

HOUSE BILL 966

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P1

2000 Regular Session
0lr2832
CF 0lr0744

By: **The Speaker (Department of Legislative Services)**

Introduced and read first time: February 11, 2000

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Government - Program Evaluation - Corrective Bill**

3 FOR the purpose of altering the dates by which an evaluation must be made of certain
4 activities and units of the State government under the Maryland Program
5 Evaluation Act; making certain technical changes relating to the codification of
6 the program evaluation timetables; altering the preliminary evaluation date for
7 certain State programs; and generally relating to the sunset evaluation process.

8 BY repealing and reenacting, with amendments,
9 Article - State Government
10 Section 8-403 and 8-404(a)(1)
11 Annotated Code of Maryland
12 (1999 Replacement Volume)

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

15 **Article - State Government**

16 8-403.

17 [(a) Except as otherwise provided in subsection (e) of this section, on or before
18 July 1, 2000, an evaluation shall be made of the following governmental activities or
19 units and the statutes and regulations that relate to the governmental activities or
20 units:

21 (1) State Athletic Commission (§ 4-201 of the Business Regulation
22 Article);

23 (2) State Board of Barbers (§ 4-201 of the Business Occupations and
24 Professions Article);

25 (3) State Board of Cosmetologists (§ 5-201 of the Business Occupations
26 and Professions Article);

- 1 (4) State Racing Commission (§ 11-201 of the Business Regulation
2 Article);
- 3 (5) Maryland-Bred Race Fund Advisory Committee (§ 11-531 of the
4 Business Regulation Article);
- 5 (6) Maryland Standardbred Race Fund Advisory Committee (§ 11-625 of
6 the Business Regulation Article);
- 7 (7) State Board of Veterinary Medical Examiners (§ 2-302 of the
8 Agriculture Article);
- 9 (8) State Board of Waterworks and Waste Systems Operators (§ 12-201
10 of the Environment Article);
- 11 (9) State Board of Well Drillers (§ 13-201 of the Environment Article);
- 12 (10) the Tobacco Authority (§ 7-201 of the Agriculture Article);
- 13 (11) Maryland Home Improvement Commission (§ 8-201 of the Business
14 Regulation Article); and
- 15 (12) State Board of Inspection of Horse Riding Stables (§ 2-701 of the
16 Agriculture Article).
- 17 (b) Except as otherwise provided in subsection (e) of this section, on or before
18 July 1, 2001, an evaluation shall be made of the following governmental activities or
19 units and the statutes and regulations that relate to the governmental activities or
20 units:
- 21 (1) Banking Board (§ 2-201 of the Financial Institutions Article);
- 22 (2) State Board of Chiropractic Examiners (§ 3-201 of the Health
23 Occupations Article);
- 24 (3) State Collection Agency Licensing Board (§ 7-201 of the Business
25 Regulation Article);
- 26 (4) Office of the Commissioner of Financial Regulation (§ 2-101 of the
27 Financial Institutions Article);
- 28 (5) State Board of Morticians (§ 7-201 of the Health Occupations
29 Article);
- 30 (6) State Board of Physical Therapy Examiners (§ 13-201 of the Health
31 Occupations Article);
- 32 (7) State Board of Podiatric Medical Examiners (§ 16-201 of the Health
33 Occupations Article);

- 1 (8) State Real Estate Commission (§ 17-201 of the Business Occupations
2 and Professions Article); and
- 3 (9) Real Estate Hearing Board (§ 17-325 of the Business Occupations
4 and Professions Article).
- 5 (c) Except as otherwise provided in subsection (e) of this section, on or before
6 July 1, 2002, an evaluation shall be made of the following governmental activities or
7 units and the statutes and regulations that relate to the governmental activities or
8 units:
- 9 (1) Board of Boiler Rules (Article 48, § 169 of the Code);
- 10 (2) Board of Examining Engineers (§ 4-1 of the Public Local Laws of
11 Baltimore City);
- 12 (3) State Health Services Cost Review Commission (§ 19-202 of the
13 Health - General Article);
- 14 (4) Insurance Commissioner and Administration (§§ 2-101 and 2-103 of
15 the Insurance Article);
- 16 (5) State Board of Examiners of Landscape Architects (§ 9-201 of the
17 Business Occupations and Professions Article);
- 18 (6) State Board of Master Electricians (§ 6-201 of the Business
19 Occupations and Professions Article);
- 20 (7) State Board of Physician Quality Assurance (§ 14-201 of the Health
21 Occupations Article);
- 22 (8) State Board of Nursing (§ 8-201 of the Health Occupations Article);
- 23 (9) State Board of Examiners of Nursing Home Administrators (§ 9-201
24 of the Health Occupations Article);
- 25 (10) State Board of Examiners in Optometry (§ 11-201 of the Health
26 Occupations Article);
- 27 (11) State Board of Pharmacy (§ 12-201 of the Health Occupations
28 Article);
- 29 (12) State Board of Plumbing (§ 12-201 of the Business Occupations and
30 Professions Article);
- 31 (13) State Board for Professional Engineers (§ 14-201 of the Business
32 Occupations and Professions Article);
- 33 (14) State Board for Professional Land Surveyors (§ 15-201 of the
34 Business Occupations and Professions Article);

