

# SENATE BILL 220

P1, P5

5lr0901  
CF HB 67

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By: **The President**

Introduced and read first time: February 2, 2015

Assigned to: Rules

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## A BILL ENTITLED

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)

22 BY repealing  
23 Article – Agriculture  
24 Section 5–704(i)  
25 Annotated Code of Maryland  
26 (2007 Replacement Volume and 2014 Supplement)

27 BY repealing and reenacting, with amendments,  
28 Article – Criminal Law

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Section 5–1002  
2 Annotated Code of Maryland  
3 (2012 Replacement Volume and 2014 Supplement)
- 4 BY repealing and reenacting, with amendments,  
5 Article – Criminal Procedure  
6 Section 11–1006(g)  
7 Annotated Code of Maryland  
8 (2008 Replacement Volume and 2014 Supplement)
- 9 BY repealing and reenacting, with amendments,  
10 Article – Economic Development  
11 Section 2–123, 4–216(c)(3) and (d), 6–529(a), and 14–102  
12 Annotated Code of Maryland  
13 (2008 Volume and 2014 Supplement)
- 14 BY repealing  
15 Article – Economic Development  
16 Section 3–404(e), 5–315, 5–419, 5–512(c)(4), 5–555(h), and 6–307  
17 Annotated Code of Maryland  
18 (2008 Volume and 2014 Supplement)
- 19 BY adding to  
20 Article – Economic Development  
21 Section 3–404(e), 5–315, 5–419, 5–512(c)(4), 5–555(h), and 6–307  
22 Annotated Code of Maryland  
23 (2008 Volume and 2014 Supplement)
- 24 BY repealing and reenacting, with amendments,  
25 Article – Education  
26 Section 16–106(d)  
27 Annotated Code of Maryland  
28 (2014 Replacement Volume and 2014 Supplement)
- 29 BY repealing  
30 Article – Environment  
31 Section 2–1107  
32 Annotated Code of Maryland  
33 (2013 Replacement Volume and 2014 Supplement)
- 34 BY repealing  
35 Article – Environment  
36 Section 9–351  
37 Annotated Code of Maryland  
38 (2014 Replacement Volume)
- 39 BY repealing and reenacting, with amendments,

1 Article – Family Law  
2 Section 5–1309(f)  
3 Annotated Code of Maryland  
4 (2012 Replacement Volume and 2014 Supplement)

5 BY repealing and reenacting, with amendments,  
6 Article – Health – General  
7 Section 10–207, 13–1002(g), 13–1004(d), 13–1102(h), 13–1104, 13–2105, 13–2504,  
8 and 19–310.1(f)  
9 Annotated Code of Maryland  
10 (2009 Replacement Volume and 2014 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – Health – General  
13 Section 13–1013(a) and (b) and 13–21A–02(a) and (b)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2014 Supplement)

16 BY repealing  
17 Article – Health – General  
18 Section 13–1013(h), 13–21A–02(i), 15–102.4(e), and 15–124.2(i)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2014 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – Housing and Community Development  
23 Section 4–215  
24 Annotated Code of Maryland  
25 (2006 Volume and 2014 Supplement)

26 BY repealing  
27 Article – Human Services  
28 Section 6–708  
29 Annotated Code of Maryland  
30 (2007 Volume and 2014 Supplement)

31 BY repealing and reenacting, with amendments,  
32 Article – Human Services  
33 Section 10–208(f) and 10–306  
34 Annotated Code of Maryland  
35 (2007 Volume and 2014 Supplement)

36 BY repealing and reenacting, with amendments,  
37 Article – Insurance  
38 Section 11–326 and 14–102(e)  
39 Annotated Code of Maryland  
40 (2011 Replacement Volume and 2014 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article – Labor and Employment  
3 Section 5–608, 9–312, 10–219(b), and 10–320(b)  
4 Annotated Code of Maryland  
5 (2008 Replacement Volume and 2014 Supplement)
- 6 BY repealing  
7 Article – Labor and Employment  
8 Section 8–422(g)  
9 Annotated Code of Maryland  
10 (2008 Replacement Volume and 2014 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article – Natural Resources  
13 Section 1–104(e), 1–706(a), 4–210(h), 4–210.1(d), 4–746, 5–103(h), 5–307(j),  
14 5–1613, 8–1808.1(e)(4), and 8–2103  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2014 Supplement)
- 17 BY repealing  
18 Article – Natural Resources  
19 Section 3–3A–04, 4–2A–04(g), and 8–1808.1(e)(3)  
20 Annotated Code of Maryland  
21 (2012 Replacement Volume and 2014 Supplement)
- 22 BY repealing  
23 Article – State Finance and Procurement  
24 Section 5–7B–09(d) and 5A–403(g)  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2014 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Article – State Finance and Procurement  
29 Section 7–314(g) and (j), 7–317(h), and 17–204(b)  
30 Annotated Code of Maryland  
31 (2009 Replacement Volume and 2014 Supplement)
- 32 BY repealing and reenacting, without amendments,  
33 Article – State Finance and Procurement  
34 Section 7–317(a) and (f)  
35 Annotated Code of Maryland  
36 (2009 Replacement Volume and 2014 Supplement)
- 37 BY repealing and reenacting, with amendments,  
38 Article – State Government  
39 Section 2–506(b), 2–10A–03(f), 2–10A–13(f), 6–406(b), and 9–1405(b)

- 1 Annotated Code of Maryland  
2 (2014 Replacement Volume)
- 3 BY repealing  
4 Article – State Government  
5 Section 2–10A–07  
6 Annotated Code of Maryland  
7 (2014 Replacement Volume)
- 8 BY adding to  
9 Article – State Government  
10 Section 2–1209  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume)
- 13 BY repealing and reenacting, with amendments,  
14 Article – State Personnel and Pensions  
15 Section 21–104(e)(3) and 21–123(g)(2)  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume and 2014 Supplement)
- 18 BY repealing  
19 Article – State Personnel and Pensions  
20 Section 21–108(a)(4), 21–125.1, and 21–128(g)  
21 Annotated Code of Maryland  
22 (2009 Replacement Volume and 2014 Supplement)
- 23 BY repealing  
24 Article – Tax – General  
25 Section 10–721(g)(1), 10–725(h)(1), 10–732(f), and 10–733(i)(1)  
26 Annotated Code of Maryland  
27 (2010 Replacement Volume and 2014 Supplement)
- 28 BY adding to  
29 Article – Tax – General  
30 Section 10–721(g)(1), 10–725(h)(1), 10–732(f), and 10–733(i)(1)  
31 Annotated Code of Maryland  
32 (2010 Replacement Volume and 2014 Supplement)
- 33 BY repealing and reenacting, with amendments,  
34 Article – Tax – General  
35 Section 10–730(e)  
36 Annotated Code of Maryland  
37 (2010 Replacement Volume and 2014 Supplement)
- 38 BY repealing and reenacting, with amendments,  
39 Article – Tax – Property

- 1 Section 9–102(d)(3)  
2 Annotated Code of Maryland  
3 (2012 Replacement Volume and 2014 Supplement)
- 4 BY repealing and reenacting, with amendments,  
5 Article – Transportation  
6 Section 6–201.2(c), 8–309(e), and 8–613  
7 Annotated Code of Maryland  
8 (2008 Replacement Volume and 2014 Supplement)
- 9 BY repealing  
10 Article – Transportation  
11 Section 6–210  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2014 Supplement)
- 14 BY repealing  
15 Article – Transportation  
16 Section 23–203(f)  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2014 Supplement)
- 19 BY repealing  
20 Chapter 674 of the Acts of the General Assembly of 1983, as amended by Chapter  
21 533 of the Acts of the General Assembly of 1984 and Chapter 646 and Chapter  
22 741 of the Acts of the General Assembly of 1987  
23 Section 2
- 24 BY repealing  
25 Chapter 791 of the Acts of the General Assembly of 1984  
26 Section 2
- 27 BY repealing  
28 Chapter 640 of the Acts of the General Assembly of 1991  
29 Section 4
- 30 BY repealing  
31 Chapter 111 of the Acts of the General Assembly of 1994, as amended by Chapter  
32 471 of the Acts of the General Assembly of 1997  
33 Section 5
- 34 BY repealing  
35 Chapter 112 of the Acts of the General Assembly of 1994, as amended by Chapter  
36 471 of the Acts of the General Assembly of 1997  
37 Section 5
- 38 BY repealing

