

# SENATE BILL 1188

K3, C8

EMERGENCY BILL

4lr3559  
CF HB 1526

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By: **Senators Ferguson and Salling**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 14, 2024

Assigned to: Finance and Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Protecting Opportunities and Regional Trade (PORT) Act**

3 FOR the purpose of establishing the Fallen Transportation Workers Scholarship Program  
4 and the Fallen Transportation Workers Scholarship Fund as a special, nonlapsing  
5 fund; requiring that the interest earnings of the Fund remain in the Fund;  
6 authorizing the Secretary of Labor to exempt an individual from the requirement to  
7 be actively seeking work for unemployment insurance benefits eligibility under  
8 certain circumstances; allowing a subtraction under the State income tax for certain  
9 benefit payments received by certain individuals; increasing a certain revenue bond  
10 cap for the Maryland Transportation Authority; requiring the Maryland Department  
11 of Labor and the Department of Commerce to establish certain ~~temporary relief~~  
12 programs to provide assistance to individuals and certain entities impacted by a  
13 certain ~~closure~~ reduced operations of the Port of Baltimore; authorizing the Governor  
14 to transfer, by budget amendment, funds from the Revenue Stabilization Account to  
15 fund the temporary relief programs; authorizing the Maryland Department of Labor  
16 and the Department of Commerce to transfer available funding from existing  
17 programs and special funds to support certain programs; and generally relating to  
18 ~~providing temporary relief for individuals and certain entities affected by the closure~~  
19 ~~of the Port of Baltimore~~ transportation and states of emergency.

20 BY adding to

21 Article – Education

22 Section 18–4001 through 18–4004 to be under the new subtitle “Subtitle 40. Fallen

23 Transportation Workers Scholarship Program”

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2022 Replacement Volume and 2023 Supplement)

3 BY repealing and reenacting, without amendments,  
4 Article – Labor and Employment  
5 Section 8–903(a)(1)  
6 Annotated Code of Maryland  
7 (2016 Replacement Volume and 2023 Supplement)

8 BY adding to  
9 Article – Labor and Employment  
10 Section 8–903(d)  
11 Annotated Code of Maryland  
12 (2016 Replacement Volume and 2023 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article – State Finance and Procurement  
15 Section 6–226(a)(2)(i)  
16 Annotated Code of Maryland  
17 (2021 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – State Finance and Procurement  
20 Section 6–226(a)(2)(ii)189. and 190.  
21 Annotated Code of Maryland  
22 (2021 Replacement Volume and 2023 Supplement)

23 BY adding to  
24 Article – State Finance and Procurement  
25 Section 6–226(a)(2)(ii)191.  
26 Annotated Code of Maryland  
27 (2021 Replacement Volume and 2023 Supplement)

28 BY repealing and reenacting, without amendments,  
29 Article – Tax – General  
30 Section 10–207(a)  
31 Annotated Code of Maryland  
32 (2022 Replacement Volume and 2023 Supplement)

33 BY adding to  
34 Article – Tax – General  
35 Section 10–207(pp)  
36 Annotated Code of Maryland  
37 (2022 Replacement Volume and 2023 Supplement)

38 BY repealing and reenacting, without amendments,  
39 Article – Transportation

1 Section 3–101(a) and (l) and 4–101(a) and (h)  
2 Annotated Code of Maryland  
3 (2020 Replacement Volume and 2023 Supplement)

4 BY repealing and reenacting, with amendments,  
5 Article – Transportation  
6 Section 4–306  
7 Annotated Code of Maryland  
8 (2020 Replacement Volume and 2023 Supplement)

9 Preamble

10 WHEREAS, At approximately 1:30 a.m. on March 26, 2024, a major section of the  
11 Francis Scott Key Bridge (Key Bridge) collapsed into the Patapsco River after the Dali, a  
12 984-foot container ship, collided with one of the bridge’s primary support pillars; and

13 WHEREAS, The collapse of the Key Bridge is a catastrophic event that resulted in a  
14 tragic loss of life and the ~~closure~~ reduced operations of the Port of Baltimore (Port); and

15 WHEREAS, The ~~closure~~ reduced operations of the Port has severe economic  
16 implications for the entire region and nation; and

