

SENATE BILL 104

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P1

2002 Regular Session  
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(PRE-FILED)

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By: **Chairman, Budget and Taxation Committee (Departmental - Budget and Management)**

Requested: October 26, 2001

Introduced and read first time: January 9, 2002

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2002

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CHAPTER 126

1 AN ACT concerning

2 **Council on Management and Productivity - Membership, Duties, Terms, and**  
3 **Sunset Extension**

4 FOR the purpose of extending to a certain date the termination date for the Council  
5 on Management and Productivity; altering the number of members on the  
6 Council; altering the terms and conditions of membership and duties of the  
7 Council; altering a certain reporting date; and generally relating to the Council  
8 on Management and Productivity.

9 BY repealing and reenacting, without amendments,  
10 Article - State Government  
11 Section 9-1803  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2001 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - State Government  
16 Section 9-1804, 9-1805, 9-1807, 9-1811, and 9-1812  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2001 Supplement)

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

1 **Article - State Government**

2 9-1803.

3 There is a Council on Management and Productivity in the Department of  
4 Budget and Management.

5 9-1804.

6 The Council consists of:

7 (1) [thirteen] TEN individuals, including representatives of labor, local  
8 government, and nonprofit organizations, who shall be appointed by and serve at the  
9 pleasure of the Governor;10 (2) [two members] ONE MEMBER of the Senate of Maryland, appointed  
11 by the President of the Senate;12 (3) [two members] ONE MEMBER of the House of Delegates, appointed  
13 by the Speaker of the House;14 (4) [two representatives] ONE REPRESENTATIVE of the Judicial Branch,  
15 appointed by the Chief Judge of the Maryland Court of Appeals;

16 (5) two representatives of the business community:

17 (i) one appointed by the President of the Senate of Maryland; and

18 (ii) one appointed by the Speaker of the House of Delegates; and

19 (6) four representatives from the general public:

20 (i) two appointed by the President of the Senate of Maryland; and

21 (ii) two appointed by the Speaker of the House of Delegates.

22 9-1805.

23 (a) (1) The Governor shall appoint a chairman from among the members of  
24 the Council.25 (2) The Council shall determine the times and places of the meetings of  
26 the Council.

27 (b) A quorum of the Council is [13] 10 members.

28 (c) (1) [Unless extended by law, the terms of members end on June 30,  
29 2002] THE TERM OF A MEMBER IS 3 YEARS.30 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE  
31 TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON JUNE 1, 2002.

1 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
2 SUCCESSOR IS APPOINTED AND QUALIFIES.

3 [(2)] (4) If a vacancy occurs during the term of a member, the appointing  
4 authority shall appoint another individual to serve the remainder of the term.

5 (5) ANY MEMBER MAY BE REMOVED BY THE APPOINTING AUTHORITY  
6 FOR INCOMPETENCE, MISCONDUCT, OR THE FAILURE TO ATTEND MEETINGS.

7 (d) A member of the Council:

8 (1) may not receive compensation for duties performed as a member of  
9 the Council; but

10 (2) is entitled to reimbursement for expenses under the Standard State  
11 Travel Regulations, as provided in the State budget.

12 9-1807.

13 The Council shall:

14 (1) solicit ideas, proposals, and suggestions from the business  
15 community, nonprofit organizations, government entities, and citizens of the State for  
16 innovative ways for the State to manage its resources more efficiently while  
17 maintaining quality programs and delivery of services;

18 (2) review and evaluate the organizational structure and management  
19 practices of State government AND FACILITATE THE USE OF BEST PRACTICES IN  
20 STATE AGENCIES;

21 (3) evaluate and recommend public-private partnership alternatives  
22 regarding the operation and management of State programs AND ASSETS;

23 (4) [evaluate and recommend public-private partnership alternatives  
24 regarding the operation, management, and ownership of State real property assets;

25 (5)] examine government contracting policies and procedures; and

26 [(6)] (5) provide information on entrepreneurial government activities  
27 and offer procedural and implementation assistance.

28 9-1811.

29 Unless otherwise extended by law and without any further action required by  
30 the General Assembly, the Council shall terminate its existence by [June 30, 2002]  
31 JULY 1, 2007.

32 9-1812.

33 On or before [August] OCTOBER 30 of each year in and after [1997] 2002, the  
34 Council shall submit a report concerning its activities and recommendations to:

- 1 (1) the Governor;
- 2 (2) the Legislative Policy Committee; and
- 3 (3) subject to § 2-1246 of this article, the General Assembly.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the  
5 members serving on the Council on Management and Productivity on May 31, 2002  
6 shall expire on June 1, 2002. The terms of the members of the Council on  
7 Management and Productivity beginning June 1, 2002 shall expire as follows:

- 8 (a) six members in 2003;
- 9 (b) six members in 2004; and
- 10 (c) seven members in 2005.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
12 effect June 1, 2002.