

CF 7r2811

By: The Speaker (Administration)

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 1997

CHAPTER ____

1 AN ACT concerning

2 **Elimination and Consolidation of Certain Boards and Commissions and Agency**
3 **Reporting Requirements**

4 FOR the purpose of transferring the control and appointment authority over local
5 physical fitness advisory councils to each county and Baltimore City; eliminating the
6 State Advisory Council on Alcohol and Drug Abuse; enabling certain reports within
7 the Department of Business and Economic Development to be submitted at the
8 same time as the Department's Annual Report; eliminating certain annual reports
9 from the Department of Agriculture; eliminating or consolidating certain reports
10 required to be made by the Commissioner of Financial Regulations, the
11 Commissioner of Labor and Industry, the State Athletic Commission, the State
12 Board of Foresters, and the State Real Estate Commission, within the Department
13 of Labor, Licensing, and Regulation; eliminating certain reports that are
14 duplicative, redundant, and no longer statutorily required within the Maryland
15 Higher Education Commission; eliminating duplicative reports within the
16 Department of Health and Mental Hygiene; modifying submission time of
17 condominium developer reports to the Office of the Secretary of State; repealing
18 the requirement that certain units of State government submit, by a certain date, a
19 report containing certain information on the evaluation of federal aid to certain
20 committees, the Department of Budget and Management, and the Department of
21 Fiscal Services; repealing the requirement that each unit of government using
22 nonbudgeted or dedicated funds for a capital project submit, by a certain date, a
23 report to the Joint Budget and Audit Committee; ~~consolidating certain reports~~
24 ~~concerning the Children's Trust Fund and a Joint Report by the Subcabinet on the~~
25 ~~Costs and Outcomes of State-funded Family Preservation Services within the Office~~
26 ~~of Children, Youth, and Families;~~ and generally relating to the elimination and
27 consolidation of certain boards and commissions and agency reporting

2

1 requirements.

2 BY repealing and reenacting, with amendments,

3 Article 83A - Department of Business and Economic Development
4 Section 1-204(a), 5-912, 5-1011, 5-1047(g), 5-1102(h), and 6-404(b)
5 Annotated Code of Maryland
6 (1995 Replacement Volume and 1996 Supplement)

7 BY repealing and reenacting, with amendments,

8 Article - Agriculture
9 Section 2-404
10 Annotated Code of Maryland
11 (1985 Replacement Volume and 1996 Supplement)

12 BY repealing

13 Article - Agriculture
14 Section 5-303
15 Annotated Code of Maryland
16 (1985 Replacement Volume and 1996 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article - Business Occupations and Professions
19 Section 7-206, 17-208, and 17-210
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article - Business Regulation
24 Section 4-205
25 Annotated Code of Maryland
26 (1992 Volume and 1996 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article - Education
29 Section 13-101(f) and 16-301(g)
30 Annotated Code of Maryland
31 (1997 Replacement Volume)

32 BY repealing

33 Article - Education
34 Section 18-110(c), 18-308(d), 18-409, and 18-1106
35 Annotated Code of Maryland
36 (1997 Replacement Volume)

37 BY repealing

3

1 Article - Financial Institutions
2 Section 2-107 and 5-1108
3 Annotated Code of Maryland
4 (1992 Replacement Volume and 1996 Supplement)

5 ~~BY repealing and reenacting, with amendments,~~
6 ~~Article - Financial Institutions~~
7 ~~Section 12-411~~
8 ~~Annotated Code of Maryland~~
9 ~~(1992 Replacement Volume and 1996 Supplement)~~

10 BY repealing

11 Article - Health - General
12 Section 7-304; and 8-301 through 8-306, inclusive, and the subtitle "Subtitle 3.
13 State Advisory Council"
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1996 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article - Health - General
18 Section 13-408 and 13-409
19 Annotated Code of Maryland
20 (1994 Replacement Volume and 1996 Supplement)

21 BY repealing

22 Article - Labor and Employment
23 Section 5-508
24 Annotated Code of Maryland
25 (1991 Volume and 1996 Supplement)

26 BY repealing and reenacting, with amendments,

27 Article - Real Property
28 Section 11-127(d)
29 Annotated Code of Maryland
30 (1996 Replacement Volume and 1996 Supplement)

