
By: The Speaker (Administration)

Introduced and read first time: January 25, 1996
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 1996

CHAPTER _____

1 AN ACT concerning

2 **Department of Budget and Management**

3 FOR the purpose of renaming the Department of Budget and Fiscal Planning to be the
4 Department of Budget and Management; abolishing the Department of Personnel;
5 specifying that the Department of Budget and Management is responsible for
6 administering the personnel management functions of the Executive Branch of
7 State government; transferring the telecommunications functions of the Executive
8 Branch, including the Governor's Advisory Board for Telecommunications Relay,
9 from the Department of General Services to the Department of Budget and
10 Management; altering provisions relating to the appointment of the Chief of
11 Information Technology; repealing a provision prohibiting the Chief of Information
12 Technology from having certain operating responsibility; providing for the transfer
13 of certain employees under certain circumstances; repealing certain provisions of
14 law rendered inapplicable by provisions of this Act; providing that certain laws
15 relating to layoff procedures do not apply to the termination of State positions that
16 may result from the implementation of the provisions of this Act; providing for
17 appropriate transitional provisions relating to the continuity of certain departments,
18 boards, commissions, committees, agencies, and other units and the continuity,
19 transfer, or enforceability of laws, regulations, policies, guidelines, orders,
20 directives, records, property, assets, obligations, contracts, agreements, rights, and
21 privileges in effect prior to certain dates in the Department, offices, units, and
22 positions abolished under this Act; providing for the transfer of certain property,
23 records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and
24 privileges; providing for the continuity of certain laws, rules and regulations,
25 standards and guidelines, policies, orders and other directives, permits and licenses,
26 applications, forms, plans, memberships, contracts, property, investigations, and
27 administrative and judicial responsibilities; providing for the continuity of certain
28 transactions, rights, duties, and interests; providing for the continuity of certain

1 persons licensed, registered, permitted, and certified under certain departments,
2 offices, and units; providing for the continuity of certain contracts, agreements,
3 grants, or other obligations; providing for the severability of the provisions of this
4 Act; providing for the repeal of laws that are inconsistent with this Act; making
5 technical changes; providing for an effective date; and generally relating to the
6 abolition of the Department of Personnel and the consolidation of State units,
7 programs, and services that pertain to the overall budgeting, planning,
8 telecommunications functions, personnel management, and other appropriate
9 matters relating to the operations of the Executive Branch of State government.

10 BY repealing

11 Article - State Personnel and Pensions
12 Section 2-101, 2-102, 2-104, 2-105, and 2-111
13 Annotated Code of Maryland
14 (1994 Volume and 1995 Supplement)

15 BY renumbering

16 Article - State Finance and Procurement
17 Section 4-901 through 4-904 and the subtitle "Subtitle 9. Telecommunications";
18 4-1001 through 4-1007 and the subtitle "Subtitle 10. Telecommunications
19 Access of Maryland"; and 4-1101 and 4-1103 through 4-1106 and the subtitle
20 "Subtitle 11. Telecommunications Devices for Disabled Individuals",
21 respectively
22 to be Section 3-701 through 3-704 and the subtitle "Subtitle 7.
23 Telecommunications"; 3-801 through 3-807 and the subtitle "Subtitle 8.
24 Telecommunications Access of Maryland"; and 3-901 through 3-905 and the
25 subtitle "Subtitle 9. Telecommunications Devices for Disabled Individuals",
26 respectively
27 Annotated Code of Maryland
28 (1995 Replacement Volume and 1995 Supplement)

29 BY repealing and reenacting, with amendments,

30 Article - State Finance and Procurement
31 Section 3-101, 3-201, ~~and 3-202~~ 3-202, and 3-410 to be under the amended title
32 "Title 3. Budget and Management"
33 Annotated Code of Maryland
34 (1995 Replacement Volume and 1995 Supplement)

35 BY repealing

36 Article - State Finance and Procurement
37 Section 4-1102
38 Annotated Code of Maryland
39 (1995 Replacement Volume and 1995 Supplement)

40 BY repealing and reenacting, without amendments,

41 Article - State Finance and Procurement

3

1 Section 3-701, 3-702, 3-703, 3-704, 3-801, and 3-904
2 Annotated Code of Maryland
3 (1995 Replacement Volume and 1995 Supplement)
4 (As enacted by Section 2 of this Act)

