal	50,932,000	0	50,610,000	0	-322,000
Education						
DE02.02(A)	Public School Construction	99,200,000	0	114,226,000	0	15,026,000
RP00.05(A)	MPBC: Digital Interconnection Network System	500,000	0	500,000	0	0
RE01(A)	MSDE: Elementary and Support Services Building	681,000	0	681,000	0	0
RE01(B)	MSDE: Family Education Building	402,000	0	402,000	0	0
RE01(C)	MSDE: Main Building Elevator/Columbia Campus	<u>50,000</u>	<u>0</u>	<u>50,000</u>	<u>0</u>	<u>0</u>
	Subtotal	100,833,000	0	115,859,000	0	15,026,000
Higher Education						
RB21(A)	UMB: Dental School	9,000,000	10,000,000	9,000,000	10,000,000	0
RB21(B)	UMB: Howard Hall Renovation	4,665,000	0	4,665,000	0	0
RB22(A)	UMCP: Biological Sciences Research Building	55,805,000	0	55,805,000	0	0
RB22(B)	UMCP: Engineering and Applied Sciences Building	2,400,000	0	2,400,000	0	0
RB23(A)	BSU: Center for Business and Graduate Studies	17,550,000	0	17,550,000	0	0

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
RB24(A)	TU: College of Liberal Arts Complex	4,242,000	0	4,242,000	0	0
RB24(B)	TU: Fine Arts Building	3,575,000	0	3,575,000	0	0
RB25(A)	UMES: Social Sciences Building	3,063,000	0	3,063,000	0	0
RB27(A)	CSC: Campuswide Utilities/Security Upgrade	9,440,000	0	9,440,000	0	0
RB27(B)	CSC: Grace Jacobs Building	3,375,000	0	3,375,000	0	0
RB27(C)	CSC: Physical Education Complex	2,704,000	0	2,704,000	0	0
RB27(D)	CSC: Telecommunications Upgrade	2,500,000	0	2,500,000	0	0
RB27(E)	CSC: Conner Administration Building	1,829,000	0	1,829,000	0	0
RB28(A)	UB: 1300 North Charles Street	800,000	0	0	0	-800,000
RB29(A)	SU: Teacher Education-Technology Complex	3,009,000	0	3,009,000	0	0
RB31(A)	UMBC: Chemistry Building Renovation	3,000,000	0	3,000,000	0	0
RB35(A)	UMBI: Center Advanced Research in Biotech.	5,500,000	0	5,000,000	0	-500,000
RB36rb	USM: Facility Renewal	0	15,000,000	0	15,000,000	0
RC00(A)	BCCC: Main Building Liberty Campus	14,675,000	0	14,675,000	0	0
RD00(A)	SMC: New Academic Building	18,576,000	0	18,576,000	0	0
RD00(B)	SMC: Student Services Building	8,109,000	0	8,109,000	0	0
RI00(A)	MHEC: Community Colleges	36,050,000	0	38,881,000	0	2,831,000
RI00(B)	MHEC: Mont. College/Takoma Park Expansion	8,100,000	0	8,100,000	0	0
RM00(A)	MSU: Northwood Property Acquisition	5,700,000	0	5,700,000	0	0
RM00(B)	MSU: Banneker Hall Renovation	1,367,000	0	1,367,000	0	0
RM00(C)	MSU: Montebello E-Wing Demolition	850,000	0	0	0	-850,000
RM00(D)	MSU: Campuswide Site Improvements	696,000	0	696,000	0	0
RM00(E)	MSU: Communications Center/Pedestrian Bridge	683,000	0	0	0	-683,000
RM00(F)	MSU: Campuswide Utility Upgrades	489,000	0	489,000	0	0
RQ00(A)	UMMS: Diagnostic and Treatment Facilities Improv.	5,000,000	0	5,000,000	0	0
RQ00(B)	UMMS: Ambulatory Care Facilities Imp.	5,000,000	0	5,000,000	0	0
RQ00(C)	Walter P. Carter Center Renovations	5,000,000	0	0	0	-5,000,000
ZA00(G)	MICUA: Columbia Union College	2,000,000	0	2,250,000	0	250,000