31 BY repealing

32 Article - State Finance and Procurement
33 Section 2-105 and 2-204
34 Annotated Code of Maryland
35 (1995 Replacement Volume and 1996 Supplement)

36 BY repealing and reenacting, with amendments,

37 Article - State Personnel and Pensions
38 Section 4-301

4

1 Annotated Code of Maryland
2 (1994 Volume and 1996 Supplement)

3 BY repealing

4 Article - State Personnel and Pensions
5 Section 9-1207
6 Annotated Code of Maryland
7 (1994 Volume and 1996 Supplement)

8 BY repealing

9 Chapter 462 of the Acts of the General Assembly of 1991
10 Section 7

11 Preamble

12 WHEREAS, The Governor and the General Assembly share concerns about
13 efficient and effective government; and

14 WHEREAS, Certain boards and commissions and reporting requirements have
15 missions which overlap and need consolidation, or are accomplished through other
16 existing entities, or are not functioning; and

17 WHEREAS, By eliminating and consolidating certain boards and commissions, the
18 effectiveness of grant moneys is maximized, a single point of contact is provided and
19 government efficiency is increased; and

20 WHEREAS, Currently too many unnecessary and duplicative reports are required
21 causing extra work and costing extra money at taxpayers' expense; and

22 WHEREAS, By eliminating and consolidating certain reports, accessibility and
23 availability of information is enhanced, duplicative and redundant information is reduced,
24 and State and local government efficiency is increased; and

25 WHEREAS, This year, the Administration has continued to put forth an effort to
26 eliminate and consolidate boards and commissions, where appropriate; and

27 WHEREAS, The State Advisory Council on Physical Fitness is very active and
28 where the State Council consists of representatives from each of the counties and
29 Baltimore City and where all but three of the local advisory councils are inactive, the
30 counties should have the appointment authority and control over the local advisory
31 councils to continue as they deem appropriate; and

32 WHEREAS, The State Advisory Council on Alcohol and Drug Abuse has been
33 inactive for over 5 years, and the necessary advice regarding the treatment and prevention
34 of addictions can be obtained through other internal and external advisors, including the
35 Alcohol and Drug Treatment Research Advisory Committee; now, therefore,

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

5

1 **Article 83A - Department of Business and Economic Development**

2 1-204.

3 (a) Subject to § 2-1312 of the State Government Article, the Commission shall
4 report by [January 15] DECEMBER 31 of each year to the General Assembly on the
5 activities of the Commission during the previous year.

6 5-912.

7 The Authority shall:

8 (1) Keep proper records of its funds and accounts;

9 (2) Make an annual report BY DECEMBER 31 on its condition and
10 operations to the Governor, the General Assembly in accordance with § 2-1312 of the
11 State Government Article, and the chairman of the Joint Budget and Audit Committee;
12 and

13 (3) Be audited annually.

14 5-1011.

15 The Authority shall:

16 (1) Keep proper records of its accounts;

17 (2) Keep separate records for the Contract Financing Fund, the Guaranty
18 Fund, the Small Business Surety Bond Fund, and the Equity Participation Investment
19 Program Fund; and

20 (3) Make an annual report BY DECEMBER 31 on its condition and
21 operations to the Governor and, subject to § 2-1312 of the State Government Article, to
22 the General Assembly.

23 5-1047.

24 (g) The Authority shall file an annual report by [January 1] DECEMBER 31 to the
25 General Assembly in the form required in § 2-1312 of the State Government Article.

26 5-1102.

27 (h) The Department shall report to the Governor and, subject to § 2-1312 of the
28 State Government Article, to the General Assembly by [November 1] DECEMBER 31 of
29 each year on the business entities certified as eligible for tax credits in the preceding fiscal
30 year.

31 6-404.

32 (b) The Administration shall prepare an annual report by December [1] 31 for
33 the Governor, the Commission, and, subject to § 2-1312 of the State Government Article,
34 for the General Assembly for the preceding State fiscal year. The report shall contain a
35 summary of the energy projects that obtained financial assistance from the
36 Administration and, for each project or class of projects, the estimated energy savings and
37 energy supply additions. The report shall also list the source and amount of any
38 contribution, gift, or other donation received by the Administration. Each report shall set

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1 forth the complete operating and financial statement covering the operations of the
2 Administration during the fiscal year and shall include the results of the audit performed
3 under subsection (a) of this section.

