

HOUSE BILL 67

P1, P5

5lr0486
CF SB 220

By: The Speaker and Delegates Barve, Davis, Hammen, Hixson, McIntosh, ~~and Vallario~~ Vallario, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Reznik, Sample-Hughes, West, and K. Young

Introduced and read first time: January 21, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2015

CHAPTER _____

1 AN ACT concerning

2 **General Assembly – Mandated Reports by State Agencies**

3 FOR the purpose of repealing certain provisions of law that require certain State agencies
4 to submit certain reports to the General Assembly that are deemed obsolete,
5 duplicative, impractical, inefficient, or otherwise unnecessary; altering certain
6 provisions of law that require certain State agencies to submit certain reports to the
7 General Assembly; combining certain reporting requirements for certain programs
8 with another more extensive annual report required to be submitted by a certain
9 department; providing that, in the year immediately preceding the beginning of a
10 term of the General Assembly, the Department of Legislative Services, in
11 consultation with other State agencies, shall review the laws of the State and make
12 recommendations to the presiding officers of the General Assembly for the
13 introduction of legislation to repeal or modify laws of the State that require the
14 agencies to submit certain reports at certain times and on certain matters to the
15 General Assembly or Governor; and generally relating to reports to the General
16 Assembly by certain State agencies.

17 BY repealing and reenacting, with amendments,
18 Article – Agriculture
19 Section 2–901(b)(2)
20 Annotated Code of Maryland
21 (2007 Replacement Volume and 2014 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 BY repealing
2 Article – Agriculture
3 Section 5–704(i)
4 Annotated Code of Maryland
5 (2007 Replacement Volume and 2014 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 5–1002
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2014 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Criminal Procedure
13 Section 11–1006(g)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2014 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Economic Development
18 Section 2–123, 4–216(c)(3) and (d), 6–529(a), and 14–102
19 Annotated Code of Maryland
20 (2008 Volume and 2014 Supplement)
- 21 BY repealing
22 Article – Economic Development
23 Section 3–404(e), 5–315, 5–419, 5–512(c)(4), 5–555(h), ~~and~~ 6–307, and 10–713
24 Annotated Code of Maryland
25 (2008 Volume and 2014 Supplement)
- 26 BY adding to
27 Article – Economic Development
28 Section 3–404(e), 5–315, 5–419, 5–512(c)(4), 5–555(h), and 6–307
29 Annotated Code of Maryland
30 (2008 Volume and 2014 Supplement)
- 31 BY repealing and reenacting, with amendments,
32 Article – Education
33 Section 16–106(d)
34 Annotated Code of Maryland
35 (2014 Replacement Volume and 2014 Supplement)
- 36 BY repealing
37 Article – Environment
38 Section 2–1107
39 Annotated Code of Maryland

- 1 (2013 Replacement Volume and 2014 Supplement)
- 2 BY repealing
3 Article – Environment
4 Section 9–351
5 Annotated Code of Maryland
6 (2014 Replacement Volume)
- 7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 5–1309(f)
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2014 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 10–207, 13–1002(g), 13–1004(d), 13–1102(h), 13–1104, 13–2105, 13–2504,
15 and 19–310.1(f)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2014 Supplement)
- 18 BY repealing and reenacting, without amendments,
19 Article – Health – General
20 Section 13–1013(a) and (b) and 13–21A–02(a) and (b)
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2014 Supplement)
- 23 BY repealing
24 Article – Health – General
25 Section 13–1013(h), 13–21A–02(i), 15–102.4(e), and 15–124.2(i)
26 Annotated Code of Maryland
27 (2009 Replacement Volume and 2014 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article – Housing and Community Development
30 Section 4–215
31 Annotated Code of Maryland
32 (2006 Volume and 2014 Supplement)
- 33 BY repealing
34 Article – Human Services
35 Section 6–708
36 Annotated Code of Maryland
37 (2007 Volume and 2014 Supplement)
- 38 BY repealing and reenacting, with amendments,
39 Article – Human Services

- 1 Section 10–208(f) and 10–306
2 Annotated Code of Maryland
3 (2007 Volume and 2014 Supplement)
- 4 BY repealing and reenacting, with amendments,
5 Article – Insurance
6 Section 11–326 and 14–102(e)
7 Annotated Code of Maryland
8 (2011 Replacement Volume and 2014 Supplement)
- 9 BY repealing and reenacting, with amendments,
10 Article – Labor and Employment
11 Section 5–608, 9–312, 10–219(b), and 10–320(b)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2014 Supplement)
- 14 BY repealing
15 Article – Labor and Employment
16 Section 8–422(g)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2014 Supplement)
- 19 BY repealing and reenacting, with amendments,
20 Article – Natural Resources
21 Section 1–104(e), 1–706(a), 4–210(h), 4–210.1(d), 4–746, 5–103(h), 5–307(j), 5–1613,
22 8–1808.1(e)(4), and 8–2103
23 Annotated Code of Maryland
24 (2012 Replacement Volume and 2014 Supplement)
- 25 BY repealing
26 Article – Natural Resources
27 Section 3–3A–04, 4–2A–04(g), and 8–1808.1(e)(3)
28 Annotated Code of Maryland
29 (2012 Replacement Volume and 2014 Supplement)
- 30 BY repealing
31 Article – State Finance and Procurement
32 Section 5–7B–09(d) and 5A–403(g)
33 Annotated Code of Maryland
34 (2009 Replacement Volume and 2014 Supplement)
- 35 BY repealing and reenacting, with amendments,
36 Article – State Finance and Procurement
37 Section 7–314(g) and (j), 7–317(h), 14–505, and 17–204(b)
38 Annotated Code of Maryland
39 (2009 Replacement Volume and 2014 Supplement)

- 1 BY repealing and reenacting, without amendments,
2 Article – State Finance and Procurement
3 Section 7–317(a) and (f)
4 Annotated Code of Maryland
5 (2009 Replacement Volume and 2014 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – State Government
8 Section 2–506(b), 2–10A–03(f), 2–10A–13(f), ~~6–406(b)~~, and 9–1405(b)
9 Annotated Code of Maryland
10 (2014 Replacement Volume)
- 11 BY repealing
12 Article – State Government
13 Section 2–10A–07
14 Annotated Code of Maryland
15 (2014 Replacement Volume)
- 16 BY adding to
17 Article – State Government
18 Section 2–1209
19 Annotated Code of Maryland
20 (2014 Replacement Volume)
- 21 BY repealing and reenacting, with amendments,
22 Article – State Personnel and Pensions
23 Section 21–104(e)(3) and 21–123(g)(2)
24 Annotated Code of Maryland
25 (2009 Replacement Volume and 2014 Supplement)
- 26 BY repealing
27 Article – State Personnel and Pensions
28 Section 21–108(a)(4), 21–125.1, and 21–128(g)
29 Annotated Code of Maryland
30 (2009 Replacement Volume and 2014 Supplement)
- 31 BY repealing
32 Article – Tax – General
33 Section 10–721(g)(1), 10–725(h)(1), 10–732(f), and 10–733(i)(1)
34 Annotated Code of Maryland
35 (2010 Replacement Volume and 2014 Supplement)
- 36 BY adding to
37 Article – Tax – General
38 Section 10–721(g)(1), 10–725(h)(1), 10–732(f), and 10–733(i)(1)
39 Annotated Code of Maryland
40 (2010 Replacement Volume and 2014 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Tax – General
3 Section 10–730(e)
4 Annotated Code of Maryland
5 (2010 Replacement Volume and 2014 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Tax – Property
8 Section 9–102(d)(3)
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2014 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 6–201.2(c), 8–309(e), and 8–613
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2014 Supplement)
- 16 BY repealing
17 Article – Transportation
18 Section 6–210
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2014 Supplement)
- 21 BY repealing
22 Article – Transportation
23 Section 23–203(f)
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2014 Supplement)
- 26 BY repealing
27 Chapter 674 of the Acts of the General Assembly of 1983, as amended by Chapter
28 533 of the Acts of the General Assembly of 1984 and Chapter 646 and Chapter
29 741 of the Acts of the General Assembly of 1987
30 Section 2
- 31 BY repealing
32 Chapter 791 of the Acts of the General Assembly of 1984
33 Section 2
- 34 BY repealing
35 Chapter 640 of the Acts of the General Assembly of 1991
36 Section 4
- 37 BY repealing

- 1 Chapter 111 of the Acts of the General Assembly of 1994, as amended by Chapter
2 471 of the Acts of the General Assembly of 1997
3 Section 5
- 4 BY repealing
5 Chapter 112 of the Acts of the General Assembly of 1994, as amended by Chapter
6 471 of the Acts of the General Assembly of 1997
7 Section 5
- 8 BY repealing
9 Chapter 414 of the Acts of the General Assembly of 1994
10 Section 2
- 11 BY repealing and reenacting, with amendments,
12 Chapter 584 of the Acts of the General Assembly of 1995
13 Section 2
- 14 BY repealing
15 Chapter 597 of the Acts of the General Assembly of 1995
16 Section 2
- 17 BY repealing
18 Chapter 96 of the Acts of the General Assembly of 1996
19 Section 2
- 20 BY repealing
21 Chapter 294 of the Acts of the General Assembly of 1997
22 Section 5
- 23 BY repealing
24 Chapter 692 of the Acts of the General Assembly of 1999
25 Section 2
- 26 BY repealing
27 Chapter 77 of the Acts of the General Assembly of 2001
28 Section 4
- 29 BY repealing
30 Chapter 103 of the Acts of the General Assembly of 2001, as amended by Chapter 46
31 of the Acts of the General Assembly of 2006
32 Section 12
- 33 BY repealing
34 Chapter 685 of the Acts of the General Assembly of 2001, as amended by Chapter
35 443 of the Acts of the General Assembly of 2003
36 Section 2

1 BY repealing

2 Chapter 453 of the Acts of the General Assembly of 2002, as amended by Chapter
3 203 of the Acts of the General Assembly of 2003

4 Section 3

5 BY repealing

6 Chapter 84 of the Acts of the General Assembly of 2004, as amended by Chapter 283
7 of the Acts of the General Assembly of 2008

8 Section 3

9 BY repealing

10 Chapter 206 of the Acts of the General Assembly of 2004

11 Section 3

12 BY repealing

13 Chapter 551 of the Acts of the General Assembly of 2005

14 Section 3

15 BY repealing

16 Chapter 368 of the Acts of the General Assembly of 2007

17 Section 2

18 BY repealing

19 Chapter 397 of the Acts of the General Assembly of 2011

20 Section 30

21 BY repealing

22 Chapter 617 of the Acts of the General Assembly of 2013

23 Section 3

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

25 That the Laws of Maryland read as follows:

26 **Article – Agriculture**

27 2–901.

28 (b) (2) [(i)] The Department may distribute money under the Maryland Crop
29 Insurance Premium Cost Share Program from funds provided in the budget.

30 [(ii)] The Secretary shall submit an annual report to the Governor
31 and, in accordance with § 2–1246 of the State Government Article, the General Assembly
32 on or before August 1 of each year that provides an estimate of the amount of funds needed
33 to pay 8% of the net book premium for qualifying federal crop insurance products expected
34 to be purchased by farmers in the State in the following crop year.]

35 DRAFTER'S NOTE:

1 Subsection (b)(2)(ii) of this section is repealed as obsolete since the circumstances
2 under which the report concerning the Maryland Crop Insurance Premium Cost Share
3 Program was created have changed and the estimate requested under the reporting
4 requirement is no longer needed or relevant.

5 5–704.

6 [(i) The Insurance Fund annually shall make to the Governor and legislature of
7 each party state a report covering its activities for the preceding year. Reports made to the
8 General Assembly shall be made subject to § 2–1246 of the State Government Article. The
9 Insurance Fund may make such additional reports as it may deem desirable.]

10 DRAFTER’S NOTE:

11 Subsection (i) of this section is repealed as obsolete. The Pest Control Compact has
12 been disbanded and the money in the Insurance Fund was transferred to the National
13 Association of State Departments of Agriculture Research Foundation. The Maryland
14 Department of Agriculture has been planning to submit a departmental bill to repeal this
15 requirement on receipt of an official response from the National Association of State
16 Departments of Agriculture to support the legislation.

17 **Article – Criminal Law**

18 5–1002.

19 (a) In this section, “fund” means the Maryland Drug and Alcohol Grants Program
20 Fund.

21 (b) (1) There is a Maryland Drug and Alcohol Grants Program Fund.

22 (2) The fund is a special, nonlapsing fund that is not subject to § 7–302 of
23 the State Finance and Procurement Article.

24 (3) The fund consists of money appropriated in the State budget to the
25 fund, all earnings from investment of money in the fund, and other money accepted for the
26 benefit of the fund from a governmental or private source.

27 (4) The State Treasurer shall hold the fund separately.

28 (5) The State Comptroller shall account for the fund.

29 (6) The fund shall be invested and reinvested in the same manner as other
30 State funds.

31 (7) The Comptroller shall pay out money from the fund as directed by the
32 Governor’s Office of Crime Control and Prevention or as approved in the State budget.

1 (8) The fund is subject to audit by the Office of Legislative Audits under §
2 2–1220 of the State Government Article.

3 (c) The purpose of the fund is to provide grant money for neighborhood crime
4 prevention programs and drug and alcohol abuse education, prevention, treatment, and
5 law enforcement programs under this subtitle.

6 (d) (1) Administrative expenditures under this section may be made only in
7 accordance with the State budget.

8 (2) The Governor’s Office of Crime Control and Prevention shall administer
9 the fund in accordance with this section and all other applicable law.

10 (3) Disbursements from the fund shall supplement and may not substitute
11 for money designated in the State budget for neighborhood crime prevention programs and
12 drug and alcohol abuse education, prevention, treatment, and law enforcement programs.

13 (4) If the terms of a grant allow, a recipient may expend grant money
14 beyond the fiscal year in which the grant is received.

15 **(5) THE GOVERNOR’S OFFICE OF CRIME CONTROL AND**
16 **PREVENTION SHALL INCLUDE INFORMATION ON DISBURSEMENTS FROM THE FUND**
17 **DURING THE PRIOR FISCAL YEAR IN THE ANNUAL REPORT SUBMITTED TO THE**
18 **GENERAL ASSEMBLY UNDER § 11–1006 OF THE CRIMINAL PROCEDURE ARTICLE.**

19 (e) (1) This subsection does not apply to a program that has received funds
20 from the Hotspot Communities Initiative administered by the Governor’s Office of Crime
21 Control and Prevention.

22 (2) To the extent possible, the Governor’s Office of Crime Control and
23 Prevention shall allocate at least 10% of the grants provided from the fund to programs
24 that provide services in two or more counties of the State.

25 **DRAFTER’S NOTE:**

26 Subsection (d)(5) of this section is new language added for clarity and conformity
27 with the annual reporting requirement under § 11–1006(g) of the Criminal Procedure
28 Article.

29 **Article – Criminal Procedure**

30 11–1006.

31 (g) **ON OR BEFORE OCTOBER 1 EACH YEAR** the Executive Director of the
32 Governor’s Office of Crime Control and Prevention shall include a report on the programs
33 for survivors of homicide victims in the annual report submitted by the Governor’s Office

1 of Crime Control and Prevention to the General Assembly, in accordance with § 2–1246 of
2 the State Government Article.

3 DRAFTER’S NOTE:

4 In subsection (g) of this section, the requirement that the annual report be submitted
5 on or before October 1 each year is added for clarity and establishes a “date certain” for the
6 submission of the annual report.

7 **Article – Economic Development**

8 2–123.

9 (a) In this section, “economic development program” means:

10 **(1) THE ECONOMIC DEVELOPMENT OPPORTUNITIES PROGRAM**
11 **ACCOUNT ESTABLISHED UNDER § 7–314 OF THE STATE FINANCE AND**
12 **PROCUREMENT ARTICLE;**

13 **(2) THE PARTNERSHIP FOR WORKFORCE QUALITY PROGRAM**
14 **ESTABLISHED UNDER TITLE 3, SUBTITLE 4 OF THIS ARTICLE;**

15 **[(1)] (3)** each of the economic development and financial assistance
16 programs established under Title 5 of this article; and

17 **[(2)] (4)** each of the tax credit programs administered by the Department,
18 including:

19 (i) the Film Production Activity Tax Credit;

20 (ii) the Job Creation Tax Credit;

21 (iii) the One Maryland Economic Development Tax Credit;

22 (iv) the Invest Maryland Program;

23 (v) the Biotechnology Investment Incentive Tax Credit; [and]

24 (vi) the Research and Development Tax Credit;

25 **(VII) THE SECURITY CLEARANCE ADMINISTRATIVE EXPENSES**
26 **AND CONSTRUCTION AND EQUIPMENT COSTS TAX CREDIT; AND**

27 **(VIII) THE CYBERSECURITY INVESTMENT INCENTIVE TAX**
28 **CREDIT.**

1 (b) The Department shall compile data in accordance with this section on the
2 economic development programs administered by the Department.

