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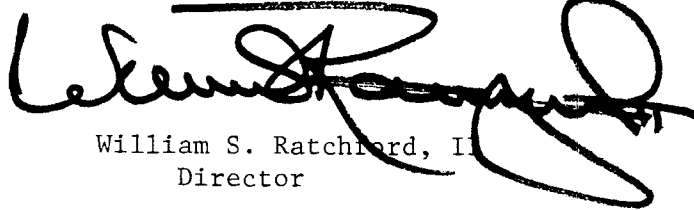
January 8, 1980

The Honorable Fred L. Wineland,
Secretary of State
Jeffrey Building, 16 Francis Street
Annapolis, Maryland 21401

Dear Mr. Secretary:

Enclosed are copies of the final report on the Office of the Secretary of State. We appreciate the assistance and cooperation that we received from your office in making this study.

Sincerely yours,



William S. Ratchford, II
Director

WSR/sjb
Encl.

THE OFFICE OF SECRETARY OF STATE

Department of Fiscal Services
November 28, 1979

FOREWORD

The Report of the Chairman of the Senate Budget and Taxation Committee and the House Committee on Appropriations for the 1979 Session of the General Assembly requested the Department of Fiscal Services to study the responsibilities of the Office of the Secretary of State and to submit a report to the Legislative Policy Committee by September 1, 1979.

This report reviewed the Office from three perspectives: the constitutional and statutory responsibilities that have been assigned to the Office; the organizational structure and management practices that have been developed to implement these responsibilities; and the allocation of personnel resources to carry out these responsibilities.

This study was conducted by Henry H. Whaley of the Department's Division of Fiscal Research under the direction of R. Lee Benson, Director of the Division. The Department gratefully acknowledges the assistance and cooperation received from the Secretary of State and the staff of his Office in the conduct of this study.

William S. Ratchford, II
Director
Department of Fiscal Services

November 26, 1979

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THE OFFICE OF SECRETARY OF STATE

Origin of Office

The Office of Secretary of State was created in 1837 by a Constitutional Amendment. The Secretary of State is appointed by the Governor with the advice and consent of the Senate and serves concurrently with the Governor. The salary of the Secretary of State is prescribed by the General Assembly and is included in the annual State budget. The Office's primary function is official custodian of certain records and papers of the Executive Department, particularly the Office of the Governor.

Functions and Duties

The Constitution of Maryland provides that the Secretary of State shall keep and preserve a record of all official acts and proceedings of the Executive Department and shall "perform all clerical duty belonging to the Executive Department." Most of the functions and duties of the Secretary of State, however, are specifically enumerated in the Annotated Code of Maryland. At the present time, there are 215 statutory references to acts or duties of the Secretary of State. These duties are summarized in Exhibit "D". (1)

Many of these statutes merely require that certain reports be filed with the Secretary of State whereas other statutes require the Secretary of State to administer a function or activity.

The Secretary of State is a member of the Governor's Executive Council, and in the absence of the Lieutenant Governor, serves as Secretary to the Executive Council. Other routine duties assigned to the Lieutenant Governor were transferred to the Secretary of State during the extended period that the Lieutenant Governor served as Acting Governor. Other administrative functions have been assigned to the Secretary of State solely at the discretion of the Governor.

A review of the major responsibilities of the Office of Secretary of State encompasses a variety of tasks and touches many agencies of State government.

- The Secretary of State attests to the Governor's signature on all public documents, commissions, proclamations, and other public papers and writings. All Executive Orders executed by the Governor are kept in the Office of the Secretary of State for public record. In addition, all Executive commissions and appointments are recorded by the Secretary of State and a list of these appointments is provided annually to all members of the General Assembly.
- The commissions prepared by the office are of various types and include Special Police commissions which are granted by the Governor to private businesses for the protection of their property; Notary Public commissions which are granted upon the recommendation of the State Senator and upon appointment by the Governor.

(1) 12 of these statutory functions transferred to the State Ethics Commission on July 1, 1979.

- The Secretary of State's Office also registers and records trademarks, trade names, and servicemarks utilized within the State. Further, copies of Interstate Compacts of which Maryland is a signatory and proclamations reinstating a corporation which defaulted its charter are filed in the Office.
- The Office of the Secretary of State prepares and records all requisitions, extraditions, pardons, and commutations granted by the Governor. All administrative regulations adopted by any State officer or department must be filed with the Secretary of State in the format designated by him and these regulations must therefore be kept on file.
- The Office registers and records all charitable organizations and receives reports on contributions. This task is becoming of increasing importance.
- The Secretary of State also receives all bills passed by the legislature and assigns chapter numbers to each after each has been signed by the Governor. The Office handles petitions for, and processing of, constitutional amendments, and provides for the publication of these in the appropriate newspapers. The Secretary is vested with discretionary power to place upon the ballot for the Maryland Presidential Primary, the name of any person whose candidacy the Secretary feels is generally advocated or recognized in the national news media. The Office also receives copies of municipal charters and notice of counties that adopt charter or code home rule status.
- Registration of all trading stamp companies is handled by the Office of the Secretary of State which requires the company to provide a statement of registration accompanied by representative samples of stamps, stamp collection books, stamp redemption catalogues and stamp distribution and redemption agreement forms currently used in the State.
- The Division of State Documents in the Office of the Secretary of State is responsible for issuing regulations issued by various State agencies and for publishing the Maryland Register.
- Until June 30, 1979, the Secretary of State was responsible for the registration of lobbyists and for maintaining the files of financial disclosure forms submitted by public officials. The enactment of Chapter 513 of the 1979 Acts (Senate Bill 1120) transferred these activities to the newly created State Ethics Commission.

Other duties assigned the Secretary of State vary greatly with and depend heavily on the nature of assignments from the Governor. Many of these responsibilities of the Secretary of State revolve around ceremonial functions and liaison duties between State agencies and citizens and business organizations. In recent years the Secretary of State has been assigned the major liaison functions with fire-rescue and emergency medical service organizations as well as numerous veterans and civic organizations.

The Secretary of State has also been asked from time to time to represent the Governor and assume an active role in the affairs of the State Board of Canvassors,⁽¹⁾ the Maryland Council on the Environment, the State House Trust, the Capital City Commission and the Maryland Rural Affairs Council. In addition, the Secretary of State has assumed managerial responsibility for the Maryland Veteran's Home Commission, which now reports directly to the Office of the Secretary of State.

A detailed explanation of the major functions follows:

Division of State Documents

The Division of State Documents was created by the General Assembly in 1974. The Division publishes the Maryland Register and issues the Code of Maryland Regulations (COMAR). These publications were authorized by the State Documents Law (Article 41, Sections 256B - 256T).

The Maryland Register

This publication is issued every two weeks, and indexed each quarter with a cumulative index at the end of the year.

The Register contains all proposed regulations, the final version of all regulations, all executive orders of the Governor, all proposed and adopted rules of the Courts of Appeals, the hearing calendars of the Courts of Appeals, synopses of all bills filed and all laws enacted during each session of the General Assembly, synopses of all bills signed into law by the Governor, State contract bids and awards, notices of agency public hearings, and a wide variety of other documents emanating from all three branches of government.

The Maryland Register also publishes other classes of documents besides those prescribed by the original legislation. The Administrative, Legislative, and Executive Review (AELR) Committee, under the authority given it by the State Documents Law, has directed the Maryland Register to print:

- (1) Synopses of all legislative bills and resolutions introduced in each regular and special session of the General Assembly.
- (2) Announcements of all State agency and commission meetings.
- (3) Announcements of changes in the judiciary, interpretations of statutes or rules of court, and summaries of judicial ethics opinions.
- (4) Notices of bids and awards on all State construction contracts.
- (5) Additions or alterations in the State Code of Ethics, and new advisory opinions and other relevant written materials of the State Board of Ethics.
- (6) Synopses of all published and unpublished opinions of the Attorney General.

These additions to the content of the Maryland Register have contributed to the increase in the size of the Register. Before the Maryland Register began publication on October 17, 1974, it was estimated that it would average between 16 and 24 pages per issue. All issues to date have exceeded that size. During its first full year in operation (1975), the Register averaged about 67 pages per issue. During the first quarter of 1979, the Register was averaging about 89 pages per issue.

(1) On July 1, 1976, this became a statutory duty of the Secretary of State

The section of the Maryland Register devoted to State contract information is of growing importance to Register subscribers. During 1978, corporations and individuals interested in procurement information constituted the fastest growing category of Register subscribers. The Register presently publishes contract information having an annual value of almost \$200,000,000.

Code of Maryland Regulations (COMAR)

The predecessor to COMAR was a multi-titled publication known as Maryland Agency Rules and Regulations (MARR). Publication began in 1971 with distribution and supplements the responsibility of each agency. MARR was never completed, and began to fall out of date and develop aberrations in the codification system almost immediately. MARR regulations were "grandfathered" into COMAR by specific provision of the State Documents Law.

One of the first decisions made at the outset of the COMAR publication project was to change the page format from what it had been under MARR. This format change allowed about 10% more lines to be printed on each page, and is estimated to have reduced the total page count of COMAR at least about 600 pages.

The actual compilation and authentication of agency regulations for publication in COMAR got underway in 1975. Every agency and department was required to cite the statutory authority under which its regulations had been promulgated, as well as supply an effective date for each of those regulations.

Each title of COMAR must be formally supplemented as required but at least annually by integrating into each title all regulations promulgated in the Maryland Register since the title was first printed or last supplemented. (The index of each COMAR title must also be updated at least once annually). Production of supplements is staggered, so that supplements are being compiled, published, and distributed throughout the year.

When the COMAR publication project began in 1975, the existing subject matter was organized under 16 titles, and totalled about 6,000 pages in all. By 1977, however, that page count was revised upward to about 7,500 pages, due to the addition of such documents as the Board of Ethics opinions to the content of COMAR.

In 1978, as a result of enactment of Chapter 858 (House Bill 3), the regulations of 10 previously exempt agencies were added to COMAR. Among these agencies are the Public Service Commission, the Insurance Division and the Workmen's Compensation Commission. The regulations of these agencies when printed are expected to add an additional 1,000 pages to COMAR.

The first title of COMAR was published in May, 1977. (For the current publication status of COMAR, see Exhibit E). To date, 14 titles of COMAR have been published containing 6,000 pages of printed matter. When completed, COMAR will total about 9,000 pages (including a general table of contents and a general index). Final COMAR production costs will come to about \$157,000.

Extraditions

The Governor has the power pursuant to Article 41 Section 20 et seq. to extradite prisoners wanted by other states upon presentation of a writ of extradition and may issue a warrant for the arrest of any person subject to the jurisdiction of another state. The Governor may also ask for the return to this State of any prisoner or person located in another state wanted for violation of Maryland's criminal laws. The administration of this procedure has become a major function of the Office of the Secretary of State.