17 WHEREAS, The Port accounts for approximately \$3.3 billion in annual personal  
18 income for individuals, with approximately 15,300 jobs in Maryland directly generated by  
19 Port activity and approximately 140,000 total jobs linked to Port activity; and

20 WHEREAS, In 2023, the Port set several records for itself and also ranked first  
21 among ports in the nation for handling the highest volume in each of the following  
22 categories: autos and light trucks (847,158 vehicles); roll-on, roll-off heavy farm and  
23 construction machinery (1.3 million tons); and imported sugar and gypsum; and

24 WHEREAS, The Port also ranked ninth in the nation in 2023 for both the tonnage  
25 of international cargo handled (52.3 million tons) and total foreign cargo value (\$80.8  
26 billion); and

27 WHEREAS, Additionally, in 2023, in total the Port exported more than \$111 billion  
28 and imported more than \$36 billion worth of goods; and

29 WHEREAS, It is critical to ensure that the individuals and businesses that are  
30 economically impacted by the ~~closure~~ reduced operations of the Port are supported at this  
31 vital juncture; now, therefore,

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
33 That the Laws of Maryland read as follows:

34 Article – Education

1 SUBTITLE 40. FALLEN TRANSPORTATION WORKERS SCHOLARSHIP PROGRAM.

2 18-4001.

3 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (B) "FALLEN TRANSPORTATION WORKER" MEANS AN INDIVIDUAL:

6 (1) WHOSE OCCUPATION IS IN THE CONSTRUCTION,  
7 REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY OR  
8 TRANSPORTATION FACILITIES PROJECT IN THE STATE; AND

9 (2) WHO DIED AS A RESULT OF AN ACCIDENT OCCURRING WHILE THE  
10 INDIVIDUAL WAS PERFORMING ANY JOB DUTY NECESSARY FOR THE CONSTRUCTION,  
11 MAINTENANCE, REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY  
12 OR TRANSPORTATION FACILITIES PROJECT IN THE STATE.

13 (C) "FUND" MEANS THE FALLEN TRANSPORTATION WORKERS  
14 SCHOLARSHIP FUND.

15 (D) "PROGRAM" MEANS THE FALLEN TRANSPORTATION WORKERS  
16 SCHOLARSHIP PROGRAM.

17 (E) "TRANSPORTATION FACILITY" HAS THE MEANING STATED IN § 3-101 OF  
18 THE TRANSPORTATION ARTICLE.

19 (F) "TRANSPORTATION FACILITIES PROJECT" HAS THE MEANING STATED  
20 IN § 4-101 OF THE TRANSPORTATION ARTICLE.

21 18-4002.

22 (A) THERE IS A FALLEN TRANSPORTATION WORKERS SCHOLARSHIP  
23 PROGRAM.

24 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE TUITION ASSISTANCE  
25 TO A STUDENT WHO WAS A DEPENDENT OR IS THE SURVIVING SPOUSE OF A FALLEN  
26 TRANSPORTATION WORKER.

27 18-4003.

28 (A) AN INDIVIDUAL MAY APPLY TO AN ELIGIBLE INSTITUTION OF  
29 POSTSECONDARY EDUCATION FOR A SCHOLARSHIP UNDER THIS SUBTITLE IF THE  
30 INDIVIDUAL IS:

1           **(1) (I) ACCEPTED FOR ADMISSION OR ENROLLED IN A REGULAR**  
2 **UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN ELIGIBLE**  
3 **INSTITUTION; OR**

4                   **(II) ENROLLED IN:**

5                           **1. A 2-YEAR TERMINAL CERTIFICATE PROGRAM IN**  
6 **WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT FOR AN**  
7 **ACCREDITED BACCALAUREATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR**

8                           **2. A PRIVATE CAREER SCHOOL;**

9                   **(2) AT LEAST 16 YEARS OLD;**

10                   **(3) A RESIDENT OF THE STATE; AND**

11                   **(4) THE CHILD, STEPCHILD, OR SURVIVING SPOUSE OF A FALLEN**  
12 **TRANSPORTATION WORKER.**

13           **(B) A SCHOLARSHIP AWARDED UNDER THIS SUBTITLE:**

14                   **(1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT ANY**  
15 **ELIGIBLE INSTITUTION; AND**

