
By: **Delegates Redmer, Amedori, Baldwin, Bartlett, Boschert, Boutin, Brinkley, Cryor, Eckardt, Edwards, Elliott, Flanagan, Getty, Glassman, Greenip, Hutchins, Kach, Klima, La Vay, Leopold, McClenahan, McKee, Murphy, O'Donnell, Parrott, Pielke, Ports, Rzepkowski, Schisler, Shank, Snodgrass, Stocksdale, Stull, Walkup, and Bates**

Introduced and read first time: February 8, 2002
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Commission on Efficiency in Government**

3 FOR the purpose of creating the Maryland Commission on Efficiency in Government;
4 charging the Commission with certain tasks; providing for the membership of
5 the Commission; restricting the use of certain information; requiring that the
6 Commission prepare certain reports and recommendations; providing for public
7 comment; requiring certain units to cooperate with the Commission; providing
8 certain funding; defining certain terms; providing for the termination of this
9 Act; and generally relating to the Maryland Commission on Efficiency in
10 Government.

11 BY adding to
12 Article - State Government
13 Section 2-1901 through 2-1907, inclusive, to be under the new subtitle
14 "Subtitle 19. Maryland Commission on Efficiency in Government"
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2001 Supplement)

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

19 **Article - State Government**

20 **SUBTITLE 19. MARYLAND COMMISSION ON EFFICIENCY IN GOVERNMENT.**

21 2-1901.

22 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

1 (B) "COMMISSION" MEANS THE MARYLAND COMMISSION ON EFFICIENCY IN
2 GOVERNMENT.

3 (C) (1) "UNIT" MEANS A PERMANENT INSTRUMENTALITY WITHIN THE
4 EXECUTIVE BRANCH OF STATE GOVERNMENT.

5 (2) "UNIT" INCLUDES A DEPARTMENT, BOARD, COMMISSION, AGENCY,
6 AND A SUBUNIT IN THE EXECUTIVE BRANCH.

7 2-1902.

8 (A) THERE IS A MARYLAND COMMISSION ON EFFICIENCY IN GOVERNMENT.

9 (B) THE PURPOSES OF THE COMMISSION ARE:

10 (1) TO CONDUCT A 2-YEAR SURVEY ON COST CONTROL AND EFFICIENCY
11 IN STATE GOVERNMENT;

12 (2) TO STUDY THE OPERATIONS AND SERVICES OF UNITS IN THE
13 EXECUTIVE BRANCH;

14 (3) TO FORMULATE POTENTIAL IMPROVEMENTS TO THOSE OPERATIONS
15 AND SERVICES;

16 (4) TO EVALUATE THE BENEFITS AND COSTS OF THOSE POTENTIAL
17 IMPROVEMENTS IN COMPARISON TO CURRENT UNIT PRACTICES; AND

18 (5) TO RECOMMEND TO THE PRESIDENT OF THE SENATE, TO THE
19 SPEAKER OF THE HOUSE OF DELEGATES, TO THE GOVERNOR, AND TO THE UNIT
20 HEADS:

21 (I) THE ELIMINATION OF A UNIT THAT THE COMMISSION
22 BELIEVES IS NO LONGER NECESSARY; OR

23 (II) APPROPRIATE POTENTIAL IMPROVEMENTS IN UNIT
24 OPERATIONS AND SERVICES IN ORDER TO:

25 1. IMPROVE SERVICES;

26 2. INCREASE EFFICIENCY; AND

27 3. DECREASE COSTS.

28 (C) THE POWERS OF THE COMMISSION IN FURTHERANCE OF THE PURPOSES
29 SET FORTH IN SUBSECTION (A) OF THIS SECTION ARE:

30 (1) TO CONDUCT IN-DEPTH REVIEWS OF THE OPERATIONS AND
31 SERVICES OF UNITS IN ORDER TO ESTABLISH A BASIS FOR EVALUATING POTENTIAL
32 IMPROVEMENTS TO UNIT OPERATIONS AND SERVICES; AND

1 (2) TO EXAMINE A UNIT'S NONPRIVILEGED RECORDS, DOCUMENTS,
2 DATA, AND OTHER INFORMATION, INCLUDING THOSE RELATED TO:

3 (I) ORGANIZATION;

4 (II) FINANCES;

5 (III) PURCHASING;

6 (IV) CONTRACTING;

7 (V) PERSONNEL MANAGEMENT; AND

8 (VI) OTHER AREAS OF CONCERN TO THE COMMISSION.

