

~~(2) EACH APPLICATION FOR APPROVAL OF A CONTRIBUTION SHALL CONTAIN:~~

~~(I) THE NAME OF THE SCHOOL WITH A FREE IN CLASSROOM BREAKFAST PROGRAM FOR ALL STUDENTS PARTICIPATING IN THE PROGRAM AT WHICH THE CONTRIBUTION IS TO BE MADE;~~

~~(II) THE AMOUNT OF THE CONTRIBUTION, AND~~

~~(III) A CERTIFICATION BY A COUNTY BOARD OR THE A SPONSORING AGENCY AND THE DEPARTMENT AS TO THE VALUE OF ANY NONMONETARY CONTRIBUTION INCLUDED.~~

~~(3) THE DEPARTMENT MAY NOT APPROVE AN APPLICATION FOR APPROVAL OF A CONTRIBUTION BY A BUSINESS ENTITY IF THE DEPARTMENT DETERMINES THAT:~~

~~(I) THE MAXIMUM AMOUNT OF CONTRIBUTIONS MADE BY THE BUSINESS ENTITY THAT ARE ELIGIBLE FOR THE STATE INCOME TAX CREDIT FOR THE FISCAL YEAR WILL BE EXCEEDED BY THE SUM OF:~~

~~1. THE AMOUNT OF THE PROPOSED CONTRIBUTION; AND~~

~~2. THE TOTAL AMOUNT OF CONTRIBUTIONS TO THE PROGRAM THAT WERE PREVIOUSLY APPROVED FOR THE BUSINESS ENTITY FOR THE FISCAL YEAR; OR~~

~~(II) THE BUSINESS ENTITY HAS OVERSTATED THE VALUE OF ANY NONMONETARY CONTRIBUTION INCLUDED.~~

~~(4) BY JANUARY 31 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE COMPTROLLER AND THE MARYLAND INSURANCE ADMINISTRATION THE CONTRIBUTIONS THAT THE DEPARTMENT HAS APPROVED UNDER THIS SECTION IN THE PRECEDING CALENDAR YEAR.~~

~~(I) (J) THE MARYLAND STATE DEPARTMENT OF EDUCATION AND THE OFFICE OF THE COMPTROLLER JOINTLY SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.~~

~~(J) (K) (G) THE EMPLOYEE ORGANIZATION THAT IS THE EXCLUSIVE REPRESENTATIVE OF THE CERTIFICATED PUBLIC SCHOOL EMPLOYEES OF A COUNTY BOARD AND THE EMPLOYEE ORGANIZATION THAT IS THE EXCLUSIVE REPRESENTATIVE OF THE NONCERTIFICATED EMPLOYEES OF A COUNTY BOARD AND THE COUNTY BOARD SHALL NEGOTIATE THE TERMS OF THE PARTICIPATION OF THE EMPLOYEES IN THE PROGRAM.~~