5 BY repealing and reenacting, with amendments,
6 Article - State Finance and Procurement
7 Section 3-802, 3-803, 3-804, 3-805, 3-806, 3-807, 3-901, 3-902, 3-903, and 3-905
8 Annotated Code of Maryland
9 (1995 Replacement Volume and 1995 Supplement)
10 (As enacted by Section 2 of this Act)

11 BY repealing and reenacting, with amendments,
12 Article - State Personnel and Pensions
13 Section 1-101(g) and (l) and 1-201; and the title designation "Title2. Personnel
14 Management"
15 Annotated Code of Maryland
16 (1994 Volume and 1995 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - State Government
19 Section 8-201(b)
20 Annotated Code of Maryland
21 (1995 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That Section(s) 2-101, 2-102, 2-104, 2-105, and 2-111 of Article - State
24 Personnel and Pensions of the Annotated Code of Maryland be repealed.

25 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4-901 through
26 4-904 and the subtitle "Subtitle 9. Telecommunications"; 4-1001 through 4-1007 and the
27 subtitle "Subtitle 10. Telecommunications Access of Maryland"; and 4-1101 and 4-1103
28 through 4-1106 and the subtitle "Subtitle 11. Telecommunications Devices for Disabled
29 Individuals", respectively, of Article - State Finance and Procurement of the Annotated
30 Code of Maryland be renumbered to be Section(s) 3-701 through 3-704 and the subtitle
31 "Subtitle 7. Telecommunications"; 3-801 through 3-807 and the subtitle "Subtitle 8.
32 Telecommunications Access of Maryland"; and 3-901 through 3-905 and the subtitle
33 "Subtitle 9. Telecommunications Devices for Disabled Individuals", respectively.

34 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
35 read as follows:

4

1 **Article - State Finance and Procurement**

2 Title 3. Budget and [Fiscal Planning] MANAGEMENT.

3 3-101.

4 (a) In this title the following words have the meanings indicated.

5 (b) "Department" means the Department of Budget and [Fiscal Planning]
6 MANAGEMENT.

7 (c) "Secretary" means the Secretary of Budget and [Fiscal Planning]
8 MANAGEMENT.

9 3-201.

10 There is a Department of Budget and [Fiscal Planning] MANAGEMENT,
11 established as a principal department of the State government.

12 3-202.

13 (a) The head of the Department is the Secretary of Budget and [Fiscal Planning]
14 MANAGEMENT, who shall be appointed by the Governor with the advice and consent of
15 the Senate.

16 (b) The Secretary must have experience in public finance, budgeting,
17 management, and fiscal planning.

18 (c) Before taking office, the appointee shall take the oath required by Article I, §
19 9 of the Maryland Constitution.

20 (d) (1) The Secretary serves at the pleasure of the Governor and is responsible
21 directly to the Governor. The Secretary shall advise the Governor on all matters assigned
22 to the Department and is responsible for carrying out the Governor's policies on those
23 matters.

24 (2) The Secretary is responsible for the operation of the Department and
25 shall establish guidelines and procedures to promote the orderly and efficient
26 administration of the Department. The Secretary may establish, reorganize, or abolish
27 areas of responsibility in the Department as necessary to fulfill the duties assigned to the
28 Secretary.

29 (3) The Secretary is responsible for establishing policy to be followed by the
30 units in the Department.

31 (e) The Secretary is entitled to the salary provided in the State budget.

32 3-410.

33 (a) The Chief of Information Technology is established within the Department
34 [of Budget and Fiscal Planning].

35 (b) The Chief shall be appointed by the [Governor] SECRETARY and [will
36 serve] SERVES at the [Governor's] SECRETARY'S pleasure.

5

1 (c) The Chief shall be provided appropriate professional and administrative staff
2 by the Secretary [of Budget and Fiscal Planning] as provided in the budget.

3 (d) [The Chief will have no operating responsibility for information technology
4 functions.