3 (c) On or before December 31, 2013, and each year thereafter, the Department
4 shall submit a report on the economic development programs that were administered by
5 the Department during the previous fiscal year to the Governor and, in accordance with §
6 2-1246 of the State Government Article, the General Assembly.

7 (d) (1) The report required under this section shall include the following data,
8 if applicable, on the economic development programs administered by the Department:

9 (i) the number of jobs created;

10 (ii) the number of jobs retained;

11 (iii) the estimated amount of State revenue generated; [and]

12 **(IV) THE STATUS OF ANY SPECIAL FUND; AND**

13 ~~[(iv)]~~ **(V)** any additional information required by the Department
14 through regulations.

15 (2) The report required under this section shall include data in the
16 aggregate and disaggregated by:

17 (i) each economic development program; and

18 (ii) each recipient of assistance from an economic development
19 program.

20 **(3) THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE**
21 **ANY ADDITIONAL INFORMATION REQUIRED UNDER THE LAW AUTHORIZING THE**
22 **ECONOMIC DEVELOPMENT PROGRAM.**

23 (e) If a recipient of assistance from an economic development program is not
24 meeting the requirements of the economic development program, the Department shall
25 implement a process to assist the recipient in meeting the program requirements.

26 **DRAFTER'S NOTE:**

27 In subsection (a)(1) of this section, the reference to the Economic Development
28 Opportunities Program Account is new language added at the request of the Department
29 of Business and Economic Development (DBED), for clarity. Similarly, in subsection (a)(2)
30 of this section, the reference to the Partnership for Workforce Quality Program is added.

1 In subsection (a)(4)(vii) and (viii) of this section, the reference to “the Security
2 Clearance Administrative Expenses and Construction and Equipment Costs Tax Credit”
3 and to “the Cybersecurity Investment Incentive Tax Credit”, respectively, is new language
4 added at the request of DBED, for clarity.

5 In subsection (d)(1)(iv) of this section, the reference to “the status of any special fund”
6 associated with the economic development program is added at the request of DBED, for
7 clarity.

8 Subsection (d)(3) of this section is new language added for clarity to reflect any
9 additional reporting requirements that may be included under the law authorizing certain
10 economic development programs.

11 3–404.

12 [(e) The Secretary shall submit a report each year on the operation and
13 performance of the Program to the Governor, the Maryland Economic Development
14 Commission, the Governor’s Workforce Investment Board, and, in accordance with §
15 2–1246 of the State Government Article, the General Assembly.]

16 **(E) (1) IN ACCORDANCE WITH § 2–123 OF THIS ARTICLE, THE SECRETARY**
17 **SHALL SUBMIT A REPORT ON THE OPERATION AND PERFORMANCE OF THE**
18 **PROGRAM.**

19 **(2) IN ADDITION TO THE REQUIREMENTS UNDER § 2–123(C) OF THIS**
20 **ARTICLE, THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL BE SUBMITTED**
21 **TO:**

22 **(I) THE GOVERNOR’S WORKFORCE INVESTMENT BOARD; AND**

23 **(II) THE MARYLAND ECONOMIC DEVELOPMENT COMMISSION.**

24 DRAFTER’S NOTE:

25 Subsection (e) of this section, relating to the Partnership for Workforce Quality
26 Program, is revised to reflect the new consolidated reporting requirement in this bill
27 established under § 2–123 of the Economic Development Article.

28 4–216.

29 (c) (3) The Comptroller shall:

30 (i) determine the classification codes that shall be included in
31 tourism tax revenues under this subsection after consulting with the Department; and

1 (ii) ~~on or before August 1 of each year~~ **ON REQUEST FROM THE**
 2 **DEPARTMENT**, report the amount of the qualifying tourism tax increment to ~~the Governor,~~
 3 ~~the Department, the Department of Budget and Management, and, in accordance with §~~
 4 ~~2-1246 of the State Government Article, the General Assembly].~~

5 (d) (1) On or before ~~October 1~~ **DECEMBER 1** of each year beginning in ~~2012~~
 6 **2015**, in cooperation with the Board and the Maryland Association of Destination
 7 Marketing Organizations, the Department shall report to the Governor and, in accordance
 8 with § 2-1246 of the State Government Article, the General Assembly on the effectiveness
 9 of the funding provided under subsections (b) and (c) of this section in increasing visitor
 10 attendance and visitor spending in Maryland.

11 (2) **THE REPORT SHALL INCLUDE INFORMATION THAT ADDRESSES**
 12 **THE FOLLOWING:**

13 (I) **THE SPECIFIC USE OF THE TOURISM ADVERTISING FUNDS**
 14 **PROVIDED BY THIS SECTION;**

15 (II) **DATA QUANTIFYING THE SUCCESS OF MARYLAND'S**
 16 **INCREASED TOURISM MARKETING EFFORTS;**

17 (III) **TOURISM MARKETING STRATEGIES USED BY OTHER STATES**
 18 **IN MARYLAND'S PRIMARY MARKET AND THEIR IMPACT ON MARYLAND'S MARKET**
 19 **SHARE;**

20 (IV) **EFFORTS BY THE BOARD TO GENERATE ADDITIONAL**
 21 **REVENUES FOR THE MARYLAND TOURISM DEVELOPMENT BOARD FUND; AND**

22 (V) **OTHER SHORT- AND LONG-TERM STRATEGIES FOR**
 23 **TOURISM DEVELOPMENT THAT, IF ADOPTED, COULD IMPROVE MARYLAND'S**
 24 **COMPETITIVE POSITION WITH ITS NEIGHBORING STATES.**

25 DRAFTER'S NOTE:

26 ~~The report required under subsection (c)(3)(ii) of this section is repealed as obsolete~~
 27 ~~and unnecessary. Subsection (c)(3)(ii) of this section is revised to eliminate duplicative and~~
 28 ~~unnecessary reports.~~

29 Subsection (d)(1) of this section is revised to alter the reporting date from October 1
 30 to December 1 of each year to correspond with the availability of information necessary to
 31 complete the report.

32 Subsection (d)(2) of this section is revised to incorporate the reporting requirement
 33 concerning tourism development in the State that currently is contained in Section 5 of
 34 Chapter 111 of the Acts of 1994, as amended by Chapter 471 of 1997, and in Section 5 of

1 Chapter 112 of the Acts of 1994, as amended by Chapter 471 of 1997 [both of which are
2 repealed in this bill] with the tourism development report already required under this
3 subsection.

4 [5-315.

5 Before January 1 of each year, the Department shall report to the Governor and, in
6 accordance with § 2-1246 of the State Government Article, to the General Assembly on the
7 number, amount, use, and economic benefits of financial assistance provided under this
8 subtitle.]

9 **5-315.**

10 **IN ACCORDANCE WITH § 2-123 OF THIS ARTICLE, THE DEPARTMENT SHALL**
11 **REPORT ON THE NUMBER, AMOUNT, USE, AND ECONOMIC BENEFITS OF FINANCIAL**
12 **ASSISTANCE PROVIDED UNDER THIS SUBTITLE.**

13 DRAFTER'S NOTE:

14 This section, relating to the Maryland Economic Development Assistance Fund, is
15 revised to reflect the new consolidated reporting requirement in this bill established under
16 § 2-123 of the Economic Development Article.

17 [5-419.

18 On or before December 31 of each year, the Authority shall submit a report on its
19 conditions and operations to the Governor and, in accordance with § 2-1246 of the State
20 Government Article, to the General Assembly and the chair of the Joint Audit Committee.]

21 **5-419.**

22 **(A) IN ACCORDANCE WITH § 2-123 OF THIS ARTICLE, THE AUTHORITY**
23 **SHALL SUBMIT A REPORT ON ITS CONDITION AND OPERATIONS.**

24 **(B) IN ADDITION TO THE REQUIREMENTS UNDER § 2-123(C) OF THIS**
25 **ARTICLE, THE REPORT REQUIRED UNDER THIS SECTION SHALL BE SUBMITTED TO**
26 **THE CHAIR OF THE JOINT AUDIT COMMITTEE.**

27 DRAFTER'S NOTE:

28 This section, relating to the Maryland Industrial Development Financing Authority,
29 is revised to reflect the new consolidated reporting requirement in this bill established
30 under § 2-123 of the Economic Development Article.

31 5-512.

1 (c) The Authority shall:

2 [(4) on or before December 31 of each year, submit a report on its condition
3 and operations to the Governor and, in accordance with § 2–1246 of the State Government
4 Article, to the General Assembly.]

5 **(4) IN ACCORDANCE WITH § 2–123 OF THIS ARTICLE, SUBMIT A**
6 **REPORT ON ITS CONDITION AND OPERATIONS.**

7 DRAFTER'S NOTE:

8 Subsection (c)(4) of this section, relating to the Maryland Small Business
9 Development Financing Authority, is revised to reflect the new consolidated reporting
10 requirement in this bill established under § 2–123 of the Economic Development Article.

11 5–555.

12 [(h) On or before December 31 of each year, the Authority shall submit a report on
13 the Program to the General Assembly in accordance with § 2–1246 of the State Government
14 Article.]

15 **(H) IN ACCORDANCE WITH § 2–123 OF THIS ARTICLE, THE AUTHORITY**
16 **SHALL SUBMIT A REPORT ON THE PROGRAM.**

17 DRAFTER'S NOTE:

18 Subsection (h) of this section, relating to the Equity Participation Investment
19 Program Fund, is revised to reflect the new consolidated reporting requirement in this bill
20 established under § 2–123 of the Economic Development Article.

21 [6–307.

22 On or before December 31 of each year, the Department shall report to the Governor
23 and, in accordance with § 2–1246 of the State Government Article, to the General Assembly
24 on the business entities certified as eligible for job creation tax credits in the preceding
25 fiscal year.]

26 **6–307.**

27 **IN ACCORDANCE WITH § 2–123 OF THIS ARTICLE, THE DEPARTMENT SHALL**
28 **SUBMIT A REPORT ON THE BUSINESS ENTITIES CERTIFIED AS ELIGIBLE FOR JOB**
29 **CREATION TAX CREDITS IN THE PRECEDING FISCAL YEAR.**

30 DRAFTER'S NOTE:

1 This section, relating to the Job Creation Tax Credit, is revised to reflect the new
2 consolidated reporting requirement in this bill established under § 2–123 of the Economic
3 Development Article.

4 6–529.

5 (a) [(1) On or before January 1, 2013, and January 1 of each subsequent year,
6 the Department shall submit a report on the implementation of the Program to the
7 Governor and, in accordance with § 2–1246 of the State Government Article, the Senate
8 Budget and Taxation Committee and the House Ways and Means Committee.]

9 **(1) IN ACCORDANCE WITH § 2–123 OF THIS ARTICLE, THE**
10 **DEPARTMENT SHALL SUBMIT A REPORT ON THE IMPLEMENTATION OF THE**
11 **PROGRAM.**

12 **(2) IN ADDITION TO THE REQUIREMENTS UNDER § 2–123(C) OF THIS**
13 **ARTICLE, THE REPORT REQUIRED UNDER THIS SECTION SHALL BE SUBMITTED TO**
14 **THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE WAYS AND**
15 **MEANS COMMITTEE.**

16 [(2)] (3) The Department shall publish the report on the Department’s
17 Web site in a publicly available format.

18 [(3)] (4) The report published on the Web site may not include any
19 proprietary or confidential information.

20 **DRAFTER’S NOTE:**

21 Subsection (a) of this section, relating to the Invest Maryland Program, is revised to
22 reflect the new consolidated reporting requirement in this bill established under §
23 2–123 of the Economic Development Article.

24 [10–713.

25 (a) On or before October 1 of each year, the Trust shall submit a report to the
26 Governor, the Maryland Economic Development Commission, and, subject to § 2–1246 of
27 the State Government Article, the General Assembly.

28 (b) The report shall include a complete operating and financial statement
29 covering the operations of the Trust and summarize the activities of the Trust for the
30 preceding fiscal year.]

31 **DRAFTER’S NOTE:**

32 The requirement that the Maryland Venture Capital Trust submit a report that
33 includes the operating and financial statement covering the operations of the Trust and

1 summarizing the activities of the Trust for the preceding fiscal year is repealed. In 1991,
 2 the Trust was established to invest in local venture capital funds. As of January 2013, all
 3 investments have been realized and have been distributed to the beneficial owners leaving
 4 nothing left to report and making the reporting requirement obsolete and unnecessary.

5 14–102.

6 The [Department, the] Maryland State Office of Minority Business Enterprise, the
 7 Division of Labor and Industry of the Department of Labor, Licensing, and Regulation, and
 8 the Public Service Commission shall summarize their efforts to promote the policies related
 9 to broadening the ownership of capital in their respective annual reports as required by
 10 law.

11 DRAFTER’S NOTE:

12 In this section, the reference to the Department of Business and Economic
 13 Development (DBED) is deleted as obsolete. As a matter of course, DBED does not
 14 participate in negotiations pertaining to the broadening of ownership capital. DBED was
 15 formed in 1995 and since that time has had one such transaction – and that transaction
 16 involved a program that the Department no longer administers.

17 **Article – Education**

18 16–106.

19 (d) (1) For purposes of this subsection, “displaced homemaker” is an individual
 20 who:

21 (i) Is 30 years of age or older;

22 (ii) Has worked for the family in the family home;

23 (iii) Is not gainfully employed;

24 (iv) Has had, or would have, difficulty finding employment;

25 (v) 1. Has depended on the income of a family member and has
 26 lost that income as the result of separation, divorce, or the death or disability of that family
 27 member; or

28 2. Has depended on government assistance as the parent of
 29 dependent children and is no longer eligible for such assistance; and

30 (vi) Has an annual income that does not exceed:

31 1. The federal Office of Management and Budget poverty
 32 income guidelines; or

1 a list and summary of all changes to the California motor vehicle emissions standards and
2 compliance requirements proposed or adopted by the California Air Resources Board in the
3 prior 12 months.]

4 DRAFTER'S NOTE:

5 This section is repealed since the reporting requirement concerning changes to the
6 California motor vehicle emissions standards and compliance requirements is obsolete.

7 [9-351.

8 (a) The Secretary shall report on or before January 15 of each year to the
9 Governor and, subject to § 2-1246 of the State Government Article, the General Assembly
10 on the status of the Water Pollution Control Fund.

11 (b) The Secretary's report shall include:

12 (1) The total amounts of funds expended;

13 (2) The total amounts of funds committed;

14 (3) The total amount of funds remaining;

15 (4) A list of projects for which funds have been expended or are committed;

16 (5) A projection of projects to be constructed in the near future for which
17 grants, loans, or loan guarantees will be made;

18 (6) An evaluation of the program's effectiveness; and

19 (7) Projections as to future funding requirements.]

20 DRAFTER'S NOTE:

21 This section is repealed as redundant and unnecessary since information relating to
22 the Water Pollution Control Fund is included in the annual report of the Department of the
23 Environment to the General Assembly.

24 **Article – Family Law**

25 5-1309.

26 (f) (1) The Department shall enter into a memorandum of understanding with
27 an entity with expertise in child welfare best practices to collect and maintain information
28 necessary to conduct a local department self-assessment and statewide assessment.

1 (2) [On or before January 1, 2008, and annually thereafter, the entity that
2 enters into a memorandum of understanding with the Department, as required by this
3 subtitle, subject to § 2–1246 of the State Government Article, shall report to the General
4 Assembly on:

5 (i) the measurement of performance of the local departments and
6 the Administration, as provided in subsection (a) of this section; and

7 (ii) the information collected and maintained under paragraph (1) of
8 this subsection.

9 (3)] Any unit of State government substantively involved with abused or
10 neglected children may contribute information to the entity provided in paragraph (1) of
11 this subsection.

12 **DRAFTER’S NOTE:**

13 Senate Bill 792 (Ch. 31) / House Bill 799 (Ch. 475) of 2006 includes an uncodified
14 provision of law (Section 6) that requires the Department of Human Resources (DHR) to
15 enter into a memorandum of understanding with the University of Maryland School of
16 Social Work to “implement a local department self–assessment process to monitor the
17 quality of casework services and to collect and maintain child welfare services data.”
18 Section 6, however, is no longer in effect, having sunset on June 30, 2012. Accordingly, the
19 DHR Social Services Administration states that the memorandum of understanding also is
20 no longer in effect.