16                   **(2) MAY NOT:**

17                           **(I) EXCEED THE EQUIVALENT ANNUAL TUITION AND**  
18 **MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE 4-YEAR**  
19 **INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF**  
20 **MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND GLOBAL CAMPUS AND**  
21 **THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS, WITH THE HIGHEST ANNUAL**  
22 **EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE; AND**

23                           **(II) BE LESS THAN THE LESSER OF:**

24                           **1. \$3,000; OR**

25                           **2. THE EQUIVALENT TUITION AND MANDATORY FEES OF**  
26 **A RESIDENT OF THE INSTITUTION ATTENDED BY THE RECIPIENT OF THE**  
27 **SCHOLARSHIP.**

1           (C) (1) EACH INSTITUTION OF POSTSECONDARY EDUCATION SHALL  
2 DETERMINE ELIGIBILITY OF INDIVIDUALS WHO APPLY TO THE INSTITUTION FOR  
3 THE PROGRAM.

4           (2) FUNDS FOR THE PROGRAM SHALL BE ALLOCATED BY THE  
5 COMMISSION TO EACH INSTITUTION OF POSTSECONDARY EDUCATION BASED ON  
6 THE NUMBER OF ELIGIBLE RECIPIENTS ATTENDING EACH INSTITUTION.

7           (3) IN FEBRUARY AND OCTOBER EACH YEAR, BEGINNING IN 2024,  
8 EACH INSTITUTION OF POSTSECONDARY EDUCATION SHALL REPORT TO THE  
9 COMMISSION THE NUMBER OF ELIGIBLE RECIPIENTS ATTENDING THE INSTITUTION.

10           (4) THE COMMISSION SHALL ALLOCATE FUNDS FOR AWARDS TO  
11 INSTITUTIONS OF POSTSECONDARY EDUCATION ON VERIFICATION OF ELIGIBLE  
12 RECIPIENTS ATTENDING THE INSTITUTIONS.

13           (5) IF FUNDS CANNOT BE ALLOCATED IN THE FISCAL YEAR IN WHICH  
14 AWARDS ARE MADE, PRIORITY SHALL BE GIVEN TO ALLOCATING FUNDS FOR THOSE  
15 AWARDS IN THE IMMEDIATELY FOLLOWING FISCAL YEAR.

16           (D) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SUBTITLE MAY HOLD  
17 THE AWARD FOR 5 YEARS OF FULL-TIME STUDY OR 8 YEARS OF PART-TIME STUDY.

18           (E) TO THE EXTENT PRACTICABLE, THE DEPARTMENT OF  
19 TRANSPORTATION, A LOCAL DEPARTMENT OF TRANSPORTATION, OR A  
20 CONTRACTOR THAT EMPLOYED FALLEN TRANSPORTATION WORKERS SHALL  
21 PROVIDE TO THE COMMISSION THE NAMES AND CONTACT INFORMATION FOR THE  
22 FAMILIES OF THE FALLEN TRANSPORTATION WORKERS.

23 18-4004.

24           (A) THERE IS A FALLEN TRANSPORTATION WORKERS SCHOLARSHIP  
25 FUND.

26           (B) THE COMMISSION SHALL ADMINISTER THE FUND.

27           (C) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
28 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29           (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
30 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

31           (D) THE FUND CONSISTS OF:

1           **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

2           **(2) INTEREST EARNINGS; AND**

3           **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED BY THE**  
4 **COMMISSION FOR THE BENEFIT OF THE FUND IN ACCORDANCE WITH SUBSECTION**  
5 **(H) OF THIS SECTION.**

6           **(E) THE FUND MAY BE USED ONLY TO AWARD SCHOLARSHIPS UNDER THE**  
7 **PROGRAM.**

8           **(F) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
9 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

10           **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
11 **THE FUND.**

12           **(G) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
13 **WITH THE STATE BUDGET.**

14           **(H) THE COMMISSION:**

15           **(1) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON FOR THE**  
16 **FUND; AND**

17           **(2) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES FOR THE**  
18 **PROGRAM WITH THE STATE TREASURER.**

19           **(I) FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE**  
20 **BUDGET.**

21                           **Article – Labor and Employment**

22           **8–903.**

23           **(a) (1) Except as otherwise provided in this section, to be eligible for benefits**  
24 **an individual shall be:**

