

HALL OF RECORDS COMMISSION

Minutes of a Meeting Held in the  
Conference Room, Maryland State Archives

Wednesday, July 6, 1988

1. The Meeting was called to order by the Chairman Robert C. Murphy, at 1:30 p.m.

In attendance were:

The Honorable Robert C. Murphy, Chairman Hall of Records Commission, and Chief Judge of the Court of Appeals

The Honorable Lucille Maurer, Treasurer

The Honorable Julian L. Lapidus, Maryland Senate

The Honorable Anne S. Perkins, Maryland House of Delegates

Dr. Earl S. Richardson, President, Morgan State University

Dr. George H. Callcott, Professor of History, University of Maryland, representing Dr. John S. Toll, President, University of Maryland

Ellery B. Woodworth, Special Assistant to the President on Government Affairs, Johns Hopkins University, representing Dr. Steven Muller, President, Johns Hopkins University

Also attending were:

J. Basil Wisner, Chief Deputy Comptroller, representing Louis L. Goldstein, Comptroller of the Treasury

Eric S. Walbeck, Assistant Secretary for Engineering, Department of General Services, representing Earl F. Seboda, Secretary, Department of General Services

Barbara Sarudy, Administrative Director, Maryland Historical Society, representing Brian B. Topping, President, Maryland Historical Society

Harry McGuirk, Special Assistant to the Governor

The Honorable William S. James

Mrs. William T. Snyder

Edward C. Papenfuse, State Archivist and Secretary, Hall of Records Commission

Gregory A. Stiverson, Assistant State Archivist

Christopher N. Allan, Administrator

Shirley A. Bodziak, Administrative Aide to Edward C. Papenfuse

Chairman Murphy welcomed Mrs. William Snyder, former Commission member James, and Senator McGuirk.

Dr. Papenfuse recalled that the first time he met Senator McGuirk was when the senator called to discuss preservation of the original will of Charles Carroll of Carrollton. Because of the interest and concern of Senator McGuirk, the will was transferred to the State Archives.

Senator McGuirk explained to the Commission that he has joined the Governor's staff as liaison to independent agencies.

**2. Minutes of the Previous Meeting**

The minutes were approved unanimously on a motion by Senator Lapides.

**3. Records Retention and Disposal Schedules**

Schedules adopted since the April 21, 1988 meeting were approved unanimously on a motion by Delegate Perkins.

**4. Old Business**

There being no old business to report, the Chairman moved to the next item on the agenda.

**5. Bicentennial Office**

Dr. Papenfuse passed around a copy of The Constitution and

the States. Dr. Stiverson wrote the Maryland chapter in the volume.

Dr. Papenfuse circulated the curriculum guides developed during the summer 1987 teachers' conference sponsored by Anne Arundel County Public Schools and hosted by the State Archives.

Dr. Stiverson reported that the Maryland Bicentennial Office of the Maryland State Archives recently received a grant for \$38,457 from the Federal Bicentennial Commission to develop and produce audio/visual curriculum materials to complement the written curriculum materials already published by the Office. The project director is Dr. Fred Czarra. He will handle all of the details of developing the audio/visual kits, with the State Archives supervising and reviewing the work.

Dr. Papenfuse reported on recent activities of the Maryland Federalist, which was given to the State Archives effective July 1, 1988. The ship is presently at the Navy Yard Museum in Washington, D.C. A part-time director of education has been hired to plan the tour of the ship for the forthcoming year, which will concentrate on reaching school children around the state. A part-time operations manager will be hired to move the ship to different sites.

Dr. Papenfuse reported that the Merrill Lynch sponsored Ratification Gala on April 28 raised more than \$28,000 to help pay for the permanent State House exhibit on Maryland's role in the creation and adoption of the U.S. Constitution. The success of this event, which was due in large part to the efforts of fundraising chairman, Comptroller Louis L. Goldstein, meant that the State Archives did not have to go to the Board of Public Works for a deficiency appropriation to pay for the State House exhibits.

Mr. Woodworth reported on the trip of the Maryland Federalist to Mount Vernon. This highly successful recreation of the Federalist's original voyage from Baltimore to Mount Vernon in June 1788 was made possible by private-sector donations and a large crew of volunteers. Dr. Stiverson commented that Mr. Woodworth was one of the most important volunteers, since he and his vessel accompanied the Maryland Federalist for the entire two-week voyage. Mr. Woodworth described the public ceremonies held at ports of call along the Chesapeake and Potomac as the ship made its way to Mount Vernon and noted that the tour was very well organized.

6. Publications Completed in Progress, and Proposed

a. Maryland Manual.

Dr. Papenfuse reported that work has begun on the 1990-91 edition of the Maryland Manual. All composition on this edition will be done in-house on desktop publishing software. Sample pages of text will be distributed at the next meeting of the Commission. The principal virtues of desktop publishing for the Manual are the cost savings and the time that will be saved by doing composition in-house. Dr. Papenfuse discussed the possibility of publishing the forthcoming edition of the Manual in two volumes. This will enable us to do a better job with the county section. Both volumes will be published in the same calendar year to comply with the legal requirements regarding what must be published in each edition of the Manual.

B. Organization of Maryland State Government.

Dr. Papenfuse discussed the revisions currently being made to this analysis of State government that the State Archives compiled last winter. State agencies received copies of their sections and have returned corrections and addition. The revisions on this major project are nearly completed. Work done on the project will be utilized in compiling the new edition of the Maryland Manual.

c. Directory of Maryland Legislators, 1635-1986.

Dr. Papenfuse reported that the next publication of the Legislative History Project, a directory of all Maryland legislators who sat in the General Assembly, 1635-1986, should be ready by late this fall or early next spring. Much of the time of the Legislative History Project staff for the last months has been devoted to research on the individuals and events that figured in Maryland's adoption of the U.S. Constitution. That research is now substantially complete, and the project staff can return to research on other legislators who served in the post-1789 period. Dr. Callcott asked when the next volume of biographies would be completed, adding that the first two volumes of biographies are an incomparable resource. Dr. Papenfuse discussed the difficulty of the research involved, and predicted that it would be five years before the next volume of biographies is ready for publication.



d. Luca Codignola's The Coldest Harbour in the Land.

Dr. Papenfuse noted the publication of an English translation from the Italian of the letters of a priest who came to Lord Baltimore's first colony, Avalon, in present-day Newfoundland. The State Archives agreed to support publication of this important work on George Calvert's first colonizing venture by purchasing 50 copies of the book. The fifty copies will be sold by the State Archives.

e. Catalogue of the Governor's Mansion Library.

Dr. Papenfuse showed the recently completed catalogue of the Governor's Mansion Library as an example of the kind of inexpensive in-house publications that can be done with our desktop publishing system. He also answered questions about the background of the Governor's Mansion Library and the kinds of books included in the collection.

7. Recent and Forthcoming Activities

a. Jenifer Papers

Dr. Papenfuse reported that Judge Murphy had asked him to consult with the owner of a collection of papers that descended through the Jenifer family. Dr. Papenfuse described the collection, and circulated several important items contained in it, including letters from George Washington and Samuel Chase, and a letter to Michael Jenifer Stone. Dr. Papenfuse thanked Judge Murphy for bringing this important collection to our attention.

b. Search Room Advisory Board Minutes.

The minutes of the first meeting of this Advisory Board were circulated to members of the Commission. The Board was established to address issues of concern to those individuals who actually use our search room. Members of the Committee were very supportive of the work of the Archives, and had offered to help find volunteers and to support the Archives budget request before the legislature.

c. NAGARA Meeting.

Dr. Papenfuse reported that the State Archives will be hosting the annual meeting of the National Association of Government Archives and Records Administrators at the end of July. At the same time, the Archivist of

the United States has asked the state archivists of all 50 states to attend a day-long meeting at the State Archives to discuss issues of common concern. As part of the NAGARA meeting, the Archives will host a reception on Friday evening, July 22. Members of the Commission will be invited to the reception.

d. Intern Program, FY 1989.

Dr. Papenfuse described the work that the c. 40 summer interns will be doing at the State Archives this summer. He distributed a schedule to give an idea of the various tasks that will be performed by the interns. This is the first summer since we moved to the new building that we will be able to use the full complement of interns to do archival work, since they have been involved in move-related projects the past three years. Dr. Papenfuse described a major newspaper conservation project the interns will be involved in. The project is being done in cooperation with the University of Maryland, which received a grant to do bibliographic work and conservation microfilming on a large collection of historic Maryland newspapers. Thanks to the fine work of Chris Allen over the years in developing an efficient conservation microfilming program for newspapers, we were asked to do the filming for this project. Bibliographic work will be done by the University of Maryland.

8. Building and Budget

a. Building related matters:

Dr. Papenfuse distributed a list of "building concerns" at the meeting. Mr. Walbeck commented that the Department of General Services has addressed, or will address, all of the remaining issues involving the building. Chairman Murphy asked that the Department of General Services report at the next meeting on the progress in resolving the matters addressed in the memo.

b. FY88 Closeout:

Dr. Papenfuse noted that due to Chris Allen's very hard work, we will zero out the 1988 Fiscal Year with no deficiency. We have requested permission to carry over the funds allocated for index conservation. If Budget and Fiscal Planning permits this, it will not be necessary to go back to the legislature for additional funds for this project in the future. Dr. Papenfuse reminded the Commission that we supported an additional

position (the librarian position transferred from Natural Resources) during Fiscal Year 88 without any funds for that position. This meant that balancing out the year with no deficit required careful monitoring of expenses all year, and across the board cuts in allocated funds. Dr. Papenfuse noted that Chris Allan deserved praise for handling these budgetary matters so well.

c. Budget FY89:

A status report on Fiscal Year 1989 will be given at the next meeting.

d. Budget FY90:

Dr. Papenfuse noted that Commission members had received copies of all documentation submitted to Budget and Fiscal Planning for the FY90 Budget. The bottom line of the budget request is that we are asking for no "people services" beyond what is essential to maintain service at present levels. Dr. Papenfuse distributed copies of a report showing the dramatic increase in usage of the State Archives over the past year. Where we need help in the 1990 budget is not for budget enhancements, but rather with the staff that will enable us to provide the same level of service that we do now. Only two new initiatives are proposed in the FY1990 budget--conservation funds for the Governor's Mansion, and digital equipment necessary to make copies of records for patrons. The digital system is necessary because photostat cameras are no longer made, and we can no longer secure supplies for the old machines we have. Senator Lapidés suggested breaking out the conservation program and digital equipment request in the budget presentation, because those two items account for one-half of the additional funds requested in the FY1990 budget. Dr. Papenfuse asked for a resolution in favor of proceeding with the budget submission as outlined. A motion in favor of proceeding with the proposed budget submission was made by Senator Lapidés and passed unanimously.

Chairman Murphy asked Senator McGuirk if he could help by talking to the budget analyst about the budget requirements. Senator McGuirk indicated that he would look into the matter.

9. Other Business

Unveiling and installation of the plaque for the search room mural:

Dr. Papenfuse explained that when he was working on the Hammond-Harwood House map book, Senator Lapidus had suggested he see the collection owned by Mrs. William Snyder. Mrs. Snyder agreed to let him use anything in the collection, which had been assembled by her late husband. When it came time to select a mural for the new State Archives search room, Dr. Papenfuse selected an image from one of Mrs. Snyder's maps, the John Ogilby map of 1671. Senator James suggested that it would be appropriate to have a plaque on the search room wall identifying the map and the owner of the original. The plaque was ready for unveiling, and the Commission invited Mrs. Snyder and Senator James to participate in the formal unveiling ceremony which took place in the search room following adjournment.

**10. Next Meeting**

An invitation to hold the next meeting at the Maryland Historical Society was offered by Barbara Sarudy and gratefully accepted by the Commission. Shirley Bodziak will arrange for time convenient to the Society and the Commission Members for sometime in early October.

**11. Adjournment**

The meeting of the **Hall of Records Commission** adjourned at 2:30 p.m.

Approved by the Hall of Records Commission - October 14, 1988

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**The Honorable Robert C. Murphy, Chairman**

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**Dr. Edward C. Papenfuse, Secretary**



# MARYLAND STATE ARCHIVES

Hall of Records  
350 Rowe Blvd., Annapolis, MD 21401  
Telephone: (301) 974-3914/3916

William Donald Schaefer  
Governor

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

Gregory A. Stiverson  
Assistant State Archivist

Hon. Robert C. Murphy  
Chief Judge, Court of Appeals  
Chairman, Hall of Records Commission

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Hall of Records Commission:

Hon. Louis L. Goldstein  
Dr. William M. Dyal, Jr.

Hon. Lucille Maurer  
Dr. John S. Toll

Hon. Julian L. Lapidus  
Dr. Steven Muller

Hon. Anne S. Perkins  
Brian B. Topping

Hon. Earl F. Seboda  
Dr. Earl S. Richardson

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September 8, 1988

T. Eloise Foster  
Assistant Legislative Officer  
Office of the Governor  
State House  
Annapolis, Maryland 21401

Dear Ms. Foster:

Enclosed please find the information requested in your letter of August 22 regarding the Archives' legislative package including an interlineated copy of the existing law, a draft bill, and the necessary forms you sent us.

I understand that we did not receive a copy of Alan Rifkin's May 16, 1988 memorandum regarding departmental legislation because the Archives is not on your distribution list. We would appreciate it if the Archives could be included in future mailings from the Legislative Office.

Please contact Ben Primer on my staff at 974-3914 if you have any questions about this legislative package.

Sincerely yours,

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

ECP/sb

Enclosures

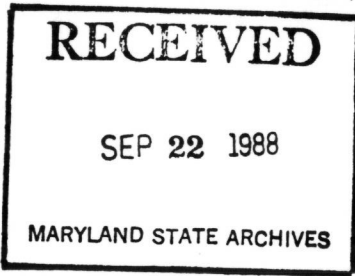
cc: Richard E. Israel

## EXPLANATION

The primary reason for this legislation is that SG Section 9-1015 has the potential effect of closing all marriage and divorce records transferred to the Archives for a 60-year period. The term "including" in Subsections (a)(3), (a)(4), (a)(5) and (a)(7) threatens to close for 60 years original marriage records, divorce proceedings and divorce decrees from every circuit court in the state that have been transferred to the Archives. For instance, the Archives has Anne Arundel County Divorce Decrees through 1984. The circuit court sends citizens to us to obtain copies of these decrees on a regular basis. Assistant Attorney General, Richard E. Israel, believes the statute might be interpreted as denying public access to these records (see his letter of 12 August 1987). Thus we seek to clarify that records open for public inspection at the court house are also open for inspection when transferred to the Archives. [See also SG Section 10-612, SG Section 10-613, SG Section 10-616 and 61 Op. Attn. Gen. 702 (1976) for elaboration of the question of accessibility of records].

A secondary reason for this law is to assure that the regulations under which the Archives has operated since the July 1, 1987 effective date of this section are in accord with the meaning of the law. Subsection (a)(2) defined an extract to include any recent record, but Subsection (d)(1)(ii) only provides for extracts of recent death records. The legislation was intended to apply the extract section to all recent vital records, and Assistant Attorney General Israel's letter makes plain that it is irrelevant to apply the law only to death records. Moreover, the Archives is uncertain if disclosure in subsection (d) is intended to include the right to a copy. The revisions will clarify these points.

Ben Pomeroy  
State Archivist



BILL ORDER

(ib) AN ACT concerning

State Archiver - Vital Records

for the purpose of authorizing the Archiver to provide copies of vital records to certain persons as a means of disclosure; clarifying that ~~the Archiver may make~~ access to vital records will be ~~available to certain persons under the same conditions to~~ in accordance with the regulations used by the original Custodian; providing that recent vital records may be extracted to <sup>provide</sup> certain information; making other technical corrections; and generally relating to vital records.

Circle Only one:

- (rr) By repealing and re-enacting, with amendments,
- or
- (an) By adding to
- or
- (r) By repealing

Article State Government  
Section 9-1015

Annotated Code of Maryland  
(1987 Replacement Volume and 1988 Supplement)

Circle as appropriate

- (ed) - July 1 effective date
- (eed) - emergency effective date
- (aed) - abnormal effective date: \_\_\_\_\_
- (sev) - severability clause
- (sii) - salary increase not to affect incumbent

# State Government

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state acquires for use of the

## § 9-1015. ~~Vital records.~~

(a) ~~Definitions.~~ In this section the following words have the meanings indicated:

- (1) "Department" means the Department of Health and Mental Hygiene.
- (2) "Extract" means the following information from a recent vital record:
  - (i) full names;
  - (ii) occupations;
  - (iii) places of residence;
  - (iv) date and place of birth, marriage, divorce or death;
  - (v) family relationships as stated in the record; and
  - (vi) name and relationship of the informant.
- (3) "Old vital record" means a record in the custody of the Archives, including one obtained from the Department by the Archives, that pertains to a birth that occurred more than 100 years ago, to a marriage or divorce that occurred more than 60 years ago, or to a death that occurred more than 20 years ago.
- (4) "Recent birth, marriage or divorce record" means a record in the custody of the Archives, including one obtained from the Department by the Archives, that pertains to a birth that occurred within the last 100 years or a marriage or divorce that occurred within the last 60 years.
- (5) "Recent death record" means a record in the custody of the Archives, including one obtained from the Department by the Archives, that pertains to a death that occurred within the last 20 years.
- (6) "Recent vital record" means either a "recent birth, marriage or divorce record" or a "recent death record."
- (7) "Vital record" means a record in the custody of the Archives, including one obtained from the Department, which pertains to a birth, marriage, divorce or death.
- (8) "Record" means a copy or the original record.

(b) ~~Department to provide Archives with vital records and indexes.~~ — Upon request of the Archives, the Department shall provide the Archives with vital records and indexes of vital records that are in the custody of the Department.

(c) ~~Manner of copying.~~ — Vital records and indexes may be copied by the Archivist in any manner.

(d) ~~Disclosure.~~ — (1) Upon request the Archives may only disclose vital records to:

- (i) an individual who is lawfully entitled to obtain a vital record from the Department, **OR ANY OTHER ORIGINAL CUSTODIAN**
- (ii) an individual who requests an old vital record **OR** an extract of a recent death record, or
- (iii) an individual who has evidence of the death of the person or persons in the vital records;

(2) An individual may examine and obtain a copy of indexes that pertain to vital records that are in the custody of the Archives; **[and]**

**(4) [3]** An individual may obtain from the Archives a certified copy of the original of a vital record that may be examined under item (i) through (iii) of this subsection.

**(3) AN INDIVIDUAL MAY OBTAIN  
AN EXTRACT OF A RECENT VITAL RECORD;**

in paragraph (3) of subsection

nder of the section was not af-  
mendment, it is not set forth

records.

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~~§ 9-1018~~

~~§ 9-1018~~

(e) ~~Copying fees.~~ The Archives may charge a reasonable fee to cover the expense of copying ~~old~~ vital records or indexes to a vital record, to make extracts from recent vital records or to undertake a search for vital records.

~~(f) Use for commercial solicitation or private gain prohibited.~~ (1) An individual may not request a copy of indexes to vital records, ~~old vital records~~ or extracts to recent vital records for the purpose of commercial solicitation or private gain;

(2) The Archives may require an individual to state the individual's intended use of the information obtained under this section.

(g) ~~Rules of confidentiality.~~ — Under this section, the copying and use of vital records for disclosure, the disclosure of vital records, or extracts of recent vital records or indexes does not violate the rule of confidentiality in a provision of law, including Title 10, Subtitle 6 of this article or § 4-224 of the Health-General Article.

(h) ~~Liability.~~ — The Archives is not liable to an individual for:  
(1) errors in indexing or extracting information from vital records.  
(2) reasonable reliance on evidence that the person in a vital record pertaining to birth, marriage, or divorce is deceased.

(i) ~~Official records.~~ — Unless a record has been transferred to the custody of the Archives, the information disclosed under this section does not constitute an official record. (1987, ch. 373.)

~~Effect of amendment. — Section 2, ch. 373, Acts 1987, provides that the section shall take effect July 1, 1987.~~

~~Part II. Commission on Artistic Property.~~

~~§ 9-1018. Membership.~~

(a) ~~Composition; appointment of members.~~ — (1) The Commission consists of 8 members.

(2) Of the 8 members, at least 1 shall be a representative of a cultural institution located in the State.

(3) The Secretary of State, the President of Historic Annapolis, Inc., and the Director of the Maryland Geological Survey, or their designees, shall be ex officio members of the Commission.

(4) The State Archivist shall appoint the non ex officio members with the approval of the Governor.

(b) ~~Tenure.~~ — The non ex officio members of the Commission shall serve at the pleasure of the State Archivist.

(c) ~~Chairman.~~ — From time to time, with the approval of the Governor, the State Archivist shall designate a member of the Commission to serve as chairman. (1984, ch. 286, §§ 5, 8; 1986, ch. 54.)

~~Effect of amendment. — The 1986 amendment, effective July 1, 1986, in subsection (a), substituted "8" for "5" in paragraphs (1) and (2), redesignated former paragraph (3) to be~~

~~present paragraph (4), inserted present paragraph (3), and inserted "non ex officio" in paragraph (4) of that subsection and in subsection (b).~~

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**STATE OF MARYLAND**  
WILLIAM DONALD SCHAEFER, GOVERNOR

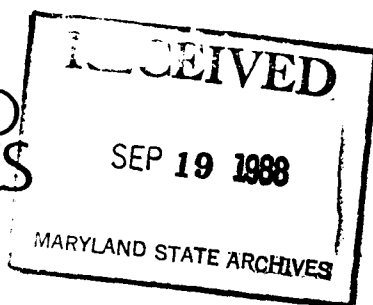
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**T. ELOISE FOSTER**  
ASSISTANT LEGISLATIVE OFFICER

**OFFICE OF THE GOVERNOR**  
STATE HOUSE  
ANNAPOLIS, MARYLAND 21401



MARYLAND  
HUMANITIES  
COUNCIL



September 15, 1988

Dr. Edward C. Papenfuse  
State Archivist and Commissioner  
of Land Patents  
Maryland State Archives  
350 Rowe Boulevard  
Annapolis, Md. 21401

Grant # 947-J/K  
Please use this number on all  
correspondence with the Council  
regarding this grant.

Dear Dr. Papenfuse,

I am pleased to inform you that the Maryland Humanities Council, at its September 10th meeting awarded \$5,000 in outright and \$2,995 in Treasury matching funds to Maryland State Archives for the project entitled "The Eye of the Beholder." The Council was unable to award the full level of the outright request because additional outright funds were not available at this time. However, members suggested that you may wish to consider reapplying for additional funding for programs that take place during the latter portion of 1989 and during 1990. They particularly want to encourage your successful fund raising efforts as there is a far greater availability of matching funds than outright funds. Had your total request been for matching funds, the proposal probably would have been funded in full.

Please submit a revised budget for the project based on the level of the Council's award. If in compiling the revised budget, the levels of cost-sharing change from those outlined in the original budget request, please make corrections on all three copies of the enclosed grant agreement.

Please appoint someone else from your organization as Fiscal Agent for this project, as the Project Director cannot serve in both capacities. Please read carefully, sign, and have the project's fiscal agent sign the original and the two copies of the grant agreement. Return the signed original to the Council, retain one signed copy for your files, and give the second signed copy to your fiscal agent.

Page 2,

In addition, please make sure to read and note Sections II and III of the award packet. To ensure future support for public humanities programs, it is particularly important that you comply with the requirements in the enclosed materials:

- to give full credit to the Maryland Humanities Council and the National Endowment for the Humanities in all publicity for this program;
- to write your public elected officials;
- and to send 35 copies of all printed materials to the Council.

The outright funds become available when the Council receives the signed grant contract. In order to receive the Treasury matching funds, we will need by September 30, 1988:

1. a letter certifying your gift(s) of \$4,992;
2. a photocopy of the gift checks(s) and donor letters(s);  
(Please see the SAMPLE DONOR LETTER in the enclosed award packet and ask donors to include all information in that sample in their gift letters.)

When your gift has been matched, \$2,995 will become available to you. Thus, Maryland Humanities Council funds available to this project are \$5,000 in outright funds and \$2,995 in Treasury matching funds, for a total of \$7,995. In administering this grant, please keep in mind that in order to be eligible for the full \$2,995 in Treasury matching funds, the full \$4,992 in gift funds must be spent.

