

SENATE BILL 352

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1998 Regular Session  
8r1213  
CF 8r1647

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By: **Senators Hoffman and Hollinger**  
Introduced and read first time: February 5, 1998  
Assigned to: Budget and Taxation and Economic and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 17, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Occupations - Boards - Project Reserve Funds**

3 FOR the purpose of allowing certain health occupations boards to allocate money  
4 from their respective funds to create a Project Reserve Fund; restricting the use  
5 of funds held in a Project Reserve Fund; requiring the Legislative Auditor to  
6 audit the accounts and transactions of a Project Reserve Fund; permitting an  
7 amendment of an appropriation for certain health occupations boards under  
8 certain circumstances; requiring the Deputy Secretary for Health Care Policy,  
9 Financing, and Regulation to submit a certain report; providing for the  
10 termination of this Act; and generally relating to the creation of Project Reserve  
11 Funds for health occupations boards.

12 BY repealing and reenacting, without amendments,  
13 Article - Health Occupations  
14 Section 1A-206(a), 2-206(a), 3-206(a), 4-207(a), 5-206(a), 6-206(a), 7-206(a),  
15 10-206(a), 11-207(a), 12-206(a), 13-207(a), 16-206(a), 17-206(a),  
16 18-207(a), and 19-206(a)  
17 Annotated Code of Maryland  
18 (1994 Replacement Volume and 1997 Supplement)

19 BY adding to  
20 Article - Health Occupations  
21 Section 1A-206(g), 2-206(h), 3-206(g), 4-207(h), 5-206(g), 6-206(g), 7-206(g),  
22 10-206(g), 11-207(g), 12-206(h), 13-207(g), 16-206(g), 17-206(g),  
23 18-207(g), and 19-206(i)  
24 Annotated Code of Maryland  
25 (1994 Replacement Volume and 1997 Supplement)

1 BY adding to  
2 Article - State Finance and Procurement  
3 Section 7-209(h)  
4 Annotated Code of Maryland  
5 (1995 Replacement Volume and 1997 Supplement)

6 Preamble

7 WHEREAS, Each health occupation board has a mandate to protect the health,  
8 safety, and welfare of the citizens of the State by licensing, regulating, and  
9 disciplining health care practitioners;

10 WHEREAS, The health occupations boards have made significant progress in  
11 addressing this mandate since the General Assembly established the boards as  
12 special funded agencies in 1993;

13 WHEREAS, The health occupations boards assign the highest priority to  
14 addressing disciplinary matters related to complaints received against licensees;

15 WHEREAS, Each health occupation board has difficulty in predicting the  
16 amount of funds necessary to meet certain costs related to disciplinary actions,  
17 litigation, and certain legislative mandates;

18 WHEREAS, Current policy requires a health occupations board to submit a  
19 proposed budget amendment in order to access its surplus funds each time the board  
20 incurs an unanticipated expense related to a disciplinary action, litigation, and  
21 certain legislative mandates;

22 WHEREAS, If the performance of each health occupation board is to  
23 significantly improve, a reform allowing each board to establish a project reserve  
24 fund, to be expended on unanticipated expenses related to disciplinary actions,  
25 litigation, and certain legislative mandates, must be implemented; and

26 WHEREAS, No health occupation board will increase fees for its services in  
27 order to establish a project reserve fund or to allocate money to the project reserve  
28 fund; now, therefore,

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

31 **Article - Health Occupations**

32 1A-206.

33 (a) There is an Acupuncture Board Fund.

34 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
35 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
36 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

1 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
2 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
3 AND RENEWAL OF LICENSES OR OTHER SERVICES.

4 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
5 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
6 UNANTICIPATED:

7 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
8 ASSEMBLY;

9 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
10 DISCIPLINING OF LICENSEES; OR

11 (III) LITIGATION EXPENSES.

12 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
13 FUND PERMANENT POSITIONS.

14 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
15 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
16 STATE GOVERNMENT ARTICLE.

17 2-206.

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

20 (H) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
21 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
22 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

23 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
24 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
25 AND RENEWAL OF LICENSES OR OTHER SERVICES.

26 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
27 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
28 UNANTICIPATED:

29 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
30 ASSEMBLY;

31 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
32 DISCIPLINING OF LICENSEES; OR

33 (III) LITIGATION EXPENSES.

34 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
35 FUND PERMANENT POSITIONS.

1           (5)     THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
2 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
3 STATE GOVERNMENT ARTICLE.

4 3-206.

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

6       (G)     (1)     THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
7 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
8 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

9           (2)     THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
10 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
11 AND RENEWAL OF LICENSES OR OTHER SERVICES.

12           (3)     EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
13 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
14 UNANTICIPATED:

15                   (I)     DUTIES CREATED AND MANDATED BY THE GENERAL  
16 ASSEMBLY;

17                   (II)    COSTS ASSOCIATED WITH THE INVESTIGATION OR  
18 DISCIPLINING OF LICENSEES; OR

19                   (III)   LITIGATION EXPENSES.

