

CF 7r3066

By: The President (Administration)

Introduced and read first time: March 3, 1997

Assigned to: Rules

A BILL ENTITLED

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
28 requirements.

29 BY repealing and reenacting, with amendments,
30 Article 83A - Department of Business and Economic Development
31 Section 1-204(a), 5-912, 5-1011, 5-1047(g), 5-1102(h), and 6-404(b)
32 Annotated Code of Maryland
33 (1995 Replacement Volume and 1996 Supplement)

34 BY repealing and reenacting, with amendments,

2

1 Article - Agriculture
2 Section 2-404
3 Annotated Code of Maryland
4 (1985 Replacement Volume and 1996 Supplement)

5 BY repealing

6 Article - Agriculture
7 Section 5-303
8 Annotated Code of Maryland
9 (1985 Replacement Volume and 1996 Supplement)

10 BY repealing and reenacting, with amendments,

11 Article - Business Occupations and Professions
12 Section 7-206, 17-208, and 17-210
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Business Regulation
17 Section 4-205
18 Annotated Code of Maryland
19 (1992 Volume and 1996 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article - Education
22 Section 13-101(f) and 16-301(g)
23 Annotated Code of Maryland
24 (1997 Replacement Volume)

25 BY repealing

26 Article - Education
27 Section 18-110(c), 18-308(d), 18-409, and 18-1106
28 Annotated Code of Maryland
29 (1997 Replacement Volume)

30 BY repealing

31 Article - Financial Institutions
32 Section 2-107 and 5-1108
33 Annotated Code of Maryland
34 (1992 Replacement Volume and 1996 Supplement)

35 BY repealing and reenacting, with amendments,

36 Article - Financial Institutions
37 Section 12-411

3

1 Annotated Code of Maryland
2 (1992 Replacement Volume and 1996 Supplement)

3 BY repealing

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

9 BY repealing and reenacting, with amendments,

10 Article - Health - General
11 Section 13-408 and 13-409
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1996 Supplement)

14 BY repealing

15 Article - Labor and Employment
16 Section 5-508
17 Annotated Code of Maryland
18 (1991 Volume and 1996 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article - Real Property
21 Section 11-127(d)
22 Annotated Code of Maryland
23 (1996 Replacement Volume and 1996 Supplement)

24 BY repealing

25 Article - State Finance and Procurement
26 Section 2-105 and 2-204
27 Annotated Code of Maryland
28 (1995 Replacement Volume and 1996 Supplement)

29 BY repealing and reenacting, with amendments,

30 Article - State Personnel and Pensions
31 Section 4-301
32 Annotated Code of Maryland
33 (1994 Volume and 1996 Supplement)

34 BY repealing

35 Article - State Personnel and Pensions
36 Section 9-1207
37 Annotated Code of Maryland
38 (1994 Volume and 1996 Supplement)

4

1 BY repealing
2 Chapter 462 of the Acts of the General Assembly of 1991
3 Section 7

4 Preamble

5 WHEREAS, The Governor and the General Assembly share concerns about
6 efficient and effective government; and

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

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

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

15 WHEREAS, By eliminating and consolidating certain reports, accessibility and
16 availability of information is enhanced, duplicative and redundant information is reduced,
17 and State and local government efficiency is increased; and

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

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

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

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

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

32 1-204.

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

5

1 5-912.

2 The Authority shall:

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

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

8 (3) Be audited annually.

9 5-1011.

10 The Authority shall:

11 (1) Keep proper records of its accounts;

12 (2) Keep separate records for the Contract Financing Fund, the Guaranty
13 Fund, the Small Business Surety Bond Fund, and the Equity Participation Investment
14 Program Fund; and

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

18 5-1047.

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

21 5-1102.

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

26 6-404.

27 (b) The Administration shall prepare an annual report by December [1] 31 for
28 the Governor, the Commission, and, subject to § 2-1312 of the State Government Article,
29 for the General Assembly for the preceding State fiscal year. The report shall contain a
30 summary of the energy projects that obtained financial assistance from the
31 Administration and, for each project or class of projects, the estimated energy savings and
32 energy supply additions. The report shall also list the source and amount of any
33 contribution, gift, or other donation received by the Administration. Each report shall set
34 forth the complete operating and financial statement covering the operations of the
35 Administration during the fiscal year and shall include the results of the audit performed
36 under subsection (a) of this section.