21 However, under § 5–1309(f)(2) of the Family Law Article as enacted in Chapter 31 /
22 Chapter 475, the “entity that enters into a memorandum of understanding with the
23 Department [of Human Resources]” is still required to issue an annual report to the
24 General Assembly annually on January 1. Since that entity (University of Maryland School
25 of Social Work) has no memorandum of understanding in effect with DHR, there is a
26 “phantom reporting requirement” under the current law. Furthermore, no report has been
27 submitted since 2012. Consequently, the reporting requirement under § 5–1309(f)(2) of the
28 Family Law Article is repealed.

29 **Article – Health – General**

30 10–207.

31 (a) By January 1, 1992, within existing resources, the Director shall update the
32 current Mental Hygiene Administration 3–year plan for mental health, which was
33 submitted to the federal government in response to § 1925 of the Public Health Service Act,
34 in order to plan for those individuals who:

35 (1) Have a serious mental disorder as defined in the plan; and

1 (2) Are not receiving the appropriate array of community-based services
2 described in the “total need” section of the 3-year mental health plan that expired on June
3 30, 1991.

4 (b) (1) By October 1, 1993, within existing resources and in concert with local
5 core service agencies, the Director shall prepare a comprehensive mental health plan which
6 identifies the needs of all individuals who have a serious mental disorder and who are
7 targeted for services in the “Comprehensive Mental Health Services Plan” submitted by the
8 State to the federal government in accordance with § 1925 of the Public Health Service Act.

9 (2) The comprehensive mental health plan shall:

10 (i) Include annual strategic projections, through the year 2000, of
11 resources needed;

12 (ii) Plan for those individuals who have a serious mental disorder,
13 including those who are presently not being served by the public mental health system,
14 those who are homeless, and those children, adults, and elderly individuals living without
15 services in the community with their families or on their own who are at risk of further
16 institutionalization;

17 (iii) Plan for individuals who have a serious mental disorder and who
18 are presently residing in a State facility, nursing home, or jail who could appropriately be
19 served in the community if the proper community-based services were available to them;

20 (iv) Plan for individuals who have a serious mental disorder and who
21 are unable or unwilling to obtain community-based services from existing State-supported
22 programs or from the private sector and assess their need for additional, flexible,
23 individualized, or otherwise more appropriate services;

24 (v) Plan for the extent of need for the development of additional
25 community-based housing and related support services;

26 (vi) Plan for the extent of the need for additional community-based
27 support services, including rehabilitation, clinical treatment, case management, crisis and
28 emergency services, mobile treatment, in-home intervention services, school-based,
29 after-school services, respite and family support services, and vocational services in order
30 to implement the orderly transfer of institutionalized individuals who can live in the
31 community and to serve those individuals presently in the community who are now
32 underserved or unserved and at risk of institutionalization;

33 (vii) Evaluate the role of existing State hospitals and plan for the
34 reallocation to the community of any funds saved through hospital downsizing,
35 consolidation, or closure; and

1 (viii) Be consistent with the goal of providing comprehensive,
2 coordinated community-based housing and support services for every individual who has
3 a serious mental disorder and who is appropriate for and in need of such services.

4 (c) [The Director, within existing resources, shall submit each plan and any
5 updates to the Governor and, as provided in § 2–1246 of the State Government Article, to
6 the General Assembly.

7 (d)] The Director shall, in concert with local core service agencies, implement each
8 plan to the extent that resources are available.

9 DRAFTER'S NOTE:

10 Subsection (c) of this section does not specify a date certain for the Behavioral Health
11 Administration to report “updates” on the State Comprehensive Plan to the Governor and
12 the General Assembly. Moreover, the Behavioral Health Administration includes this
13 information in its annual report that is readily available to the public. Consequently, at the
14 request of the Department of Health and Mental Hygiene, the reporting requirement under
15 subsection (c) of this section is repealed.

16 13–1002.

17 (g) No later than January [15] 31 of each year, the Department shall report to
18 the Governor and, subject to § 2–1246 of the State Government Article, the Senate Budget
19 and Taxation Committee, Senate Finance Committee, House Appropriations Committee,
20 and House Health and Government Operations Committee:

21 (1) The amount of money that was allocated to each component of the
22 Program during:

23 (i) The prior fiscal year that remained unspent and unobligated at
24 the end of that year; and

25 (ii) The current fiscal year that remained unspent and unobligated
26 as of December 31 of the preceding calendar year; and

27 (2) The amount of money that was distributed to a county as a Local Public
28 Health Tobacco Grant during:

29 (i) The prior fiscal year that remained unspent and unobligated at
30 the end of that year; and

31 (ii) The current fiscal year that remained unspent and unobligated
32 as of December 31 of the preceding calendar year.

33 DRAFTER'S NOTE:

1 Under subsection (g) of this section, the Department of Health and Mental Hygiene
2 (DHMH) is required to report to the Governor and General Assembly on expenditures of
3 funds under the Cigarette Restitution Fund Program on or before January 15 of each year.
4 The reporting requirement stipulates that amounts reported shall be current through
5 December 31 of the preceding year. Given the tight intervening timeframe between the end
6 of the reporting period and the date the report currently is due, at the request of DHMH,
7 the report due date is moved to January 31 for efficiency and practicality.

8 13–1004.

9 (d) On or before [September 1] **DECEMBER 31** of each even-numbered fiscal
10 year, beginning in fiscal year 2008, the Department shall submit a report to the Governor
11 and, subject to § 2–1246 of the State Government Article, the General Assembly on the
12 results of the Biennial Tobacco Study.

13 DRAFTER'S NOTE:

14 Under subsection (d) of this section, the Department of Health and Mental Hygiene
15 (DHMH) is directed to produce a biennial report on the results of the Biennial Tobacco
16 Study and submit it to the Governor and General Assembly by September 1 of each
17 even-numbered fiscal year. However, data for the report is not received from various
18 surveys and the Centers for Disease Control and Prevention until late spring or early
19 summer immediately preceding the due date. Once received, the data must be tabulated,
20 analyzed, reviewed, and incorporated into the report. In light of the need to synthesize a
21 vast amount of data to produce the report, at the request of DHMH, the report due date is
22 moved to December 31 for efficiency and practicality.

23 13–1013.

24 (a) There is a Counter-Marketing and Media Component in the Program.

25 (b) The purpose of the Counter-Marketing and Media Component is to coordinate
26 a statewide counter-marketing and media campaign to counter tobacco advertisements and
27 discourage the use of tobacco products.

28 [(h) On or before September 1 of each year, the Department shall submit an
29 annual report to the Governor and, subject to § 2–1246 of the State Government Article,
30 the General Assembly on the results of the Counter-Marketing and Media Component.]

31 DRAFTER'S NOTE:

32 Under subsection (h) of this section, the Department of Health and Mental Hygiene
33 (DHMH) is directed to produce an annual report on or before September 1 of each year on
34 the results of the Counter-Marketing and Media Component of the Cigarette Restitution
35 Fund Program on or before September 1 of each year.

1 The Local Public Health Component, the Statewide Public Health Component, and
2 the Counter-Marketing Component are designed in accordance with Centers for Disease
3 Control and Prevention best practice recommendations to work synergistically with each
4 other to produce the desired outcome – reduced tobacco use. The requirement for separate
5 reporting on the counter-marketing activities is counterintuitive to the purpose and
6 process of tobacco control.

7 Even though some counter-marketing activities occur, this specific component has
8 not received dedicated funding since FY 2010. Accordingly, at the request of DHMH the
9 mandate for this separate report is repealed and in its stead a summary of programmatic
10 activities, including those of the Counter-Marketing Component, can be included as a part
11 of the annual outcomes and expenditure report for the Cigarette Restitution Fund required
12 under § 7-317 of the State Finance and Procurement Article.

13 13-1102.

14 (h) No later than January [15] 31 of each year, the Department shall report to
15 the Governor and, subject to § 2-1246 of the State Government Article, Senate Budget and
16 Taxation Committee, Senate Finance Committee, House Appropriations Committee, and
17 House Health and Government Operations Committee:

18 (1) The amount of money that was allocated to each component of the
19 Program during:

20 (i) The prior fiscal year that remained unspent and unobligated at
21 the end of that year; and

22 (ii) The current fiscal year that remained unspent and unobligated
23 as of December 31 of the preceding calendar year; and

24 (2) The amount of money that was distributed to a county as a Local Public
25 Health Cancer Grant during:

26 (i) The prior fiscal year that remained unspent and unobligated at
27 the end of that year; and

28 (ii) The current fiscal year that remained unspent and unobligated
29 as of December 31 of the preceding calendar year.

30 DRAFTER'S NOTE:

31 Under subsection (h) of this section, the Department of Health and Mental Hygiene
32 (DHMH) is required to report to the Governor and General Assembly on or before January
33 15 of each year on expenditures under the Cigarette Restitution Fund Program for cancers
34 targeted under the Cancer Prevention, Education, Screening and Treatment Program. The
35 reporting requirement stipulates that amounts reported shall be current through December
36 31 of the preceding year. Given the tight intervening timeframe between the end of the

1 reporting period and the date the report currently is due, at the request of DHMH, the
2 report due date is moved to January 31 for efficiency and practicality.

3 13–1104.

4 (a) Beginning in fiscal year 2004 and biennially thereafter, the Department shall
5 conduct a Biennial Cancer Study.

6 (b) The Biennial Cancer Study shall:

7 (1) Measure the same factors that are set forth in § 13–1103(d) of this
8 subtitle; and

9 (2) Use the same methodology or model that is used to conduct the Baseline
10 Cancer Study.

11 (c) The Department may:

12 (1) Conduct the Biennial Cancer Study or any part of the Study; or

13 (2) Contract with a higher education institution or private entity to conduct
14 the Biennial Cancer Study or any part of the Study.

15 (d) (1) If the Department chooses to have a higher education institution or
16 private entity conduct the Biennial Cancer Study or any part of the Study, the Department
17 shall issue a request for proposal to select the entity that will conduct the Study or the
18 relevant part of the Study.

19 (2) The Department may contract with an entity to conduct one or more
20 biennial cancer studies or a part of one or more biennial cancer studies.

21 (e) On or before [September 1] **DECEMBER 31** of each odd numbered fiscal year,
22 beginning in fiscal year 2005, the Department shall submit a report to the Governor and,
23 subject to § 2–1246 of the State Government Article, the General Assembly, on the results
24 of the Biennial Cancer Study.

25 DRAFTER'S NOTE:

26 Under this section, the Department of Health and Mental Hygiene (DHMH) is
27 directed to produce a biennial report on the cancers targeted under the Cigarette
28 Restitution Fund Cancer Prevention, Education, Screening and Treatment Program.
29 Maryland law mandates that DHMH submit this biennial report on or before September
30 1 of each odd numbered fiscal year.

31 United States cancer mortality data is obtained from the National Center for Health
32 Statistics (NCHS) through the publication of the U.S. SEER Cancer Statistics Review,
33 information that is needed for the report required under this section. Once obtained,

1 DHMH must tabulate, analyze, and incorporate the extensive mortality data into the
2 report. There is no set timeframe for data release by NCHS; however, historically the data
3 is not made available until after the September 1 statutory deadline of the report required
4 under this section. Accordingly, at the request of DHMH, the due date of the report required
5 under this section is moved from September 1 of each odd numbered fiscal year to December
6 31 of each odd numbered fiscal year. With this change, DHMH expects to meet the reporting
7 deadline without difficulty.

8 13–2105.

9 The Advisory Board shall:

- 10 (1) Investigate the needs of citizens with traumatic brain injuries;
- 11 (2) Identify gaps in services to citizens with traumatic brain injuries;
- 12 (3) Facilitate collaboration among State agencies that provide services to
13 individuals with traumatic brain injuries;
- 14 (4) Facilitate collaboration among organizations and entities that provide
15 services to individuals with traumatic brain injuries;
- 16 (5) Encourage and facilitate community participation in program
17 implementation;
- 18 (6) Issue an annual report to the Governor and, in accordance with §
19 2–1246 of the State Government Article, the General Assembly on or before November 30,
20 2005, and each November 30 thereafter [summarizing]:
- 21 (I) **SUMMARIZING** the actions of the Advisory Board and containing
22 recommendations for:
- 23 [(i)] **1.** Providing oversight in acquiring and utilizing State and
24 federal funding dedicated to services for individuals with traumatic brain injuries;
- 25 [(ii)] **2.** Building provider–capacity and provider–training that
26 address the needs of individuals with traumatic brain injuries; and
- 27 [(iii)] **3.** Improving the coordination of services for individuals with
28 traumatic brain injuries; and
- 29 (II) **INCLUDING INFORMATION CONCERNING THE NUMBER OF**
30 **INDIVIDUALS SERVED AND THE SERVICES PROVIDED IN THE PRECEDING FISCAL**
31 **YEAR TO INDIVIDUALS WITH TRAUMATIC BRAIN INJURY; AND**

1 (7) Disseminate copies of the annual report to the President of the Senate,
2 Speaker of the House, and the secretary of each department represented on the Advisory
3 Board.

4 DRAFTER'S NOTE:

5 Item (6) of this section is amended to require the State Traumatic Brain Injury
6 Advisory Board to include information in its annual report to the Governor and the General
7 Assembly concerning individuals served and services provided to individuals with
8 traumatic brain injury. Under § 13-21A-02(i) of the Health – General Article, the Secretary
9 of the Department of Health and Mental Hygiene or the Secretary's designee is required to
10 report this information annually to the Governor and the General Assembly. Elsewhere
11 under this bill, the reporting requirement under § 13-21A-02(i) of the Health – General
12 Article is repealed and the reporting requirement is transferred to the State Traumatic
13 Brain Injury Advisory Board under this section, for efficiency.

14 13-21A-02.

15 (a) There is a State Brain Injury Trust Fund.

16 (b) (1) The purpose of the Fund is to assist in the provision of the following
17 services to eligible individuals who have sustained brain injuries:

18 (i) Individual case management services; and

19 (ii) Neuropsychological evaluation.

20 (2) The Fund may be used to support:

21 (i) Prevention, education, and awareness programs;

22 (ii) Rehabilitation services;

23 (iii) Medical services;

24 (iv) Durable medical equipment;

25 (v) Assistive technology assessment and equipment;

26 (vi) Services to assist in the return to driving;

27 (vii) Evaluation and training related to the brain injury;

28 (viii) Neurobehavioral health services;

29 (ix) Nursing home transition services;

- 1 (x) Community reentry services;
- 2 (xi) Educational needs;
- 3 (xii) Housing and residential services; and
- 4 (xiii) Transportation services.

5 [(i) On or before December 1 of each year, the Secretary or the Secretary's
6 designee shall submit a report to the Governor and, in accordance with § 2–1246 of the
7 State Government Article, the General Assembly on the number of individuals served and
8 the services provided in the preceding fiscal year using the Fund.]

9 DRAFTER'S NOTE:

10 Subsection (i) of this section requires the Secretary of the Department of Health and
11 Mental Hygiene or the Secretary's designee to submit an annual report to the Governor
12 and the General Assembly concerning the number of individuals served and services
13 provided to individuals with traumatic brain injury. However, there is no dedicated funding
14 for this purpose. Consequently, the requirement to report information concerning the
15 number of individuals served and services provided to individuals with traumatic brain
16 injury under subsection (i) of this section is repealed and the responsibility to report this
17 information is transferred to the State Traumatic Brain Injury Advisory Board under §
18 13–2105(6) of the Health – General Article, for efficiency.

19 13–2504.

20 (a) (1) The Office of Oral Health shall conduct an annual evaluation of the
21 Program.

22 (2) The evaluation required under this subsection shall include:

23 (i) Data on any progress resulting from each grant awarded under
24 this subtitle;

25 (ii) Data on any progress of the overall Program;

26 (iii) Data demonstrating any increase in the use of restorative dental
27 care among underserved populations; and

28 (iv) Data from any statewide survey conducted by the Department
29 that demonstrates any progress of the Program.

30 (b) The Department, in conjunction with the Office of Oral Health, shall report to
31 the Governor and, in accordance with § 2–1246 of the State Government Article, the
32 General Assembly on or before [September 30] **NOVEMBER 1** of each year on:

- 1 (1) The results of the Program;
- 2 (2) Findings and recommendations for the Oral Health Program and any
3 other oral health programs established under Title 18, Subtitle 8 of this article;
- 4 (3) The availability and accessibility of dentists throughout the State
5 participating in the Maryland Medical Assistance Program;
- 6 (4) The outcomes that managed care organizations and dental managed
7 care organizations under the Maryland Medical Assistance Program achieve concerning
8 the utilization of targets required by the Five Year Oral Health Care Plan, including:
- 9 (i) Loss ratios that the managed care organizations and dental
10 managed care organizations experience for providing dental services; and
- 11 (ii) Corrective action by managed care organizations and dental
12 managed care organizations to achieve the utilization targets; and
- 13 (5) The allocation and use of funds authorized for dental services under the
14 Maryland Medical Assistance Program.