4 **Article - Agriculture**

5 2-404.

6 The Board shall hear and determine appeals from any decision of the Secretary or
7 any position or unit within the Department subject to judicial review under the
8 Administrative Procedure Act or any other provision of law. The Board also shall hear
9 and determine any appeal from action or failure to act of any position or unit within the
10 Department for which the Secretary, by rule or regulation, provides for review by the
11 Board. [The Board shall report at least annually to the Secretary. Its report shall
12 incorporate a summary by categories of appeals heard and determinations made.] A
13 Board member may not participate in any determination or vote in any proceeding as to
14 which he has, directly or indirectly, a private interest.

15 [5-303.

16 The Secretary shall submit annually a written report of his inspections and
17 investigations to the Governor and, subject to § 2-1312 of the State Government Article,
18 make the report available to the General Assembly.]

19 **Article - Business Occupations and Professions**

20 7-206.

21 (a) In addition to any powers set forth elsewhere, the Board may adopt:

22 (1) any bylaw for the conduct of the proceedings of the Board; and

23 (2) any regulation to carry out this title.

24 (b) In addition to any duties set forth elsewhere, the Board:

25 (1) shall administer this title;

26 (2) shall adopt a seal; AND

27 (3) shall keep a record of its proceedings[; and

28 (4) on or before September 30 of each year, shall submit to the Governor a
29 report on the transactions of the Board during the previous fiscal year].

30 (c) The Board shall keep a record that, for each application for a license, shows:

31 (1) the applicant's:

32 (i) name;

33 (ii) age;

34 (iii) residence;

35 (iv) place of business; and

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- 1 (v) educational and other qualifications;
- 2 (2) the date of the application;
- 3 (3) whether the applicant was required to take an examination;
- 4 (4) the action of the Board on the application;
- 5 (5) the reason for the action; and
- 6 (6) any other information the Board considers necessary.

7 (d) The Board shall:

8 (1) keep a list of all licensed foresters that shows the name and place of
9 business of each licensee;

10 (2) provide a copy of the list:

11 (i) on request, to any member of the public; and

12 (ii) every 2 years, on or before March 31, to:

13 1. each licensee; and

14 2. the Secretary of State.

15 (e) (1) With the advice of the established forestry associations, the Board shall
16 adopt, by regulation, a code of ethics for practicing forestry.

17 (2) The Board shall distribute a copy of the code of ethics:

18 (i) to each applicant for a license; and

19 (ii) on each renewal of a license, to each licensee.

20 (f) The Board shall adopt regulations that implement the continuing education
21 requirement set forth in § 7-308(c)(2) of this title.

22 17-208.

23 (a) The Commission may adopt:

24 (1) reasonable bylaws for the conduct of its proceedings;

25 (2) reasonable regulations for the conduct of hearings;

26 (3) reasonable regulations to govern applications for licenses; and

27 (4) subject to subsection (c) of this section, reasonable regulations to carry
28 out this title.

29 (b) [(1)] The Commission shall adopt guidelines that establish a schedule for the
30 prompt and timely processing and resolution of each complaint made to the Commission.

8

1 [(2) On or before October 1 of each year, the Commission shall report to the
2 General Assembly on the number of cases resolved within the schedule adopted under
3 paragraph (1) of this subsection.]

4 (c) The Commission may not adopt a regulation that would allow the issuance of
5 a conditional or temporary license.

6 (d) The Commission:

7 (1) at least once every 2 years, shall provide a copy of the regulations
8 adopted under this title to each licensee; and

9 (2) on request of any person, shall make available a copy of the regulations
10 to that person.

11 17-210.

12 The Commission shall submit to the Secretary an annual report of the activities of
13 the Commission that includes:

14 (1) a statement of the total receipts from license fees;

15 (2) a statement of the total expenditures of the Commission;

16 (3) the number of real estate broker licenses, associate real estate broker
17 licenses, and real estate salesperson licenses issued in each county;

18 (4) the number of hearings held;

19 (5) the number of complaints received;

20 (6) the number of investigations made;

21 (7) the number of applications for licenses denied;

22 (8) the total number of licenses suspended or revoked; [and]

23 (9) THE NUMBER OF CASES RESOLVED WITHIN THE SCHEDULE
24 ADOPTED UNDER § 17-208(B) OF THIS SUBTITLE; AND

25 [(9)] (10) any other information that reflects the work of the Commission.

