

HOUSE BILL 1068

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E4

1999 Regular Session  
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By: **Delegates Bozman, Malone, Moe, Rudolph, W. Baker, Owings, Franchot,  
Cane, K. Kelly, Guns, Parrott, Slade, Wood, Stull, and Hecht**

Introduced and read first time: February 22, 1999

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Emergency Medical System Operations Fund - Funding for the**  
3 **Senator William H. Amoss Fire, Rescue, and Ambulance Fund**

4 FOR the purpose of requiring that a certain amount of revenue collected from the  
5 insurance premium tax be distributed to the Maryland Emergency Medical  
6 System Operations Fund on an annual basis; requiring that this money be used  
7 solely for providing grants under the Senator William H. Amoss Fire, Rescue,  
8 and Ambulance Fund; making a stylistic change; and generally relating to  
9 funding for the Maryland Emergency Medical System Operations Fund and the  
10 Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

11 BY repealing and reenacting, with amendments,  
12 Article - Insurance  
13 Section 2-114  
14 Annotated Code of Maryland  
15 (1997 Volume and 1998 Supplement)  
16 (As enacted by Chapter 774 of the Acts of the General Assembly of 1998)

17 BY repealing and reenacting, with amendments,  
18 Article - Transportation  
19 Section 13-955  
20 Annotated Code of Maryland  
21 (1998 Replacement Volume and 1998 Supplement)

22 BY repealing and reenacting, without amendments,  
23 Article 38A - Fires and Investigations  
24 Section 45B(a) and (d)  
25 Annotated Code of Maryland  
26 (1997 Replacement Volume and 1998 Supplement)

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

1 **Article - Insurance**

2 2-114.

3 (a) The following moneys shall be considered general funds of the State:

4 (1) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, all  
5 revenue received under Title 6, Subtitle 1 of this article;

6 (2) all revenue received under §§ 3-324, 4-209, 6-303, and 6-304 of this  
7 article; and

8 (3) all penalties imposed by the Commissioner, including the following  
9 penalties imposed under:

10 (i) §§ 4-113(d), 4-212, 10-126(c), 11-232, 14-140, 23-208, 23-506,  
11 26-502, 27-305, and 27-408 of this article; and

12 (ii) § 19-730 of the Health - General Article.

13 (b) The following moneys may not be considered general funds of the State  
14 and shall be deposited into the Insurance Regulation Fund established under Subtitle  
15 5 of this title:

16 (1) all revenue received through the imposition and collection of the  
17 assessment fee under Subtitle 5 of this title;

18 (2) all revenue received through the imposition and collection of the fees  
19 set forth in § 2-112 of this title;

20 (3) all revenue received through the imposition and collection of the  
21 fraud prevention fee under Title 6, Subtitle 2 of this article;

22 (4) all revenue received through the collection of examination expenses  
23 under § 2-208 of this title;

24 (5) except as provided under subsection (a) of this section, all other fees  
25 received through the imposition and collection of fees set forth in this article; and

26 (6) income from investments that the State Treasurer makes for the  
27 Insurance Regulation Fund.

28 (C) FROM THE INSURANCE PREMIUM TAX REVENUE RECEIVED UNDER TITLE  
29 6, SUBTITLE 1 OF THIS ARTICLE, FOR EACH FISCAL YEAR THE COMMISSIONER SHALL  
30 DISTRIBUTE \$10,000,000 TO THE MARYLAND EMERGENCY MEDICAL SYSTEM  
31 OPERATIONS FUND ESTABLISHED UNDER § 13-955 OF THE TRANSPORTATION  
32 ARTICLE, TO BE USED SOLELY FOR PROVIDING GRANTS UNDER THE SENATOR  
33 WILLIAM H. AMOSS FIRE, RESCUE, AND AMBULANCE FUND IN ACCORDANCE WITH  
34 THE PROVISIONS OF ARTICLE 38A, §§ 45A THROUGH 45D OF THE CODE.

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**Article - Transportation**

2 13-955.

3 (a) In this section, "Fund" means the Maryland Emergency Medical System  
4 Operations Fund.

5 (b) (1) There is a Maryland Emergency Medical System Operations Fund.

