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By: **Delegates Gordon, Hixson, Healey, and Hurson**

Introduced and read first time: January 19, 1998

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Unspent Special Funds - Waiting List Equity Fund**

3 FOR the purpose of requiring the Comptroller of the State at the end of each fiscal  
4 year to transfer a certain amount from moneys remaining in certain special  
5 funds of the health occupation regulatory boards under certain circumstances;  
6 providing a certain exception; requiring the Comptroller to distribute certain  
7 moneys to the Waiting List Equity Fund in the Department of Health and  
8 Mental Hygiene; and generally relating to transferring certain moneys from  
9 certain special funds of the health occupation regulatory boards and distributing  
10 the moneys to the Waiting List Equity Fund.

11 BY repealing and reenacting, with amendments,  
12 Article - Health - General  
13 Section 7-206  
14 Annotated Code of Maryland  
15 (1994 Replacement Volume and 1997 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Health Occupations  
18 Section 1A-206, 2-206, 3-206, 4-207, 5-206, 6-206, 7-206, 10-206, 11-207,  
19 12-206, 13-207, 14-207, 16-206, 17-206, 18-207, and 19-206  
20 Annotated Code of Maryland  
21 (1994 Replacement Volume and 1997 Supplement)

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

24 **Article - Health - General**

25 7-206.

26 (a) (1) There is a continuing, nonlapsing Waiting List Equity Fund in the  
27 Department of Health and Mental Hygiene.

28 (2) The purpose of the Waiting List Equity Fund is to ensure that:

1 (i) When individuals leave State residential centers, the net  
2 average cost of serving them in the State residential center, as defined in subsection  
3 (d)(2) of this section, shall follow them to community-based services; and

4 (ii) Any funds remaining after the individuals leaving State  
5 residential centers are served, are used to provide community-based services to  
6 individuals eligible for, but not receiving, the community-based services listed in  
7 subsection (c) of this section.

8 (b) Subject to the appropriation process in the annual operating budget, the  
9 Department shall use the Waiting List Equity Fund for:

10 (1) Providing community-based services to each individual who leaves a  
11 State residential center on or after October 1, 1994; and

12 (2) Providing community-based services to individuals eligible for, but  
13 not receiving, services from the Developmental Disabilities Administration, with the  
14 funds remaining after each individual who leaves a State residential center on or  
15 after October 1, 1994 is served in the community.

16 (c) For individuals eligible for, but not receiving, services from the  
17 Developmental Disabilities Administration in the Department, the Waiting List  
18 Equity Fund shall be used to provide:

19 (1) Individualized supported living arrangements services;

20 (2) Respite care;

21 (3) Individual and family support services;

22 (4) Supported employment; and

23 (5) Individualized community integration day services.

24 (d) (1) Subject to the appropriation process in the annual operating budget,  
25 the Waiting List Equity Fund shall consist of funds which are equal to the cost of  
26 providing services to an individual in a State residential center for each fiscal year, or  
27 part of a fiscal year, that the individual is no longer served in a State residential  
28 center and is provided community-based services as defined in paragraph (2) of this  
29 subsection.

30 (2) In determining funding for the Waiting List Equity Fund, the cost of  
31 providing services to an individual in a State residential center shall be calculated by:

32 (i) Dividing the State residential center's appropriation by the  
33 daily average census reported in the State residential center's annual operating  
34 budget for the last full fiscal year the individual was served in the State residential  
35 center prorated over the number of months the individual is served in the community;  
36 and

- 1 (ii) Subtracting the following:
- 2 1. The average annual itemized expenses associated with  
3 institutional services and administrative overhead costs that are demonstrated to be  
4 directly attributable to serving individuals remaining in the State residential center;
- 5 2. The cost for new admissions certified in accordance with  
6 the provisions of §§ 7-502 and 7-503 of this title;
- 7 3. The cost for respite care in accordance with § 7-509 of this  
8 title;
- 9 4. The cost for court-ordered commitments; and
- 10 5. Reimbursable federal revenues under TEFRA attributable  
11 to direct client costs.

12 (3) IN ADDITION TO THE FUNDS UNDER PARAGRAPH (1) OF THIS  
13 SUBSECTION, THE FUND SHALL CONSIST OF FUNDS RECEIVED UNDER §§ 1A-206,  
14 2-206, 3-206, 4-207, 5-206, 6-206, 7-206, 10-206, 11-207, 12-206, 13-207, 14-207, 16-206,  
15 17-206, 18-207, AND 19-206 OF THE HEALTH OCCUPATIONS ARTICLE.

