

Subsection (b) of this section is new language added to clarify that the money in the Fund has not been regarded as "moneys of the State" within the purview of Md. Constitution, Art. VI, § 3 and to conform to the similar provision for the Injured Workers' Insurance Fund in § 10-119(b) of this title. This addition is supported by subsection (a) of this section, which otherwise would be unnecessary. In 70 Op. Att'y Gen. 35 (1985), the Attorney General discussed the relatively scant case law and opinions on "moneys of the State". The Attorney General expanded on the criteria in 71 Op. Att'y Gen. 10 (1986) [Opinion No. 86-056 (Oct. 29, 1986)], citing manifestations of State oversight, accountability for fiscal matters, scope of public service, and special funding.

10-316. ADMINISTRATION.

(A) IN GENERAL.

THE BOARD SHALL SUPERVISE THE ADMINISTRATION OF THE FUND.

(B) BUDGET.

(1) THE FUND ANNUALLY SHALL SUBMIT TO THE GOVERNOR A PROPOSED BUDGET FOR THE FUND, FOR INCLUSION IN THE BUDGET BILL TO BE SUBMITTED TO THE GENERAL ASSEMBLY.

(2) THE PROPOSED BUDGET SHALL INCLUDE AN APPROPRIATION FROM THE GENERAL FUND OF THE STATE FOR THE ADMINISTRATIVE COSTS OF THE BOARD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 91(b)(2) and (c)(2) and, as it related to payment of costs, (6).

In subsection (a) of this section, the former duty to supervise the "operation" of the Fund is deleted as included in the duty to supervise the "administration" of the Fund.

In subsection (b)(1) and (2) of this section, the references to a "proposed budget" and the "budget bill" are substituted for the former references to "its budget", the "State budget", and "paid", in light of the prerogatives of the Governor and General Assembly in preparation and enactment of the State budget.

In subsection (b)(2) of this section, the reference to "administrative costs" of the Board is substituted for the former reference to "[t]he cost of administering the Board", for clarity and brevity.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that former Art. 101, § 91(b)(2) required submission of the proposed budget "to the Governor". In practice, a