

HOUSE BILL 121

Q7, O3, J1
HB 832/10 – W&M & HGO

11r0392
CF 11r0391

By: **Delegates Hubbard, Ross, Anderson, Arora, Barnes, Barve, Bobo, Braveboy, Burns, Carr, Carter, Cullison, Dumais, Feldman, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Hucker, Ivey, Jameson, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McIntosh, A. Miller, Mizeur, Nathan–Pulliam, Niemann, Pena–Melnik, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Stein, Stukes, Summers, Tarrant, V. Turner, Valderrama, Waldstreicher, Walker, Washington, Wilson, and Zucker**

Introduced and read first time: January 24, 2011

Assigned to: Ways and Means and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **The Lorraine Sheehan Health and Community Services Act of 2011**

3 FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland;
4 altering the distribution of the alcoholic beverage tax revenue; requiring the
5 Comptroller to distribute a portion of the alcoholic beverage tax revenue to
6 certain special funds to be used only for certain purposes; establishing the
7 Developmental Disability Support Fund as a special fund to be used to support
8 certain services for individuals with developmental disabilities; establishing the
9 Addiction Treatment, Prevention, and Recovery Support Fund as a special fund
10 to be used to support certain programs for the treatment and prevention of drug
11 and alcohol addictions; establishing the Mental Health Care Fund as a special
12 fund to be used to support certain programs for the treatment and prevention of
13 mental illness; establishing the State Tobacco Use Prevention and Cessation
14 Fund as a special fund to be used to support certain programs relating to
15 tobacco use prevention and cessation; establishing the Maryland Medicaid Trust
16 Fund as a special fund to be used to provide certain health care services to
17 certain individuals; establishing the Health Care Personnel Training Fund as a
18 special fund to be used to provide grants to certain training consortiums; and
19 generally relating to the alcoholic beverage tax and the dedication of certain
20 alcoholic beverage tax revenue for certain purposes.

21 BY repealing and reenacting, with amendments,
22 Article – Tax – General
23 Section 2–301 and 5–105

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2010 Replacement Volume)

3 BY adding to
4 Article – Health – General
5 Section 7–207, 8–207, 10–209, 13–1016, and 15–103.6
6 Annotated Code of Maryland
7 (2009 Replacement Volume and 2010 Supplement)

8 BY adding to
9 Article – Labor and Employment
10 Section 11–1015
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2010 Supplement)

13 Preamble

14 WHEREAS, Only one–quarter of the individuals in Maryland who have alcohol
15 and drug addictions access treatment; and

16 WHEREAS, Alcohol abuse costs the Maryland economy \$3.5 billion every year,
17 and the costs associated with illicit drug abuse approach \$2.5 billion annually, for a
18 combined total of \$6 billion yearly; and

19 WHEREAS, The majority of jailable crimes committed in Maryland and the
20 majority of admissions to Maryland trauma centers result from drug– or
21 alcohol–related incidents; and

22 WHEREAS, Statistics show that more than one–quarter of the individuals
23 treated for alcohol and drug addiction and about half of the individuals treated for
24 mental health problems are diagnosed with a co–occurring substance use and mental
25 health disorder; and

26 WHEREAS, Every \$1 invested in addiction treatment saves \$7 in reduced
27 crime and criminal justice costs and, when savings related to health care are factored
28 in, every \$1 invested saves \$12; and

29 WHEREAS, There are more than 18,000 individuals with developmental
30 disabilities who are eligible for community–based services through the Developmental
31 Disabilities Administration who are on a waiting list due to lack of funding; and

32 WHEREAS, Community–based service providers are facing a fiscal crisis due to
33 historical underfunding and lack of inflationary rate increases; and

34 WHEREAS, It is the policy of the State to require the Developmental
35 Disabilities Administration to designate sufficient resources to foster and strengthen a
36 permanent comprehensive system of community programming for individuals with
37 developmental disabilities; and

1 WHEREAS, Developmental disabilities result in loss of economic productivity
2 of individuals with those disabilities and their caregivers who are forced to remain at
3 home to care for their family member; and

4 WHEREAS, Fetal Alcohol Syndrome and Fetal Alcohol Spectrum Disorder are
5 the leading known preventable causes of intellectual and physical disabilities; and

6 WHEREAS, One in 100 live births is affected by Fetal Alcohol Syndrome and
7 Fetal Alcohol Spectrum Disorder each year, with lifetime health care costs of more
8 than \$800,000 incurred; and