26 **Article - Business Regulation**

27 4-205.

28 (a) The Commission shall control and have jurisdiction over all contests held in
29 the State.

30 (b) The Commission may:

31 (1) adopt regulations to administer its office;

32 (2) administer oaths; and

33 (3) issue subpoenas for the attendance of witnesses to testify or to produce
34 evidence.

9

1 (c) The Commission shall:

2 (1) adopt a seal;

3 (2) adopt regulations to carry out this subtitle and Subtitle 3 of this title;

4 (3) keep a record of its proceedings;

5 (4) keep at its general offices all its books, documents, and papers; and

6 (5) prepare notices and other papers for service.

7 [(d) The Commission:

8 (1) shall submit annually to the Secretary for the year that ends on June 30:

9 (i) a report of its proceedings; and

10 (ii) a detailed statement of all receipts and disbursements; and

11 (2) may submit with its annual report recommendations about its affairs.]

12 **Article - Education**

13 13-101.

14 (f) (1) Each year University College shall cause an independent certified public
15 accountant to prepare audited financial statements of University College in accordance
16 with generally accepted auditing standards accompanied by the auditor's report on the
17 statements.

18 (2) [University College shall submit copies of the auditor's report and
19 financial statements to the Board of Regents and, subject to § 2-1312 of the State
20 Government Article, to the General Assembly.

21 (3)] The provisions of § 12-105(f) of this article do not apply to University
22 College overseas programs.

23 16-301.

24 (g) (1) The budget of each community college, as approved by the county
25 governing body under this section shall be submitted to the Commission for informational
26 purposes. [This budget shall include a personnel detail.]

27 (2) Proposals for capital projects shall be submitted to the Department of
28 Budget and Management through the Commission.

29 18-110.

30 [(c) The Maryland Higher Education Commission shall report annually to the
31 Legislative Policy Committee on the total number of participants in the tuition reduction
32 program and the status of graduates with an outstanding obligation for work within the
33 State or repayment of tuition reduction under this section.]

10

1 18-308.

2 [(d) The Administration shall submit an annual report on the reciprocal
3 scholarship program to the Commission, the Governor, and, subject to § 2-1312 of the
4 State Government Article, to the General Assembly.]

5 [18-409.

6 At the request of the Administration, each eligible institution shall provide the
7 Administration with a complete list of all recipients of senatorial scholarships who attend
8 the institution.]

9 [18-1106.

10 Subject to § 2-1312 of the State Government Article, the Commission shall report
11 to the General Assembly by January 1 of each year on the number and nature of the
12 extenuating circumstances of the appeals granted under § 18-1102(c)(2) of this subtitle.]

13 **Article - Financial Institutions**

14 [2-107.

15 On June 30 of each year, the Commissioner shall report to the Governor on the
16 operations of the Commissioner's office and, as to the laws that the Commissioner
17 administers, on amendments that the Commissioner considers desirable.]

18 [5-1108.

19 (a) The Commissioner shall closely monitor the activities of each merger,
20 conversion, or acquisition made under this subtitle and report to the General Assembly,
21 as provided under § 2-1312 of the State Government Article, by October 1 of each year,
22 on the effects of emergency interstate acquisitions.

23 (b) The report shall include, at a minimum:

24 (1) An evaluation of the compliance in regard to the information in the plan
25 of acquisition submitted under § 5-1103(b) of this subtitle;

26 (2) Any other information the Commissioner may consider relevant or that
27 the General Assembly may request;

28 (3) The number of applications submitted, approved, and denied; and

29 (4) The impact of emergency interstate acquisitions on existing financial
30 institutions.]