15 DRAFTER'S NOTE:

16 Under this section, the Maryland Medicaid Program and the Office of Oral Health
17 at the Department of Health and Mental Hygiene (DHMH) are required to submit a
18 comprehensive oral health legislative report to the Governor and the General Assembly by
19 September 30 of each year. Medicaid requires managed care organizations to submit data
20 required for the report by June 30 every year. Once obtained, Medicaid must tabulate,
21 analyze, review, and incorporate the data for the report. Accordingly, at the request of
22 DHMH, the due date for the report required under this section is moved from September
23 30 of each odd-numbered fiscal year to November 1 of each year, for efficiency and
24 practicality.

25 15-102.4.

26 [(e) If there is money held in trust under this section, on or before June 1 of each
27 year, the Secretary shall submit to the General Assembly, in accordance with § 2-1246 of
28 the State Government Article, a report on:

29 (1) The number of managed care organizations for which the Secretary has
30 designated money to be held in trust under this section; and

31 (2) The amount of money held in trust by the Secretary that has been paid
32 out in cases of insolvency or impairment of managed care organizations.]

33 DRAFTER'S NOTE:

1 Subsection (e) of this section is repealed as obsolete and unnecessary. The
2 requirement for a report concerning the number of managed care organizations for which
3 the Secretary of Health and Mental Hygiene has designated money to be held in trust and
4 the amount paid out by the Secretary in cases of insolvency took effect in 1995; however,
5 no report has ever been submitted.

6 15-124.2.

7 [(i) On or before December 1, 2001, and annually thereafter, the Department and
8 Medbank of Maryland, Inc. shall report to the Governor and, in accordance with § 2-1246
9 of the State Government Article, to the General Assembly, on the status of the Maryland
10 Medbank Program established under this section, including:

11 (1) The number and demographic characteristics of the State residents
12 served by the Program;

13 (2) The types and retail value of prescription drugs accessed through the
14 Program;

15 (3) The nature and extent of outreach performed to inform State residents
16 of the assistance available through the Program; and

17 (4) The total volume and retail value of each brand name drug, by
18 manufacturer, accessed through the Program.]

19 DRAFTER'S NOTE:

20 Subsection (i) of this section is repealed as obsolete. State funding for the Maryland
21 Medbank Program was discontinued after 2009, and the Department of Health and Mental
22 Hygiene no longer receives information on the program.

23 19-310.1.

24 (f) On or before [March 1, 2008,] **SEPTEMBER 1, 2015**, and each year thereafter,
25 the Department shall report to the General Assembly, in accordance with § 2-1246 of the
26 State Government Article, on the implementation of this section, including:

27 (1) The percentage and amount of the assessment charged to each nursing
28 facility subject to this section;

29 (2) The number of nursing facilities subject to this section with a net loss;
30 and

31 (3) A comparison of the total amount provided in the Medicaid budget for
32 nursing home reimbursement in the current fiscal year to the **ACTUAL** amount [proposed
33 for the upcoming] **RECEIVED IN THE IMMEDIATELY PRIOR** fiscal year.

1 DRAFTER'S NOTE:

2 Under subsection (f) of this section, the date for the annual report concerning the
3 implementation of the nursing home quality assessment is moved from March 1 to
4 September 1 for efficiency and practicality. The report currently requires the Department
5 of Health and Mental Hygiene to collect and analyze a vast amount of data and the March
6 1 reporting date is extremely problematic.

7 In addition, the reporting period to be covered by the report is revised in item (3) of
8 this subsection for consistency with the revised due date for the report.

9 **Article – Housing and Community Development**

10 4–215.

11 (a) The Administration shall administer a home buyer assistance program that:

12 (1) assists home buyers to receive low–interest mortgage loans, with down
13 payment and closing cost assistance options, for the purchase of homes near their place of
14 employment; and

15 (2) coordinates with, and matches where appropriate, similar programs
16 offered by private employers and county and municipal governments so as to maximize the
17 total amount that home buyers can receive under the program.

18 (b) With reference to loans under this program, the Administration shall:

19 (1) allow home buyers to utilize the loans for the purchase of newly
20 constructed or existing homes; and

21 (2) require a home purchased under this program to be occupied by the
22 home buyer as a principal residence.

23 (c) The Administration shall facilitate the marketing of the program with private
24 employers and county and municipal governments, and, where appropriate, other units of
25 State government and nonprofit organizations.

26 (d) The Administration shall adopt regulations to implement the program
27 established under this section.

28 **(E) THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY ON OR**
29 **BEFORE DECEMBER 31 EACH YEAR, IN ACCORDANCE WITH § 2–1246 OF THE STATE**
30 **GOVERNMENT ARTICLE, ON THE PROGRAM ESTABLISHED UNDER THIS SECTION.**

31 DRAFTER'S NOTE:

1 The reporting requirement under Chapter 551 of the Acts of 2005, Section 3 is
2 repealed and instead codified under this section for efficiency and transparency.

3 Article – Human Services

4 [6–708.

5 Each year the Department shall submit a report to the Governor and, subject to §
6 2–1246 of the State Government Article, to the General Assembly regarding the status and
7 effectiveness of the Program.]

8 DRAFTER’S NOTE:

9 This section is repealed as obsolete. According to the Department of Human
10 Resources Office of Refugees and Asylees, the “Citizens Promotion Program” is defunct.

11 10–208.

12 (f) The Commission shall:

13 (1) exercise the powers and perform the duties specified in this title;

14 (2) review:

15 (i) ongoing statewide programs and activities for seniors; and

16 (ii) new statewide programs for seniors before the programs are
17 implemented; AND

18 (3) make recommendations to the Secretary about statewide programs and
19 activities for seniors]; and

20 (4) prepare and submit an annual report to the Governor and the Secretary
21 that includes recommendations for legislative or other actions to strengthen statewide
22 programs and activities for seniors].

23 DRAFTER’S NOTE:

24 The reporting requirement under subsection (f)(4) of this section is repealed as
25 redundant since, as part of the annual budget process, the Commission on Aging routinely
26 makes recommendations regarding and provides justification for departmental legislation
27 to the Secretary of Aging.

28 10–306.

29 (a) (1) The Interagency Committee shall develop and update annually a plan
30 for providing coordinated health services, social services, transportation, housing, and

1 employment services to seniors in the State consistent with the priorities that the
2 Department establishes.

3 (2) If the members of the Interagency Committee cannot agree on a plan,
4 the chair shall refer the matter to the Governor for resolution.

5 (b) [Annually on or before a date that the Governor sets, the Interagency
6 Committee shall develop and present to the Governor and the General Assembly a
7 consolidated operating budget for services to seniors that:

8 (1) sets forth the relevant portions of the operating budget of any unit
9 responsible for services to seniors; and

10 (2) is consistent with the plan developed under subsection (a) of this
11 section.

12 (c)] The Interagency Committee shall establish interagency agreements and adopt
13 regulations to:

14 (1) implement and coordinate services to seniors consistent with the plan
15 developed under subsection (a) of this section;

16 (2) maximize the sharing of resources among units of State government for
17 services to seniors;

18 (3) consolidate planning and evaluation efforts at the State and local levels;
19 and

20 (4) coordinate and expedite the delivery of services to seniors by providing
21 technical assistance to local agencies.

22 [(d)] (C) (1) The Interagency Committee shall assist county agencies to
23 establish local interagency committees composed of:

24 (i) the directors of the local health department, local department of
25 social services, and area agency; and

26 (ii) officials from housing, transportation, mental health,
27 employment, and economic development agencies.

28 (2) Local interagency committees shall coordinate and expedite the
29 delivery of services to seniors at the local level.

30 DRAFTER'S NOTE:

1 The reporting requirement under subsection (b) of this section is repealed as obsolete
 2 inasmuch as it is administratively unworkable and impractical for the Department of Aging
 3 to develop a working budget for services for seniors; consequently it is not being done.

4 Article – Insurance

5 11–326.

6 (a) [(1)] Notwithstanding any other provision of law, any data, documents, or
 7 other information filed with the Commissioner under Part IV of this subtitle about a
 8 particular insurer or that insurer’s market share or plan:

9 [(i)] (1) shall be considered confidential commercial information;

10 [(ii)] (2) shall be kept confidential by the Commissioner; and

11 [(iii)] (3) may not be made public or be subject to subpoena, other
 12 than by the Commissioner for the purpose of enforcement of Part IV of this subtitle by the
 13 Commissioner.

14 [(2)] (B) The Commissioner:

15 [(i)] (1) may release a list of the names of all insurers designated
 16 as major insurers; and

17 [(ii)] (2) may not release the particular market share of a major
 18 insurer in Baltimore City unless authorized by the insurer.

19 [(b) (1)] On or before July 1, 1997, the Commissioner shall submit a report to
 20 the Governor and, subject to § 2–1246 of the State Government Article, the General
 21 Assembly about the availability and affordability of private passenger motor vehicle
 22 insurance in Baltimore City.

23 (2) The report shall provide information on:

24 (i) the number of insurers actively engaged in providing coverage in
 25 Baltimore City;

26 (ii) the market shares of insurers in the market in Baltimore City;

27 (iii) the changes in market shares of insurers in the market in
 28 Baltimore City; and

29 (iv) whether insurance is available from insurers other than the
 30 Maryland Automobile Insurance Fund.]

1 DRAFTER'S NOTE:

2 The reporting requirement under subsection (b) of this section regarding the
3 availability and affordability of private passenger motor vehicle insurance in Baltimore
4 City is repealed as obsolete.

5 14–102.

6 (e) On or before [December 1, 2005,] **MAY 31, 2015**, and annually thereafter, the
7 Commissioner shall report to the Governor, and, in accordance with § 2–1246 of the State
8 Government Article, the Senate Finance Committee and the House Health and
9 Government Operations Committee, on the compliance of a nonprofit health service plan
10 subject to § 14–115(d) of this subtitle with the provisions of this subtitle.

11 DRAFTER'S NOTE:

12 The information for the annual report required under subsection (c) of this section is
13 filed with the Maryland Insurance Administration after March 31 each year. Consequently,
14 the date for the submission of the annual report to the Governor and General Assembly
15 committees is changed from December 1 to May 31 each year for efficiency and practicality.

16 **Article – Labor and Employment**

17 5–608.

18 (a) Except as provided in § 24–505 of the Health – General Article, an individual
19 may not smoke in an indoor place of employment.

20 (b) (1) The Department shall adopt regulations that prohibit environmental
21 tobacco smoke, as defined in § 24–501 of the Health – General Article, in indoor places of
22 employment not normally open to the general public.

23 (2) Subject to subsection (c) of this section, a person who violates a
24 regulation adopted under this subtitle:

25 (i) for a first violation, shall be issued a written reprimand by the
26 Commissioner or the Commissioner's designee;

27 (ii) for a second violation, is subject to a civil penalty of \$100; and

28 (iii) for each subsequent violation, is subject to a civil penalty not less
29 than \$250.

30 (c) The Commissioner may waive a penalty established under subsection (b) of
31 this section, giving consideration to factors that include:

32 (1) the seriousness of the violation; and

1 (2) any demonstrated good faith measures to comply with the provisions of
2 this subtitle.

3 (d) A penalty collected by the Commissioner under this section shall be paid to
4 the Cigarette Restitution Fund established under § 7–317 of the State Finance and
5 Procurement Article.

6 (e) [On or before September 30 of each year, the Department shall report, in
7 accordance with § 2–1246 of the State Government Article, to the General Assembly on:

8 (1) the enforcement efforts of the Department to eliminate environmental
9 tobacco smoke, as defined in § 24–501 of the Health – General Article, in indoor places of
10 employment during the prior year; and

11 (2) the results of these enforcement efforts.

12 (f) An employer who discharges or discriminates against an employee because
13 that employee has made a complaint under this section, has given information to the
14 Department in accordance with this section, has caused to be instituted or is about to cause
15 to be instituted a proceeding under this section, or has testified or is about to testify in a
16 proceeding, shall be deemed in violation of this section and shall be subject to a civil penalty
17 of at least \$2,000 but not more than \$10,000 for each violation.

18 [(g)] (F) (1) An employee may not:

19 (i) make a groundless or malicious complaint to the Commissioner
20 or an authorized representative of the Commissioner;

21 (ii) in bad faith, bring an action under this subtitle; or

22 (iii) in bad faith, testify in an action under this subtitle or a
23 proceeding that relates to the subject of this subtitle.

24 (2) The Commissioner may bring an action for injunctive relief and
25 damages against a person who violates the provisions of paragraph (1) of this subsection.

26 DRAFTER'S NOTE:

27 The report required under subsection (e) of this section is repealed as obsolete. The
28 Department of Labor, Licensing, and Regulation now has broad enforcement authority with
29 regard to the indoor smoking ban in the State.

30 8–422.

31 [(g)] (1) Beginning December 31, 2007, and each year thereafter, the Secretary
32 shall report to the Governor and, in accordance with § 2–1246 of the State Government

1 Article, to the Senate Budget and Taxation Committee, the Senate Finance Committee, the
2 House Appropriations Committee, and the House Economic Matters Committee.

3 (2) The report shall include:

4 (i) the financial status of the Special Administrative Expense Fund
5 and a summary of its activity for the preceding fiscal year; and

6 (ii) a description of all projects receiving moneys from the Special
7 Administrative Expense Fund in the preceding fiscal year.]

8 DRAFTER'S NOTE:

9 The report to the General Assembly committees under subsection (g) of this section
10 is unnecessary and redundant since information concerning the uses of the Special
11 Administrative Expense Fund is included in the annual General Assembly Budget Books
12 and on request as needed.

13 9-312.

14 (a) As soon as practicable after the end of the fiscal year, the Chairman of the
15 Commission shall submit an annual report to the Governor **AND, IN ACCORDANCE WITH**
16 **§ 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

17 (b) The annual report shall include:

18 (1) any suggestions to improve the administration of this title;

19 (2) a detailed statement of receipts and disbursements of the Commission;
20 and

21 (3) statistical analyses of:

22 (i) the costs of workers' compensation;

23 (ii) experiences; and

24 (iii) industrial injuries.

25 DRAFTER'S NOTE:

26 Stylistic change in subsection (a) of this section; boiler-plate bill drafting language
27 is added regarding the submission of an annual report by the Chairman of the Workers'
28 Compensation Commission to the General Assembly, for clarity.

29 10-219.

1 (b) On or before October 1 of each year, the Board shall submit to the Governor
2 **AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
3 **ASSEMBLY** an annual report that includes a detailed statement of the balances and
4 expenses of the Fund.

5 DRAFTER'S NOTE:

6 Stylistic change in subsection (b) of this section; boiler-plate bill drafting language
7 is added regarding the submission of an annual report by the Subsequent Injury Fund
8 Board to the General Assembly, for clarity.

9 10-320.

10 (b) On or before October 1 of each year, the Board shall submit to the Governor
11 **AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
12 **ASSEMBLY** an annual report that includes a detailed statement of the balances and
13 expenses of the Fund.

14 DRAFTER'S NOTE:

15 Stylistic change in subsection (b) of this section; boiler-plate bill drafting language
16 is added regarding the submission of an annual report by the Uninsured Employers' Fund
17 Board to the General Assembly, for clarity.

18 **Article – Natural Resources**

19 1-104.

20 (e) The Secretary shall publish for [fiscal year 1994 and each alternate fiscal year
21 thereafter] **CALENDAR YEAR 2015 AND EACH SUBSEQUENT CALENDAR YEAR** a
22 [printed] report which shall include, but not be limited to, the following:

23 (1) A review of studies, deliberations, conclusions, and recommendations of
24 the Department;

25 (2) The annual reports submitted by the separate units within the
26 Department which shall be edited by the Secretary's staff; and

27 (3) A review of other natural resources activities of interest or concern to
28 the State and its citizens.

29 DRAFTER'S NOTE:

30 The reporting requirement under subsection (e) of this section is revised for clarity
31 and efficiency. An annual report provides more timely information and putting a .pdf report

1 online will eliminate printing costs. Notably, numerous Department of Natural Resources
2 reports currently are available only online in a .pdf format.

