

(2) Expenditures under this subsection shall be made in accordance with any appropriation provided for in any applicable budget bill or supplementary appropriation bill. However, an appropriation proposed to be made to any unit in the Department or proposed to be made for any designated transportation activity, function, or undertaking that has been reduced by the General Assembly may not be restored, for the same purpose as originally proposed, except in an emergency, by the budget amendment procedure of § 7-209 of the State Finance and Procurement Article, or otherwise if the General Assembly in striking or reducing the appropriation, prohibited its restoration. However, except for emergency capital projects, if the General Assembly explicitly reduces in the budget bill an appropriation proposed for a major capital project as defined in § 2-103.1(a)(4) of this article, the appropriation may not be restored for the same purpose as originally proposed by the budget amendment procedure of § 7-209 of the State Finance and Procurement Article or otherwise unless the General Assembly, in striking or reducing the appropriation, expressly authorized its restoration.

(3) (i) During the period of fiscal years 1988 through 1992 as included in the annual State report on transportation, the Department shall utilize all of its share of the revenues attributable to the 5 cent increase of the motor fuel tax under the provisions of Chapter 291 of the Acts of 1987 and credited to the Transportation Trust Fund under § 2-1104 of the Tax - General Article and the proceeds of any increased indebtedness based on that revenue and credited to the Transportation Trust Fund to fund Department projects for the construction, reconstruction, and rehabilitation of the State highway system.

(ii) During the period of fiscal year 1988 through fiscal year 1992 the total level of State funds appropriated to the State Highway Administration for construction, reconstruction and rehabilitation of the State highway system, including the revenues referred to in subparagraph (i) above, shall be at least 70 percent of the total appropriation of State funds in the consolidated transportation capital program.

(iii) The Secretary of the Department shall submit, subject to § 2-1246 of the State Government Article, to the Legislative Policy Committee and the Department of Legislative Services a report:

1. Prior to the beginning of each session through the 1991 session, detailing the intended use of the new revenues; and

2. Prior to the beginning of each session beginning with the 1989 session and through the 1993 session, detailing the actual use of the new revenues in the prior fiscal year.

(4) Of the new revenues derived under the provisions of Chapter 291 of the Acts of 1987 and credited to the Department, \$31,000,000 shall be transferred to the Maryland Emergency Medical Service System Fund at such time as determined by the Secretary of Budget and Management.

(5) FOR EACH FISCAL YEAR, ~~AFTER MEETING ITS DEBT SERVICE REQUIREMENTS,~~ THE DEPARTMENT SHALL USE AT LEAST 3% OF THE FUNDS IN THE