5 (e) The Chief is responsible to the Secretary in carrying out the following duties:

6 (1) developing, maintaining, and enforcing statewide information
7 technology standards, policies, and procedures;

8 (2) providing technical assistance, advice, and recommendations to the
9 Secretary concerning information technology matters;

10 (3) reviewing major information technology projects for consistency with
11 statewide plans, policies, and standards; and

12 (4) developing and maintaining a statewide information technology master
13 plan that will:

14 (i) be the basis for the management and direction of information
15 technology within the Executive Branch of State government;

16 (ii) include all aspects of State information technology including
17 telecommunications, data processing, and information management;

18 (iii) consider interstate transfers due to federal legislation and
19 regulation;

20 (iv) ensure that information technology plans and budgets are
21 consistent; and

22 (v) ensure that State information technology plans, policies, and
23 standards are consistent with State goals, objectives, and resources, and represent a
24 long-range vision for using information technology to improve the overall effectiveness of
25 State government.

26 Subtitle 7. Telecommunications.

27 3-701.

28 (a) In this subtitle the following words have the meanings indicated.

29 (b) "Telecommunication" means the transmission of information, images,
30 pictures, voice or data by radio, video or other electronic or impulse means.

31 3-702.

32 (a) The Department shall:

33 (1) coordinate the development, procurement, management and operation
34 of telecommunication equipment, systems, and services by State government;

35 (2) acquire and manage common user telecommunication equipment,
36 systems, or services and charge units of State government for their proportionate share of

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1 the costs of installation, maintenance, and operation of the common user
2 telecommunication equipment, systems, or services;

3 (3) promote compatibility of telecommunication systems by developing
4 policies, procedures, and standards for the acquisition and use of telecommunication
5 equipment, systems, and services by units of State government;

6 (4) coordinate State government telecommunication systems and services by
7 reviewing requests by units of State government for telecommunication equipment,
8 systems, or services;

9 (5) advise units of State government about planning, acquisition, and
10 operation of telecommunication equipment, systems, or services; and

11 (6) provide radio frequency coordination for State and local governments in
12 accordance with regulations of the Federal Communications Commission.

13 (b) The Department may make arrangement for a user other than a unit of State
14 government to have access to and use of State telecommunication equipment, systems,
15 and services and shall charge the user any appropriate amount to cover the cost of
16 installation, maintenance, and operation of the telecommunication equipment, system, or
17 service provided.

18 3-703.

19 (a) The provisions of this subtitle may not apply to a telecommunication system or
20 service that is owned or operated by a unit of the Legislative or Judicial Branch.

21 (b) The provisions of this subtitle may not preempt the authority of the University
22 of Maryland System or the Maryland Public Broadcasting Commission to own, operate, or
23 manage telecommunication systems, services, or equipment.

24 3-704.

25 Telecommunications, including those of the University of Maryland System and
26 Maryland Public Broadcasting System, shall be consistent with statewide information
27 technology policies and standards and the statewide information technology master plan.

28 Subtitle 8. Telecommunications Access of Maryland.

29 3-801.

30 (a) In this subtitle the following words have the meanings indicated.

31 (b) "Board" means the Governor's Advisory Board for Telecommunications
32 Relay.

33 (c) "Dual party telephone relay program" means a service whereby a person using
34 a telecommunications device for the deaf communicates with an intermediary party who
35 then verbally relays the first party's message to the third party, and vice versa.

36 (d) "Program" means the dual party telephone relay program.

7

1 (e) "Program participant" means a resident of the State, whether hearing or deaf,
2 who uses the relay system to facilitate communication in the manner described in
3 subsection (c) of this section.

4 (f) "Telephone company" includes any public service company that owns
5 telephone lines for the reception, transmission, or communication of messages by
6 telephone or teletype, or that leases or sells telephonic or teletype communication
7 equipment.

8 (g) "Telecommunications device for the deaf" or "TDD" means all types of
9 mechanical devices that enable disabled individuals to type phone messages through the
10 telephone network.

11 3-802.

12 There is a Governor's Advisory Board for Telecommunications Relay under the
13 Department [of General Services].

14 3-803.

15 The Department [of General Services] in consultation with the Board shall
16 establish and administer a program to provide cost-efficient, 24-hour, dual party
17 telephone relay service to program participants at a comparable level of access and
18 quality that a standard telecommunication service provides to a person without a hearing
19 or speech disability.

20 3-804.