16 (e) (1) (i) The Department shall adopt regulations for the management  
17 and use of the money in the Fund.

18 (ii) The regulations shall authorize the use of money in the Fund to  
19 provide services to individuals:

- 20 1. Who are in crisis and need emergency services; and
- 21 2. Who are not in crisis and do not need emergency services.

22 (2) The Waiting List Equity Fund may not be used to supplant funds  
23 appropriated for:

- 24 (i) Emergency community placements; or
- 25 (ii) Transitioning students.

26 (f) (1) On or before January 1 of each year the Secretary shall prepare a  
27 report to be submitted to the General Assembly and the Department of Legislative  
28 Services on the Waiting List Equity Fund.

29 (2) The report shall include:

- 30 (i) An accounting of all receipts and expenditures to and from the  
31 Fund;
- 32 (ii) The number of individuals who left and entered State  
33 residential centers during the previous year;

1 (iii) The number of additional persons who were on the waiting list  
2 for developmental disabilities services during the previous year; and

3 (iv) An accounting of each of the factors used in determining the  
4 cost of providing services to an individual in a State residential center in accordance  
5 with the provisions of subsection (d)(2) of this section.

6 (g) Any unspent portions in the Waiting List Equity Fund and any interest  
7 earned on money in the Waiting List Equity Fund may not be transferred or revert to  
8 the General Fund of the State, but shall remain in the Waiting List Equity Fund to be  
9 used for the purposes specified in this section.

#### 10 **Article - Health Occupations**

11 1A-206.

12 (a) There is an Acupuncture Board Fund.

13 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
14 licenses and its other services.

15 (2) Funds to cover the compensation and expenses of the Board members  
16 shall be generated by fees set under this section.

17 (c) (1) The Board shall pay all fees collected under the provisions of this title  
18 to the Comptroller of the State.

19 (2) The Comptroller shall distribute the fees to the Acupuncture Board  
20 Fund.

21 (d) (1) The Fund shall be used exclusively to cover the actual documented  
22 direct and indirect costs of fulfilling the statutory and regulatory duties of the Board  
23 as provided by the provisions of this title.

24 (2) (i) The Fund is a continuing, nonlapsing fund, not subject to §  
25 7-302 of the State Finance and Procurement Article.

26 (ii) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
27 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
28 the General Fund of the State, but shall remain in the Fund to be used for the  
29 purposes specified in this title.

30 (3) (I) THE COMPTROLLER:

31 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
32 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
33 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

34 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
35 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

1 (II) THE COMPTROLLER:

2 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
3 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
4 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
5 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
6 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
7 YEAR; BUT

8 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
9 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
10 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
11 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
12 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

13 (e) The Legislative Auditor shall audit the accounts and transactions of the  
14 Fund as provided in § 2-1220 of the State Government Article.

15 (f) (1) A designee of the Board shall administer the Fund.

16 (2) Moneys in the Fund may be expended only for a lawful purpose  
17 authorized under this article.

18 2-206.

19 (a) There is a State Board of Examiners for Audiologists, Hearing Aid  
20 Dispensers, and Speech-Language Pathologists Fund.

21 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
22 licenses and its other services.

23 (2) The fees charged shall be set so as to produce funds to approximate  
24 the cost of maintaining the Board.

25 (3) Funds to cover the compensation and expenses of the Board members  
26 shall be generated by fees set under this section.

27 (c) In accordance with the budget of the Board, the Board may pay expenses  
28 incurred in carrying out the provisions of this title.

29 (d) (1) The Board shall pay all funds collected under this title to the  
30 Comptroller of the State.

31 (2) The Comptroller shall distribute the fees to the State Board of  
32 Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language  
33 Pathologists Fund.

34 (e) (1) The Fund shall be used to cover the actual documented direct and  
35 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
36 by the provisions of this article.

1 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
2 the State Finance and Procurement Article.

3 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
4 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
5 the General Fund of the State, but shall remain in the Fund to be used for the  
6 purposes specified in this article.

7 (4) (I) THE COMPTROLLER:

8 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
9 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
10 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

11 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
12 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

13 (II) THE COMPTROLLER:

14 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
15 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
16 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
17 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
18 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
19 YEAR; BUT

20 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
21 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
22 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
23 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
24 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

25 [(4)] (5) No other State money may be used to support the Fund.

26 (f) (1) A designee of the Board shall administer the Fund.