1 (15) State Board of Examiners of Psychologists (§ 18-201 of the Health
2 Occupations Article);

3 (16) State Board of Environmental Sanitarians (§ 11-201 of the
4 Environment Article);

5 (17) State Economic Growth, Resource Protection and Planning
6 Commission (§ 5-701 of the State Finance and Procurement Article);

7 (18) State Board of Heating, Ventilation, Air-Conditioning, and
8 Refrigeration Contractors (§ 9A-101 of the Business Regulation Article); and

9 (19) State Board of Architects (§ 3-101 of the Business Occupations and
10 Professions Article).

11 (d) Except as otherwise provided in subsection (e) of this section, on or before
12 July 1, 2003, an evaluation shall be made of the following governmental activities or
13 units and the statutes and regulations that relate to the governmental activities or
14 units:

15 (1) State Amusement Ride Safety Advisory Board (§ 3-303 of the
16 Business Regulation Article);

17 (2) Apprenticeship and Training Council (§ 11-403 of the Labor and
18 Employment Article);

19 (3) State Board of Examiners for Audiologists, Hearing Aid Dispensers,
20 and Speech-Language Pathologists (§ 2-101 of the Health Occupations Article);

21 (4) State Office for Children, Youth, and Families (Article 49D, § 1 of the
22 Code);

23 (5) State Board of Electrologists (§ 6-201 of the Health Occupations
24 Article);

25 (6) State Board of Foresters (§ 7-201 of the Business Occupations and
26 Professions Article);

27 (7) Office for Individuals with Disabilities (§ 9-1102 of the State
28 Government Article);

29 (8) Division of Labor and Industry (Title 2 of the Labor and Employment
30 Article);

31 (9) Occupational Safety and Health Advisory Board (§ 5-302 of the Labor
32 and Employment Article);

33 (10) State Board of Occupational Therapy Practice (§ 10-201 of the
34 Health Occupations Article);

1 (11) State Board of Pilots (§ 11-201 of the Business Occupations and
2 Professions Article);

3 (12) Advisory Council on Prevailing Wage Rates (§ 17-203 of the State
4 Finance and Procurement Article);

5 (13) State Board of Public Accountancy (§ 2-201 of the Business
6 Occupations and Professions Article);

7 (14) State Board of Social Work Examiners (§ 19-201 of the Health
8 Occupations Article);

9 (15) State Board of Examiners of Professional Counselors (§ 17-201 of the
10 Health Occupations Article);

11 (16) Governor's Council on Adolescent Pregnancy (Article 49D, § 21 of the
12 Code);

13 (17) State Commission of Real Estate Appraisers (§ 16-201 of the
14 Business Occupations and Professions Article);

15 (18) State Physician Assistant Advisory Committee (§ 15-101 of the
16 Health Occupations Article);

17 (19) State Board of Certified Interior Designers (§ 8-101 of the Business
18 Occupations and Professions Article); and

19 (20) the licensing and regulation of security system technicians (§ 18-101
20 of the Business Occupations and Professions Article).]

21 [(e)] (A) On or before [November 30] DECEMBER 15 of the 2nd year before the
22 evaluation date of a governmental activity or unit, the Legislative Policy Committee,
23 based on a preliminary evaluation, may waive as unnecessary the evaluation required
24 under this section.