25                           **(i) able to work;**

26                           **(ii) available for work; and**

27                           **(iii) actively seeking work.**

**(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE SECRETARY MAY EXEMPT AN INDIVIDUAL FROM THE WORK SEARCH REQUIREMENT UNDER SUBSECTION (A)(1)(III) OF THIS SECTION DURING A STATE OF EMERGENCY DECLARED BY THE GOVERNOR IF THE INDIVIDUAL:**

**(1) IS TEMPORARILY LAID OFF FROM WORK AS A DIRECT RESULT OF THE EVENT OR OCCURRENCE LEADING TO THE STATE OF EMERGENCY; AND**

**(2) REMAINS ABLE TO WORK AND AVAILABLE FOR WORK IN ACCORDANCE WITH THIS SECTION AND WORK-ATTACHED.**

**Article – State Finance and Procurement**

**6–226.**

**(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.**

**(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:**

**189. the Teacher Retention and Development Fund; [and]**

**190. the Protecting Against Hate Crimes Grant Fund; AND**

**191. THE FALLEN TRANSPORTATION WORKERS SCHOLARSHIP FUND.**

**Article – Tax – General**

**10–207.**

**(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.**

**(PP) (1) IN THIS SUBSECTION, “BENEFIT PAYMENT” MEANS A PAYMENT THAT IS PROVIDED TO AN INDIVIDUAL OR THE FAMILY MEMBER OF AN INDIVIDUAL AS A RESULT OF THE INDIVIDUAL OR FAMILY MEMBER BEING INJURED OR KILLED IN THE COLLAPSE OF THE FRANCIS SCOTT KEY BRIDGE ON MARCH 26, 2024.**



1           **(2) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2023,**  
 2 **BUT BEFORE JANUARY 1, 2026, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS**  
 3 **SECTION INCLUDES THE AMOUNT OF ANY BENEFIT PAYMENT RECEIVED BY AN**  
 4 **INDIVIDUAL.**

5   **Article – Transportation**

6           3–101.

7           (a)   In this title the following words have the meanings indicated.

8           (1)   “Transportation facility” includes any one or more or combination of:

9                           (1)   Airport facilities;

10                          (2)   Highway facilities;

11                          (3)   Port facilities;

12                          (4)   Railroad facilities; and

13                          (5)   Transit facilities.

14           4–101.

15           (a)   In this title the following words have the meanings indicated.

16           (h)   “Transportation facilities project” includes:

17                           (1)   The Susquehanna River Bridge, the Harry W. Nice/Thomas “Mac”  
 18 Middleton Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay  
 19 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the Fort  
 20 McHenry Tunnel, the Francis Scott Key Bridge, and the John F. Kennedy Memorial  
 21 Highway, together with their appurtenant causeways, approaches, interchanges, entrance  
 22 plazas, toll stations, and service facilities;

23                           (2)   A vehicle parking facility located in a priority funding area as defined  
 24 in § 5–7B–02 of the State Finance and Procurement Article;

25                           (3)   Any other project for transportation facilities that the Authority  
 26 authorizes to be acquired or constructed; and

27                           (4)   Any additions, improvements, or enlargements to any of these projects,  
 28 whenever authorized.

29           4–306.

1 (a) Except as provided in subsection (b) of this section, revenue bonds may be  
 2 issued by the Authority:

3 (1) Without obtaining the consent of any instrumentality, agency, or unit  
 4 of this State; and

5 (2) Without any proceedings or the happening of any conditions or things  
 6 other than those specifically required by this subtitle.

7 (b) (1) (i) Subject to subparagraph (ii) of this paragraph, revenue bonds  
 8 secured by toll revenue may be issued in any amount as long as the aggregate outstanding  
 9 and unpaid principal balance of the revenue bonds secured by toll revenue and revenue  
 10 bonds of prior issues does not exceed [\$3,000,000,000 or, in fiscal years 2015 through 2020,  
 11 \$2,325,000,000.] \$4,000,000,000 on June 30 of any year.

12 (ii) The maximum aggregate amount of revenue bonds that may be  
 13 outstanding and unpaid under subparagraph (i) of this paragraph shall be reduced by the  
 14 amount of:

15 1. Any loan extended to the State under the federal  
 16 Transportation Infrastructure Finance and Innovation Act; and

17 2. Any line of credit extended to the State under the federal  
 18 Transportation Infrastructure Finance and Innovation Act, to the extent the State draws  
 19 on the line of credit.