27 (2) Moneys in the Fund may be expended only for any lawful purpose  
28 authorized under the provisions of this article.

29 (g) The Legislative Auditor shall audit the accounts and transactions of the  
30 Fund as provided in § 2-1220 of the State Government Article.

31 3-206.

32 (a) There is a State Board of Chiropractic Examiners Fund.

33 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
34 licenses and its other services.

35 (2) The fees charged shall be set so as to produce funds to approximate  
36 the cost of maintaining the Board.

1 (3) Funds to cover the compensation and expenses of the Board members  
2 shall be generated by fees set under this section.

3 (c) (1) The Board shall pay all funds collected under this title to the  
4 Comptroller of the State.

5 (2) The Comptroller shall distribute the fees to the State Board of  
6 Chiropractic Examiners Fund.

7 (d) (1) The Fund shall be used to cover the actual documented direct and  
8 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
9 by the provisions of this article.

10 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
11 the State Finance and Procurement Article.

12 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
13 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
14 the General Fund of the State, but shall remain in the Fund to be used for the  
15 purposes specified in this article.

16 (4) (I) THE COMPTROLLER:

17 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
18 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
19 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

20 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
21 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

22 (II) THE COMPTROLLER:

23 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
24 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
25 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
26 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
27 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
28 YEAR; BUT

29 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
30 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
31 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
32 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
33 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

34 [(4)] (5) No other State money may be used to support the Fund.

35 (e) (1) A designee of the Board shall administer the Fund.

1 (2) Moneys in the Fund may be expended only for any lawful purpose  
2 authorized under the provisions of this article.

3 (f) The Legislative Auditor shall audit the accounts and transactions of the  
4 Fund as provided in § 2-1220 of the State Government Article.

5 4-207.

6 (a) There is a State Board of Dental Examiners Fund.

7 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
8 licenses and its other services.

9 (2) The fees charged shall be set so as to approximate the cost of  
10 maintaining the Board.

11 (3) Funds to cover the compensation and expenses of the Board members  
12 shall be generated by fees set under this section.

13 (c) (1) The Board shall pay all funds collected under this title to the  
14 Comptroller of the State.

15 (2) The Comptroller shall distribute the fees to the State Board of Dental  
16 Examiners Fund.

17 (d) (1) The Fund shall be used to cover the actual documented direct and  
18 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
19 by the provisions of this article.

20 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
21 the State Finance and Procurement Article.

22 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
23 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
24 the General Fund of the State, but shall remain in the Fund to be used for the  
25 purposes specified in this article.

26 (4) (I) THE COMPTROLLER:

27 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
28 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
29 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

30 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
31 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

32 (II) THE COMPTROLLER:

33 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
34 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
35 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S



1 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
2 the State Finance and Procurement Article.

3 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
4 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
5 the General Fund of the State, but shall remain in the Fund to be used for the  
6 purposes specified in this article.

7 (4) (I) THE COMPTROLLER:

8 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
9 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
10 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

11 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
12 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

13 (II) THE COMPTROLLER:

14 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
15 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
16 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
17 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
18 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
19 YEAR; BUT

20 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
21 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
22 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
23 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
24 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

25 [(4)] (5) No other State money may be used to support the Fund.

26 (e) (1) A designee of the Board shall administer the Fund.

27 (2) Moneys in the Fund may be expended only for any lawful purpose  
28 authorized under the provisions of this article.

29 (f) The Legislative Auditor shall audit the accounts and transactions of the  
30 Fund as provided in § 2-1220 of the State Government Article.

31 6-206.

32 (a) There is a State Board of Electrologists Fund.

33 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
34 licenses and its other services.

35 (2) The fees charged by the Board shall be set so as to produce funds to  
36 approximate the cost of maintaining the Board.

1 (3) Funds to cover the compensation and expenses of the Board members  
2 shall be generated by fees set under this section.

3 (c) (1) The Board shall pay all funds collected under this title to the  
4 Comptroller of the State.

5 (2) The Comptroller shall distribute the fees to the State Board of  
6 Electrologists Fund.

7 (d) (1) The Fund shall be used to cover the actual documented direct and  
8 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
9 by the provisions of this article.

10 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
11 the State Finance and Procurement Article.

12 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
13 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
14 the General Fund of the State, but shall remain in the Fund to be used for the  
15 purposes specified in this article.