21 (a) The Board shall be composed of 12 individuals appointed by the Governor,
22 who shall designate the chairman, including:

23 (1) 5 representatives of the hearing impaired;

24 (2) 1 representative of the mobility impaired community who requires the
25 use of specialized customer premises equipment;

26 (3) 1 representative of the speech-impaired community who requires the
27 use of specialized customer premises equipment;

28 (4) 1 representative of the senior citizen community who requires the use of
29 specialized customer premises equipment;

30 (5) 1 representative of the deaf-blind community; and

31 (6) 3 representatives of government, 1 of whom is a representative of the
32 Public Service Commission.

33 (b) (1) The term of a member is 3 years.

34 (2) The terms of members are staggered as required by the terms provided
35 for members of the Board on July 1, 1988.

36 (3) At the end of a term, a member continues to serve until a successor is
37 appointed and qualifies.

8

1 (4) A member who is appointed after a term has begun serves only for the
2 rest of the term and until a successor is appointed and qualifies.

3 (5) The Governor may remove a member for incompetence or misconduct.

4 (c) The members of the Board shall serve without compensation, but shall be
5 reimbursed for all reasonable expenses incurred in the performance of their duties.

6 (d) By January 1 of each year, the Board shall file an annual report on its
7 activities to the General Assembly in accordance with § 2-1312 of the State Government
8 Article.

9 (e) The Board shall advise the Department [of General Services] with regard to
10 the program's:

11 (1) level of access to program participants; and

12 (2) quality of service.

13 3-805.

14 (a) The Department [of General Services] in consultation with the Board shall:

15 (1) develop the program in collaboration with State programs currently
16 serving disabled individuals and with community agencies or other organizations that
17 have established relay programs;

18 (2) [commence the program by December 31, 1991 and fully implement it
19 throughout the State by July 1, 1992;] and

20 [(3)] maintain an information and referral service to provide information
21 about the availability of the relay service.

22 (b) The Department [of General Services] in consultation with the Board may:

23 (1) contract with a private vendor or nonprofit organization to provide the
24 information and referral service required under subsection (a)(3) of this section; and

25 (2) provide appropriate staff assistance from the Department [of General
26 Services] to assist the Board in carrying out its duties under this subtitle.

27 3-806.

28 The Department [of General Services] in consultation with the Board shall adopt
29 regulations to carry out the purposes of this subtitle.

30 3-807.

31 (a) The program shall be funded as provided in the State budget.

32 (b) There is a Universal Service Trust Fund created for the purpose of paying the
33 costs of maintaining and operating the program subject to the limitations and controls
34 provided in this subtitle. Moneys in the Universal Service Trust Fund shall be held in the
35 State Treasury.

1 (c) (1) The costs of the program shall be funded by revenues generated by a
2 surcharge to be paid by the subscribers to switched local exchange access service and by
3 other funds as the budget may provide.

4 (2) The surcharge may not exceed 45 cents per month and shall be applied
5 to all current bills rendered for switched local exchange access service in the State. The
6 surcharge is payable at the time the bills for telephone service are due.

7 (d) (1) The Secretary of the Department [of General Services] shall annually
8 certify to the Public Service Commission the costs of the program to be paid by the
9 Universal Service Trust Fund.

10 (2) The Public Service Commission shall determine the surcharge necessary
11 to fund the program and shall, on 60 days' notice, direct the affected telephone
12 companies to add the surcharge to all current bills rendered for switched local exchange
13 access service in the State.

14 (e) The affected telephone companies shall act as collection agents for the
15 Universal Service Trust Fund and shall remit all proceeds monthly to the Comptroller for
16 deposit to the Universal Service Trust Fund. The telephone companies shall be entitled to
17 credit against these proceeds an amount equal to 1 1/2 percent of these proceeds to cover
18 the expenses of billing, collecting, and remitting the surcharge and any additional charges.

19 (f) The Secretary [of General Services] shall administer the Universal Service
20 Trust Fund [subject to the provisions for financial management and budgeting
21 established by the Department of Budget and Fiscal Planning]. The income derived from
22 investment of money in the Fund shall accrue to the Fund.