3 1-706.

4 (a) On or before [August 31] **SEPTEMBER 30** of each year, the Secretary shall
5 submit a report to the General Assembly, pursuant to § 2-1246 of the State Government
6 Article, on the administration of the Chesapeake Bay and Endangered Species Fund.

7 DRAFTER'S NOTE:

8 The reporting requirement under subsection (a) of this section is revised for clarity
9 and efficiency. Establishing the annual reporting date as September 30 allows the
10 Department of Natural Resources finance department more time after the fiscal year
11 close-out to complete the report. (It usually takes the department 6-8 weeks after June 30
12 to declare the previous fiscal year closed.)

13 [3-3A-04.

14 (a) Not later than January 1, 1987, and biennially thereafter, the departments,
15 with the advice of the participating agencies and interested private parties, shall prepare
16 and submit a report to the Governor, and subject to § 2-1246 of the State Government
17 Article, to the General Assembly.

18 (b) The report shall include:

19 (1) A description of activities undertaken in accordance with this subtitle;

20 (2) The costs of the activities undertaken in accordance with this subtitle;

21 (3) The findings of the research and monitoring program, including the
22 current levels and anticipated significant adverse effects and future trends of acid
23 deposition in the State;

24 (4) Recommended State responses, when appropriate, to federal legislative
25 or regulatory initiatives; and

26 (5) Potential options to evaluate acid deposition and its potential adverse
27 effects in the State.]

28 DRAFTER'S NOTE:

29 This section is repealed as obsolete. Acid deposition is no longer a relevant issue and
30 subsequent amendments to the federal Clean Air Act resolved many of the issues that are
31 the subject of the report required of the Department of Natural Resources and the
32 Department of the Environment under this section.

1 4-210.

2 (h) (1) The fee for a limited fishing guide license under subsection (g) of this
3 section shall be:

4 (i) For a resident, \$50; and

5 (ii) For a nonresident, \$100.

6 (2) All fees collected by the Department under this subsection shall be used
7 for monitoring the freshwater fishery.

8 [(3) The Department shall publicly report annually the amounts collected
9 under this subsection.]

10 DRAFTER'S NOTE:

11 The report required under subsection (h)(3) of this section is impractical and
12 unnecessary. The dollar amounts for the fees are small and there is no apparent reason to
13 require reporting of this narrow source of revenue. Moreover, the underlying statute does
14 not specify the entity to which the Department of Natural Resources is required to report
15 this information. Nonetheless, even with the repeal of this provision of law, the information
16 will still readily and publicly be available in budget documents, reports to the Tidal
17 Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, and various
18 annual reports.

19 4-210.1.

20 (d) [(1)] All fees collected by the Department pursuant to this section shall be
21 used for monitoring the freshwater fishery, including the capture and tagging of black bass
22 in order to develop information and methods to sustain a healthy black bass population.

23 [(2) The Department shall publicly report annually the amounts collected
24 and the expenditures under this section.]

25 DRAFTER'S NOTE:

26 The report required under subsection (d)(2) of this section is impractical and
27 unnecessary. The dollar amounts for the fees are small and there is no apparent reason to
28 require reporting of this narrow source of revenue. Moreover, the underlying statute does
29 not specify the entity to which the Department of Natural Resources is required to report
30 this information. Nonetheless, even with the repeal of this provision of law, the information
31 will still readily and publicly be available in budget documents, reports to the Tidal
32 Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, and in
33 various annual reports.

34 4-2A-04.

1 [(g) (1) For any species of fish that the Secretary has determined to be
2 endangered or threatened under subsection (b) of this section and on which the Secretary
3 has declared a moratorium on catching, sale, or possession, the Secretary shall make an
4 annual status report on or before December 1 to the General Assembly, as provided in §
5 2–1246 of the State Government Article, and to the Governor.

6 (2) The Secretary’s report shall contain:

7 (i) Field studies on spawning stock size;

8 (ii) Measurement of egg deposition on spawning grounds;

9 (iii) Measurements of mortality rates of fish eggs, larvae, and
10 juveniles on spawning grounds, nursery areas and spawning rivers;

11 (iv) Bioassays on eggs and larvae collected from spawning fish;

12 (v) Measurements of heavy metals, PCBs, acid rain leachates,
13 sediments, and other distresses to the habitat;

14 (vi) Studies on acid rain;

15 (vii) Studies on the role of fish diseases;

16 (viii) Trend analyses and recommendations for future management
17 actions; and

18 (ix) A recommendation to continue for 1 year or to discontinue the
19 moratorium on the catching, sale, or possession of the fish.]

20 DRAFTER’S NOTE:

21 Subsection (g) of this section is repealed. The report required under this subsection
22 is obsolete and impractical; it also is overbroad and extremely burdensome and was last
23 completed in 2006.

24 4–746.

25 [(a) The Department shall conduct annually a scientific survey to determine the
26 relative abundance of striped bass or rockfish of approximately 18 inches in length that are
27 in the Chesapeake Bay and its tributaries. The survey shall be conducted in areas that are
28 used by the Department to determine its young-of-the-year index of striped bass or
29 rockfish.

1 [(b) The Department shall complete the survey and report its results, subject to §
2 2–1246 of the State Government Article, to the General Assembly not later than December
3 1 of each year.]

4 DRAFTER’S NOTE:

5 The report required under subsection (b) of this section is redundant; the information
6 required under this report is included in the annual report required of the Department of
7 Natural Resources under § 4–215(g) of the Natural Resources Article on the striped bass
8 fishery management plan.

9 5–103.

10 (h) On or before [July 1] **SEPTEMBER 30** of each year, the Department or local
11 authority shall submit to the Senate Education, Health, and Environmental Affairs
12 Committee and the House Environmental Matters Committee a report on:

13 (1) The number and location of each construction activity subject to the
14 requirements of this section;

15 (2) The amount and location of acres cleared, conserved, and planted in
16 connection with the activity; and

17 (3) The amount of reforestation fees collected and expended.

18 DRAFTER’S NOTE:

19 The reporting requirement under subsection (h) of this section is revised for clarity
20 and efficiency. Establishing the annual reporting date as September 30 allows the
21 Department of Natural Resources finance department more time after the fiscal year
22 close-out to complete the report. (It usually takes the department 6–8 weeks after June 30
23 to declare the previous fiscal year closed.)

24 5–307.

25 (j) On or before [June] **SEPTEMBER 30** of each year, the Department shall report
26 to the Senate Education, Health, and Environmental Affairs Committee and the House
27 Environmental Matters Committee, in accordance with § 2–1246 of the State Government
28 Article, on the use of funds credited to the Fund, including an identification of and the
29 reasons for those revenues derived from forestry practices on designated lands owned and
30 managed by the Department that were not credited to the Fund.

31 DRAFTER’S NOTE:

32 The reporting requirement under subsection (j) of this section is revised for clarity
33 and efficiency. Establishing the annual reporting date as September 30 allows the
34 Department of Natural Resources finance department more time after the fiscal year

1 close-out to complete the report. (It usually takes the department 6–8 weeks after June 30
2 to declare the previous fiscal year closed.)

3 5–1613.

4 On or before **[July 1] SEPTEMBER 30** of each year, the Department shall submit,
5 subject to § 2–1246 of the State Government Article, to the Senate Education, Health, and
6 Environmental Affairs Committee and the House Environmental Matters Committee a
7 statewide report, compiled from local authorities' reports to the Department, on:

8 (1) The number, location, and type of projects subject to the provisions of
9 this subtitle;

10 (2) The amount and location of acres cleared, conserved, and planted,
11 including any areas which utilize forest mitigation bank credits or areas located in the 100
12 year floodplain, in connection with a development project;

13 (3) The amount of reforestation and afforestation fees and noncompliance
14 penalties collected and expended;

15 (4) The costs of implementing the forest conservation program;

16 (5) The size, location, and protection of any local forest mitigation banks
17 which are created under a local or State program;

18 (6) The number, location, and type of violations and type of enforcement
19 activity conducted in accordance with this subtitle; and

20 (7) To the extent practicable, the size and location of all conserved and
21 planted forest areas, submitted in an electronic geographic information system or computer
22 aided design format.

23 DRAFTER'S NOTE:

24 The reporting requirement under this section is revised for clarity and efficiency.
25 Altering the annual reporting date to September 30 allows the Department of Natural
26 Resources finance department more time after the fiscal year close-out to complete the
27 report. (It usually takes the department 6–8 weeks after June 30 to declare the previous
28 fiscal year closed.)

29 8–1808.1.

30 (e) [(3) (i) Each local jurisdiction shall:

31 1. Maintain records of all building permits issued under this
32 subsection for additional dwelling units considered part of a primary dwelling unit; and

1 8–2103.

2 (a) (1) The Department shall study and analyze the effectiveness of the cost
3 sharing program in the Department that assists landowners in paying for the cost of the
4 management and control of the spread of phragmites.

5 (2) The analysis required in paragraph (1) of this subsection shall include
6 information on how assistance under the cost sharing program is allocated.

7 (b) The Department of Natural Resources shall ascertain on a per–acre basis the
8 statewide extent of infestation of phragmites, when necessary data is available, and shall
9 study and analyze the progress made in the management and control of the spread of
10 phragmites on:

11 (1) Lands that the Department of Natural Resources owns or controls; and

12 (2) Any real property on which the Department of Natural Resources
13 assists landowners with the control of phragmites.

14 [(c) (1) The Department shall annually submit a report under subsections (a)
15 and (b) of this section to:

16 (i) The Environmental Matters Committee of the House of
17 Delegates of Maryland; and

18 (ii) The Education, Health, and Environmental Affairs Committee of
19 the Senate of Maryland.

20 (2) Beginning in 2000, the Department shall submit every 5 years a report
21 on the extent of infestation of phragmites to:

22 (i) The Environmental Matters Committee of the House of
23 Delegates of Maryland; and

24 (ii) The Education, Health, and Environmental Affairs Committee of
25 the Senate of Maryland.]

26 DRAFTER'S NOTE:

27 The reporting requirement for the Department of Natural Resources under
28 subsection (c) of this section is repealed as obsolete and impractical; while some small
29 efforts continue in very localized areas, there is no hope of eradicating phragmites from
30 Maryland.

31 **Article – State Finance and Procurement**

1 5-7B-09.

2 [(d) A copy of this list of projects shall be made available upon request to members
3 of the General Assembly, local government officials, and the general public.]

4 DRAFTER'S NOTE:

5 Subsection (d) of this section is repealed as obsolete and redundant. Local
6 jurisdictions list infrastructure needs associated with development in their Priority
7 Funding Areas (PFAs) within their Comprehensive Plans as part of their Water Resources
8 and Transportation Elements. In addition, the Smart Growth Coordinating Committee,
9 chaired by the Maryland Department of Planning, has taken on the role of interagency
10 review of projects and programs related to smart growth and State expenditures on these
11 projects.

12 5A-403.

13 [(g) On or before December 31 of each year, the Committee shall report to the
14 Governor and, in accordance with § 2-1246 of the State Government Article, to the General
15 Assembly on the financial status and the activities of the Fund for the preceding fiscal
16 year.]

17 DRAFTER'S NOTE:

18 Subsection (g) of this section is repealed as obsolete and defunct; the Barn
19 Preservation Fund, established in 2005, has never been funded.

20 7-314.

21 (g) (1) The Department of Business and Economic Development shall [report
22 to the Governor and, subject to § 2-1246 of the State Government Article, to the General
23 Assembly before January 1 of each year] **INCLUDE THE FOLLOWING INFORMATION IN
24 THE REPORT THAT IS REQUIRED UNDER § 2-123 OF THE ECONOMIC DEVELOPMENT
25 ARTICLE:**

26 **(1)** (i) the financial status of the program and a summary of its
27 operations for the preceding fiscal year;

28 (ii) for the previous 3 fiscal years, the status of Account
29 disbursements for economic development projects reviewed by the Legislative Policy
30 Committee under this section; [and]

31 (iii) for the previous 3 fiscal years, the status of job creation, capital
32 investment, and other measures of economic development for each economic development
33 project reviewed by the Legislative Policy Committee under this section[.];

1 **(IV) A LIST OF GUIDELINES FOR THE KINDS OF PERFORMANCE**
2 **REQUIREMENTS THAT MAY BE NEGOTIATED WITH THE LOAN OR GRANT APPLICANT;**
3 **AND**

4 **[(2)] (v) [If] AN EXPLANATION IF** the job creation, capital investment,
5 and other measures of economic development described in **[paragraph (1) of this**
6 **subsection] ITEMS (I) THROUGH (III) OF THIS PARAGRAPH** are lower than negotiated
7 according to subsection (h)(1) of this section**[, the report shall contain an explanation].**

8 **[(3)] (2)** Upon receipt of the **[report] INFORMATION THAT IS REQUIRED**
9 **TO BE REPORTED UNDER THIS SUBSECTION**, the Legislative Policy Committee shall
10 have 60 days to review and comment on the **[report] INFORMATION PROVIDED BY THE**
11 **DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT UNDER PARAGRAPH**
12 **(1) OF THIS SUBSECTION**, during which time the Department of Business and Economic
13 Development shall provide any additional information regarding the Account as requested
14 by the Legislative Policy Committee.

15 (j) (1) **[The Department of Business and Economic Development shall submit**
16 **to the Legislative Policy Committee by January 1 of each year a list of guidelines for the**
17 **kinds of performance requirements that may be negotiated with a loan or grant applicant.**

18 (2) The Department of Business and Economic Development may modify
19 **[these] THE guidelines FOR THE KINDS OF PERFORMANCE REQUIREMENTS THAT MAY**
20 **BE NEGOTIATED WITH THE LOAN OR GRANT** as needed, upon approval of the Legislative
21 Policy Committee.

22 **[(3)] (2)** An executive agency may depart from these guidelines as needed,
23 upon approval of the Legislative Policy Committee.

24 DRAFTER'S NOTE:

25 This section is revised so that the reports currently required of the Department of
26 Business and Economic Development under subsections (g) and (j) of this section are
27 combined in subsection (g), for efficiency.

28 7-317.

29 (a) There is a Cigarette Restitution Fund.

30 (f) (1) The Cigarette Restitution Fund shall be used to fund:

31 (i) the Tobacco Use Prevention and Cessation Program established
32 under Title 13, Subtitle 10 of the Health – General Article;

33 (ii) the Cancer Prevention, Education, Screening, and Treatment
34 Program established under Title 13, Subtitle 11 of the Health – General Article; and

1 (iii) other programs that serve the following purposes:

2 1. reduction of the use of tobacco products by minors;

3 2. implementation of the Southern Maryland Regional
4 Strategy–Action Plan for Agriculture adopted by the Tri–County Council for Southern
5 Maryland with an emphasis on alternative crop uses for agricultural land now used for
6 growing tobacco;

7 3. public and school education campaigns to decrease tobacco
8 use with initial emphasis on areas targeted by tobacco manufacturers in marketing and
9 promoting cigarette and tobacco products;

10 4. smoking cessation programs;

11 5. enforcement of the laws regarding tobacco sales;

12 6. the purposes of the Maryland Health Care Foundation
13 under Title 20, Subtitle 5 of the Health – General Article;

14 7. primary health care in rural areas of the State and areas
15 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco
16 products;

17 8. prevention, treatment, and research concerning cancer,
18 heart disease, lung disease, tobacco product use, and tobacco control, including operating
19 costs and related capital projects;

20 9. substance abuse treatment and prevention programs; and

21 10. any other public purpose.

22 (2) The provisions of this subsection may not be construed to affect the
23 Governor’s powers with respect to a request for an appropriation in the annual budget bill.

24 (h) For each program, project or activity receiving funds appropriated under
25 subsection (g)(3) of this section, the Governor shall:

26 (1) develop appropriate statements of vision, mission, key goals, key
27 objectives, and key performance indicators and report these statements in a discrete part
28 of the State budget submission, which shall also provide data for key performance
29 indicators; and

30 (2) report annually, subject to § 2–1246 of the State Government Article,
31 to the General Assembly no later than [October] **NOVEMBER** 1 on:

1 (i) total funds expended, by program and subdivision, in the prior
2 fiscal year from the Fund established under this section; and

3 (ii) the specific outcomes or public benefits resulting from that
4 expenditure.

