

SENATE BILL 51

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2004 Regular Session
4r0150

(PRE-FILED)

By: **Chairman, Education, Health, and Environmental Affairs Committee**

(By Request - Departmental - Agriculture)

Requested: November 3, 2003

Introduced and read first time: January 14, 2004

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 29, 2004

CHAPTER 245

1 AN ACT concerning

2 **Agriculture - State Board of Veterinary Medical Examiners Fund**

3 FOR the purpose of establishing the State Board of Veterinary Medical Examiners
4 Fund as a continuous, nonlapsing fund; requiring the State Board of Veterinary
5 Medical Examiners to set certain fees for certain purposes and to publish the
6 fees in its rules and regulations; requiring fees set by the Board to approximate
7 the costs of maintaining the Board; requiring the Comptroller to distribute
8 certain fees to the Fund under certain circumstances; requiring the Legislative
9 Auditor to audit certain accounts and transactions of the Fund; providing for the
10 use and administration of the Fund; and generally relating to establishment of
11 the State Board of Veterinary Medical Examiners Fund.

12 BY repealing and reenacting, with amendments,
13 Article - Agriculture
14 Section 2-303
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2003 Supplement)

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

19 **Article - Agriculture**

20 2-303.

21 (A) THERE IS A STATE BOARD OF VETERINARY MEDICAL EXAMINERS FUND.

1 [(a) (B) (1) The Board shall set reasonable fees necessary to carry out its
2 responsibilities under this subtitle.

3 [(b) Every examination and annual registration fee received by the Board shall
4 be paid into the General Fund of the State.]

5 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
6 APPROXIMATE THE COST OF MAINTAINING THE BOARD AS PROVIDED IN
7 SUBSECTION (E) OF THIS SECTION.

8 (C) THE BOARD SHALL PUBLISH IN ITS RULES AND REGULATIONS THE FEES
9 THAT IT SETS.

10 (D) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE
11 PROVISIONS OF THIS TITLE TO THE COMPTROLLER OF THE STATE.

12 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES RECEIVED FROM
13 THE BOARD TO THE BOARD OF VETERINARY MEDICAL EXAMINERS FUND.

14 (E) (1) THE BOARD OF VETERINARY MEDICAL EXAMINERS FUND SHALL BE
15 USED EXCLUSIVELY TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT
16 COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE BOARD
17 AS PROVIDED BY THE PROVISIONS OF THIS TITLE.

18 (2) (I) THE BOARD OF VETERINARY MEDICAL EXAMINERS FUND IS A
19 CONTINUING, NONLAPSING FUND, NOT SUBJECT TO § 7-302 OF THE STATE FINANCE
20 AND PROCUREMENT ARTICLE.

21 (II) ANY UNSPENT PORTIONS OF THE BOARD OF VETERINARY
22 MEDICAL EXAMINERS FUND MAY NOT BE TRANSFERRED OR REVERT TO THE
23 GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE BOARD OF VETERINARY
24 MEDICAL EXAMINERS FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS
25 TITLE.

26 (F) (1) THE CHAIRMAN OF THE BOARD OR THE DESIGNEE OF THE
27 CHAIRMAN SHALL ADMINISTER THE BOARD OF VETERINARY MEDICAL EXAMINERS
28 FUND.

29 (2) MONEYS IN THE BOARD OF VETERINARY MEDICAL EXAMINERS FUND
30 MAY BE EXPENDED ONLY FOR ANY LAWFUL PURPOSE AUTHORIZED BY THE
31 PROVISIONS OF THIS TITLE.

32 (G) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
33 TRANSACTIONS OF THE BOARD OF VETERINARY MEDICAL EXAMINERS FUND AS
34 PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
36 effect July 1, 2004.