20           (4)     FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
21 FUND PERMANENT POSITIONS.

22           (5)     THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
23 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
24 STATE GOVERNMENT ARTICLE.

25 4-207.

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

27       (H)     (1)     THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
28 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
29 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

30           (2)     THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
31 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
32 AND RENEWAL OF LICENSES OR OTHER SERVICES.

33           (3)     EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
34 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
35 UNANTICIPATED:

1 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
2 ASSEMBLY;

3 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
4 DISCIPLINING OF LICENSEES; OR

5 (III) LITIGATION EXPENSES.

6 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
7 FUND PERMANENT POSITIONS.

8 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
9 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
10 STATE GOVERNMENT ARTICLE.

11 5-206.

12 (a) There is a State Board of Dietetic Practice Fund.

13 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
14 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
15 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

16 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
17 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
18 AND RENEWAL OF LICENSES OR OTHER SERVICES.

19 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
20 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
21 UNANTICIPATED:

22 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
23 ASSEMBLY;

24 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
25 DISCIPLINING OF LICENSEES; OR

26 (III) LITIGATION EXPENSES.

27 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
28 FUND PERMANENT POSITIONS.

29 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
30 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
31 STATE GOVERNMENT ARTICLE.

32 6-206.

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

1 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
2 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
3 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

4 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
5 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
6 AND RENEWAL OF LICENSES OR OTHER SERVICES.

7 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
8 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
9 UNANTICIPATED:

10 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
11 ASSEMBLY;

12 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
13 DISCIPLINING OF LICENSEES; OR

14 (III) LITIGATION EXPENSES.

15 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
16 FUND PERMANENT POSITIONS.

17 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
18 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
19 STATE GOVERNMENT ARTICLE.

20 7-206.

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

22 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
23 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
24 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

25 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
26 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
27 AND RENEWAL OF LICENSES OR OTHER SERVICES.

28 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
29 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
30 UNANTICIPATED:

31 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
32 ASSEMBLY;

33 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
34 DISCIPLINING OF LICENSEES; OR

35 (III) LITIGATION EXPENSES.

1           (4)     FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
2 FUND PERMANENT POSITIONS.

3           (5)     THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
4 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
5 STATE GOVERNMENT ARTICLE.

6 10-206.

7       (a)     There is a State Board of Occupational Therapy Practice Fund.

8       (G)     (1)     THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
9 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
10 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

11       (2)     THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
12 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
13 AND RENEWAL OF LICENSES OR OTHER SERVICES.

14       (3)     EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
15 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
16 UNANTICIPATED:

17               (I)     DUTIES CREATED AND MANDATED BY THE GENERAL  
18 ASSEMBLY;

19               (II)    COSTS ASSOCIATED WITH THE INVESTIGATION OR  
20 DISCIPLINING OF LICENSEES; OR

21               (III)   LITIGATION EXPENSES.

22       (4)     FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
23 FUND PERMANENT POSITIONS.

24       (5)     THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
25 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
26 STATE GOVERNMENT ARTICLE.

27 11-207.

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

29       (G)     (1)     THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
30 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
31 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

32       (2)     THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
33 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
34 AND RENEWAL OF LICENSES OR OTHER SERVICES.

1           (3)    EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
2 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
3 UNANTICIPATED:

4                   (I)     DUTIES CREATED AND MANDATED BY THE GENERAL  
5 ASSEMBLY;

6                   (II)    COSTS ASSOCIATED WITH THE INVESTIGATION OR  
7 DISCIPLINING OF LICENSEES; OR

8                   (III)   LITIGATION EXPENSES.

9           (4)    FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
10 FUND PERMANENT POSITIONS.

11           (5)    THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
12 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
13 STATE GOVERNMENT ARTICLE.

14 12-206.

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

16   (H)    (1)     THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
17 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
18 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

19           (2)     THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
20 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
21 AND RENEWAL OF LICENSES OR OTHER SERVICES.

22           (3)    EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
23 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
24 UNANTICIPATED:

25                   (I)     DUTIES CREATED AND MANDATED BY THE GENERAL  
26 ASSEMBLY;

27                   (II)    COSTS ASSOCIATED WITH THE INVESTIGATION OR  
28 DISCIPLINING OF LICENSEES; OR

29                   (III)   LITIGATION EXPENSES.

30           (4)    FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
31 FUND PERMANENT POSITIONS.

32           (5)    THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
33 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
34 STATE GOVERNMENT ARTICLE.

1 13-207.

2 (a) There is a State Board of Physical Therapy Examiners Fund.

3 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
4 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
5 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

6 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
7 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
8 AND RENEWAL OF LICENSES OR OTHER SERVICES.