31 ~~12-411.~~

32 ~~(a) Each agent that a licensee names under a license is the designated agent of~~
33 ~~the licensee for all purposes in connection with the licensee's business under that license.~~
34 ~~ANY VIOLATION OF THIS SUBTITLE BY ANY AGENT OF A LICENSEE SHALL BE~~
35 ~~DEEMED TO BE THE RESPONSIBILITY OF THE LICENSEE.~~

36 ~~(b) [Each licensee shall pay to the Commissioner, as provided in this section, an~~
37 ~~annual agent fee of \$4 for each agent of the licensee who is not a person exempted from~~
38 ~~the licensing provisions of this subtitle by § 12-402 of this subtitle.] EACH AGENT THAT~~

11

1 A LICENSEE NAMES UNDER A LICENSE SHALL BE AUTHORIZED BY AN EXPRESS
2 WRITTEN CONTRACT, WHICH, FOR CONTRACTS ENTERED INTO AFTER OCTOBER 1,
3 1997, SHALL PROVIDE THE FOLLOWING:

4 (1) THAT THE LICENSEE APPOINTS THE PERSON AS ITS AGENT WITH
5 AUTHORITY TO ENGAGE IN THE BUSINESS OF MONEY TRANSMISSION ON BEHALF OF
6 THE LICENSEE;

7 (2) THAT NEITHER THE LICENSEE NOR THE AGENT MAY AUTHORIZE
8 SUBAGENTS WITHOUT WRITTEN CONSENT OF THE COMMISSIONER; AND

9 (3) THAT THE AGENT IS SUBJECT TO SUPERVISION AND REGULATION
10 BY THE COMMISSIONER.

11 (e) [With the application for a new license, the applicant shall pay for that license
12 year the required agent fee for each agent who is named in the application and for whom
13 a fee is required under subsection (b) of this section.] COPIES OF ALL SUCH
14 CONTRACTS SHALL BE MADE AVAILABLE TO THE COMMISSIONER, UPON REQUEST.

15 (d) (1) On or before JANUARY 10 AND July 10 of each year, each licensee shall
16 file with the Commissioner a report that:

17 (i) Is in the form that the Commissioner requires; and

18 (ii) Is signed and verified by the licensee.

19 (2) [This report] THE REPORTS shall include, as of [July 1] THE
20 PRECEDING DECEMBER 31 OR JUNE 30, RESPECTIVELY [of that year]:

21 (I) AN ALPHABETICAL LISTING OF ALL AGENTS OF THE LICENSEE,
22 INCLUDING: NAME, BUSINESS ADDRESS, NATURE OF BUSINESS, AND DATE OF
23 APPOINTMENT OF EACH AGENT;

24 {(i)} (II) The name, business address, nature of business, and date of
25 appointment of each new agent appointed by the licensee [since December 1 of the
26 preceding year] DURING THE PREVIOUS 6 MONTHS; [and

27 (ii)} (III) The name of any agent whose agency has been canceled by
28 the licensee [since December 1 of the preceding year] DURING THE PREVIOUS 6
29 MONTHS; AND

30 (IV) ANY OTHER INFORMATION THAT THE COMMISSIONER
31 REQUIRES.

32 {(3) With this report, the licensee shall pay, for the current license year, the
33 required agent fee for each new agent who is named in the report and for whom a fee is
34 required under subsection (b) of this section and for whom a fee has not been paid
35 already.}

36 {(e) (1) On or before December 10 of each year, each licensee shall file with the
37 Commissioner a report that:

38 (i) Is in the form that the Commissioner requires; and

12

1 ~~(ii) Is signed and verified by the licensee.~~

2 ~~(2) This report shall include, as of December 1 of that year:~~

3 ~~(i) An alphabetical listing of all of the agents of the licensee, including~~
4 ~~the name, business address, nature of business, and date of appointment of each agent;~~
5 ~~and~~

6 ~~(ii) Any other information that the Commissioner requires.~~

7 ~~(3) With this report, the licensee shall pay, for the current license year, the~~
8 ~~required agent fee for each new agent who was appointed by the licensee since July 1 of~~
9 ~~that year for whom a fee is required under subsection (b) of this section and for whom a~~
10 ~~fee has not been paid already.~~

11 ~~(4) With the application for a renewal license, the licensee shall pay, for the~~
12 ~~renewal license year, the required agent fee for each agent who is named in the report for~~
13 ~~whom a fee is required under subsection (b) of this section.]~~

14 **Article - Health - General**

15 [7-304.

16 The Secretary shall determine the cost of full implementation of all needed services
17 included in the State plan and shall report the cost annually to the Secretary of Budget
18 and Management.]