23 (g) The Legislative Auditor shall conduct post audits of a fiscal and compliance
24 nature of the Universal Service Trust Fund and of the expenditures made for purposes of
25 this subtitle. The cost of the fiscal portion of the post audit examination shall be paid from
26 the Universal Service Trust Fund as an administrative cost.

27 Subtitle 9. Telecommunications Devices for Disabled Individuals.

28 3-901.

29 (a) In this subtitle the following words have the meanings indicated.

30 (b) "Board" means the Governor's Advisory Board for Telecommunications Relay
31 as defined under [§ 4-1004] § 3-804 of this article.

32 [(c) "Department" means the Department of General Services.]

33 [(d)] (C) "Program" means the program developed and administered by the
34 Department in consultation with the Board and the Governor's Office for
35 [Handicapped] Individuals WITH DISABILITIES to provide financial assistance for the
36 purchase of specialized customer premises equipment (SCPE) by eligible program
37 participants.

38 [(e)] (D) "Program participant" means a person who:

39 (1) is a resident of the State;

10

1 (2) is certified by a licensed professional as having a disability which
2 seriously limits or prohibits the use of the basic telephone network without specialized
3 customer premises equipment;

4 (3) is certified by a licensed professional as being able to use specialized
5 customer premises equipment for which application is made;

6 (4) meets the financial eligibility requirements established by the
7 Governor's Office for [Handicapped] Individuals WITH DISABILITIES; and

8 (5) at the time of application is not receiving similar services which are
9 available and can be provided in a timely manner through another program.

10 [(f)] (E) "Specialized customer premises equipment" or "equipment" means any
11 communications devices designed to assist program participants in using the basic
12 telephone network.

13 [(g)] (F) "System" means the method which the Department shall use to provide
14 financial assistance to eligible program participants for the purchase of the equipment.

15 3-902.

16 (a) The Department [of General Services] in consultation with the Board and
17 the Governor's Office for [Handicapped] Individuals WITH DISABILITIES shall establish
18 and administer a program to assist eligible program participants to purchase specialized
19 customer premises equipment in accordance with the State budget.

20 (b) (1) In this subsection, "shopping mall" means a facility with a roofed-over
21 common pedestrian area housing more than five sales or rental establishments in which a
22 majority of the tenants have a main entrance from the common pedestrian area.

23 (2) This subsection applies to a shopping mall that:

24 (i) provides a total number of four or more public pay telephones at
25 the facility of which at least one is an interior public pay telephone located in the common
26 pedestrian area; and

27 (ii) is larger than 500,000 square feet.

28 (3) In accordance with the standards and regulations established by the
29 Department, the owner, operator, manager, or other person having control of a shopping
30 mall shall acquire and install at least one interior telecommunications device for the deaf
31 (TDD), also known as a text telephone (TT), to facilitate telecommunication by persons
32 in need of such devices.

33 3-903.

34 (a) The Department [of General Services], in consultation with the Board and
35 the Governor's Office for [Handicapped] Individuals WITH DISABILITIES shall:

36 (1) provide a system for eligible program participants to purchase
37 equipment, but no single eligible participant shall receive more than \$6,000;

11

1 (2) establish an information and referral service, including a toll free
2 number for both voice and TDD, to provide information about the availability of the
3 equipment;

4 (3) contract with private vendors or nonprofit organizations to provide the
5 information and referral service and other auxiliary services;

6 (4) as necessary, establish interagency agreements with other State agencies
7 which provide technical assistance for disabled individuals to prevent duplicative
8 programs; and

9 (5) appoint appropriate staff to assist the Board in carrying out its activities
10 under this subtitle.

11 (b) The Board and the Governor's Office for [Handicapped] Individuals WITH
12 DISABILITIES shall:

13 (1) assist the Department in the development of regulations;

14 (2) develop and implement educational outreach programs;

15 (3) review and monitor the program; and

16 (4) advise the Department on unusual hardship cases.

17 3-904.

18 (a) The Department shall apply for financial assistance under P.L. 100-407, the
19 federal Technology-Related Assistance for Individuals with Disabilities Act of 1988.

20 (b) This subtitle may not be construed to establish an entitlement program.

21 3-905.

22 The Department in consultation with the Board and the Governor's Office for
23 [Handicapped] Individuals WITH DISABILITIES shall adopt regulations to carry out the
24 purposes of this subtitle.

