

SENATE BILL 585

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2000 Regular Session
0lr0744
CF 0lr2832

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

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 8, 2000

CHAPTER_____

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);

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

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

1 (13) State Board for Professional Engineers (§ 14-201 of the Business
2 Occupations and Professions Article);

3 (14) State Board for Professional Land Surveyors (§ 15-201 of the
4 Business Occupations and Professions Article);

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (8) Division of Labor and Industry (Title 2 of the Labor and Employment
34 Article);

- 1 (9) Occupational Safety and Health Advisory Board (§ 5-302 of the Labor
2 and Employment Article);
- 3 (10) State Board of Occupational Therapy Practice (§ 10-201 of the
4 Health Occupations Article);
- 5 (11) State Board of Pilots (§ 11-201 of the Business Occupations and
6 Professions Article);
- 7 (12) Advisory Council on Prevailing Wage Rates (§ 17-203 of the State
8 Finance and Procurement Article);
- 9 (13) State Board of Public Accountancy (§ 2-201 of the Business
10 Occupations and Professions Article);
- 11 (14) State Board of Social Work Examiners (§ 19-201 of the Health
12 Occupations Article);
- 13 (15) State Board of Examiners of Professional Counselors (§ 17-201 of the
14 Health Occupations Article);
- 15 (16) Governor's Council on Adolescent Pregnancy (Article 49D, § 21 of the
16 Code);
- 17 (17) State Commission of Real Estate Appraisers (§ 16-201 of the
18 Business Occupations and Professions Article);
- 19 (18) State Physician Assistant Advisory Committee (§ 15-101 of the
20 Health Occupations Article);
- 21 (19) State Board of Certified Interior Designers (§ 8-101 of the Business
22 Occupations and Professions Article); and
- 23 (20) the licensing and regulation of security system technicians (§ 18-101
24 of the Business Occupations and Professions Article).]
- 25 [(e)] (A) On or before [November 30] DECEMBER 15 of the 2nd year before the
26 evaluation date of a governmental activity or unit, the Legislative Policy Committee,
27 based on a preliminary evaluation, may waive as unnecessary the evaluation required
28 under this section.
- 29 [(f)] 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 Dietetic Practice
31 established under the Health Occupations Article and the regulations that relate to
32 the State Board of Dietetic Practice.
- 33 [(g)] Except as otherwise provided in subsection (e) of this section, on or before
34 July 1, 2004, an evaluation shall be made of the State Board of Acupuncture and the
35 regulations that relate to the State Board of Acupuncture.

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

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

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

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

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

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

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

24 (2) ADOLESCENT PREGNANCY, GOVERNOR'S COUNCIL ON (ARTICLE 49D,
25 § 21 OF THE CODE: JULY 1, 2003);

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

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

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

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

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

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

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

1 (42) NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS OF
2 (§ 9-201 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);

3 (43) OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD (§ 5-302 OF
4 THE LABOR AND EMPLOYMENT ARTICLE: JULY 1, 2003);

5 (44) OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF (§ 10-201 OF
6 THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);

7 (45) OPTOMETRY, STATE BOARD OF EXAMINERS IN (§ 11-201 OF THE
8 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);

9 (46) PHARMACY, STATE BOARD OF (§ 12-201 OF THE HEALTH
10 OCCUPATIONS ARTICLE: JULY 1, 2002);

11 (47) PHYSICAL THERAPY EXAMINERS, STATE BOARD OF (§ 13-201 OF THE
12 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2011);

13 (48) PHYSICIAN ASSISTANT ADVISORY COMMITTEE (§ 15-201 OF THE
14 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2003);

15 (49) PHYSICIAN QUALITY ASSURANCE, STATE BOARD OF (§ 14-201 OF THE
16 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);

17 (50) PILOTS, STATE BOARD OF (§ 11-201 OF THE BUSINESS OCCUPATIONS
18 AND PROFESSIONS ARTICLE: JULY 1, 2002);

19 (51) PLUMBING, STATE BOARD OF (§ 12-201 OF THE BUSINESS
20 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);

21 (52) PODIATRIC MEDICAL EXAMINERS, STATE BOARD OF (§ 16-201 OF THE
22 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2011);

23 (53) PREVAILING WAGE RATES, ADVISORY COUNCIL ON (§ 17-203 OF THE
24 STATE FINANCE AND PROCUREMENT ARTICLE: JULY 1, 2003);

25 (54) PSYCHOLOGISTS, STATE BOARD OF EXAMINERS OF (§ 18-201 OF THE
26 HEALTH OCCUPATIONS ARTICLE: JULY 1, 2002);

27 (55) PUBLIC ACCOUNTANCY, STATE BOARD OF (§ 2-201 OF THE BUSINESS
28 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2003);

29 (56) RACING COMMISSION, STATE (§ 11-201 OF THE BUSINESS
30 REGULATION ARTICLE: JULY 1, 2010);

31 (57) REAL ESTATE APPRAISERS, STATE COMMISSION OF (§ 16-201 OF THE
32 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2002);

33 (58) REAL ESTATE COMMISSION, STATE (§ 17-201 OF THE BUSINESS
34 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2001);

1 (59) REAL ESTATE HEARING BOARD (§ 17-325 OF THE BUSINESS
2 OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2001);

3 (60) RESPIRATORY CARE PROFESSIONAL STANDARDS COMMITTEE, STATE
4 (§ 14-5A-05 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2005);

5 (61) SECURITY SYSTEMS TECHNICIANS, LICENSING AND REGULATION OF
6 (§ 18-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1,
7 2003);

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

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

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

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

16 (66) WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF
17 (§ 12-201 OF THE ENVIRONMENT ARTICLE: JULY 1, 2010); AND

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

20 8-404.

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

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