

SENATE BILL 1029

P1, M1, M3

9lr3408

By: **Senator Colburn**

Introduced and read first time: March 6, 2009

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Reorganization of State Government – Consolidating the Departments of**
3 **Agriculture and the Environment into the Department of Natural Resources**

4 FOR the purpose of restructuring State government by the consolidation of the
5 Department of Agriculture and the Department of the Environment into the
6 Department of Natural Resources; abolishing the Department of Agriculture
7 and the Department of the Environment by a certain date; abolishing certain
8 positions under these departments by a certain date; transferring all of the
9 functions, powers, duties, equipment, assets, and liabilities of these
10 departments to the Department of Natural Resources as of a certain date;
11 transferring all of the boards, commissions, programs, funds, and units of these
12 departments to the Department of Natural Resources as of a certain date,
13 subject to a certain plan; providing for the meaning of certain names and titles
14 in certain documents; requiring the Secretary of Budget and Management, in
15 conjunction with the Secretary of Natural Resources, Secretary of Agriculture,
16 and Secretary of the Environment, to develop the plan and to include certain
17 elements, including necessary legislation, certain provisions, a certain
18 inventory, and a certain budget reduction goal by a certain year; requiring the
19 plan to provide certain employees with a transfer option meeting certain
20 requirements; providing for the transfer of certain appropriations to the
21 Department of Natural Resources on or before a certain date; providing certain
22 transitional provisions relating to the continuity of certain terms of office in a
23 certain division, board, commission, authority, council, committee, office, or
24 unit; providing for the continuity of certain rights, duties, or interests flowing
25 from certain transactions entered into before a certain date; requiring the
26 publisher of the Annotated Code of Maryland, in consultation with, and subject
27 to the approval of, the Department of Legislative Services, to correct certain
28 cross-references and terminology; providing for the continuity of certain laws
29 and regulations, proposed regulations, and other duties and responsibilities;
30 providing continuity for a certain license, registration, or certification; providing
31 continuity for certain bonds and other financial instruments; requiring the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Governor to include a certain appropriation in the State budget for a certain
2 year that is consistent with the plan and that conforms to certain budget figures
3 for a certain other year; repealing certain inconsistent laws; requiring the
4 Secretary of Natural Resources to submit a report containing certain
5 information to the Governor and the General Assembly on or before certain
6 dates; making the provisions of this Act severable; defining a certain term;
7 making certain stylistic changes and deleting an obsolete reference; and
8 generally relating to restructuring State government by the consolidation of the
9 Department of Agriculture and the Department of the Environment into the
10 Department of Natural Resources.

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 1–101, 1–102(a) and (b), and 1–104(a), (c), (d), (g), and (i)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2008 Supplement)

16 BY repealing
17 Article – Natural Resources
18 Section 1–104(l)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2008 Supplement)

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

23 **Article – Natural Resources**

24 1–101.

25 (a) **IN THIS TITLE, “NATURAL RESOURCES” MEANS ALL NATURAL**
26 **RESOURCES IN THE STATE, INCLUDING AGRICULTURAL, LAND, AND WATER**
27 **RESOURCES.**

28 (B) There is a Department of Natural Resources, established as a principal
29 department of the State government. The head of the Department is the Secretary of
30 Natural Resources, who shall be appointed by the Governor with the advice and
31 consent of the Senate. The Secretary shall be an individual with administrative
32 ability, whose reputation and experience demonstrate his interest in the field of
33 natural resources.

34 [(b)] (C) It is the intention of the General Assembly, in providing for a
35 Department of Natural Resources, to establish a State department which, in addition
36 to its other functions, shall:

1 (1) Review and evaluate all natural resources policies, plans,
2 programs, and practices of State, county, regional, and federal agencies and
3 institutions;

4 (2) Coordinate natural resources activities within the State;

5 (3) Be a center for collecting and organizing information on natural
6 resources for the guidance of the Governor and the General Assembly; and

7 (4) Otherwise unify, coordinate, and promulgate policies, plans,
8 programs, and practices which insure the preservation, development, wise use, and
9 enjoyment of all the natural resources for greatest benefits to the State and its
10 citizens.