5 DRAFTER'S NOTE:

6 Under this section, the Department of Health and Mental Hygiene (DHMH) is
7 required to submit information to the Department of Budget and Management (DBM) on
8 funds expended by programs funded by the Cigarette Restitution Fund (CRF) and the
9 outcomes of those expenditures. DBM submits this report to the Governor and General
10 Assembly each year on October 1. In light of DBM's due date, DHMH ideally should submit
11 its information for the report to DBM by September 1 each year. However, with the fiscal
12 year closing on June 30, DHMH does not have sufficient time to obtain all of the necessary
13 data to submit the required information to DBM by the September 1 deadline.
14 Consequently, at the request of DHMH, subsection (h)(2) of this section is revised to change
15 the due date for the CRF report from October 1 to November 1. DBM concurs with DHMH's
16 request for this change in the reporting date.

17 14-505.

18 [(a) Within 90 days after the end of each fiscal year, each designated procurement
19 unit shall submit a report on the operation and effectiveness of the Small Business Reserve
20 Program that complies with subsection (d)(2) of this section to the Board of Public Works.

21 (b) Within 60 days after receipt of all reports required under subsection (a) of this
22 section, the Board of Public Works shall compile the information and report on the
23 operation and effectiveness of the entire Small Business Reserve Program to the Legislative
24 Policy Committee, subject to § 2-1246 of the State Government Article.]

25 [(c)](A) Within 60 days after the enactment of the budget bill by the General
26 Assembly, each designated procurement unit shall submit a report to the Governor's Office
27 of Minority Affairs that complies with the reporting requirements set forth in COMAR
28 21.11.01.06.

29 [(d)](B) (1) Within 90 days after the end of each fiscal year, each unit shall
30 submit a report to the Governor's Office of Minority Affairs that complies with the
31 requirements of paragraph (2) of this subsection.

32 (2) For the preceding fiscal year, the report shall:

33 (i) state the total number and the dollar value of payments the unit
34 made to small businesses under designated small business reserve contracts;

1 (ii) state the total number and the dollar value of payments the unit
 2 made to small businesses under nondesignated small business reserve contracts, including
 3 purchase card procurements;

4 (iii) state the total dollar value of payments the unit made under
 5 procurement contracts; and

6 (iv) contain other such information as required by the Governor's
 7 Office of Minority Affairs.

8 **[(e)](C)** On or before December 31 of each year, the Governor's Office of
 9 Minority Affairs shall submit to the Board of Public Works and, subject to § 2-1246 of the
 10 State Government Article, to the Legislative Policy Committee a report summarizing the
 11 information the Office receives under subsection (b) of this section.

12 **DRAFTER'S NOTE:**

13 The reports on the Small Business Reserve Program required to be submitted to the
 14 Board of Public Works and the Legislative Policy Committee under former subsections (a)
 15 and (b) of this section are repealed as duplicative of the reports required to be submitted to
 16 the Governor's Office of Minority Affairs, the Board of Public Works, and the Legislative
 17 Policy Committee under former subsections (d) and (e) of this section.

18 17-204.

19 (b) On or before January 1 of each year, the Commissioner shall submit to the
 20 Governor and to the Secretary of Labor, Licensing, and Regulation an annual report that:

21 (1) describes the activities of the Commissioner under this subtitle during
 22 the preceding calendar year; and

23 (2) includes:

24 (i) [each recommendation received from the Advisory Council on
 25 Prevailing Wage Rates during the preceding calendar year;

26 (ii)] full information about the operation of this subtitle; and

27 **[(iii)] (II)** other information about prevailing wage rates, as the
 28 Commissioner desires.

29 **DRAFTER'S NOTE:** Subsection (b)(2)(i) of this section is repealed as obsolete; the
 30 Advisory Council on Prevailing Wage Rates no longer exists.

31 **Article – State Government**

32 2-506.

1 (b) (1) At least once a year, the Committee shall submit a report to the
2 Legislative Policy Committee and, subject to § 2–1246 of this title, to the General Assembly.

3 (2) The report shall:

4 (i) describe the studies and other work of the Committee; and

5 (ii) include any recommendations of the Committee on[:

6 1. more effective operation of the branches of the State
7 government, in accordance with the laws of the State; and

8 2.] legislative action that is needed to change or reverse a
9 regulation of a unit of the Executive Branch of the State government.

10 DRAFTER'S NOTE:

11 The report required under subsection (b)(2)(ii) of this section is repealed as
12 unnecessary and obsolete. Staff for the Joint Committee on Administrative, Executive, and
13 Legislative Review (AELR Committee) has no recollection or record that the AELR
14 Committee has ever made a recommendation to the Legislative Policy Committee
15 concerning the more effective operation of the branches of State government.

16 2–10A–03.

17 (f) The Insurance Commissioner and the Workers' Compensation Commission
18 shall:

19 (1) cooperate fully with the Committee;

20 (2) keep the Committee fully informed as to the condition of workers'
21 compensation benefits and workers' compensation insurance in the State [and the effect of
22 Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and that
23 insurance]; and

24 (3) submit an annual report, subject to § 2–1246 of this title, to the
25 Committee on or before October 1 of each year that incorporates the information described
26 in item (2) of this subsection.

27 DRAFTER'S NOTE:

28 The report required of the Joint Committee on Workers' Compensation Benefit and
29 Insurance Oversight under subsection (f)(2) of this section is repealed as obsolete since the
30 Joint Committee has completed its review of the effects of Chapters 590 and 591 of the
31 Laws of Maryland of 1987.

1 [2-10A-07.

2 (a) There is a Joint Committee on the Port of Baltimore.

3 (b) (1) The Committee consists of 15 members.

4 (2) Of the 15 members:

5 (i) 1. 2 shall be members of the Senate of Maryland appointed
6 by the President of the Senate;

7 2. 2 shall be members of the House of Delegates appointed by
8 the Speaker of the House;

9 (ii) 10 shall be appointed jointly by the President of the Senate and
10 the Speaker of the House as follows:

11 1. 1 representative of the Maryland Port Administration;

12 2. 2 representatives of Maryland labor organizations;

13 3. 1 representative of the maritime/steamship industry;

14 4. 1 pilot licensed by the State Board of Pilots;

15 5. 1 docking master licensed by the State Board of Docking
16 Masters;

17 6. 1 representative of a towing boat company serving the Port
18 of Baltimore; and

19 7. 3 members of the public; and

20 (iii) 1 shall be a representative of the United States Coast Guard, to
21 be appointed by the Captain of the Port, United States Coast Guard, Baltimore.

22 (c) The members of the Committee serve at the pleasure of the presiding officer
23 who appointed them.

24 (d) The President and the Speaker shall jointly appoint a Senator and a Delegate
25 each to serve as cochairman.

26 (e) (1) The Committee shall examine and evaluate issues affecting the
27 competitive position of the Port of Baltimore within the international port industry.

28 (2) This examination shall include the regulations adopted by the State
29 Board of Pilots, the State Board of Docking Masters, and the Maryland Port Commission.

1 (f) The Secretary of the Department of Labor, Licensing, and Regulation, the
 2 Secretary of the Department of Transportation, and the Executive Director of the Maryland
 3 Port Administration shall:

4 (1) cooperate fully with the Committee; and

5 (2) keep the Committee fully informed as to issues affecting the Port of
 6 Baltimore.

7 (g) The Committee shall report to the Governor and the Legislative Policy
 8 Committee on or before December 31 of each year.]

9 DRAFTER'S NOTE:

10 This section is repealed as obsolete; the Joint Committee on the Port of Baltimore is
 11 defunct. Since it was established in 2000, it has neither met nor issued an annual report.

12 2-10A-13.

13 (f) The Committee shall report its findings and recommendations to the Governor
 14 and, in accordance with § 2-1246 of this title, the Legislative Policy Committee, the Senate
 15 Finance Committee, and the House Economic Matters Committee on or before December
 16 [1] 31 of each year.

17 DRAFTER'S NOTE:

18 Subsection (f) of this section is revised to change the due date for the annual report
 19 by the Joint Committee on Cybersecurity, Information Technology, and Biotechnology from
 20 December 1 to December 31 for practicality and in recognition of the Committee's past
 21 practice.

22 2-1209.

23 **ON OR BEFORE DECEMBER 1 OF THE YEAR IMMEDIATELY PRECEDING THE**
 24 **BEGINNING OF A TERM OF THE GENERAL ASSEMBLY, THE DEPARTMENT OF**
 25 **LEGISLATIVE SERVICES:**

26 **(1) IN CONSULTATION WITH AGENCIES IN THE STATE GOVERNMENT,**
 27 **SHALL REVIEW THE LAWS OF THE STATE THAT REQUIRE THE AGENCIES TO SUBMIT**
 28 **REPORTS AT SPECIFIED TIMES AND ON SPECIFIED MATTERS TO THE GENERAL**
 29 **ASSEMBLY OR THE GOVERNOR; AND**

30 **(2) MAKE RECOMMENDATIONS TO THE PRESIDING OFFICERS OF THE**
 31 **GENERAL ASSEMBLY FOR THE INTRODUCTION OF LEGISLATION TO REPEAL OR**
 32 **MODIFY THOSE LAWS OF THE STATE THAT REQUIRE THE AGENCIES TO SUBMIT**

1 REPORTS AT SPECIFIED TIMES AND ON SPECIFIED MATTERS TO THE GENERAL
 2 ASSEMBLY OR THE GOVERNOR, BUT WHICH REPORTS ARE NO LONGER WARRANTED
 3 BECAUSE THEY HAVE BECOME OBSOLETE, DUPLICATIVE, IMPRACTICAL,
 4 INEFFICIENT, OR OTHERWISE UNNECESSARY.

5 DRAFTER'S NOTE:

6 This section is new language added to require that the Department of Legislative
 7 Services, in conjunction with agencies in the State government, conduct a periodic review
 8 of provisions of law that require agencies to submit reports to the General Assembly and
 9 the Governor so reports that no longer remain relevant and useful may be culled or modified
 10 as appropriate.

11 ~~§ 406.~~

12 ~~(b) (1) [The] ON OR BEFORE JANUARY 15, AND EACH QUARTER~~
 13 ~~THEREAFTER, THE Unit shall report [quarterly] to the Executive Director and the~~
 14 ~~Secretary.~~

15 ~~(2) A copy of the report shall be provided to the State Advisory Board for~~
 16 ~~Juvenile Services and, in accordance with § 2-1246 of this Article, the General Assembly.~~

17 ~~(3) The report shall include:~~

18 ~~(i) all activities of the Unit;~~

19 ~~(ii) actions taken by the Department resulting from the findings and~~
 20 ~~recommendations of the Unit, including the Department's response; and~~

21 ~~(iii) a summary of any violations of the standards and regulations of~~
 22 ~~the Department that remained unabated for 30 days or more during the reporting period.~~

23 ~~DRAFTER'S NOTE:~~

24 ~~Subsection (b) of this section is revised to clarify the dates for the submission of the~~
 25 ~~quarterly report by the Juvenile Justice Monitoring Unit of the Office of the Attorney~~
 26 ~~General to the Executive Director of the Governor's Office for Children and the Secretary~~
 27 ~~of Juvenile Services.~~

28 9-1405.

29 (b) The Office shall:

30 (1) review State assistance programs related to smart growth to determine
 31 their applicability, if any, to projects that are consistent with the State's smart growth
 32 policy;

1 (2) promote interagency consensus and cooperation on projects that are
2 consistent with the State's smart growth policy and resolve conflicting agency positions on
3 projects in an expedited manner;

4 (3) provide advisory and technical assistance to local jurisdictions and to
5 the public in preparing, financing, and developing smart growth and neighborhood
6 conservation projects;

7 (4) gather and disseminate information to the public, including local
8 jurisdictions, nonprofit organizations, and developers on how to develop projects that are
9 consistent with the State's smart growth policy;

10 (5) provide a single point of access for members of the public, including
11 local jurisdictions, nonprofit organizations, developers, and community and homeowners'
12 associations who need assistance or guidance in navigating the processes and regulations
13 of State agencies on projects that are consistent with the State's smart growth policy;

14 (6) work with local governments in expediting review of projects that both
15 the local government and the State agree are consistent with the State's smart growth
16 policy;

17 (7) provide effective public information on smart growth programs and
18 educational activities, including relationships with the National Center for Smart Growth
19 Education and Research at the University of Maryland, College Park, and coordination of
20 smart growth outreach efforts to local governments, the general public, and other interest
21 groups;

22 (8) coordinate the efforts of the Executive Branch to provide input to the
23 General Assembly on legislation that concerns smart growth and neighborhood
24 conservation; **AND**

25 (9) in coordination with the Subcabinet, recommend to the Governor
26 changes to State law and regulations necessary to advance the policy of smart growth[; and

27 (10) report to the Governor and, in accordance with § 2-1246 of this article,
28 to the General Assembly on or before December 1, 2001 and each December 1 thereafter on
29 the activities of the Office and the implementation of smart growth projects in the preceding
30 calendar year].

31 **DRAFTER'S NOTE:**

32 The report required under item (10) of this subsection is repealed as obsolete. The
33 Office of Smart Growth has not been funded since 2005 and is defunct. The activities
34 formerly undertaken by the Office are routinely now undertaken by the Department of
35 Planning and are included in the Department's annual report under § 5-307 of the State
36 Finance and Procurement Article.

1 4. for staff of the Investment Division, a statement whether
2 the travel was made for purposes of meeting with existing or prospective investment
3 managers.]

4 DRAFTER'S NOTE:

5 The report required under subsection (a)(4) of this section is repealed as unnecessary
6 as information concerning training for members of the Board of Trustees of the State
7 Retirement Agency is readily available and easily obtained from the Agency on request.

8 21–123.

9 (g) (2) [(i)] The sale or purchase of real estate shall be subject to the
10 approval of a majority of the Comptroller, Treasurer, and Secretary of Budget and
11 Management, in their capacity as members of the Board of Trustees.

12 [(ii)] On or before October 1 of each year, the Board of Trustees shall
13 submit a report in accordance with § 2–1246 of the State Government Article to the Board
14 of Public Works, the Senate Budget and Taxation Committee, the House Appropriations
15 Committee, and the Joint Committee on Pensions that provides a list of all sales or
16 purchases of directly held real estate approved by the Board of Trustees for the immediately
17 preceding fiscal year.]

18 DRAFTER'S NOTE:

19 The report required under subsection (g)(2)(ii) of this section is repealed as obsolete
20 since the direct real estate program no longer exists.

21 [21–125.1.

22 (a) Beginning on or before September 1, 2008, and every 5 years thereafter, the
23 Joint Committee on Pensions shall commission an actuarial consulting firm to conduct a
24 study of the several systems in addition to the actuarial investigation and valuation
25 performed by the actuary under § 21–125 of this subtitle and a comparison of the several
26 systems with other similarly situated public pension plans.

27 (b) The actuarial consulting firm shall consider the following issues with regard
28 to the several systems and other similarly situated public pension plans:

29 (1) the funding status of the State Retirement and Pension System,
30 including its current unfunded accrued liability;

31 (2) the composition of the several systems, including:

32 (i) the number of active members, retirees, disability retirees, and
33 beneficiaries of all retirees;

1 (ii) the average annual salaries of the active members in the various
2 plans in the State Retirement and Pension System;

3 (iii) the average annual benefits of the retirees and beneficiaries of
4 the State Retirement and Pension System; and

5 (iv) the average age, life expectancy, and years of service of active
6 members retiring from the various plans in the State Retirement and Pension System; and

7 (3) the benefit levels provided by the various State systems, including a
8 comparison of member contribution rates and the accrual rates.

9 (c) The findings of the actuarial consulting firm shall be submitted to the Joint
10 Committee on Pensions on or before December 31, of the year of study, in accordance with
11 § 2–1246 of the State Government Article.]

12 **DRAFTER’S NOTE:**

13 This section is repealed as redundant. The report required under this section is
14 duplicative of information included in the State Retirement and Pension System annual
15 valuation and in the System’s Comprehensive Annual Financial Report under § 21–125 of
16 the State Personnel and Pensions Article.

17 21–128.

18 [(g) On or before December 31 of each year, the Board of Trustees shall submit a
19 report in accordance with § 2–1246 of the State Government Article to the Joint Committee
20 on Pensions that includes a summary of any complaints received by the State Retirement
21 Agency regarding any mailing received by a retiree under this section.]

22 **DRAFTER’S NOTE:**

23 The report required under subsection (g) of this section is repealed as obsolete. In
24 the 4 years that this reporting requirement has been in effect, the Board of Trustees of the
25 State Retirement Agency has received no complaints under this section from a retiree
26 regarding a direct mailing from a retiree organization.

27 **Article – Tax – General**

28 10–721.

29 (g) [(1) On or before January 10 of each year, the Department shall report to
30 the Governor and, subject to § 2–1246 of the State Government Article, to the General
31 Assembly, on the credits approved under this section.]

