

cross purposes with the intent of the General Assembly, as expressed in Fiscal Year 1985 budget language, to reduce the need for general fund support. As recently as May 23, 1984, my Secretary of Budget and Fiscal Planning informed me that, even including anticipated collections of criminal court costs, the Clerks are projected to incur approximately a \$1 million deficiency in Fiscal Year 1985. This bill is expected to increase that deficiency by an estimated \$872,000.

During the last session, major legislation affecting the fiscal operations of the Clerks of Court was reviewed, often without joint referral, by no fewer than five different committees making a comprehensive and coordinated approach difficult. For example, during deliberations on the Fiscal Year 1985 State Operating Budget, the supplementary general fund appropriation for the Clerks Office was reduced by \$1.75 million (1/3 of the projected general fund support), while the Clerks Office was requested through budget language to "reduce their cost of operation annually during a three year period in order to avoid the need for general fund support after fiscal year 1987." Concurrently, House Bill 1421 passed which, as indicated above, would significantly reduce judicial revenues available to the Clerks. Additionally, Senate Bill 1007 failed to pass which would have permitted the uniform retention by the Clerks of 5% of the recordation tax and other fees, emoluments, penalties, and other public monies that they collect in all counties and Baltimore City -- a current practice in all but the six largest jurisdictions in the State. If Senate Bill 1007 had passed the General Assembly, the savings to the State would have counterbalanced the proposed loss resulting from the enactment of House Bill 1421.

With these concerns in mind I was pleased to learn that the Legislative Policy Committee will be establishing a Joint Legislative and Executive Task Force to comprehensively examine measures aimed at alleviating fiscal and administrative problems confronting the Clerks offices. At the same time, the Task Force can evaluate the need for ensuring uniformity in the billing and collecting of criminal court costs and other fees throughout the State. It can also assess the concern of State's Attorneys that their prosecutorial decisions are sometimes premised on the amount of court costs associated with a particular course of action.

By way of a separate letter, I will ask that the proposal contained in House Bill 1421, State assumption of criminal court costs where a defendant is acquitted or indigent, be included as a topic for consideration by the Task Force. Perhaps this particular proposal, or some other alternative such as a cost-sharing mechanism, could be implemented; but this matter should be reviewed within a comprehensive framework providing for a full analysis of all pertinent issues and concerns.

I note in closing that many local governments have requested