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

8 (3) Interest and earnings on the Fund shall be separately accounted for  
9 and credited to the Fund, and are not subject to § 6-226(a) of the State Finance and  
10 Procurement Article.

11 (c) The Fund consists of:

12 (1) Registration surcharges collected under § 13-954 of this subtitle;  
13 [and]

14 (2) All funds, including charges for accident scene transports and  
15 interhospital transfers of patients, generated by an entity specified in subsection (e)  
16 of this section that is a unit of State government; AND

17 (3) THE INSURANCE PREMIUM TAX REVENUE DISTRIBUTED TO THE  
18 FUND UNDER § 2-114 OF THE INSURANCE ARTICLE, TO BE USED SOLELY FOR  
19 PROVIDING GRANTS UNDER THE SENATOR WILLIAM H. AMOSS FIRE, RESCUE, AND  
20 AMBULANCE FUND IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 38A, §§ 45A  
21 THROUGH 45D OF THE CODE.

22 (d) Expenditures from the Fund shall be made pursuant to an appropriation  
23 approved by the General Assembly in the annual State budget or by the budget  
24 amendment procedure provided under § 7-209 of the State Finance and Procurement  
25 Article, provided that any budget amendment shall be submitted to and approved by  
26 the Legislative Policy Committee prior to the expenditure or obligation of funds.

27 (e) The money in the Fund shall be used solely for:

28 (1) Medically oriented functions of the Department of State Police,  
29 Special Operations Bureau, Aviation Division;

30 (2) The Maryland Institute for Emergency Medical Services Systems;

31 (3) The R Adams Cowley Shock Trauma Center at the University of  
32 Maryland Medical System;

33 (4) The Maryland Fire and Rescue Institute; and

1 (5) The provision of grants under the [State] SENATOR WILLIAM H.  
2 AMOSS Fire, Rescue, and Ambulance Fund in accordance with the provisions of Article  
3 38A, §§ 45A through 45D of the Code.

4 (f) For the purpose of reimbursing the Fund for the purchase of a helicopter  
5 and for the State share of the expansion of the helicopter hangar in Centreville,  
6 Maryland, the Governor shall include the following appropriations in the annual  
7 budget submission:

8 (1) For Fiscal Year 1998, \$2,000,000; and

9 (2) For Fiscal Year 1999, \$2,075,000.

#### 10 **Article 38A - Fires and Investigations**

11 45B.

12 (a) The Senator William H. Amoss Fire, Rescue, and Ambulance Fund is  
13 established to promote:

14 (1) The delivery of effective and high quality fire protection, rescue, and  
15 ambulance services to the citizens of this State;

16 (2) Increased financial support for fire, rescue, and ambulance  
17 companies by local governments; and

18 (3) The continued financial viability of volunteer fire, rescue, and  
19 ambulance companies given the greatly increased costs of apparatus and other types  
20 of equipment.

21 (d) (1) State funds provided under this section may only be used for any 1 or  
22 more of the following:

23 (i) Acquisition or rehabilitation of fire or rescue apparatus,  
24 including ambulances;

25 (ii) Acquisition or rehabilitation of capital equipment used in  
26 connection with fire or rescue apparatus; and

27 (iii) Rehabilitation of facilities used primarily to house fire fighting  
28 apparatus, equipment, ambulances, and rescue vehicles.

29 (2) State funds provided under this section may not be used for any of  
30 the following:

31 (i) Administrative costs;

32 (ii) Compensation or fringe benefits to employees or members of  
33 county governments, or fire, rescue, or ambulance companies;

34 (iii) Travel or meal expenses;

- 1 (iv) Fuel, utility, or routine maintenance costs of facilities or  
2 apparatus;
- 3 (v) Acquisition of new or replacement fire hydrants, water mains,  
4 or emergency alarm systems not installed at a fire, rescue, or ambulance facility;
- 5 (vi) Insurance;
- 6 (vii) Fund-raising activities;
- 7 (viii) Refinancing of any debt or other obligation incurred before July  
8 1, 1985;
- 9 (ix) Replacement or repair of eligible items to the extent that  
10 insurance proceeds are available;
- 11 (x) Costs associated with the "911" emergency number system; or
- 12 (xi) Land or interests in land.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 1999.