The Secretary of State is required to maintain a liaison with the various State's attorneys of the counties and Baltimore City and is required to process requisitions from these State's attorneys after certifying the requisitions for legal sufficiency. Gubernatorial warrants issued by the Secretary of State are then granted to law enforcement personnel representing local jurisdictions for out of state service of process.

Demand requests from other states are processed for administrative extradition hearings which are coordinated between the Attorney General and the Secretary of State. Prisoner location, liaison with bonding companies, family, and legal counsel are generally coordinated by the Secretary of State.

In 1978, the Secretary of State processed 236 requisitions for extraditions and 110 extradition requests from other states. Extradition requests are projected to increase 25-30% during 1979.

Special Police

Article 41, Sections 60 -70 provide that the Governor may appoint and deputize as special policemen persons he deems qualified for special police commissions. After the completion of an investigation into the character, reputation and qualifications of the applicant by the Maryland State Police, the Secretary of State's Office, on behalf of the Governor, is responsible for processing the application and agency recommendation.

The Secretary of State is required to indicate the period the commission is to be in force as well as the property it is intended to cover or the purpose for which it was issued.

Within 30 days of appointment, the Secretary of State is required to confirm that the appointee has taken the constitutional oath of office before the Clerk of the Court in the appropriate county or Baltimore City.

Charitable Organizations

Article 41, Sections 103A - 103L, known as the Charitable Organization Law, became effective July 1, 1976. Any charitable organization which intends to solicit contributions in Maryland or intends to allow others to solicit funds for it must file a registration statement with the Secretary of State at least 30 days prior to making any solicitation. Approximately 1,400 charitable organizations have complied with this law to date. Prior to February, 1978, when the new rules and regulations were issued by the Secretary of State, only 112 charitable organizations were registered, and the function was considered to be a secondary administrative function of the Secretary of State's Office. Since the new law and regulations became effective, the volume of work in this area has increased dramatically and now represents a major program activity within the Office of the Secretary of State.

In July of each year, the Secretary of State's office prepares a report reflecting all registered charitable organizations and lists all registered professional fundraisers and those organizations which have been granted an exception under the law.

Notaries Public

The Secretary of State is charged with certifying the appointment of and maintaining appropriate liaison with the State's 50,000 notaries public.

Each Notary Public is appointed by senatorial district upon the application of the Senator representing the district in which he or she resides. Appointments are for a term of four years ending July 1, 1982 and upon renewal for four year terms. Renewals are solicited by the Secretary of State for existing commission holders.

Processing and printing of notary commissions once required a large clerical effort, including the use of temporary personnel. The use of data processing techniques has simplified the processing of the notary commissions and lessened the clerical effort.

Trademarks and Servicemarks

Pursuant to Article 41, Sections 90-103 any person who adopts and uses a mark in Maryland may file an application for registration of the mark setting forth the name of the registrant, the goods or services identified by the mark, the date when the mark was first used and a statement of association or ownership.

The Secretary of State is required to certify receipt of the application and record and store a specimen or facsimile of the mark, as registered. A certificate of registration is then issued and delivered to the applicant. The Secretary of State is required to provide any applicant whose request for registration is denied an opportunity for an administrative hearing.

Veteran's Activities

In 1977, at the direction of the Governor, the Secretary of State assumed responsibility for overseeing the activities of the Maryland Veteran's Home Commission. In that same year, the Veteran's Commission was removed from the jurisdiction of the Department of Human Resources, made an independent office, and general supervisory functions were assigned to the Secretary of State. This organizational arrangement reflected more the long-standing interest of the incumbent Secretary of State in veteran's activities rather than a structural re-organization based on functions.

Currently, the Director of Veteran's Cemetery Program and the administrative staff of the Veteran's Home Commission are housed in the Secretary of State's Offices in Annapolis. The veteran's cemetery program is becoming operational and the Veteran's Home is being planned at Charlotte Hall in St. Mary's County.

ORGANIZATIONAL STRUCTURE AND MANAGEMENT PRACTICES

Organizational Structure

The Office of the Secretary of State is organized on a divisional basis, reflecting in part statutory provisions and in part the physical setting of the Office.

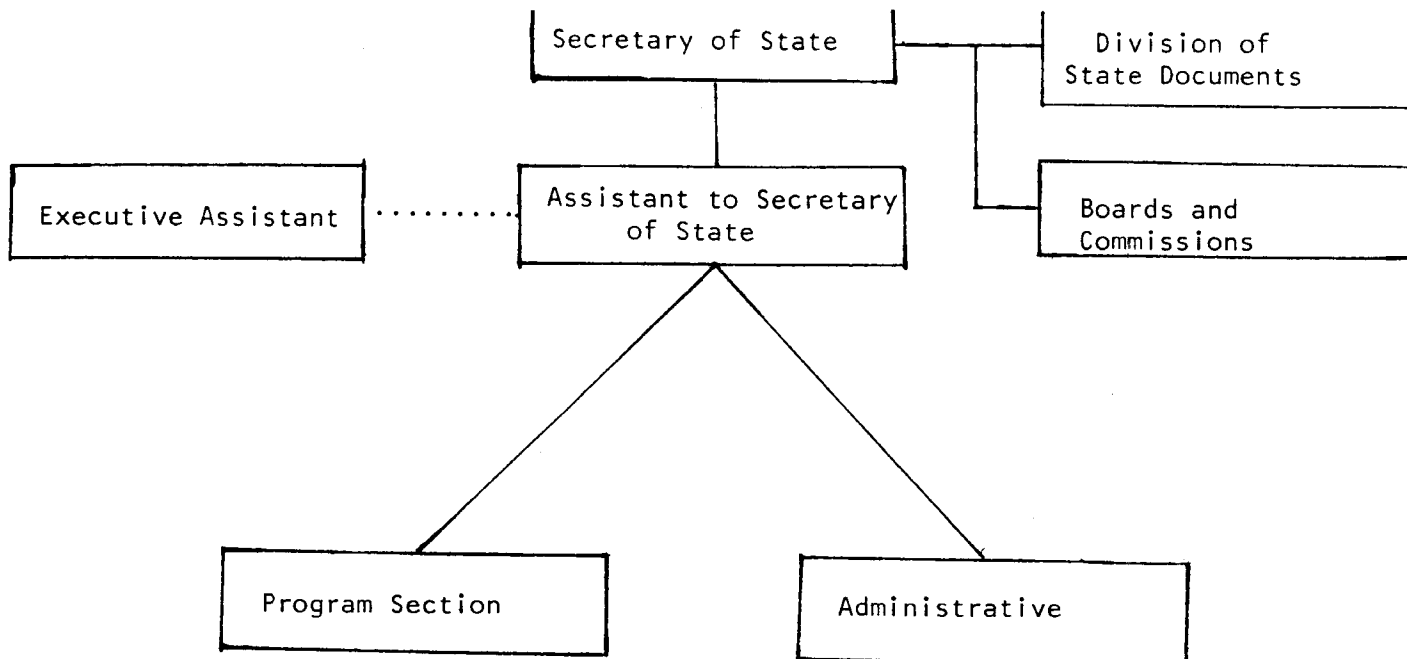
The Division of State Documents is specifically established by statute, has a separate location in the Old Armory on Bladen Street, has a separate budget, and the six personnel all have merit system status.

The other statutory functions are carried out from the Secretary of State's offices on the third and penthouse floors of the Jeffrey Building on Francis Street. The funds for these activities are included as part of the budget for the Office of the Governor. There are nine positions in this budget assigned to the Secretary of State including the Secretary's position.

The Office of the Secretary of State has been organized by divisional and administrative sections to standardize operations and use key personnel for required daily tasks while delegating all other less frequently performed administrative tasks to one or more persons within the administrative section. Generally, persons assigned key divisional duties are not required to perform collateral administrative duties while personnel within the administrative section will be assigned several administrative responsibilities. As a matter of operating procedure, all personnel, including the two executive assistants are cross-trained to perform another person's assigned functions. Personnel within both the divisional section and administrative section receive a change of assignment every year.

The Secretary of State has assigned his two executive assistants, the Assistant to the Secretary of State and the Executive Aide, jointly the responsibilities of maintaining control and communications in the Office supervising and overseeing various personnel and duties assigned to the Office. Both executive assistants exchange assignments periodically as do other office personnel. To the extent possible, the Assistant to the Secretary of State supervises the organizational flow of communications and assignments and functions in the capacity of the former Assistant Secretary of State. Non-organizational matters and special executive programs or projects are generally administered by the Executive Aide with the approval of the Secretary of State. All final budget, program and personnel decisions must be approved by the Secretary of State.

The current organizational setup includes seven divisional duties and 30 administrative duties within the organizational structure as shown on the following page:



The details of the organizational structure are shown in Exhibit A. The personnel complement appears in Exhibit B. The personnel assigned to veterans activities is shown as Exhibit C.

Office Manual

The Secretary of State's Office operates under the procedures and guidelines contained in the Office Manual for the Office of Secretary of State as amended December, 1977. The manual was further revised in August, 1979.

The Manual prescribes the standard operating procedures to be taken to perform specific administrative functions required of the Office of the Secretary of State. Sample forms and instructions are provided to assist personnel in the administration of the procedure required for every major function documented or attested to by the Secretary of State.

Management Information System

The Secretary of State's Office installed an IBM Office System 6 Information Processor in 1978 which has the capability to handle, store, and recall large lists for text editing or mailing purposes.

The system which uses a one person station has been able to provide the recall, visual display and printing capability needed to process appointments' lists, notary commissions and special police commissions. The system also has been used to facilitate tasks for other executive agencies, such as the Health Claims Arbitration Office.

The IBM Office System has been able to offer a comprehensive systems approach to managing many of the paperwork tasks which previously required an inestimable number of man hours for the Secretary of State's Office.

Operational Changes

A number of functions of the Office of the Secretary of State have been either added or deleted over the past five years. In the past, the Secretary of State has been responsible for appointing Forest Wardens at the direction of the Governor. This function was deleted in 1973. The Secretary of State also formerly was the recipient of legal service of process for nonresident drivers, aviators, and aircraft owners. This function became obsolete in 1973 when Maryland adopted a "long-arm" statute which permitted direct service of process to certain persons outside the State. The recently enacted ethics legislation (Chapter 513, Senate Bill 1120) transfers the responsibility for financial disclosure, and lobbying registration to the State Ethics Commission.