6

1 **Article - Agriculture**

2 2-404.

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

12 [5-303.

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

16 **Article - Business Occupations and Professions**

17 7-206.

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

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

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

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

22 (1) shall administer this title;

23 (2) shall adopt a seal; AND

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

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

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

28 (1) the applicant's:

29 (i) name;

30 (ii) age;

31 (iii) residence;

32 (iv) place of business; and

33 (v) educational and other qualifications;

34 (2) the date of the application;

7

1 (3) whether the applicant was required to take an examination;

2 (4) the action of the Board on the application;

3 (5) the reason for the action; and

4 (6) any other information the Board considers necessary.

5 (d) The Board shall:

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

8 (2) provide a copy of the list:

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

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

11 1. each licensee; and

12 2. the Secretary of State.

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

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

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

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

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

20 17-208.

21 (a) The Commission may adopt:

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

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

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

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

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

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

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

8

1 (d) The Commission:

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

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

6 17-210.

7 The Commission shall submit to the Secretary an annual report of the activities of
8 the Commission that includes:

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

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

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

13 (4) the number of hearings held;

14 (5) the number of complaints received;

15 (6) the number of investigations made;

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

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

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

20 [(9)] (10) any other information that reflects the work of the Commission.

21 **Article - Business Regulation**

22 4-205.

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

25 (b) The Commission may:

26 (1) adopt regulations to administer its office;

27 (2) administer oaths; and

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

30 (c) The Commission shall:

31 (1) adopt a seal;

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

(3) keep a record of its proceedings;

9

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

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

3 [(d) The Commission:

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

5 (i) a report of its proceedings; and

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

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

8 **Article - Education**

9 13-101.

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

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

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

19 16-301.

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

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

25 18-110.

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

30 18-308.

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

10

1 [18-409.

2 At the request of the Administration, each eligible institution shall provide the
3 Administration with a complete list of all recipients of senatorial scholarships who attend
4 the institution.]

5 [18-1106.

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

9 **Article - Financial Institutions**

10 [2-107.

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

14 [5-1108.

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

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

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

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

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

25 (4) The impact of emergency interstate acquisitions on existing financial
26 institutions.]

27 12-411.

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

32 (b) [Each licensee shall pay to the Commissioner, as provided in this section, an
33 annual agent fee of \$4 for each agent of the licensee who is not a person exempted from
34 the licensing provisions of this subtitle by § 12-402 of this subtitle.] EACH AGENT THAT
35 A LICENSEE NAMES UNDER A LICENSE SHALL BE AUTHORIZED BY AN EXPRESS
36 WRITTEN CONTRACT, WHICH, FOR CONTRACTS ENTERED INTO AFTER OCTOBER 1,
37 1997, SHALL PROVIDE THE FOLLOWING:

11

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

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

6 (3) THAT THE AGENT IS SUBJECT TO SUPERVISION AND REGULATION
7 BY THE COMMISSIONER.

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

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

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

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

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

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

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

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

27 (IV) ANY OTHER INFORMATION THAT THE COMMISSIONER
28 REQUIRES.

29 [(3) With this report, the licensee shall pay, for the current license year, the
30 required agent fee for each new agent who is named in the report and for whom a fee is
31 required under subsection (b) of this section and for whom a fee has not been paid
32 already.]

33 [(e) (1) On or before December 10 of each year, each licensee shall file with the
34 Commissioner a report that:

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

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

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

12

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

4 (ii) Any other information that the Commissioner requires.

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

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

12 **Article - Health - General**

13 [7-304.

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

17 [Subtitle 3. State Advisory Council.]

18 [8-301.

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

20 [8-302.