There will be a meeting for project directors and fiscal agents on September 30, 1988 at 11:00 A.M. in the Council's office at 516 N. Charles Street in Baltimore. Attendance is not mandatory, but you may wish to attend if you have any questions about the enclosed materials or would like to see a review of the processes by the Council staff. Please return the enclosed reply form by September 23rd to let us know whether or not you plan to attend. If you will be attending the meeting, please bring the original signed contract and copies of the letters sent to the elected officials; if not, please mail these materials to the Council.

Page 3,

If you have any questions about your award or the project directors' meeting, please call Elinor Sklar, the Associate Director of the Council, or Becky Aaron, the Administrative Officer, at (301) 625-4830.

Congratulations on a fine proposal; we look forward to a successful project.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Cresap Davis".

Dr. R. Cresap Davis  
Chairman

RCD/ma

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**GENERAL ASSEMBLY**


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**SENATE OFFICERS**Thomas V. Mike Miller, Jr., *President*

Staff to the President:

Janet Davidson, *Administrative Assistant*John R. Stierhoff, *Legislative Assistant*

State House

Annapolis 21401

841-3700

Frederick C. Malkus, Jr., *President Pro Tem*Clarence W. Blount, *Majority Leader*Thomas Patrick O'Reilly, *Deputy Majority Leader*Thomas L. Bromwell, *Majority Whip*Barbara A. Hoffman, *Deputy Majority Whip*John A. Cade, *Minority Leader*Raymond E. Beck, *Minority Whip*Oden Bowie, *Secretary*

841-3908

Ann Rice, *Assistant Secretary*W. Gary Gray, *Journal Clerk*William B. C. Addison, Jr., *Assistant Journal Clerk*Lynne Barney Taylor, *Reading Clerk*Mary Catherine Johnson, *Chief Page*William E. Cummings, Jr., *Sergeant-at-Arms***HOUSE OF DELEGATES OFFICERS**R. Clayton Mitchell, Jr., *Speaker*

Staff to the Speaker:

Susan E. McCahan, *Administrative Assistant*Delores B. Cockey, *Executive Assistant*Susanne Brogan, *Legislative Assistant*

State House

Annapolis 21401

841-3800

Donald B. Robertson, *Speaker Pro Tem*John S. Arnick, *Majority Leader*Nancy K. Kopp, *Assistant Majority Leader*Nancy L. Murphy, *Majority Whip*William H. Cox, Jr., *Deputy Majority Whip*Anthony M. DiPietro, Jr., *Deputy Majority Whip*Nathaniel Exum, *Deputy Majority Whip*Patricia R. Sher, *Deputy Majority Whip*Ellen R. Sauerbrey, *Minority Leader*Robert H. Kittleman, *Minority Whip*Jacqueline M. Spell, *Chief Clerk*

841-3999

Brenda C. Ward, *Assistant Chief Clerk*Dee Ballard, *Journal Clerk*Doris Wayson, *Assistant Journal Clerk*Christine J. Moore, *Reading Clerk*Cornelia Connelly, *Page Coordinator*

FY1988 Total Appropriation .....	\$33,526,984
General Funds .....	\$33,426,984
Special Funds .....	\$100,000
FY1988 Total Authorized Positions .....	?

General Assembly Switchboard.....	841-3000	Dorchester.....	841-3429
Legislative Information & Bill Status		Eastern Shore Counties.....	841-3431
.....	841-3810/3886	Frederick.....	841-3240
Legislative Accounting Office.....	841-3797	Garrett.....	841-3435
Bill Room.....	841-3840	Harford.....	841-3289
Mail Room.....	841-3841	Howard.....	841-3205
<i>County Delegation Information</i>		Kent.....	841-3800
Allegany.....	841-3519	Montgomery.....	841-3001
Anne Arundel.....	841-3209	Prince George's.....	841-3076
Baltimore City.....	841-3263	Queen Anne's.....	841-3410
Baltimore County.....	841-3332	St. Mary's.....	841-3314
Calvert.....	841-3231	Somerset.....	841-3433
Caroline.....	841-3488	Southern Maryland.....	841-3314
Carroll.....	841-3371	Talbot.....	841-3488
Cecil.....	841-3444	Washington.....	841-3349
Charles.....	841-3247	Wicomico.....	841-3427
		Worcester.....	841-3431

*Note:* Telephone numbers listed are local calls from Baltimore-Annapolis area. Use an 858 prefix (instead of 841) for toll-free calls from Montgomery and Prince George's counties and Washington, D.C.

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**ECONOMIC & ENVIRONMENTAL AFFAIRS**

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..... 841-3661

**FINANCE**

Catherine I. Riley, Chairperson . 841-3677

**JUDICIAL PROCEEDINGS**

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**EXECUTIVE NOMINATIONS**

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..... 841-3598

**RULES**

Victor Cushwa, Chairperson..... 841-3609

**HOUSE OF DELEGATES**

R. Clayton Mitchell, Jr., Speaker . . . . 841-3800

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**CONSTITUTIONAL & ADMINISTRATIVE LAW**

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Casper R. Taylor, Jr., Chairperson  
..... 841-3519

**ENVIRONMENTAL MATTERS**

John S. Arnick, Chairperson ..... 841-3534

**JUDICIARY**

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**WAYS & MEANS**

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**RULES & EXECUTIVE NOMINATIONS**

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Daniel M. Long, House Chairperson  
..... 841-3870

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Richard N. Dixon, House Chairperson  
..... 841-3710

**JOINT COMMITTEE ON CHESAPEAKE BAY CRITICAL AREAS**

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R. Charles Avara, House Chairperson  
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**TORT & INSURANCE OVERSIGHT COMMITTEE**

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**SPECIAL JOINT COMMITTEE ON VEHICLE EMISSIONS INSPECTION PROGRAM**

Vacancy, Chairperson  
..... 841-3870

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Elijah E. Cummings, House Chairperson  
..... 841-3710

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**LEGISLATIVE SERVICES DIVISION**

Michael I. Volk, Director ..... 841-3870

**DIVISION OF STATUTORY REVISION**

Elizabeth Buckler Veronis, Director  
..... 841-3771

**ARTICLE SELECTION COMMITTEE**

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..... 974-2495

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RESEARCH DIVISION Dr. Myron H. Miller, Chief ..... 841-3875	DIVISION OF AUDITS Anthony J. Verdecchia, Legislative Auditor ..... 225-1400
COMPUTER & PROOFREADING SERVICES DIVISION Michael C. Coffin, Director ..... 841-3787	GENERAL ASSEMBLY COMPENSATION COMMISSION Chairperson: George A. Nilson Staff: Nicholas B. Wilson ..... 841-3761
DEPARTMENT OF FISCAL SERVICES William S. Ratchford II, Director . 841-3761	STATE COMMISSION ON UNIFORM STATE LAWS Chairperson: M. Michael Cramer . . 424-0677
DIVISION OF BUDGET REVIEW Robert E. Brady, Director ..... 841-3736	

The law-making powers of the State are vested in the General Assembly, which consists of two separate branches, the Senate and the House of Delegates (Const., Art. III, sec. 1). The General Assembly has 188 members, with 47 Senators and 141 Delegates. One Senator and three Delegates are elected from each of the 47 legislative districts. After every decennial census, legislative district boundaries are redrawn to conform to the one person/one vote principle.

Each Senator or Delegate must be a citizen of the State and a resident for at least one year preceding the date of election. A prospective legislator must have resided for the six months prior to the election in the legislative district the candidate seeks to represent. A Senator must be at least twenty-five years of age at the time of election and a Delegate at least twenty-one. No member of Congress or any person holding a civil or military office under the United States Government is eligible for election to the General Assembly (Const., Art. III, secs. 9, 10, 11). All seats in the General Assembly are up for election every four years. (The next general election will be held November 1990.)

The term of each Senator and Delegate is four years from the second Wednesday of January following the date of election (Const., Art. III, sec. 6). No limit is placed on the number of terms a legislator may serve. If a vacancy occurs in either house through death, resignation, or disqualification, the Governor appoints a replacement whose name is submitted by the State Central Committee of the same political party the legislator whose seat is to be filled. All persons so appointed serve for the unexpired portion of the term (Const., Art. III, sec. 13).

Each house elects its own officers, judges the qualifications and election of its own members, establishes rules for the conduct of its business, and may punish or expel its own members. (Const., Art. III, sec. 19). The Senate and the House of Delegates each appoint staff such as desk officers. The Secretary of the Senate and the Chief Clerk of the House are the highest ranking staff members in their respective chambers.

On the first day of a regular legislative session, the Secretary of the Senate calls the roll and conducts the election of a President Pro Tem, who in turn presides over the election of the President of the Senate. The President Pro Tem administers the oath of office to the President and thereafter carries out any duties assigned by the President. In the House of Delegates, the Chief Clerk calls the roll and proceeds with the organization of the House. A Speaker Pro Tem is elected first, who presides over the election of the Speaker of the House and administers the Speaker's oath of office.

The Senate President and House Speaker each appoint a Majority Leader with whom they consult on the selection of a Majority Whip and Deputy Majority Leader. In both House and Senate, the party having fewer seats chooses a Minority Leader and a Minority Whip.

Duties and prerogatives of the President and Speaker enable them to influence the legislative process significantly. The President and the Speaker appoint the members of standing committees, joint committees, conference committees, and select committees. They designate the chairperson and vice-chairperson of all committees, except for the Joint Committee on Investigation whose members elect their own officers.

The President and Speaker preside over the daily sessions of their respective chambers, maintaining decorum and deciding points of order. As legislation is introduced, they assign it to a standing committee for a hearing. The President and Speaker may designate days or times when special committees and select committees may meet and standing committees may not.



Since 1971, the General Assembly has convened annually on the second Wednesday in January for up to ninety consecutive days. The General Assembly may extend its sessions an additional thirty days by resolution passed by three-fifths vote of the membership in each house. The Governor is the only person with the power to call the legislature into special session (Const., Art. III, sec. 14), and in fact must do so on petition of a majority of the membership of each house. No single special session, however, may last longer than thirty days. Special sessions were constitutionally provided for at a time when the General Assembly convened every two years instead of annually, but as recently as 1985, the Governor called the General Assembly into special session twice. The Governor cannot adjourn the General Assembly, but before any proposed adjournment *sine die*, the General Assembly must ask if the Governor wishes to make any further communications to either house (Senate Rule 101; House Rule 111). Both houses must agree to adjourn.

The purpose of the General Assembly is to pass such laws as are necessary for the welfare of the State. The legislature may establish executive departments as needed for the efficient operation of State government and may create special taxing districts or areas within the State to administer a special function or functions. The General Assembly may levy taxes that accord with the Constitutions of Maryland and of the United States. It may propose State Constitutional amendments, which must be passed by three-fifths of the total membership of each house and submitted to the voters for ratification at the next general election after passage.

The General Assembly spends considerable time dealing with local issues, ordinances, and expenditures. The Constitution adopted in 1867 kept the power to pass public local laws vested in the General Assembly. In essence, this gave county delegations to the General Assembly control over county government. Since 1948, however, twelve counties have opted for some form of home rule, allowing the General Assembly a more statewide focus. The Home Rule Amendment of 1954 virtually prohibits the General Assembly from passing local legislation for incorporated cities and towns, although the Assembly retains its power to pass a general statewide law that affects them (Const., Art. XI-E). Power to license and regulate the manufacture and sale of alcoholic beverages, however, is reserved to the General Assembly, and home rule counties are limited to exercising the powers enumerated in the Express Powers Act (Code 1957, Art. 25A, sec. 5).

Local bills may include a referendum provision, but the General Assembly may not submit a statewide bill to referendum (with the exception of a proposed amendment to the Constitution or a Soldiers' Bonus Bill) because such an action constitutes a delegation of its law-making powers. Most statewide bills (except appropriations) and any local bill that concerns a county or Baltimore City may be petitioned to a referendum by the voters. No bill subject to referendum is enforceable until approved by a majority of the voters at the next election except an emergency bill, which is effective immediately and remains effective thirty days following its rejection by the voters (Const., Art. XVI).

The House of Delegates has sole power to impeach any officer of the State. A majority of all members of the House must approve any bill of impeachment. The Senate tries all impeachment cases, and two-thirds of the total number of Senators must concur in reading a verdict of guilty (Const., Art. III, sec. 26).

The State Treasurer is elected by joint ballot of both houses. The General Assembly also elects the Governor or the Lieutenant Governor if the popular election has resulted in a tie or the winning candidate or candidates are ineligible. If a vacancy occurs in the office of Lieutenant Governor, the Governor nominates a person to succeed to that office upon confirmation by a majority vote of all members of the General Assembly in joint session. If vacancies occur in both the offices of Governor and Lieutenant Governor at the same time, the General Assembly must convene and elect a Governor by a majority vote of all members in joint session. The chosen Governor then nominates a Lieutenant Governor requiring the same confirmation.

The President of the Senate serves as acting Governor if the Lieutenant Governor is not able to serve as acting Governor. If a vacancy occurs in the office of President of the Senate while the President is authorized to serve as acting Governor, the Senate must convene and fill the vacancy (Const., Art. II, secs. 1A, 1B, 6, 7A).

**THE LEGISLATIVE PROCESS:  
HOW A BILL BECOMES A LAW**

Current laws of the State are compiled in the *Annotated Code of Maryland*. The General Assembly changes, adds, and deletes those laws through the legislative process of introducing and passing bills. Ideas for bills come from many sources: constituents, the Governor, governmental agencies, study commissions, special interest groups, lobbyists, professional organizations, and legislative committees, for example. However, each bill must be sponsored by a legislator. The State Constitution mandates that bills be limited to one subject clearly described by the title of the bill and be drafted in the style and form of the *Annotated Code* (Const., Art. III, sec. 29). The one-subject limitation and the title requirement are safeguards against fraudulent legislation and allow legislators and constituents to monitor a bill's progress more easily. Omnibus bills, common in the U.S. Congress, are clearly forbidden under Maryland law.

At the request of legislators, bills are drafted to meet constitutional standards by the Department of Legislative Reference. The Department begins to receive bill-drafting requests for the next legislative session shortly after the previous session ends in mid-April, although bill drafting does not begin in earnest until July. In the interim between sessions, legislators meet in committees, task forces, and other groups to study and formulate bill proposals.

From 1985 through 1988, the number of bills introduced per session has averaged 976.5 in the Senate and 1,668.5 in the House. This volume of bills makes it difficult for each bill to get through the legislative process within the 90-day session. Therefore, legislators often try to introduce their bills as early as possible. A bill filed with the Secretary of the Senate or the Chief Clerk of the House prior to the first day of a regular session is called a prefiled bill. Such a bill is introduced (i.e., read across the floor) and assigned to a standing committee on the opening day of a session, thus obtaining a head start advantage. In 1988, 156 Senate bills and 229 House bills were prefiled.

In addition to bills, legislators introduce joint resolutions. Substantive in nature, a joint resolution expresses the will, opinion, or public policy of the General Assembly (Senate Rule 25; House Rule 25). Joint resolutions are often exhortatory. They are subject to the same legislative process as are bills, must be passed by both houses, but after passage are not codified in the *Annotated Code*. Joint resolutions that pass both houses are given a chapter number and are printed in the Session Laws for that year. The Governor does not veto joint resolutions but may sign them.

After the Department of Legislative Reference Drafts legislation in the form of a bill or a joint resolution, the sponsor files it "drops it into the hopper" with the Secretary of the Senate or the Chief Clerk of the House. The bill or resolution is given an identification number and is readied for its first reading on the floor. Legislation is numbered consecutively as it is introduced (Senate Rule 23; House Rule 23), must be stamped for approval and codification by the Department of Legislative Reference (Senate Rule 26; House Rule 26), and is printed as specified by Senate and House (Rules appendices). Senate legislation is printed on white paper and House legislation on blue paper.

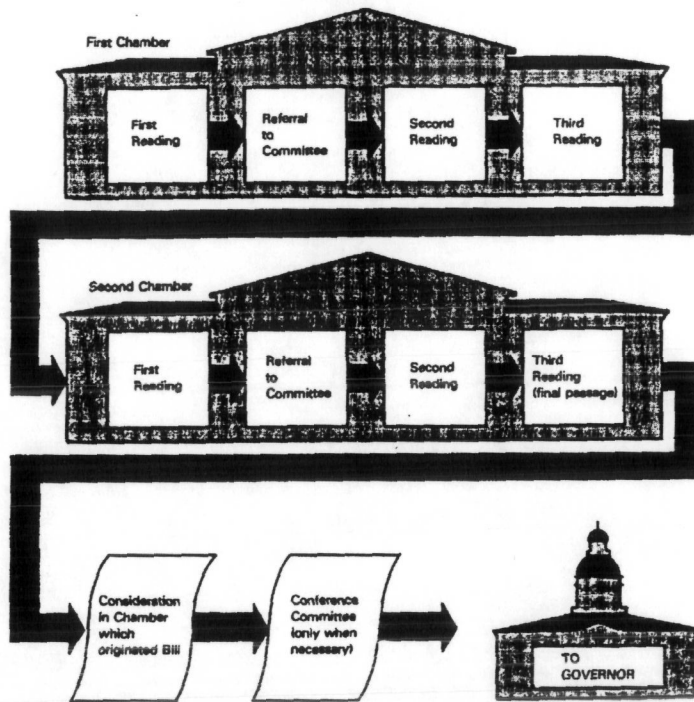
The Constitution of Maryland requires that before any bill becomes law, it must be read on three different days in each house, for a total of six readings. A bill may not be read for the third time in its house of origin until it has been reprinted. The Constitution also specifies that a bill must be passed in each house by a majority vote of the total membership, and the final vote on third reading in each house must be recorded.

The Senate and the House of Delegates may adopt a "consent calendar" procedure if members of each house receive reasonable notice of the bills placed on each consent calendar. The consent calendar is a list of bills to be read and voted upon as a single group on both second and third readings (Const., Art. III, secs. 27, 28). This procedure greatly expedites the legislative process. In 1988, the Senate revised its rules to place bills and joint resolutions on consent calendars by category as they are voted out of committee (Senate Rule 55). The House of Delegates still retains a Consent Calendars Committee to determine which bills and joint resolutions may be included on consent calendars (House Rules 18 and 55).

The Constitution also provides for an annual budget bill. Each year, the Governor presents a bill to the General Assembly containing the budget for State government for the next fiscal year. The budget bill, however supplemented or amended, must be balanced; total estimated revenues must always be equal to or exceed total appropriations (Const., Art. III, sec. 52(5a)). If the General Assembly has not acted upon the budget bill seven days before the expiration of a regular session, the Governor, by proclamation, may extend the session as necessary for action to be taken on the bill. After both houses pass the budget bill, it becomes law without further action (Const., Art. III, sec. 52).

Bills may be introduced throughout the ninety days of a session, but the later a bill is introduced, the more difficult its passage becomes. Any Senate bill introduced after the 24th calendar day of a session must be referred to the Senate Rules Committee, cannot be required to be returned to the floor

## THE PROGRESS OF A BILL



except by a two-thirds vote of the membership, and may not be petitioned from committee (Senate Rule 32). A House bill introduced after the 45th calendar day must be referred to the House Rules and Executive Nominations Committee, requires a two-thirds vote to be returned to the floor, and cannot be petitioned from committee (House Rule 32). For a bill to be introduced during the last 35 days of a session, the rules must be suspended by a two-thirds vote (Const., Art. III, sec. 27). Except for the annual budget bill and bills creating or amending State debts, a House bill that crosses over to the Senate after the 76th day of session is subject to the same restrictions as is a bill introduced after the 24th day.

The committee system is a vital part of the legislative machinery. Rules of each house require that every bill or joint resolution, with one exception, be referred to a standing committee after first reading (Senate Rule 33; House Rule 33). Bills having a purely local impact are referred to select committees composed of the local delegation or the local Senators. The fate of most legislative proposals is determined in committee. Committees are required to hold a public hearing on each bill or joint resolution assigned to them. During session, the Department of Legislative Reference publishes a weekly hearing schedule so that those interested may testify for or against proposed legislation. The Department of Fiscal Services prepares a fiscal analysis for

each bill and these fiscal notes are considered during committee deliberations. At the committee hearing, testimony is usually heard from the bill's sponsor and other proponents and opponents of the bill. Testimony and further consideration may result in amendments to the bill made by the committee. The final vote of the committee is recorded by member, and may be favorable (with or without amendment), unfavorable, or without recommendation. Having been "voted out of committee," the bill now returns to the floor of its chamber of origin accompanied by a report of committee action and is read for the second time.

After consideration of committee amendments, the bill is then open to amendment from the floor. There, committee action may be reversed, although this happens infrequently.

The bill, with any adopted amendments, is then printed for third reading. No amendments may be presented on third reading. In the chamber of origin, a recorded vote is taken to pass or reject the bill. To pass, the bill must receive a majority vote of the elected membership.

The bill then passes over to the opposite chamber, has its first reading, and is assigned to a committee for a hearing. The procedure followed is identical with that of the chamber in which the bill originated, except that amendments may be proposed during second and third readings. If not

amended in the second chamber, final passage may occur without reprinting.

If amended in the second chamber, the bill is returned to the chamber of origin so that house may accept the amendments. If the chamber of origin votes to concur with the amendments, the bill is voted on as amended and action is complete. The bill is reprinted, or enrolled, to include the added amendments before being submitted to the Governor.

If the chamber of origin votes to reject the amendments, the amending chamber may be asked to withdraw its amendments. If it refuses, either chamber may request that a conference committee be appointed to resolve the differences between the two chambers.

Appointed by the Senate President and the House Speaker, a conference committee consists of three members of each house. The committee reports back to both chambers where its recommendations are adopted or rejected without amendment. If the report is adopted, the bill is voted upon for final passage in each house. If the report is rejected by either house, the bill fails.

All bills passed by the General Assembly become law when signed by the Governor, or when passed over the Governor's veto by three-fifths of the membership of each house. Laws thus approved take effect on the first day of June after the session in which they were passed, except when (1) a later date is specified in the Act, or (2) the bill is declared an emergency measure. Emergency bills must be passed by three-fifths of the total number of members of each house, and become law immediately upon their approval by the Governor.

All bills except the budget bill and constitutional amendments, must be presented to the Governor within twenty days following adjournment of a session. The Governor may veto such bills within thirty days after presentation to him. If the Governor does not veto a bill, it becomes law. The budget bill, however, becomes law upon its final passage and cannot be vetoed. Constitutional amendments cannot be vetoed; they become law only upon their ratification by the voters at the next general election.

The power to override a veto rests with the General Assembly. If the Governor vetoes a bill during a regular session, the General Assembly immediately considers the Governor's veto message. If the Governor vetoes a bill presented after the session, the veto message must be considered immediately at the next regular or special session of the Legislature. The General Assembly may not override a veto during the first year of a new term. A three-fifths vote of the elected membership of both chambers is necessary to override a veto.

## SOURCES OF INFORMATION ON THE STATUS OF BILLS

**Elected Officials.** The most effective source of information on the status of a bill is often a constituent's State Senator or Delegate, who usually has information resources not available to the general public.

**Department of Legislative Reference.** The Library and Information Services Division of the Department of Legislative Reference answers any request for information about the status of a bill.

### Library

..... Baltimore area: 841-3810  
 ..... D.C. area: 858-3810  
 ..... Other areas: 1-800-492-7122, ext. 3810  
 ..... TDD for Deaf: 841/858-3814

### Information Desk, State House (ground floor)

..... Baltimore area: 841-3886  
 ..... D.C. area: 858-3886  
 ..... Other areas: 1-800-492-7122, ext. 3886  
 ..... TDD for Deaf: 841/858-3814

During the legislative session, the Department of Legislative Reference publishes the daily floor proceedings for both the Senate and the House of Delegates, as well as daily synopses of legislation introduced. The proceedings list all actions taken on bills and joint resolutions in either chamber each day. The synopses summarize legislation introduced each day, and note the primary sponsor(s), the committee assignment, and the section of the *Annotated Code* affected by the legislation. As with printed bills, the Senate proceedings and synopses are on white paper, the House on blue. The Department also publishes a weekly public hearing schedule specifying the times and places for all legislative committee meetings. The hearing schedule is published weekly all year, but is especially useful during the legislative session because it lists what bills will be heard each day.