16 (4) (I) THE COMPTROLLER:

17 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
18 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
19 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

20 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
21 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

22 (II) THE COMPTROLLER:

23 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
24 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
25 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
26 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
27 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
28 YEAR; BUT

29 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
30 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
31 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
32 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
33 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

34 [(4)] (5) No other State money may be used to support the Fund.

35 (e) (1) A designee of the Board shall administer the Fund.

1 (2) Moneys in the Fund may be expended only for any lawful purpose  
2 authorized under the provisions of this article.

3 (f) The Legislative Auditor shall audit the accounts and transactions of the  
4 Fund as provided in § 2-1220 of the State Government Article.

5 7-206.

6 (a) There is a State Board of Morticians Fund.

7 (b) (1) The Board may set reasonable fees for its services.

8 (2) The fees charged shall be set so as to approximate the cost of  
9 maintaining the Board.

10 (3) Funds to cover the compensation and expenses of the Board members  
11 shall be generated by fees set under this section.

12 (c) (1) The Board shall pay all funds collected under this title to the  
13 Comptroller of the State.

14 (2) The Comptroller shall distribute the fees to the State Board of  
15 Morticians Fund.

16 (d) (1) The Fund shall be used to cover the actual documented direct and  
17 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
18 by the provisions of this article.

19 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
20 the State Finance and Procurement Article.

21 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
22 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
23 the General Fund of the State, but shall remain in the Fund to be used for the  
24 purposes specified in this article.

25 (4) (I) THE COMPTROLLER:

26 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
27 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
28 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

29 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
30 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

31 (II) THE COMPTROLLER:

32 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
33 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
34 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
35 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT



1                                   1.        SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
2 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
3 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

4                                   2.        SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
5 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

6                                   (II)     THE COMPTROLLER:

7                                   1.        MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
8 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
9 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
10 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
11 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
12 YEAR; BUT

13                                  2.        SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
14 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
15 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
16 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
17 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

18                                  [(4)] (5) No other State money may be used to support the Fund.

19       (e)       (1)        A designee of the Board shall administer the Fund.

20                                  (2)        Moneys in the Fund may be expended only for any lawful purpose  
21 authorized under the provisions of this article.

22       (f)        The Legislative Auditor shall audit the accounts and transactions of the  
23 Fund as provided in § 2-1220 of the State Government Article.

24 11-207.

25       (a)        There is a State Board of Examiners in Optometry Fund.

26       (b)        (1)        The Board may set reasonable fees for the issuance and renewal of  
27 licenses and certificates and its other services.

28                                  (2)        The fees charged shall be set so as to produce funds to approximate  
29 the cost of maintaining the Board.

30                                  (3)        Funds to cover the compensation and expenses of the Board members  
31 shall be generated by fees set under this section.

32       (c)        (1)        The Board shall pay all funds collected under this title to the  
33 Comptroller of the State.

34                                  (2)        The Comptroller shall distribute the fees to the State Board of  
35 Examiners in Optometry Fund.

1 (d) (1) The Fund shall be used to cover the actual documented direct and  
2 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
3 by the provisions of this article.

4 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
5 the State Finance and Procurement Article.

6 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
7 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
8 the General Fund of the State, but shall remain in the Fund to be used for the  
9 purposes specified in this article.

10 (4) (I) THE COMPTROLLER:

11 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
12 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
13 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

14 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
15 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

16 (II) THE COMPTROLLER:

17 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
18 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
19 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
20 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
21 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
22 YEAR; BUT

23 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
24 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
25 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
26 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
27 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

28 [(4)] (5) No other State money may be used to support the Fund.

29 (e) (1) A designee of the Board shall administer the Fund.

30 (2) Moneys in the Fund may be expended only for any lawful purpose  
31 authorized under the provisions of this article.

32 (f) The Legislative Auditor shall audit the accounts and transactions of the  
33 Fund as provided in § 2-1220 of the State Government Article.

34 12-206.

35 (a) There is a State Board of Pharmacy Fund.

1 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
2 licenses and its other services.

3 (2) The fees charged shall be set so as to produce funds to approximate  
4 the cost of maintaining the Board.

5 (3) Funds to cover the compensation and expenses of the Board members  
6 shall be generated by fees set under this section.

7 (c) (1) The Board shall pay all funds collected under this title to the  
8 Comptroller of the State.

9 (2) The Comptroller shall distribute the fees to the State Board of  
10 Pharmacy Fund.

11 (d) (1) The Fund shall be used to cover the actual documented direct and  
12 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
13 by the provisions of this article.

14 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
15 the State Finance and Procurement Article.