19 [Subtitle 3. State Advisory Council.]

20 [8-301.

21 There is a State Advisory Council on Alcohol and Drug Abuse.]

22 [8-302.

23 (a) (1) The State Advisory Council consists of the following 22 members:

24 (i) 12 individuals from the general public, appointed by the Governor;

25 (ii) A member of the House of Delegates, appointed by the Speaker;

26 (iii) A member of the Senate appointed by the President;

27 (iv) As ex officio members:

28 1. Secretary, Department of Public Safety and Correctional
29 Services;

30 2. Superintendent, Department of Education;

31 3. Secretary, Department of Juvenile Justice;

32 4. Director, Alcohol and Drug Abuse Administration;

33 5. Representative of the Governor's Executive Staff;

14

1 [8-305.

2 (a) The State Advisory Council shall meet:

3 (1) At least every third month, at the times and places that it determines;

4 and

5 (2) At the call of its chairman.

6 (b) A member of the State Advisory Council:

7 (1) May not receive compensation; but

8 (2) Is entitled to reimbursement for expenses under the Standard State
9 Travel Regulations, as provided in the State budget.

10 (c) The Department shall provide secretarial and other staff services to the State
11 Advisory Council.]

12 [8-306.

13 (a) The State Advisory Council does not have any executive or appointive duties.

14 (b) The State Advisory Council shall:

15 (1) Be a strong advocate of a comprehensive, broad-based approach to the
16 social, economic, psychological, and health problems of alcohol and drug abuse; and

17 (2) Advise the Governor, the Secretary, and the Administration on:

18 (i) Short and long term needs for services which the State Advisory
19 Council has identified;

20 (ii) Promoting and coordinating, in cooperation with other federal,
21 State, local or private agencies, unified programs for education, prevention, diagnosis,
22 treatment, rehabilitation, and control of alcohol abuse and drug abuse; and

23 (iii) Reviewing existing programs and facilities of the Administration
24 and short and long term plans.]

25 13-408.

26 There [is] MAY BE an advisory council for physical fitness for each county AND
27 BALTIMORE CITY.

28 13-409.

29 [(a) Each county advisory council consists of at least 15 but not more than 25
30 individuals appointed by the Governor with the advice of the Secretary.

31 (b) Each member of a county advisory council shall:

32 (1) Be a resident of the county; and

33 (2) Have an interest in physical fitness.

15

1 (c) From among the members of each county advisory council, the Secretary shall
2 designate a chairman.

3 (d) A member of a county advisory council may not receive compensation.] THE
4 COUNTY AND BALTIMORE CITY ADVISORY COUNCILS SHALL CONSULT WITH THE
5 STATE ADVISORY COUNCIL ON PHYSICAL FITNESS.

6 **Article - Labor and Employment**

7 [5-508.

8 Subject to § 2-1312 of the State Government Article, on December 15 of each year,
9 the Commissioner shall submit to the Legislative Policy Committee a report that includes:

10 (1) the Division's findings on the safety training and accident rate of
11 operators of power equipment; and

12 (2) any recommendations to the Legislative Policy Committee.]

13 **Article - Real Property**

14 11-127.

15 (d) (1) A developer shall promptly file with the Secretary of State copies of any
16 changes in the documents or information contained in the public offering statement
17 which are necessary to make the documents or information current.

18 (2) (i) A developer shall file a written statement with [the Secretary of
19 State and] the council of unit owners describing the progress of construction, repairs, and
20 all other work on the condominium, which the developer has completed or intends to
21 complete in accordance with the public offering statement for the condominium.

22 (ii) This written statement shall be filed within 30 days after the
23 anniversary date for registration of the public offering statement for the condominium
24 and annually thereafter until the registration of the condominium is terminated.

25 (3) A DEVELOPER SHALL NOTIFY THE SECRETARY OF STATE IN
26 WRITING WHEN ALL OF THE UNITS IN THE CONDOMINIUM HAVE BEEN CONVEYED
27 TO UNIT OWNERS OTHER THAN THE DEVELOPER, AND THE DEVELOPER EITHER
28 CANNOT ADD ADDITIONAL UNITS TO THE CONDOMINIUM OR HAS DETERMINED
29 THAT NO ADDITIONAL UNITS WILL BE ADDED TO THE CONDOMINIUM.