A limited number of synopses, proceedings, and hearing schedules are available to the public at the Information Desk of the State House (ground floor) or the Information Desk in the Legislative Services Building (ground floor). Copies of printed bills and joint resolutions may be obtained from the Bill Room in the Legislative Services Building.

The Department of Legislative Reference offers a subscription service known as the *Bin Service* to persons or organizations with a broad continuing need for bill information. Subscriptions are filed in Room G-17 of the Legislative Services Building (Phone: Baltimore area 841-3883; D.C. area 858-3883; other areas 1-800-492-7122).

### Bin Service Subscription Rates:

*Picked up in Annapolis* — \$100 for bills (first reader, third reader, enrolled); \$25 for synopses, proceed-

ings, hearing schedules.

*Mailed Out*—\$500 for bills; \$275 for first reader copies only; \$225 for third reader copies only; \$75 for enrolled bills only; \$200 for synopses; \$100 for proceedings; \$50 for hearing schedules.

*Newspapers.* Newspapers often publish public hearing schedules of General Assembly committees and articles about bills introduced.

Every April, immediately after the adjournment of the General Assembly, the Department of Legislative Reference compiles *Session Review*. This volume contains an overview of the issues and an account of legislation passed that session by the General Assembly, as well as significant bills that failed. Copies may be obtained from the Department for a fee.

The Department of Legislative Reference also publishes legislative committee reports, various indexes to bills, *Final Status Report of Proposed Legislation*, *Synopsis of Laws Enacted*, journals of both Senate and House, and *Laws of Maryland*.

Bibliography: *Legislator's Handbook*, Department of Fiscal Services, Annapolis, 1986, 176 pp. *Student Legislative Handbook*, Cornelia Connelly, Maryland General Assembly, Annapolis, n.d., 31 pp. *Your Voice in Annapolis*, Maryland General Assembly, Annapolis, n.d., 16 pp. *Rules of the House of Delegates of Maryland*, Maryland General Assembly, 1988, 123 pp. *Rules of the Senate of Maryland*, Maryland General Assembly, 1988, 124 pp.

**1987 LEGISLATIVE SESSION**

393rd session of General Assembly  
 Convened: January 14, 1987  
 Adjourned: April 13, 1987

**BILLS**

	Introduced	Passed
Senate.....	1,075	363
House.....	1,593	510
Total.....	2,668	873

	Signed	Vetoed
Senate.....	328	35
House.....	450	60
Total.....	778	95

**JOINT RESOLUTIONS**

	Introduced	Passed
Senate.....	44	11
House.....	69	14
Total.....	113	25

**CONSTITUTIONAL AMENDMENTS**

Proposed:

Senate.....	4
House.....	10
Total.....	14

Submitted to referendum: 0

**VETOES**

Overridden.....0

**BUDGET**

Operating Budget.....	\$8,900,000,000
(6.6% increase)	
State Debt.....	\$230,000,000
General Construction Loan.....	\$ 99,839,000
School Construction Loan.....	\$ 53,900,000
Bonds.....	\$ 76,261,000

**SIGNIFICANT ISSUES**

Aid to education (Action Plan for Educational Excellence); auto emissions; blue laws (Sunday sales); boating safety; child abuse and neglect; Children's Trust Fund; collateral source rule in awards of damages; condominiums, cooperatives, and homeowners associations; corporal punishment for schoolchildren; covered loads on trucks; death penalty for minors and incompetents; Department of the Environment created; Distinguished Scholar Program; Driver License Compact; drug testing for State employees; drunk driving; elderly social services; election campaign reform; family-oriented personnel policies; food establishment regulation; gambling in Baltimore County; gas tax (5 cents per gallon increase); health care delivery systems; Juvenile Services Agency given independent status; live animal experiments; medical malpractice (tort reform); out-of-State banks (Citicorp); protective headgear for motorcyclists; rape trials—jury charge (Lord Hale); regional savings and loans; reorganization of State government—Department of Economic & Employment Development and Department of Housing & Community Development; slot machines on the Eastern Shore; smoking in public places; stadiums and creation of Stadium Authority; State income tax reform; steep slope mining; surrogate parenting; tax amnesty; tort liability of local governments; truck safety; Vietnam veterans recognition; windfall tax; and workers' compensation.

**1988 LEGISLATIVE SESSION**

394th session of General Assembly  
 Convened: January 13, 1988  
 Adjourned: April 11, 1988

**BILLS**

	Introduced	Passed
Senate.....	883	342
House.....	1,490	530
Total.....	2,373	872

	Signed	Vetoed
Senate.....	295	47
House.....	497	33
Total.....	792	80

**JOINT RESOLUTIONS**

	Introduced	Passed
Senate.....	38	9
House.....	58	6
Total.....	96	15

**CONSTITUTIONAL AMENDMENTS**

Proposed:

Senate.....	16
House.....	19
Total.....	35

Submitted to referendum: 2

**VETOES**

Overridden:..... 1

**BUDGET**

Operating Budget.....	\$9,800,000,000
(8.7% increase)	
State Debt.....	\$270,000,000
General Construction Loan.....	\$111,491,000
School Construction Loan.....	\$ 53,000,000
Bonds.....	\$ 90,509,000

**SIGNIFICANT ISSUES**

Abortion funding; AIDS; appointment of judges; aquaculture; auto emissions; budget; Chesapeake Bay; child abuse victims—testimony; child care regulation; child support guidelines; corporate directors and officers liability; corporate takeovers; covered loads on trucks; drunk driving; dangerous dogs; economic development funds and programs; handguns; higher education reorganization; higher education scholarships; ignition interlock systems; inheritance tax law revision; homestead tax credit; light rail; national banking acquisitions; Port Commission to enhance Port of Baltimore; racing—intertrack wagering; recycling; regulation of plumbers, electricians, and real estate brokers; savings and loan associations—conversion; surrogate motherhood; smoking in retail stores; unemployment insurance.

**THE LEGISLATIVE YEAR**

The legislative rhythm repeats itself from year to year. Its cycle is governed by certain dates established by the Maryland Constitution statute, rule, and custom. For example, the Constitution requires the General Assembly to convene on the second Wednesday in January and limits the session to ninety days and an extension to thirty days (Const. Art. III, secs. 6, 14, & 15). Dates established by statute include the prefiling deadlines (Code State Government Article, sec. 2-1502) and the due dates for reports which are usually included in their enabling legislation. Dates pertaining to the introduction of legislation are mandated both by the Constitution and the Rules of each house. Custom has created the post-prefile procedures and es-

tablished July 1 and October 1 as the customary effective dates for bills.

**1988 INTERIM CALENDAR**

**May**

- 1—Final date for presentment of bills to Governor (20th day after adjournment)
- 31—Governor to sign/veto bills by this date (30th day after presentment)

**June**

- 1—Earliest date for 1988 enacted bills (other than emergency bills) to take effect
- 7—Legislative Policy Committee post-Session planning meeting

**July**

- 1—Customary date for 1988 enacted bills to take effect

**August**

- 1—Capital Debt Affordability Committee report due
- 15—Deadline for agency submission of departmental legislation to Governor
- 31—Deadline for agency submission of 1990 Fiscal Year budgets to Department of Budget & Fiscal Planning

**October**

- 1—Department of Transportation Light Rail Plan due

**November**

- 1—Reports due from:
  - Joint Legislative Committee on Medicaid
  - Motor Vehicle Administration on Drunk Driving
  - State Judiciary on Drunk Driving
- 8—General Election
- 15—Statutory deadline for members of General Assembly to request drafting of bills for possible prefiling

**December**

- 1—Reports due from:
  - Spending Affordability Committee
  - Task Force on Drunk & Drugged Driving
- 2—Statutory deadline for members of General Assembly to approve drafted bills for prefiling. Bill requests received after this date prepared for members to introduce on first day of Session (prefile procedures suspended; post prefile procedures instituted)

- 14—Committee summary reports to be submitted to Legislative Policy Committee and General Assembly; Board of Revenue Estimates forecast of budget revenues for 1989 and 1990 Fiscal Years (generally due mid-December)

- 31—Reports due from:
  - Tort and Insurance Reform Oversight Committee
  - Worker's Compensation Benefit & Insurance Oversight Committee

**1989—January**

- 1—Commission on State Taxes & Tax Structure report due

**1989 SESSION CALENDAR**

**January**

- 11—General Assembly convenes (noon, Wednesday)
- 12—Governor delivers State of the State Address (noon, Thursday)
- 20—Budget Bill introduced (Wednesday)
- 22—Final date for submission of Executive Orders reorganizing the Executive Branch of State Government (Friday). Either House may disapprove by resolution within 50 days of introduction
- 26—Senate and House Bill Request Guarantee Date (14th day)

**February**

- 1—Final date for Governor to introduce Capital Budget Bill (20th day)
- 5—Senate and House Bill Introduction Date (24th day). Senate bills introduced after this

date referred to Senate Rules Committee (Senate Rule 32 (b)). House Bill Introduction Courtesy Day

- 21—"Green Bag" appointments submitted by Governor (40th day)—actually delivered Friday, February 19
- 26—House bills introduced after this date referred to House Rules Committee (45th day). (House Rule 32 (b))

**March**

- 7—Final day for introduction of bills without suspension of Rules (55th day). Budget Bill reported to Senate floor by Budget and Taxation Committee. Senate moves Budget Bill in 1988
- 16—Budget Bill reported to House Appropriations Committee
- 22—Committee Reporting Courtesy Date (70th day). Each chamber's committees to report their own bills by this date
- 28—Opposite Chamber Bill Crossover Date (76th day)
  - Each chamber to send to other chamber those bills it intends to pass favorably
  - Opposite chamber bills received after this date subject to referral to Rules Committees (Senate Rule 32 (c), House Courtesy Date)

**April**

- 4—Budget Bill to be passed by both chambers by this date (83rd day)
- 11—Adjournment *Sine Die*

**May**

- 11—Final date for an extended Session

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**STANDING COMMITTEES**

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Standing committees are defined as those committees set forth in the Rules of the Senate or the Rules of the House of Delegates (Code State Government Article, sec. 2-101(f)). Their primary function is to consider all legislation referred to them by the Senate President or House Speaker.

The Senate has six standing committees (Senate Rule 18). The House has eight standing committees (House Rule 18). In addition, there are three joint standing committees. At the beginning of each session, the Senate President and House Speaker appoint the members of standing committees and designate chairpersons and vice-chairperson. A senator or delegate may not be appointed to more than one standing committee whose main function is to consider legislation.

The rules of each chamber require every bill to be referred by the presiding officer to the appropriate standing committee (Senate Rule 33; House Rule 33). An exception is made for bills which are strictly local with no statewide impact. Such bills are referred instead to select committees. A select committee is usually composed of a county's delegation in the House or its senators, with other members appointed as necessary to make up the minimum number of three. Counties without home rule keep their select committees busy.



The House or Senate may suspend its Rules in order to consider a bill or resolution without referring it to a standing committee as long as each member receives a copy of the bill or resolution to be so considered (Senate Rule 33(f); House Rule 33(f)).

## SENATE STANDING COMMITTEES

### BUDGET AND TAXATION COMMITTEE

Laurence Levitan, *Chairperson*  
Francis X. Kelly, *Vice-Chairperson*

William H. Amoss; Raymond E. Beck; John A. Cade; Bernie Fowler; Barbara A. Hoffman; Nathan C. Irby, Jr.; Frank J. Komenda; Julian L. Lapidus; Ida G. Ruben; Charles H. Smelser; Decatur W. Trotter.

Staff: Robbin S. Marks; Robin R. Kushner  
841-3710

Room 100, James Building 841-3690

The Budget and Taxation Committee considers legislation relating to State operating and capital budgets, including revenues and expenditures; supplementary appropriations; State and county bond authorizations; legislative budgetary procedures; taxation and property assessments; and proposals requiring significant expenditures. The Committee consists of thirteen members.

### ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE

Clarence W. Blount, *Chairperson*  
Arthur Dorman, *Vice-Chairperson*

John N. Bambacus; Troy Brailey; Michael J. Collins; John W. Derr; Idamae Garrott; Paula C. Hollinger; Frederick C. Malkus, Jr.; S. Frank Shore; Gerald W. Winegrad.

Staff: Carol L. Swan; Lynne Blume 841-3870

Room 200, James Building 841-3661

The Economic and Environmental Affairs Committee considers legislation relating to agriculture and land preservation; natural resources; alcoholic beverages; mobile homes; elections; veterans and defense; education; fire prevention and safety; procurement; environmental health; local government; administrative law; State government reorganization and procedures; and business and occupational licensing and regulation (including health occupations). Eleven senators serve on this committee.

### FINANCE COMMITTEE

Catherine I. Riley, *Chairperson*  
Thomas Patrick O'Reilly, *Vice-Chairperson*

Joseph S. Bonvegna; Thomas L. Bromwell; Victor Cushwa; George W. Della, Jr.; Leo E. Green; Edward J. Kasemeyer; Lewis R. Riley; James C. Simpson; Michael J. Wagner.

Staff: Isabella Firth; Stephen M. Ports 841-3710

Presidential Wing, James Building 841-3677

The Finance Committee considers legislation relating to banks and financial institutions; credit regulation and consumer financing; commercial law; economic and community development; insurance; horse racing; lottery and gambling; health; pensions and retirement; State personnel; social services; transportation; utility regulation; labor and employment; unemployment insurance; and worker's compensation. The Committee consists of eleven members.

### JUDICIAL PROCEEDINGS COMMITTEE

Walter M. Baker, *Chairperson*  
Norman R. Stone, Jr., *Vice-Chairperson*

F. Vernon Boozer; John C. Coolahan; Howard A. Denis; Philip C. Jimeno; John A. Pica, Jr.; Margaret C. Schweinhaut; Albert R. Wynn; Thomas M. Yeager; Larry Young.

Susan H. Russell; Keith B. Levy 841-3870

Room 300, James Building 841-3623

The Judicial Proceedings Committee considers legislation relating to legal aspects of alcoholic beverages; commercial law; consumer protection; corporations and associations; crimes and punishments; criminal and civil procedures; family law; judicial administration and court structure; juvenile justice; law enforcement officials; legal profession; legal rights and immunities; licensing and regulation (law enforcement only); real property; trusts, estates, and probate; constitutional amendments; equal rights and opportunities; ethics; and motor vehicles. Eleven senators serve on this committee.

### EXECUTIVE NOMINATIONS COMMITTEE

Joseph S. Bonvegna, *Chairperson*  
Michael J. Wagner, *Vice-Chairperson*

Clarence W. Blount; F. Vernon Boozer; Troy Brailey; Thomas L. Bromwell; John C. Coolahan; George W. Della, Jr.; Howard A. Denis; John W. Derr; Arthur Dorman; Bernie Fowler; Leo E. Green; Barbara A. Hoffman; Francis X. Kelly;



Frederick C. Malkus, Jr.; **Thomas Patrick O'Reilly**;  
Charles H. Smelser; **Norman R. Stone**, Jr.

Staff: Alan F. Deanehan 841-3870

Room 311, James Building 841-3598

The Executive Nominations Committee examines all nominations for appointments made by the Governor and reports its recommendations to the Senate. The Committee consists of nineteen members.

#### RULES COMMITTEE

Victor Cushwa, *Chairperson*  
Decatur W. Trotter, *Vice-Chairperson*

Walter M. Baker; Clarence W. Blount; John A. Cade; Nathan C. Irby, Jr.; Laurence Levitan; Thomas V. Mike Miller, Jr.; Catherine I. Riley; Charles H. Smelser; Norman R. Stone, Jr.

Staff: John R. Stierhoff 841-3700

Room 309, James Building 841-3609

The Rules Committee considers proposals concerning the rules, organization, and procedures of the Senate; reviews legislation introduced after the 24th day of a regular session; and decides on referral of those bills to other committees for consideration. Eleven senators serve on this committee.

#### HOUSE OF DELEGATES STANDING COMMITTEES

##### APPROPRIATIONS COMMITTEE

Charles J. Ryan, *Chairperson*  
Howard P. Rawlings, *Vice-Chairperson*

Gary R. Alexander; John M. Ashley, Jr.; John C. Astle; R. Charles Avara; Joseph Bartenfelder; Susan R. Buswell; Richard N. Dixon; John W. Douglass; George C. Edwards; Jennie M. Forehand; Peter Franchot; John G. Gary; Martha S. Klima; Nancy K. Kopp; Samuel C. Linton; Timothy F. Maloney; James E. McClellan; Nancy L. Murphy; Mark O. Pilchard; Eileen M. Rehrmann; Samuel I. Rosenberg; Richard Rynd.

Staff: John Lang III; W. Kevin Hughes 841-3710

Room 131, Lowe Building 841-3407

The Appropriations Committee considers legislation relating to State operating and capital budgets, including revenues and expenditures; supplementary appropriations; State and county bond authorizations; legislative budgetary procedures; and State personnel and pensions.

#### CONSTITUTIONAL AND ADMINISTRATIVE LAW COMMITTEE

Anne Scarlett Perkins, *Chairperson*  
Elijah E. Cummings, *Vice-Chairperson*

Leon Albin; William C. Bevan; John J. Bishop; Frank D. Boston, Jr.; Peter G. Callas; Dana Lee Dembrow; Michael R. Gordon; W. Ray Huff; Ruth M. Kirk; Barbara O. Kreamer; Donald E. Lamb; Gloria Lawlah; Anne MacKinnon; American Joe Miedusiewski; George W. Owings III; Carol S. Petzold; Donald B. Robertson; Jean W. Roesser; Sylvania W. Woods, Jr.; Betty Workman.

Staff: Theodore E. King, Jr.; Patricia R. Sylvester 841-3870

Room 141, Lowe Building 841-3502

The Constitutional and Administrative Law Committee considers legislation relating to government operations; procedures of executive and administrative departments and agencies; elections; worker's compensation; energy and utility regulation; education; procurement; and amendments to the federal and State constitutions.

#### ECONOMIC MATTERS COMMITTEE

Casper R. Taylor, Jr., *Chairperson*  
Joseph V. Lutz, *Vice-Chairperson*

R. Terry Connelly; Ann Marie Doory; Nathaniel Exum; Hattie N. Harrison; Christine M. Jones; A. Wade Kach; Robert H. Kittleman; Charles W. Kolodziejski; John Leopold; George H. Littrell, Jr.; Juanita Miller; Louis P. Morsberger; Donald F. Munson; Ethel Murray; Nathaniel T. Oaks; Joseph W. O'Malley; Patrick C. Scannello; Patricia R. Sher; C. Lawrence Wisner; John F. Wood, Jr.

Staff: Lars B. Kristiansen; Mark Zuckerman 841-3870

Room 151, Lowe Building 841-3519

The Economic Matters Committee considers legislation relating to licensing and regulation of businesses and occupations; labor and employment; economic and community development; insurance and banking regulation; unemployment insurance; consumer protection; vehicle laws; and alcoholic beverages.

#### ENVIRONMENTAL MATTERS COMMITTEE

John S. Arnick, *Chairperson*  
William R. McCaffrey, *Vice-Chairperson*

William A. Clark; Richard F. Colburn; Anthony M. DiPietro, Jr.; Donald B. Elliott; Donna M. Felling; Brian E. Frosh; Tony E. Fulton; Ronald A. Guns; John D. Jeffries; Samuel Q. Johnson III; Lawrence

A. LaMotte; Margaret H. Murphy; Marsha G. Perry; Paul G. Pinsky; Joan B. Pitkin; George T. Schmincke; John F. Slade III; Royd Smith; Leonard H. Teitelbaum; Virginia M. Thomas; Judith C. Toth; Michael H. Weir.

Staff: Pegeen A. Townsend 841-3870

Room 161, Lowe Building 841-3534

The Environmental Matters Committee considers legislation relating to natural resources and the environment, including related occupations and professions; land use planning and zoning; general health; mental health and retardation; and agriculture.

#### JUDICIARY COMMITTEE

William S. Horne, *Chairperson*

Kenneth H. Masters, *Vice-Chairperson*

J. Ernest Bell II; Rosa Lee Blumenthal; Michael Busch; Joel Chasoff; Gerald J. Curran; Louis L. DePazzo; Cornell N. Dypski; Robert L. Ehrlich, Jr.; Robert L. Flanagan; Gilbert J. Genn; Ralph M. Hughes; Kevin Kelly; E. Farrell Maddox; Richard C. Matthews; Pauline H. Menes; Joseph J. Minnick; Kenneth C. Montague, Jr.; Richard A. Palumbo; D. Bruce Poole; David B. Shapiro; Joseph F. Vallario, Jr.

Staff: Douglas R. Nestor; Donald Hogan 841-3870

Room 121, Lowe Building 841-3488

The Judiciary Committee considers legislation relating to judicial administration and court structure; legal profession; law enforcement and public safety; crimes and penalties; criminal and civil laws and procedures; juvenile justice; marriage and divorce; real property; trusts, estates, and probate; corporations; legal rights and immunities; and drunk driving.

#### WAYS AND MEANS COMMITTEE

Tyras S. Athey, *Chairperson*

Gene W. Counihan, *Vice-Chairperson*

Curt Anderson; Mary H. Boergers; William J. Burgess; James W. Campbell; Mary A. Conroy; Norman H. Conway; William H. Cox, Jr.; Ulysses Currie; Clarence Davis; Dennis C. Donaldson; Michael Gisriel; Thomas H. Hattery; Henry B. Heller; Henry R. Hergenroeder, Jr.; Sheila E. Hixson; Theodore Levin; Daniel M. Long; James C. Rosapepe; Ellen R. Sauerbrey; Elizabeth S. Smith; Michael J. Sprague; Paul E. Weisengoff.

Staff: Anne Schanche; Eugene M. Thomas III 841-3710

Room 111, Lowe Building 841-3469

The Ways and Means Committee considers legislation relating to State and local taxation, including property tax credit programs and assessments; financing of State programs and services; education, health, and welfare; transportation; gambling and horse racing; and creation of judgeships.

#### RULES AND EXECUTIVE NOMINATIONS COMMITTEE

Hattie N. Harrison, *Chairperson*

Daniel M. Long, *Vice-Chairperson*

John S. Arnick; Tyras S. Athey; William H. Cox, Jr.; Richard N. Dixon; Dennis C. Donaldson; William S. Horne; Robert H. Kittleman; Pauline H. Menes; Louis P. Morsberger; Anne Scarlett Perkins; Donald B. Robertson; Charles J. Ryan; Ellen R. Sauerbrey; Casper R. Taylor, Jr.

Staff: Susan E. McCahan 841-3923

Room 406, Lowe Building 841-3923

The Rules and Executive Nominations Committee considers proposals concerning the rules, organization, and procedures of the House; considers proposals affecting the legislature as an institution and its agencies; examines nominations requiring House confirmation and reports its recommendations; reviews legislation introduced after the bill deadline, and decides on re-referral of those bills to other committees for consideration.

#### CONSENT CALENDARS COMMITTEE

R. Clayton Mitchell, Jr., *Speaker of the House of Delegates*; John S. Arnick, *Majority Leader*; Ellen R. Sauerbrey, *Minority Leader*.

The Consent Calendars Committee determines the bills and joint resolutions proposed for inclusion on the consent calendar.

#### JOINT STANDING COMMITTEES

##### INVESTIGATION COMMITTEE

S. Frank Shore, *Senate Chairperson*

Richard A. Palumbo, *House Chairperson*

*Senate members:* Michael J. Collins; Lewis R. Riley; Ida G. Ruben; Larry Young.

*House members:* Robert H. Kittleman; Theodore Levin; Joan B. Pitkin; Sylvania W. Woods, Jr.

841-3865

The Investigation Committee inquires into abuses in expenditures of public monies when referred by resolution of either house of the General Assembly.

## PROTOCOL COMMITTEE

William H. Amoss, *Senate Chairperson*  
Clarence Davis, *House Chairperson*

*Senate members:* Troy Brailey; John W. Derr;  
Michael J. Wagner.