- 1 Chapter 414 of the Acts of the General Assembly of 1994  
2 Section 2
- 3 BY repealing and reenacting, with amendments,  
4 Chapter 584 of the Acts of the General Assembly of 1995  
5 Section 2
- 6 BY repealing  
7 Chapter 597 of the Acts of the General Assembly of 1995  
8 Section 2
- 9 BY repealing  
10 Chapter 96 of the Acts of the General Assembly of 1996  
11 Section 2
- 12 BY repealing  
13 Chapter 294 of the Acts of the General Assembly of 1997  
14 Section 5
- 15 BY repealing  
16 Chapter 692 of the Acts of the General Assembly of 1999  
17 Section 2
- 18 BY repealing  
19 Chapter 77 of the Acts of the General Assembly of 2001  
20 Section 4
- 21 BY repealing  
22 Chapter 103 of the Acts of the General Assembly of 2001, as amended by Chapter 46  
23 of the Acts of the General Assembly of 2006  
24 Section 12
- 25 BY repealing  
26 Chapter 685 of the Acts of the General Assembly of 2001, as amended by Chapter  
27 443 of the Acts of the General Assembly of 2003  
28 Section 2
- 29 BY repealing  
30 Chapter 453 of the Acts of the General Assembly of 2002, as amended by Chapter  
31 203 of the Acts of the General Assembly of 2003  
32 Section 3
- 33 BY repealing  
34 Chapter 84 of the Acts of the General Assembly of 2004, as amended by Chapter 283  
35 of the Acts of the General Assembly of 2008  
36 Section 3

1 BY repealing  
2 Chapter 206 of the Acts of the General Assembly of 2004  
3 Section 3

4 BY repealing  
5 Chapter 551 of the Acts of the General Assembly of 2005  
6 Section 3

7 BY repealing  
8 Chapter 368 of the Acts of the General Assembly of 2007  
9 Section 2

10 BY repealing  
11 Chapter 397 of the Acts of the General Assembly of 2011  
12 Section 30

13 BY repealing  
14 Chapter 617 of the Acts of the General Assembly of 2013  
15 Section 3

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

18 **Article – Agriculture**

19 2–901.

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

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

27 DRAFTER'S NOTE:

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

32 5–704.

33 [(i)] The Insurance Fund annually shall make to the Governor and legislature of  
34 each party state a report covering its activities for the preceding year. Reports made to the



1 General Assembly shall be made subject to § 2–1246 of the State Government Article. The  
2 Insurance Fund may make such additional reports as it may deem desirable.]

3 DRAFTER’S NOTE:

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

### 10 Article – Criminal Law

11 5–1002.

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

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

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

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

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

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

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

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

26 (8) The fund is subject to audit by the Office of Legislative Audits under §  
27 2–1220 of the State Government Article.

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

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

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

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

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

8 **(5) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND**  
9 **PREVENTION SHALL INCLUDE INFORMATION ON DISBURSEMENTS FROM THE FUND**  
10 **DURING THE PRIOR FISCAL YEAR IN THE ANNUAL REPORT SUBMITTED TO THE**  
11 **GENERAL ASSEMBLY UNDER § 11-1006 OF THE CRIMINAL PROCEDURE ARTICLE.**

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

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

18 **DRAFTER'S NOTE:**

19 Subsection (d)(5) of this section is new language added for clarity and conformity  
20 with the annual reporting requirement under § 11-1006(g) of the Criminal Procedure  
21 Article.

22 **Article – Criminal Procedure**

23 11-1006.

24 (g) **ON OR BEFORE OCTOBER 1 EACH YEAR** the Executive Director of the  
25 Governor's Office of Crime Control and Prevention shall include a report on the programs  
26 for survivors of homicide victims in the annual report submitted by the Governor's Office  
27 of Crime Control and Prevention to the General Assembly, in accordance with § 2-1246 of  
28 the State Government Article.

29 **DRAFTER'S NOTE:**

30 In subsection (g) of this section, the requirement that the annual report be submitted  
31 on or before October 1 each year is added for clarity and establishes a "date certain" for the  
32 submission of the annual report.

33 **Article – Economic Development**

1 2–123.

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

3 **(1) THE ECONOMIC DEVELOPMENT OPPORTUNITIES PROGRAM**  
4 **ACCOUNT ESTABLISHED UNDER § 7–314 OF THE STATE FINANCE AND**  
5 **PROCUREMENT ARTICLE;**

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

8 ~~[(1)]~~ **(3)** each of the economic development and financial assistance  
9 programs established under Title 5 of this article; and

10 ~~[(2)]~~ **(4)** each of the tax credit programs administered by the Department,  
11 including:

12 (i) the Film Production Activity Tax Credit;

13 (ii) the Job Creation Tax Credit;

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

15 (iv) the Invest Maryland Program;

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

17 (vi) the Research and Development Tax Credit;

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

20 **(VIII) THE CYBERSECURITY INVESTMENT INCENTIVE TAX**  
21 **CREDIT.**

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

24 (c) On or before December 31, 2013, and each year thereafter, the Department  
25 shall submit a report on the economic development programs that were administered by  
26 the Department during the previous fiscal year to the Governor and, in accordance with §  
27 2–1246 of the State Government Article, the General Assembly.

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

- 1 (i) the number of jobs created;
- 2 (ii) the number of jobs retained;
- 3 (iii) the estimated amount of State revenue generated; [and]
- 4 **(IV) THE STATUS OF ANY SPECIAL FUND; AND**
- 5 ~~[(iv)]~~ **(V)** any additional information required by the Department  
6 through regulations.

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

- 9 (i) each economic development program; and
- 10 (ii) each recipient of assistance from an economic development  
11 program.

12 **(3) THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE**  
13 **ANY ADDITIONAL INFORMATION REQUIRED UNDER THE LAW AUTHORIZING THE**  
14 **ECONOMIC DEVELOPMENT PROGRAM.**

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

18 **DRAFTER'S NOTE:**

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

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

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

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

4 3-404.

5 [(e) The Secretary shall submit a report each year on the operation and  
6 performance of the Program to the Governor, the Maryland Economic Development  
7 Commission, the Governor's Workforce Investment Board, and, in accordance with §  
8 2-1246 of the State Government Article, the General Assembly.]

9 **(E) (1) IN ACCORDANCE WITH § 2-123 OF THIS ARTICLE, THE SECRETARY**  
10 **SHALL SUBMIT A REPORT ON THE OPERATION AND PERFORMANCE OF THE**  
11 **PROGRAM.**

12 **(2) IN ADDITION TO THE REQUIREMENTS UNDER § 2-123(C) OF THIS**  
13 **ARTICLE, THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL BE SUBMITTED**  
14 **TO:**

15 **(I) THE GOVERNOR'S WORKFORCE INVESTMENT BOARD; AND**

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

17 DRAFTER'S NOTE:

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

21 4-216.

22 (c) (3) The Comptroller shall[:

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

25 (ii) on or before August 1 of each year, report the amount of the  
26 qualifying tourism tax increment to the Governor, the Department, the Department of  
27 Budget and Management, and, in accordance with § 2-1246 of the State Government  
28 Article, the General Assembly].

29 (d) **(1)** On or before October 1 of each year beginning in 2012, in cooperation  
30 with the Board and the Maryland Association of Destination Marketing Organizations, the  
31 Department shall report to the Governor and, in accordance with § 2-1246 of the State  
32 Government Article, the General Assembly on the effectiveness of the funding provided

1 under subsections (b) and (c) of this section in increasing visitor attendance and visitor  
2 spending in Maryland.