The Veterans Cemetery Program came under the direction of the Secretary of State's Office in 1976 and greatly expanded its operations in 1978 with the addition of several sites and more personnel. In 1978, the Veteran's Home Commission began operations and began to coordinate its activities with the Secretary of State. With the addition of four permanent positions in 1979 the Commission's activities are expected to become formalized within the Secretary of State's Office.

Salary Adjustments

Upon the recommendation of Acting Governor Blair Lee III, the salary of the Secretary of State was increased from \$23,772 in FY 1978 to \$36,000 in FY 1980 in a two-step process coinciding with the new four-year term of office which began in January, 1979. The Secretary of State received a \$6,278 pay adjustment in FY 1979 which included six months of the new term bringing the total salary to \$30,000 for FY 1979. In FY 1980, which included a full year of the new term of office, the salary was further adjusted to the recommended \$36,000. The salary adjustment approved for the Secretary of State was part of a salary review which increased the salaries paid to some of the top executive and management personnel in the Executive Department.

By comparison, the adjusted salary paid the Secretary of State is comparable to the salary paid to ten other chief supervisory staff directors in the Executive Department:

Director, Office on Aging	\$ 39,900
Deputy Secretary (Executive Departments)	39,300
Assistant State Treasurer IV	39,300
Chief Deputy Comptroller	39,300
Executive Director, Regional Planning Council	39,200
Executive Aid IV (Governor's Staff)	37,149
Assistant Director, Department of Assessments and Taxation	36,100
Executive Director, Maryland Wholesale Food Center Authority	36,050
Director, School Construction Committee	35,900
Secretary, Board of Public Works	35,723

CONCLUSIONS AND RECOMMENDATIONS

The Secretary of State has developed a systematic approach to performing the duties of the office. The functions and duties are generally established by statute and further defined and clarified by custom and the Manual. Office directives are issued from time to time as needed to supplement or amend established operating procedures.

The resources and personnel assigned to the Secretary of State are employed exclusively for the duties assigned that office. Support services are generally not required from other executive offices. The operation of the office is the design of the present Secretary of State, the environment in which the office operates is characterized by a high degree of interpersonnel cooperation, rapidity of task performance and tight unit contact.

During the past two years, personnel and staffing assignments have been transferred to other offices within the executive office. Although the transfer⁽¹⁾ was planned as a temporary reassignment, those positions have not been returned. The Secretary of State views the reduction of the two positions as having created a hardship, particularly in the administration of a number of statutory functions.

The resources of the system are adequate for the task assigned. The amount of office space, facilities and equipment are in keeping with executive administration. The use of IBM word processing and storage systems and mag-card typewriters permit timely operation of management information systems which is an essential part of the operation of the Office of the Secretary of State.

The management of the system is for the most part by established, written procedures and guided supervision between the two executive aides, the Assistant to the Secretary of State and Executive Assistant, according to need and experience, allowing each ultimately to review matters assigned to subordinate staff.

Management techniques employed by the Secretary of State are designed to permit maximum communication from all personnel. Duties require timely responses to administrative and legal deadlines. In terms of both planning the system and controlling the system, the operational procedures and organizational structure of the Secretary of State's office reacts well to change as well as difficult time requirements. The office is designed to respond quickly to spontaneous executive and legislative directives without sacrificing uniform procedural standards or record-keeping. Often the demand and processing of extradition requests occur after routine business hours which requires the office to exercise the operational flexibility expected of it.

The apparent key to the successful operation of the office has been the employment of standard operating procedures and the interchanging and cross-training of personnel assigned to key functions. The Secretary of State's strict adherence to this managerial philosophy in recent years has permitted the office to adjust operating procedures as required.

Based on the above analysis, the following recommendations are made:

1. *There be no changes in personnel assigned to the office of the Secretary of State. Although the newly enacted ethics*

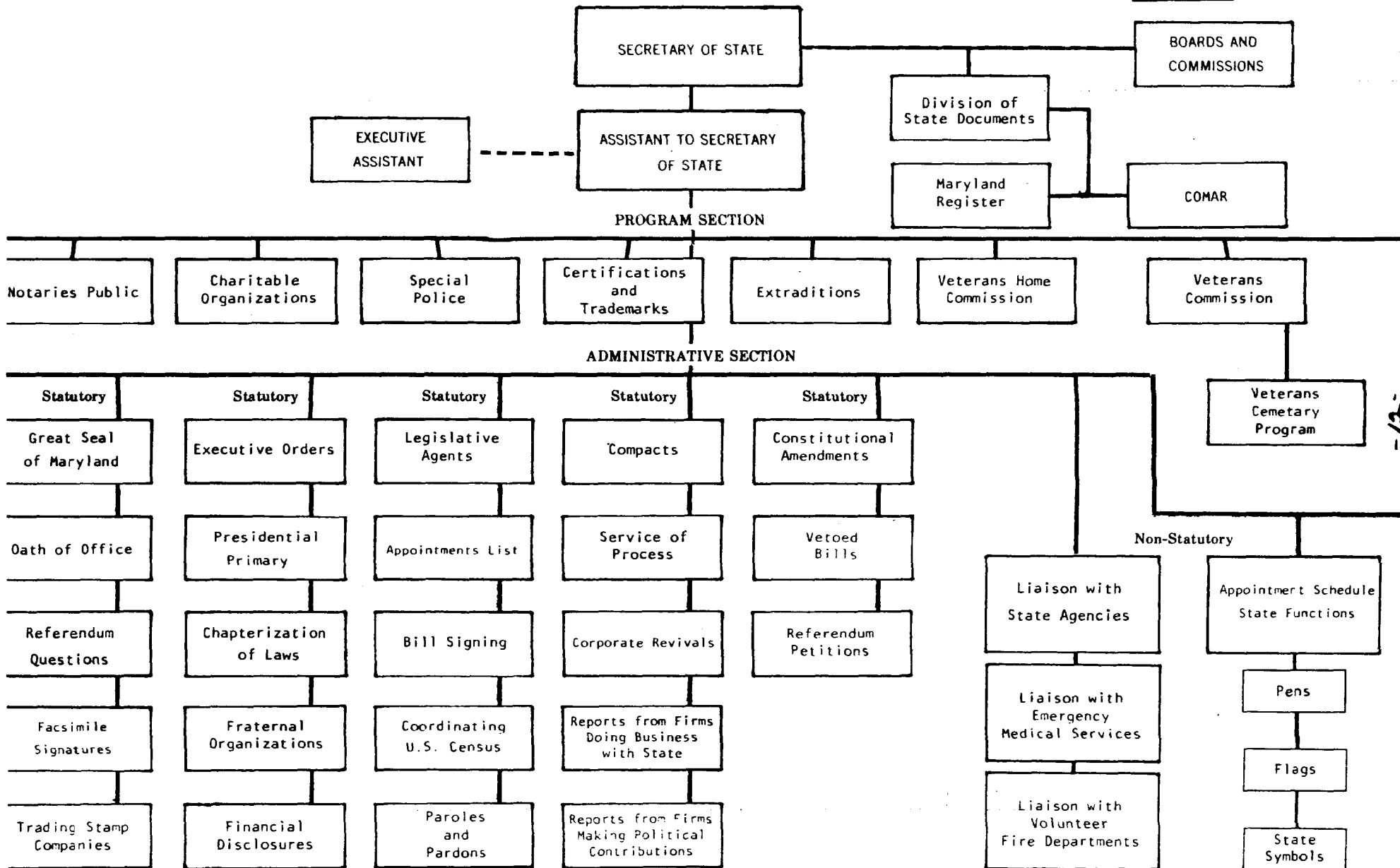
(1) The positions of Legal Assistant and Special Assistant were eliminated in FY '79.

law will reduce the workload of the office, it is not of sufficient magnitude to reduce the number of assigned personnel at this time.

2. The Secretary of State's responsibility for veteran's activities should be viewed as a reflection of the interest of the incumbent Secretary and not as a permanent organizational assignment. The office's primary responsibility is the execution of statutory functions and the custody of certain records and documents. It is not structured to direct and manage an on-going program of services that operate at various locations throughout the State. As the veteran's cemetery program becomes more completely operational and when the veteran's home is completed, the legislature may wish to study the organizational structure of the veteran's program to see if a single agency may be desirable.

Organization and Function of the Office of Secretary of State

EXHIBIT A



OFFICE OF THE SECRETARY OF STATE

Authorized Positions

Main Office

Professional Staff

Secretary of State
Assistant Secretary of State
Executive Aide II
Special Assistant, Executive Department

Secretarial and Administrative Staff

Principal Assignment

Secretary I - Executive Department (Receptionist)
Secretary I - Executive Department (Extraditions)
Secretary I - Executive Department (Charitable Organizations; Parole & Probation)
Secretary I - Executive Department (Notaries; Delinquent Corporations)
Secretary II - Executive Department (Administrative Secretary)

Division of State Documents

Professional Staff

Administrator
Assistant Administrator
Administrative Assistant
Fiscal Associate I

Secretarial and Administrative Staff

Administrative Aide
Secretary III

PERSONNEL ASSIGNED TO VETERAN'S ACTIVITIES

Maryland Veterans' Home Commission

Staff

Executive Director
Administrative Officer III
Operations Specialist II
Fiscal Associate II
Conservation Aide I

Cemetery Program - Maryland Veterans Commission

Staff

Veterans Cemetery Program Manager
Veterans Cemetery Superintendent (4)
Motor Equipment Operator I (4)
Motor Vehicle Operator II
Motor Vehicle Operator I (3)
Ground Supervisor I
Grounds Keeper II (2)
Grounds Keeper I (7)
Guard I (4)
Fiscal Clerk I
Office Secretary II, General
Stenographer Clerk III (4)

Service Program - Maryland Veterans Commission

Staff

State Service & Executive Officer (1)
Veterans Service Officer Supervisor (1)
Veterans Service Officer III (11)
Veterans Service Officer II (1)
Veterans Service Officer I (3)
Office Secretary III, Stenographic (1)
Office Secretary I, Stenographic (3)
Office Secretary I, General (1)
Stenographer Clerk III (3)
Stenographer Clerk I (1)
Fiscal Associate II (1)
Typist-Clerk IV (1)
Office Clerk I (1)

SUMMARY OF STATUTORY DUTIES AND FUNCTIONS
OF THE SECRETARY OF STATE

Article 2B - ALCOHOLIC BEVERAGES - BOARDS OF LICENSE COMMISSIONERS

Section 148 - Appointed by Governor and Senate

(c) - Prince Georges County

Upon judging a candidate for a Commissioner vacancy to be unfit or incompetent the Governor shall file a written statement to that effect with the Secretary of State.