*House members:* Hattie N. Harrison; Sheila E.  
Hixson; Christine M. Jones; Richard C. Matthews;  
James E. McClellan; Ethel Murray; Elizabeth S.  
Smith; Michael J. Sprague.

Staff: Edith R. Lehman 841-3457  
841-3603

The Protocol Committee organizes, plans, and schedules the social activities of the General Assembly.

## ORGANIZATION AND PROCEDURE COMMITTEE

The Organization and Procedure Committee meets as required. Membership consists of the members of the Senate Rules Committee and an equal number of members from the House Rules and Executive Nominations Committee (Senate Rule 18(a)(2)(iii)).

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## STATUTORY COMMITTEES

Statutory committees are created by act of the General Assembly and their duties, membership, and tenure are specified either in the *Annotated Code of Maryland* or the *Laws of Maryland*. Most commonly, statutory committees are joint committees with an equal number of members from the Senate and House of Delegates.

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### LEGISLATIVE POLICY COMMITTEE

*Co-Chairpersons:*

Thomas V. Mike Miller, Jr., *President of the Senate*  
R. Clayton Mitchell, Jr., *Speaker of the House of Delegates*

*Senate Members:* Walter M. Baker; Raymond E. Beck; Clarence W. Blount; Joseph S. Bonvegna; John A. Cade; Arthur Dorman; Laurence Levitan; Frederick C. Malkus, Jr.; Catherine I. Riley; Margaret C. Schweinhaut; Charles H. Smelser; Norman R. Stone, Jr.

*House Members:* John S. Arnick; Tyras S. Athey; Hattie N. Harrison; William S. Horne; Robert H. Kittleman; Nancy L. Murphy; Anne Scarlett Perkins; Donald B. Robertson; Charles J. Ryan; Ellen R. Sauerbrey; Casper R. Taylor, Jr.

Staff: Michael I. Volk

90 State Circle 841-3849  
Annapolis 21401

The Legislative Policy Committee originated in 1939 as the Legislative Council (Chapter 62, Acts of 1939). The Council was reorganized as the Legislative Policy Committee in 1976 (Chapter 362, Acts of 1976).

The Legislative Policy Committee coordinates and supervises the work of the standing committees of the General Assembly. The Committee studies the rules and procedures of the Senate and House, and appoints special committees and subcommittees to study legislative matters. During the interim between sessions of the General Assembly, the Committee refers any recommended subject matter

it receives to interim committees, holds hearings on any subject matter, and subpoenas witnesses and records as required. The Committee may prepare its own legislative recommendations, and may endorse a legislative program in the form of bills, resolutions, or other proposals to be submitted to the General Assembly.

Prior to each regular session of the legislature, the Legislative Policy Committee is required to compile and make public in a report to the General Assembly recommendations of the standing, statutory, and special committees.

The Committee consists of twenty-six members, thirteen from the Senate and thirteen from the House of Delegates. The Senate is represented by the President of the Senate; President Pro Tem; Majority Leader; Minority Leader; and the chairpersons of the standing committees on Budget and Taxation, Economic and Environmental Affairs, Finance, and Judicial Proceedings. The President appoints five additional Senators to represent the various areas and interests of the State. The House of Delegates is represented by the Speaker of the House; Speaker Pro Tem; Majority Leader; Minority Leader; and the chairpersons of the standing committees on Appropriations, Constitutional and Administrative Law, Economic Matters, Environmental Matters, Judiciary, and Ways and Means. The Speaker appoints three additional Delegates to represent the various areas and interests of the State. The President and Speaker serve as co-chairpersons (Code State Government Article, secs. 2-401 through 2-410).

## JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE AND LEGISLATIVE REVIEW

*Senate Chairperson:* James C. Simpson  
*House Chairperson:* Daniel M. Long

*Senate Members:* Howard A. Denis; Arthur Dorman; Barbara A. Hoffman; Paula C. Hollinger; Philip C. Jimeno; Charles H. Smelser; Thomas M. Yeager; *one vacancy.*

*House Members:* R. Terry Connelly; Gerald J. Curran; George H. Littrell, Jr.; James E. McClellan; American Joe Miedusiewski; Margaret H. Murphy; Elizabeth S. Smith; *one vacancy.*

*Staff:* Stuart Y. Gordon; Denise Cleveland-Leggett  
841-3870

The Joint Committee on Administrative, Executive and Legislative Review (AELR Committee) was created in 1984 as a joint standing committee known as the Committee on Legislative Review (Chapter 96, Acts of 1964). It was renamed the Committee on Administrative, Executive and Legislative Review in 1972 (Chapters 400 and 699, Acts of 1972).

The Committee reviews State agency rules and regulations with regard to the legislative prerogative and procedural due process. The Committee also may inquire into any failure of an officer or employee of the legislative, executive, or judicial branch of State government to comply with State statutory or constitutional law. Further, the Committee sits as a legislative advisory board for the *Code of Maryland Regulations (COMAR)* published by the Division of State Documents of the Office of the Secretary of State.

The AELR Committee receives copies of all rules of each State agency. Unless submitted to the Committee, certain rules, regulations, or standards may be invalid.

The Committee is required to receive emergency energy executive orders promulgated by the Governor (Chapter 1, Acts of 2nd Special Session of 1973). This legislative authority has been updated annually.

By law, the Committee reports annually to the Legislative Policy Committee and the General Assembly.

The Committee is composed of nine Senators and nine members of the House of Delegates, who are appointed by the President of the Senate and the Speaker of the House of Delegates at the beginning of each regular session. Members serve for one year. The chairperson and vice-chairperson alternate each year between the two houses. Representation of each political party is approximately in

the same proportion as its membership in each house (Code State Government Article, secs. 2-501 through 2-507).

## JOINT BUDGET AND AUDIT COMMITTEE

*Senate Chairperson:* Julian L. Lapidés  
*House Chairperson:* Richard N. Dixon

Barbara A. Hoffman, *designee of Senate President*  
Clarence W. Blount, *Senate Majority Leader*  
F. Vernon Boozer, *designee of Senate Minority Leader*

Samuel I. Rosenberg, *designee of House Speaker*  
Nancy K. Kopp, *designee of House Majority Leader*  
John J. Bishop, *designee of House Minority Leader*

*Appointed by Senate President:* William H. Amoss; Raymond E. Beck; Francis X. Kelly; Frank J. Komenda; Laurence Levitan; Catherine I. Riley.

*Appointed by House Speaker:* Tyras S. Athey; William J. Burgess; Susan R. Buswell; Robert L. Flanagan; Henry R. Hergenroeder, Jr.; Samuel C. Linton.

*Staff:* Lewis E. Logan

841-3710

The Joint Budget and Audit Committee was created in 1968 (Chapter 456, Acts of 1968). The Committee provides detailed study and review of budget analyses, the capital budget, fiscal policy, fiscal research, post audits, departmental operation and efficiency within State government, and other matters relating to fiscal affairs. From the Executive Department and the Department of Fiscal Services it receives annual reports on the effect of long-term State debt on the State's financial condition.

Annually, the Committee reviews federally-funded projects requiring future State funds and nonbudgeted funds used for capital programs. It also reviews rules and regulations that require increased expenditures, establishes policies and directives for the Department of Fiscal Services, and submits an annual report to the General Assembly.

The Committee consists of twenty members, including the President of the Senate, the Speaker of the House of Delegates, and the majority and minority floor leaders. Remaining members are divided equally between legislators who serve on the fiscal committees in the Senate and the House of Delegates. The chairperson and vice-chairperson are named by joint action of the presiding officers (Code State Government Article, secs. 2-601 through 2-606).

### JOINT COMMITTEE ON CHESAPEAKE BAY CRITICAL AREAS

*Senate Chairperson:* James C. Simpson

*House Chairperson:* Michael H. Weir

*Senate members:* William H. Amoss; Bernie Fowler;  
Frederick C. Malkus, Jr.; Gerald W. Winegrad.

*House members:* William A. Clark; Ronald A. Guns;  
Daniel M. Long.

Staff: Dr. Myron H. Miller

841-3875

The Joint Committee on Chesapeake Bay Critical Areas was created in 1984 (Chapter 794, Acts of 1984). Periodically, the Committee meets with the Chesapeake Bay Critical Area Commission to review the progress of the critical areas program for the Bay.

The Committee consists of ten members: five senators appointed by the President of the Senate and five delegates appointed by the Speaker of the House of Delegates (Code Natural Resources Article, sec. 8-1808).

### JOINT COMMITTEE ON FEDERAL RELATIONS

*Senate Chairperson:* Paula C. Hollinger

*House Chairperson:* Sheila E. Hixson

*Senate members:* John N. Bambacus; Clarence W. Blount; Michael J. Collins; Idamae Garrott; Edward J. Kasemeyer; Lewis R. Riley; Albert R. Wynn.

*House members:* J. Ernest Bell II; Ronald A. Guns; Gloria Lawlah; John Leopold; Eileen M. Rehrmann; George T. Schmincke; Sylvania W. Woods, Jr.

Staff: Orin J. Durey

90 State Circle  
Annapolis 21401

841-3742

The Joint Committee on Federal Relations originated as the Maryland Commission on Intergovernmental Cooperation in 1937 (Chapter 331, Acts of 1937). The Commission was reorganized as the Joint Committee on Federal Relations in 1983 (Chapter 401, Acts of 1983). The Committee monitors and evaluates the relations between State and federal government and the impact of proposals to alter those relationships on the State, local government, and Maryland citizens. It keeps State legislative and executive officials informed of federal relations and the impact of proposals for change. The Committee serves also as a forum for the consideration of certain State-local issues.

To advance cooperation between the State and other units of government, the Committee formulates proposals for the adoption of compacts, the enactment of uniform or reciprocal statutes, and the adoption of uniform or reciprocal administrative rules. The Committee also endorses informal cooperation of governmental offices, personal cooperation of government officials and employees, and the exchange and clearance of research and information.

The Committee consists of sixteen members. Eight members of the Senate are appointed by the President and eight members of the House of Delegates are appointed by the Speaker. The Senate President and House Speaker designate the chairperson and vice-chairperson (Code State Government Article, secs. 2-901 through 2-906).

### ADVISORY COMMISSION ON FEDERAL-STATE-LOCAL RELATIONS

*Senate Chairperson:* Paula C. Hollinger

*House Chairperson:* Sheila E. Hixson

*Senate members:* Idamae Garrott; Edward J. Kasemeyer; Albert R. Wynn.

*House members:* J. Ernest Bell II; Ronald A. Guns; Eileen M. Rehrmann.

*Ex officio:* Charles L. Benton, Jr., *Secretary of Budget and Fiscal Planning*; Constance Lieder, *Secretary of State Planning*; Winfield M. Kelly, Jr., *Secretary of State*.

Representing Maryland Association of Counties: Parris N. Glendening, *County Executive, Prince George's County*

Representing Maryland Municipal League: Irving "Pete" Mager, Jr., *Annapolis City Alderman*

Staff: Orin J. Durey

841-3742

The Advisory Commission on Federal-State-Local Relations meets from time to time to consider issues of concern to the Joint Committee on Federal Relations. The Advisory Commission consists of thirteen members. They include four members of the Senate and four of the House of Delegates appointed, respectively, by the President and the Speaker; the Secretary of Budget and Fiscal Planning; the Secretary of State Planning; the Secretary of State; and one member each from the Maryland Association of Counties and the Maryland Municipal League (Code State Government Article, secs. 2-907 through 2-909).

## JOINT COMMITTEE ON HEALTH CARE COST CONTAINMENT

*Senate Chairperson:* Catherine I. Riley

*House Chairperson:* John S. Arnick

*Senate members:* Leo E. Green; Paula C. Hollinger; Thomas Patrick O'Reilly; James C. Simpson.

*House members:* Mary A. Conroy; Donna M. Felling; Charles J. Ryan; Virginia M. Thomas.

Staff: Karl Aro; Stephen M. Ports

841-3875

841-3710

The Joint Committee on Health Care Cost Containment was created in 1985 (Chapter 109, Acts of 1985). Prior to publication of proposed regulations in the *Maryland Register*, the Committee reviews proposed State agency regulations relating to hospital closures, mergers, and consolidations, as well as minimum standards for hospital patient utilization review programs. The Committee also may consider and review issues relating to the State Health Resources Planning Commission, the State Health Services Cost Review Commission, the certificate of need process, the State Health Plan, studies on the availability of health care cost services, and other issues relating to health care cost containment.

The Committee is comprised of five senators appointed by the Senate President, and five delegates appointed by the House Speaker. Authorization for the Committee continues until June 1, 1990.

## JOINT COMMITTEE ON LEGISLATIVE ETHICS

*Senate Chairperson:* Julian L. Lapidus

*House Chairperson:* Joel Chasnoff

*Senate members:* Michael J. Collins; Howard A. Denis; Bernie Fowler; Gerald W. Winegrad.

*House members:* John C. Astle; Peter G. Callas; Louis L. DePazzo; Donald F. Munson.

Ex officio: Thomas V. Mike Miller, Jr., *President of the Senate*; Joseph F. Vallario, Jr., *designee of Speaker of the House of Delegates*.

Staff: Alan F. Deanehan

841-3870

The Joint Committee on Legislative Ethics was established in 1972 (Chapter 5, Acts of 1972). The Committee renders advisory opinions and promulgates rules of legislative ethics with respect to conflicts of interest governing members of the General Assembly. These rules are effective on a year-round basis.

The Committee consists of twelve members, six from the Senate and six from the House of Delegates. The Senate President and House Speaker serve ex officio. They appoint the remaining members and chairpersons. At least one member of the Senate and one of the House are chosen from the party of the Minority Leader (Code State Government Article, secs. 2-701 through 2-707).

## JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS

*Senate Chairperson:* Leo E. Green

*House Chairperson:* Gary R. Alexander

*Senate members:* Clarence W. Blount; Thomas L. Bromwell; Laurence Levitan.

*House members:* Richard N. Dixon; Nancy K. Kopp; Eileen M. Rehrmann.

Staff: W. Kevin Hughes

841-3710

The Joint Committee on the Management of Public Funds was created in 1973 (Chapter 635, Acts of 1973). The Committee reviews policies and procedures of the State Treasurer regarding the investment and management of State funds in the Treasury, State funds not in the Treasury (excluding retirement system funds), and public funds invested and managed by local government. It reports annually to the General Assembly.

The Committee consists of eight members, four from the Senate and four from the House of Delegates, appointed by the President and the Speaker. The chairperson and vice-chairperson are designated by the President and Speaker jointly and serve at their pleasure (Code State Government Article, secs. 2-801 through 2-806).

## SPENDING AFFORDABILITY COMMITTEE

*Senate Chairperson:* Laurence Levitan

*House Chairperson:* R. Charles Avara

*Senate members:* Raymond E. Beck; Clarence W. Blount; Leo E. Green; Francis X. Kelly; Thomas Patrick O'Reilly; Catherine I. Riley; James C. Simpson.

*House members:* John S. Arnick; Tyras S. Athey; John W. Douglass; Daniel M. Long; James C. Rosapepe; Charles J. Ryan; Ellen R. Sauerbrey.

Ex officio: Thomas V. Mike Miller, Jr., *President of the Senate*; R. Clayton Mitchell, Jr., *Speaker of the House of Delegates*.

Citizen advisory members: John C. Miller; Douglas Cater; H. Furlong Baldwin; Edward LaMon.

Staff: John S. Donaldson

841-3736

Established in 1982, the Spending Affordability Committee studies and reviews the status and projections of State revenues and expenditures and the status and projections of the Maryland economy (Chapter 585, Acts of 1982). The Committee's purpose is to limit the rate of growth of State spending to a level that does not exceed the rate of growth of the State's economy.

By November 1 each year, the Spending Affordability Committee submits a report to the Legislative Policy Committee and the Governor with recommendations for the fiscal goals of the budget to be considered at the next General Assembly session. The report includes recommended levels of State spending, new debt authorization, and State personnel, and provides recommendations for the use of any anticipated surplus, as well as other findings or recommendations.

The Committee consists of the Senate President and House Speaker; chairpersons of the Senate Budget and Taxation Committee, and House Appropriations Committee; the majority and minority leaders of the Senate and House or their designees; and an equal number of other senators and delegates as designated by the President and Speaker (Code State Government Article, secs. 2-1001 through 2-1009).

### **TORT AND INSURANCE REFORM OVERSIGHT COMMITTEE**

*Senate Chairperson:* Walter M. Baker

*House Chairperson:* John S. Arnick

*Senate members:* John C. Coolahan; George W. Della, Jr.; John W. Derr; Edward J. Kasemeyer; Frederick C. Malkus, Jr.; Thomas Patrick O'Reilly; Norman R. Stone, Jr.; Gerald W. Winegrad.

*House members:* J. Ernest Bell II; William A. Clark; Brian E. Frosh; William S. Horne; Donald F. Munson; Ethel A. Murray; D. Bruce Poole; John F. Slade III.

Staff: Susan H. Russell

841-3870

Created in 1987, the Tort and Insurance Reform Oversight Committee examines and evaluates the structure of medical liability insurance in Maryland and the effects of reform legislation on that structure (Chapter 596, Acts of 1987). The Insurance Commissioner must keep the Committee fully informed on the condition of medical liability insurance in Maryland and submit an annual report to the Committee by October 1 each year. The Committee in turn reports annually to the Govern-

nor and Legislative Policy Committee by December 1.

The Committee consists of eighteen members. The Senate President appoints three members each from the Judicial Proceedings Committee, Finance Committee, and Economic and Environmental Affairs Committee. The House Speaker appoints three members each from the Judiciary Committee, Economic Matters Committee, and Environmental Matters Committee.

### **SPECIAL JOINT COMMITTEE ON VEHICLE EMISSIONS INSPECTION PROGRAM (VEIP)**

*Chairperson:* Vacancy

*Senate members:* Howard Denis; Thomas Patrick O'Reilly; Norman R. Stone, Jr.

*House members:* William A. Clark; William R. McCaffrey; Nancy L. Murphy.

*Staff:* J. Patrick Ford

841-3870

The Special Joint Committee on the Vehicle Emissions Inspection Program (VEIP) was created in 1979 when the Motor Vehicle Emissions Inspection Program was established within the Motor Vehicle Administration (Chapter 421, Acts of 1979). The Committee, however, did not function until it was reorganized in 1988 (Chapter 108, Acts of 1988). The Committee consults regularly with the Secretary of the Environment and the Secretary of Transportation on the administration of the Motor Vehicle Emissions Inspection Program or any contract the Motor Vehicle Administration enters into for administering the Program.

The Committee is composed of three Senators appointed by the Senate President and three Delegates appointed by the House Speaker (Code Transportation Article, sec. 23-203(c)).

### **WORKERS' COMPENSATION BENEFIT AND INSURANCE OVERSIGHT COMMITTEE**

*Senate Chairperson:* Thomas L. Bromwell

*House Chairperson:* Elijah E. Cummings

*Senate members:* James C. Simpson

*House members:* Ethel A. Murray; Christopher B. Costello; Edward R. LaMon; Charles H. Rush; Harvey A. Epstein; Joel D. Rozner; W. Bradley Wallace; JoAnne Porter.

*Ex officio:* G. Joseph Sills, Steven Rosenbaum, *Members, Workers' Compensation Commission.*

Staff: Stephen M. Ports

841-3710

The Workers' Compensation Benefit and Insurance Oversight Committee was created in 1987 (Chapter 590, Acts of 1987). The Committee evaluates and examines the condition of the structure for workers' compensation and benefits in Maryland. The Committee also monitors the effects on that structure of the changes enacted by Chapters 590 and 591, Acts of 1987. To enable the Committee to carry out its function, the State Insurance Commissioner and the Workers' Compensation Commission submit an annual report to the Committee, cooperate with, and keep the Oversight Committee fully informed as to the condition of workers' compensation benefits and insurance in Maryland. Annually, the Committee reports by

December 31 to the Governor and the Legislative Policy Committee. By January 1, 1991, the Committee must submit a feasibility study prepared by the State Insurance Commissioner on alternative methods for determining the provision of claim payments.

Members of the Committee are appointed by the President of the Senate and the Speaker of the House of Delegates, who also designate the chairperson. The members include two senators, two delegates, one representative each from the business community, labor organizations, and the building and construction labor organizations, two public members, and one member each from the insurance industry and a workers' compensation rating organization.

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## LEGISLATIVE TASK FORCES

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### DRUNK AND DRUGGED DRIVING TASK FORCE

*not yet appointed*

The Task Force on Drunk and Drugged Driving was created in 1988 (Joint Resolution no. 15, Acts of 1988). The Task Force is to examine ways to increase the effectiveness of current remedies developed by other states and jurisdictions; and examine whether a single executive agency should administer and coordinate efforts to deal with drunk and drugged driving. The Task Force also will study costs for improving prevention and detection equipment and facilities, and methods of funding these costs. The task Force will report to the General Assembly by December 1, 1988.

The Task Force is composed of twenty-four members. These include three delegates appointed by the House Speaker; three senators appointed by the Senate President; five representatives of the judiciary, including the Chief Judge of the District

Court and two judges appointed by the Chief Judge, one circuit court judge appointed by the Chief Judge of the Court of Appeals, and the Chairperson of the Court of Appeals Standing Committee on Rules of Practice and Procedure. Also serving on the Task Force are the Superintendent of the Maryland State Police; the Governor's Executive Assistant for Public Safety; a State's Attorney recommended by the Maryland State's Attorneys' Association; the Administrator of the Motor Vehicle Administration; and two representatives of private industry and two representatives from public interest groups appointed by the Senate President and House Speaker. One representative from a public interest group must be from Mothers Against Drunken Driving (MADD) and one representative of private industry must be from the Maryland State Licensed Beverage Association with knowledge of such programs as the "Techniques of Alcohol Management (TAM) Program".

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## SPECIAL JOINT COMMITTEES AND TASK FORCES

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The Legislative Policy Committee periodically establishes special joint committees and task forces for particular purposes. These special committees and task forces function during the interim between sessions of the General Assembly. Each is reviewed annually at the end of the legislative session by the Legislative Policy Committee, which decides whether the committee or task force shall continue its work or cease to function. Staff for these committees and task forces is provided by the Department of Fiscal Services and the Department of Legislative Reference. A committees membership list is published each summer and is available on request.

Staff: Michael I. Volk

Department of Legislative Reference  
90 State Circle  
Annapolis 21401

841-3849



**1987-1988 INTERIM SPECIAL JOINT COMMITTEES AND TASK FORCES**

**SPECIAL JOINT COMMITTEE ON INCOME TAX REFORM (1987, 1988)**

*Senate Chairperson:* Laurence Levitan  
*House Chairperson:* Tyras S. Athey  
 Staff: Jay Ladin 841-3710

**JUVENILE SERVICES INITIATIVE OVERSIGHT COMMITTEE (1987, 1988)**

*Co-Chairperson:* Raymond E. Beck  
*Co-Chairperson:* William S. Horne  
 Staff: Douglas R. Nestor 841-3870

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS (1988)**

*Senate Chairperson:* John A. Cade  
*House Chairperson:* William J. Burgess  
 Staff: John W. Rohrer 841-3761

**SPECIAL JOINT COMMITTEE ON MED-EVAC PROGRAM (1987, 1988)**

*Senate Chairperson:* Francis X. Kelly

*House Chairperson:* John C. Astle  
 Staff: John Lang III 841-3710

**SPECIAL JOINT COMMITTEE ON MEDICAL ASSISTANCE PROGRAM (MEDICAID) (1988)**

*Co-Chairperson:* Catherine I. Riley  
*Co-Chairperson:* Charles J. Ryan  
 Staff: E. Phillip Sayre; Linda Stahr 841-3710

**SPECIAL JOINT COMMITTEE ON PENSIONS (1987, 1988)**

*Senate Chairperson:* William H. Amoss  
*House Chairperson:* Richard N. Dixon  
 Staff: John Rixey 841-3710

**SPECIAL JOINT COMMITTEE ON THE STATE'S CAPITAL PROGRAM (1987, 1988)**

*Co-Chairperson:* Charles H. Smelser  
*Co-Chairperson:* Timothy F. Maloney  
 Staff: Robbin S. Marks; Frederick Puddester 841-3710

**LEGISLATIVE AGENCIES**

**DEPARTMENT OF LEGISLATIVE REFERENCE**

F. Carvel Payne, *Director*

90 State Circle  
 Annapolis 21401 841-3865

The Department of Legislative Reference was originally created in 1906 to serve the City of Baltimore (Chapter 565, Acts of 1906). In 1916, the Department also began to serve the State (Chapter 474, Acts of 1916). The State's portion of the Department was transferred in 1965 to the Legislative Branch (Chapter 453, Acts of 1965). The present Department dates its current organization from 1966, when it separated from the department of the same name in Baltimore City (Chapter 571, Acts of 1966).