11 [(c)] (D) The Secretary serves at the pleasure of the Governor. He is directly
12 responsible to the Governor and shall counsel and advise him on all matters assigned
13 to the Department. The Secretary is responsible for carrying out the Governor's
14 policies in the areas of natural resources research and development, management, and
15 administration. The Secretary shall receive the salary and have the assistants,
16 employees, and professional consultants provided in the State budget.

17 [(d)] (E) (1) (i) The Secretary is responsible for the operation of the
18 Secretary's office and shall establish guidelines and procedures to promote its orderly
19 and efficient administration.

20 (ii) The Secretary may establish areas of responsibility within
21 the Secretary's office and may reorganize or abolish them as necessary to fulfill the
22 duties assigned to the Secretary.

23 (iii) The Secretary may appoint such staff assistants as are
24 necessary to administer these areas of responsibility.

25 (2) The Secretary shall appoint, with the approval of the Governor, a
26 deputy secretary who shall have the duties provided by law or delegated by the
27 Secretary. The deputy secretary is in the executive service of the State Personnel
28 Management System, serves at the pleasure of the Secretary, and shall receive the
29 compensation provided in the State budget. All assistant secretaries, staff assistants,
30 and professional consultants are in the executive service, management service, or are
31 special appointments in the State Personnel Management System and are appointed
32 by and serve at the Secretary's pleasure. Wherever it is provided by law that the
33 Secretary makes an appointment to a particular office within the Department with the
34 approval of the Governor, the Secretary may not remove the appointee without first
35 obtaining the Governor's approval.

36 (3) Except as otherwise provided by law, the Secretary shall appoint
37 and remove all other personnel in accordance with the provisions of the State

1 Personnel and Pensions Article. The Secretary may delegate his authority to appoint
2 or remove personnel of any unit to the administrator of the unit.

3 [(e)] (F) The Attorney General is the legal adviser to the Department. The
4 Attorney General shall assign the number of assistant Attorneys General authorized
5 by law to be assigned to the units of the Department. One of the assistant Attorneys
6 General shall be designated by the Attorney General as counsel to the Department of
7 Natural Resources. The counsel to the Department shall have no other duty than to
8 render, subject to the discretion and control of the Attorney General, the legal aid,
9 advice, and counsel required by the Secretary and the other officials of the
10 Department and, also subject to the discretion and control of the Attorney General, to
11 supervise the other assistant Attorneys General assigned to the Department. After the
12 Attorney General has designated an assistant Attorney General to serve as counsel to
13 the Department of Natural Resources, the Attorney General may not reassign the
14 counsel without consultation with the Secretary. This subsection does not apply to any
15 unit of government within the Department of Natural Resources if the unit is
16 authorized by law to employ its own legal adviser or counsel.

17 1-102.

18 (a) The Department shall include all units, programs, boards, commissions,
19 and advisory boards and commissions referenced in this article, **THE AGRICULTURE**
20 **ARTICLE, AND THE ENVIRONMENT ARTICLE.**

21 (b) The following units are also included in this Department:

22 [(1) The Maryland Membership Unit of the Interstate Commission of
23 the Potomac River Basin;

24 (2) The Maryland Membership Unit of the Susquehanna River Basin
25 Commission;

26 (3) The Maryland Membership Unit of the Atlantic States Marine
27 Fisheries Commission;

28 (4) The Maryland Membership Unit of the Potomac River Fisheries
29 Commission;

30 (5) The Maryland Membership Unit of the Interstate Oil and Gas
31 Compact Commission; and

32 (6) The Maryland Membership Unit of the Interstate Mining
33 Commission.]