16 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
17 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
18 the General Fund of the State, but shall remain in the Fund to be used for the  
19 purposes specified in this article.

20 (4) (I) THE COMPTROLLER:

21 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
22 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
23 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

24 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
25 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

26 (II) THE COMPTROLLER:

27 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
28 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
29 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
30 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
31 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
32 YEAR; BUT

33 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
34 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
35 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
36 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
37 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.





1                                   1.       One-half to make grants under the Health Manpower  
2 Shortage Incentive Grant Program under § 18-803 of the Education Article; and

3                                   2.       One-half to make grants under the Loan Assistance  
4 Repayment Program under § 18-1502(c) of the Education Article to physicians  
5 engaged in primary care or to medical residents specializing in primary care who  
6 agree to practice for at least 2 years as primary care physicians in a geographic area  
7 of the State that has been designated by the Secretary of Health and Mental Hygiene  
8 as being medically underserved; and

9                                   (iii)     The balance of the fees to the Board of Physician Quality  
10 Assurance Fund.

11       (d)     (1)     The Fund shall be used exclusively to cover the actual documented  
12 direct and indirect costs of fulfilling the statutory and regulatory duties of the Board  
13 as provided by the provisions of this title.

14                               (2)     (i)     The Fund is a continuing, nonlapsing fund, not subject to §  
15 7-302 of the State Finance and Procurement Article.

16                               (ii)     [Any] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
17 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
18 the General Fund of the State, but shall remain in the Fund to be used for the  
19 purposes specified in this title.

20                               (3)     (I)     THE COMPTROLLER:

21                                   1.       SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
22 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
23 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

24                                   2.       SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
25 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

26                               (II)    THE COMPTROLLER:

27                                   1.       MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
28 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
29 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
30 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
31 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
32 YEAR; BUT

33                                   2.       SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
34 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
35 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
36 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
37 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

38                               [(3)] (4) No other State money may be used to support the Fund.

1 (e) (1) The Chairman of the Board or the designee of the Chairman shall  
2 administer the Fund.

3 (2) Moneys in the Fund may be expended only for any lawful purpose  
4 authorized by the provisions of this title.

5 (f) The Legislative Auditor shall audit the accounts and transactions of the  
6 Fund as provided in § 2-1220 of the State Government Article.

7 16-206.

8 (a) There is a State Board of Podiatric Medical Examiners Fund.

9 (b) (1) The Board shall set reasonable fees for the issuance and renewal of  
10 licenses and its other services.

11 (2) The fees charged shall be set so as to produce funds to approximate  
12 the cost of maintaining the Board.

13 (3) Funds to cover the compensation and expenses of the Board members  
14 shall be generated by fees set under this section.

15 (c) (1) The Board shall pay all funds collected under this title to the  
16 Comptroller of the State.

17 (2) The Comptroller shall distribute the fees to the State Board of  
18 Podiatric Medical Examiners Fund.

19 (d) (1) The Fund shall be used to cover the actual documented direct and  
20 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
21 by the provisions of this article.

22 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
23 the State Finance and Procurement Article.

24 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
25 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
26 the General Fund of the State, but shall remain in the Fund to be used for the  
27 purposes specified in this article.

28 (4) (I) THE COMPTROLLER:

29 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
30 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
31 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

32 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
33 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

34 (II) THE COMPTROLLER:

1                                   1.       MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
2 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
3 (D)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
4 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
5 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
6 YEAR; BUT

7                                   2.       SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
8 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
9 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
10 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
11 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

12                   [(4)] (5) No other State money may be used to support the Fund.

13       (e)       (1)       A designee of the Board shall administer the Fund.

14                   (2)       Moneys in the Fund may be expended only for any lawful purpose  
15 authorized under the provisions of this article.

16       (f)       The Legislative Auditor shall audit the accounts and transactions of the  
17 Fund as provided in § 2-1220 of the State Government Article.

18 17-206.

19       (a)       There is a State Board of Examiners of Professional Counselors Fund.

20       (b)       (1)       The Board may set reasonable fees for the issuance and renewal of  
21 certificates and its other services.

22                   (2)       The fees charged shall be set to produce funds so as to approximate  
23 the cost of maintaining the Board.

24                   (3)       Funds to cover the expenses of the Board members shall be generated  
25 by fees set under this section.

26       (c)       (1)       The Board shall pay all funds collected under this title to the  
27 Comptroller of the State.

28                   (2)       The Comptroller shall distribute the fees to the State Board of  
29 Examiners of Professional Counselors Fund.