25 [4-1102.

26 There is a Governor's Advisory Board for Telecommunications Relay under the
27 Department of General Services.]

28 **Article - State Personnel and Pensions**

29 1-101.

30 (g) "Department" means the Department of [Personnel] BUDGET AND
31 MANAGEMENT.

32 (l) [Except as provided in Title 8, Subtitle 1 of this article,] "Secretary" means
33 the Secretary of [Personnel] BUDGET AND MANAGEMENT.

34 1-201.

35 There is a State Personnel Management System, which is under the authority of the
36 Secretary of [Personnel] BUDGET AND MANAGEMENT.

12

1 Title 2. [Department of] Personnel MANAGEMENT.

2 **Article - State Government**

3 8-201.

4 (b) The principal departments of the Executive Branch of the State government
5 are:

6 (1) Agriculture;

7 (2) Budget and [Fiscal Planning] MANAGEMENT;

8 (3) Business and Economic Development;

9 (4) the Environment;

10 (5) General Services;

11 (6) Health and Mental Hygiene;

12 (7) Housing and Community Development;

13 (8) Human Resources;

14 (9) Juvenile Justice;

15 (10) Labor, Licensing, and Regulation;

16 (11) Natural Resources;

17 (12) [Personnel];

18 (13)] Public Safety and Correctional Services;

19 [(14)] (13) State Police; and

20 [(15)] (14) Transportation.

21 SECTION 4. AND BE IT FURTHER ENACTED, That:

22 (a) As of June 30, 1996, and subject to the provisions of subsection(b) of this
23 section, the Department of Personnel is hereby abolished as an independent unit within
24 the Executive Branch, and that, as of July 1, 1996, the Department of Budget and
25 Management shall be the successor of the Department of Personnel.

26 (b) As of July 1, 1996, the positions of Secretary of Personnel and Deputy
27 Secretary of Personnel are abolished, and the Secretary of Budget and Management shall
28 be the successor of the Secretary of Personnel.

29 (c) In every law, executive order, rule, regulation, policy, or document created by
30 any official, employee, or unit of this State, the names and titles of those officials,
31 employees, or units mean the names and titles of the successor official, employee, or unit,
32 as provided in this Act.

33 SECTION 5. AND BE IT FURTHER ENACTED, That:

13

1 (a) All employees who are transferred to the Department of Budget and
 2 Management from the Department of General Services and the Department of Personnel
 3 subject to the implementation of this Act shall be so transferred without diminution of
 4 their rights, benefits, or employment and retirement status.

5 (b) The provisions of Section 9-501(c) of the State Personnel and Pensions
 6 Article apply to those employees whose positions are deleted from the Fiscal Year 1997
 7 State budget and who are neither transferred to other State employment nor transferred
 8 to the Department of Budget and Management.

9 SECTION 6. AND BE IT FURTHER ENACTED, That nothing in this Act
 10 affects the term of office of a member of any department, board, commission, committee,
 11 agency, or other unit ~~until the reorganization required under this Act is accomplished on~~
 12 ~~July 1, 1996.~~ A person who is a member of such a department, board, commission,
 13 committee, agency, or unit on the effective date of this Act shall remain a member for the
 14 balance of the term to which appointed ~~or until July 1, 1996, whichever occurs first,~~ unless
 15 the member sooner dies, resigns, or is removed under provisions of law.

16 SECTION 7. AND BE IT FURTHER ENACTED, That ~~the continuity of every~~
 17 ~~department, board, commission, committee, agency, or other unit affected by this Act~~
 18 ~~shall be retained until July 1, 1996. As of that date,~~ except as otherwise provided by law,
 19 all property of whatsoever kind, including all real and personal property, records, fixtures,
 20 appropriations, credits, assets, liabilities, obligations, rights, and privileges, held by the
 21 Department of Budget and Fiscal Planning, the telecommunications components of the
 22 Department of General Services transferred by this Act, and the Department of
 23 Personnel, or any of their units, as that property and those records, fixtures,
 24 appropriations, credits, assets, liabilities, obligations, rights, and privileges may exist on
 25 June 30, 1996, shall be and hereby are transferred to the Department of Budget and
 26 Management.