34 (1) **THE AIR QUALITY CONTROL ADVISORY COUNCIL;**

35 (2) **THE AQUACULTURE COORDINATING COUNCIL;**

- 1 **(3) THE AQUACULTURE REVIEW BOARD;**
- 2 **(4) THE BOARD OF ENVIRONMENTAL SANITARIANS;**
- 3 **(5) THE BOARD OF REVIEW OF THE DEPARTMENT OF**
4 **AGRICULTURE;**
- 5 **(6) THE BOARD OF WATERWORKS AND WASTE SYSTEM**
6 **OPERATORS;**
- 7 **(7) THE BOARD OF WELL DRILLERS;**
- 8 **(8) THE CHIEF OF WEIGHTS AND MEASURES;**
- 9 **(9) THE ENVIRONMENTAL NOISE ADVISORY COUNCIL;**
- 10 **(10) THE HAZARDOUS SUBSTANCES ADVISORY COUNCIL;**
- 11 **(11) THE HAZARDOUS WASTE FACILITIES SITING BOARD;**
- 12 **(12) THE MARYLAND AGRICULTURAL COMMISSION;**
- 13 **(13) THE MARYLAND AGRICULTURAL FAIR BOARD;**
- 14 **(14) THE MARYLAND HORSE INDUSTRY BOARD;**
- 15 **(15) THE MARYLAND MEMBERSHIP UNIT OF THE ATLANTIC**
16 **STATES MARINE FISHERIES COMMISSION;**
- 17 **(16) THE MARYLAND MEMBERSHIP UNIT OF THE INTERSTATE**
18 **COMMISSION OF THE POTOMAC RIVER BASIN;**
- 19 **(17) THE MARYLAND MEMBERSHIP UNIT OF THE INTERSTATE**
20 **MINING COMMISSION;**
- 21 **(18) THE MARYLAND MEMBERSHIP UNIT OF THE INTERSTATE**
22 **OIL AND GAS COMPACT COMMISSION;**
- 23 **(19) THE MARYLAND MEMBERSHIP UNIT OF THE POTOMAC**
24 **RIVER FISHERIES COMMISSION;**
- 25 **(20) THE MARYLAND MEMBERSHIP UNIT OF THE SUSQUEHANNA**
26 **RIVER BASIN COMMISSION;**

- 1 (21) **THE MARYLAND WINERY AND GRAPE GROWERS' ADVISORY**
2 **BOARD;**
- 3 (22) **THE RADIATION CONTROL ADVISORY BOARD;**
- 4 (23) **THE SCIENCE AND HEALTH ADVISORY GROUP;**
- 5 (24) **THE SEAFOOD MARKETING ADVISORY COMMISSION;**
- 6 (25) **THE SEAFOOD MARKETING AND AQUACULTURE**
7 **DEVELOPMENT PROGRAM AND DIVISION OF MARKET DEVELOPMENT;**
- 8 (26) **THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS;**
- 9 (27) **THE STATE CHEMIST;**
- 10 (28) **THE STATE SOIL CONSERVATION COMMITTEE;**
- 11 (29) **THE STATE VETERINARIAN; AND**
- 12 (30) **THE TOBACCO AUTHORITY OF THE STATE OF MARYLAND.**

13 1-104.

14 (a) The Secretary is responsible for the development of coordinated policies
15 for the preservation, conservation, enhancement, wise use, and perpetuation of the
16 natural resources of the State. [He] **THE SECRETARY** is responsible for the efficient
17 coordination of all the natural resources activities of the State including the
18 settlement of conflicts that may arise among units within the Department of Natural
19 Resources. In the discharge of [his responsibility] **THESE RESPONSIBILITIES** the
20 Secretary shall:

21 (1) Provide a forum of communication among natural resources units
22 **OF THE DEPARTMENT** and a source of information for the Governor and General
23 Assembly as to the preservation, conservation, development, and use of all the State's
24 natural resources;

25 (2) Study and evaluate any plan, program, or activity or any
26 combination of plans, programs, or activities within one or more of the units of the
27 Department, and recommend any legislative, budgetary, or administrative changes to
28 provide more effective administration, clarify responsibilities, terminate obsolete
29 programs, establish desirable programs, or alter or amend programs to meet changed
30 or changing conditions;

1 (3) Review federal statutes, policies, programs, and activities which
2 affect or may affect natural resources in the State and recommend to federal, State,
3 and local agencies and institutions procedures for the coordination of these programs;

4 (4) Study the natural resources activities of the subdivisions of the
5 State and recommend procedures for coordination of the natural resources activities of
6 the State and its subdivisions;

7 (5) Maintain a catalog classified by use, of public land acquired or
8 used in the preservation, conservation, development, management, or enjoyment of
9 the natural resources; review and approve all plans and proposals of the units of the
10 Department for the acquisition of additional land for such purposes, taking into
11 account public land owned and managed for identical or similar purposes by federal
12 agencies and by counties, municipalities, and other political subdivisions of the State;

13 (6) Establish and maintain, for the use of the Department, a natural
14 resources library, cataloged according to a recognized library system and containing
15 legal, scientific, and administrative reports, books, documents, photographs, records,
16 and other information on the natural resources and natural resources administration;
17 and

18 (7) Provide technical assistance to other State units, counties,
19 municipalities, corporations, organizations, groups, and individuals in planning,
20 organizing, and conducting leisure activities and recreation programs.