9 WHEREAS, An estimated one in five Americans lives with a diagnosable
10 mental disorder in a given year and about 6%, or one in 17, have a serious mental
11 illness; and

12 WHEREAS, The public mental health system's budget has been reduced by 7%
13 while the need for public mental health care has risen by 7 to 8% per year for 2 years
14 running; and

15 WHEREAS, The average annual cost of the most comprehensive array of
16 community mental health services is \$30,000, but the average annual cost of a State
17 hospital bed is approximately \$180,000; and

18 WHEREAS, According to a new study by Johns Hopkins Professors David
19 Jernigan and Hugh Waters, increasing the State alcohol tax by a dime a drink will
20 save lives and money by reducing alcohol abuse; and

21 WHEREAS, The 2007 Governor's Working Families and Small Business Health
22 Care Coverage Act has expanded health care to over 52,000 parents but has not been
23 implemented for tens of thousands of childless adults because of lack of funds; now,
24 therefore,

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

27 **Article – Tax – General**

28 2–301.

29 (a) From the alcoholic beverage tax revenue, the Comptroller shall distribute
30 the amount necessary to administer the alcoholic beverage tax laws to an
31 administrative cost account.

32 **(B) AFTER MAKING THE DISTRIBUTION REQUIRED UNDER SUBSECTION**
33 **(A) OF THIS SECTION, OF THE REMAINING ALCOHOLIC BEVERAGE TAX REVENUE,**
34 **THE COMPTROLLER SHALL DISTRIBUTE:**

1 (1) 2.1% TO THE HEALTH CARE PERSONNEL TRAINING FUND
2 ESTABLISHED UNDER § 11-1015 OF THE LABOR AND EMPLOYMENT ARTICLE;

3 (2) 6.2% TO THE STATE TOBACCO USE PREVENTION AND
4 CESSATION FUND ESTABLISHED UNDER § 13-1013 OF THE HEALTH – GENERAL
5 ARTICLE;

6 (3) 15% TO THE DEVELOPMENTAL DISABILITY SUPPORT FUND
7 ESTABLISHED UNDER § 7-207 OF THE HEALTH – GENERAL ARTICLE;

8 (4) 15% TO THE ADDICTION TREATMENT, PREVENTION, AND
9 RECOVERY SUPPORT FUND ESTABLISHED UNDER § 8-207 OF THE HEALTH –
10 GENERAL ARTICLE;

11 (5) 15% TO THE MENTAL HEALTH CARE FUND ESTABLISHED
12 UNDER § 10-209 OF THE HEALTH – GENERAL ARTICLE; AND

13 (6) 33.95% TO THE MARYLAND MEDICAID TRUST FUND
14 ESTABLISHED UNDER § 15-103.6 OF THE HEALTH – GENERAL ARTICLE.

15 [(b)] (C) After making the [distribution] DISTRIBUTIONS required under
16 [subsection (a)] SUBSECTIONS (A) AND (B) of this section, the Comptroller shall
17 distribute the remaining alcoholic beverage tax revenue to the General Fund of the
18 State.

19 5-105.

20 (a) Except as provided in subsection (d) of this section, the alcoholic beverage
21 tax rate for distilled spirits is:

22 (1) [\$1.50] **\$10.03** for each gallon or [39.63 cents] **\$2.65** for each liter;
23 and

24 (2) if distilled spirits contain a percentage of alcohol greater than 100
25 proof, an additional tax, for each 1 proof over 100 proof, of [1.5] **10.03** cents for each
26 gallon or [0.3963] **2.65** cents for each liter.

27 (b) Except as provided in subsection (d) of this section, the alcoholic beverage
28 tax rate for wine is [40 cents] **\$2.96** for each gallon or [10.57] **78.22** cents for each
29 liter.

30 (c) Except as provided in subsection (d) of this section, the alcoholic beverage
31 tax rate on beer is [9 cents] **\$1.16** for each gallon or [2.3778] **30.6472** cents for each
32 liter.

1 (d) The tax imposed under § 5–102(b) of this subtitle shall equal the amount
2 that the discriminating jurisdiction charges a Maryland licensee or permit holder.

3 **Article – Health – General**

4 **7–207.**

5 (A) IN THIS SECTION, “FUND” MEANS THE DEVELOPMENTAL
6 DISABILITY SUPPORT FUND.

7 (B) THERE IS A DEVELOPMENTAL DISABILITY SUPPORT FUND.