30       (d)       (1)       The Fund shall be used to cover the actual documented direct and  
31 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
32 by the provisions of this article.

33                   (2)       The Fund is a continuing nonlapsing fund, not subject to § 7- 302 of  
34 the State Finance and Procurement Article.

35                   (3)       [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
36 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to

1 the General Fund of the State, but shall remain in the Fund to be used for the  
2 purposes specified in this article.

3 (4) (I) THE COMPTROLLER:

4 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
5 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
6 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

7 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
8 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

9 (II) THE COMPTROLLER:

10 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
11 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
12 (I) OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
13 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
14 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
15 YEAR; BUT

16 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
17 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
18 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
19 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
20 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

21 [(4)] (5) No other State money may be used to support the Fund.

22 (e) (1) A designee of the Board shall administer the Fund.

23 (2) Moneys in the Fund may be expended only for any lawful purpose  
24 authorized under the provisions of this article.

25 (f) The Legislative Auditor shall audit the accounts and transactions of the  
26 Fund as provided in § 2-1220 of the State Government Article.

27 18-207.

28 (a) There is a State Board of Examiners for Psychologists Fund.

29 (b) (1) The Board shall set reasonable fees for the issuance and renewal of  
30 licenses and its other services.

31 (2) The fees charged shall be set so as to produce revenues that  
32 approximate the cost of maintaining the Board.

33 (3) Funds to cover the compensation and expenses of the Board members  
34 shall be generated by fees set under this section.

1 (c) (1) The Board shall pay all funds collected under this title to the  
2 Comptroller of the State.

3 (2) The Comptroller shall distribute the fees to the State Board of  
4 Examiners for Psychologists Fund.

5 (d) (1) The Fund shall be used to cover the actual documented direct and  
6 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
7 by the provisions of this article.

8 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
9 the State Finance and Procurement Article.

10 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
11 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
12 the General Fund of the State, but shall remain in the Fund to be used for the  
13 purposes specified in this article.

14 (4) (I) THE COMPTROLLER:

15 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
16 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
17 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

18 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
19 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

20 (II) THE COMPTROLLER:

21 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
22 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
23 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
24 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
25 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
26 YEAR; BUT

27 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
28 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
29 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
30 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
31 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

32 [(4)] (5) No other State money may be used to support the Fund.

33 (e) (1) A designee of the Board shall administer the Fund.

34 (2) Moneys in the Fund may be expended only for any lawful purpose  
35 authorized under the provisions of this article.

1 (f) The Legislative Auditor shall audit the accounts and transactions of the  
2 Fund as provided in § 2-1220 of the State Government Article.

3 19-206.

4 (a) There is a State Board of Social Work Examiners Fund.

5 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
6 licenses and its other services.

7 (2) The fees charged shall be set to produce funds so as to approximate  
8 the cost of maintaining the Board.

9 (3) The Board may set different fees and renewal fees for different  
10 licenses.

11 (4) Funds to cover the expenses of the Board members shall be generated  
12 by fees set under this section.

13 (c) An examination fee may be charged by the Board.

14 (d) The Board shall provide a list of the fees set under this section to each  
15 applicant for a license.

16 (e) (1) The Board shall pay all funds collected under this title to the  
17 Comptroller of the State.

18 (2) The Comptroller shall distribute the fees to the State Board of Social  
19 Work Examiners Fund.

20 (f) (1) The Fund shall be used to cover the actual documented direct and  
21 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided  
22 by the provisions of this article.

23 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of  
24 the State Finance and Procurement Article.

25 (3) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
26 SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to  
27 the General Fund of the State, but shall remain in the Fund to be used for the  
28 purposes specified in this article.

29 (4) (I) THE COMPTROLLER:

30 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
31 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY  
32 UNSPENT PORTION THAT REMAINS IN THE FUND; AND

33 2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST  
34 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.

1 (II) THE COMPTROLLER:

2 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT  
3 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH  
4 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S  
5 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT  
6 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL  
7 YEAR; BUT

8 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT  
9 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE  
10 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT  
11 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL  
12 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.

13 [(4)] (5) No other State money may be used to support the Fund.

14 (g) (1) A designee of the Board shall administer the Fund.

15 (2) Moneys in the Fund may be expended only for any lawful purpose  
16 authorized under the provisions of this article.

17 (h) The Legislative Auditor shall audit the accounts and transactions of the  
18 Fund as provided in § 2-1220 of the State Government Article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 July 1, 1998.