

HB0438/763328/1

BY: Senator Peters

AMENDMENTS TO HOUSE BILL 438
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “State and Medical Records – Research, Management, and Retention”; and in line 26, after “services;” insert “establishing the Task Force on Reducing State Budget Expenditures for Record Management and Retention; providing for the membership, cochairs, and staffing of the Task Force; prohibiting a member of the Task Force from being compensated; authorizing a member to be reimbursed for expenses under certain circumstances; requiring the Task Force to examine and make recommendations on certain matters and to issue a report to the General Assembly on or before a certain date;”.

On page 2, strike beginning with “and” in line 1 down through “defects” in line 2 and substitute “providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to research, management, and retention of State and medical records”.

AMENDMENT NO. 2

On page 6, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force on Reducing State Budget Expenditures for Record Management and Retention.

(b) The Task Force consists of the following members:

(Over)

(1) one member of the Senate of Maryland, appointed by the President of the Senate, to serve as cochair;

(2) one member of the House of Delegates, appointed by the Speaker of the House, to serve as cochair;

(3) the Secretary of Budget and Management, or the Secretary's designee;

(4) the Secretary of General Services, or the Secretary's designee;

(5) the State Archivist, or the Archivist's designee;

(6) the Attorney General, or the Attorney General's designee;

(7) the State Chief Information Officer, or the State Chief Information Officer's designee; and

(8) the following members appointed jointly by the Governor:

(i) two representatives from local government;

(ii) one representative from the Association for Records Managers and Administrators; and

(iii) one representative from the information technology industry.

(c) The Department of General Services and the State Archives jointly shall provide staff for the Task Force.

(d) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

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

(e) The Task Force shall:

(1) study ways to reduce State operating budget expenditures attributed to the unnecessary management and retention of paper and electronic records;

(2) evaluate any necessary changes in laws, regulations, policies, and procedures that would impede potential cost savings through reduction of paper and electronic records;

(3) evaluate cost implications regarding the records management practices currently in place within units of State government and the adequacy and effectiveness of record disposition procedures, including permanent retention requirements;

(4) study best practices for ensuring cost effective management, preservation, and security of public records deemed to have legal, administrative, regulatory, fiscal, evidential, or historical value;

(5) consult with:

(i) agencies of State government; and

(ii) experts in records management, archival best practices, and information technology;

(Over)

- (6) make recommendations regarding:
- (i) proposed changes to laws or regulations;
 - (ii) improvements to processes and procedures;
 - (iii) ensuring secure access to public records;
 - (iv) cost savings through improved records management;
 - (v) providing adequate security for and effective disposition of record material;
 - (vi) preservation of permanent record material at the State Archives; and
 - (vii) performance measures and timelines for agency compliance;
- and
- (7) identify the fiscal impact to the State budget of the proposed recommendations.

(f) On or before June 30, 2009, the Task Force shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2008.”;

in line 19, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act,”; and in line 20, strike “October” and substitute “June”; and in the same line, after “2008.” insert “Section 2 of this Act shall remain”

effective for a period of 1 year and 2 months and, at the end of July 31, 2009, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”