3 **(2) THE REPORT SHALL INCLUDE INFORMATION THAT ADDRESSES**  
4 **THE FOLLOWING:**

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

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

9 **(III) TOURISM MARKETING STRATEGIES USED BY OTHER STATES**  
10 **IN MARYLAND'S PRIMARY MARKET AND THEIR IMPACT ON MARYLAND'S MARKET**  
11 **SHARE;**

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

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

17 **DRAFTER'S NOTE:**

18 The report required under subsection (c)(3)(ii) of this section is repealed as obsolete  
19 and unnecessary.

20 Subsection (d) of this section is revised to incorporate the reporting requirement  
21 concerning tourism development in the State that currently is contained in Section 5 of  
22 Chapter 111 of the Acts of 1994, as amended by Chapter 471 of 1997, and in Section 5 of  
23 Chapter 112 of the Acts of 1994, as amended by Chapter 471 of 1997 [both of which are  
24 repealed in this bill] with the tourism development report already required under this  
25 subsection.

26 **[5-315.**

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

31 **5-315.**

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

4           DRAFTER'S NOTE:

5           This section, relating to the Maryland Economic Development Assistance Fund, is  
6 revised to reflect the new consolidated reporting requirement in this bill established under  
7 § 2-123 of the Economic Development Article.

8           [5-419.

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

12           **5-419.**

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

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

18           DRAFTER'S NOTE:

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

22           5-512.

23           (c)     The Authority shall:

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

27           **(4) IN ACCORDANCE WITH § 2-123 OF THIS ARTICLE, SUBMIT A**  
28 **REPORT ON ITS CONDITION AND OPERATIONS.**

29           DRAFTER'S NOTE:

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

4 5–555.

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

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

10 DRAFTER'S NOTE:

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

14 [6–307.

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

19 **6–307.**

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

23 DRAFTER'S NOTE:

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

27 6–529.

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





- 1 (ii) Has worked for the family in the family home;
- 2 (iii) Is not gainfully employed;
- 3 (iv) Has had, or would have, difficulty finding employment;
- 4 (v) 1. Has depended on the income of a family member and has  
5 lost that income as the result of separation, divorce, or the death or disability of that family  
6 member; or
- 7 2. Has depended on government assistance as the parent of  
8 dependent children and is no longer eligible for such assistance; and
- 9 (vi) Has an annual income that does not exceed:
- 10 1. The federal Office of Management and Budget poverty  
11 income guidelines; or
- 12 2. The United States Department of Labor, Bureau of Labor  
13 Statistics, 70 percent lower living standard income level.
- 14 (2) (i) Any resident of this State who is a displaced homemaker and who  
15 enrolls in any class which is eligible under § 16–305 of this title for State support at the  
16 community college:
- 17 1. Shall be exempt from payment of tuition; and
- 18 2. Shall be counted in computing full–time equivalent  
19 enrollment under § 16–305 of this title if enrolled in any class that is eligible for State  
20 support.
- 21 (ii) The exemption of tuition under this section is contingent on the  
22 availability of funds under the federal Workforce Investment Act.
- 23 (3) The Department of Labor, Licensing, and Regulation shall coordinate  
24 funds for this Displaced Homemakers Program according to the provisions of Title II of the  
25 federal Workforce Investment Act, with the funds to be provided by service delivery areas.
- 26 (4) The Secretary of Higher Education shall:
- 27 (i) Allocate a minimum of 200 positions for the Displaced  
28 Homemakers Program among the community colleges of the State that are located in  
29 geographic areas that have been designated by the Governor as service delivery areas in  
30 accordance with Section 101 of the federal Workforce Investment Act; and
- 31 (ii) Base the allocation of positions on the number of displaced  
32 homemakers in the service delivery area.

1 [(5) Before January 1 of each year, the State Council for the Maryland  
2 Workforce Investment Act shall prepare a report on the Program for the General  
3 Assembly.]

4 DRAFTER’S NOTE:

5 The reporting requirement for the displaced homemaker program under subsection  
6 (d)(5) of this section is repealed as obsolete inasmuch as the program has now been in place  
7 since 1984 and is well-established.

8 Article – Environment

9 [2–1107.

10 On or before October 1 of each year, the Department shall submit, to the  
11 Administrative, Executive, and Legislative Review Committee for the Committee’s review,  
12 a list and summary of all changes to the California motor vehicle emissions standards and  
13 compliance requirements proposed or adopted by the California Air Resources Board in the  
14 prior 12 months.]

15 DRAFTER’S NOTE:

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

18 [9–351.

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

22 (b) The Secretary’s report shall include:

- 23 (1) The total amounts of funds expended;
- 24 (2) The total amounts of funds committed;
- 25 (3) The total amount of funds remaining;
- 26 (4) A list of projects for which funds have been expended or are committed;
- 27 (5) A projection of projects to be constructed in the near future for which  
28 grants, loans, or loan guarantees will be made;
- 29 (6) An evaluation of the program’s effectiveness; and

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

2 DRAFTER'S NOTE:

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

6 **Article – Family Law**

7 5–1309.

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

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

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

17 (ii) the information collected and maintained under paragraph (1) of  
18 this subsection.

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

22 DRAFTER'S NOTE:

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

31 However, under § 5–1309(f)(2) of the Family Law Article as enacted in Chapter 31 /  
32 Chapter 475, the “entity that enters into a memorandum of understanding with the  
33 Department [of Human Resources]” is still required to issue an annual report to the  
34 General Assembly annually on January 1. Since that entity (University of Maryland School

1 of Social Work) has no memorandum of understanding in effect with DHR, there is a  
2 “phantom reporting requirement” under the current law. Furthermore, no report has been  
3 submitted since 2012. Consequently, the reporting requirement under § 5–1309(f)(2) of the  
4 Family Law Article is repealed.

### 5 **Article – Health – General**

6 10–207.

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

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

12 (2) Are not receiving the appropriate array of community–based services  
13 described in the “total need” section of the 3–year mental health plan that expired on June  
14 30, 1991.

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

20 (2) The comprehensive mental health plan shall:

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

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

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

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

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

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

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

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

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

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

21 DRAFTER'S NOTE:

22 Subsection (c) of this section does not specify a date certain for the Behavioral Health  
23 Administration to report "updates" on the State Comprehensive Plan to the Governor and  
24 the General Assembly. Moreover, the Behavioral Health Administration includes this  
25 information in its annual report that is readily available to the public. Consequently, at the  
26 request of the Department of Health and Mental Hygiene, the reporting requirement under  
27 subsection (c) of this section is repealed.

28 13-1002.

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

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

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

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

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

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

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

9 DRAFTER'S NOTE:

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

17 13-1004.

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

22 DRAFTER'S NOTE:

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

32 13-1013.

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

1 (b) The purpose of the Counter–Marketing and Media Component is to coordinate  
2 a statewide counter–marketing and media campaign to counter tobacco advertisements and  
3 discourage the use of tobacco products.

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

7 DRAFTER’S NOTE:

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

12 The Local Public Health Component, the Statewide Public Health Component, and  
13 the Counter–Marketing Component are designed in accordance with Centers for Disease  
14 Control and Prevention best practice recommendations to work synergistically with each  
15 other to produce the desired outcome – reduced tobacco use. The requirement for separate  
16 reporting on the counter–marketing activities is counterintuitive to the purpose and  
17 process of tobacco control.

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

24 13–1102.

25 (h) No later than January ~~[15]~~ **31** of each year, the Department shall report to  
26 the Governor and, subject to § 2–1246 of the State Government Article, Senate Budget and  
27 Taxation Committee, Senate Finance Committee, House Appropriations Committee, and  
28 House Health and Government Operations Committee:

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

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

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

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



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

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

5 DRAFTER'S NOTE:

6 Under subsection (h) of this section, the Department of Health and Mental Hygiene  
7 (DHMH) is required to report to the Governor and General Assembly on or before January  
8 15 of each year on expenditures under the Cigarette Restitution Fund Program for cancers  
9 targeted under the Cancer Prevention, Education, Screening and Treatment Program. The  
10 reporting requirement stipulates that amounts reported shall be current through December  
11 31 of the preceding year. Given the tight intervening timeframe between the end of the  
12 reporting period and the date the report currently is due, at the request of DHMH, the  
13 report due date is moved to January 31 for efficiency and practicality.

14 13–1104.

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

17 (b) The Biennial Cancer Study shall:

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

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

22 (c) The Department may:

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

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

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

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

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

5 **DRAFTER’S NOTE:**

6 Under this section, the Department of Health and Mental Hygiene (DHMH) is  
7 directed to produce a biennial report on the cancers targeted under the Cigarette  
8 Restitution Fund Cancer Prevention, Education, Screening and Treatment Program.  
9 Maryland law mandates that DHMH submit this biennial report on or before September  
10 1 of each odd numbered fiscal year.

