

HOUSE BILL 186

P1

6lr0022

By: **Chair, Health and Government Operations Committee (By Request –
Departmental – Veterans Affairs)**

Introduced and read first time: January 21, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Veterans Affairs – Charlotte Hall Veterans Home Fund –**
3 **Establishment**

4 FOR the purpose of establishing the Charlotte Hall Veterans Home Fund as a special,
5 nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of
6 Veterans Affairs to administer the Fund; prohibiting, except under certain
7 circumstances, any unspent portions of the Fund from being transferred to or
8 reverting to the General Fund of the State; requiring the State Treasurer to hold the
9 Fund and the Comptroller to account for the Fund; specifying the contents of the
10 Fund; specifying the purposes for which the Fund may be used; providing for the
11 investment of money in and expenditures from the Fund; providing that money
12 expended from the Fund for the Charlotte Hall Veterans Home is supplemental to,
13 and is not intended to take the place of, funding that would otherwise be
14 appropriated; requiring the Office of Legislative Audits to audit the accounts and
15 transactions of the Fund as provided in a certain provision of law; defining certain
16 terms; and generally relating to the Charlotte Hall Veterans Home Fund.

17 BY adding to

18 Article – State Government
19 Section 9–912.2
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2015 Supplement)

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

24 **Article – State Government**

25 **9–912.2.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) “BED LEASE PAYMENTS” MEANS A DAILY RATE PAID BY THE
4 CONTRACTOR THAT OPERATES THE CHARLOTTE HALL VETERANS HOME TO THE
5 STATE IN LEASE PAYMENTS BASED ON THE TOTAL NUMBER OF BEDS, REGARDLESS
6 OF WHETHER ALL OF THE BEDS ARE FILLED.

7 (3) “FUND” MEANS THE CHARLOTTE HALL VETERANS HOME FUND.

8 (B) THERE IS A CHARLOTTE HALL VETERANS HOME FUND.

9 (C) THE PURPOSE OF THE FUND IS TO MAINTAIN THE OPERATION OF THE
10 CHARLOTTE HALL VETERANS HOME.

11 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

12 (E) (1) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
13 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

14 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
15 PARAGRAPH, ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED TO
16 OR REVERT TO THE GENERAL FUND OF THE STATE.

17 (III) IF, AFTER DEDUCTING ALL EXPENSES AUTHORIZED UNDER
18 SUBSECTION (G) OF THIS SECTION, THE REMAINING BALANCE OF THE REVENUE TO
19 THE DEPARTMENT FROM BED LEASE PAYMENTS AT THE END OF A FISCAL YEAR IS
20 GREATER THAN 10% OF THE TOTAL BUDGET OF THE CHARLOTTE HALL VETERANS
21 HOME FOR THAT FISCAL YEAR, THE AMOUNT OF THE REMAINING BALANCE THAT IS
22 IN EXCESS OF 10% OF THE TOTAL BUDGET SHALL REVERT TO THE GENERAL FUND
23 OF THE STATE.

24 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
25 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

26 (F) THE FUND CONSISTS OF BED LEASE PAYMENTS.

27 (G) THE FUND MAY BE USED ONLY FOR:

28 (1) THE SALARIES AND BENEFITS OF THE DEPARTMENTAL STAFF OF
29 THE CHARLOTTE HALL VETERANS HOME;

1 **(2) IMPROVEMENTS TO THE CHARLOTTE HALL VETERANS HOME;**
2 **AND**

3 **(3) ANY OTHER OPERATING EXPENSES OF THE CHARLOTTE HALL**
4 **VETERANS HOME.**

5 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
6 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

7 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
8 **THE GENERAL FUND OF THE STATE.**

9 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
10 **WITH THE STATE BUDGET.**

11 **(J) MONEY EXPENDED FROM THE FUND FOR THE CHARLOTTE HALL**
12 **VETERANS HOME IS SUPPLEMENTAL TO, AND IS NOT INTENDED TO TAKE THE PLACE**
13 **OF, FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE CHARLOTTE**
14 **HALL VETERANS HOME.**

15 **(K) THE OFFICE OF LEGISLATIVE AUDITS SHALL AUDIT THE ACCOUNTS**
16 **AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THIS ARTICLE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2016.