27 SECTION 8. AND BE IT FURTHER ENACTED, That, except as otherwise
 28 provided by law, all existing laws, rules and regulations, proposed rules and regulations,
 29 standards and guidelines, policies, orders and other directives, permits and licenses,
 30 applications for permits and licenses, forms, plans, memberships, contracts, property,
 31 investigations, administrative and judicial responsibilities associated with, and all matters
 32 pending before the Department of Budget and Fiscal Planning, the telecommunications
 33 components of the Department of General Services transferred by this Act, and the
 34 Department of Personnel, or any of their units, as of June 30, 1996, shall continue in
 35 effect under the Department of Budget and Management, or a unit of the Department
 36 until completed, withdrawn, canceled, modified, or otherwise changed pursuant to law.

37 SECTION 9. AND BE IT FURTHER ENACTED, That any transaction affected
 38 by or flowing from any change of nomenclature or any statute amended, repealed, or
 39 transferred, and validly entered into before July 1, 1996, and every right, duty, or interest
 40 flowing from the statute remains valid after July 1, 1996, and may be terminated,
 41 completed, consummated, or enforced as required or permitted by any statute amended,
 42 repealed, or transferred by this Act as though the repeal, amendment, or transfer had not
 43 occurred. If the change in nomenclature involves a change in name or designation of any
 44 State agency, the successor agency shall be considered in all respects as having the powers
 45 and obligations granted the former agency.

14

1 SECTION 10. AND BE IT FURTHER ENACTED, That any person licensed,
2 registered, permitted, or certified under any department, office, or unit abolished by this
3 Act is considered for all purposes to be licensed, registered, permitted, or certified for the
4 duration of the term for which the license, registration, permit, or certification was issued,
5 and may renew that authorization in accordance with the appropriate renewal provisions
6 provided by the successor agency. Any person who was originally licensed, registered,
7 permitted, or certified under a provision of law that has been repealed by this Act as
8 obsolete or inconsistent continues to meet the requirements to the same extent as if that
9 provision had not been repealed.

10 SECTION 11. AND BE IT FURTHER ENACTED, That, to the extent that all
11 contracts, agreements, grants, or other obligations entered into by the Department of
12 Budget and Fiscal Planning, the telecommunications components of the Department of
13 General Services transferred by this Act, and the Department of Personnel, or any of
14 their units, prior to July 1, 1996, are valid, legal, and binding, but which under the terms
15 of such obligations are to continue in effect after July 1, 1996, those obligations are
16 hereby declared to be valid, legal, and binding obligations of the Department of Budget
17 and Management, or of the appropriate unit of the Department of Budget and
18 Management, enforceable in accordance with their terms.

19 SECTION 12. AND BE IT FURTHER ENACTED, That:

20 (a) Pursuant to the plan of reorganization that is proposed by this Act, the
21 publishers of the Annotated Code of Maryland, subject to the approval of the Maryland
22 Department of Legislative Reference, shall propose the correction of any agency names
23 and titles throughout the Annotated Code that are rendered incorrect by this Act.

24 (b) To the extent necessitated by this Act, the Department of Legislative
25 Reference, in conjunction with the publishers of the Annotated Code, shall revise the
26 Annotated Code of Maryland in order to conform the Code to the abolishment of the
27 Department of Personnel and its administrative reorganization and merger into the
28 Department of Budget and Management, and the transfer of the telecommunications
29 components from the Department of General Services to the Department of Budget and
30 Management as required under this Act, and this statutory revision shall be ratified by
31 passage of the Annual Corrective Bill of 1997.

32 SECTION 13. AND BE IT FURTHER ENACTED, That all laws or parts of laws,
33 public general or public local, or regulations, inconsistent with this Act, are repealed to
34 the extent of the inconsistency.

35 SECTION 14. AND BE IT FURTHER ENACTED, That if any provision of this
36 Act or the application thereof to any person or circumstance is held invalid for any reason
37 in a court of competent jurisdiction, the invalidity does not affect other provisions or any
38 other application of this Act which can be given effect without the invalid provision or
39 application, and for this purpose the provisions of this Act are declared severable.

40 SECTION 15. AND BE IT FURTHER ENACTED, That, except for Section 4 of
41 this Act, the provisions of this Act shall take effect July 1, 1996.