11 United States cancer mortality data is obtained from the National Center for Health  
12 Statistics (NCHS) through the publication of the U.S. SEER Cancer Statistics Review,  
13 information that is needed for the report required under this section. Once obtained,  
14 DHMH must tabulate, analyze, and incorporate the extensive mortality data into the  
15 report. There is no set timeframe for data release by NCHS; however, historically the data  
16 is not made available until after the September 1 statutory deadline of the report required  
17 under this section. Accordingly, at the request of DHMH, the due date of the report required  
18 under this section is moved from September 1 of each odd numbered fiscal year to December  
19 31 of each odd numbered fiscal year. With this change, DHMH expects to meet the reporting  
20 deadline without difficulty.

21 13–2105.

22 **The Advisory Board shall:**

- 23 (1) Investigate the needs of citizens with traumatic brain injuries;
- 24 (2) Identify gaps in services to citizens with traumatic brain injuries;
- 25 (3) Facilitate collaboration among State agencies that provide services to  
26 individuals with traumatic brain injuries;
- 27 (4) Facilitate collaboration among organizations and entities that provide  
28 services to individuals with traumatic brain injuries;
- 29 (5) Encourage and facilitate community participation in program  
30 implementation;
- 31 (6) Issue an annual report to the Governor and, in accordance with §  
32 2–1246 of the State Government Article, the General Assembly on or before November 30,  
33 2005, and each November 30 thereafter [summarizing]:

34 **(I) SUMMARIZING** the actions of the Advisory Board and containing  
35 recommendations for:

1                    [(i)] 1. Providing oversight in acquiring and utilizing State and  
2 federal funding dedicated to services for individuals with traumatic brain injuries;

3                    [(ii)] 2. Building provider–capacity and provider–training that  
4 address the needs of individuals with traumatic brain injuries; and

5                    [(iii)] 3. Improving the coordination of services for individuals with  
6 traumatic brain injuries; and

7                    **(II) INCLUDING INFORMATION CONCERNING THE NUMBER OF**  
8 **INDIVIDUALS SERVED AND THE SERVICES PROVIDED IN THE PRECEDING FISCAL**  
9 **YEAR TO INDIVIDUALS WITH TRAUMATIC BRAIN INJURY; AND**

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

13                    **DRAFTER’S NOTE:**

14                    Item (6) of this section is amended to require the State Traumatic Brain Injury  
15 Advisory Board to include information in its annual report to the Governor and the General  
16 Assembly concerning individuals served and services provided to individuals with  
17 traumatic brain injury. Under § 13–21A–02(i) of the Health – General Article, the Secretary  
18 of the Department of Health and Mental Hygiene or the Secretary’s designee is required to  
19 report this information annually to the Governor and the General Assembly. Elsewhere  
20 under this bill, the reporting requirement under § 13–21A–02(i) of the Health – General  
21 Article is repealed and the reporting requirement is transferred to the State Traumatic  
22 Brain Injury Advisory Board under this section, for efficiency.

23                    13–21A–02.

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

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

27                    (i) Individual case management services; and

28                    (ii) Neuropsychological evaluation.

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

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

31                    (ii) Rehabilitation services;

- 1 (iii) Medical services;
- 2 (iv) Durable medical equipment;
- 3 (v) Assistive technology assessment and equipment;
- 4 (vi) Services to assist in the return to driving;
- 5 (vii) Evaluation and training related to the brain injury;
- 6 (viii) Neurobehavioral health services;
- 7 (ix) Nursing home transition services;
- 8 (x) Community reentry services;
- 9 (xi) Educational needs;
- 10 (xii) Housing and residential services; and
- 11 (xiii) Transportation services.

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

16 DRAFTER'S NOTE:

17 Subsection (i) of this section requires the Secretary of the Department of Health and  
 18 Mental Hygiene or the Secretary's designee to submit an annual report to the Governor  
 19 and the General Assembly concerning the number of individuals served and services  
 20 provided to individuals with traumatic brain injury. However, there is no dedicated funding  
 21 for this purpose. Consequently, the requirement to report information concerning the  
 22 number of individuals served and services provided to individuals with traumatic brain  
 23 injury under subsection (i) of this section is repealed and the responsibility to report this  
 24 information is transferred to the State Traumatic Brain Injury Advisory Board under §  
 25 13–2105(6) of the Health – General Article, for efficiency.

26 13–2504.

- 27 (a) (1) The Office of Oral Health shall conduct an annual evaluation of the  
 28 Program.
- 29 (2) The evaluation required under this subsection shall include:

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

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

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

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

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

11 (1) The results of the Program;

12 (2) Findings and recommendations for the Oral Health Program and any  
13 other oral health programs established under Title 18, Subtitle 8 of this article;

14 (3) The availability and accessibility of dentists throughout the State  
15 participating in the Maryland Medical Assistance Program;

16 (4) The outcomes that managed care organizations and dental managed  
17 care organizations under the Maryland Medical Assistance Program achieve concerning  
18 the utilization of targets required by the Five Year Oral Health Care Plan, including:

19 (i) Loss ratios that the managed care organizations and dental  
20 managed care organizations experience for providing dental services; and

21 (ii) Corrective action by managed care organizations and dental  
22 managed care organizations to achieve the utilization targets; and

23 (5) The allocation and use of funds authorized for dental services under the  
24 Maryland Medical Assistance Program.

25 **DRAFTER'S NOTE:**

26 Under this section, the Maryland Medicaid Program and the Office of Oral Health  
27 at the Department of Health and Mental Hygiene (DHMH) are required to submit a  
28 comprehensive oral health legislative report to the Governor and the General Assembly by  
29 September 30 of each year. Medicaid requires managed care organizations to submit data  
30 required for the report by June 30 every year. Once obtained, Medicaid must tabulate,  
31 analyze, review, and incorporate the data for the report. Accordingly, at the request of  
32 DHMH, the due date for the report required under this section is moved from September  
33 30 of each odd-numbered fiscal year to November 1 of each year, for efficiency and  
34 practicality.

1 15-102.4.

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

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

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

9 DRAFTER'S NOTE:

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

15 15-124.2.

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

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

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

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

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

28 DRAFTER'S NOTE:

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

1 19–310.1.

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

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

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

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

12 **DRAFTER’S NOTE:**

13 Under subsection (f) of this section, the date for the annual report concerning the  
14 implementation of the nursing home quality assessment is moved from March 1 to  
15 September 1 for efficiency and practicality. The report currently requires the Department  
16 of Health and Mental Hygiene to collect and analyze a vast amount of data and the March  
17 1 reporting date is extremely problematic.

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

20 **Article – Housing and Community Development**

21 4–215.

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

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

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

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

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





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

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

6           DRAFTER'S NOTE:

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

11    10-306.

12           (a)    (1)     The Interagency Committee shall develop and update annually a plan  
13 for providing coordinated health services, social services, transportation, housing, and  
14 employment services to seniors in the State consistent with the priorities that the  
15 Department establishes.

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

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

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

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

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

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

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

31                   (3)     consolidate planning and evaluation efforts at the State and local levels;  
32 and

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

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

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

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

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

11 **DRAFTER'S NOTE:**

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

15 **Article – Insurance**

16 11–326.

17 (a) **[(1)]** Notwithstanding any other provision of law, any data, documents, or  
18 other information filed with the Commissioner under Part IV of this subtitle about a  
19 particular insurer or that insurer's market share or plan:

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

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

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

25 **[(2)] (B)** The Commissioner:

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

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

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

5           (2) The report shall provide information on:

6                   (i) the number of insurers actively engaged in providing coverage in  
7 Baltimore City;

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

9                   (iii) the changes in market shares of insurers in the market in  
10 Baltimore City; and

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

13           DRAFTER'S NOTE:

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

17 14–102.

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

23           DRAFTER'S NOTE:

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

28                                   **Article – Labor and Employment**

29 5–608.

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

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

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

6 (i) for a first violation, shall be issued a written reprimand by the  
7 Commissioner or the Commissioner’s designee;

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

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

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

13 (1) the seriousness of the violation; and

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

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

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

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

24 (2) the results of these enforcement efforts.