8 (C) THE PURPOSE OF THE FUND IS TO SUPPORT COMMUNITY–BASED
9 SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

10 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

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

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

15 (F) THE FUND CONSISTS OF:

16 (1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE
17 FUND UNDER § 2–301(B) OF THE TAX – GENERAL ARTICLE;

18 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

19 (3) INVESTMENT EARNINGS OF THE FUND; AND

20 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
21 FOR THE BENEFIT OF THE FUND.

22 (G) (1) THE FUND MAY BE USED ONLY AS PROVIDED IN THIS
23 SUBSECTION.

24 (2) THE SECRETARY SHALL USE 50% OF THE MONEY IN THE
25 FUND TO SUPPORT PROVIDERS WHO ARE LICENSED UNDER THIS TITLE, BY:

26 (I) PROVIDING FUNDING FOR THE AVERAGE COST OF
27 WAGES AND BENEFITS OF COMMUNITY–BASED DIRECT SUPPORT STAFF, AS

1 DETERMINED BY THE COMMUNITY SERVICES REIMBURSEMENT RATE
2 COMMISSION; AND

3 (II) IF THE DEPARTMENT HAS PROVIDED FULL FUNDING
4 FOR THE COSTS DESCRIBED IN ITEM (I) OF THIS PARAGRAPH, PROVIDING
5 FUNDING FOR THE REMAINING COSTS OF PROVIDING SERVICES.

6 (3) THE SECRETARY SHALL USE 50% OF THE MONEY IN THE
7 FUND TO SUPPORT SERVICES TO INDIVIDUALS WHO ARE ON THE
8 ADMINISTRATION WAITING LIST AND ARE ELIGIBLE FOR, BUT NOT RECEIVING,
9 ONE OR MORE SERVICES FROM THE ADMINISTRATION, AS FOLLOWS:

10 (I) 25% OF THE FUNDS UNDER THIS PARAGRAPH SHALL BE
11 USED TO PROVIDE COMMUNITY-BASED RESIDENTIAL SERVICES,
12 COMMUNITY-BASED DAY SERVICES, AND SUPPORTED EMPLOYMENT SERVICES
13 TO INDIVIDUALS; AND

14 (II) 75% OF THE FUNDS UNDER THIS PARAGRAPH SHALL BE
15 USED TO PROVIDE COMMUNITY-BASED RESPITE CARE, INDIVIDUAL SUPPORT
16 SERVICES, AND FAMILY SUPPORT SERVICES TO INDIVIDUALS LIVING WITH
17 THEIR FAMILIES.

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

20 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE
21 CREDITED TO THE FUND.

22 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN
23 ACCORDANCE WITH THE STATE BUDGET.

24 (J) MONEY EXPENDED FROM THE FUND TO SUPPORT
25 COMMUNITY-BASED SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL
26 DISABILITIES:

27 (1) IS SUPPLEMENTAL TO AND NOT INTENDED TO TAKE THE
28 PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THOSE
29 PROGRAMS; AND

30 (2) MAY NOT BE USED TO COVER THE COST OF PROVIDING
31 INFLATIONARY ADJUSTMENTS AS REQUIRED UNDER § 16-201.2 OF THIS
32 ARTICLE.

1 **(K) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT**
2 **SHALL SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF**
3 **THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE NUMBER**
4 **OF INDIVIDUALS SERVED AND THE SERVICES PROVIDED IN THE PRECEDING**
5 **FISCAL YEAR USING THE FUND.**

6 **8-207.**

7 **(A) IN THIS SECTION, “FUND” MEANS THE ADDICTION TREATMENT,**
8 **PREVENTION, AND RECOVERY SUPPORT FUND.**

9 **(B) THERE IS AN ADDICTION TREATMENT, PREVENTION, AND**
10 **RECOVERY SUPPORT FUND.**

11 **(C) THE PURPOSE OF THE FUND IS TO SUPPORT COMMUNITY-BASED**
12 **PROGRAMS FUNDED THROUGH THE ALCOHOL AND DRUG ABUSE**
13 **ADMINISTRATION FOR THE TREATMENT AND PREVENTION OF DRUG AND**
14 **ALCOHOL ADDICTIONS AND FOR RECOVERY SUPPORT SERVICES FOR ADULTS**
15 **AND ADOLESCENTS, INCLUDING TREATMENT FOR THOSE WITH CO-OCCURRING**
16 **SUBSTANCE USE AND MENTAL HEALTH DISORDERS.**