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
ZA00(H)	MICUA: Johns Hopkins University	2,000,000	0	2,000,000	0	
ZA00(I)	MICUA: Sojourner Douglass College	2,000,000	0	2,000,000	0	
ZA00(J)	MICUA: Villa Julie College	<u>2,000,000</u>	<u>0</u>	<u>2,250,000</u>	<u>0</u>	250,000
	Subtotal	250,752,000	25,000,000	246,250,000	25,000,000	-4,502,000
Housing/Community Development						
DB01(A)	HSMCC: St John's Archeological Site	5,700,000	0	5,700,000	0	0
SA23(A)	DHCD: MHT Capital Grant	700,000	0	700,000	0	0
SA23(B)	DHCD: MHT Revolving Fund	250,000	0	250,000	0	0
SA24(A)	DHCD: Community Legacy Program	5,000,000	0	5,000,000	0	0
SA25(A)	DHCD: Rental Housing Program	7,409,000	0	7,409,000	0	0
SA25(B)	DHCD: Partnership Rental Program	6,000,000	0	6,000,000	0	0
SA25(C)	DHCD: Homeownership Program	2,989,000	0	2,989,000	0	0
SA25(D)	DHCD: Shelter and Transitional Housing	<u>1,000,000</u>	<u>0</u>	<u>1,000,000</u>	<u>0</u>	0
	Subtotal	29,048,000	0	29,048,000	0	0
Economic Development						
DE02.01(M)	TEDCO: Technology Incubator	1,500,000	0	1,500,000	0	0
TF00(A)	DBED: Economic Development Assistance Fund	<u>15,000,000</u>	<u>0</u>	<u>12,000,000</u>	<u>0</u>	<u>-3,000,000</u>
	Subtotal	16,500,000	0	13,500,000	0	-3,000,000
Local Projects						
ZA00(A)	B&O Railroad Museum	1,500,000	0	1,500,000	0	
ZA00(B)	Baltimore City West Side Revitalization	4,500,000	0	4,500,000	0	
ZA00(C)	Baltimore Zoo Facilities Renewal	750,000	0	750,000	0	
ZA00(D)	Catholic Charities – Our Daily	3,000,000	0	2,000,000	0	-1,000,000
ZA00(E)	East Baltimore Biotechnology Park	4,500,000	0	4,500,000	0	
ZA00(F)	Kennedy Krieger Institute	1,500,000	0	1,500,000	0	
ZA00(K)	Maryland Science Center	2,000,000	0	2,000,000	0	

Budget Code	Project Title	Request		Authorization		Difference
		Go Bonds	Revenue	Go Bonds	Revenue	GO Bonds
ZA00(L)	TEDCO Incubator Program	0	0	1,000,000	0	1,000,000
ZA00(M)	National Aquarium in Baltimore	3,000,000	0	3,000,000	0	
ZA00(N)	National Research Institute for the Blind	1,500,000	0	1,500,000	0	
ZA00(P)	Rockville Town Center Redevelopment	1,500,000	0	1,500,000	0	
ZA00(Q)	Sheppard Pratt Hospital	1,000,000	0	1,000,000	0	
ZA00(R)	Strathmore Hall Performing Arts Center	2,000,000	0	2,000,000	0	
ZZ00	Legislative Initiatives	<u>30,400,000</u>	<u>0</u>	<u>30,400,000</u>	<u>0</u>	
	Subtotal	57,150,000	0	57,150,000	0	0
	Subtotal	663,663,000	25,000,000	663,663,000	25,000,000	
	Deauthorizations					
ZZ01	Deauthorizations	-8,663,000		-8,663,000		
	Grand Total	655,000,000	25,000,000	655,000,000	25,000,000	

**Conference Committee
Amendments to Senate Bill 191
(House Committee Reprint)**

Conference Committee Amendment No. 1

On page 6 of the committee reprint, adopt Amendment 2, and in line 30, strike “2,500,000” and substitute “2,000,000”.

Conference Committee Amendment No. 2

On page 7 of the committee reprint, adopt Amendment 5, and in line 23, strike “\$38,926,000” and substitute “\$15,026,000”; and in line 25, strike “138,126,000” and substitute “114,226,000”.

Conference Committee Amendment No. 3

On page 14 of the committee reprint, adopt Amendment 13, and in line 28, strike “3,000,000” and substitute “5,000,000”.