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

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

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

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

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

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

6 DRAFTER'S NOTE:

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

10 8-422.

11 [(g) (1) Beginning December 31, 2007, and each year thereafter, the Secretary  
12 shall report to the Governor and, in accordance with § 2-1246 of the State Government  
13 Article, to the Senate Budget and Taxation Committee, the Senate Finance Committee, the  
14 House Appropriations Committee, and the House Economic Matters Committee.

15 (2) The report shall include:

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

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

20 DRAFTER'S NOTE:

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

25 9-312.

26 (a) As soon as practicable after the end of the fiscal year, the Chairman of the  
27 Commission shall submit an annual report to the Governor **AND, IN ACCORDANCE WITH**  
28 **§ 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

29 (b) The annual report shall include:

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

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

3 (3) statistical analyses of:

4 (i) the costs of workers' compensation;

5 (ii) experiences; and

6 (iii) industrial injuries.

7 DRAFTER'S NOTE:

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

11 10-219.

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

16 DRAFTER'S NOTE:

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

20 10-320.

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

25 DRAFTER'S NOTE:

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

29 **Article – Natural Resources**

30 1-104.

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

4 (1) A review of studies, deliberations, conclusions, and recommendations of  
5 the Department;

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

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

10 **DRAFTER'S NOTE:**

11 The reporting requirement under subsection (e) of this section is revised for clarity  
12 and efficiency. An annual report provides more timely information and putting a .pdf report  
13 online will eliminate printing costs. Notably, numerous Department of Natural Resources  
14 reports currently are available only online in a .pdf format.

15 1-706.

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

19 **DRAFTER'S NOTE:**

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

25 [3-3A-04.

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

30 (b) The report shall include:

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

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

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

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

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

8           DRAFTER'S NOTE:

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

13 4–210.

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

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

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

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

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

22           DRAFTER'S NOTE:

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

31 4–210.1.



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

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

6 DRAFTER'S NOTE:

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

15 4-2A-04.

16 [(g) (1)] For any species of fish that the Secretary has determined to be  
17 endangered or threatened under subsection (b) of this section and on which the Secretary  
18 has declared a moratorium on catching, sale, or possession, the Secretary shall make an  
19 annual status report on or before December 1 to the General Assembly, as provided in §  
20 2-1246 of the State Government Article, and to the Governor.

21 (2) The Secretary's report shall contain:

22 (i) Field studies on spawning stock size;

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

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

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

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

29 (vi) Studies on acid rain;

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

31 (viii) Trend analyses and recommendations for future management  
32 actions; and

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

3 DRAFTER'S NOTE:

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

7 4-746.

8 [(a)] The Department shall conduct annually a scientific survey to determine the  
9 relative abundance of striped bass or rockfish of approximately 18 inches in length that are  
10 in the Chesapeake Bay and its tributaries. The survey shall be conducted in areas that are  
11 used by the Department to determine its young-of-the-year index of striped bass or  
12 rockfish.

13 [(b)] The Department shall complete the survey and report its results, subject to §  
14 2-1246 of the State Government Article, to the General Assembly not later than December  
15 1 of each year.]

16 DRAFTER'S NOTE:

17 The report required under subsection (b) of this section is redundant; the information  
18 required under this report is included in the annual report required of the Department of  
19 Natural Resources under § 4-215(g) of the Natural Resources Article on the striped bass  
20 fishery management plan.

21 5-103.

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

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

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

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

30 DRAFTER'S NOTE:

31 The reporting requirement under subsection (h) of this section is revised for clarity  
32 and efficiency. Establishing the annual reporting date as September 30 allows the  
33 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 5–307.

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

10 DRAFTER'S NOTE:

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

16 5–1613.

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

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

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

26 (3) The amount of reforestation and afforestation fees and noncompliance  
27 penalties collected and expended;

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

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

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

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

4 DRAFTER'S NOTE:

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

10 8–1808.1.

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

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

14 2. Provide this information on a quarterly basis to the  
15 Commission.

16 (ii) Beginning on November 1, 2004 and annually thereafter, the  
17 Commission shall report, subject to § 2–1246 of the State Government Article, to the Senate  
18 Education, Health, and Environmental Affairs Committee, the House Environmental  
19 Matters Committee, and the Joint Committee on the Chesapeake and Atlantic Coastal  
20 Bays Critical Area regarding the construction of additional dwelling units considered part  
21 of a primary dwelling unit under this subsection.]

22 [(4) (3) The provisions of this subsection:

23 (i) Apply to density calculations only; and

24 (ii) May not be construed to authorize a local jurisdiction to grant a  
25 variance, unless the variance is granted in accordance with the requirements of § 8–1808(d)  
26 of this subtitle.

27 DRAFTER'S NOTE:

28 The reporting requirement under subsection (e)(3) of this section is obsolete and  
29 unnecessary. Under the critical area law, the maximum housing density in a resource  
30 conservation area is one dwelling per 20 acres. Before 2004, a trend was developing where  
31 landowners in a resource conservation area would build an accessory dwelling unit (often  
32 called an “in-law suite” or “servants quarters”) on the land. These accessory dwelling units  
33 often served as an additional primary dwelling unit, undermining the resource  
34 conservation area density standard.

1 Chapter 546 of 2004 addressed this problem by establishing strict standards related  
2 to size, location, and waste disposal for the construction of lawful accessory dwelling units  
3 (assuming the critical area jurisdiction allows accessory dwelling units in these areas in  
4 the first place). That legislation also required local jurisdictions to record any permitted  
5 accessory dwelling units in resource conservation areas and report this information  
6 quarterly to the Critical Area Commission. The Commission in turn was required to report  
7 this information annually to the General Assembly.

8 Since that legislation was enacted, only 4 jurisdictions (Charles, Kent, Talbot, and  
9 Worcester counties) have authorized lawful accessory dwelling units in resource  
10 conservation areas. In that same time period only twice has a critical area jurisdiction  
11 approved construction of an accessory dwelling unit (both in Talbot County), and none have  
12 been approved in at least 6 years.

13 The Commission believes that, given the above circumstances, the 2004 legislation  
14 achieved its purposes and ended the prior practices that undermined the density standard  
15 for resource conservation areas. As a result, the Commission believes that the above  
16 reporting requirements under subsection (c) of this section have “outlived their usefulness”  
17 and supports the repeal of the requirement.

18 8–2103.

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

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

24 (b) The Department of Natural Resources shall ascertain on a per-acre basis the  
25 statewide extent of infestation of phragmites, when necessary data is available, and shall  
26 study and analyze the progress made in the management and control of the spread of  
27 phragmites on:

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

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

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

33 (i) The Environmental Matters Committee of the House of  
34 Delegates of Maryland; and

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

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

3           (i)     The Environmental Matters Committee of the House of  
4 Delegates of Maryland; and

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

7           DRAFTER'S NOTE:

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

12                           **Article – State Finance and Procurement**

13           5–7B–09.

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

16           DRAFTER'S NOTE:

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

24           5A–403.

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

29           DRAFTER'S NOTE:

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

32           7–314.

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

6 (1) (i) the financial status of the program and a summary of its  
7 operations for the preceding fiscal year;

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

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

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

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

21 [(3)] (2) Upon receipt of the [report] **INFORMATION THAT IS REQUIRED**  
22 **TO BE REPORTED UNDER THIS SUBSECTION**, the Legislative Policy Committee shall  
23 have 60 days to review and comment on the [report] **INFORMATION PROVIDED BY THE**  
24 **DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT UNDER PARAGRAPH**  
25 **(1) OF THIS SUBSECTION**, during which time the Department of Business and Economic  
26 Development shall provide any additional information regarding the Account as requested  
27 by the Legislative Policy Committee.

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

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

1            **[(3)] (2)** An executive agency may depart from these guidelines as needed,  
2 upon approval of the Legislative Policy Committee.

3            DRAFTER'S NOTE:

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

7 7-317.

8            (a) There is a Cigarette Restitution Fund.