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

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

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

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

25 (iv) As ex officio members:

26 1. Secretary, Department of Public Safety and Correctional
27 Services;

28 2. Superintendent, Department of Education;

29 3. Secretary, Department of Juvenile Justice;

30 4. Director, Alcohol and Drug Abuse Administration;

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

32 6. Representative of the Governor's Office of Crime Control
33 and Prevention;

34 7. Secretary, Department of Human Resources; and

13

1 8. The President of the Governor's Youth Advisory Council
2 who shall be at least 14 years of age or who shall designate a representative at least 14
3 years of age.

4 (2) Of the 12 members from the general public:

5 (i) At least 2 members shall be present or former participants in
6 alcohol or drug treatment or recovery programs; and

7 (ii) No more than 4 members shall be professionally employed as
8 providers of alcohol or drug abuse prevention or treatment services.

9 (b) An ex officio member of the State Advisory Council may designate a
10 representative to act on behalf of that member.

11 (c) A member of the State Advisory Council is not a State employee because of
12 the membership.

13 (d) (1) The term of an appointed member is 3 years and begins on January 1.

14 (2) The terms of the appointed members are staggered as required by the
15 terms provided for appointed members of the State Advisory Council on June 1, 1988.
16 The terms of one-third of those members end each year.

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

19 (4) A member who is appointed after a term has begun serves only for the
20 rest of the term and until a successor is appointed and qualified.

21 (e) A member shall be a resident of the State.]

22 [8-303.

23 (a) The Governor shall appoint a chairman and a vice chairman.

24 (b) The term as chairman and vice chairman is 1 year.

25 (c) The chairman and the vice chairman may be reappointed.]

26 [8-304.

27 (a) The State Advisory Council shall establish committees on:

28 (1) Alcohol abuse; and

29 (2) Drug abuse.

30 (b) Membership of each committee shall reflect equal representation of both
31 alcohol and drug abuse views.]

32 [8-305.

33 (a) The State Advisory Council shall meet:

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

35 and

14

1 (2) At the call of its chairman.

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

3 (1) May not receive compensation; but

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

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

8 [8-306.

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

10 (b) The State Advisory Council shall:

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

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

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

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

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

21 13-408.

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

24 13-409.

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

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

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

29 (2) Have an interest in physical fitness.

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

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

15

1 **Article - Labor and Employment**

2 [5-508.

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

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

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

8 **Article - Real Property**

9 11-127.

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

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

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

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

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

31 **Article - State Finance and Procurement**

32 [2-105.

33 On or before January 10 of each year, each unit of the State government, including
34 the University of Maryland System, that is using nonbudgeted or dedicated funds for a
35 capital construction project shall submit, subject to § 2-1312 of the State Government
36 Article, to the Joint Budget and Audit Committee a detailed report on the use of those
37 funds.]

38 [2-204.

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

16

1 (2) "Committees" means the Budget and Taxation Committee of the
2 Maryland Senate and the Appropriations Committee of the Maryland House of
3 Delegates.

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

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

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

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

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

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

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

22 (d) A report under this section shall:

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

25 (2) include:

26 (i) a description of the federal aid;

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

28 (iii) a recommendation on future appropriations from the General
29 Fund.]

30 **Article - State Personnel and Pensions**

31 4-301.

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

35 (1) denial of a pay increase;

36 (2) disciplinary suspension;

17

1 (3) grievance;

2 (4) involuntary demotion; [and]

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

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

6 [9-1207.

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

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

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

13 **Chapter 462 of the Acts of 1991**

14 [SECTION 7. AND BE IT FURTHER ENACTED, That the Maryland Higher
15 Education Commission shall submit a report to the Senate Economic and Environmental
16 Affairs and House Ways and Means Committees by September 1, 1993, and by September
17 1 each year thereafter, identifying the potential number of students that will be eligible to
18 receive an Educational Excellence Award in Fiscal Year 1996; giving the number of, and
19 demographic data on, students who fall below the 2.5 grade point average, but otherwise
20 would qualify for a Guaranteed Access Grant under the Educational Excellence Award
21 Program in Fiscal Year 1996; evaluating the effectiveness of statewide early intervention
22 activities; estimating the fiscal impact of the Educational Excellence Award Program on
23 the State's Fiscal Year 1996 operating budget; and providing any other information the
24 Commission deems relevant.]

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