30 (4) If the developer notifies the Secretary of State that all of the units in the
31 condominium have been conveyed to unit owners other than the developer, and that the
32 developer EITHER cannot add additional units to the condominium, OR HAS
33 DETERMINED THAT NO ADDITIONAL UNITS WILL BE ADDED TO THE CONDOMINIUM,
34 the Secretary of State shall issue an order terminating the registration of the
35 condominium.

36 **Article - State Finance and Procurement**

37 [2-105.

38 On or before January 10 of each year, each unit of the State government, including
39 the University of Maryland System, that is using nonbudgeted or dedicated funds for a

16

1 capital construction project shall submit, subject to § 2-1312 of the State Government
2 Article, to the Joint Budget and Audit Committee a detailed report on the use of those
3 funds.]

4 [2-204.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Committees" means the Budget and Taxation Committee of the
7 Maryland Senate and the Appropriations Committee of the Maryland House of
8 Delegates.

9 (3) "Federal aid" means a federally funded contract, grant, program,
10 project, or reimbursement.

11 (b) This section does not apply to federal aid that involves a capital expenditure,
12 such as the acquisition of land or the construction or development of a building.

13 (c) (1) Each unit of the State government:

14 (i) on or before July 14 of each year, shall evaluate federal aid for
15 which, in the next fiscal year, the unit will request an increased appropriation from the
16 General Fund; and

17 (ii) on or before August 15, shall submit, subject to § 2-1312 of the
18 State Government Article, to the Committees and to the Department of Budget and
19 Management and the Department of Fiscal Services a report on the evaluation.

20 (2) If a unit determines on or after July 15 that the unit will request an
21 increased appropriation from the General Fund as a supplement to or substitute for
22 federal aid, the unit shall evaluate the federal aid and submit, subject to § 2-1312 of the
23 State Government Article, a report on the evaluation within 45 days after making the
24 determination.

25 (3) On request of a unit, the Committees may waive the requirements of this
26 subsection.

27 (d) A report under this section shall:

28 (1) be in the form that the Department of Budget and Management sets in
29 conjunction with the Department of Fiscal Services; and

30 (2) include:

31 (i) a description of the federal aid;

32 (ii) a statement as to the effectiveness of the federal aid; and

33 (iii) a recommendation on future appropriations from the General
34 Fund.]

17

1 **Article - State Personnel and Pensions**

2 4-301.

3 On or before October 15 of each year, each unit of the Executive Branch of State
4 government shall submit to the Secretary the information that the Secretary requires on
5 the [handling] PROCESSING and disposition during the preceding fiscal year of each:

6 (1) denial of a pay increase;

7 (2) disciplinary suspension;

8 (3) grievance;

9 (4) involuntary demotion; [and]

10 (5) rejection on probation[.]; AND

11 (6) ATTENDANCE INCENTIVE AWARD AND CONVERSION MADE
12 PURSUANT TO TITLE 9, SUBTITLE 12 OF THIS ARTICLE.

13 [9-1207.

14 (a) The Secretary shall adopt regulations to carry out this subtitle.

15 (b) (1) Within 90 days after the end of each fiscal year, the head of each
16 principal unit shall submit to the Secretary a report on all awards made under this
17 subtitle.

18 (2) The report shall be made on the form and in the manner that the
19 Secretary requires.]

20 **Chapter 462 of the Acts of 1991**

21 [SECTION 7. AND BE IT FURTHER ENACTED, That the Maryland Higher
22 Education Commission shall submit a report to the Senate Economic and Environmental
23 Affairs and House Ways and Means Committees by September 1, 1993, and by September
24 1 each year thereafter, identifying the potential number of students that will be eligible to
25 receive an Educational Excellence Award in Fiscal Year 1996; giving the number of, and
26 demographic data on, students who fall below the 2.5 grade point average, but otherwise
27 would qualify for a Guaranteed Access Grant under the Educational Excellence Award
28 Program in Fiscal Year 1996; evaluating the effectiveness of statewide early intervention
29 activities; estimating the fiscal impact of the Educational Excellence Award Program on
30 the State's Fiscal Year 1996 operating budget; and providing any other information the
31 Commission deems relevant.]

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1997.