25 [(f)] Except as otherwise provided in subsection (e) of this section, on or before
26 July 1, 2004, an evaluation shall be made of the State Board of Dietetic Practice
27 established under the Health Occupations Article and the regulations that relate to
28 the State Board of Dietetic Practice.

29 [(g)] Except as otherwise provided in subsection (e) of this section, on or before
30 July 1, 2004, an evaluation shall be made of the State Board of Acupuncture and the
31 regulations that relate to the State Board of Acupuncture.

32 [(h)] Except as otherwise provided in subsection (e) of this section, on or before
33 July 1, 2005, an evaluation shall be made of the State Respiratory Care Professional
34 Standards Committee and the regulations that relate to the State Respiratory Care
35 Professional Standards Committee.

1 (i) Except as otherwise provided in subsection (e) of this section, on or before
2 July 1, 2002, an evaluation shall be made of the Maryland Health Care Commission
3 and the regulations that relate to the Maryland Health Care Commission.

4 (j) Except as otherwise provided in subsection (e) of this section, on or before
5 July 1, 2006, an evaluation shall be made of the Office of Cemetery Oversight
6 established under Title 5 of the Business Regulation Article and the regulations that
7 relate to the Office of Cemetery Oversight.

8 (k) Except as otherwise provided in subsection (e) of this section, on or before
9 July 1, 2005, an evaluation shall be made of the State Board of Dental Examiners and
10 the regulations that relate to the State Board of Dental Examiners.

11 (l) Except as otherwise provided in subsection (e) of this section, on or before
12 July 1, 2004, an evaluation shall be made of the State Board of Law Examiners.]

13 (B) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (A) OF THIS SECTION,
14 ON OR BEFORE THE EVALUATION DATE FOR THE FOLLOWING GOVERNMENTAL
15 ACTIVITIES OR UNITS, AN EVALUATION SHALL BE MADE OF THE FOLLOWING
16 GOVERNMENTAL ACTIVITIES OR UNITS AND THE STATUTES AND REGULATIONS
17 THAT RELATE TO THE GOVERNMENTAL ACTIVITIES OR UNITS:

18 (1) ACUPUNCTURE, STATE BOARD OF (§ 1A-201 OF THE HEALTH
19 OCCUPATIONS ARTICLE: JULY 1, 2004);

20 (2) ADOLESCENT PREGNANCY, GOVERNOR'S COUNCIL ON (ARTICLE 49D,
21 § 21 OF THE CODE: JULY 1, 2003);

22 (3) AMUSEMENT RIDE SAFETY, STATE ADVISORY BOARD (§ 3-303 OF THE
23 BUSINESS REGULATION ARTICLE: JULY 1, 2003);

24 (4) APPRENTICESHIP AND TRAINING COUNCIL (§ 11-403 OF THE LABOR
25 AND EMPLOYMENT ARTICLE: JULY 1, 2003);

26 (5) ARCHITECTS, STATE BOARD OF (§ 3-201 OF THE BUSINESS
27 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);

28 (6) ATHLETIC COMMISSION, STATE (§ 4-201 OF THE BUSINESS
29 REGULATION ARTICLE: JULY 1, 2010);

30 (7) AUDIOLOGISTS, HEARING AID DISPENSERS, AND
31 SPEECH-LANGUAGE PATHOLOGISTS, STATE BOARD OF EXAMINERS FOR (§ 2-201 OF
32 THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);

33 (8) BANKING BOARD (§ 2-201 OF THE FINANCIAL INSTITUTIONS
34 ARTICLE: JULY 1, 2001);

35 (9) BARBERS, STATE BOARD OF (§ 4-201 OF THE BUSINESS OCCUPATIONS
36 AND PROFESSIONS ARTICLE: JULY 1, 2010);