Conference Committee Amendment No. 4

On page 18 of the committee reprint, adopt Amendment 14, and in line 17, strike “13,000,000” and substitute “12,000,000”.

Conference Committee Amendment No. 5

On page 19 of the committee reprint, adopt Amendment 15, and in line 1, strike “\$20,500,000” and substitute “\$17,000,000”; in line 3, strike beginning with “, *provided*” through “*House Bill 555*” in line 6; and in line 15, strike “26,500,000” and substitute “23,000,000”.

Conference Committee Amendment No. 6

On page 21 of the committee reprint, adopt Amendment 19, and in line 23, strike “\$1,500,000” and substitute “\$2,000,000”; in line 24, strike “\$4,500,000” and substitute “\$4,000,000”; and in line 26, strike “1,500,000” and substitute “2,000,000”.

Conference Committee Amendment No. 7

On page 22 of the committee reprint, adopt Amendment 20, and in line 14, strike “\$2,000,000” and substitute “2,250,000”; and in line 23, strike “2,000,000” and substitute “2,250,000”.

Conference Committee Amendment No. 8

On page 23 of the committee reprint, adopt Amendment 21, and in line 3, strike “\$2,000,000” and substitute “2,250,000”; and in line 12, strike “2,000,000” and substitute “2,250,000”.

Conference Committee Amendment No. 9

On page 24 of the committee reprint, adopt Amendment 23, and in line 15, after “Maryland” insert “or any subsequent amendment of that memorandum of understanding as agreed to by the State. Further provided, that unless the Prince George’s County Council adopts a resolution committing to implement the February 20, 2004 memorandum of understanding, or any subsequent amendment of that memorandum of understanding as agreed to by the State, by May 12, 2004, these funds shall be used to construct public school buildings and public school capital improvements in accordance with Sections 5-301 through 5-303 of the Education Article”.

Conference Committee Amendment No. 10

On page 26 of the committee reprint, adopt Amendment 24, and in lines 36 and 45, after “State of Maryland” in each instance insert “or any subsequent amendment of that memorandum of understanding as agreed to by the State. Further provided, that unless the Prince George’s County Council adopts a resolution committing to implement the February 20, 2004 memorandum of understanding, or any subsequent amendment of that memorandum of understanding as agreed to by the State, by May 12, 2004, these funds shall be used to construct public school buildings and public school capital improvements in accordance with Sections 5-301 through 5-303 of the Education Article”.

Conference Committee Amendment No. 11

On page 1 of the committee reprint, in line 6, strike “Broadneck” and substitute “Severn Danza”.

Conference Committee Amendment No. 12

On page 1 of the committee reprint, in line 23, after “capital program;” insert “providing that certain funds provided for the purposes of Program Open Space shall be provided to the Department of Natural Resources; providing that the Department shall allocate certain funds to local jurisdictions using a certain apportionment formula; providing that Program Open Space funds provided by the Department to local jurisdictions shall be considered encumbered under certain circumstances for certain purposes; providing that certain provisions regarding the expiration of certain appropriations or debt authorizations do not apply to the Ocean Beach Replenishment Fund; providing that certain prior appropriations and authorizations for State debt allocated for certain purposes shall be considered encumbered as of a certain date for certain purposes; providing that the Board of Public Works may not approve the sale of certain real or

personal property of the State until certain information has been submitted to the budget committees and a certain time period has elapsed; delaying the applicability of a certain limitation on the Maryland Transportation Authority's authority to issue certain bonds;”.

On page 4, after line 35, insert:

“BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 5-902, 5-905(a), and 8-1103(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement
Section 10-305(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, with amendments

Article – Transportation
Section 4-306(b)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2003 Supplement)
(As enacted by Chapter _____ (SB 508) of the Acts of the General Assembly of 2004)”.

Conference Committee Amendment No. 13

On page 6 of the committee reprint, in line 12, after “Avenue” insert:

“, provided that no funds shall be expended for planning, design, or construction on this project until:

- (1) a committee shall be formed to review and study alternative locations for the Parole and Probation Office. The committee shall include representatives of the City of Baltimore and the Old Goucher Barclay Midway Coalition; and
- (2) all alternative sites studied shall be submitted to the budget committees for review and comment”.

Conference Committee Amendment No. 14

On page 6 of the committee reprint, in line 19, strike “8,049,000” and substitute “6,049,000”.