1 **(1) IN ACCORDANCE WITH § 2-123 OF THE ECONOMIC DEVELOPMENT**
2 **ARTICLE, THE DEPARTMENT SHALL REPORT ON THE CREDITS APPROVED UNDER**
3 **THIS SECTION.**

4 DRAFTER'S NOTE:

5 Subsection (g)(1) of this section, relating to income tax credits for Maryland qualified
6 research and development expenses, is revised to reflect the reporting requirement under
7 § 2-123 of the Economic Development Article.

8 10-725.

9 (h) [(1) On or before January 10 of each year, the Department shall report to
10 the Governor and, subject to § 2-1246 of the State Government Article, to the General
11 Assembly, on the initial tax credit certificates awarded under this section for the prior
12 calendar year.]

13 **(1) IN ACCORDANCE WITH § 2-123 OF THE ECONOMIC DEVELOPMENT**
14 **ARTICLE, THE DEPARTMENT SHALL REPORT ON THE INITIAL TAX CREDIT**
15 **CERTIFICATES AWARDED UNDER THIS SECTION FOR THE CALENDAR YEAR.**

16 DRAFTER'S NOTE:

17 Subsection (h)(1) of this section, relating to biotechnology investment tax credits, is
18 revised to reflect the reporting requirement under § 2-123 of the Economic Development
19 Article. The reference to "prior" calendar year is deleted to keep the reporting requirement
20 substantively the same because the new reporting requirement under § 2-123 of the
21 Economic Development Article is required on or before December 31 of the current calendar
22 year.

23 10-730.

24 (e) [On or before January 1 of each year, the Department shall report to the
25 Governor and, subject to § 2-1246 of the State Government Article, the General Assembly,
26 on:] **IN ACCORDANCE WITH § 2-123 OF THE ECONOMIC DEVELOPMENT ARTICLE,**
27 **THE DEPARTMENT SHALL SUBMIT A REPORT THAT INCLUDES:**

28 (1) the number of film production entities submitting applications under
29 subsection (c) of this section;

30 (2) the number and amount of tax credit certificates issued under
31 subsection (d) of this section;

32 (3) the number of local technicians, actors, and extras hired for film
33 production activity during the reporting period;

1 (4) a list of companies doing business in the State, including hotels, that
2 directly provided goods or services for film production activity during the reporting period;
3 and

4 (5) any other information that indicates the economic benefits to the State
5 resulting from film production activity during the reporting period.

6 DRAFTER'S NOTE:

7 Subsection (e) of this section, relating to film production activity tax credits, is
8 revised to reflect the reporting requirement under § 2–123 of the Economic Development
9 Article.

10 10–732.

11 [(f) On or before December 31 of each year, the Department shall report to the
12 Governor and, in accordance with § 2–1246 of the State Government Article, the General
13 Assembly on the number of credits certified in the previous calendar year.]

14 **(F) IN ACCORDANCE WITH § 2–123 OF THE ECONOMIC DEVELOPMENT**
15 **ARTICLE, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE NUMBER OF CREDITS**
16 **CERTIFIED IN THE PREVIOUS CALENDAR YEAR.**

17 DRAFTER'S NOTE:

18 Subsection (f) of this section, relating to security clearance administrative expenses
19 and construction and equipment costs tax credits, is revised to reflect the reporting
20 requirement under § 2–123 of the Economic Development Article.

21 10–733.

22 (i) [(1) On or before January 10 of each year, the Department shall report to
23 the Governor and, subject to § 2–1246 of the State Government Article, the General
24 Assembly, on the initial tax credit certificates awarded under this section for the prior
25 calendar year.]

26 **(1) IN ACCORDANCE WITH § 2–123 OF THE ECONOMIC DEVELOPMENT**
27 **ARTICLE, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE INITIAL TAX CREDIT**
28 **CERTIFICATES AWARDED UNDER THIS SECTION FOR THE CALENDAR YEAR.**

29 DRAFTER'S NOTE:

30 Subsection (i)(1) of this section, relating to cybersecurity investment incentive tax
31 credits, is revised to reflect the reporting requirement under § 2–123 of the Economic
32 Development Article.

1 Also in this subsection, the reference to “prior” calendar year is deleted to keep the
2 reporting requirement substantively the same. Because the new reporting requirement
3 under § 2–123 of the Economic Development Article is required on or before December 31,
4 the reference should be to the current calendar year.

5 Article – Tax – Property

6 9–102.

7 (d) (3) The Department shall report to the General Assembly, in accordance
8 with § 2–1246 of the State Government Article, **ON OR BEFORE DECEMBER 31, 2015,**
9 **AND EVERY 2 YEARS THEREAFTER,** on the promotion of the property tax relief program
10 under paragraph (1) of this subsection.

11 DRAFTER’S NOTE:

12 Subsection (d) of this section is revised to clarify the reporting frequency by the
13 Department of Taxation and Assessments concerning its marketing campaign for the
14 Maryland Renters Tax Credit Program.

15 Article – Transportation

16 6–201.2.

17 (c) (1) Subject to § 2–1246 of the State Government Article, the Commission
18 shall report by January 15 of each year to the General Assembly on the activities of the
19 Port Commission during the previous year.

20 (2) The report shall include a review of the port’s competitive position
21 during the previous year and any recommendations of the Commission for future changes
22 in legislation, capital funding, or operational flexibility for consideration by the General
23 Assembly.

24 (3) The report shall also include any substantive changes in its regulations
25 for procurement and personnel.

26 **(4) (I) THE REPORT SHALL ALSO DESCRIBE THE VULNERABILITY**
27 **ASSESSMENT INFORMATION CONCERNING PUBLIC TERMINALS SUBMITTED BY THE**
28 **ADMINISTRATION TO THE UNITED STATES COAST GUARD UNDER THE FEDERAL**
29 **MARITIME TRANSPORTATION SECURITY ACT OF 2002.**

30 **(II) WITH RESPECT TO ANY VULNERABILITY CONCERNS**
31 **REPORTED BY THE ADMINISTRATION TO THE UNITED STATES COAST GUARD, THE**
32 **INFORMATION REPORTED UNDER THIS PARAGRAPH:**

1 **1. SHALL PROVIDE AN ESTIMATE OF THE COST OF**
2 **ADDRESSING THE VULNERABILITY CONCERNS;**

3 **2. SHALL STATE THE AMOUNT OF ANY GRANTS OR**
4 **OTHER FEDERAL FUNDS RECEIVED OR REQUESTED BY THE ADMINISTRATION TO**
5 **ADDRESS THE VULNERABILITY CONCERNS AND SHALL INCLUDE INFORMATION ON**
6 **THE STATUS OF ANY PENDING REQUESTS FOR FEDERAL FUNDS; AND**

7 **3. MAY NOT INCLUDE THE SPECIFIC DETAILS OF ANY**
8 **VULNERABILITY CONCERNS, THE DISCLOSURE OF WHICH COULD COMPROMISE, IN**
9 **ANY WAY, TRANSPORTATION SECURITY.**

10 DRAFTER'S NOTE:

11 This section is revised to include the Report on Port Vulnerability and Funding
12 Concerns required under § 6–210 of the Transportation Article with the report required of
13 the Maryland Department of Transportation under this section. Consequently, § 6–210 of
14 the Transportation Article is repealed.

15 [6–210.

16 (a) Subject to subsection (b) of this section, on or before December 1 of each year,
17 the Administration, in accordance with § 2–1246 of the State Government Article, shall
18 provide an annual report to the General Assembly based on the vulnerability assessment
19 information concerning public terminals submitted by the Administration to the United
20 States Coast Guard under the federal Maritime Transportation Security Act of 2002.

21 (b) With respect to any vulnerability concerns reported by the Administration to
22 the United States Coast Guard, the report to the General Assembly required under this
23 section:

24 (1) Shall provide an estimate of the costs of addressing the vulnerability
25 concerns;

26 (2) Shall state the amount of any grants or other federal funds received or
27 requested by the Administration to address the vulnerability concerns and shall include
28 information on the status of any pending requests for federal funds; and

29 (3) May not include the specific details of any vulnerability concerns the
30 disclosure of which could compromise, in any way, transportation security.]

31 DRAFTER'S NOTE:

32 This section is repealed as redundant; all of the information for the Report on Port
33 Vulnerability Funding Concerns required under this section is included in the annual
34 Maryland Port Commission report required under § 6–201.2 of the Transportation Article.

1 Nonetheless, § 6–201.2 of the Transportation Article is revised to explicitly require the
2 Department of Transportation to include information concerning port vulnerability in the
3 report it submits to the General Assembly under that section.

4 8–309.

5 (e) (1) Notwithstanding any other provision of this section, the Administration
6 may convey land from an abandoned or completed transportation project by exchanging the
7 land for privately or publicly owned land of substantially equal value when the land to be
8 acquired by the exchange is needed for a current State highway purpose that has been
9 identified within the current consolidated transportation program as approved by the
10 General Assembly, or has otherwise received prior legislative approval for planning.

11 (2) In the case of an abandoned or completed project, the person from whom
12 the land was acquired, or the successor in interest of that person, shall have the first right
13 of refusal to reacquire the land, except that the offer and acceptance shall be as follows:

14 (i) The Administration shall notify the person from whom the land
15 was acquired, or the successor in interest of that person, in writing, by certified mail, return
16 receipt requested of the proposed exchange and the value of the property;

17 (ii) Within 90 days from the date of the notice, the person from whom
18 the land was acquired, or the successor in interest of that person, shall notify the
19 Administration in writing of its intent to exercise its right to reacquire the land; and

20 (iii) Within 90 days from the date of notifying the Administration of
21 its intent to reacquire the land, the person from whom the land was acquired, or the
22 successor in interest of that person, must tender payment of an amount equal to the lesser
23 of:

24 1. The appraised value of the land; or

25 2. The consideration that the Administration or Commission
26 originally paid for the land, plus simple interest at the fair market rate calculated from the
27 time of acquisition to the time of disposition and administrative costs.

28 (3) The person from whom the land was acquired, or the successor in
29 interest of that person, is deemed to have waived its right of first refusal if the person or
30 the successor in interest fails to follow the procedures set forth in paragraph (2) of this
31 subsection.

32 (4) In the case of a completed project or an abandoned project for which the
33 right of first refusal was waived, the procedure for the exchange shall be as follows:

34 (i) If the exchange is not one proposed by a county or municipality,
35 the Administration shall:

1 1. Notify by registered mail any affected county or
2 municipality of the offer for an exchange of a parcel;

3 2. Allow 60 days after notification for any affected county or
4 municipality to make a request to acquire the parcel or part of the parcel located within the
5 borders of the county or municipality and for the Administration to consider any such
6 request; and

7 3. If any affected county or municipality makes an offer to
8 acquire the parcel, or part thereof within that jurisdiction's borders, that is equal to or
9 greater than, or includes land of an equal or greater value than, the appraised value of the
10 parcel or applicable portion thereof, the Administration shall accept that offer;

11 (ii) Before making an exchange under this subsection, the exchange
12 must be approved by the Board of Public Works; and

13 (iii) If the Administrator and the Board of Public Works approved the
14 terms and conditions of the exchange and all deeds, the Administrator may execute and
15 accept deeds effecting the conveyances necessary to complete the exchange.

16 (5) Before the exchange:

17 (i) The Administration shall appraise all parcels of land to be
18 exchanged; and

19 (ii) If the Administration believes that any parcel of land in the
20 exchange has a value of more than \$25,000, the parcels of land also shall be appraised by
21 at least one independent, qualified real estate appraiser.

22 (6) In the event that the properties to be exchanged are determined to be
23 of unequal value, the Administrator may agree to accept or pay an amount necessary to
24 substantially equalize the value of land conveyed by the State.

25 (7) The owner of land exchanged under this subsection is not entitled to
26 first right of refusal if the exchanged land is later offered for sale by the State.

27 **(8) (I) IF THE ADMINISTRATION OBTAINS OR DISPOSES OF**
28 **PARCELS OF LAND UNDER THIS SUBSECTION, IT SHALL ISSUE A REPORT THAT:**

29 **1. LISTS THE PARCELS OF LAND EXCHANGED;**

30 **2. STATES THE VALUE OF EACH PARCEL OF LAND**
31 **EXCHANGED; AND**

32 **3. DESCRIBES EACH PARCEL OF LAND EXCHANGED.**

1 **(II) THE ADMINISTRATION SHALL, IN ACCORDANCE WITH §**
2 **2-1246 OF THE STATE GOVERNMENT ARTICLE, SUBMIT THE REPORT TO THE HOUSE**
3 **ENVIRONMENT AND TRANSPORTATION COMMITTEE, THE HOUSE APPROPRIATIONS**
4 **COMMITTEE, AND THE SENATE BUDGET AND TAXATION COMMITTEE.**

5 DRAFTER'S NOTE:

6 Section 2 of Chapter 597 of the Acts of 1995, which required the State Highway
7 Administration (SHA) to submit a report every 6 months to certain committees of the
8 General Assembly regarding certain land exchanges, is repealed as obsolete and
9 unnecessary because of the very limited activity in this area over the years. However, since
10 such land exchanges could occur in the future, the reporting requirement is retained and
11 modified under this section to require a report when a SHA land exchange would fulfill the
12 intent of the original enactment of the General Assembly; hence, an "as needed" reporting
13 requirement is added under subsection (e)(8) of this section.

14 8-613.

15 (a) **[(1)** In calendar year 1978, the Administration shall prepare for each county
16 a 6-year construction and reconstruction program for primary and secondary highways,
17 the secondary program to include bicycle trails and sidewalks.

18 (2) The Administration shall submit this program to the General Assembly
19 for its review by January 15, 1979.

20 (3) Subject to § 2-1246 of the State Government Article, the program shall
21 be updated annually and submitted to the General Assembly for its review by January 15
22 of each year.

23 (4) The program shall:

24 (i) Advise on priorities among the projects approved for
25 construction, following completion of the project planning phase; and

26 (ii) As to each item included in it, contain a proposed schedule of
27 property acquisition, detailed engineering, and construction.

28 **(b)]** Before the annual submission **TO THE GENERAL ASSEMBLY** of the highway
29 construction and reconstruction program **[to the General Assembly]** **FOR EACH COUNTY**
30 **FOR PRIMARY AND SECONDARY HIGHWAYS, THE SECONDARY PROGRAM TO INCLUDE**
31 **BICYCLE TRAILS AND SIDEWALKS**, the Administration shall consult with the local
32 governing body, municipalities, and local legislative delegation of each county concerning
33 construction priorities.

34 **[(c)] (B)** If the Administration is unable for any reason to perform in accordance
35 with the schedule set forth in the annual primary highway program, it shall, if so requested

1 by resolution of either house of the General Assembly, explain in writing to the next session
2 of the General Assembly any change in the scheduling of a particular project included in
3 the preceding year's program.

4 **[(d)] (C)** If there is any change in the scheduling of a particular project in the
5 secondary highway program for which funds have been appropriated in the preceding year,
6 the Administration, on written request of a majority of the local legislative delegation from
7 the county for which the project is programmed, shall explain that change in writing to the
8 members of the General Assembly from that county.

9 **[(e)** The Administration's budget for Fiscal Year 1981 and for each fiscal year
10 following, as submitted to the General Assembly, shall include funds for projects scheduled
11 for the first year of the highway construction and reconstruction program established under
12 this section.]

13 **DRAFTER'S NOTE:**

14 The annual report to the General Assembly required under this section is repealed
15 as duplicative since all of the information required to be included in the annual report
16 concerning construction and reconstruction program for primary and secondary highways
17 is included in the annually revised Consolidated Transportation Program prepared by the
18 Maryland Department of Transportation.

19 23-203.

20 **[(f)] (1)** The President of the Senate and the Speaker of the House of Delegates
21 shall appoint a special committee composed of 3 Senators and 3 Delegates who shall
22 regularly consult with the Secretary of Transportation and the Secretary of the
23 Environment on the administration of the emissions control program and any contract in
24 accordance with the terms of these provisions.

25 **(2)** The special committee shall regularly report to the Legislative Policy
26 Committee of the Maryland General Assembly on the administration of the emissions
27 control program and any contract awarded in accordance with the provisions of this
28 section.]

29 **DRAFTER'S NOTE:**

30 Subsection (f) of this section is repealed as obsolete. The Special Committee on the
31 administration of the emissions control program is defunct. A review of currently available
32 Maryland Executive Branch and Legislative Branch Web sites shows no evidence that the
33 Special Committee functions or even exists. A review of the list of defunct Executive Branch
34 commissions, committees, task forces, and advisory boards also shows no evidence that the
35 Special Committee existed at some prior time (although there does not appear to be a direct
36 Web link to defunct legislative committees). A search of the General Assembly Web site
37 using the key phrases also results in no obvious mention of the Special Committee.

