

1. The school system, public library, or educational institution has an opportunity to appeal the decision to a hearing examiner who shall be appointed by the Secretary of the Department of Budget and Fiscal Planning; and

2. The hearing examiner finds that the funds are owed to the Contribution Fund.

(ii) If the hearing examiner determines that moneys are owed to the Contribution Fund, the moneys shall be deducted from any State funds that would otherwise be paid to the school system, public library, or educational institution.

(iii) An appeal taken pursuant to this paragraph is not a contested case, for the purposes of the Administrative Procedure Act.

(f) (1) Notwithstanding any other provision of law to the contrary, where the State Agency has entered into an agreement with the Secretary of Health [, Education and Welfare] AND HUMAN SERVICES pursuant to [§ 32 of this subtitle] § 4 OF THIS SUBHEADING and has entered into a plan with those political subdivisions of the State which agree to provide the benefits of the old age and survivors' insurance system of the federal Social Security Act for the employees of the subdivisions, the State Agency is authorized to amend the agreement pursuant to [§ 32 of this subtitle] § 4 OF THIS SUBHEADING to provide for reimbursement to the State Agency of the amounts of any excess contribution of the tax payable by the subdivision which have been transmitted by the State Agency for any employees of this subdivision.

(2) In the case of those subdivisions receiving financial aid from the State, each subdivision shall utilize all grants-in-aid and other revenues received from the State to pay the employer's share of the tax required under § 218 of the Social Security Act in addition to other purposes for which those funds may be used. However those subdivisions shall not be required to make an accounting for the State financial aid utilized which is separate from the payments for the employer's share of tax made to the State Agency.

REVISOR'S NOTE: This section formerly was Art. 89, § 34.

Former Art. 89, § 34 is not retained in the Code because it is apparently obsolete. However, it is transferred to the Session Laws to avoid any inadvertent substantive effect that its repeal might have.

The only changes are in style.

[35.] 7.

(a) There is hereby established a special fund to be known as the Contribution Fund. Such Fund shall consist of and there shall be deposited in such Fund:

(1) All contributions, interest, and penalties collected under [§ 34 of this subtitle] § 6 OF THIS SUBHEADING, but not expense funds collected under [subsection] § 6 (d)(3) [thereof] OF THIS SUBHEADING; [and]

(2) Interest earned on investments; and