The Department collects, compiles, and indexes information on all questions of proposed legislation. It investigates and reports on the laws of Maryland and other states at the request of the Governor, any committee or member of the General Assembly, or any State agency. At the request of a member of the General Assembly, the Department prepares or aids in the drafting of any bill or resolution.

The Department keeps a complete index and file on all bills introduced in the General Assembly since 1918. It also keeps copies of the codes and laws of other states, and maintains a library of books,

pamphlets, reports, periodicals, and clippings on matters of current public and political interest (Code State Government Article, secs. 2-1301 through 2-1309). Each department of State government must transmit to the Department of Legislative Reference at least two copies of each of its reports, which are used for exchange and reference purposes.

The Department operates through the Office of the Director and five divisions that provide: legislative drafting and staffing services, statutory revision, research, library and information services, and computer and proofreading services.

**LEGISLATIVE SERVICES DIVISION**

Michael I. Volk, *Director* 841-3849  
 William G. Somerville, *Principal Analyst*

841-3870

The Legislative Services Division provides staff services to the General Assembly. The Division drafts and reviews nearly all bills and amendments introduced or considered by the General Assembly. In a typical year, the Division writes over 3,500 bills and joint resolutions and prepares over 2,000 amendments to them.

The Division also provides professional staff services to six of the ten major standing committees of the General Assembly (four House committees and two Senate committees). During the legislative session, these staff members of the Division work

under the specific direction of committee chairpersons, and under the general direction of the Division. During the interim between sessions, the Division provides staff support for several legislative statutory and special joint committees, task forces, and commissions. Division staff also prepares informational materials and reports for the General Assembly.

#### DIVISION OF STATUTORY REVISION

Elizabeth Buckler Veronis, *Director & Revisor of Statutes*

841-3771

The Division of Statutory Revision was created in 1972 within the Department of Legislative Reference (Chapter 182, Acts of 1972). The Division, also known as the Code Revision Division, is administered by the Revisor of Statutes, appointed jointly by the President of the Senate and Speaker of the House of Delegates. With Division staff, the Revisor of Statutes directs the ongoing comprehensive revision and restatement of the *Annotated Code of Maryland*, i.e., the statutory body of the laws of Maryland (Code State Government Article, secs. 2-1315 through 2-1319).

The Revisor and the Division worked under supervision of the Commission to Revise the Annotated Code until 1985. The Commission, appointed by the Governor in 1970, undertook the first reorganization and recodification of the Code since 1888. The Commission was charged to study and revise the *Annotated Code* in order to improve the organization, accessibility, utility, and clarity of laws, and to eliminate unconstitutional, obsolete, inconsistent or conflicting statutes.

The Commission produced the following sixteen Articles which the General Assembly enacted into law: Agriculture, Commercial Law, Corporations and Associations, Courts and Judicial Proceedings, Education, Estates and Trusts, Family Law, Financial Institutions, Health-Environmental, Health-General, Health Occupations, Natural Resources, Real Property, State Government, Tax-Property, and Transportation.

In 1985, the Legislative Policy Committee voted to continue the work of the Commission under a reorganized system of small committees with oversight from the Legislative Policy Committee and continuing review by the General Assembly. Organized to revise the *Annotated Code*, the committee system includes the Article Selection Committee and individual Article committees: Business Occupations Article Review Committee, Business Regulation Article Review Committee, and Labor and Employment Article Review Committee.

#### ARTICLE SELECTION COMMITTEE

*Chairperson:* William H. Adkins II

Avery Aisenstark; Lowell R. Bowen; Franklin B. Olmsted; Roger D. Redden; Alan M. Wilner.

974-2495

Appointed by the Governor, the Article Selection Committee provides advice on the selection of proposed Articles and the composition of Article committees.

#### BUSINESS OCCUPATIONS ARTICLE REVIEW COMMITTEE

*Chairperson:* Lowell R. Bowen

A. Gwynn Bowie, Jr.; Edward S. Digges, Jr.; Terry F. Hall; Leslie J. Polt; William A. Snyder.

The Business Occupations Article Review Committee was appointed by the President of the Senate and the Speaker of the House of Delegates. The Committee reviews and guides production of the Business Occupations Article.

#### BUSINESS REGULATION ARTICLE REVIEW COMMITTEE

*Chairperson:* Franklin B. Olmsted

Judith A. Arnold; Alison L. Asti; Perry G. Bowen, Jr.; Judson P. Garrett, Jr.; James J. Hanks, Jr.; H. Thomas Howell; Nathaniel E. Jones, Jr.; Henry F. Leonnig; Solomon Liss; Patricia A. Logan; Henry R. Lord; James S. Maffitt; Edward E. Obstler; Joseph E. Owens; Evelyn W. Pasquier; Abba David Poliakoff; John W. Sause, Jr.; Edward F. Shea, Jr.

#### LABOR AND EMPLOYMENT ARTICLE REVIEW COMMITTEE

*Chairperson:* Eugene M. Feinblatt

Cosimo C. Abato; Frank S. Astroth; Janet D. Bacot; Thomas E. Cinnamon; Harriet E. Cooperman; Harvey A. Epstein; Stephen W. Godoff; Kenneth Golberg; Edward J. Gurman; Joseph B. Harlan; Robert C. Kellner; Stephen R. Lohman; Lynette M. Phillips; Carolyn I. Polowy; Amy S. Scherr; Bernard J. Sevel; Stephen D. Shawe; G. Joseph Sills, Jr.; John S. Singleton; Sally Swann; Lawrence S. Wescott; James R. Whattam; Larry M. Wolfe; Alexander Wright, Jr.

#### LIBRARY AND INFORMATION SERVICES DIVISION

Lynda C. Davis, *Director*

Baltimore area 841-3810  
TDD for Deaf: 841-3814

Washington area 858-3810  
TDD for Deaf: 858-3814

Other areas 1-800-492-7122, ext. 3810

The Library and Information Services Division provides reference and legislative information services to committees, members, and staff of the General Assembly, and the public as well.

The Library collection of 55,000 volumes consists of Maryland laws and related legislative and legal materials, laws and publications of other states, federal documents, and general reference materials. Reference materials do not circulate except to General Assembly members, their staff, and State agency personnel.

Bill status and other legislative information is provided by the Library and its Information Desks. Through the Library, the Department serves as an official depository for the publications of Maryland State agencies and for all local codes published by county and municipal governments (Code 1957, Art. 25, sec. 32A; Art. 25A, sec. 7; Art. 25B, secs. 7, 12; State Government Article, sec. 2-1312; Education Article, sec. 23-2A-01). *Maryland Documents*, a list of State agency publications, is issued monthly.

#### RESEARCH DIVISION

Dr. Myron H. Miller, *Chief*

841-3875

The Research Division responds to inquiries or requests from legislators, committees, and their staff on nonlegal issues with information, surveys, research, policy analysis, and problem-solving options.

Research analysts are trained in social sciences disciplines and participate in a nationwide information network of universities, governments, private laboratories, research centers, and professional organizations. Division analysts also provide staff support to special legislative committees, joint task forces, commissions, and the standing committees on specialized issues. Their support complements the legal counsel provided by the Legislative Services Division.

Although the Research Division primarily responds to questions raised by legislators, research analysts also initiate independent research on topical issues of potential interest to legislators. This research is published in the *Legislative Report Series* and may be found in the Department's Library.

#### COMPUTER AND PROOFREADING SERVICES DIVISION

Michael C. Coffin, *Director*

841-3787

The Computer and Proofreading Services Division operates data processing equipment for the preparation of bills, the entry and maintenance of data into the bill status system, and the prepara-

tion of several Departmental publications. These publications include committee hearing schedules, synopses of laws, and legislative indexes. The work of the Division's proofreading staff complements the Division's data processing.

#### DEPARTMENT OF FISCAL SERVICES

William S. Ratchford II, *Director*

Legislative Services Building

90 State Circle

Annapolis 21401

841-3761

The Department of Fiscal Services originated as the Fiscal Research Bureau in 1947 (Chapter 605, Acts of 1947). The Bureau was reorganized in 1968 as the Department of Fiscal Services (Chapter 456, Acts of 1968). The Department is the financial service arm of the General Assembly and operates under the policies and directives of the President of the Senate and the Speaker of the House of Delegates, the Legislative Policy Committee, and the Joint Budget and Audit Committee. The Department provides staff services to the fiscal committees of the Legislature and to any commissions or committees that the General Assembly or the Legislative Policy Committee may appoint to study taxation or related questions.

The Department also provides support services to the General Assembly through printing, bill distribution, telecommunications, and the intern and page programs. In addition, the Department administers a public affairs program that includes publications, audio-visual materials, the Maryland Annual art exhibit, and the Legislative Handbook series.

#### DIVISION OF BUDGET REVIEW

Robert E. Brady, *Director*

841-3736

The Division of Budget Review studies and reviews the State's operating and capital budgets during all phases of their development by the Executive and adoption by the Legislature, including an annual analysis submitted to the General Assembly. State law requires the Department to prepare a fiscal note on every bill or joint resolution before a standing committee may vote on the legislation (Code State Government Article, sec. 2-1505).

#### DIVISION OF FISCAL RESEARCH

Joseph M. Coble, *Director*

841-3710

The Division of Fiscal Research studies the operation, administration, and effectiveness of

State agencies and institutions, as well as State and local financial matters and fiscal interrelationships. It collects financial data on local governments, publishes an annual report on local governmental finances, and prepares evaluation reports required under the Regulatory Programs Evaluation Act of 1978. The Division also compiles an annual report on the fiscal impact of each legislative session and an annual analysis of the State's bonded indebtedness.

#### DIVISION OF AUDITS

Anthony J. Verdecchia, *Legislative Auditor*,  
301 W. Preston Street  
Baltimore 21201

225-1400

The Office of Legislative Auditor was established as the Office of the State Auditor in 1902 and 1929 (Chapter 257, Acts of 1902; Chapter 226, Acts of 1929). The Office of Legislative Auditor is responsible for conducting post audits of a compliance or performance nature of all departments, agencies, and institutions of State government, including the offices of clerks of court and registers of wills. Upon direction by the General Assembly or the Joint Budget and Audit Committee, the Legislative Auditor may undertake a management audit of a State agency or program or an audit of a private organization that receives State funds. The Office also reviews the audit reports of all local governments and community colleges (Code State Government Article, secs. 2-1201 through 2-1234).

#### GENERAL ASSEMBLY COMPENSATION COMMISSION

*Chairperson:* George A. Nilson

*Appointed by Governor:* Naomi C. Booker; L. Russell Gobbel; Louise Kier; George A. Nilson; *one vacancy.*

*Appointed by Senate President:* Phyllis B. Brotman; Richard A. Friedlander.

*Appointed by House Speaker:* Charles H. Rush; John F. Shettle, Sr. *Terms expire 1990.*

Staff: Nicholas B. Wilson

Department of Fiscal Services  
90 State Circle  
Annapolis 21401

841-3761  
TTY for Deaf: 841-3814

The General Assembly Compensation Commission was created by Constitutional Amendment, ratified November 3, 1970 (Chapter 576, Acts of 1970). The Commission determines the compensation and allowances due members of the General Assembly. The Legislature may reduce but not increase the amounts proposed. As of January 1989, the annual salary of a legislator is \$24,000. The annual salary for the Senate President and the House Speaker is \$31,500.

The Commission consists of nine members, five appointed by the Governor, two appointed by the President of the Senate, and two appointed by the Speaker of the House of Delegates. Members serve four-year terms. Officers and employees of State or local government are not eligible for appointment to the Commission (Const. 1867, Art. III, sec. 15).

Copies of the Commission's most recent reports are available upon request.

#### STATE COMMISSION ON UNIFORM STATE LAWS

*Chairperson:* M. Michael Cramer, 1991

K. King Burnett, 1991; M. King Hill, Jr., 1991

216 North Adams St.  
Rockville 20850

424-0677

The General Assembly, in 1896, established the Commissioners for the Promotion of Uniformity of Legislation in the United States (Chapter 264, Acts of 1896). In 1984, the Commissioners were renamed the State Commission on Uniform State Laws (Code State Government Article, secs. 9-201 through 9-206).

Every four years, the Governor appoints three Commissioners who represent Maryland in the National Conference of Commissioners on Uniform State Laws. The Commissioners serve on committees that draft laws for submission to the legislatures of the several states and recommend measures to promote uniform legislation.

**LEGISLATIVE DISTRICTS AND ROSTER OF MEMBERS — 1989**

A Constitutional amendment (Chapter 363, Acts of 1972), ratified by the people on November 7, 1972, divided the State of Maryland into 47 districts for the election of the 188 members of the Senate and the House of Delegates. Each legislative district elects 1 senator and 3 delegates, for a total of 47 senators and 141 delegates. Each district may be divided into three delegate subdistricts or one multi-member delegate subdistrict. Each district must consist of adjoining territory, be compact in form, and of equal population (Const. 1867, Art. III, secs. 1-4). In districts that contain more than two counties or parts of more than two counties and where the delegates are elected at large by the voters of the entire district, no county or part of a county is allowed to have more than one resident delegate.

Pursuant to Article III, section 5, of the Constitution, the Governor presented his Legislative Reapportionment Plan of 1982 to the General Assembly on January 13, 1982, and it became law on February 26, 1982 (House Joint Resolution 32, Acts of 1982).

In the description of district boundaries, all references to election districts, wards, and precincts are to the geographical boundaries as they existed on June 1, 1981. Precinct boundaries are dynamic. Changes occur to reflect population shifts and to ensure convenient polling places for all voters. Local election boards can provide current information on precincts encompassed within each district. The text of the Joint Resolution should be consulted for the boundaries of districts, precincts, and wards split for the purposes of redistricting.

**LEGISLATIVE DISTRICT 1**

Sen. John N. Bambacus (R)  
Del. George C. Edwards (R), 1A  
Del. Kevin Kelly (D), 1B  
Del. Betty Workman (D), 1B

Boundaries: Garrett and part of Allegany County.  
*Subdistrict 1A:* Garrett County in its entirety; Allegany County Election District 10. *Subdistrict 1B:* Allegany County Election Districts 5-9, 11-14, 17-20, 22-24, 26, 28-31, 34-35. *See map, p.?*

**LEGISLATIVE DISTRICT 2**

Sen. Victor Cushwa (D)  
Del. Casper R. Taylor, Jr. (D), 2A  
Del. Peter G. Callas (D), 2B  
Del. Donald F. Munson (R), 2C

Boundaries: Parts of Allegany and Washington Counties. *Subdistrict 2A:* Allegany County Election Districts 1-4, 16, 21; Washington County Election Districts 4-5, 15, 23-24. *Subdistrict 2B:* Washington County Election Districts 2, 10, 12, 20, 26, and precincts 2 and 3 of District 17. *Subdistrict 2C:* Washington County Election Districts 3, 21-22, 25; and precinct 1 of District 17. *See map, p.?*

**LEGISLATIVE DISTRICT 3**

Sen. John W. Derr (R)  
Del. D. Bruce Poole (D), 3A  
Del. James E. McClellan (D), 3B  
Del. Royd Smith (D), 3B

Boundaries: Parts of Washington and Frederick Counties. *Subdistrict 3A:* Washington County Election Districts 1, 6, 8-9, 11, 13, 16, 18-19, and 27. *Subdistrict 3B:* Washington County Election Districts 7 and 14; Frederick County Election Districts 2-3, 6, 10, 16, 21-22, and 24. *See map, p.?*

**LEGISLATIVE DISTRICT 4**

Sen. Charles H. Smelser (D)  
Del. Thomas H. Hattery (D), 4A  
Del. George H. Littrell, Jr. (D), 4A  
Del. Donald B. Elliott (R), 4B

Boundaries: Parts of Frederick, Carroll and Howard Counties. *Subdistrict 4A:* Frederick County Election Districts 1, 4-5, 7-9, 11-15, 17-20, 23, and 25-26. *Subdistrict 4B:* Carroll County Election Districts 1, 3, 9-13; Howard County Election District 4. *See map, p.?*

**LEGISLATIVE DISTRICT 5**

Sen. Raymond E. Beck (R)  
Del. Richard N. Dixon (D), 5A  
Del. Richard C. Matthews (R), 5A  
Del. Lawrence A. LaMotte (D), 5B

Boundaries: Parts of Carroll and Baltimore Counties. *Subdistrict 5A:* Carroll County Election Districts 2, 4, 6-8, 14, and precincts 1 and 2 of Election District 5. part of Election District 2, precincts 2, 11, 17, 19, and part of precinct 15, Election District 3, part of precinct 11, Election District 4, precinct 1 and part of precinct 2; Carroll County Election District 5, precincts 3 and 4. *See map, p.?*

**LEGISLATIVE DISTRICT 6**

Sen. Michael J. Collins (D)  
Del. R. Terry Connelly (D)  
Del. E. Farrell Maddox (D)  
Del. Michael H. Weir (D)

Boundaries: Baltimore County Election District 11, precincts 3-5, 11-11, and part of precinct 2, and Election District 15, precincts 4-20. *See map, p.?*

**LEGISLATIVE DISTRICT 7**

Sen. Norman R. Stone, Jr. (D)

Del. John S. Arnick (D)  
 Del. Louis L. DePazzo (D)  
 Del. Robert R. Staab (D)

Boundaries: Baltimore County Election District 12 and Election District 15, precincts 1-3 and 21-24. *See map, p.?*

#### LEGISLATIVE DISTRICT 8

Sen. Thomas L. Bromwell (D)  
 Del. Joseph Bartenfelder (D)  
 Del. William J. Burgess (D)  
 Del. Donna M. Felling (D)

Boundaries: Baltimore County Election District 14, Election District 9, precincts 26-28, Election District 10, part of precincts 1 and 2, and Election District 11, precincts 1, 6-9, and part of precinct 2. *See map, p.?*

#### LEGISLATIVE DISTRICT 9

Sen. F. Vernon Boozer (R)  
 Del. John J. Bishop (R)  
 Del. Michael Gisriel (D)  
 Del. Martha S. Klima (R)

Boundaries: Baltimore County Election District 8, portions of precincts 4, 10, and 11, and Election District 9, precincts 3-25. *See map, p.?*

#### LEGISLATIVE DISTRICT 10

Sen. Francis X. Kelly (D)  
 Del. Robert L. Ehrlich, Jr. (R)  
 Del. A. Wade Kach (R)  
 Del. Ellen R. Sauerbrey (R)

Boundaries: Baltimore County Election Districts 5-7, Election District 3, precinct 12, Election District 4, precincts 3-9, and part of precinct 2, Election District 8, precincts 1-3, 5-9, 12, and portions of precincts 4, 10, and 11, Election District 9, precincts 1-2, and Election District 10, portions of precincts 1 and 2. *See map, p.?*

#### LEGISLATIVE DISTRICT 11

Sen. Paula Colodny Hollinger (D)  
 Del. Leon Albin (D)  
 Del. Theodore Levin (D)  
 Del. Richard Rynd (D)

Boundaries: Baltimore County Election District 2, precincts 1-2, 4-10, 12-14, 16, 18, and part of precinct 15, Election District 3, precincts 1-10 and part of precinct 11. *See map, p.?*

#### LEGISLATIVE DISTRICT 12

Sen. John C. Coolahan (D)  
 Del. Kenneth H. Masters (D)  
 Del. Louis P. Morsberger (D)  
 Del. Nancy L. Murphy (D)

Boundaries: Baltimore County Election District 13 and Election District 1, precincts 3-16. *See map, p.?*

#### LEGISLATIVE DISTRICT 13

Sen. Thomas M. Yeager (D)  
 Del. Virginia M. Thomas (D), 13A

Del. William C. Bevan (D), 13B  
 Del. Susan R. Buswell (D), 13B

Boundaries: Parts of Howard and Prince George's Counties. *Subdistrict 13A*: Howard County Election District 6, precincts 4-6, 8-14, and portions of precincts 3 and 7. *Subdistrict 13B*: Howard County Election District 1, Election District 5, precinct 6 and portions of precincts 1 and 5, Election District 6, precincts 1-2, 15, and portions of precincts 3 and 7; Prince George's County Election District 10, precincts 1-6, 8-9, and part of precinct 7. *See map, p.?*

#### LEGISLATIVE DISTRICT 14

Sen. Edward J. Kasemeyer (D)  
 Del. Joel Chasnoff (D), 14A  
 Del. Robert L. Flanagan (R), 14B  
 Del. Robert H. Kittleman (R), 14B

Boundaries: Parts of Montgomery and Howard Counties. *Subdistrict 14A*: Montgomery County Election District 5, precincts 2, 8, 15, 17-18, and part of precinct 1, Election District 8, precincts 1, 5, and portions of precincts 2, 6, and 7. *Subdistrict 14B*: Howard County Election Districts 2-3, Election District 5, precincts 2-4, 7-10, and portions of precincts 1 and 5; Montgomery County Election District 1, Election District 8, portions of precincts 2 and 7, Election District 9, portions of precincts 20 and 21. *See map, p.?*

#### LEGISLATIVE DISTRICT 15

Sen. Laurence Levitan (D)  
 Del. Gene W. Counihan (D)  
 Del. Jean W. Roesser (R)  
 Del. Judith C. Toth (D)

Boundaries: Montgomery County Election Districts 2-3, 6, and 11-12, Election District 4, precincts 12, 20, and portions of precincts 17 and 25, Election District 9, precincts 9, 12, 17-19, and portions of precincts 1, 5, 7, 8, 11, 15, and 21, Election District 10, precincts 1-6, 8-9, and 11. *See map, p.?*

#### LEGISLATIVE DISTRICT 16

Sen. Howard A. Denis (R)  
 Del. Brian E. Frosh (D)  
 Del. Gilbert J. Genn (D)  
 Del. Nancy K. Kopp (D)

Boundaries: Montgomery County Election District 4, precincts 10, 13, 18, and portions of precincts 17 and 28, Election District 7, precincts 3-4, 7-15, 17-20, and 22-31, Election District 10, precincts 7 and 10, and Election District 13, precinct 38. *See map, p.?*

#### LEGISLATIVE DISTRICT 17

Sen. S. Frank Shore (D)  
 Del. Mary H. Boergers (D)  
 Del. Jennie M. Forehand (D)  
 Del. Michael R. Gordon (D)

Boundaries: Montgomery County Election District 4, precincts 2-9, 11, 14-16, 21-24, 26-27, 29, and portions of precincts 1, 25, and 28, Election District 9, precincts 2-3, 6, 13, 16, and portions of precincts 1, 5, 7, 8, 10,

11, 15, and 20, and Election District 13, part of precinct 26. *See map, p.?*

**LEGISLATIVE DISTRICT 18**

Sen. Margaret C. Schweinhaut (D)  
Del. Donald B. Robertson (D)  
Del. Patricia R. Sher (D)  
Del. C. Lawrence Wisner (D)

Boundaries: Montgomery County Election District 7, precincts 1-2, 5-6, 16, 21, and 32, Election District 13, precincts 3, 7, 16-17, 24-25, 27-32, 34, 36, 39-40, 44, 53, 58-59, 61, and portions of precincts 14, 26, and 49. *See map, p.?*

**LEGISLATIVE DISTRICT 19**

Sen. Idamae Garrott (D)  
Del. Henry B. Heller (D)  
Del. Carol S. Petzold (D)  
Del. Leonard H. Teitelbaum (D)

Boundaries: Montgomery County Election District 4, precinct 19 and part of precinct 1, Election District 8, precincts 3-4 and part of precinct 6, Election District 9, precincts 4, 14, and part of precinct 10, Election District 13, precincts 1-2, 11, 19-20, 33, 35, 37, 42-43, 45-46, 48, 51-52, 54-57, 60, and part of precinct 49. *See map, p.?*

