

SECTION 10. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, no amounts may be expended in fiscal year 2004 to pay increases over the rates in effect on January 17, 2003, for providers of nonpublic placements paid under § 8-406 of the Education Article or for providers with rates set by the "Interagency Rates Committee" under § 8-417 of the Education Article.

(b) ~~Payments~~ Providers may submit requests for payment in excess of the rates in effect on January 17, 2003, ~~may be made in fiscal year 2004 upon recommendation by the Subcabinet for Children, Youth, and Families and approval of the recommendation by the Secretary of Budget and Management for~~ in cases of extreme financial hardship. Those requests shall be treated in the same manner as rate appeals as set forth in § 8-417 of the Education Article of the Annotated Code of Maryland.

SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2003, the Governor shall transfer to the General Fund:

\$75,000,000 of the funds in the reserve for claims against the State in the Injured Workers' Insurance Fund established under § 10-104 of the Labor and Employment Article;

\$20,583,033 and \$18,073,000 of the funds in the special fund established under § 13-209 of the Tax - Property Article, representing excess actual transfer tax collections for fiscal years 2002 and 2003, respectively, that would otherwise be allocated to the special fund for fiscal years 2004 and 2005 as provided under § 13-209(f)(1) of the Tax - Property Article;

\$29,000,000 of the funds in the accounts of the University System of Maryland;

~~\$10,000,000~~ \$18,800,000 of the funds in the Maryland Agricultural Land Preservation Fund established under § 2-505 of the Agriculture Article;

\$1,387,090 of the funds in the Cigarette Restitution Fund established under § 7-317 of the State Finance and Procurement Article;

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

~~\$5,000,000 of the funds in the 911 Trust Fund established under Article 41, § 18-106 of the Code;~~

\$2,000,000 of the funds in the Homeownership Programs Fund established under Article 83B, § 2-613 of the Code;

~~\$2,450,000~~ \$2,550,000 of the funds in the Smart Growth Economic Development Infrastructure Fund established under Article 83A, § 5-701 of the Code;

~~\$550,000 of the funds~~ \$450,000 of the funds in the Maryland Competitive Advantage Financing Fund established under Article 83A, § 5-1302 of the Code;