Article 2B - Same

Section 156 - Removals

(a) - Boards appointed by Governor

If the Governor shall remove any Board Member appointed by him under this Article for reason of misconduct in office, incompetency or willful neglect of duty he shall file a statement of charges and findings therein in the Secretary of State's Office.

Article 11 - BANK AND TRUST COMPANIES

Section 3 - Seal

Upon devising a seal for the use of his office a Bank Commissioner shall file a description of the seal, and impression thereof, with the Secretary of State.

Article 17 - CLERKS OF COURTS

Section 70 - Delivery of Official commissions

Civil Commissions issued by the Governor and sent by the Secretary of State to the clerks of the circuit courts, the clerk of the Superior Court of Baltimore City, shall be by them delivered immediately to the persons to whom such commissions are directed, and who may apply for same.

Article 17 - Same

Section 71 - Report of officers who have taken oaths

Clerks shall report to the Secretary of State, monthly, the names and offices of all officers who have taken and subscribed the oaths required by the constitution and laws to be taken before them.

Article 23 - CORPORATIONS

Section 207 Consolidation of connecting companies

Upon sanctioning a consolidation of railroad companies by the stockholders of a railroad company of this State, same shall be filed with the office of the Secretary of State.

Article 23 - Same

Section 208 Lease by one railroad company to another railroad company

A copy of a duly executed lease between two railroad companies, upon certification by the secretary of each of the companies parties thereto under their respective corporate seals shall be filed in the Office of the Secretary of State.

Article 23 - Same

Section 209 - Acquisition of connecting railroad by railroad owning two thirds of the capital stock of that acquired

Upon acquisition of connecting railroad by a railroad owning two thirds of the capital stock of that acquired, same shall be filed in the Office of the Secretary of State.

Article 23 - Same

Section 210 - Purchase of connecting railroads

A copy of an agreement with proper certification attached, for purchase of connecting railroads shall be filed with the Secretary of State.

Article 23 - Same

Section 412 - Establishment

Upon compliance with §415(b) and (c) (Election - By members of corporations) and (Election - By stockholders) and after the 1st Board of Directors meeting a certificate shall be filed by said board with the Secretary of State certifying that the Development Credit Corporation of Maryland has commenced business.

Article 23 - Same

Section 424 - Annual Audit Report

A report of examination, audit and condition of such corporation shall be made in writing to the Secretary of State on or before the 120th day of each fiscal year of the corporation.

Article 23A - CORPORATIONS - MUNICIPAL

Section 9A - Deposit with State agencies

(b) Agencies to which copies to be sent by registered mail

The mayor or other chief executive officer of each municipal corporation shall send, or cause to be sent, separately by registered mail one copy of each document, as appropriate to the Secretary of State's office.

Article 23A - Same

Section 43 - Automatic repeal

Upon termination of function of a municipal corporation the Director of the Department of Fiscal Services shall promptly certify all facts to the Secretary of State. On receipt of such certification the Secretary of State shall issue a public proclamation, declaring the charter of the municipal corporation repealed. The Secretary of State shall file copies of the proclamation with the clerk of the court of appeals, the clerk of the circuit court of the county in which the municipal corporation is located, and the Department of Legislative Reference.

Article 25A - CHARTERED COUNTIES OF MARYLAND

Section 3B - Agencies to be notified of adoption or rejection of charter

(2) Secretary of State of Maryland
State House
Annapolis, Maryland 21401 (one copy)

When a county adopts or rejects a charter form of government the Secretary of State's office will be notified of that change and copies of such will be forwarded to the Secretary of State.

Article 25B - HOME RULE FOR CODE COUNTIES

Section 7 - Referendum; agencies to be notified of adoption or rejection

(b) 2 Proclamation of the adoption or rejection of code home rule status by County Commissioners shall require prompt notification to the Secretary of State.

Article 27 - CRIMES AND PUNISHMENTS

Section 184 - Registration of name, insignia, etc., of association, lodge, etc.

Any association, lodge, etc., may register its name, insignia, etc., with the Secretary of State's office and by reregistration may cancel same.

Article 27 - Same

Section 185 - Application for such registration

Application for registration, alteration, or cancellation of name, insignia, etc., of association, lodge, etc., may be made through the Secretary of State's office.

Article 27 - Same

Section 186 - Record of such registration

The Secretary of State shall keep a properly indexed record of all registrations, including altered or cancelled registrations.

Article 27 - Same

Section 188 - Certificate of registration of insignia, etc.

Upon granting registration, the Secretary of State shall issue his certificate to petitioners, setting forth the fact of such registration.

Article 27 - Same

Section 190 - Fees for registration of insignia, etc.

Fees of the Secretary of State for registration, alteration, cancellation, searches and certificates issued by him shall be the same as provided by law for similar services. Fees collected, after deducting the cost of administering this law, shall be paid by the Secretary of State into the State Treasury.

Article 27 - Same

Section 600 - Notice of subtitle to each State of the United States

Upon the passage and approval by the Governor of this subtitle it shall be the duty of the Secretary of State to certify a copy of this subtitle to the executive department of each of the states of the United States.

Article 31 - DEBT - PUBLIC

Section 14 - Use of facsimile signature

A facsimile signature may be used by any authorized officer on (a) any public security, provided that at least one signature required or permitted to be placed thereon shall be manually subscribed, and (b) any instrument of payment, after filing a manual signature with the Secretary of State.

Article 33 - ELECTION CODE

Section 12-2 - Primary election for candidate for President and delegates to National Convention

The Secretary of State may place a "favorite son candidate" on the ballot if his candidacy is generally advocated or recognized in national new media. Through informal preliminary notice the Secretary of State may notify a candidate that his name is being placed on the ballot more than 70 days in advance. A candidate may withdraw his name from the ballot by filing a proper withdrawal affidavit with the Secretary of State. The resolution to the question of timeliness of withdrawal will be decided according to the actual date of receipt of the affidavit in the Secretary of State's office.

Article 33 - Same

Section 16-6 - Ballots and ballot labels - Questions

(a) condensed statement and descriptive title

The Secretary of State shall prepare and certify the form in which a constitutional amendment or question shall appear and each amendment or question shall be captioned with a descriptive title in boldface type containing not more than three words.

(b) Order by Secretary of State

Each election board shall follow the order designated by the Secretary of State in the preparation of ballots.

Article 33 - Same

Section 18-1 - Membership and duties

(a) Membership; secretary

The Secretary of State, Comptroller, State Treasurer, Clerk of the Court of Appeals and Attorney General shall constitute the Board of State Canvassers, three of whom shall be a quorum.

Article 33 - Same

Section 23-3 - Petition - Form; requirements with respect to signatures; filing

(a) The Secretary of State shall prescribe the forms for petitions filed under the provisions of Article XVI of the State Constitution.

(b) Petitions shall be filed with the Secretary of State who shall adopt procedures for their verification either by the Secretary of State or his designee or by the local board of supervisors of elections.

Article 33 - Same

Section 23-5 - Petition - Other unlawful acts

(c) To refer to the Secretary of State a petition to which is attached, appended, or subscribed any signature which the person knows to be false or fraudulent or not the genuine signature of the person purporting to sign the petition or of the person whose name is attached, appended, or subscribed to the petition.

Section 23-6 - Petition - Statement of contributions and expenditures

(a) When a petition is filed with the Secretary of State a statement showing contributions and expenditures shall be filed with it.

(b) The Secretary of State will treat the petition as invalid if a contribution and expenditure statement is not filed with it.

Article 33 - Same

Section 23-7 - Petition - Effect of question concerning invalidity of signature

On any petition submitted to the Secretary of State, any question concerning signature, or the invalidity of the signature affects on the signature in question and not any portion of the petition.

Article 33 - Same

Section 26-21 - Injunction

The Secretary of State may seek an injunction against any violation of the provisions of this subtitle.

Article 33 - Same

Section 29-3 - Persons required to file statements

(f) The Secretary of State is required to file the statements provided for in this subtitle.

Article 33 - Same

Section 29-4 - Statement of financial interests required to be filed; forwarding to Secretary of State; public inspection; forms

(a) Persons holding positions under Article 33, Section 29-3, shall file statements with the Secretary of State on or before the 15th of April of each year during that persons term of office.

(b-4) Certificates of candidacy or certificates of nomination shall be forwarded to the Secretary of State within 30 days of receipt by the State Administrative Board of Election Laws.

(c) All statements filed with the Secretary of State in accordance with this subtitle shall be retained as public record by him for at least two years and made available for examination and copying by the public at a reasonable fee.

(d) Forms required for filing statements under this subtitle shall be available by the Secretary of State. Any person examining or copying such statements shall be required by the Secretary of State to record his name, address and the name of the person whose disclosure statement was examined or copied.

Article 33 - Same

Section 29-7 - Financial Disclosure Advisory Board

(a) The Maryland Public Disclosure Advisory Board may request assistance for the Secretary of State in carrying out its duties.

(b) (1) The Maryland Public Disclosure Board shall recommend to the Secretary of State forms for use in the filing of statements. The Secretary of State shall make forms available no later than October 1, 1977.

Article 33 - Same

Section 20-12 - Members of Maryland-National Capital Park and Planning Commissions,
Washington Suburban Sanitary Commission and Washington Suburban
Transit Commission

(c) Applicants for appointment to file statements

(4) The statement of any applicant approved for appointment shall be forwarded by the chief administrative officer of the county involved to the Secretary of State.

(e) Public inspection of statements; retention as public records
Forms required for filing statements under this subtitle shall be available by the Secretary of State.

(g) Information from person examining or copying statements
The Secretary of State shall require any person examining or copying statements to record their name, home address, and the name of the person whose statement was examined or copied.

Article 33 - Same

Section 30-2 - Statement of contributions

(d) Where filed; period of retention; inspection

Statements shall be filed with the Secretary of State. He shall maintain them for at least two years as public record. The Secretary of State shall make the statements available for examination and copying by the public subject to reasonable fees and administrative procedures.

(e) The Secretary of State shall prepare and make available forms for the statements required by this subtitle.

Article 40 - GENERAL ASSEMBLY

Section 5 - Definitions

(h) "Docket"

A record kept by the Secretary of State listing name, address and occupation of the person employed, along with the employers name and business address, date of employment, length of time employment is to continue and the special subject(s) of legislation to which the employee relates.

Article 40 - Same

Section 7 - Authorization to act

Employers shall file a written, signed authorization to act with the Secretary of State by the registrant or executive branch lobbyist at the time of his registration.

Article 40 - Same

Section 8 - Registration with Secretary of State

(a) The following persons are required to register with the Secretary of State:

- (1) lobbyists
- (2) those not exempt under §6(h) who has spent \$500 or more for compensation of registrants
- (3) anyone who spend \$2,000 or more, including postage, to solicit others to communicate with any official.