21 (c) The Secretary may transfer, assign or reassign any function or activity of
22 any unit within the Department, together with the staff, funds and equipment
23 associated with that function or activity, either to the office of the Secretary or to any
24 other unit within the Secretary's jurisdiction, in order to increase efficiency and
25 economy in administering natural resources in the State. Whenever the Secretary
26 believes any transfer of function or activity renders misleading or inadequate the
27 name of any unit within the Department as enumerated in § 1-102 of this subtitle,
28 [he] **THE SECRETARY**, with the Governor's approval, may assign a new name or
29 names to the affected unit. If this is done, the Secretary shall cause to be submitted to
30 the next ensuing session of the General Assembly a legislative proposal for
31 appropriate amendment of § 1-102 of this subtitle.

32 (d) The Secretary shall publish books, pamphlets, maps, and other materials
33 on the subject of natural resources and encourage and assist the Department's units in
34 the preparation of these materials for publication. [He] **THE SECRETARY** shall
35 maintain a supply of the publications and other materials for sale at cost to schools,
36 libraries, and the general public, and establish policies for the Department on the
37 gratuitous distribution of publications issued by the Department and its member
38 units.

1 (g) The Secretary is responsible for promulgating rules and regulations for
2 the Department. [He] **THE SECRETARY** shall review and have the power to approve,
3 disapprove, issue, or revise the rules and regulations of every unit of the Department.

4 (i) The office of Secretary of Natural Resources shall have a seal for
5 purposes of authentication of copies of records or papers in [his] **THE SECRETARY'S**
6 office.

7 [(1) For fiscal year 2007, the Governor shall include in the annual budget bill
8 submitted to the General Assembly an appropriation in an amount equal to at least
9 \$88,000 for the Department to maintain a natural resources library as required under
10 subsection (a)(6) of this section.]

11 SECTION 3. AND BE IT FURTHER ENACTED, That:

12 (a) As of June 30, 2010, and subject to the provisions of subsection (b) of this
13 section, the Department of Agriculture and the Department of the Environment are
14 hereby abolished as independent units in the Executive Branch, and that as of July 1,
15 2010, the Department of Natural Resources shall be the successor of the Department
16 of Agriculture and the Department of the Environment.

17 (b) As of July 1, 2010, the positions of Secretary of Agriculture, Secretary of
18 the Environment, Deputy Secretary of Agriculture, and Deputy Secretary of the
19 Environment are abolished, and the Secretary of Natural Resources shall be the
20 successor of the Secretary of Agriculture and the Secretary of the Environment. This
21 section may not be construed to prevent the Governor from appointing an individual
22 serving in one of these positions as of June 30, 2010, to serve as the Secretary of
23 Natural Resources.

24 (c) Subject to the provisions of Section 4 of this Act, on July 1, 2010, all the
25 functions, powers, duties, equipment, assets, and liabilities of the Department of
26 Agriculture and the Department of the Environment shall be transferred to the
27 Department of Natural Resources.

28 (d) Subject to the provisions of the plan and legislation developed and
29 implemented in accordance with Section 4 of this Act, all boards, commissions,
30 programs, funds, and other units in the Department of Agriculture and the
31 Department of the Environment that were created by statute, regulation, executive
32 order, secretarial or unit directive, or other executive action and in existence on June
33 30, 2010, shall be transferred to the Department of Natural Resources as of July 1,
34 2010.

35 (e) In every law, executive order, regulation, policy, or document created by
36 any official, employee, or unit of this State, the names and titles of those officials,
37 employees, or units mean the names and titles of the successor official, employee, or
38 unit, as provided in this Act.

1 SECTION 4. AND BE IT FURTHER ENACTED, That:

2 (a) (1) On or before November 1, 2009, the Secretary of Budget and
3 Management, in conjunction with the Secretary of Natural Resources, the Secretary of
4 Agriculture, and the Secretary of the Environment, shall develop and submit to the
5 Legislative Policy Committee a comprehensive and practicable plan for the
6 consolidation of all powers, duties, functions, and staff of the departments, officers,
7 and units administered in the Department of Agriculture, the Department of the
8 Environment, and the Department of Natural Resources.