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

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

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

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

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

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

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

23                            4. smoking cessation programs;

24                            5. enforcement of the laws regarding tobacco sales;

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

27                            7. primary health care in rural areas of the State and areas  
28 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco  
29 products;



1                   8.     prevention, treatment, and research concerning cancer,  
2 heart disease, lung disease, tobacco product use, and tobacco control, including operating  
3 costs and related capital projects;

4                   9.     substance abuse treatment and prevention programs; and

5                   10.    any other public purpose.

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

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

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

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

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

18                   (ii)   the specific outcomes or public benefits resulting from that  
19 expenditure.

20                   DRAFTER'S NOTE:

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

32                   17-204.

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

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

3 (2) includes:

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

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

7 [(iii)] (II) other information about prevailing wage rates, as the  
8 Commissioner desires.

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

### 11 Article – State Government

12 2–506.

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

15 (2) The report shall:

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

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

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

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

#### 22 DRAFTER'S NOTE:

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

28 2–10A–03.

29 (f) The Insurance Commissioner and the Workers' Compensation Commission  
30 shall:

1 (1) cooperate fully with the Committee;

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

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

9 DRAFTER'S NOTE:

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

14 [2-10A-07.

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

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

17 (2) Of the 15 members:

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

20 2. 2 shall be members of the House of Delegates appointed by  
21 the Speaker of the House;

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

24 1. 1 representative of the Maryland Port Administration;

25 2. 2 representatives of Maryland labor organizations;

26 3. 1 representative of the maritime/steamship industry;

27 4. 1 pilot licensed by the State Board of Pilots;

28 5. 1 docking master licensed by the State Board of Docking  
29 Masters;

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

3 7. 3 members of the public; and

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

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

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

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

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

14 (f) The Secretary of the Department of Labor, Licensing, and Regulation, the  
15 Secretary of the Department of Transportation, and the Executive Director of the Maryland  
16 Port Administration shall:

17 (1) cooperate fully with the Committee; and

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

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

22 DRAFTER'S NOTE:

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

25 2-10A-13.

26 (f) The Committee shall report its findings and recommendations to the Governor  
27 and, in accordance with § 2-1246 of this title, the Legislative Policy Committee, the Senate  
28 Finance Committee, and the House Economic Matters Committee on or before December  
29 [1] 31 of each year.

30 DRAFTER'S NOTE:

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

5 **2-1209.**

6 **ON OR BEFORE DECEMBER 1 OF THE YEAR IMMEDIATELY PRECEDING THE**  
7 **BEGINNING OF A TERM OF THE GENERAL ASSEMBLY, THE DEPARTMENT OF**  
8 **LEGISLATIVE SERVICES:**

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

13 **(2) MAKE RECOMMENDATIONS TO THE PRESIDING OFFICERS OF THE**  
14 **GENERAL ASSEMBLY FOR THE INTRODUCTION OF LEGISLATION TO REPEAL OR**  
15 **MODIFY THOSE LAWS OF THE STATE THAT REQUIRE THE AGENCIES TO SUBMIT**  
16 **REPORTS AT SPECIFIED TIMES AND ON SPECIFIED MATTERS TO THE GENERAL**  
17 **ASSEMBLY OR THE GOVERNOR, BUT WHICH REPORTS ARE NO LONGER WARRANTED**  
18 **BECAUSE THEY HAVE BECOME OBSOLETE, DUPLICATIVE, IMPRACTICAL,**  
19 **INEFFICIENT, OR OTHERWISE UNNECESSARY.**

20 **DRAFTER'S NOTE:**

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

26 **6-406.**

27 **(b) (1) [The] ON OR BEFORE JANUARY 15, AND EACH QUARTER**  
28 **THEREAFTER, THE** Unit shall report [quarterly] to the Executive Director and the  
29 Secretary.

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

32 **(3)** The report shall include:

33 **(i)** all activities of the Unit;

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

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

5 DRAFTER'S NOTE:

6 Subsection (b) of this section is revised to clarify the dates for the submission of the  
7 quarterly report by the Juvenile Justice Monitoring Unit of the Office of the Attorney  
8 General to the Executive Director of the Governor's Office for Children and the Secretary  
9 of Juvenile Services.

10 9-1405.

11 (b) The Office shall:

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

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

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

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

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

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

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

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

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

6 (10) report to the Governor and, in accordance with § 2–1246 of this article,  
 7 to the General Assembly on or before December 1, 2001 and each December 1 thereafter on  
 8 the activities of the Office and the implementation of smart growth projects in the preceding  
 9 calendar year].

10 **DRAFTER’S NOTE:**

11 The report required under item (10) of this subsection is repealed as obsolete. The  
 12 Office of Smart Growth has not been funded since 2005 and is defunct. The activities  
 13 formerly undertaken by the Office are routinely now undertaken by the Department of  
 14 Planning and are included in the Department’s annual report under § 5–307 of the State  
 15 Finance and Procurement Article.

16 **Article – State Personnel and Pensions**

17 21–104.

18 (e) (3) (i) Any elected or Governor–appointed trustee that fails to attend at  
 19 least 80% of the meetings, not including excused absences under paragraph (2) of this  
 20 subsection, shall be removed from the Board of Trustees by the Governor.

21 (ii) The Governor shall fill the vacancy for the office of the trustee  
 22 for the unexpired term in the same manner as the office was previously filled.

23 [(iii) The State Retirement Agency shall submit a trustee attendance  
 24 report to the Department of Legislative Services by June 30 and December 31 of each year.]

25 **DRAFTER’S NOTE:**

26 The report required under subsection (e)(3)(iii) of this section is repealed as  
 27 unnecessary as information concerning the attendance of members of the Board of Trustees  
 28 of the State Retirement Agency at board meetings is readily available and easily obtained  
 29 from the Agency on request.

30 21–108.

31 (a) [(4) (i) On or before June 30 and December 31 of each year, the State  
 32 Retirement Agency shall submit a report to the Department of Legislative Services that

1 provides a summary of the training required by paragraph (3) of this subsection that was  
2 completed by each trustee during that 6-month period.

3 (ii) On or before September 1 of each year, the Board of Trustees  
4 shall submit a report in accordance with § 2-1246 of the State Government Article to the  
5 Joint Committee on Pensions that provides:

6 1. a total of all travel expenses for the fiscal year ending  
7 immediately prior to September 1 for:

8 A. members of the Board of Trustees; and

9 B. staff of the State Retirement Agency;

10 2. the destination, duration, and justification for the travel;

11 3. for members of the Board of Trustees, a statement  
12 whether the travel was made for purposes of fiduciary educational training; and

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

16 DRAFTER'S NOTE:

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

20 21-123.

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

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

30 DRAFTER'S NOTE:

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



1 [21-125.1.

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

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

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

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

12 (i) the number of active members, retirees, disability retirees, and  
13 beneficiaries of all retirees;

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

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

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

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

22 (c) The findings of the actuarial consulting firm shall be submitted to the Joint  
23 Committee on Pensions on or before December 31, of the year of study, in accordance with  
24 § 2-1246 of the State Government Article.]

25 DRAFTER'S NOTE:

26 This section is repealed as redundant. The report required under this section is  
27 duplicative of information included in the State Retirement and Pension System annual  
28 valuation and in the System's Comprehensive Annual Financial Report under § 21-125 of  
29 the State Personnel and Pensions Article.

30 21-128.

31 [(g) On or before December 31 of each year, the Board of Trustees shall submit a  
32 report in accordance with § 2-1246 of the State Government Article to the Joint Committee

1 on Pensions that includes a summary of any complaints received by the State Retirement  
2 Agency regarding any mailing received by a retiree under this section.]

3 DRAFTER'S NOTE:

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

8 **Article – Tax – General**

9 10–721.

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

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

16 DRAFTER'S NOTE:

17 Subsection (g)(1) of this section, relating to income tax credits for Maryland qualified  
18 research and development expenses, is revised to reflect the reporting requirement under  
19 § 2–123 of the Economic Development Article.

20 10–725.

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

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

28 DRAFTER'S NOTE:

29 Subsection (h)(1) of this section, relating to biotechnology investment tax credits, is  
30 revised to reflect the reporting requirement under § 2–123 of the Economic Development  
31 Article. The reference to “prior” calendar year is deleted to keep the reporting requirement  
32 substantively the same because the new reporting requirement under § 2–123 of the

1 Economic Development Article is required on or before December 31 of the current calendar  
2 year.

3 10-730.