17 **(D) THE SECRETARY SHALL ADMINISTER THE FUND.**

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

20 **(2) THE STATE TREASURER SHALL HOLD THE FUND**
21 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

22 **(F) THE FUND CONSISTS OF:**

23 **(1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE**
24 **FUND UNDER § 2-301(B) OF THE TAX – GENERAL ARTICLE;**

25 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

26 **(3) INVESTMENT EARNINGS OF THE FUND; AND**

27 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
28 **FOR THE BENEFIT OF THE FUND.**

29 **(G) THE FUND MAY BE USED ONLY TO PROVIDE ADDITIONAL FUNDING**
30 **FOR THE ADMINISTRATION TO SUPPORT COMMUNITY-BASED PROGRAMS**
31 **FUNDED THROUGH THE ALCOHOL AND DRUG ABUSE ADMINISTRATION FOR**

1 THE TREATMENT AND PREVENTION OF DRUG AND ALCOHOL ADDICTIONS AND
2 RECOVERY SUPPORT SERVICES FOR ADULTS AND ADOLESCENTS, INCLUDING
3 TREATMENT FOR THOSE WITH CO-OCCURRING SUBSTANCE USE AND MENTAL
4 HEALTH DISORDERS.

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

7 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE
8 CREDITED TO THE FUND.

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

11 (J) MONEY EXPENDED FROM THE FUND TO SUPPORT
12 COMMUNITY-BASED PROGRAMS FOR THE TREATMENT AND PREVENTION OF
13 DRUG AND ALCOHOL ADDICTIONS IN ADULTS AND ADOLESCENTS IS
14 SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING
15 THAT OTHERWISE WOULD BE APPROPRIATED FOR THOSE PURPOSES.

16 10-209.

17 (A) IN THIS SECTION, "FUND" MEANS THE MENTAL HEALTH CARE
18 FUND.

19 (B) THERE IS A MENTAL HEALTH CARE FUND.

20 (C) THE PURPOSE OF THE FUND IS TO SUPPORT COMMUNITY-BASED
21 PROGRAMS FOR THE TREATMENT AND PREVENTION OF MENTAL ILLNESSES IN
22 CHILDREN AND ADULTS, INCLUDING TREATMENT FOR THOSE WITH
23 CO-OCCURRING SUBSTANCE USE AND MENTAL HEALTH DISORDERS.

24 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

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

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

29 (F) THE FUND CONSISTS OF:

30 (1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE
31 FUND UNDER § 2-301(B) OF THE TAX - GENERAL ARTICLE;

1 (2) **MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

2 (3) **INVESTMENT EARNINGS OF THE FUND; AND**

3 (4) **ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
4 **FOR THE BENEFIT OF THE FUND.**

5 **(G) THE FUND MAY BE USED ONLY TO PROVIDE ADDITIONAL FUNDING**
6 **FOR THE ADMINISTRATION TO SUPPORT COMMUNITY-BASED PROGRAMS FOR**
7 **THE TREATMENT AND PREVENTION OF MENTAL ILLNESSES IN CHILDREN AND**
8 **ADULTS, INCLUDING TREATMENT FOR THOSE WITH CO-OCCURRING SUBSTANCE**
9 **USE AND MENTAL HEALTH DISORDERS.**

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

12 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE**
13 **CREDITED TO THE FUND.**

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

16 **(J) MONEY EXPENDED FROM THE FUND TO SUPPORT**
17 **COMMUNITY-BASED PROGRAMS FOR THE TREATMENT AND PREVENTION OF**
18 **MENTAL ILLNESSES IN CHILDREN AND ADULTS IS SUPPLEMENTAL TO AND IS**
19 **NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE**
20 **APPROPRIATED FOR THOSE PURPOSES.**

21 **13-1016.**

22 **(A) IN THIS SECTION, “FUND” MEANS THE STATE TOBACCO USE**
23 **PREVENTION AND CESSATION FUND.**

24 **(B) THERE IS A STATE TOBACCO USE PREVENTION AND CESSATION**
25 **FUND.**

26 **(C) THE PURPOSE OF THE FUND IS TO SUPPLEMENT THE CIGARETTE**
27 **RESTITUTION FUND TO ADDRESS ISSUES RELATING TO TOBACCO USE**
28 **PREVENTION AND CESSATION SO AS TO CREATE A LASTING LEGACY OF PUBLIC**
29 **HEALTH INITIATIVES THAT RESULT IN A REDUCTION OF TOBACCO USE IN THE**
30 **STATE AND OTHERWISE BENEFIT THE HEALTH AND WELFARE OF THE STATE’S**
31 **RESIDENTS.**