Conference Committee Amendment No. 15

On page 7 of the committee reprint, after line 17, insert:

“It is the intent of the General Assembly that any county that would receive funding in fiscal 2006 that is less than 75% of the funding provided in fiscal 2005 under the Aging School Program should receive a grant in fiscal 2006 in addition to the Aging School Program funds of up to 75% of the difference between fiscal 2005 and 2006. The grant shall phase out over three years according to the following schedule:

	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>
<u>Baltimore County</u>	<u>1,092,000</u>	<u>728,000</u>	<u>364,000</u>
<u>Carroll</u>	<u>114,000</u>	<u>76,000</u>	<u>38,000</u>
<u>Cecil</u>	<u>144,000</u>	<u>96,000</u>	<u>48,000</u>
<u>Talbot</u>	<u>68,000</u>	<u>45,000</u>	<u>23,000</u>
<u>Wicomico</u>	<u>131,000</u>	<u>87,000</u>	<u>44,000</u> ”.

Conference Committee Amendment No. 16

On page 20 of the committee reprint, after line 14, insert:

“On or before January 15, 2006, the Department of Juvenile Services shall provide to the Senate Budget and Taxation, Senate Judicial Proceedings, House Appropriations, and House Judiciary committees a Facilities Master Plan that is consistent with programming that meets the following principles:

- (1) the safety of the community and the children served is ensured, delinquent children are held accountable to victims and communities, and children develop competencies to assist them in becoming successful members of society;
- (2) services are delivered regionally through at least five operational regions;
- (3) State-owned and State-operated, and State-owned and privately-operated detention and committed facilities may not contain more than 48 children;
- (4) detention and committed facilities shall be geographically, physically, and operationally separate, remote, and distinct from one another and may not share common areas, including administrative buildings, dining halls, and medical, educational, and recreational facilities; and

- (5) children awaiting a committed placement after disposition may not be held in a facility with children awaiting court disposition.

As part of its development of a Facilities Master Plan, on or before December 31, 2004, the department shall also deliver a report to the same committees on:

- (1) the total population of youth the department anticipates serving;
(2) the manner in which the department intends to serve that population that maximizes the use of regional, community-based settings;
(3) the ideal service delivery system required to serve that population in regional community-based settings based on best practices, including an assessment of educational programming, somatic, mental health and substance abuse services, family support services, informal supervision, shelter care, aftercare, care of detained and committed youth, and services to address gender-specific needs;
(4) the justification for any programming that is determined necessary to be provided statewide, rather than regionally;
(5) a description of the outcome measures that the department intends to use to assess the efficacy of the service delivery system to be developed; and
(6) a gap analysis of currently available State and community-based service capacity compared to the ideal service delivery system.

The Facilities Master Plan that is required to be submitted by January 15, 2006 shall implement the ideal service delivery system identified to serve the anticipated population. That plan shall address identified gaps in service delivery and specific facility needs, including both renovation and new construction.”

Conference Committee Amendment No. 17

On page 66, after line 29, insert:

“Article - Natural Resources

5-902.

(a) The General Assembly declares that there is need for a program to make funds available to State agencies and any subdivision to:

(1) Expedite acquisition of outdoor recreation and open space areas before escalating cost of land prevents its purchase for public use and before potential areas are devoted to some other use; and

(2) Accelerate development and capital renewal of needed outdoor recreation facilities.

(b) This program is known as Program Open Space and carries out the recommendations of the 1968 Legislative Council committee on recreational areas. By enacting this program, the General Assembly intends to provide funds to the State and its subdivisions to enable them to acquire land for outdoor public recreation and open space use and develop the land for public recreation.

(c) (1) To effectuate the purposes of this section, the General Assembly has established a funding program under Chapter 403 of the Acts of the General Assembly of 1969.

(2) IN ANY FISCAL YEAR IN WHICH FUNDING FOR PROGRAM OPEN SPACE IS PROVIDED THROUGH THE STATE CONSOLIDATED CAPITAL BOND FUNDING PROGRAM OR OTHER BOND ENABLING ACT, THE DEBT ALLOCATIONS SHALL BE PROVIDED TO THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT SHALL ALLOCATE FUNDS AMONG LOCAL GOVERNING BODIES ACCORDING TO THE APPORTIONMENT FORMULA DESCRIBED IN § 5-903 OF THIS SUBTITLE.