20 (2) Except as otherwise provided in this section and § 4-205 of this title,  
 21 without the approval of the General Assembly, the Authority may issue bonds to refinance  
 22 all or any part of the cost of a transportation facility project for which the Authority  
 23 previously issued bonds authorized under this subtitle.

24 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~  
 25 ~~That:~~

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

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

28 (2) ~~“Closure~~ Reduced operations of the Port” means ~~a cessation in the~~  
 29 ~~operations of or the inability to access~~ the suspension of vessel traffic or the inability of  
 30 vessels to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge  
 31 on March 26, 2024.

32 (3) “Port” means the Port of Baltimore.

33 (b) Subject to subsection (e) of this section, if the President of the United States  
 34 does not declare a major disaster as a result of the collapse of the Francis Scott Key Bridge.

1 the Maryland Department of Labor, as soon as practicable, shall establish a temporary  
2 relief program to provide assistance to individuals who:

3 (1) regularly performed paid work at the Port;

4 (2) are unable to perform the work through no fault of their own due to the  
5 ~~closure~~ reduced operations of the Port; and

6 (3) (i) ~~despite being able, available, and actively seeking work,~~ are able  
7 to work and available for work, but unable to find suitable work; and

8 (ii) do not qualify for unemployment insurance benefits under Title  
9 8 of the Labor and Employment Article or any similar employer-provided benefit.

10 (c) (1) Subject to paragraph (2) of this subsection and subsection (e) of this  
11 section, the ~~Department of Commerce~~ Maryland Department of Labor, as soon as  
12 practicable, shall establish a ~~temporary relief grant~~ temporary relief grant program to provide assistance to small  
13 businesses, trade associations, or companies that contract with or are members of a trade  
14 association:

15 (i) the operations of which:

16 1. rely on access to or the operation of the Port; and

17 2. are ~~substantially~~ hindered or halted entirely due to the  
18 ~~closure~~ reduced operations of the Port;

19 (ii) that, without the ~~reopening~~ return to full operations of the Port,  
20 are unable to retain their workforce at the same hours, rates of pay, and benefits in effect  
21 before the ~~closure~~ reduced operations of the Port; and

22 (iii) that are committed to continuing operations, to the fullest extent  
23 practicable, at the Port once it ~~reopens~~ resumes full operations.

24 (2) A small business, trade association, or company that contracts with a  
25 trade association that receives relief under the program established under this subsection  
26 shall, to the fullest extent practicable, use the relief to avoid layoffs and maintain its  
27 workforce at the same hours, rates of pay, and benefits in effect before the ~~closure~~ reduced  
28 operations of the Port.

29 (d) Subject to subsection (e) of this section, the Department of Commerce, as soon  
30 as practicable, shall establish a temporary relief program to provide assistance to  
31 businesses:

32 (1) the operations or shipments of which:

33 (i) rely on the use of or access to the Port;

1 (ii) are ~~substantially~~ hindered or halted entirely due to the ~~closure~~  
2 reduced operations of the Port; and

3 (iii) are subsequently diverted to other regional ports; and

4 (2) that are committed to continuing operations or shipments, to the fullest  
5 extent practicable, at the Port once it ~~reopens~~ resumes full operations.

6 (e) (1) The Maryland Department of Labor and the Department of Commerce:

7 (i) shall establish procedures and eligibility criteria for the  
8 programs established under subsections (b) through (d) of this section, as applicable; and

9 (ii) may require individuals, businesses, trade associations, or  
10 companies that contract with or are members of a trade association to provide information  
11 to determine eligibility under the programs.

12 (2) Any funds distributed under subsections (b) through (d) of this section  
13 shall be distributed on or before June 30, 2025.

14 ~~(2) In administering the temporary relief programs established under~~  
15 ~~subsections (b) through (d) of this section, the Maryland Department of Labor and the~~  
16 ~~Department of Commerce shall require an individual, business, trade association, or~~  
17 ~~company that is compensated through indemnification or other similar means for the same~~  
18 ~~purpose for which assistance is provided under the applicable program to repay any~~  
19 ~~monetary assistance received under the applicable program within 6 months after receipt~~  
20 ~~of the nonprogram compensation.~~

21 (3) The Maryland Department of Labor and the Department of Commerce  
22 shall establish requirements regarding:

23 (i) the prompt filing of insurance claims related to the reduced  
24 operations of the Port; and

25 (ii) notifications of payments agreed to be made or made as a result  
26 of an insurance claim.