9 (2) The plan required under paragraph (1) of this section shall include:

10 (i) all necessary legislation to fully implement the provisions of
11 this Act on or before July 1, 2010;

12 (ii) provisions for the elimination or modification of duplicative
13 units, programs, and services and unnecessary management, professional and skilled
14 services, and special appointment positions in existence in the Department of
15 Agriculture, the Department of the Environment, and the Department of Natural
16 Resources on or before October 1, 2009; and

17 (iii) an inventory of all capital facilities operated by the
18 Department of Agriculture, the Department of the Environment, and the Department
19 of Natural Resources, and provisions for the consolidation of the facilities and all
20 satellite operations and the disposition of property and supplies rendered excessive as
21 a result of the abolishment of the Department of Agriculture and the Department of
22 the Environment.

23 (b) The plan developed in accordance with subsection (a)(1) of this section,
24 and any legislation to implement it, shall establish a target percentage budget
25 reduction of 20% of the total of the combined general funds originally appropriated in
26 fiscal year 2010 for the Department of Agriculture, the Department of the
27 Environment, and the Department of Natural Resources. The target percentage
28 established by this subsection:

29 (1) shall become effective in the fiscal year 2011 State budget; and

30 (2) is not intended to affect allocations related to grants received from
31 sources other than State government.

32 SECTION 5. AND BE IT FURTHER ENACTED, That the plan required by
33 Section 4 of this Act shall contain specific proposals related to:

34 (a) the continued advancement of the interests of Maryland agriculture and
35 the environment;

1 (b) services, programs, or functions currently offered by the Department of
2 Agriculture, the Department of the Environment, and the Department of Natural
3 Resources that shall:

4 (1) become fiscally self-sustaining through the imposition or
5 enhancement of application, registration, license, service, or other appropriate fees;

6 (2) be eliminated because they are no longer in demand or are
7 duplicated elsewhere;

8 (3) be transferred to other agencies currently responsible for related
9 public purposes and responsibilities, including the Department of Business and
10 Economic Development, the Department of Health and Mental Hygiene, and any other
11 appropriate Executive agency;

12 (4) by consolidation, be reduced in size, staffing, and other financial
13 requirements while still maintaining the essential nature of the service, program, or
14 function; and

15 (5) by privatization, shift the delivery of services or programs from the
16 public sector to the private sector; and

17 (c) any other areas in which financial savings may be realized through the
18 internal realignment of functions, including personnel and procurement.

19 SECTION 6. AND BE IT FURTHER ENACTED, That:

20 (a) The plan required by Section 4 of this Act shall give due consideration to
21 providing, to the extent possible, employees, other than those at the Deputy or
22 Assistant Secretary level, who will be affected by the reorganization encompassed in
23 the plan, the option of transferring to another position in State service.

24 (b) An employee transferred under this Act shall be appointed without
25 further examination or qualification. To the extent possible, the employee shall be
26 placed in a classification that is comparable in duties and responsibilities to the
27 employee's former position. The employee may not suffer a diminution of salary or
28 wages, accrued leave, whether earned or granted, retirement status, or seniority
29 rights.

30 SECTION 7. AND BE IT FURTHER ENACTED, That all appropriations,
31 including State and federal funds, held by the Department of Agriculture and the
32 Department of the Environment to carry out the functions and programs transferred
33 under this Act shall be transferred to the Department of Natural Resources on the
34 effective date of this Act.

35 SECTION 8. AND BE IT FURTHER ENACTED, That nothing in this Act
36 affects the terms of office of an appointed or elected member of any division, board,
37 commission, authority, council, committee, office, or unit. An individual who is a

1 member of a division, board, commission, authority, council, committee, office, or unit
2 on the effective date of this Act shall remain a member for the balance of the term to
3 which the member is appointed or elected, unless the member sooner dies, resigns, or
4 is removed under provisions of law.

5 SECTION 9. AND BE IT FURTHER ENACTED, That, except as expressly
6 provided to the contrary in this Act, any transaction affected by or flowing from any
7 statute here amended, repealed, or transferred, and validly entered into before the
8 effective date of this Act, and every right, duty, or interest following from the
9 transaction, remains valid after the effective date of this Act and may be terminated,
10 completed, consummated, or enforced in accordance with law.