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

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

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

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

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

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

19 DRAFTER'S NOTE:

20 Subsection (e) of this section, relating to film production activity tax credits, is  
21 revised to reflect the reporting requirement under § 2-123 of the Economic Development  
22 Article.

23 10-732.

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

27 **(F) IN ACCORDANCE WITH § 2-123 OF THE ECONOMIC DEVELOPMENT  
28 ARTICLE, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE NUMBER OF CREDITS  
29 CERTIFIED IN THE PREVIOUS CALENDAR YEAR.**

30 DRAFTER'S NOTE:

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

4 10–733.

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

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

12 DRAFTER'S NOTE:

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

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

#### 20 **Article – Tax – Property**

21 9–102.

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

26 DRAFTER'S NOTE:

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

#### 30 **Article – Transportation**

31 6–201.2.

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

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

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

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

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

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

19 2. **SHALL STATE THE AMOUNT OF ANY GRANTS OR**  
20 **OTHER FEDERAL FUNDS RECEIVED OR REQUESTED BY THE ADMINISTRATION TO**  
21 **ADDRESS THE VULNERABILITY CONCERNS AND SHALL INCLUDE INFORMATION ON**  
22 **THE STATUS OF ANY PENDING REQUESTS FOR FEDERAL FUNDS; AND**

23 3. **MAY NOT INCLUDE THE SPECIFIC DETAILS OF ANY**  
24 **VULNERABILITY CONCERNS, THE DISCLOSURE OF WHICH COULD COMPROMISE, IN**  
25 **ANY WAY, TRANSPORTATION SECURITY.**

26 **DRAFTER’S NOTE:**

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

31 [6–210.

32 (a) Subject to subsection (b) of this section, on or before December 1 of each year,  
33 the Administration, in accordance with § 2–1246 of the State Government Article, shall  
34 provide an annual report to the General Assembly based on the vulnerability assessment

1 information concerning public terminals submitted by the Administration to the United  
2 States Coast Guard under the federal Maritime Transportation Security Act of 2002.

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

6 (1) Shall provide an estimate of the costs of addressing the vulnerability  
7 concerns;

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

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

13 DRAFTER'S NOTE:

14 This section is repealed as redundant; all of the information for the Report on Port  
15 Vulnerability Funding Concerns required under this section is included in the annual  
16 Maryland Port Commission report required under § 6–201.2 of the Transportation Article.  
17 Nonetheless, § 6–201.2 of the Transportation Article is revised to explicitly require the  
18 Department of Transportation to include information concerning port vulnerability in the  
19 report it submits to the General Assembly under that section.

20 8–309.

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

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

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

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

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

5 1. The appraised value of the land; or

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

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

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

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

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

19 2. Allow 60 days after notification for any affected county or  
20 municipality to make a request to acquire the parcel or part of the parcel located within the  
21 borders of the county or municipality and for the Administration to consider any such  
22 request; and

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

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

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

32 (5) Before the exchange:

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

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

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

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

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

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

12 **2. STATES THE VALUE OF EACH PARCEL OF LAND**  
 13 **EXCHANGED; AND**

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

15 **(II) THE ADMINISTRATION SHALL, IN ACCORDANCE WITH §**  
 16 **2-1246 OF THE STATE GOVERNMENT ARTICLE, SUBMIT THE REPORT TO THE HOUSE**  
 17 **ENVIRONMENT AND TRANSPORTATION COMMITTEE, THE HOUSE APPROPRIATIONS**  
 18 **COMMITTEE, AND THE SENATE BUDGET AND TAXATION COMMITTEE.**

19 **DRAFTER'S NOTE:**

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

28 8-613.

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

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



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

4           (4) The program shall:

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

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

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

15           **[(c)] (B)** If the Administration is unable for any reason to perform in accordance  
16 with the schedule set forth in the annual primary highway program, it shall, if so requested  
17 by resolution of either house of the General Assembly, explain in writing to the next session  
18 of the General Assembly any change in the scheduling of a particular project included in  
19 the preceding year's program.

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

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

29           DRAFTER'S NOTE:

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

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

6           (2) The special committee shall regularly report to the Legislative Policy  
7 Committee of the Maryland General Assembly on the administration of the emissions  
8 control program and any contract awarded in accordance with the provisions of this  
9 section.]

10           DRAFTER'S NOTE:

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

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

21           [SECTION 2. AND BE IT FURTHER ENACTED, That, subject to Section 2-1312 of  
22 the State Government Article, The Department shall prepare and submit to the General  
23 Assembly, on or before February 1 of each year, a full report of the operation of the  
24 Motorcycle Safety Program for the preceding fiscal year. The General Assembly shall use  
25 these reports to evaluate the Motorcycle Safety Program every three years beginning July  
26 1, 1988, to determine the cost effectiveness of the Motorcycle Safety Program in Maryland  
27 and the validity of continuing financial support of this program by the State. If the General  
28 Assembly's evaluation indicates that the Motorcycle Safety Program is not cost effective  
29 and continued financial support is not warranted, the General Assembly shall pass  
30 legislation to repeal this Act.]

31           DRAFTER'S NOTE:

32           Section 2 of Chapter 674 of 1983, as amended by Chapter 533 of 1984 and Chapters  
33 646 and 741 of 1987, is repealed as obsolete and redundant. The Motorcycle Safety Program  
34 annual report was mandated by Chapters 646 and 741 of 1987 in conjunction with a \$5  
35 surcharge on motorcycle registrations to fund the program. Chapter 107 of the Acts of 1993  
36 repealed the separate funding source for the program and established funding for the  
37 program through the Motor Vehicle Administration budget. Chapter 107 thus obviated the  
38 need for the annual report on the cost effectiveness of the program.

39           **Chapter 791 of the Acts of 1984**

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

4 DRAFTER'S NOTE:

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

14 **Chapter 640 of the Acts of 1991**

15 [SECTION 4. AND BE IT FURTHER ENACTED, That the Department of  
16 Environment shall provide the General Assembly with an annual report, in accordance §  
17 2-1312 of the State Government Article, on the cumulative environmental impact of the  
18 incineration or burning of tires.]

19 DRAFTER'S NOTE:

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

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

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

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

28 (2) Data quantifying the success of Maryland's increased tourism  
29 marketing efforts;

30 (3) Tourism marketing strategies used by other states in Maryland's  
31 primary market and their impact on Maryland's market share;

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

1 (5) Other short- and long-term strategies for tourism development that, if  
2 adopted, could help improve Maryland's competitive position with its neighboring states.]

3 DRAFTER'S NOTE:

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

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

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

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

15 (2) Data quantifying the success of Maryland's increased tourism  
16 marketing efforts;

17 (3) Tourism marketing strategies used by other states in Maryland's  
18 primary market and their impact on Maryland's market share;

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

21 (5) Other short- and long-term strategies for tourism development that, if  
22 adopted, could help improve Maryland's competitive position with its neighboring states.]

23 DRAFTER'S NOTE:

24 Section 5 of Chapter 112 of the Acts of 1994, as amended by Chapter 471 of the Acts  
25 of 1997, is repealed and its reporting requirement is then transferred and combined with  
26 the report by the Department of Business and Economic Development to the Governor and  
27 the General Assembly required under § 4-216(d) of the Economic Development Article, for  
28 transparency and clarity.

29 **Chapter 414 of the Acts of 1994**

30 [SECTION 2. AND BE IT FURTHER ENACTED, That the Department of  
31 Agriculture, the Office of the Comptroller, and the Department of the Environment shall  
32 study and report to the Environmental Matters Committee and the Economic and  
33 Environmental Affairs Committee no later than August 1, 1994, and thereafter on request,  
34 on the implementation of coordinated inspection programs for gasoline service stations and

1 for any other consumer and environmental inspections performed by these and other units  
2 of State government.]

3 DRAFTER'S NOTE:

4 Section 2 of Chapter 414 of the Acts of 1994 is repealed as duplicative; the  
5 Department of Agriculture includes information concerning weights and measures  
6 activities in its annual report to the General Assembly.