9 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
10 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
11 UNANTICIPATED:

12 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
13 ASSEMBLY;

14 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
15 DISCIPLINING OF LICENSEES; OR

16 (III) LITIGATION EXPENSES.

17 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
18 FUND PERMANENT POSITIONS.

19 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
20 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
21 STATE GOVERNMENT ARTICLE.

22 16-206.

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

24 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
25 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
26 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

27 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
28 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
29 AND RENEWAL OF LICENSES OR OTHER SERVICES.

30 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
31 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
32 UNANTICIPATED:

33 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
34 ASSEMBLY;

1 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
2 DISCIPLINING OF LICENSEES; OR

3 (III) LITIGATION EXPENSES.

4 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
5 FUND PERMANENT POSITIONS.

6 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
7 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
8 STATE GOVERNMENT ARTICLE.

9 17-206.

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

11 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
12 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
13 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

14 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
15 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
16 AND RENEWAL CERTIFICATES OR OTHER SERVICES.

17 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
18 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
19 UNANTICIPATED:

20 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
21 ASSEMBLY;

22 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
23 DISCIPLINING OF CERTIFICATE HOLDERS; OR

24 (III) LITIGATION EXPENSES.

25 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
26 FUND PERMANENT POSITIONS.

27 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
28 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
29 STATE GOVERNMENT ARTICLE.

30 18-207.

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

32 (G) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
33 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
34 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

1 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
2 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
3 AND RENEWAL OF LICENSES OR OTHER SERVICES.

4 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
5 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
6 UNANTICIPATED:

7 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
8 ASSEMBLY;

9 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
10 DISCIPLINING OF LICENSEES; OR

11 (III) LITIGATION EXPENSES.

12 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
13 FUND PERMANENT POSITIONS.

14 (5) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
15 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
16 STATE GOVERNMENT ARTICLE.

17 19-206.

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

19 (I) (1) THE BOARD MAY CREATE AND ESTABLISH A PROJECT RESERVE  
20 FUND IN SUCH AMOUNTS AS THE BOARD CONSIDERS APPROPRIATE NOT TO EXCEED  
21 50% OF THE PRECEDING FISCAL YEAR'S BUDGET APPROPRIATION.

22 (2) THE BOARD MAY ALLOCATE TO THE PROJECT RESERVE FUND ANY  
23 PAYMENTS RECEIVED FROM FEES COLLECTED BY THE BOARD FROM THE ISSUANCE  
24 AND RENEWAL OF LICENSES OR OTHER SERVICES.

25 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,  
26 FUNDS HELD IN THE PROJECT RESERVE FUND MAY BE EXPENDED ONLY FOR  
27 UNANTICIPATED:

28 (I) DUTIES CREATED AND MANDATED BY THE GENERAL  
29 ASSEMBLY;

30 (II) COSTS ASSOCIATED WITH THE INVESTIGATION OR  
31 DISCIPLINING OF LICENSEES; OR

32 (III) LITIGATION EXPENSES.

33 (4) FUNDS HELD IN THE PROJECT RESERVE FUND MAY NOT BE USED TO  
34 FUND PERMANENT POSITIONS.

1           (5)     THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
2 TRANSACTIONS OF THE PROJECT RESERVE FUND AS PROVIDED IN § 2-1215 OF THE  
3 STATE GOVERNMENT ARTICLE.

4                                   **Article - State Finance and Procurement**

5 7-209.

6     (H)     IN ADDITION TO THE PROCEDURES ESTABLISHED UNDER THIS SECTION,  
7 THE APPROPRIATION OF A HEALTH OCCUPATION BOARD CREATED UNDER THE  
8 HEALTH OCCUPATIONS ARTICLE MAY BE AMENDED, WITH NOTICE TO THE  
9 COMPTROLLER AND THE DEPARTMENT OF BUDGET AND MANAGEMENT, BY ACTION  
10 OF THE BOARD IF:

11           (1)     THE SOURCE OF REVENUE IS THE BALANCE ACCUMULATED IN THE  
12 PROJECT RESERVE FUND; AND

13           (2)     THE PURPOSE OF THE APPROPRIATION IS AMONG THOSE FOR WHICH  
14 THE PROJECT RESERVE FUND IS AUTHORIZED.

15     SECTION 2. AND BE IT FURTHER ENACTED, That on or before November 1,  
16 2000, the Deputy Secretary for Health Care Policy, Financing, and Regulation within  
17 the Department of Health and Mental Hygiene shall submit a report to the Governor  
18 and, subject to § 2-1246 of the State Government Article, to the General Assembly on  
19 all transactions of each Project Reserve Fund established under this Act, including  
20 the amount and purpose of each withdrawal, and shall report the accumulated fund  
21 balance of each Project Reserve Fund as of October 1, 2000.

22     SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
23 effect July 1, 1998. It shall remain effective for a period of 3 years and, at the end of  
24 June 30, 2001, with no further action required by the General Assembly, this Act shall  
25 be abrogated and of no further force and effect.