**LEGISLATIVE DISTRICT 20**

Sen. Ida G. Ruben (D)  
Del. Dana Lee Dembrow (D)  
Del. Peter Franchot (D)  
Del. Sheila Ellis Hixson (D)

Boundaries: Montgomery County Election District 5, precincts 3-7, 9-14, 16, and part of precinct 1, Election District 13, precincts 4-6, 8-10, 12-13, 15, 18, 21-23, 41, 47, 50, and part of precinct 14. *See map, p.?*

**LEGISLATIVE DISTRICT 21**

Sen. Arthur Dorman (D)  
Del. Timothy F. Maloney (D)  
Del. Pauline H. Menes (D)  
Del. James C. Rosapepe (D)

Boundaries: Prince George's County Election District 1, Election District 10, part of precinct 7, Election District 17, Election District 21, precincts 1-2, 4-5, 7, 10, 12, and 14-15. *See map, p.?*

**LEGISLATIVE DISTRICT 22**

Sen. Thomas Patrick O'Reilly (D)  
Del. Anne MacKinnon (D)  
Del. Richard A. Palumbo (D)  
Del. Paul G. Pinsky (D)

Boundaries: Prince George's County Election District 16, Election District 2, precincts 3-6, 8-9, Election District 17, precincts 9, 12, Election District 19, precincts 1-2, 4-5, Election District 20, precincts 1-3, 6-7, and 10. *See map, p.?*

**LEGISLATIVE DISTRICT 23**

Sen. Leo E. Green (D)

Del. Mary A. Conroy (D)  
Del. Joan B. Pitkin (D)  
Del. Charles J. Ryan (D)

Boundaries: Prince George's County Election Districts 7 and 14, Election District 20, precincts 5 and 9, Election District 21, precincts 3, 6, 8-9, 11, and 13. *See map, p.?*

**LEGISLATIVE DISTRICT 24**

Sen. Decatur W. Trotter (D)  
Del. Nathaniel Exum (D)  
Del. Francis J. Santangelo, Sr. (D)  
Del. Sylvania W. Woods, Jr. (D)

Boundaries: Prince George's County Election District 2, precincts 1-2, 7, Election District 13, precincts 1-3, 5, Election District 17, precincts 1-3, 5, 7-8, Election District 18, precincts 1-3, 5, 7-8, and Election District 20, precincts 4 and 8. *See map, p.?*

**LEGISLATIVE DISTRICT 25**

Sen. Albert R. Wynn (D)  
Del. Ulysses Currie (D)  
Del. Dennis C. Donaldson (D)  
Del. Juanita Miller (D)

Boundaries: Prince George's County Election District 6, precincts 1, 3-7, 11-12, 15-16, Election District 13, precincts 4, 6, Election District 18, precincts 4 and 6. *See map, p.?*

**LEGISLATIVE DISTRICT 26**

Sen. Frank J. Komenda (D)  
Del. Rosa Lee Blumenthal (D)  
Del. Christine M. Jones (D)  
Del. Gloria Lawlah (D)

Boundaries: Prince George's County Election District 12, 9, precinct 2. *See map, p.?*

**LEGISLATIVE DISTRICT 27**

Sen. Thomas V. Mike Miller, Jr. (D)  
Del. William R. McCaffrey (D)  
Del. Joseph F. Vallario, Jr. (D)  
Del. Gary R. Alexander (D)

Boundaries: Prince George's County Election District 3, precincts 4-5, 8, 11, 15, Election District 6, precinct 18, Election District 9, precincts 1, 3-5. *See map, p.?*

**LEGISLATIVE DISTRICT 28**

Sen. James C. Simpson (D)  
Del. Samuel C. Linton (D), 28A  
Del. Michael J. Sprague (D), 28A  
Del. John F. Wood, Jr. (D), 28B

Boundaries: Charles County and part of St. Mary's County. *Subdistrict 28A:* Charles County Election Districts 1-3, 6-7, 10, and precinct 1 of District 8. *Subdistrict 28B:* Charles County Election Districts 4-5, 9, and precinct 2 of District 8; St. Mary's County Election Districts 4-5, 7. *See map, p.?*

**LEGISLATIVE DISTRICT 29**

Sen. Bernie Fowler (D)

Del. Thomas A. Rymer (D), 29A  
 Del. J. Ernest Bell II (D), 29B  
 Del. John F. Slade III (D), 29C

Boundaries: Calvert County; parts of St. Mary's and Anne Arundel Counties. *Subdistrict 29A*: Calvert County Election District 3, Election District 2, precinct 2; Anne Arundel County Election District 7, precincts 1-2, 9. *Subdistrict 29B*: Calvert County Election District 1, Election District 2, precinct 1; St. Mary's County Election Districts 3, 6, and part of Election District 8. *Subdistrict 29C*: St. Mary's County Election Districts 1-2, 9, and part of Election District 8. *See map, p.?*

**LEGISLATIVE DISTRICT 30**

Sen. Gerald W. Winegrad (D)  
 Del. John C. Astle (D)  
 Del. Michael Busch (D)  
 Del. Donald E. Lamb (D)

Boundaries: Anne Arundel County Election District 6, Election District 5, precincts 1-4, 17-18, 21-22, Election District 7, precincts 3-6, 10. *See map, p.?*

**LEGISLATIVE DISTRICT 31**

Sen. Philip C. Jimeno (D)  
 Del. W. Ray Huff (D)  
 Del. Charles W. Kolodziejski (D)  
 Del. John Leopold (R)

Boundaries: Anne Arundel County Election District 2, precincts District 5, precincts 9-14, 16, 23-24. *See map, p.?*

**LEGISLATIVE DISTRICT 32**

Sen. Michael J. Wagner (D)  
 Del. Tyras S. Athey (D)  
 Del. Patrick C. Scannello (D)  
 Del. George T. Schmincke (D)

Boundaries: Anne Arundel County Election District 1, Election District 2, precincts 2-7, 11, 15, Election District 3, precinct 12; Election District 4, portions of precincts 1 and 9. *See map, p.?*

**LEGISLATIVE DISTRICT 33**

Sen. John A. Cade (R)  
 Del. John G. Gary (R)  
 Del. Marsha G. Perry (D)  
 Del. Elizabeth S. Smith (R)

Boundaries: Anne Arundel County Election District 2, precinct 14, Election District 4, precincts 2-8, 11-15, and portions of precincts 1 and 9, Election District 5, precincts 5-8, 15, 19, Election District 7, precincts 7-8, 11. *See map, p.?*

**LEGISLATIVE DISTRICT 34**

Sen. Catherine I. Riley (D)  
 Del. William H. Cox, Jr. (D)  
 Del. Barbara O. Kreamer (D)  
 Del. Eileen M. Rehrmann (D)

Boundaries: Harford County Election District 6, Election District 1, precincts 3-6, 11-11, 45, Election

District 2, precincts 1, 3, 15, 19, Election District 3, precincts 11-12, 15-18. *See map, p.?*

**LEGISLATIVE DISTRICT 35**

Sen. William H. Amoss (D)  
 Del. William A. Clark (R), 35A  
 Del. Joseph Lutz (D), 35A  
 Del. Ethel Murray (D), 35B

Boundaries: Parts of Harford and Cecil Counties. *Subdistrict 35A*: Harford County Election Districts 4-5, Election District 1, precinct 2, Election District 2, precinct 2, Election District 3, precincts 2-5, 35. *Subdistrict 35B*: Cecil County Election Districts 6-9, Election District 5, precinct 2, and part of Election District 4. *See map, p.?*

**LEGISLATIVE DISTRICT 36**

Sen. Walter M. Baker (D)  
 Del. John M. Ashley, Jr. (D)  
 Del. Ronald A. Guns (D)  
 Del. R. Clayton Mitchell, Jr. (D)

Boundaries: Kent and Queen Anne's counties in their entirety; Cecil County Election Districts 1-3, Election District 5, precinct 1, and part of Election District 4; Caroline County Election Districts 1 and 7; Talbot County Election District 4, and precinct 4 and part of precinct 3 of Election District 1. *See map, p.?*

**LEGISLATIVE DISTRICT 37**

Sen. Frederick C. Malkus, Jr. (D)  
 Del. Richard F. Colburn (R)  
 Del. William S. Horne (D)  
 Del. Samuel Q. Johnson III (D)

Boundaries: Dorchester County in its entirety; Caroline County Election Districts 2-6, 8; Talbot County Election Districts 2-3, 5, and precincts 1, 2, and part of 3 of Election District 1; Wicomico County Election Districts 1-3, 7, 10, 12, 15-16, and part of precincts 1, 2, and 3 of Election District 9. *See map, p.?*

**LEGISLATIVE DISTRICT 38**

Sen. Lewis R. Riley (R)  
 Del. Norman H. Conway (D)  
 Del. Daniel M. Long (D)  
 Del. Mark O. Pilchard (D)

Boundaries: Somerset and Worcester counties in their entirety; of precincts 1, 2, and 3 of Election District 9. *See map, p.?*

**LEGISLATIVE DISTRICT 39**

Sen. Michael B. Mitchell (D)  
 Del. Elijah E. Cummings (D)  
 Del. Ruth M. Kirk (D)  
 Del. Larry Young (D)

Boundaries: Baltimore City Wards 4, 17-18, and 22; Ward 3, precinct 2 and part of precinct 1; Ward 5, portions of precincts 1 and 2; Ward 10, precincts 3-4; Ward 11, precincts 1-2, 4-9; Ward 14, precincts 3-11; Ward 15, precincts 25, 28-30; Ward 16, precincts 1-4;



Ward 19, precincts 1-2; Ward 20, precincts 1-3, 22-25; Ward 21, part of precinct 1. *See map, p.?*

**LEGISLATIVE DISTRICT 40**

Sen. Troy Brailey (D)  
Del. Tony E. Fulton (D)  
Del. Ralph M. Hughes (D)  
Del. Howard P. Rawlings (D)

Boundaries: Baltimore City Ward 12, precincts 5, 7; Ward 13, precincts 6-18; Ward 15, precincts 10, 17-24, 26-27, 31-42, 44-45; Ward 16, precincts 6-7 and part of precinct 5; Ward 27, precincts 92-99. *See map, p.?*

**LEGISLATIVE DISTRICT 41**

Sen. Clarence W. Blount (D)  
Del. Frank D. Boston, Jr. (D)  
Del. Margaret H. Murphy (D)  
Del. Nathaniel T. Oaks (D)

Boundaries: Baltimore City Ward 15, precincts 1-9, 11-16, 43; Ward 16, precincts 8-12 and part of precinct 5; Ward 20, precincts 4-18, 21; Ward 28, precincts 4-6, 11-11, 17, and part of precinct 12. *See map, p.?*

**LEGISLATIVE DISTRICT 42**

Sen. Barbara A. Hoffman (D)  
Del. James W. Campbell (D)  
Del. Samuel I. (Sandy) Rosenberg (D)  
Del. David B. Shapiro (D)

Boundaries: Baltimore City Ward 13, precincts 2-5, 19-25; Ward 18-20, and part of precinct 12. *See map, p.?*

**LEGISLATIVE DISTRICT 43**

Sen. John A. Pica, Jr. (D)  
Del. Gerald J. Curran (D)  
Del. Ann Marie Doory (D)  
Del. Henry R. Hergenroeder, Jr. (D)

Boundaries: Baltimore City Ward 26, precincts 38-45; Ward 27, precincts 8-40, 58-77. *See map, p.?*

**LEGISLATIVE DISTRICT 44**

Sen. Julian L. Lapidés (D)  
Del. Curt Anderson (D)  
Del. Kenneth C. Montague, Jr. (D)  
Del. Anne Scarlett Perkins (D)

Boundaries: Baltimore City Ward 8, precincts 1-2; Ward 9, precincts 1-7; Ward 11, precinct 3; Ward 12, precincts 1-4, 6, 8-24; Ward 13, precinct 1; Ward 14, precincts 1-2, 12; Ward 26, precincts 34-37, 46; Ward 27, precincts 2-7, 41-51. *See map, p.?*

**LEGISLATIVE DISTRICT 45**

Sen. Nathan C. Irby, Jr. (D)  
Del. Clarence Davis (D)  
Del. John W. Douglass (D)  
Del. Hattie N. Harrison (D)

Boundaries: Baltimore City Ward 5, portions of precincts 1 and 2; Ward 6, precincts 2-5; Ward 7, precincts 1-7; Ward 8, precincts 3-13; Ward 9, precincts 8-17; Ward 10, precincts 1-2. *See map, p.?*

**LEGISLATIVE DISTRICT 46**

Sen. Joseph S. Bonvegna (D)  
Del. Anthony M. DiPietro, Jr. (D)  
Del. Cornell N. Dypski (D)  
Del. American Joe Miedusiewski (D)

Boundaries: Baltimore City Wards 1 and 2; Ward 3, precinct 3 and part of precinct 1; Ward 6, precincts 1, 6-7; Ward 7, precincts 8-9; Ward 26, precincts 1-33, 47-51. *See map, p.?*

**LEGISLATIVE DISTRICT 47**

Sen. George W. Della, Jr. (D)  
Del. R. Charles Avara (D)  
Del. Joseph W. O'Malley (D)  
Del. Paul E. Weisengoff (D)

Boundaries: Baltimore City Wards 23-25; Ward 19, precincts 3-5; Ward 20, precincts 19-20; Ward 21, precincts 2-3, and part of precinct 1. *See map, p.?*

## KUNTA KINTE DAY

Alex Haley, author of the bestseller "Roots," is shown with Phebe Jacobsen, senior staff archivist at the Maryland State Archives, at a reception Sept. 28 the day before the celebration of Kunta Kinte High Heritage Day. Mrs. Jacobsen assisted Haley in locating records that documented the arrival of his ancestor Kunta Kinte on the slave ship Lord Ligonier, Sept. 29, 1767, in Annapolis Harbor.

Also at the reception, below, were, from left, Jose Luis Fernandes Lopes, Ambassador of Cape Verde, George Haley, half-brother of Alex Haley, Ramon Sullah, wife of the Ambassador of Gambia, Leonard A. Blackshear, chairman of Kunta Kinte Day, and Edward Papenfuss, Maryland state archivist.

The Archives has a display, "In Search of Roots," open to the public Monday through Saturday 8:30 a.m. to 4:30 p.m.



**Service to People**  
**Over-the-CPS requests for FY 1990**

The Archives over-the-CPS request for FY 1990 falls into four service categories:

**Reference**

As the following charts document, reference demand at the archives increased by 49% in the search room and by 14% through the mail in FY 1988. To meet such a dramatic rise in demand and to replace equipment worn out by this demand, we would like to request the following:

1 Archivist II	\$16,597
1 Library Assistant	\$10,700
5 replacement readers	\$6,000
7 replacement PC units	\$35,000
replacement for Photocopying equipment	\$68,850
for a total of:	<b>\$137,147</b>

**Information Gathering**

The *Maryland Manual* staff, at the request of Governor Schaefer, has undertaken the annual analysis of the Organization of State Government while making a valiant effort to keep up with a dramatic increase in the amount of information generated by State and Local Government. To meet this demand and still maintain our high level of service as evidenced in the *Manual* and the organizational charts that accompany all budget presentations, we request consideration of:

1 Archivist IV	\$22,266
1 Archivist II	\$16,597
Publication of an expanded and more complete County reference section	\$24,000
Contractual Assistance to gather and edit information from State and County Agencies	\$40,521
for a total of:	<b>\$103,114</b>

## Preservation

In order to maintain the collective memory of our past it is important to preserve the sources. We have funds for sheltered workshop people to film important records, but no provision for a supervisor. If we are to maintain the high quality of the work the supervisor should be a permanent employee. With regard to Artistic Property, the collection, thanks to the efforts of the Mansion staff, is growing rapidly. The request for FY 1990 is to maintain the collection that will be in place that year and to assist the Curator in researching and writing about its care and interpretation. To preserve and maintain both archival and artistic property in FY 1990, we request:

1 Supervisor for the Newspaper/Vital Records filming project:	\$16,597
4 replacement microfilm cameras (All are presently 25 years old or older)	\$58,984
1 Assistant Curator	\$16,597
Contractual Money to Conserve and Maintain the Artistic Property Collection in the Annapolis Complex	\$57,638
for a total of	<b>\$149,816</b>

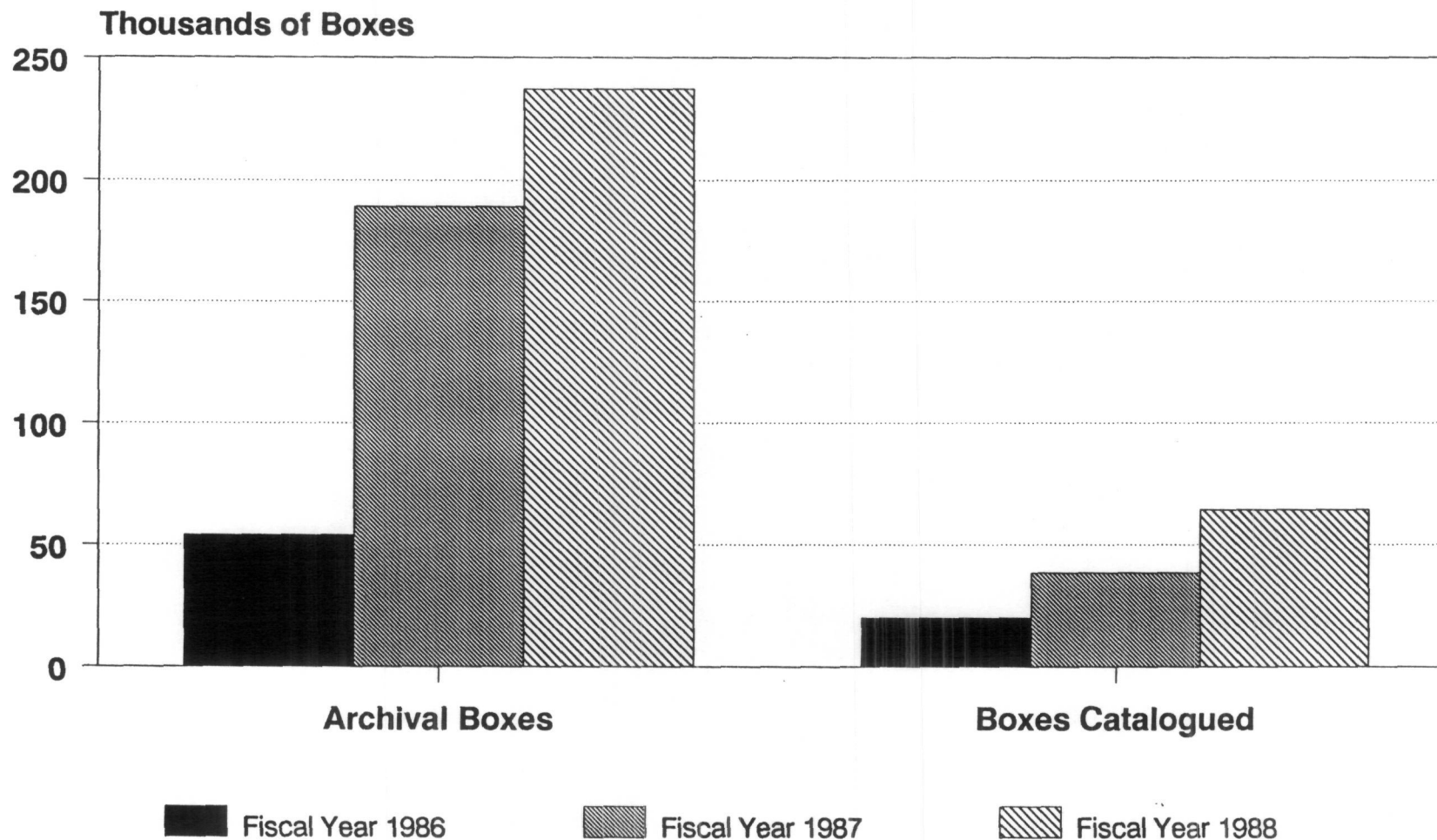
## Education

The principal educational program of the State Archives is the ship the Maryland *Federalist* which Governor Schaefer accepted as a gift from the private sector. The money requested for the second of the three-year program represents a matching grant from the state for the considerable private funds already invested in the creation of the ship (\$100,000). Over 200,000 people have seen the ship so far and benefited from the education packets already developed by the Archives. The general fund appropriation requested is only for two staff people serving on contract who get the boat to the children of the state and distribute educational materials to them and their teachers. The remainder of the total budget for FY 1990 (\$73,241) will be raised from the private sector.