27 (4) (i) In accordance with program requirements, a business, a trade  
28 association, or a company that receives relief from a program established under this section  
29 shall reimburse the Maryland Department of Labor or the Department of Commerce,  
30 whichever is applicable, for monetary assistance received under the applicable relief  
31 program within 6 months after the receipt of proceeds from an insurance claim or other  
32 funds.

33 (ii) The Maryland Department of Labor and the Department of  
34 Commerce shall:

1                   1.     be subrogated to the cause of action of any business, trade  
 2 association, or company against a business, a trade association, or a company arising out  
 3 of reduced operations of the Port to the extent of any monetary assistance received under  
 4 the applicable relief program; and

5                   2.     A.    have a lien on the proceeds of any insurance claim  
 6 filed in relation to the reduced operations of the Port from the time that the business, trade  
 7 association, or company receives monetary assistance from the applicable relief program;  
 8 and

9                   B.     be entitled to advise any carrier with which the insurance  
 10 claim has been filed of the rights and interest in the insurance proceeds.

11                 ~~(3)~~ (5)     ~~The~~ In addition to the rights established under paragraph (4) of  
 12 this subsection, the Maryland Department of Labor and the Department of Commerce may  
 13 make an assessment or use other reasonable means of collection against an individual,  
 14 business, trade association, or company to recapture any amounts owed;

15                   (i)     due to misappropriation, overpayment, or fraud; or

16                   (ii)    in accordance with paragraph ~~(2)~~ (4) of this subsection.

17                 (6)     To carry out the programs established under subsections (b) through (d)  
 18 of this section, on request and subject to applicable federal and State law, a unit of State or  
 19 local government shall provide to the Maryland Department of Labor and the Department  
 20 of Commerce information relevant to determining the identity and eligibility of an  
 21 applicant of a program for the purpose of preventing and combating fraud.

22                 (f)     (1)    Notwithstanding § 7-311(i) of the State Finance and Procurement  
 23 Article, after providing the Legislative Policy Committee at least 7 days to review and  
 24 comment, the Governor may transfer by budget amendment any amounts necessary to fund  
 25 and administer the temporary relief programs established under subsections (b) through  
 26 (d) of this section from the existing fund balances within the Maryland Department of Labor  
 27 and the Department of Commerce or the Revenue Stabilization Account established under  
 28 § 7-311 of the State Finance and Procurement Article to:

29                   (i)     for the ~~program~~ programs established under ~~subsection (b)~~  
 30 subsections (b) and (c) of this section, the expenditure account of the Maryland Department  
 31 of Labor; or

32                   (ii)    for the program established under subsection ~~(e)~~ (d) of this  
 33 section, the expenditure account of the Department of Commerce; ~~or~~

34                   ~~(iii)    for the program established under subsection (d) of this section,~~  
 35 ~~the Economic Development Opportunities Program Account established under § 7-314 of~~  
 36 ~~the State Finance and Procurement Article.~~

1 (2) It is the intent of the General Assembly that:

2 (i) if federal funds become available for any purpose for which a  
3 program is established under this Act, the federal funds may be used to:

4 ~~(i)~~ 1. supplant, rather than supplement, any funds otherwise  
5 used for the programs established under this Act; and

6 ~~(ii)~~ 2. to the extent authorized by federal law, reimburse the  
7 Revenue Stabilization Account, established under § 7-311 of the State Finance and  
8 Procurement Article, for any funds transferred under paragraph (1) of this subsection; and

9 (ii) the Maryland Department of Labor and the Department of  
10 Commerce prioritize the use of existing and available budgetary resources before  
11 requesting funds be transferred from the Revenue Stabilization Account.

12 (3) Notwithstanding any other provision of law, the Maryland Department  
13 of Labor and the Department of Commerce may transfer available funding from their  
14 existing programs and special funds to support the programs established under subsections  
15 (b) through (d) of this section.

16 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
17 measure, is necessary for the immediate preservation of the public health or safety, has  
18 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
19 each of the two Houses of the General Assembly, and shall take effect from the date it is  
20 enacted.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.