5-905.

(a) (1) On or before May 1 of each year, the Department shall notify each local governing body of its allocation of local acquisition and development funds for the next fiscal year within the limits imposed by the formula developed for the apportionment of the annual appropriations for Program Open Space.

(2) (i) By the first of July each year, a participating local governing body shall submit an annual program of proposed acquisition and development projects, together with a list of projects submitted by any municipal corporation to the local governing body and not included in the local governing body's annual program, to the Department of Planning for review and to the Department for approval.

(ii) A municipal corporation may submit an annual program through its local governing body.

(3) (i) Upon review by the Department of Planning and approval by the Department and the Board of Public Works, THE ALLOCATED FUNDS SHALL BE ENCUMBERED FOR THE PURPOSES OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND the annual program shall become the basis for a grant agreement for the total allocation to each of the local governing bodies.

(ii) Prior to approval of a local annual program, or any revision thereof, the Department shall provide the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the annual program or its revisions.

(4) Any program may be revised by the local governing body and the revised program, after the Department of Planning reviews and the Department approves it, shall be substituted for the original program in the grant agreement.

(5) (i) In accordance with the Department's regulations, upon receipt of evidence from the local governing body of a county or municipal corporation that funds have been spent on a project that is approved in the grant agreement, the Department shall cause the requested amount of funds from the local governing body's allocation to be reimbursed to the local governing body.

(ii) Any municipal corporation may submit evidence of expenditures for approved projects through its local governing body to the Department.

8-1103.

(a) (1) There is an Ocean Beach Replenishment Fund, consisting of moneys appropriated for that purpose in the State budget or in any bond enabling act and any money contributed by local jurisdictions in accordance with this section.

(2) The Fund shall be maintained for the purposes stated in this section, and unspent portions of any appropriations to the Fund shall remain in the Fund and may not revert to the General Fund AND ANY PROJECT OR PROGRAM FUNDED UNDER THIS SUBTITLE IS NOT SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) Any interest earned by the State on any funds contributed by local jurisdictions shall:

(i) Accrue to the Fund; and

(ii) Be applied to reduce the annual maintenance payments of the local jurisdictions.”

On page 68, after line 30, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That all prior capital appropriations and all prior authorizations of State debt, if any, allocated for Program Open Space under § 5-905 of the Natural Resources Article, that are unexpended as of June 1, 2004, shall be deemed encumbered for the purposes of §§ 7-305(d)(3) and 8-128(c) of the State Finance and Procurement Article as of the date of approval of the annual program submitted by each local governing body under § 5-905 of the Natural Resources Article.”

On the same page, in line 31, strike “12.” and substitute “13.”; and on page 71, in line 4, strike “13.” And insert “14.”.

Conference Committee Amendment No. 18

On page 66, after line 29, insert:

“Article - State Finance and Procurement

10-305.

(a) (1) Any real or personal property of the State or a unit of the State government may be sold, leased, transferred, exchanged, granted, or otherwise disposed of:

[(1)] (I) _____ to any person, to the United States or any of its units, or to any unit of the State government, for a consideration the Board decides is adequate; or

[(2)] (II) _____ to any county or municipal corporation in the State subject to any conditions the Board imposes.

(2) THE BOARD MAY NOT APPROVE THE SALE OF ANY STATE OWNED REAL OR PERSONAL PROPERTY FUNDED PURSUANT TO AN APPROPRIATION ACT OF THE MARYLAND GENERAL ASSEMBLY IF THE PROPERTY HAS AN APPRAISED VALUE OVER \$100,000 UNTIL:

(I) A DESCRIPTION OF THE REAL OR PERSONAL PROPERTY HAS BEEN SUBMITTED TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE FOR REVIEW AND COMMENT; AND

(II) 45 DAYS HAVE ELAPSED SINCE THE DESCRIPTION WAS SUBMITTED.”.

Conference Committee Amendment No. 19

On page 66, after line 29, insert:

“Article - Transportation

4-306.

(b) (1) [The] ON OR AFTER JULY 1, 2005, THE Authority may not issue bonds to finance all or any part of the cost of a transportation facility project until the General Assembly has approved, through legislation, the specific project and the maximum principal amount of bonds that the Authority may issue in connection with the project.”.