Amount requested:	<b>\$38,241</b>
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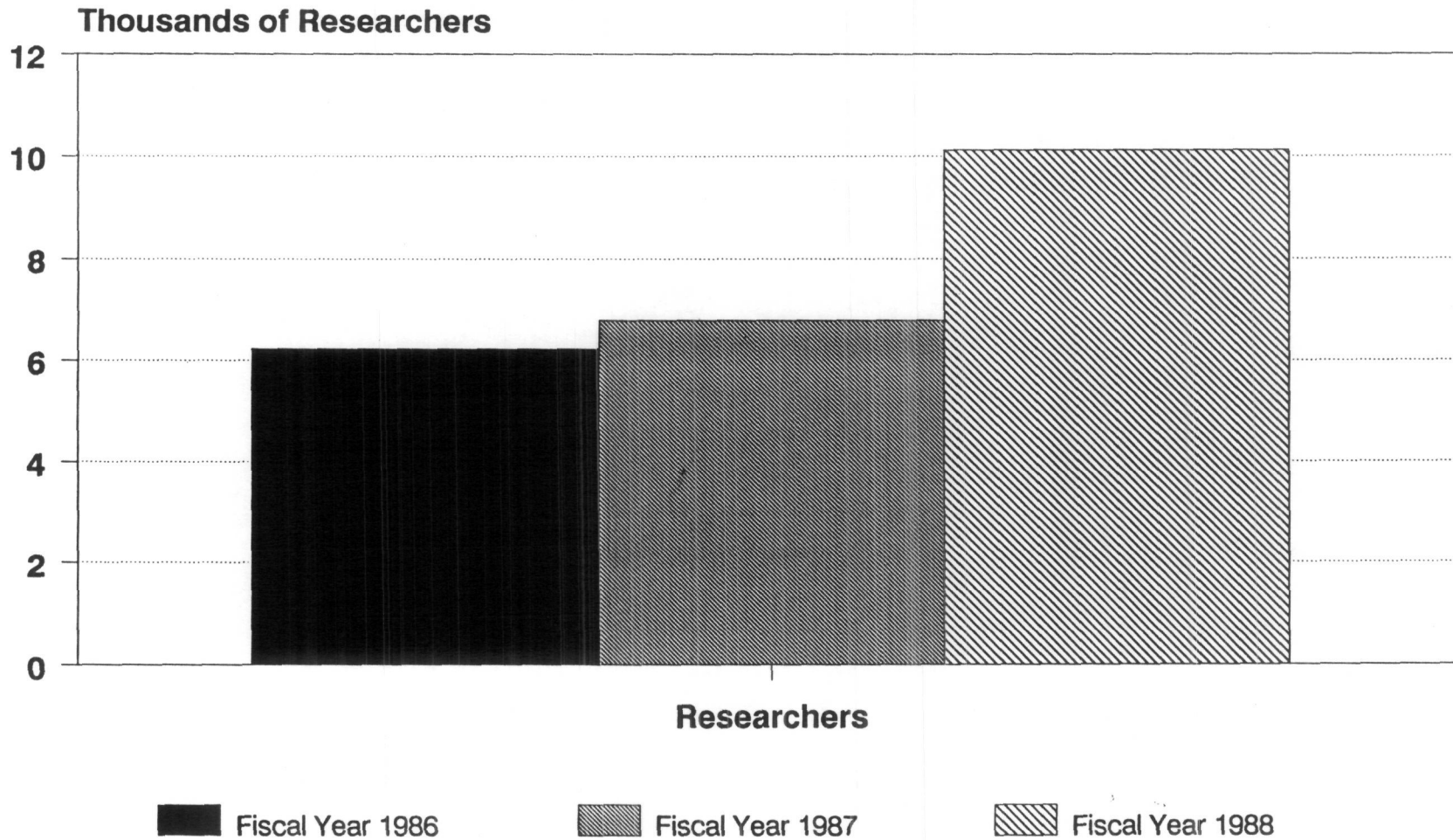
# HOLDINGS

## 1986-1988



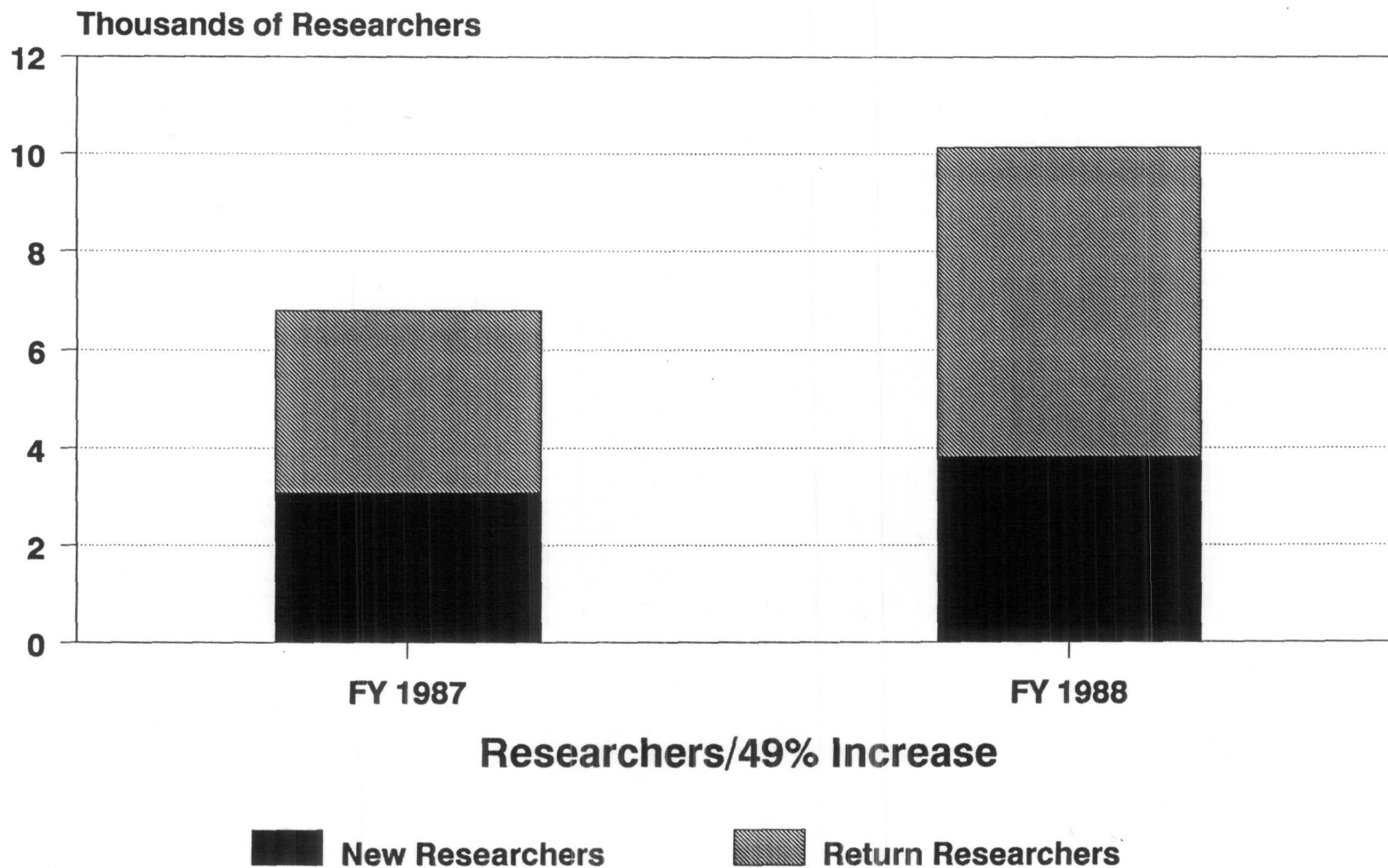
# SEARCHROOM USE

## 1986-1988



# RESEARCHER STATISTICS

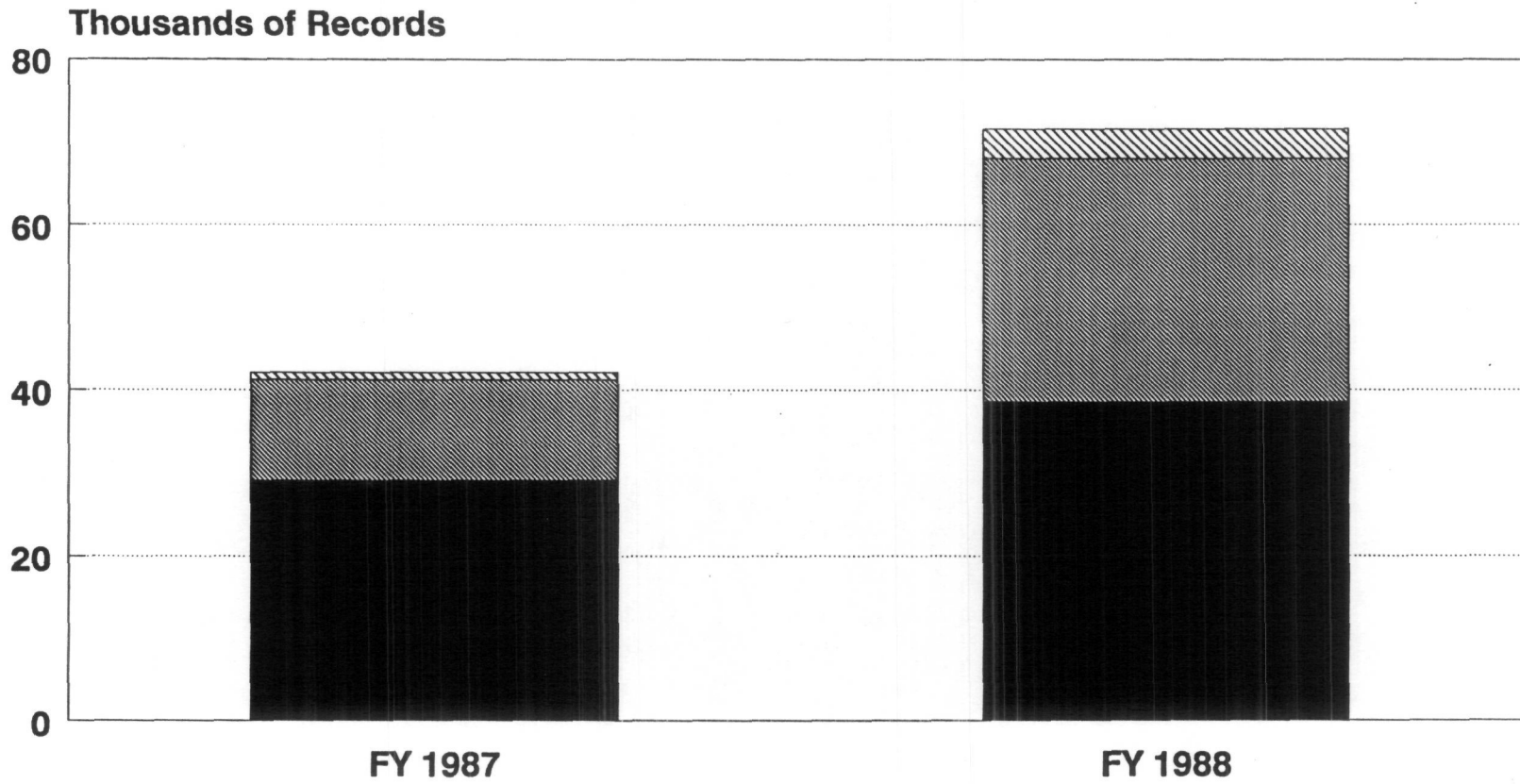
FY 1987 vs FY 1988





# TOTAL CIRCULATION

## FY 1987 vs. FY 1988

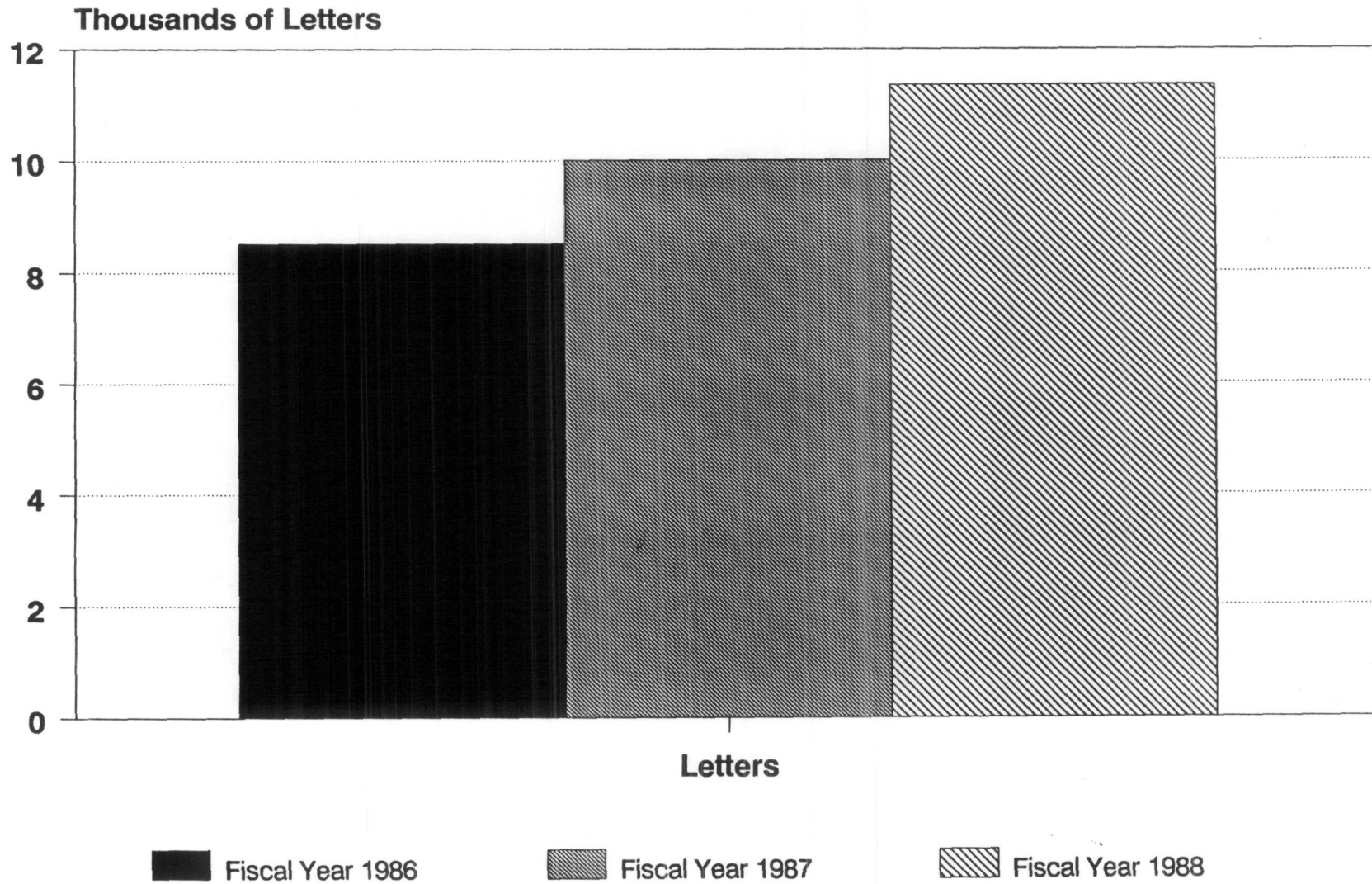


**Circulation/70% Increase**

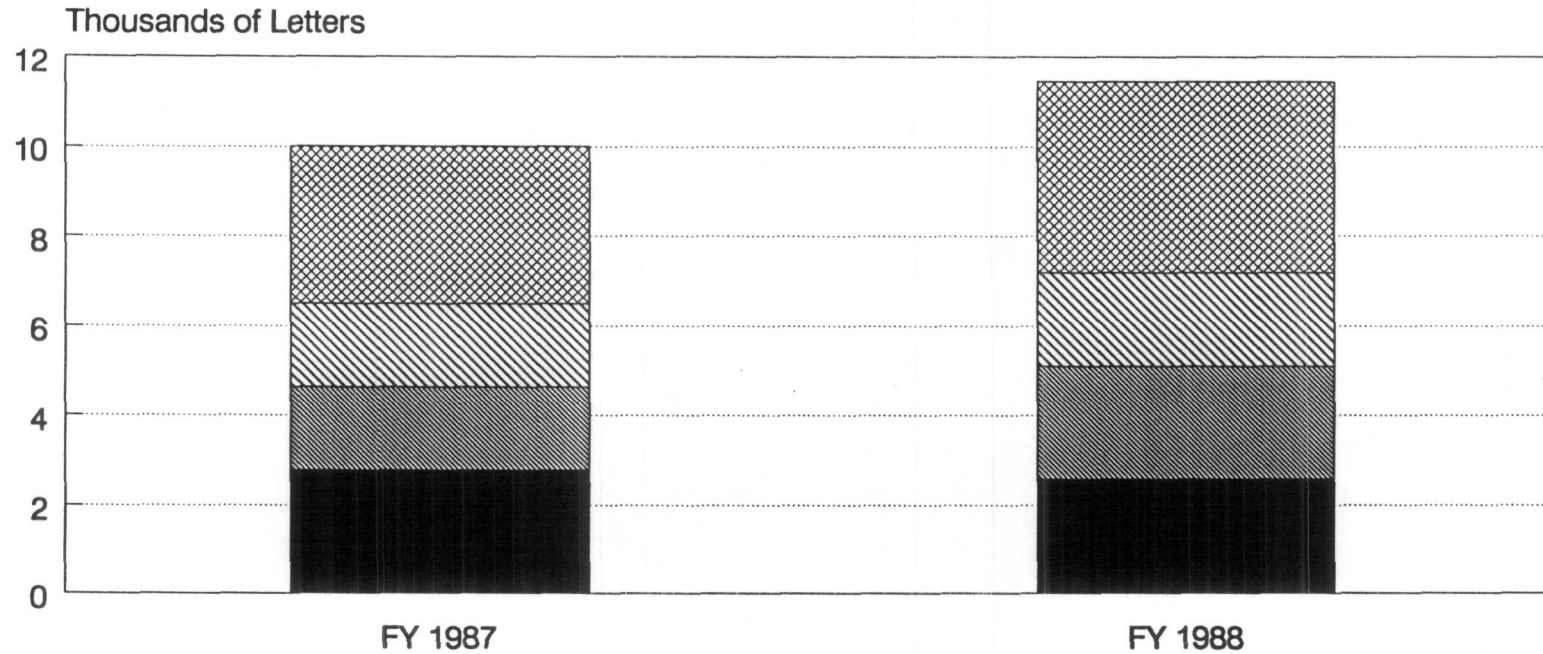
 **Records**       **Microfilm**       **Library**



# MAIL INQUIRIES ANSWERED



# MAIL REFERENCE FY 1987 vs FY 1988

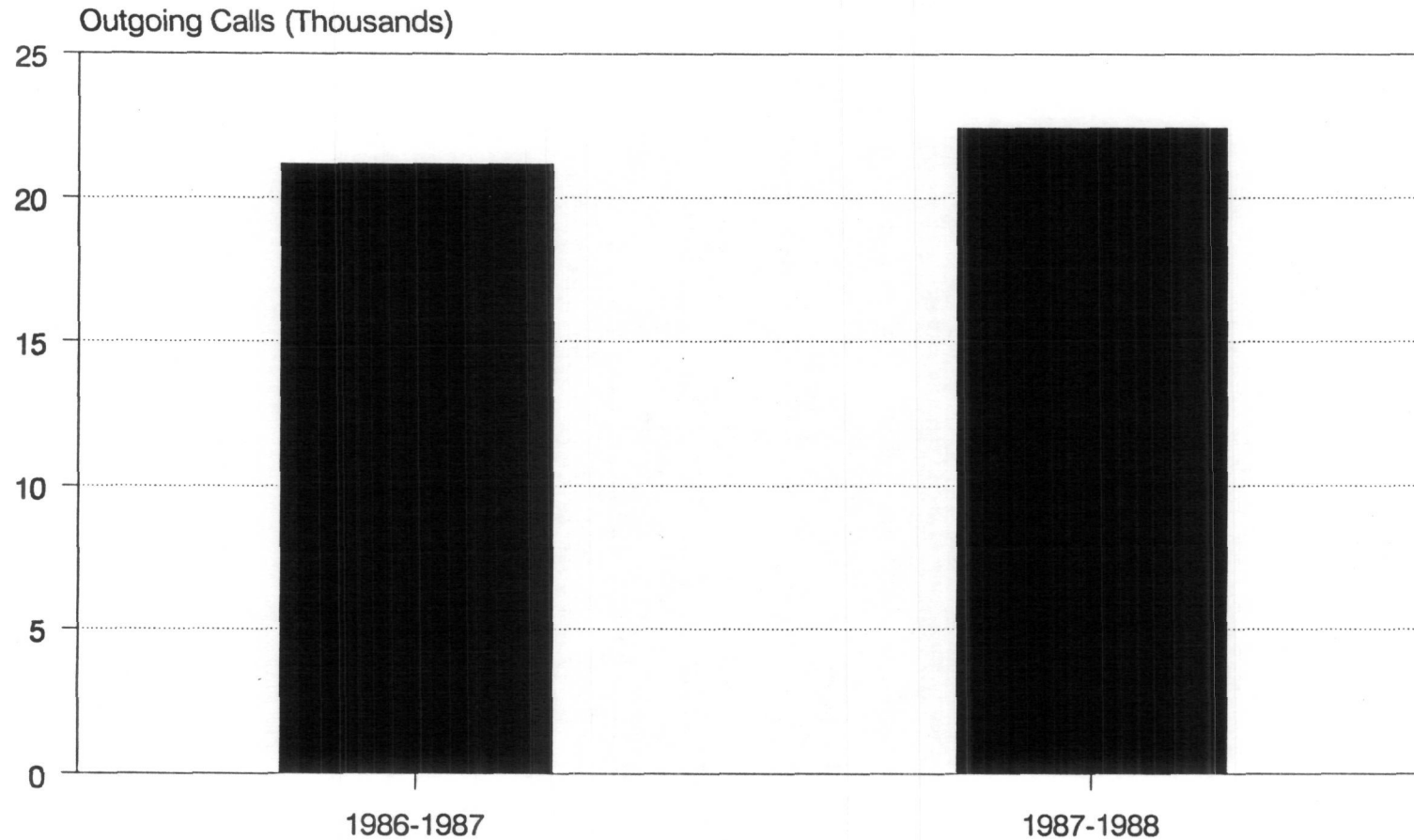


**Mail/14% Increase**

- Administration
- Quick Response
- Genealogical Req.
- Other Research Req.

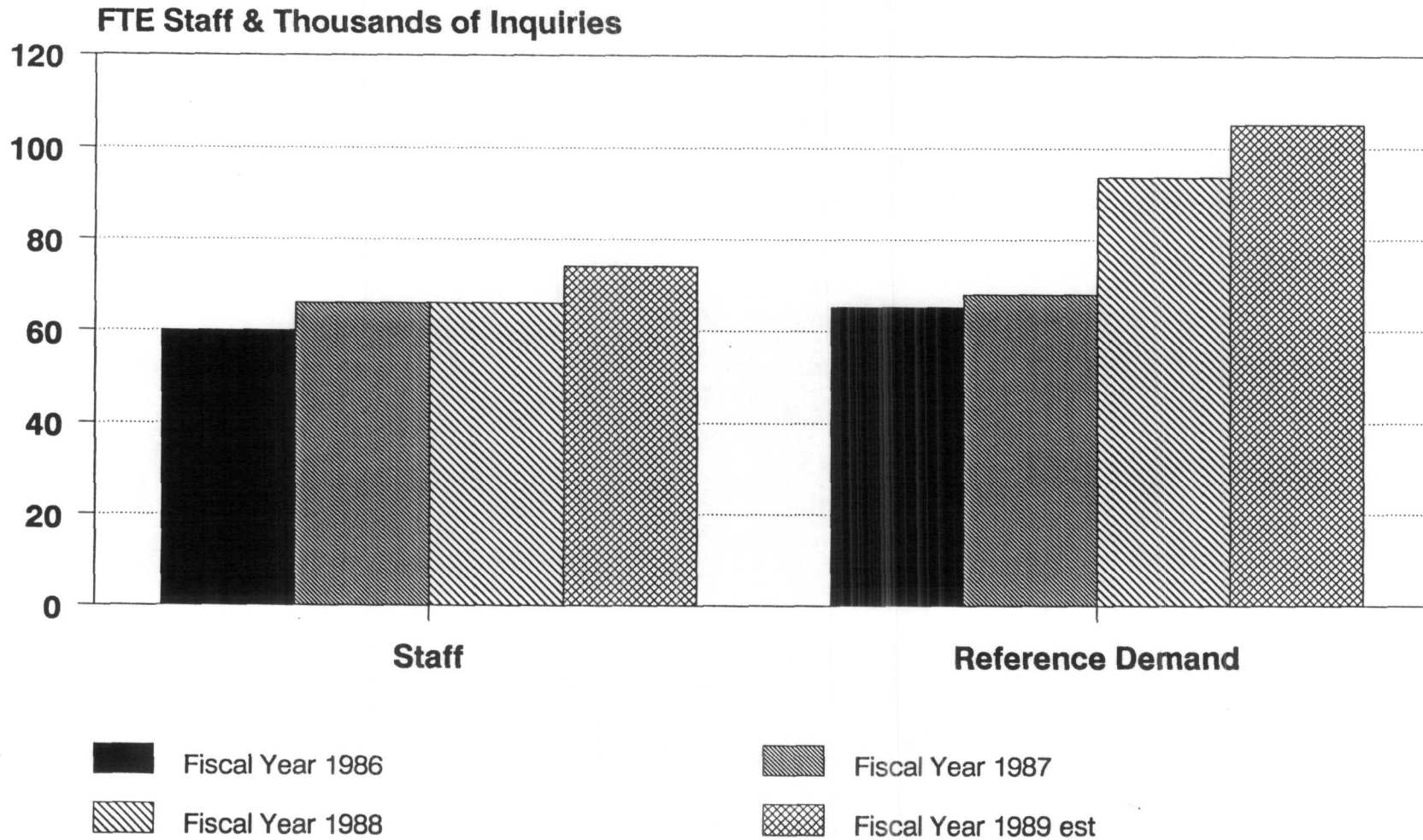
Total number in each correspondence category

# TELEPHONE REFERENCE 1986-1988



**Calls/6% Increase**

# STAFFING AND REFERENCE DEMAND 1986-1989





# MARYLAND STATE ARCHIVES

Hall of Records  
350 Rowe Blvd., Annapolis, MD 21401  
Telephone: (301) 974-3914/3916

William Donald Schaefer  
Governor

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

Gregory A. Stiverson  
Assistant State Archivist

Hon. Robert C. Murphy  
Chief Judge, Court of Appeals  
Chairman, Hall of Records Commission

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Hall of Records Commission:

Hon. Louis L. Goldstein  
Dr. William M. Dyal, Jr.