- 1 (10) BOILER RULES, BOARD OF (ARTICLE 48, § 169 OF THE CODE: JULY 1,
2 2002);
- 3 (11) CEMETERY OVERSIGHT, OFFICE OF (§ 5-201 OF THE BUSINESS
4 REGULATION ARTICLE: JULY 1, 2006);
- 5 (12) CHILDREN, YOUTH, AND FAMILIES, OFFICE FOR (ARTICLE 49D, § 1 OF
6 THE CODE: JULY 1, 2003);
- 7 (13) CHIROPRACTIC EXAMINERS, STATE BOARD OF (§ 3-201 OF THE
8 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2011);
- 9 (14) COLLECTION AGENCY LICENSING BOARD, STATE (§ 7-201 OF THE
10 BUSINESS REGULATION ARTICLE: JULY 1, 2011);
- 11 (15) COSMETOLOGISTS, STATE BOARD OF (§ 5-201 OF THE BUSINESS
12 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2010);
- 13 (16) COUNSELORS, STATE BOARD OF EXAMINERS OF PROFESSIONAL (§
14 17-201 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);
- 15 (17) DENTAL EXAMINERS, STATE BOARD OF (§ 4-201 OF THE HEALTH
16 OCCUPATIONS ARTICLE: JULY 1, 2005);
- 17 (18) DIETETIC PRACTICE, STATE BOARD OF (§ 5-201 OF THE HEALTH
18 OCCUPATIONS ARTICLE: JULY 1, 2004);
- 19 (19) ECONOMIC GROWTH, RESOURCE PROTECTION, AND PLANNING,
20 STATE COMMISSION (§ 5-702 OF THE STATE FINANCE AND PROCUREMENT
21 ARTICLE: JULY 1, 2002);
- 22 (20) ELECTRICIANS, STATE BOARD OF MASTER (§ 6-201 OF THE BUSINESS
23 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 24 (21) ELECTROLOGISTS, STATE BOARD OF (§ 6-201 OF THE HEALTH
25 OCCUPATIONS ARTICLE: JULY 1, 2003);
- 26 (22) ENGINEERS, BOARD OF EXAMINING (§ 4-1 OF THE PUBLIC LOCAL
27 LAWS OF BALTIMORE CITY: JULY 1, 2002);
- 28 (23) ENGINEERS, STATE BOARD FOR PROFESSIONAL (§ 14-201 OF THE
29 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 30 (24) ENVIRONMENTAL SANITARIANS, STATE BOARD OF (§ 11-201 OF THE
31 ENVIRONMENT ARTICLE: JULY 1, 2002);
- 32 (25) FINANCIAL REGULATION, OFFICE OF THE COMMISSIONER OF (§ 2-101
33 OF THE FINANCIAL INSTITUTIONS ARTICLE: JULY 1, 2001);
- 34 (26) FORESTERS, STATE BOARD OF (§ 7-201 OF THE BUSINESS
35 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2003);

- 1 (27) HEALTH CARE COMMISSION, MARYLAND (§ 19-1502 OF THE
2 HEALTH - GENERAL ARTICLE: JULY 1, 2002);
- 3 (28) HEALTH SERVICES COST REVIEW COMMISSION, STATE (§ 19-202 OF
4 THE HEALTH - GENERAL ARTICLE: JULY 1, 2002);
- 5 (29) HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION
6 CONTRACTORS, STATE BOARD OF (§ 9A-201 OF THE BUSINESS REGULATION
7 ARTICLE: JULY 1, 2002);
- 8 (30) HOME IMPROVEMENT COMMISSION, MARYLAND (§ 8-201 OF THE
9 BUSINESS REGULATION ARTICLE: JULY 1, 2011);
- 10 (31) HORSE INDUSTRY BOARD, MARYLAND (§ 2-701 OF THE AGRICULTURE
11 ARTICLE: JULY 1, 2005);
- 12 (32) INDIVIDUALS WITH DISABILITIES, OFFICE FOR (§ 9-1102 OF THE
13 STATE GOVERNMENT ARTICLE: JULY 1, 2003);
- 14 (33) INSURANCE COMMISSIONER AND ADMINISTRATION (§§ 2-101 AND
15 2-103 OF THE INSURANCE ARTICLE: JULY 1, 2002);
- 16 (34) INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED (§ 8-201 OF THE
17 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2003);
- 18 (35) LABOR AND INDUSTRY, DIVISION OF (TITLE 2 OF THE LABOR AND
19 EMPLOYMENT ARTICLE: JULY 1, 2003);
- 20 (36) LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL (§ 15-201 OF
21 THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 22 (37) LANDSCAPE ARCHITECTS, STATE BOARD OF EXAMINERS OF (§ 9-201
23 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 24 (38) LAW EXAMINERS, STATE BOARD OF (§ 10-201 OF THE BUSINESS
25 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2003);
- 26 (39) MARYLAND-BRED RACE FUND ADVISORY COMMITTEE (§ 11-531 OF
27 THE BUSINESS REGULATION ARTICLE: JULY 1, 2010);
- 28 (40) MORTICIANS, STATE BOARD OF (§ 7-201 OF THE HEALTH
29 OCCUPATIONS ARTICLE: JULY 1, 2001);
- 30 (41) NURSING, STATE BOARD OF (§ 8-201 OF THE HEALTH OCCUPATIONS
31 ARTICLE: JULY 1, 2002);
- 32 (42) NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS OF
33 (§ 9-201 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);
- 34 (43) OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD (§ 5-302 OF
35 THE LABOR AND EMPLOYMENT ARTICLE: JULY 1, 2003);