11 SECTION 10. AND BE IT FURTHER ENACTED, That the publishers of the
12 Annotated Code of Maryland, in consultation with and subject to the approval of the
13 Department of Legislative Services, shall correct, with no further action required by
14 the General Assembly, cross-references and terminology rendered incorrect by this
15 Act or by any other Act of the General Assembly of 2009 that affects provisions
16 enacted by this Act. The publishers shall adequately describe any such correction in an
17 editor's note following the section affected.

18 SECTION 11. AND BE IT FURTHER ENACTED, That, except as otherwise
19 provided by law, all existing laws, regulations, proposed regulations, standards and
20 guidelines, policies, orders and other directives, forms, plans, memberships, contracts,
21 property, investigations, administrative and judicial responsibilities, rights to sue and
22 be sued, and all other duties and responsibilities associated with the functions of the
23 Department of Agriculture and the Department of the Environment before the
24 effective date of this Act shall continue in effect under the Department of Natural
25 Resources until completed, withdrawn, canceled, modified, or otherwise changed in
26 accordance with law.

27 SECTION 12. AND BE IT FURTHER ENACTED, That any person licensed,
28 registered, permitted, or certified under any department, agency, office, or unit
29 transferred by this Act is considered for all purposes to be licensed, registered,
30 permitted, or certified for the duration of the term for which the license, registration,
31 permit, or certification was issued, and may renew that authorization in accordance
32 with the appropriate renewal provisions provided under this Act. Any person that was
33 originally licensed, registered, permitted, or certified under a provision of law that has
34 been repealed by this Act as obsolete or inconsistent with this Act continues to meet
35 the requirements of the license, registration, permit, or certification to the same extent
36 as though that provision had not been repealed.

37 SECTION 13. AND BE IT FURTHER ENACTED, That all bonds, notes, bond
38 anticipation notes, notes in the nature of commercial paper, or other instruments,
39 certificates or evidence of indebtedness or obligation issued by the Department of
40 Agriculture, the Department of the Environment, or any division, agency, authority,
41 body corporate or politic, or public instrumentality within or under the Department of
42 Agriculture or the Department of the Environment, or issued on behalf of either of
43 these departments or the State, are valid, legal, binding, and enforceable obligations to

1 the extent of the obligation as provided in the bonds, notes, instruments, certificates,
2 or evidence of indebtedness.

3 SECTION 14. AND BE IT FURTHER ENACTED, That:

4 (a) For fiscal year 2011, the Governor shall include in the State budget an
5 appropriation for the Department of Natural Resources that is consistent with the
6 plan and legislation submitted to the General Assembly in accordance with this Act.

7 (b) In order to facilitate comparison between expenditures in previous years
8 and the fiscal year 2011 allowance, the budget submitted for the Department of
9 Natural Resources for fiscal year 2011 shall conform to the actual budget figures for
10 fiscal year 2009 and the appropriation figures for fiscal year 2010 to a budget code
11 structure newly formulated to reflect the consolidation and restructuring required
12 under this Act.

13 SECTION 15. AND BE IT FURTHER ENACTED, That all laws or parts of
14 laws, public general or public local, or regulations inconsistent with this Act are
15 repealed to the extent of the inconsistency.

16 SECTION 16. AND BE IT FURTHER ENACTED, That, on or before January 1,
17 2011, January 1, 2012, and January 1, 2013, the Secretary of Natural Resources shall
18 submit to the Governor and, subject to § 2-1246 of the State Government Article, the
19 General Assembly a progress report on the implementation of this Act. Each report
20 shall summarize the operation of the Department of Natural Resources under the
21 structure formulated as a result of this Act and shall include recommendations and
22 any appropriate legislative proposals for additional cost-saving measures and
23 enhanced efficiency of operations.

24 SECTION 17. AND BE IT FURTHER ENACTED, That if any provision of this
25 Act or the application thereof to any person or circumstance is held invalid for any
26 reason in a court of competent jurisdiction, the invalidity does not affect other
27 provisions or any other application of this Act which can be given effect without the
28 invalid provision or application, and for this purpose the provisions of this Act are
29 declared severable.

30 SECTION 18. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect October 1, 2009.