(b) On or before January 10th of each year, those persons outlined in Section 8 (a), above, will turn in completed forms to the Secretary of State.

Article 40 - Same

Section 10 - Reports by registrants to the Secretary of State

(a) Registrants shall file a report with the Secretary of State concerning lobbying activities. Forms will be provided by the Secretary of State.

Article 40 - Same

Section 11 - Maintenance and retention of reports; examination and copying

(a) Reports are to be maintained by the Secretary of State for at least two years and made available to the public.

(b) Any person examining or copying such records will be required by the Secretary of State to leave his name, address, and the name of the person whose report was examined or copied.

Article 40 - Same

Section 12 - Figures to be made available by Secretary of State; notice to official named in report

(a) The Secretary of State shall maintain subtotals of all activities and amounts of activities by all registrants for their lobbying activities.

(b) The Secretary of State shall maintain subtotals of all activities and amounts of activities by all registrants for their lobbying activities.

(c) (1) The Secretary of State shall notify an official, within 30 days, if he receives a report containing the name of the official or his immediate family within the legislative or executive branch. The Secretary shall keep the report confidential for 30 days following receipt of it.

Article 40 - Same

Section 13 - Registration of executive branch lobbyists; reports to Secretary of State

(a) All executive branch lobbyists shall register with the Secretary of State on a form provided by him.

(b) Each registrant shall file two reports with the Secretary of State, on a form provided by him, concerning his executive agency lobbying activities.

Article 40 - Same

Section 25 - Council of State Governments - Communication of text to other states

The Secretary of State shall communicate with the executive branch of all state's legislatures, and advise each to enact laws similar to those passed in Maryland in order to reduce governmental confusion, competition, and conflict.

Article 41 - GOVERNOR - EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS

Section 14A - Code of ethics concerning possible conflict of interest; complaints and investigations

(a) Rules and Regulations establishing a code of ethics shall be filed with the Secretary of State.

Article 41 - Same

Section 15CC - Filing orders with Secretary of State; indexing; delivery to Hall of Records Commission

(a) Originals or certified copies of executive orders signed by the Governor shall be filed with the Secretary of State.

(b) The Secretary of State shall retain signed executive orders for the term(s) of the Governor who signed them.

(c) The Secretary of State will release signed executive orders to the Hall of Records Commission upon the expiration of the term of the Governor who signed them.

Article 41 - Same

Section 15CE - Delivery of copy to Department of Legislative Reference: publication

(a) Within 10 days of receipt of signed executive orders the Secretary of State shall deliver same to the Director of the Department of Legislative Reference.

Article 41 - Same

Section 37 - Application for issuance of requisition; by whom made; contents
III. Applications for the return of a person accused of committing a crime in this State are to be filed with the Secretary of State.

Article 41 - Same

Section 44 - Creation and composition; executive secretary

The Secretary of State shall be included in the Governor's Executive Council.

Article 41 - Same

Section 46 - Delivery of bills to Secretary of State; assignment of chapter numbers to approved bills

All bills, whether they become law or not, are to be delivered to the Secretary of State. The Secretary of State shall record chapter numbers on all bills signed by the Governor and keep a volume of all bills and their chapter numbers known as "Record of Chapter Numbers".

Article 41 - Same

Section 46A - Keeping compacts in office of the Secretary of State

All interstate compacts shall be kept for public record in the office of the Secretary of State.

Article 41 - Same

Section 66 - Oath

The clerk of the court shall certify to the Secretary of State that a person commissioned has taken the constitutional oath of office.

Article 41 - Same

Section 83 - Assignment to Executive Department; rights, powers, duties, etc., in general

The Secretary of State shall be assigned to the Executive Department.

Article 41 - Same

Section 84 - Seal and certification of records and papers

The Secretary of State shall maintain a seal for his department. No action of the Governor shall be given out or certified without the Governor's approval.

Article 41 - Same

Section 85 - Fees for certification

The Secretary of State may charge anyone, other than State agencies, a fee not exceeding \$1.00 for authentication or certification of any document. He may charge an additional fee of 50¢ per page when no copy is provided for certification.

Article 41 - Same

Section 86 - Recording and transmitting officers' commissions; lists of certain gubernatorial appointees

(b) The Secretary of State shall compile a list of civil officers appointed by the Governor in the prior year, each January. He shall also compile a list of officers whose terms will expire during the following twelve months. He shall send a copy of both lists to each member of the General Assembly.

Article 41 - Same

Section 88 - Reporting to Comptroller list of qualified officials

The Secretary of State shall provide to the Comptroller, annually, a list of officers who have qualified by taking the oath of office.

Article 41 - Same

Section 89 - Assistant

The Governor shall appoint an assistant to take over for the Secretary of State during his absence from the seat of office or illness.

Article 41 - Same

Section 89A - Disclosures required by certain businesses contracting with State

(a) (1) Businesses whose agreements with the State reach an aggregate \$100,000 or more shall file all pertinent data as contained in this section with the Secretary of State.

Article 41 - Same

Section 91 - Registrability

(5) The Secretary of State shall accept, register and determine the uniqueness of servicemarks of goods and services.

Article 41 - Same

Section 92 - Application for registration

(a) Contents

A person wishing to register a mark with the Secretary of State may do so on a form provided by him setting forth certain information as outlined in this section.

(d) Filing fee

The Secretary of State shall charge a filing fee of \$10.00 for registration applications.

Article 41 - Same

Section 93 - Certificate of Registration

(a) Issue; contents

Upon compliance of all regulations the Secretary of State shall issue a certificate of registration to the applicant under his signature.

(b) Admissibility in evidence

Certificates of registration issued by the Secretary of State may be used as proof of the registration of marks in any action or judicial proceedings in any court of this State.

(c) Hearing prior to denial of registration

The Secretary of State shall provide an applicant the opportunity to appear before him to explain apparent noncompliance of a registration application before he denies it.

Article 41 - Same

Section 94 - Duration and renewal

(a) Term; renewal fee

Upon expiration of the registration of a mark it may be renewed by filing a application for renewal (provided by the Secretary of State) to the Secretary of State within six months of the expiration. A renewal fee of \$5.00 should be attached, payable to the Secretary of State.

(c) Notification prior to expiration

The Secretary of State shall notify registrants of the expiration date one year prior to expiration.

Article 41 - Same

Section 95 - Assignment

Assignments of registrations may be filed with the Secretary of State for a fee of \$5.00. The Secretary of State will issue a new certificate in the assignee's name for the remainder of the current term. Such assignments must be recorded with the Secretary of State within three months to be valid.

Article 41 - Same

Section 96 - Records

The Secretary of State shall keep for public examination a record of all marks.

Article 41 - Same

Section 97 - Cancellation

The Secretary of State shall cancel from the register all marks prior to June 1, 1954 and not renewed, voluntary cancellations, nonrenewals, abandoned marks, improperly granted and fraudulently obtained registrations and marks too similar to others already recorded.

Article 41 - Same

Section 99 - Fraudulent Registration

Any person who knowingly registers a mark fraudulently with the Secretary of State shall be liable for damages.

Article 41 - Same

Section 103B - Registration of charitable organization; required reports

(a) Charitable organizations shall file their intentions of solicitation with the Secretary of State within 30 days of soliciting.

(6) (ii) The Secretary of State, at his discretion, may require an audit of charitable organizations if their total amount of gross income is less than \$100,000.

(a) (9) Statement of intention to solicit, sent to the Secretary of State, must be accompanied by a signed affidavit stating if the organization has ever had its fund raising activities restrained or restricted.

Article 41 - Same

Section 103C - Exemptions from registration

(a) (1) Educational institutions shall file a copy of annual fiscal reports that it files with the State Department of Education, with the Secretary of State.

(a) (4) A nonprofit and charitable hospital shall file with the Secretary of State a copy of the annual fiscal report most recently filed with the Department of Health and Mental Hygiene.

(b) A charitable organization claiming to be exempt from registration must set forth its justification of exemption to the Secretary of State. The Secretary of State shall issue a letter of exemption.

(c) Thereafter the organization shall submit to the Secretary of State a brief certification that their status is unchanged.

(d) A charitable organization shall report to the Secretary of State any change in their exempt status within 10 days of the occurrence.

Article 41 - Same

Section 103D - Limitations on amount of payments for solicitation activities

(a) The Secretary of State shall provide for the reporting of actual cost, and allocation of expenses of a charitable organization. The Secretary of State shall issue rules and regulations to permit a charitable organization to pay or agree to pay for expenses in connection with a fund raising activity.

(c) Contracts between charitable organizations and professional fund raisers/solicitors shall be filed with the Secretary of State.

Article 41 - Same

Section 103F - Registration of professional fund raiser counsel and professional solicitor; bonds

(a) A person must register with the Secretary of State before acting as a professional fund raiser/solicitor on a form provided by him.

(b) All professional fund raiser/solicitors shall upon making application with the Secretary of State, file and have approved by the Secretary of State a bond in which the applicant shall be the principal obligor in the sum of \$10,000 with one or more sureties satisfied to the Secretary of State.

(c) Registration may be renewed by the Secretary of State for one year periods.

(d) If the Secretary of State finds that all rules and regulations have been met he may approve the registration. If an application for registration is denied the applicant may request, in writing, a hearing within 30 days of denial before the Secretary of State. The hearing shall be held within 60 days of receipt of the request.

Article 41 - Same

Section 103G - Information filed to become public records

All documents filed with the Secretary of State under this section shall become public record and be maintained in his office for at least two years.

Article 41 - Same

Section 103H - Records to be kept by charitable organizations

Records of charitable organizations shall be kept in accordance with rules and regulations established by the Secretary of State. These records shall be made available to the Secretary of State upon demand.

Article 41 - Same

Section 103I - Reciprocal agreements with other states

The Secretary of State may enter into reciprocal agreements with other states for the purpose of exchanging information about charitable organizations, professional fund raisers/solicitors. The Secretary of State may accept other states documentation in lieu of Maryland's if such information is generally the same. The Secretary of State may exempt such organizations from filing an annual registration statement if the organizations funds are derived principally from other states.

Article 41 - Same

Section 103J - Prohibited acts

(a) The following statement, "Registered with the Secretary of State of Maryland as required by law. Registration does not constitute or imply endorsement of a public solicitation for contributions.", may be used by charitable organizations, professional fund raisers/solicitors.

(e) (1) Authorization to solicit shall be filed with the Secretary of State.