Hon. Lucille Maurer  
Dr. John S. Toll

Hon. Julian L. Lapidus  
Dr. Steven Muller

Hon. Anne S. Perkins  
Brian B. Topping

Hon. Earl F. Seboda  
Dr. Earl S. Richardson

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October 13, 1988

Mr. Reg Murphy  
President and Publisher  
The Baltimore Sun  
501 North Calvert Street  
Baltimore, Maryland 21278

Dear Mr. Murphy:

At the budget hearing for the State Archives this morning, Governor Schaefer suggested that I write to you about one of our most important conservation projects, the microfilming of Maryland newspapers. As I am sure you are aware, newsprint deteriorates rapidly. In many instances, only what we are able to preserve on film will be left for future generations to consult. We are particularly concerned about the regional and local newspapers (the Sun papers have done an admirable job of helping to preserve their record on film and we have completed the filming of the News, the American, and the News American), but the card indexes to the Sun papers at the Pratt also should be filmed or scanned before they too deteriorate any further.

Through contractual monies appropriated by the State and what we hope will be a full-time supervisory position in next year's budget, we have undertaken to preserve on microfilm the very large and geographically dispersed collection of newspapers published in Maryland since the Civil War.

At present we are working with four microfilm cameras that are approximately 25 years of age and are forever breaking down. The Governor wondered if there were not some philanthropic arm of the Sun papers that could help us acquire the equipment (\$58,984) as a matching contribution to the staffing provided by the State.

We would be grateful for any advice and help you might be able to give us in this matter.

Sincerely yours,

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

ECP/sb

cc: Governor William Donald Schaefer  
Secretary Charles Benton  
Tina Harris  
Chris Allan

HRC July 6, 1988  
Agenda Item 8 A

June 30, 1988

TO: Dr. Papenfuse

FROM: Chris Allan

RE: Building Concerns for Hall of Records Commission Agenda

#### Building Exterior

On balance the landscaping work which has been done is holding up well. The plantings in the plot west of our entrance are not going to last the summer and are faring poorly. Colby Rucker has suggested this area be replanted in the fall. One dogwood tree has expired and a blue atlas cedar by the State Police lot will probably go as well. The landscaping contractor, W.H. Boyer is responsible for replacing these.

Maintenance of the lawn has been lacking. Lime and fertilizer was not applied last fall or this spring. As a result there are a number of weeds. I have asked that the lawn be treated this fall.

A part of the area between the firehouse and the Archives site to the north of the service road is not being maintained by either the city or by Buildings and Grounds. It needs to be graded and seeded.

The parking lot curbs need to be repainted. The quality of the no parking signs and the sign about towing policy are very poorly done. These should be replaced with signage which is legible and neat in appearance.

#### Roof/Moisture Protection

There are still leaks in the area over the search room and mezzanine. There is also a leak at the window in room 116. These are reported to Security as they are observed.

The ceiling at the loading dock is deteriorating quickly. It appears that water shed from the precast coping and spandrel finds its way to the ceiling.

The north wall has a large area where hydrozo was not applied. This deficiency has not been corrected.

#### Coping Stone Corrections



CAM Construction has undertaken corrective work on the second story copings. Cracks are being pressure injected with epoxy and the stones are being ground after epoxy treatment is complete. The stones are then treated with Thoroseal to provide a uniform finish. Work in this area has been approved and the contractor has been directed to proceed with this work on the rest of the coping.

#### North Wall Engineering

I have not received a structural analysis commissioned by DGS yet. The firm is Michael J. Walkley, Baltimore. I understand the engineer has essentially concluded that the structure is adequate as built but has requested that several different load tests be performed to confirm his analysis. DGS has had difficulty securing the testing services required.

#### Mechanical Systems and Fire Protection

Work to correct the exhaust and intake ducts at the plenum in mechanical room 006 has not been done.

Evacuation of fumes in room 124 is inadequate thus severely hampering work in the Conservation lab.

The electric boiler elements are deteriorating and need to be replaced.

The controls systems for the general office areas and the various fan coil units throughout the building need to be corrected. In some areas both cool air and hot air are being supplied simultaneously. During the cooling season the fancoil units have to be turned off at the electrical panels to prevent areas from overheating.

The VAV boxes and fan coil units have not been serviced since the building opened. As a result, the filters are filthy and the controls are not functioning properly. In addition, two fan coil units (#2 and #3) have had motors replaced. The motor in fan coil #2, located in the lobby, started to smoke and almost caused a fire. If this unit had burst into flame it is unlikely that the sprinkler system would have extinguished it because the unit is in the ceiling. Luckily, fan coil #3 was shut down before it started smoking. There are a number of these units in the building and all need to be serviced before they become fire hazards. Most of these units are in the ceilings, above the fire protection systems.

The cooling tower requires service. At present the controls are jury rigged and the unit is leaking.

Despite assurances from the architect that the electrical rooms



in the building are not overheated DGS, Buildings and Grounds still has the doors to these rooms propped open. Either the ventilation to these rooms should be upgraded or the doors shut. It is not appropriate for these to be open.

To my knowledge the fire sprinkler system has not been tested since construction was completed. This should be done on an annual basis.

### **Electrical**

The emergency power system is being redesigned by DGS staff. The configuration of the emergency power system and the service required has been agreed to. At this time the loads required for the system to properly serve the equipment are being determined.

Conditioned uninterruptible power must be provided for the electrical panel serving the computer equipment in the building. Voltage fluctuations have been a problem with the equipment.

Additional service must be provided at three computer workstations to avoid voltage drops.

Revisions to the lighting system on the mezzanine and in the search are being designed. Larry Bricker will be meeting with me tomorrow to discuss the final bid package.

A doorbell needs to be installed at the front entrance.

### **Summary**

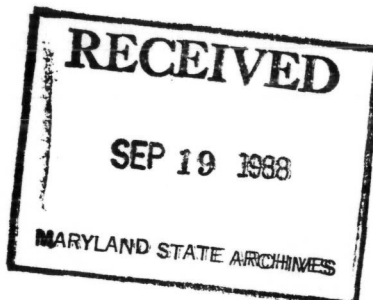
Many of the issues discussed above relate to regular maintenance activity as opposed to construction deficiencies. The two year warranty period is over and it is now up to Buildings and Grounds to get the maintenance activities on schedule. My discussions with the DGS staff indicate that the building has been included in the various contracts let by Buildings and Grounds. The consolidation of the maintenance shop for this end of the complex at the Tawes Building under Russ Nickerson's supervision has been generally beneficial. We need to concentrate on the routine maintenance of electrical and mechanical systems in the coming year.



COMMONWEALTH OF PENNSYLVANIA  
**PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION**  
WILLIAM PENN MEMORIAL MUSEUM AND ARCHIVES BUILDING  
BOX 1026 HARRISBURG, PENNSYLVANIA 17108-1026

September 16, 1988

Dr. Edward C. Papenfuse  
State Archivist  
Maryland State Archives  
350 Rowe Boulevard  
Annapolis, MD 21401



Dear Dr. Papenfuse:

The Division of Archives and Manuscripts recently acquired some public records that might represent alienated documents from the State of Maryland. Since these records are part of a deceased paper collector's estate, you might want to send a staff person to examine them before they have to be returned.

Please let us know as soon as possible if you want to inspect the documents. For the most part, the records are judicial in nature, representing court case exhibit materials relating to county government.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert M. Dructor".

Dr. Robert M. Dructor, Head  
Manuscripts and Special Collections Section  
Division of Archives and Manuscripts  
Pennsylvania State Archives  
(717)-783-9873

cc: Rosalyn Robinson  
Dr. Brent D. Glass

October 4, 1988

Dr. Robert M. Dructor, Head  
Manuscripts and Special Collections Section  
Division of Archives and Manuscripts  
Pennsylvania State Archives  
Box 1026  
Harrisburg, Pennsylvania 17108-1026

Dear Dr. Dructor:

Thank you for notifying us about the Maryland judicial records given you by a collector's estate. Pat Melville examined the records on September 30 and determined that the papers are definitely public records alienated from the Allegany County Circuit Court. The documents are clearly marked as being filed in equity and civil proceedings or for recording in the land records.

The State Archives would like to see those records returned to the State of Maryland where they rightfully belong. Enclosed are copies of section 9-1010 of the State Government article of the Annotated Code and of an Attorney General's opinion, pertaining to historical records and replevin. I hope they help clarify legal questions you are encountering. Perhaps the estate of the collector can be persuaded to simply donate the papers to the Maryland State Archives. We, of course, would thank them appropriately for facilitating the return of alienated public records to the State of Maryland.

We are willing to pick up the records whenever you say we can do so.

Sincerely yours,

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents

ECP/sb

cc: Pat Melville

§ 9-1010

ANNOTATED CODE OF MARYLAND

SPECIAL REVISOR'S NOTE

This section was enacted by Ch. 286, Acts of 1984, as Art. 54, § 1-109 and, on the effective date of this article, was transferred, with amendment, to this article.

**Effect of amendment.** — Section 9, ch. 286, Acts 1984, substituted "§ 9-1010" for "§ 1-110" in paragraph (1) of subsection (b) and "§ 9-1011" for "§ 1-111" in paragraph (2) of that subsection.

1984, provides that "contingent on the taking effect of Senate Bill 50 of the Acts of the General Assembly of 1984, §§ 6 through 9 of this act shall take effect Oct. 1, 1984." Senate Bill 50 was enacted as ch. 284, Acts 1984.

**Editor's note.** — Section 19, ch. 286, Acts

§ 9-1010. Historical records.

(a) *In general.* — The Archives:

(1) shall collect public and private records and other information that relate to the history of the province and State of Maryland from the earliest times, including church records and newspapers;

(2) may edit and publish these records; and

(3) shall encourage research into the history of the State.

(b) *Jurisdiction.* — Any records and materials that relate to the history of Maryland and are not needed for the operation of a unit belong to the Archives and shall be under the supervision of the State Archivist. (1984, ch. 286, §§ 5, 8.)

SPECIAL REVISOR'S NOTE

This section was enacted by Ch. 286, Acts of 1984, as Art. 54, § 1-110 and, on the effective date of this article, was transferred, without amendment, to this article.

§ 9-1011. State real property records.

(a) *Duty of Archives.* — The Archives is the central depository for and custodian of each deed, title insurance policy, and other record that relates to real property acquired by the State.

(b) *Delegation of duty.* — The Archives may allow a unit of the State government to have custody of an original record that relates to real property acquired by the State, if the unit:

(1) needs the record for the daily operation of the unit;

(2) demonstrates to the archives that the unit will preserve the record adequately; and

(3) deposits with the archives a security microform copy of the record. (1984, ch. 286, §§ 5, 8.)

of the State Finance and Procurement Article, shall supervise and control the use of any other real or personal property that the State acquires for use of the Archives.  
(1985, ch. 717, § 1.)

**Effect of amendment.** — The 1985 amendment, effective Oct. 1, 1985, substituted "Title 2, Subtitles 4 and 5, Title 4, Subtitles 7 and 8, §§ 8-127, 8-128, and 8-129, Part V of Title 8, Subtitle 1, and Titles 10 and 21 of the State Finance and Procurement Article" for "Article

78A of the Code" in paragraph (3) of subsection (b).

As the remainder of the section was not affected by the amendment, it is not set forth above.

**§ 9-1009. General responsibilities for records.**

Once records become public records of the State, they remain public property until they are disposed of in accordance with express statutory authority. 64 Op. Att'y Gen. 273 (1979).

Custody over the State's public records, unless lawfully disposed of or retained by other

public custodians, is vested in the Commission. 64 Op. Att'y Gen. 273 (1979).

Parties who acquire public records that have not been lawfully disposed of do not acquire good title to these records and neither do subsequent purchasers or donees. 64 Op. Att'y Gen. 273 (1979).

**§ 9-1010. Historical records.**

Once records become public records of the State, they remain public property until they are disposed of in accordance with express statutory authority. 64 Op. Att'y Gen. 273 (1979).

Custody over the State's public records, unless lawfully disposed of or retained by other

public custodians, is vested in the Commission. 64 Op. Att'y Gen. 273 (1979).

Parties who acquire public records that have not been lawfully disposed of do not acquire good title to these records and neither do subsequent purchasers or donees. 64 Op. Att'y Gen. 273 (1979).

**§ 9-1011. State real property records.**

Once records become public records of the State, they remain public property until they are disposed of in accordance with express statutory authority. 64 Op. Att'y Gen. 273 (1979).

Custody over the State's public records, unless lawfully disposed of or retained by other

public custodians, is vested in the Commission. 64 Op. Att'y Gen. 273 (1979).

Parties who acquire public records that have not been lawfully disposed of do not acquire good title to these records and neither do subsequent purchasers or donees. 64 Op. Att'y Gen. 273 (1979).

**§ 9-1012. Local records.**

Once records become public records of the State, they remain public property until they are disposed of in accordance with express statutory authority. 64 Op. Att'y Gen. 273 (1979).

Custody over the State's public records, unless lawfully disposed of or retained by other

public custodians, is vested in the Commission. 64 Op. Att'y Gen. 273 (1979).

Parties who acquire public records that have not been lawfully disposed of do not acquire good title to these records and neither do subsequent purchasers or donees. 64 Op. Att'y Gen. 273 (1979).

**§ 9-1015. Vita**

(a) *Definitions.*  
indicated:

- (1) "Department"
- (2) "Extract"
  - (i) full name
  - (ii) occupation
  - (iii) places
  - (iv) date of birth
  - (v) family name
  - (vi) name of parents
- (3) "Old vital records"

including one obtained from a birth that occurred more than 25 years ago.

(4) "Recent birth record" means a copy of the Archives, that pertains to a marriage or divorce.

(5) "Recent death record" means including one obtained from a death that occurred more than 25 years ago.

(6) "Recent divorce record" or

(7) "Vital record" means one obtained from a divorce or death.

(8) "Record"

(b) *Department of Archives.* request of the Archives for records and indexes.

(c) *Manner of access.* Archivist in any manner.

(d) *Disclosure.* records to:

(i) an individual in the Department;

(ii) an individual in the recent death records;

(iii) an individual in the vital records.

(2) An individual may request vital records to:

(3) An individual may request original of a vital record.

this subsection.



## PUBLIC RECORDS

TITLE AND CUSTODY—STATE RETAINS TITLE UNTIL DISPOSITION IS AUTHORIZED BY STATUTE—HALL OF RECORDS COMMISSION IS RESIDUARY CUSTODIAN.

December 14, 1979

*Dr. Edward Papenfuse,  
State Archivist*

This is in response to your request for our opinion concerning the jurisdiction of the Hall of Records Commission over public records of this State, regardless of where they are found. As discussed below, it is our view that public records of this State remain public property until their disposition is authorized by statute. Public records that have been disposed of without such authorization remain the property of the State, regardless of their location.<sup>1</sup> Moreover, except for those public records that have been lawfully disposed of or that have been lawfully retained by other public custodians, the Hall of Records Commission is the lawful custodian of the State's public records. In the absence of express statutory authority, we think that the Commission lacks the authority to purchase or otherwise pay for the return of records to which the State retains title. However, to facilitate the return of public records held by others, the Commission may wish to seek authority from the General Assembly to pay a finder's fee for their return or, where appropriate, to reimburse these others for the storage and protection of the records.

## I

## Ownership and Disposition of Public Records

A public record may be defined as a permanent, written memorial of something said or done that a public official is authorized or required to make or keep. *See* 76 C.J.S. *Records* §1 (1952); 66 Am. Jur. 2d *Records and Recording Laws* §1 (1973). The making or keeping of such records may be expressly provided for by the Constitution [*see, e.g.*, Article II, §23 (Secretary of State to keep record of official acts) and Article XII, §1 (Board of Public Works to keep journal of proceedings)] or by statute [*see, e.g.*, Courts and Judicial Pro-

ceedings Article §2-201 (Clerk of Court to make permanent record of court proceedings and to record papers filed with office and subject to recordation requirements)].

Even in the absence of a constitutional or statutory provision, a public officer may have the authority and, indeed, the duty to make or keep, as public records, documents pertaining to his or her office. This principle was recognized in *Coleman v. Commonwealth*, 25 Grattan (66 Va.) 865 (1874), in which the Supreme Court of Appeals of Virginia said:

“Whenever a written record of the transactions of a public officer in his office, is a convenient and appropriate mode of discharging the duties of his office, it is not only his right but his duty to keep that memorial, whether expressly required so to do or not; and when kept it becomes a public document—a public record belonging to the office and not the officer is the property of the state and not of the citizen, and is in no sense a private memorandum.”  
*Coleman* at 881.

As the *Coleman* case indicates, once a record acquires a public character, it becomes public property. See also *In re Molineux*, 69 N.E. 727, 728 (N.Y. 1904); *People v. Mills*, 70 N.E. 786, 789 (N.Y. 1904). Thus, public records made or kept under the authority of the State are the property of the State.

Moreover, even in the absence of a statutory provision, the general rule is that public records must be maintained by their official custodian and may not be removed from the custodian's office. *Evans v. Horan*, 52 Md. 602, 606-607 (1879). Accordingly, this office has said repeatedly that public records may not be destroyed without express statutory authority. 60 *Opinions of the Attorney General* 626, 629-30 (1975); 55 *Opinions of the Attorney General* 49, 50-51 (1970); 50 *Opinions of the Attorney General* 289, 290-91 (1965); 39 *Opinions of the Attorney General* 218 (1954); 35 *Opinions of the Attorney General* 251, 253 (1950); 31 *Opinions of the Attorney General* 124, 125 (1946); 25 *Opinions of the Attorney General* 713, 714 (1940). Similarly, these records may not otherwise be disposed of, as by sale, without express statutory authority. See, generally, 76 C.J.S. *Records* §34 (1952); 66 Am. Jur. 2d *Records and Recording Laws* §10 (1973).

The law clearly favors the preservation of public records, *see, e.g.*, Article 27, §45A (recently enacted criminal penalty for destruction of public records); consequently, authority to dispose of them cannot be implied, but must be express. Moreover, those who deal with public offices are charged with knowledge of the extent and limitations of their power, *Inter-City Land Co. v. Baltimore County*, 218 Md. 80, 85 (1958); it follows that those who have acquired public records that were disposed of without express statutory authority can be charged with this knowledge. As the public character of these records is ordinarily apparent on their face, persons acquiring them may also be said to have actual knowledge of their origin. Under these circumstances, such persons cannot acquire good title to public records that have not been lawfully disposed of, and neither can subsequent purchasers or donees. *See Lemp Brewing Co. v. Mantz*, 120 Md. 176, 181 (1913).

Our conclusion that the State remains the owner of public records not lawfully disposed of applies not only to public records made or kept under the authority of the State but, also, to public records made or kept by colonial officials. Although the Court of Appeals has not had occasion to address this matter, it was the subject of a case recently decided by the Supreme Court of North Carolina, *State v. West*, 235 S.E.2d 150 (N.C. 1977), in which the court reviewed the law governing the ownership and subsequent disposition of public records. In that case, the State of North Carolina sought to recover two bills of indictment from the colonial era, which were in the possession of a private party. The court concluded that these indictments had become part of the public records owned by the Crown, that the State of North Carolina was the successor to this property interest, and that there was no showing that the Crown or State ever intended to dispose of these documents; consequently, the court permitted the State to recover these documents, even though the possessor had given valuable consideration for them to a manuscript dealer.

In its decision, the court noted that these documents, on their face, gave notice to all the world that they were part of the court records of the colony and, therefore, the property of the state. The court also concluded that only the state's legislature could provide for reimbursement to the possessor for



the expenses he incurred in acquiring and maintaining the documents.<sup>2</sup>

## II

### Custody of Public Records

Custody over the State's public records, unless lawfully disposed of or retained by other public custodians, is vested in the Hall of Records Commission. Article 54, §§1 through 13 of the Maryland Code.

The Hall of Records was established in 1931 by Chapter 487, Laws of Maryland 1931, as part of the commemoration of the 300th anniversary of the founding of Maryland. See *Magruder v. Hall of Records Commission*, 221 Md. 1, 3 (1959). The Commission itself was created in 1935. Chapter 18, Laws of Maryland 1935. Under Article VII, §5 of the Constitution, as adopted in 1867, the Commissioner of the Land Office was made the residuary custodian of historical records not belonging to any other office, 20 *Opinions of the Attorney General* 271, 273 (1935), and retained certain ancient records for a time after the creation of the Hall of Records, *Magruder*, 221 Md. at 4. However, the position of Commissioner of the Land Office was abolished in 1966 by Chapter 489, Laws of Maryland 1966 (ratified November 8, 1966), and references to it were removed from the Constitution in 1978 by Chapter 681, Laws of Maryland 1977 (ratified November 7, 1978).

Article 54, the current law relating to the Hall of Records Commission, broadly declares that "[a]ll papers, records, relics and other memorials connected with the history of Maryland not required for the necessary operations of any other office shall be under the supervision of and belong to said Commission" [§3(a)]. This provision clearly makes the Commission the residuary custodian of the State's public records. The statute also gives the Commission authority to collect and maintain old public and private records [§3(a)]; requires the transfer to the Commission of court house records made before April 28, 1788, certain records formerly in the custody of the Commissioner of the Land Office, and the records of defunct State agencies [§§5 and 6]; and permits State and local officials to transfer public records and other items not in current use to the Commission [§7]. With certain ex-

ceptions, public records that the Commission declines to accept may be destroyed on the written approval of the Commission [§8].

Although the Commission has authority to "purchase . . . any records . . . it may deem worthy of preservation" [§4], it is our view that this authority does not include the authority to "purchase" property that the State already owns. However, to facilitate the return of public records that have inadvertently, improperly, or unlawfully passed into the possession of private parties, the Commission certainly can seek additional authority from the General Assembly to permit it to pay a finder's fee or other reimbursement, where appropriate, for the recovery of such records.<sup>3</sup>

### III

#### Conclusion

In summary, it is our opinion that once records become public records of the State they remain public property until they are disposed of in accordance with express statutory authority. This applies equally to records that became public property as a result of being made or kept by colonial officials as it does to records made or kept under the authority of the State. Thus, parties who acquire public records that have not been lawfully disposed of do not acquire good title to these records and neither do subsequent purchasers or donees. Moreover, custody over records that remain public property is vested in the Hall of Records Commission, except for those lawfully retained by other public custodians.

STEPHEN H. SACHS, *Attorney General*

RICHARD E. ISRAEL, *Assistant Attorney General*

AVERY AISENSTARK  
*Principal Counsel,  
Opinions and Advice*

<sup>1</sup> Thus, with respect to the court records that were the subject of a 1971 replevin proceeding brought by the Clerk of the Circuit Court for Frederick County against a manuscript dealer in the Superior Court in Baltimore, it would be improper to return these records to the dealer in the absence of a statute expressly providing for the disposition of these records.

## SECONDARY MORTGAGE LOANS

FINDER'S FEES—REAL ESTATE BROKER—BROKER WHO CHARGES ADDITIONAL COMMISSION FOR BRIDGE LOAN COMMITMENT IS IN VIOLATION OF EITHER SECOND MORTGAGE LOAN LAW OR FINDER'S FEE LAW, DEPENDING ON WHETHER BROKER MAKES LOAN.

December 6, 1979

*The Honorable Laurence Levitan,  
Senate of Maryland*

You have asked our opinion on the application of Commercial Law Article, Title 12, Subtitle 8 (Finder's Fee Law) and Title 12, Subtitle 4 (Secondary Mortgage Loan Law—Credit Provisions) to certain "bridge" loans arranged by licensed real estate brokers.

Your questions are specifically directed to the following facts, as described in your letter. In Montgomery County, it has been the practice of some real estate brokers to arrange for a second mortgage loan on a prospective buyer's current residence until that residence is sold. This loan is known as a "bridge" loan, the purpose of which is to provide the buyer with the funds to go to settlement on a new residence even though his or her current residence has not yet been sold. The prospective buyer is required by the real estate broker to offer his or her current residence for sale under an exclusive listing agreement with the real estate broker and to pay a sales commission to the broker of 1% more than the commission normally charged. In return for the additional 1%, the real estate broker issues a commitment for the bridge loan. The broker may or may not be the ultimate lender. The additional 1% commission is charged to the customer on sale of the listed residence, even if the commitment is not actually funded—that is, even if the loan is not actually made. If the commitment is funded, the "bridge" loan itself may well be at the maximum interest permitted under the Secondary Mortgage Loan Law (currently 16%) plus the maximum points permitted (currently 2%). You question whether the additional 1% commission charged to the customer by the real estate broker would violate either or both of the Finder's Fee Law or the Secondary Mortgage Loan Law.