1 **(D) THE SECRETARY SHALL ADMINISTER THE FUND.**

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

4 **(2) THE STATE TREASURER SHALL HOLD THE FUND**
5 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

6 **(F) THE FUND CONSISTS OF:**

7 **(1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE**
8 **FUND UNDER § 2-301(B) OF THE TAX – GENERAL ARTICLE;**

9 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

10 **(3) INVESTMENT EARNINGS OF THE FUND; AND**

11 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
12 **FOR THE BENEFIT OF THE FUND.**

13 **(G) THE FUND MAY BE USED ONLY TO PROVIDE ADDITIONAL FUNDING**
14 **FOR THE STATE TOBACCO USE PREVENTION AND CESSATION PROGRAM.**

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

17 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE**
18 **CREDITED TO THE FUND.**

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

21 **(J) MONEY EXPENDED FROM THE FUND TO SUPPORT**
22 **THE STATE TOBACCO USE PREVENTION AND CESSATION PROGRAM IS**
23 **SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING**
24 **THAT OTHERWISE WOULD BE APPROPRIATED FOR THIS PURPOSE.**

25 **15-103.6.**

26 **(A) IN THIS SECTION, “FUND” MEANS THE MARYLAND MEDICAID**
27 **TRUST FUND.**

28 **(B) THERE IS A MARYLAND MEDICAID TRUST FUND.**

1 (C) THE PURPOSE OF THE FUND IS TO PROVIDE HEALTH SERVICES
2 UNDER THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO THE POPULATION
3 OF INDIVIDUALS DESCRIBED IN § 15-103(A)(2)(X) OF THIS SUBTITLE BEYOND
4 THE LEVEL OF PRIMARY CARE SERVICES.

5 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

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

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

10 (F) THE FUND CONSISTS OF:

11 (1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE
12 FUND UNDER § 2-301(B) OF THE TAX – GENERAL ARTICLE;

13 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

14 (3) INVESTMENT EARNINGS OF THE FUND; AND

15 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
16 FOR THE BENEFIT OF THE FUND.

17 (G) THE FUND MAY BE USED ONLY TO PROVIDE FUNDING FOR HEALTH
18 SERVICES UNDER THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO THE
19 POPULATION OF INDIVIDUALS DESCRIBED IN § 15-103(A)(2)(X) OF THIS
20 SUBTITLE BEYOND THE LEVEL OF PRIMARY CARE SERVICES.

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

23 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE
24 CREDITED TO THE FUND.

25 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN
26 ACCORDANCE WITH THE STATE BUDGET.

27 Article – Labor and Employment

28 11-1015.

1 **(A) IN THIS SECTION, "FUND" MEANS THE HEALTH CARE PERSONNEL**
2 **TRAINING FUND.**

3 **(B) THERE IS A HEALTH CARE PERSONNEL TRAINING FUND.**

4 **(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO TRAINING**
5 **CONSORTIUMS THAT INVOLVE LABOR-MANAGEMENT PARTNERSHIPS THAT**
6 **TRAIN AND UPGRADE THE QUALIFICATIONS OF HEALTH CARE PERSONNEL.**

7 **(D) THE PRESIDENT OF THE BOARD SHALL ADMINISTER THE FUND.**

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

10 **(2) THE STATE TREASURER SHALL HOLD THE FUND**
11 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

12 **(F) THE FUND CONSISTS OF:**

13 **(1) ALCOHOLIC BEVERAGE TAX REVENUE DISTRIBUTED TO THE**
14 **FUND UNDER § 2-301(B) OF THE TAX - GENERAL ARTICLE;**

15 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

16 **(3) INVESTMENT EARNINGS OF THE FUND; AND**

17 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
18 **FOR THE BENEFIT OF THE FUND.**

19 **(G) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS TO TRAINING**
20 **CONSORTIUMS THAT INVOLVE LABOR-MANAGEMENT PARTNERSHIPS THAT**
21 **TRAIN AND UPGRADE THE QUALIFICATIONS OF HEALTH CARE PERSONNEL.**

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

24 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE**
25 **CREDITED TO THE FUND.**

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

28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
29 **July 1, 2011.**