Article 41 - Same

Section 103K - Nonresident charitable organizations, fund raiser counsel and solicitors

Organizations or professionals who solicit contributions within Maryland, but who are governed by the laws of another state, shall accept the Secretary of State of Maryland as their agent for all legal documents to be served upon. The Secretary of State shall forward a copy of all documents to the organization or professional fund raiser/solicitor.

Article 41 - Same

Section 103L - Enforcement of subtitle; penalties

(a) Anyone who willfully files a fraudulent registration or who willfully does not file a registration with the Secretary of State shall be subject to penalties of law.

(b) Upon complaint or upon his own motion the Secretary of State may investigate alleged violations of this subtitle. If a law has been broken the Secretary of State may cancel the registration and refer the matter for prosecution.

(c) Upon referral by the Secretary of State to the Attorney General, he shall take such action as prescribed.

(d) The Secretary of State shall adopt rules and regulations for the administration and enforcement of this subtitle.

Article 41 - Same

Section 104 - Duty to publish

The Secretary of State shall issue a manual of the State of Maryland every two years.

Article 41 - Same

Section 106 - Distribution

The Secretary of State is authorized to make such distribution of the manual of the State of Maryland as he deems necessary.

Article 41 - Same

Section 131B - Created; duties

The Division of State Documents is created within the office of the Secretary of State.

Article 41 - Same

Section 131D - Duties of Administrator

The Administrator of the State Documents Division shall be subject to the general supervision and control of the Secretary of State.

Article 41 - Same

Section 2561 - Filing future documents with administrator

(c) Other documents - The Secretary of State shall transmit to the administrator of the Division of State Documents two copies of each executive order he receives.

Article 41 - Same

Section 360 - Maryland Commission on the Capital City

(b) The Governor may designate the Secretary of State to serve on the Maryland Commission on the Capital City.

Article 41 - Same

Section 455 - Preparation and transmittal of copies

The Secretary of State shall prepare and transmit copies of compacts and of this act to the properly designated persons.

Article 43 - HEALTH

Section 369 - Board of Examiners of Optometry - Certificate of appointment and oath of office

(d) Certificate of appointment and oath of office - Every person appointed to the Board shall file in the Office of the Secretary of State the constitutional oath of office.

Article 43 - Same

Section 501 - Board of Chiropractic Examiners - officers; powers and duties generally

(c) Powers and duties generally; quorum

A copy of the Boards rules and regulations shall be kept on file with the Secretary of State.

Article 43 - Same

Section 569 - Declaration and finding; scope and interpretation of law and regulations promulgated thereunder

(2) Administrative procedures and appendixes contained in the current grade 'A' pasteurized milk ordinance shall be on file in the Secretary of State's office.

Article 43 - Same

Section 621 - State Board of Examiners of Psychologists-Part of Department of Health and Mental Hygiene; appointment, terms and oath of members

Board members constitutional oath of office shall be filed with the Secretary of State.

Article 43 - Same

Section 635 - Roster of certified psychologists

A copy of the roster of certified psychologists shall be filed with the Secretary of State.

Article 43C - MARYLAND HEALTH AND HIGHER EDUCATIONAL FACILITIES AUTHORITY

Section 4 - Creation and composition of Authority; appointment, removal, terms, etc., of members, officers; executive director; general counsel

(b) Composition; terms of office; vacancy; removal of members; oath

Members of the Authority shall file a copy of their oath in the office of the Secretary of State.

Article 48A - INSURANCE CODE

Section 20 - Commissioners seal

The Commissioners seal shall be on file in the Secretary of State's office.

Article 48A - Same

Section 206 - Procedure for service of process, etc. - Unauthorized persons doing insurance business

(a) Doing insurance business appoints Secretary of State agent - All legal documents served on persons not authorized to practice in the insurance business shall be served on the Secretary of State as his agent.

Article 56 - LICENSES

Section 76 - License to conduct business required; office to be maintained; records and files; supervision of office; grounds for refusal to issue license

(c) Nonresident applicants shall file a consent with the Secretary of State stipulating that suits and actions may be filed against them in the proper courts.

Article 56 - Same

Section 242 - Statement of registration; bond

(a) Required; information to be provided

All trading stamp companies shall file pertinent information with the Secretary of State before distributing trading stamps.

(c) Claims against bond - Procedure

Upon default on redemption of trading stamps a holder may file a complaint with the Secretary of State. If he determines that a default did occur he shall notify the company and publish such default. The Secretary of State shall be paid by the surety such amount as will be necessary to cover all claims.

(e) Termination of liability on old bond when new bond filed.

Holders of trading stamps shall file proof of claims with the Secretary of State before prosecuting such claims.

(f) Time of filing statement and bond; registration fee

Registration statements and bond shall be filed with the Secretary of State July 1, annually, along with a registration fee of \$25.

Article 56 - Same

Section 243 - Notice of intention to cease or suspend redemption of stamp

No trading stamp company shall cease the redemption of stamps without a prior notice to the Secretary of State.

Article 56 - Same

Section 309 - Roster of all registered professional foresters to be prepared annually

Rosters of all registered professional foresters shall be filed with the Secretary of State.

Article 56 - Same

Section 334 - Board of Registration for Professional Land Surveyors-Deposit of fees; disbursement of appropriations; record of proceedings; roster of surveyors

(c) A copy of the Professional Land Surveyors roster shall be filed with the Secretary of State.

Article 68 - NOTARIES PUBLIC

Section 1 - Appointment, qualifications, applications, term, commission and fees

(c) Application; notice of appointment

Applications for appointment as a notary public shall be filed with the Secretary of State on forms provided by him. The Secretary of State will notify the applicant when the appointment is made.

(e) Renewal of commission; qualifying; revocation and reinstatement
The Secretary of State shall issue notice of renewal to notaries public.
The Secretary of State, for good cause may reinstate commissions.

(f) The Secretary of State shall forward to the Clerk of the Court of the county in which the notary public resides, a commission signed the Governor and Secretary of State under the great seal of the State. The Secretary of State may fix this fee and such other reasonable fees as may be required for the processing of applications and the issuance and renewal of notarial commissions.

(g) The Secretary of State may prepare and adopt forms as required under this section, including the form of original applications, the form of commissions, and forms for renewal of commissions.

Article 68 - Same

Section 2 - Removal

Upon removal of a notary and the opportunity for a hearing before the Secretary of State, the Secretary of State shall submit his recommendation to the Governor.

Article 70 - Official Oaths

Section 2 - Secretary of State; judges and clerks of Court of Appeals and Court of Special Appeals; Attorney General; State Reporter; Adjutant General; Treasurer; Comptroller; Commissioner of the Land Office

The Secretary of State shall take and subscribe the said oath before the Governor and same shall be preserved in a book to be kept by the Secretary of State.

Article 70 - Same

Section 12 - Reports of clerks to Secretary of State; fee

The clerk of the Superior Court and Clerks of the circuit courts shall report to the Secretary of State, monthly, the names and offices of all officers who have taken and subscribed the same before them, respectively, which reports shall be carefully preserved by the said Secretary of State; and he shall be competent to certify the character and qualification of officers equally with the aforesaid clerks.

Article 73B - OFFICIAL OATHS

Section 12 - Administration

(5) Board of Trustees-State Retirement System

Each trustee, shall take an oath of office which must immediately be filed in the office of the Secretary of State.

Article 73B - Same

Section 87 - Administration

(5) Board of Trustees - Oath of Office

Oaths of trustees shall be filed in the office of the Secretary of State.

Article 75.5 - PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Section 3 - Board of Registration - Part of Department of Licensing and Regulation; appointment; terms

(d) (1) Before beginning his term of office, each Board member shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his official duty.

Article 75.5 - Same

Section 11 - Annual roster

Copies of this roster shall be placed on file with the Secretary of State and furnished to the public at a reasonable cost to be established by the Board.

Article 78A - PUBLIC WORKS

Section 51 - Facilities for the handicapped

(f) Filing standards with the Secretary of State

The standards shall be filed with the Secretary of State.

Article 78B - RACING COMMISSION

Section 2 - Composition of Commission; eligibility; removal; boards

(a) Composition of Commission; eligibility; removal of commissioner

(3) If a commissioner shall be removed, the Governor shall file in the office of the Secretary of State a statement of all charges made against such commissioner, and his findings thereon, together with a record of the proceedings.

Article 81 - REVENUE AND TAXES

Section 11 - Taxation of real and personal property of corporations entitled to exemptions under contract

(a) In general

Corporations shall have delivered to the Secretary of State an instrument in writing electing to surrender its right to all exemptions from ordinary and special State, county and city taxes to which it may be entitled.

Article 88B - STATE POLICE

Section 54 - Administration

(5) Board of Trustees - Oath of Office

An oath of office shall immediately be filed in the office of the Secretary of State.

Article 89 - Division of Labor and Industry

Section 1 - Adoption of rules, regulations and standards by reference

The Secretary of State is required to receive and catalog all rules and regulations promulgated by the commissioner of Labor and Industry which incorporate rules and regulations of other state agencies.

Article 89 - Same

Section 31 - Occupational Safety and Health Advisory Board; rules, regulations and standards

(1) Adoption of rules, regulations and standards by reference

The Commissioner shall file with the Secretary of State notice of his adoption of rules, regulations and standards.

Article 95A - UNEMPLOYMENT INSURANCE LAW

Section 12 - Duties; powers; rules; personnel; advisory councils; employment stabilization; records; reports; witnesses; subpoenas; federal cooperation

(b) General rules shall become effective ten days after filing with the Secretary of State.

Article 100 - WORK, LABOR AND EMPLOYMENT

Section 104 - Wage rates to be determined prior to advertising for bids, awarding contract or disbursing funds; contractors and subcontractors who violate subtitle

(c) The Commission shall file with the Secretary of State, a list of contractors who habitually violate this subtitle.

Article - AGRICULTURE

Section 8-403 - Application and statement of supervisors and committees

(a) Filing application with Secretary of State

Applications shall be filed with the Secretary of State by supervisors of each resulting district when property, assets and rights to which they are entitled is received.

Article - Same

Section 8-404 - Certificate of constitution of district; powers of new districts and supervisors

(a) Recordation of applications; issuance of certificate of constitution of district.

The Secretary of State shall record, file and issue under the seal of the state, a certificate of constitution of any district.

Article - Same

Section 9-403 - Agreement between Secretary of Agriculture and county for control or eradication

Agreements between the Secretary and the county must be filed with the Secretary of State.

Article - CORPORATIONS AND ASSOCIATIONS

Section 1-205 - Effect of acceptance for recording of filing

(c) Copy of articles or certificates of incorporation as evidence of existence or corporation.

Certified documents from the Secretary of State shall serve as evidence of the existence of a corporation.

