

SENATE BILL 27

Unofficial Copy  
B1

2000 Regular Session  
0lr0716

(PRE-FILED)

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By: **Senator Haines**  
Requested: October 20, 1999  
Introduced and read first time: January 12, 2000  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **State Budget - General Fund Surplus - Appropriation to the Transportation**  
3 **Trust Fund**

4 FOR the purpose of requiring the Governor, in certain fiscal years under certain  
5 circumstances, to appropriate from the General Fund to the Transportation  
6 Trust Fund at least a certain amount of the unappropriated surplus general  
7 funds, to be used by the Maryland Department of Transportation for the  
8 construction of new highways, roads, and bridges in the State; defining a term;  
9 providing that no part of the surplus appropriated to the Transportation Trust  
10 Fund under this Act may be used to finance projects in the Mass Transit  
11 Administration; requiring the Department of Transportation to ensure that the  
12 projects selected to be funded by surplus funds appropriated under this Act meet  
13 certain standards relating to equity, impartiality, and the inclusion of all of the  
14 counties in the State; providing for the application of this Act; and generally  
15 relating to the appropriation of certain funds to the Transportation Trust Fund  
16 to be used for certain purposes.

17 BY adding to  
18 Article - State Finance and Procurement  
19 Section 7-305.1  
20 Annotated Code of Maryland  
21 (1995 Replacement Volume and 1999 Supplement)

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

24 **Article - State Finance and Procurement**

25 7-305.1.

26 (A) IN THIS SECTION, "SURPLUS OF GENERAL FUNDS" MEANS AN AMOUNT OF  
27 UNAPPROPRIATED GENERAL FUNDS IN A FISCAL YEAR THAT EXCEEDS \$25 MILLION,  
28 AS DETERMINED BY THE STATE COMPTROLLER.

1 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO  
2 SUBSECTION (D) OF THIS SECTION, IN THE SECOND FISCAL YEAR AFTER A FISCAL  
3 YEAR IN WHICH THERE WAS A SURPLUS OF GENERAL FUNDS, THE GOVERNOR SHALL  
4 APPROPRIATE TO THE TRANSPORTATION TRUST FUND AN AMOUNT EQUAL TO AT  
5 LEAST 75% OF THAT SURPLUS.

6 (C) THE FUNDS APPROPRIATED TO THE TRANSPORTATION TRUST FUND IN  
7 ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL BE USED BY THE  
8 MARYLAND DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF NEW  
9 HIGHWAYS, ROADS, AND BRIDGES IN THE STATE.

10 (D) NO PART OF ANY SURPLUS OF GENERAL FUNDS TRANSFERRED TO THE  
11 TRANSPORTATION TRUST FUND UNDER SUBSECTION (B) OF THIS SECTION MAY BE  
12 USED IN ANY MANNER TO FINANCE PROJECTS OF THE MASS TRANSIT  
13 ADMINISTRATION.

14 (E) THE MARYLAND DEPARTMENT OF TRANSPORTATION SHALL ENSURE  
15 THAT:

16 (1) THE DECISIONS REGARDING THE SELECTION OF PROJECTS TO BE  
17 FUNDED BY THE SURPLUS OF GENERAL FUNDS APPROPRIATED UNDER SUBSECTION  
18 (B) OF THIS SECTION SHALL BE MADE ON AN IMPARTIAL AND EQUITABLE BASIS; AND

19 (2) PROJECTS IN EACH COUNTY OF THE STATE ARE INCLUDED IN THE  
20 SELECTION OF PROJECTS TO BE FUNDED THROUGH THE SURPLUS OF GENERAL  
21 FUNDS APPROPRIATED UNDER SUBSECTION (B) OF THIS SECTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is applicable  
23 beginning with fiscal year 2000.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 June 1, 2000.