- 1 (44) OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF (§ 10-201 OF
2 THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);
- 3 (45) OPTOMETRY, STATE BOARD OF EXAMINERS IN (§ 11-201 OF THE
4 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);
- 5 (46) PHARMACY, STATE BOARD OF (§ 12-201 OF THE HEALTH
6 OCCUPATIONS ARTICLE: JULY 1, 2002);
- 7 (47) PHYSICAL THERAPY EXAMINERS, STATE BOARD OF (§ 13-201 OF THE
8 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2011);
- 9 (48) PHYSICIAN ASSISTANT ADVISORY COMMITTEE (§ 15-201 OF THE
10 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);
- 11 (49) PHYSICIAN QUALITY ASSURANCE, STATE BOARD OF (§ 14-201 OF THE
12 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);
- 13 (50) PILOTS, STATE BOARD OF (§ 11-201 OF THE BUSINESS OCCUPATIONS
14 AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 15 (51) PLUMBING, STATE BOARD OF (§ 12-201 OF THE BUSINESS
16 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 17 (52) PODIATRIC MEDICAL EXAMINERS, STATE BOARD OF (§ 16-201 OF THE
18 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2011);
- 19 (53) PREVAILING WAGE RATES, ADVISORY COUNCIL ON (§ 17-203 OF THE
20 STATE FINANCE AND PROCUREMENT ARTICLE: JULY 1, 2003);
- 21 (54) PSYCHOLOGISTS, STATE BOARD OF EXAMINERS OF (§ 18-201 OF THE
22 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);
- 23 (55) PUBLIC ACCOUNTANCY, STATE BOARD OF (§ 2-201 OF THE BUSINESS
24 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2003);
- 25 (56) RACING COMMISSION, STATE (§ 11-201 OF THE BUSINESS
26 REGULATION ARTICLE: JULY 1, 2010);
- 27 (57) REAL ESTATE APPRAISERS, STATE COMMISSION OF (§ 16-201 OF THE
28 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);
- 29 (58) REAL ESTATE COMMISSION, STATE (§ 17-201 OF THE BUSINESS
30 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2001);
- 31 (59) REAL ESTATE HEARING BOARD (§ 17-325 OF THE BUSINESS
32 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2001);
- 33 (60) RESPIRATORY CARE PROFESSIONAL STANDARDS COMMITTEE, STATE
34 (§ 14-5A-05 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2005);

1 (61) SECURITY SYSTEMS TECHNICIANS, LICENSING AND REGULATION OF
2 (§ 18-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1,
3 2003);

4 (62) SOCIAL WORK EXAMINERS, STATE BOARD OF (§ 19-201 OF THE
5 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);

6 (63) STANDARD BRED RACE FUND ADVISORY COMMITTEE, MARYLAND (§
7 11-625 OF THE BUSINESS REGULATION ARTICLE: JULY 1, 2010);

8 (64) TOBACCO AUTHORITY (§ 7-201 OF THE AGRICULTURE
9 ARTICLE: JULY 1, 2005);

10 (65) VETERINARY MEDICAL EXAMINERS, STATE BOARD OF (§ 2-302 OF THE
11 AGRICULTURE ARTICLE: JULY 1, 2010);

12 (66) WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF
13 (§ 12-201 OF THE ENVIRONMENT ARTICLE: JULY 1, 2010); AND

14 (67) WELL DRILLERS, STATE BOARD OF (§ 13-201 OF THE ENVIRONMENT
15 ARTICLE: JULY 1, 2010).

16 8-404.

17 (a) (1) On or before [November 30] DECEMBER 15 of the second year before
18 the evaluation date, the Department of Legislative Services shall prepare a
19 preliminary evaluation report on each governmental activity or unit to be evaluated.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2000.