Article - Same

Section 3-505 - Additional notice by Secretary of State

Proclamations of the forfeiture of charter of a corporation shall be sent by the Secretary of State to the Comptroller, Treasurer and the Department.

Article - Same

Section 3-506 Correction of mistakes

(a) Proclamation

The Governor may send a proclamation to the Secretary of State correcting a mistake. He will send copies of the proclamation to the Comptroller, Treasurer and the Department.

Article - Same

Section 7-304 - Failure of corporation to file required report

(c) Demand and notice

(2) Demand for a delinquent report and notice of forfeiture shall be sent to the Secretary of State if no address exists for the corporation.

Article - EDUCATION

Section 2-203 - Removal of Board members

(c) Record of removal to be filed

If a member is removed the Governor shall file with the Secretary of State a statement of all charges along with findings and a record of the proceedings.

Article - Same

Section 6-603 - Filing and publication of contracts

(a) A copy of all contracts on behalf of the State shall be filed with the Secretary of State.

Article - NATURAL RESOURCES

Section 5-801 - Authority of Governor; form of compact; when effective; compact administrator; duty of department

(b) Article IX - When effective, exchange of official documents

When the Governor has executed a compact on behalf of the State a copy shall be filed with the Secretary of State.

Article - Same

Section 6-403 - Governor official representative; assistant representative

The oath of the assistant representative of the Interstate Oil Compact Commission shall be filed with the Secretary of State.

Article - Same

Section 8-607 - Board of well drillers

(g) The boards seal shall be filed with the Secretary of State.

Article - TRANSPORTATION

Section 12-412 - Requisites of agreements, arrangements, and declarations

(b) Filing; distribution

The Administrator shall file copies of agreements, arrangements, and declarations with the Secretary of State.

Article - Same

Section 22-404.2 - Display of State seal on vehicle

The Secretary of State may display the State seal on a motor vehicle.

Article - Same

Section 22-508 - Documents and notices from Commission

(a) Filing of documents

Documents filed under Article III (j) of the Compact shall be filed with the Secretary of State.

Article - MARYLAND CONSTITUTION
Article 11 - Executive Department

Section 2 - Time, place and manner of holding election for Governor and Lieutenant Governor; qualifications of voters
Election returns are to be transmitted to the Secretary of State.

Article - Same

Section 22 - Appointment and term of Secretary of State; compensation
The Secretary of State shall be appointed by the Governor and serve to the end of the term of the Governor from whom he received the appointment. His annual salary shall be prescribed by the General Assembly.

Article - Same

Section 23 - Duties of the Secretary of State
The Secretary of State shall keep and preserve a record of all official acts and proceedings. He shall perform other duties as may be prescribed by law, or as may properly belong to his office, together with all clerical duties belonging to the Executive Department.

Article - Same
Article XVI - The Referendum

Section 2 - When laws to take effect; effect of filing of referendum petition
The Secretary of State shall refer referendum petitions for vote in general elections.

Article - Same

Section 3 - Number of signers necessary for petition; effect of petition signed by more than one third required number; time for filing petitions; meaning of "passed" and "enacted"; signing after passage
(a) Any Public Local Law for any one county or Baltimore City shall be referred by the Secretary of State only to the people of that County or Baltimore City.
(b) Referendum petitions with less than the required number of signatures shall be filed with the Secretary of State before June 1st. The deadline to complete the petition shall then be extended to June 30th.

Article - Same

Section 5 - Text of measures to be furnished to voters; ballots; proclamation of result of election
(b) The text of laws to be voted upon by the public shall be summarized by the Secretary of State.

COMAR PUBLICATION STATUS

Titles Printed

01 Executive
 02 State Law
 03 Treasury
 04 General Services
 05 Economic and Community
 Development
 06 Personnel (with
 exception)
 07 Human Resources
 08 Natural Resources
 09 Licensing & Regulation
 (with exception)
 10 Health and Mental Hygiene
 11 Transportation (except MVA)
 12 Public Safety and
 Correctional Services
 16 State Planning
 19 Board of Ethics

Titles Not Printed

11 Transportation (MVA)
 13 Education
 14 Independent Agencies (due
 Summer, 1979 with exception)
 15 Agriculture (due winter
 1979-1980)
 17 Budget & Fiscal Planning
 (No regulations yet
 promulgated)
 18 Assessments & Taxation
 20 Public Service (due Spring
 1980)

Subtitles Not Printed

06.11 State Accident Fund
 09.02 Insurance Division
 14.07 Maryland Auto Insurance Fund (MAIF)
 14.09 Workman's Compensation
 14.12 Tax Court

Supplements Issued

01 Executive - Supp. 1
 03 Treasury - Supp. 1
 07 Human Resources - Supp. 1, 2, 3
 09 Licensing & Regulation - Supp. 1,2
 10 Health & Mental Hygiene - Supp. 1
 11 Transportation - Supp. 1
 12 Public Safety & Correctional Services - Supp. 1

THE OFFICE OF SECRETARY OF STATE

Origin of Office

The Office of Secretary of State was created in 1837 by a Constitutional Amendment. The Secretary of State is appointed by the Governor with the advice and consent of the Senate and serves concurrently with the Governor. The salary of the Secretary of State is prescribed by the General Assembly and is included in the annual State budget. The Office's primary function is official custodian of certain records and papers of the Executive Department, particularly the Office of the Governor.

Functions and Duties

The Constitution of Maryland provides that the Secretary of State shall keep and preserve a record of all official acts and proceedings of the Executive Department and shall "perform all clerical duty belonging to the Executive Department." Most of the functions and duties of the Secretary of State, however, are specifically enumerated in the Annotated Code of Maryland. At the present time, there are 203 statutory references to acts or duties of the Secretary of State.

Many of these statutes merely require that certain reports be filed with the Secretary of State whereas other statutes require the Secretary of State to administer a function or activity.

The Secretary of State is a member of the Governor's Executive Council, and in the absence of the Lieutenant Governor, serves as Secretary to the Executive Council. Other routine duties assigned to the Lieutenant Governor were transferred to the Secretary of State during the extended period that the Lieutenant Governor served as Acting Governor. Other administrative functions have been assigned to the Secretary of State solely at the discretion of the Governor.

A review of the major responsibilities of the Office of Secretary of State encompasses a variety of tasks and touches many agencies of State government.

- The Secretary of State attests to the Governor's signature on all public documents, commissions, proclamations, and other public papers and writings. All Executive Orders executed by the Governor are kept in the Office of the Secretary of State for public record. In addition, all Executive commissions and appointments are recorded by the Secretary of State and a list of these appointments is provided annually to all members of the General Assembly.
- The commissions prepared by the office are of various types and include Special Police commissions which are granted by the Governor to private businesses for the protection of their property; Notary Public commissions which are granted upon the recommendation of the State Senator and upon appointment by the Governor.

- The Secretary of State's Office registers and records trademarks, trade names, and servicemarks utilized within the State. Further, copies of Interstate Compacts of which Maryland is a signatory and proclamations reinstating a corporation which defaulted its charter are filed in the Office.
- The Office of the Secretary of State prepares and records all requisitions, extraditions, pardons, and commutations granted by the Governor. All administrative regulations adopted by any State officer or department must be filed with the Secretary of State in the format designated by him and these regulations must therefore be kept on file.
- The Office registers and records charitable organizations and receives reports on contributions. This task is becoming of increasing importance.
- The Secretary of State also receives all bills passed by the legislature and assigns chapter numbers to each after each has been signed by the Governor. The Office handles petitions for, and processing of, constitutional amendments, and provides for the publication of these in the appropriate newspapers. The Secretary is vested with discretionary power to place upon the ballot for the Maryland Presidential Primary, the name of any person whose candidacy the Secretary feels is generally advocated or recognized in the national news media. The Office also receives copies of municipal charters and notice of counties that adopt charter or code home rule status.
- Registration of all trading stamp companies is handled by the Office of the Secretary of State which requires the company to provide a statement of registration accompanied by representative samples of stamps, stamp collection books, stamp redemption catalogues and stamp distribution and redemption agreement forms currently used in the State.
- The Division of State Documents in the Office of the Secretary of State is responsible for issuing regulations issued by various State agencies and for publishing the Maryland Register.
- Until June 30, 1979, the Secretary of State was responsible for the registration of lobbyists and for maintaining the files of financial disclosure forms submitted by public officials. The enactment of Chapter 513 of the 1979 Acts (Senate Bill 1120) transferred these activities to the newly created State Ethics Commission.

Other duties assigned the Secretary of State vary greatly with and depend heavily on the nature of assignments from the Governor. Many of these responsibilities of the Secretary of State revolve around ceremonial functions and liaison duties between State agencies and citizens and business organizations. In recent years the Secretary of State has been assigned the major liaison functions with fire-rescue and emergency medical service organizations as well as numerous veterans and civic organizations.

The Secretary of State has also been asked to represent the Governor and assume an active role in the affairs of the State which include the Maryland Council on the Environment, the State House Trust, the Capital City Commission and the Maryland Rural Affairs Council. In addition, the Secretary of State has assumed managerial responsibility for the Maryland Veteran's Home Commission, which now reports directly to the Office of the Secretary of State.

A detailed explanation of the major functions follows:

Division of State Documents

The Division of State Documents was created by the General Assembly in 1974. The Division publishes the Maryland Register and issues the Code of Maryland Regulations (COMAR). These publications were authorized by the State Documents Law (Article 41, Sections 256B - 256T).

The Maryland Register

This publication is issued every two weeks, and indexed each quarter with a cumulative index at the end of the year.

The Register contains all proposed regulations, the final version of all regulations, all executive orders of the Governor, all proposed and adopted rules of the Courts of Appeals, the hearing calendars of the Courts of Appeals, synopses of all bills filed and all laws enacted during each session of the General Assembly, synopses of all bills signed into law by the Governor, State contract bids and awards, notices of agency public hearings, and a wide variety of other documents emanating from all three branches of government.

The Maryland Register also publishes other classes of documents besides those prescribed by the original legislation. The Administrative, Legislative, and Executive Review (AELR) Committee, under the authority given it by the State Documents Law, has directed the Maryland Register to print:

- (1) Synopses of all legislative bills and resolutions introduced in each regular and special session of the General Assembly.
- (2) Announcements of all State agency and commission meetings.
- (3) Announcements of changes in the judiciary, interpretations of statutes or rules of court, and summaries of judicial ethics opinions.
- (4) Notices of bids and awards on all State construction contracts.
- (5) Additions or alterations in the State Code of Ethics, and new advisory opinions and other relevant written materials of the State Board of Ethics.
- (6) Synopses of all published and unpublished opinions of the Attorney General.