9 (D) EXCEPT IN FURTHERANCE OF THE PURPOSES OF THE COMMISSION, OR IN
10 THE CONDUCT OF OFFICIAL DUTIES IN A GOVERNMENTAL CAPACITY, A MEMBER
11 MAY NOT DISCLOSE OR USE ANY DATA OR INFORMATION OBTAINED FROM A UNIT
12 FOR THE DIRECT OR INDIRECT PERSONAL OR COMMERCIAL BENEFIT OF THE
13 MEMBER OR OF ANY OTHER PERSON.

14 2-1903.

15 THE COMMISSION CONSISTS OF THE FOLLOWING 15 MEMBERS JOINTLY
16 APPOINTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

17 (1) TWO MEMBERS FROM THE SENATE OF MARYLAND;

18 (2) TWO MEMBERS FROM THE HOUSE OF DELEGATES;

19 (3) AS AN EX OFFICIO MEMBER, THE SECRETARY OF BUDGET AND
20 FISCAL PLANNING OR A DESIGNEE OF THE SECRETARY;

21 (4) THE SECRETARY OF ONE OTHER PRINCIPAL DEPARTMENT OF THE
22 EXECUTIVE BRANCH, OR A DESIGNEE OF THE SECRETARY; AND

23 (5) NINE MEMBERS AT LARGE.

24 2-1904.

25 (A) THE COMMISSION SHALL EXAMINE, FORMULATE RECOMMENDATIONS,
26 AND PRESENT A FINAL REPORT ON THE FOLLOWING ITEMS WITH RESPECT TO EACH
27 UNIT THE COMMISSION HAS EXAMINED:

28 (1) OPPORTUNITIES FOR IMPROVED SERVICES, INCREASED EFFICIENCY,
29 AND DECREASED COSTS IN THE UNIT THAT MAY BE REALIZED THROUGH
30 LEGISLATION, EXECUTIVE ACTION, OR REGULATION;

31 (2) AREAS IN WHICH MANAGERIAL ACCOUNTABILITY CAN BE
32 ENHANCED AND ADMINISTRATIVE CONTROL CAN BE IMPROVED;

1 (3) OPPORTUNITIES FOR MANAGERIAL IMPROVEMENTS OVER BOTH THE
2 SHORT TERM AND THE LONG TERM;

3 (4) SPECIFIC AREAS IN WHICH POTENTIAL SAVINGS JUSTIFY FURTHER
4 STUDY; AND

5 (5) INFORMATION AND DATA RELATING TO GOVERNMENTAL
6 EXPENDITURES, INDEBTEDNESS, AND PERSONNEL MANAGEMENT.

7 (B) THE COMMISSION SHALL PRESENT A FINAL REPORT BY AUGUST 1, 2004 TO
8 THE GOVERNOR, AND THE HEAD OF EACH UNIT EXAMINED. INTERIM REPORTS
9 SHALL BE ISSUED WHEN DEEMED APPROPRIATE BY THE COMMISSION.

10 2-1905.

11 IN DEVELOPING THE REPORT AND RECOMMENDATIONS REQUIRED UNDER
12 THIS SUBTITLE, THE COMMISSION SHALL:

13 (1) PROVIDE FOR PUBLIC COMMENT AT MEETINGS OF THE
14 COMMISSION; AND

15 (2) HOLD PUBLIC HEARINGS TO RECEIVE PUBLIC COMMENT ON THE
16 AREAS TO BE EXAMINED UNDER THIS SUBTITLE.

17 2-1906.

18 DURING REVIEW BY THE COMMISSION, A UNIT UNDER REVIEW SHALL:

19 (1) PROVIDE PROMPTLY ANY RECORDS, DOCUMENTS, DATA, AND OTHER
20 INFORMATION THAT THE COMMISSION REQUESTS; AND

21 (2) OTHERWISE COOPERATE WITH THE COMMISSION.

22 2-1907.

23 THE COMMISSION SHALL BE FUNDED, TO THE EXTENT PRACTICABLE AND
24 PERMITTED BY LAW, BY THE PRIVATE SECTOR, WITHOUT COST TO THE STATE
25 GOVERNMENT.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect July 1, 2002. It shall remain effective for a period of 3 years and, at the end of
28 June 30, 2005, with no further action required by the General Assembly, this Act shall
29 be abrogated and of no further force and effect.