7 **Chapter 584 of the Acts of 1995**

8 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General  
9 Assembly that the Department of Natural Resources submit to the General Assembly, on  
10 January 1 of each year, a report detailing the amount of open space owned in each county  
11 by the State [and by local jurisdictions].

12 DRAFTER'S NOTE:

13 The reporting requirement in Section 2 of Chapter 584 of the Acts of 1995 is obsolete  
14 and impractical. The Department of Natural Resources does not know how much open  
15 space is owned by local jurisdictions on an annual basis, and has not been including this  
16 information in the reports. The reporting requirement is revised accordingly.

17 **Chapter 597 of the Acts of 1995**

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

27 DRAFTER'S NOTE:

28 Section 2 of Chapter 597 of the Acts of 1995 is repealed as obsolete and unnecessary.  
29 Since the enactment of Chapter 597 in 1995, when this reporting requirement was enacted,  
30 fewer than 6 State Highway Administration (SHA) exchanges have occurred, the last of  
31 which occurred more than 10 years ago. As such, periodic reporting is unnecessary and  
32 wasteful of resources. But as there could be future land exchanges under § 8-309 of the  
33 Transportation Article, codification of the requirement to submit a report when triggered  
34 by an SHA land exchange would fulfill the intent of the General Assembly; hence, an "as  
35 needed" reporting requirement is added under § 8-309(e)(8) of the Transportation Article,  
36 for transparency.

**Chapter 96 of the Acts of 1996**

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

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

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

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

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

(5) The outcome of cases in the same category which were not heard by telephone or video conferencing, including the outcome on appeal, if applicable.]

**DRAFTER'S NOTE:**

Section 2 of Chapter 96 of the Acts of 1996 is repealed as obsolete; “video conferencing” by the Office of Administrative Hearings (and other entities) is no longer “novel” technology that warrants monitoring to make sure it works as intended.

**Chapter 294 of the Acts of 1997**

[SECTION 5. AND BE IT FURTHER ENACTED, That, in accordance with § 2–1312 of the State Government Article, the Insurance Commissioner shall report annually to the Senate Finance Committee and the House Economic Matters Committee regarding the effect of this Act on rates in the individual health insurance market, and any proposed changes to existing law. The Commissioner’s report shall be made by December 1 of each year, beginning in 1999.]

**DRAFTER'S NOTE:**

Section 5 of Chapter 294 of the Acts of 1997 is repealed as obsolete.

Under Chapter 294 of the Acts 1997, the Maryland Insurance Administration is required to report annually to the Senate Finance Committee and the House Economic Matters Committee on the effects of the Maryland Health Insurance Portability and Accountability Act on rates in the individual health insurance market and any proposed

1 changes to existing law. This report was to examine how the guarantee issue requirement  
2 in State law impacted the rates in the individual market. The report ceased to have  
3 meaning once the Maryland Health Insurance Plan (MHIP) was established, and Chapter  
4 60 of the Acts of 2004 established MHIP as the alternative to the standard coverage for  
5 eligible individuals under the federal Health Insurance Portability and Accountability Act.  
6 As Chapter 60 repealed the guarantee issue requirement, the law no longer had an impact  
7 on rates.

8 Additionally, the federal Patient Protection and Affordable Care Act (ACA) now  
9 requires that all carriers in the individual market guarantee issue all nongrandfathered  
10 health benefit plans to any applying individual. The ACA also includes new rating rules  
11 that have been incorporated into Maryland law. For all these reasons, the reporting  
12 requirement under this section is repealed as obsolete.

### 13 **Chapter 692 of the Acts of 1999**

14 [SECTION 2. AND BE IT FURTHER ENACTED, That, the Mayor of the City of  
15 Baltimore shall report to the General Assembly, in accordance with § 2–1246 of the State  
16 Government Article, on or before December 1, 2000, and on or before December 1 of each  
17 year thereafter, on the number of homeowners and the number of tenants displaced from  
18 occupied dwellings under this Act and the cost and success of relocating persons displaced  
19 in alternative, more suitable housing.]

#### 20 **DRAFTER'S NOTE:**

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

### 23 **Chapter 77 of the Acts of 2001**

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

#### 30 **DRAFTER'S NOTE:**

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

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

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

6           DRAFTER’S NOTE:

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

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

14           [SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31 of  
15 each year, the State Board of Education shall report to the Governor and, subject to §  
16 2–1246 of the State Government Article, to the General Assembly on the implementation  
17 of this Act.]

18           DRAFTER’S NOTE:

19           Section 2 of Chapter 685 of the Acts of 2001, as amended by Chapter 433 of the Acts  
20 of 2003, is repealed as obsolete; the underlying statute pertaining to the juvenile justice  
21 alternative education pilot program that was the basis for the report and set forth in §  
22 7–305.1 of the Education Article was repealed by Chapter 304 of the Acts of 2006.

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

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

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

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



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

4           DRAFTER'S NOTE:

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

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

10           [SECTION 3. AND BE IT FURTHER ENACTED, That on or before September 30,  
11 2005, and annually thereafter, the Maryland Department of Transportation shall report to  
12 the Governor and, in accordance with § 2-1246 of the State Government Article, to the  
13 General Assembly regarding the implementation of this Act by the Department during the  
14 immediately preceding fiscal year, including the impact of this Act on small business and  
15 minority business enterprises.]

16           DRAFTER'S NOTE:

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

21           **Chapter 206 of the Acts of 2004**

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

26           DRAFTER'S NOTE:

27           Section 3 of Chapter 206 of the Acts of 2004 is repealed as impractical. The report  
28 required under this section pertains to the implementation of a measure concerning  
29 financial assistance awarded under the Economic Development Opportunities Program  
30 Fund and the Maryland Economic Development Assistance Authority and Fund and  
31 compliance with certain minority business enterprise (MBE) procurement goals. However,  
32 Chapter 206 does not provide the Department of Business and Economic Development  
33 (DBED) with any means to enforce the requirements of Chapter 206 as State MBE  
34 procurement law does not apply to procurement between private businesses. Consequently,  
35 DBED has been unable to implement Chapter 206 and has no information to include in a  
36 report.

**Chapter 551 of the Acts of 2005**

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

**DRAFTER’S NOTE:**

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

**Chapter 368 of the Acts of 2007**

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

(1) Prior to awarding financial incentives to the Chief Investment Officer of the State Retirement Agency under Section 1 of this Act, the Board of Trustees of the State Retirement and Pension System shall submit for the review and comment of the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, a copy of the criteria established by the Board of Trustees for awarding financial incentives to the Chief Investment Officer as provided under § 21–118.1(d) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act; and

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

**DRAFTER’S NOTE:**

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

**Chapter 397 of the Acts of 2011**

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

1 DRAFTER'S NOTE:

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

6 **Chapter 617 of the Acts of 2013**

7 [SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
8 take effect on the recognition by the federal government of same-sex marriage for purposes  
9 of the federal income tax. Within 5 days after the federal government recognizes same-sex  
10 marriage for purposes of the federal income tax, the Office of the Comptroller shall notify  
11 the Department of Legislative Services. If Section 2 of this Act takes effect, Section 1 of this  
12 Act shall be abrogated and of no further force and effect.]

13 DRAFTER'S NOTE:

14 Section 3 of Chapter 617 of the Acts of 2013 is repealed as obsolete; on August 29,  
15 2013, the U.S. Department of the Treasury and the Internal Revenue Service announced  
16 IR-2013-72, under which same-sex couples, legally married in jurisdictions that recognize  
17 their marriages will be treated as married for federal tax purposes.

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

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

24 (2) include in the annual report an analysis of any contamination or  
25 substantial depletion of groundwater supplies and the potential for contamination or  
26 depletion of groundwater supplies and the potential for contamination of groundwater in  
27 the future.

28 DRAFTER'S NOTE:

29 The requirements under Joint Resolution 5 of 1985 are repealed as obsolete. The  
30 report required by Joint Resolution 5 predates the enactment of federal requirements that  
31 call for periodic reporting of detailed information about groundwater. Additionally, Joint  
32 Resolution 5 predates the establishment of the Department of the Environment and  
33 required the Department of Health and Mental Hygiene to submit the annual report.  
34 Currently, the federal reports are readily available to the public on the Web site of the  
35 Department of the Environment.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
2 1, 2015.