**Chapter 674 of the Acts of 1983, as amended by Chapter 533 of the Acts of 1984
and Chapters 646 and 741 of the Acts of 1987**

[SECTION 2. AND BE IT FURTHER ENACTED, That, subject to Section 2–1312 of the State Government Article, The Department shall prepare and submit to the General Assembly, on or before February 1 of each year, a full report of the operation of the Motorcycle Safety Program for the preceding fiscal year. The General Assembly shall use these reports to evaluate the Motorcycle Safety Program every three years beginning July 1, 1988, to determine the cost effectiveness of the Motorcycle Safety Program in Maryland and the validity of continuing financial support of this program by the State. If the General Assembly's evaluation indicates that the Motorcycle Safety Program is not cost effective and continued financial support is not warranted, the General Assembly shall pass legislation to repeal this Act.]

DRAFTER'S NOTE:

Section 2 of Chapter 674 of 1983, as amended by Chapter 533 of 1984 and Chapters 646 and 741 of 1987, is repealed as obsolete and redundant. The Motorcycle Safety Program annual report was mandated by Chapters 646 and 741 of 1987 in conjunction with a \$5 surcharge on motorcycle registrations to fund the program. Chapter 107 of the Acts of 1993 repealed the separate funding source for the program and established funding for the program through the Motor Vehicle Administration budget. Chapter 107 thus obviated the need for the annual report on the cost effectiveness of the program.

Chapter 791 of the Acts of 1984

[SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall submit a report to the General Assembly by September 30 of each year, describing its activities for the construction and operation of hatchery facilities.]

DRAFTER'S NOTE:

Section 2 of Chapter 791 of the Acts of 1984 is repealed as obsolete. Chapter 791 allowed a portion of proceeds from waterfowl stamps to be used for the operation of duck hatchery facilities, and required the annual report describing the Department of Natural Resources' (DNR) duck hatchery activities. Subsequently DNR implemented initial efforts to construct a duck hatchery, but a disease annihilated the starter flock of ducks and the hatchery was never built. NR, § 10–308.1, the statute amended by Chapter 791 to finance duck hatcheries, has since been amended to remove all mention of duck hatcheries. However, the obsolete, uncodified reporting requirement under Chapter 791 remains in effect.

Chapter 640 of the Acts of 1991

[SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Environment shall provide the General Assembly with an annual report, in accordance §

1 2–1312 of the State Government Article, on the cumulative environmental impact of the
2 incineration or burning of tires.]

3 DRAFTER’S NOTE:

4 Section 4 of Chapter 640 of the Acts of 1991 is repealed as obsolete; the era of burning
5 tires essentially has passed.

6 **Chapter 111 of the Acts of 1994, as amended by Chapter 471 of the Acts of 1997**

7 [SECTION 5. AND BE IT FURTHER ENACTED, That on or before December 1 of
8 each year, the Maryland Tourism Development Board, together with the Secretary of
9 Business and Economic Development, shall submit to the Legislative Policy Committee of
10 the General Assembly a report addressing the following:

11 (1) The specific use of the tourism advertising funds provided by this Act;

12 (2) Data quantifying the success of Maryland’s increased tourism
13 marketing efforts;

14 (3) Tourism marketing strategies used by other states in Maryland’s
15 primary market and their impact on Maryland’s market share;

16 (4) Efforts by the Board to generate additional revenues for the Maryland
17 Tourism Development Board Fund; and

18 (5) Other short– and long–term strategies for tourism development that, if
19 adopted, could help improve Maryland’s competitive position with its neighboring states.]

20 DRAFTER’S NOTE:

21 Section 5 of Chapter 111 of the Acts of 1994, as amended by Chapter 471 of the Acts
22 of 1997, is repealed and its reporting requirement is then transferred and combined with
23 the report by the Department of Business and Economic Development to the Governor and
24 the General Assembly required under § 4–216(d) of the Economic Development Article, for
25 transparency and clarity.

26 **Chapter 112 of the Acts of 1994, as amended by Chapter 471 of the Acts of 1997**

27 [SECTION 5. AND BE IT FURTHER ENACTED, That on or before December 1 of
28 each year, the Maryland Tourism Development Board, together with the Secretary of
29 Business and Economic Development, shall submit to the Legislative Policy Committee of
30 the General Assembly a report addressing the following:

31 (1) The specific use of the tourism advertising funds provided by this Act;

1 space is owned by local jurisdictions on an annual basis, and has not been including this
2 information in the reports. The reporting requirement is revised accordingly.

3 **Chapter 597 of the Acts of 1995**

4 [SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department
5 of Transportation shall, in accordance with § 2-1312 of the State Government Article,
6 submit a report to the House Commerce and Government Matters Committee, the House
7 Appropriations Committee, and the Senate Budget and Taxation Committee every 6
8 months, beginning December 1, 1995, that lists the parcels that have been obtained and
9 disposed of through the process established under § 8-309(e) of the Transportation Article
10 as enacted by this Act. The report shall identify the value of and include a description of
11 each parcel that has been exchanged between the State Highway Administration and any
12 other public or private entities.]

13 **DRAFTER'S NOTE:**

14 Section 2 of Chapter 597 of the Acts of 1995 is repealed as obsolete and unnecessary.
15 Since the enactment of Chapter 597 in 1995, when this reporting requirement was enacted,
16 fewer than 6 State Highway Administration (SHA) exchanges have occurred, the last of
17 which occurred more than 10 years ago. As such, periodic reporting is unnecessary and
18 wasteful of resources. But as there could be future land exchanges under § 8-309 of the
19 Transportation Article, codification of the requirement to submit a report when triggered
20 by an SHA land exchange would fulfill the intent of the General Assembly; hence, an “as
21 needed” reporting requirement is added under § 8-309(e)(8) of the Transportation Article,
22 for transparency.

23 **Chapter 96 of the Acts of 1996**

24 [SECTION 2. AND BE IT FURTHER ENACTED, That the Office of Administrative
25 Hearings shall report, in accordance with § 2-1312 of the State Government Article, the
26 following information to the Senate Judicial Proceedings Committee and the House
27 Commerce and Government Matters Committee before October 1 of each year:

28 (1) The number of hearings that were conducted by telephone or video
29 conferencing during the preceding fiscal year;

30 (2) The types of cases in which hearings were conducted by telephone or
31 video conferencing;

32 (3) The number of cases in which a party objected to the holding of a
33 hearing by telephone or video conferencing, the grounds for those objections, and the
34 disposition of each objection;

35 (4) The outcome of each case in which a hearing was conducted by
36 telephone or video conferencing, including the outcome on appeal, if applicable; and

1 occupied dwellings under this Act and the cost and success of relocating persons displaced
2 in alternative, more suitable housing.]

3 DRAFTER'S NOTE:

4 Section 2 of Chapter 692 of the Acts of 1999 is repealed as obsolete; apparently, no
5 report has been submitted by Baltimore City in 15 years.

6 **Chapter 77 of the Acts of 2001**

7 [SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Health
8 and Mental Hygiene shall report to the House Environmental Matters Committee, the
9 House Ways and Means Committee, the Senate Finance Committee, and the Senate Budget
10 and Taxation Committee of the General Assembly, in accordance with § 2–1246 of the State
11 Government Article, when the amount of money in the HealthChoice Performance
12 Incentive Fund reaches \$2.5 million.]

13 DRAFTER'S NOTE:

14 Section 4 of Chapter 77 of the Acts of 2001 is repealed as obsolete. The report
15 required under this section emanates from the early days of HealthChoice Performance
16 Incentive Fund; however, the Department of Health and Mental Hygiene has never
17 submitted a report under this section.

18 **Chapter 103 of the Acts of 2001, as amended by Chapter 46 of the Acts of 2006**

19 [SECTION 12. AND BE IT FURTHER ENACTED, That the Department of
20 Agriculture shall report to the General Assembly on or before October 1 of each year, in
21 accordance with § 2–1246 of the State Government Article, on the implementation and
22 effects of the Southern Maryland Regional Strategy–Action Plan for Agriculture, including
23 the use of general obligation bonds authorized by this Act.]

24 DRAFTER'S NOTE:

25 Section 12 of Chapter 103 of the Acts of 2001, as amended by Chapter 46 of the Acts
26 of 2006, is repealed as an erroneous and misleading requirement: the Department of
27 Agriculture does not implement the Southern Maryland Regional Strategy–Action Plan for
28 Agriculture. Rather, the Southern Maryland Agricultural Development Corporation
29 implements this action plan and each year prepares a report for the Department of Budget
30 and Management.

31 **Chapter 685 of the Acts of 2001, as amended by Chapter 443 of the Acts of 2003**

32 [SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31 of
33 each year, the State Board of Education shall report to the Governor and, subject to §

1 2–1246 of the State Government Article, to the General Assembly on the implementation
2 of this Act.]

3 DRAFTER’S NOTE:

4 Section 2 of Chapter 685 of the Acts of 2001, as amended by Chapter 433 of the Acts
5 of 2003, is repealed as obsolete; the underlying statute pertaining to the juvenile justice
6 alternative education pilot program that was the basis for the report and set forth in §
7 7–305.1 of the Education Article was repealed by Chapter 304 of the Acts of 2006.

8 **Chapter 453 of the Acts of 2002, as amended by Chapter 203 of the Acts of 2003**

9 [SECTION 3. AND BE IT FURTHER ENACTED, That:

10 (1) Beginning in fiscal year 2007 and each fiscal year thereafter, each county and
11 Baltimore City shall use the savings resulting from this [Circuit Courts – Rental of Space
12 for Clerks of Court] Act solely to increase local expenditures for the circuit courts or related
13 public safety purposes;

14 (2) In fiscal years 2007 through 2014, each county and Baltimore City shall report
15 to the Department of Budget and Management on or before November 1 on circuit court or
16 related public safety expenditures to which the savings resulting from this Act have been
17 applied. The Department of Budget and Management shall report these expenditures to
18 the Chief Judge of the Court of Appeals and, subject to § 2–1246 of the State Government
19 Article, to the General Assembly; and

20 (3) Circuit court or related public safety expenditures required under this section
21 shall be used to supplement and may not supplant existing local expenditures for the same
22 purpose.]

23 DRAFTER’S NOTE:

24 Section 3 of Chapter 453 of the Acts of 2002, as amended by Chapter 203 of the Acts
25 of 2003, is repealed as obsolete. The reporting requirement pertaining to savings from the
26 Act to fund expenditures for rental of space for clerks of the court for the counties and
27 Baltimore City ended in fiscal 2014.

28 **Chapter 84 of the Acts of 2004, as amended by Chapter 283 of the Acts of 2008**

29 [SECTION 3. AND BE IT FURTHER ENACTED, That on or before September 30,
30 2005, and annually thereafter, the Maryland Department of Transportation shall report to
31 the Governor and, in accordance with § 2–1246 of the State Government Article, to the
32 General Assembly regarding the implementation of this Act by the Department during the
33 immediately preceding fiscal year, including the impact of this Act on small business and
34 minority business enterprises.]

35 DRAFTER’S NOTE:

1 Section 3 of Chapter 84 of the Acts of 2004, as amended by Chapter 283 of the Acts
2 of 2008, is repealed as redundant since all of the information called for under Section 3 is
3 included in other reports on small business and minority business enterprises submitted to
4 the General Assembly.

5 **Chapter 206 of the Acts of 2004**

6 [SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Business
7 and Economic Development shall report, on or before September 1 of each year, in
8 accordance with § 2–1246 of the State Government Article to the Legislative Policy
9 Committee on the results of the implementation of the provisions of this Act.]

10 DRAFTER'S NOTE:

11 Section 3 of Chapter 206 of the Acts of 2004 is repealed as impractical. The report
12 required under this section pertains to the implementation of a measure concerning
13 financial assistance awarded under the Economic Development Opportunities Program
14 Fund and the Maryland Economic Development Assistance Authority and Fund and
15 compliance with certain minority business enterprise (MBE) procurement goals. However,
16 Chapter 206 does not provide the Department of Business and Economic Development
17 (DBED) with any means to enforce the requirements of Chapter 206 as State MBE
18 procurement law does not apply to procurement between private businesses. Consequently,
19 DBED has been unable to implement Chapter 206 and has no information to include in a
20 report.

21 **Chapter 551 of the Acts of 2005**

22 [SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Housing
23 and Community Development shall report to the General Assembly on or before December
24 31 each year, in accordance with § 2–1246 of the State Government Article, on the
25 implementation of this Act.]

26 DRAFTER'S NOTE:

27 Section 3 of Chapter 551 of the Acts of 2005 is repealed and its requirements codified
28 under § 4–215(e) of the Housing and Community Development Article, for transparency.

29 **Chapter 368 of the Acts of 2007**

30 [SECTION 2. AND BE IT FURTHER ENACTED, That:

31 (1) Prior to awarding financial incentives to the Chief Investment Officer
32 of the State Retirement Agency under Section 1 of this Act, the Board of Trustees of the
33 State Retirement and Pension System shall submit for the review and comment of the
34 Senate Budget and Taxation Committee, the House Appropriations Committee, and the
35 Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article,

1 a copy of the criteria established by the Board of Trustees for awarding financial incentives
2 to the Chief Investment Officer as provided under § 21–118.1(d) of the State Personnel and
3 Pensions Article, as enacted by Section 1 of this Act; and

4 (2) Within 45 days of receiving the criteria under paragraph (1) of this
5 section, the committees shall submit written comments to the Board of Trustees regarding
6 the criteria.]

7 DRAFTER'S NOTE:

8 Section 2 of Chapter 368 of the Acts of 2007 is repealed as obsolete; this reporting
9 requirement by the State Retirement Agency was intended to be a one–time report.

10 Chapter 397 of the Acts of 2011

11 [SECTION 30. AND BE IT FURTHER ENACTED, That the Board of Trustees for
12 the State Retirement and Pension System shall provide an annual report to the Governor
13 and the Joint Committee on Pensions, on or before December 15 of each year, on the funding
14 progress of the several systems. The Secretary of the Department of Budget and
15 Management shall report biennially, beginning on January 1, 2013, to the Governor and
16 the General Assembly, in accordance with § 2–1246 of the State Government Article, on the
17 financial health of the several systems. The Secretary's report shall reflect the State
18 system's progress towards achieving the statutory funding goals, and shall include
19 recommendations concerning modifications to the funding methods or benefits structure.]

20 DRAFTER'S NOTE:

21 Section 30 of Chapter 397 of the Acts of 2011 is repealed as superfluous since the
22 data requested of the Secretary of Budget and Management is available in annual
23 valuations prepared for the State Retirement and Pension System and which are readily
24 available to the public.

25 Chapter 617 of the Acts of 2013

26 [SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
27 take effect on the recognition by the federal government of same–sex marriage for purposes
28 of the federal income tax. Within 5 days after the federal government recognizes same–sex
29 marriage for purposes of the federal income tax, the Office of the Comptroller shall notify
30 the Department of Legislative Services. If Section 2 of this Act takes effect, Section 1 of this
31 Act shall be abrogated and of no further force and effect.]

32 DRAFTER'S NOTE:

33 Section 3 of Chapter 617 of the Acts of 2013 is repealed as obsolete; on August 29,
34 2013, the U.S. Department of the Treasury and the Internal Revenue Service announced
35 IR–2013–72, under which same–sex couples, legally married in jurisdictions that recognize
36 their marriages will be treated as married for federal tax purposes.

1 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding Joint
2 Resolution 5 of 1985, the Department of Health and Mental Hygiene:

3 (1) is not required to report on or before July 1, 1986, and annually
4 thereafter by July 1 of each year on the development and implementation of a
5 comprehensive groundwater protections strategy and on the coordinated efforts by the
6 State agencies in groundwater protection and supply; and

7 (2) include in the annual report an analysis of any contamination or
8 substantial depletion of groundwater supplies and the potential for contamination or
9 depletion of groundwater supplies and the potential for contamination of groundwater in
10 the future.

11 DRAFTER'S NOTE:

12 The requirements under Joint Resolution 5 of 1985 are repealed as obsolete. The
13 report required by Joint Resolution 5 predates the enactment of federal requirements that
14 call for periodic reporting of detailed information about groundwater. Additionally, Joint
15 Resolution 5 predates the establishment of the Department of the Environment and
16 required the Department of Health and Mental Hygiene to submit the annual report.
17 Currently, the federal reports are readily available to the public on the Web site of the
18 Department of the Environment.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
20 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.