These additions to the content of the Maryland Register have contributed to the increase in the size of the Register. Before the Maryland Register began publication on October 17, 1974, it was estimated that it would average between 16 and 24 pages per issue. All issues to date have exceeded that size. During its first full year in operation (1975), the Register averaged about 67 pages per issue. During the first quarter of 1979, the Register was averaging about 89 pages per issue.

The section of the Maryland Register devoted to State contract information is of growing importance to Register subscribers. During 1978, corporations and individuals interested in procurement information constituted the fastest growing category of Register subscribers. The Register presently publishes contract information having an annual value of almost \$200,000,000.

Code of Maryland Regulations (COMAR)

The predecessor to COMAR was a multi-titled publication known as Maryland Agency Rules and Regulations (MARR). Publication began in 1971 with distribution and supplements the responsibility of each agency. MARR was never completed, and began to fall out of date and develop aberrations in the codification system almost immediately. MARR regulations were "grandfathered" into COMAR by specific provision of the State Documents Law.

One of the first decisions made at the outset of the COMAR publication project was to change the page format from what it had been under MARR. This format change allowed about 10% more lines to be printed on each page, and is estimated to have reduced the total page count of COMAR at least about 600 pages.

The actual compilation and authentication of agency regulations for publication in COMAR got underway in 1975. Every agency and department was required to cite the statutory authority under which its regulations had been promulgated, as well as supply an effective date for each of those regulations.

Each title of COMAR must be formally supplemented as required but at least annually by integrating into each title all regulations promulgated in the Maryland Register since the title was first printed or last supplemented. (The index of each COMAR title must also be updated at least once annually). Production of supplements is staggered, so that supplements are being compiled, published, and distributed throughout the year.

When the COMAR publication project began in 1975, the existing subject matter was organized under 16 titles, and totalled about 6,000 pages in all. By 1977, however, that page count was revised upward to about 7,500 pages, due to the addition of such documents as the Board of Ethics opinions to the content of COMAR.

In 1978, as a result of enactment of Chapter 858 (House Bill 3), the regulations of 10 previously exempt agencies were added to COMAR. Among these agencies are the Public Service Commission, the Insurance Division and the Workmen's Compensation Commission. The regulations of these agencies when printed are expected to add an additional 1,000 pages to COMAR.

The first title of COMAR was published in May, 1977. (For the current publication status of COMAR, see Exhibit E). To date, 14 titles of COMAR have been published containing 6,000 pages of printed matter. When completed, COMAR will total about 9,000 pages (including a general table of contents and a general index). Final COMAR production costs will come to about \$157,000.

Extraditions

The Governor has the power pursuant to Article 41 Section 20 et seq. to extradite prisoners wanted by other states upon presentation of a writ of extradition and may issue a warrant for the arrest of any person subject to the jurisdiction of another state. The Governor may also ask for the return to this State of any prisoner or person located in another state wanted for violation of Maryland's criminal laws. The administration of this procedure has become a major function of the Office of the Secretary of State.

The Secretary of State is required to maintain a liaison with the various State's attorneys of the counties and Baltimore City and is required to process requisitions from these State's attorneys after certifying the requisitions for legal sufficiency. Gubernatorial warrants issued by the Secretary of State are then granted to law enforcement personnel representing local jurisdictions for out of state service of process.

Demand requests from other states are processed for administrative extradition hearings which are coordinated between the Attorney General and the Secretary of State. Prisoner location, liaison with bonding companies, family, and legal counsel are generally coordinated by the Secretary of State.

In 1978, the Secretary of State processed 236 requisitions for extraditions and 110 extradition requests from other states. Extradition requests are projected to increase 25-30% during 1979.

Special Police

Article 41, Sections 60 -70 provide that the Governor may appoint and deputize as special policemen persons he deems qualified for special police commissions. After the completion of an investigation into the character, reputation and qualifications of the applicant by the Maryland State Police, the Secretary of State's Office, on behalf of the Governor, is responsible for processing the application and agency recommendation.

The Secretary of State is required to indicate the period the commission is to be in force as well as the property it is intended to cover or the purpose for which it was issued.

Within 30 days of appointment, the Secretary of State is required to confirm that the appointee has taken the constitutional oath of office before the Clerk of the Court in the appropriate county or Baltimore City.

Charitable Organizations

Article 41, Sections 103A - 103L, known as the Charitable Organization Law, became effective July 1, 1976. Any charitable organization which intends to solicit contributions in Maryland or intends to allow others to solicit funds for it must file a registration statement with the Secretary of State at least 30 days prior to making any solicitation. Approximately 1,400 charitable organizations have complied with this law to date. Prior to February, 1978, when the new rules and regulations were issued by the Secretary of State, only 112 charitable organizations were registered, and the function was considered to be a secondary administrative function of the Secretary of State's Office. Since the new law and regulations became effective, the volume of work in this area has increased dramatically and now represents a major program activity within the Office of the Secretary of State.

Notaries Public

The Secretary of State is charged with certifying the appointment of and maintaining appropriate liaison with the State's 50,000 notaries public.

Each Notary Public is appointed by senatorial district upon the application of the Senator representing the district in which he or she resides. Appointments are for a term of four years ending July 1, 1982 and upon renewal for four year terms. Renewals are solicited by the Secretary of State for existing commission holders.

Processing and printing of notary commissions once required a large clerical effort, including the use of temporary personnel. The use of data processing techniques has simplified the processing of the notary commissions and lessened the clerical effort.

Trademarks and Servicemarks

Pursuant to Article 41, Sections 90-103 any person who adopts and uses a mark in Maryland may file an application for registration of the mark setting forth the name of the registrant, the goods or services identified by the mark, the date when the mark was first used and a statement of association or ownership.

The Secretary of State is required to certify receipt of the application and record and store a specimen or facsimile of the mark, as registered. A certificate of registration is then issued and delivered to the applicant. The Secretary of State is required to provide any applicant whose request for registration is denied an opportunity for an administrative hearing.

Veteran's Activities

In 1977, at the direction of the Governor, the Secretary of State assumed responsibility for overseeing the activities of the Maryland Veteran's Home Commission. In that same year, the Veteran's Commission was removed from the jurisdiction of the Department of Human Resources, made an independent office, and general supervisory functions were assigned to the Secretary of State. This organizational arrangement reflected more the long-standing interest of the incumbent Secretary of State in veteran's activities rather than a structural re-organization based on functions.

Currently, the Director of Veteran's Cemetery Program and the administrative staff of the Veteran's Home Commission are housed in the Secretary of State's Offices in Annapolis. The veteran's cemetery program is becoming operational and the Veteran's Home is being planned at Charlotte Hall in St. Mary's County.

ORGANIZATIONAL STRUCTURE AND MANAGEMENT PRACTICES

Organizational Structure

The Office of the Secretary of State is organized on a divisional basis, reflecting in part statutory provisions and in part the physical setting of the Office.

The Division of State Documents is specifically established by statute, has a separate location in the Old Armory on Bladen Street, has a separate budget, and the six personnel all have merit system status.

The other statutory functions are carried out from the Secretary of State's offices on the third and penthouse floors of the Jeffrey Building on Francis Street. The funds for these activities are included as part of the budget for the Office of the Governor. There are nine positions in this budget assigned to the Secretary of State including the Secretary's position.

The Office of the Secretary of State has been organized by divisional and administrative sections to standardize operations and use key personnel for required daily tasks while delegating all other less frequently performed administrative tasks to one or more persons within the administrative section. Generally, persons assigned key divisional duties are not required to perform collateral administrative duties while personnel within the administrative section will be assigned several administrative responsibilities. As a matter of operating procedure, all personnel, including the two executive assistants are cross-trained to perform another person's assigned functions. Personnel within both the divisional section and administrative section receive a change of assignment every year.

The Secretary of State has assigned his two executive assistants, the Assistant to the Secretary of State and the Executive Aide, jointly the responsibilities of maintaining control and communications in the Office supervising and overseeing various personnel and duties assigned to the Office. Both executive assistants exchange assignments periodically as do other office personnel. To the extent possible, the Assistant to the Secretary of State supervises the organizational flow of communications and assignments and functions in the capacity of the former Assistant Secretary of State. Non-organizational matters and special executive programs or projects are generally administered by the Executive Aide with the approval of the Secretary of State. All final budget, program and personnel decisions must be approved by the Secretary of State.

The current organizational setup includes seven divisional duties and 30 administrative duties.

Office Manual

The Secretary of State's Office operates under the procedures and guidelines contained in the Office Manual for the Office of Secretary of State as amended December, 1977, and further revised in August, 1979.

The Manual prescribes the standard operating procedures to be taken to perform specific administrative functions required of the Office of the Secretary of State. Sample forms and instructions are provided to assist personnel in the administration of the procedure required for every major function documented or attested to by the Secretary of State.

Management Information System

The Secretary of State's Office installed an IBM Office System 6 Information Processor in 1978 which has the capability to handle, store, and recall large lists for text editing or mailing purposes.

The system which uses a one person station has been able to provide the recall, visual display and printing capability needed to process appointments' lists, notary commissions and special police commissions. The system also has been used to facilitate tasks for other executive agencies, such as the Health Claims Arbitration Office.

The IBM Office System has been able to offer a comprehensive systems approach to managing many of the paperwork tasks which previously required an inestimable number of man hours for the Secretary of State's Office.

Operational Changes

A number of functions of the Office of the Secretary of State have been either added or deleted over the past five years. In the past, the Secretary of State has been responsible for appointing Forest Wardens at the direction of the Governor. This function was deleted in 1973. The Secretary of State also formerly was the recipient of legal service of process for nonresident drivers, aviators, and aircraft owners. This function became obsolete in 1973 when Maryland adopted a "long-arm" statute which permitted direct service of process to certain persons outside the State. The recently enacted ethics legislation (Chapter 513, Senate Bill 1120) transfers the responsibility for financial disclosure, and lobbying registration to the State Ethics Commission.

The Veterans Cemetery Program came under the direction of the Secretary of State's Office in 1976 and greatly expanded its operations in 1978 with the addition of several sites and more personnel. In 1978, the Veteran's Home Commission began operations and began to coordinate its activities with the Secretary of State. With the addition of four permanent positions in 1979 the Commission's activities are expected to become formalized within the Secretary of State's Office.

OFFICE OF THE SECRETARY OF STATE

Authorized Positions

Main Office

Professional Staff

Secretary of State
Assistant Secretary of State
Executive Aide II
Special Assistant, Executive Department

Secretarial and Administrative Staff

Principal Assignment

Secretary I - Executive Department (Receptionist)
Secretary I - Executive Department (Extraditions)
Secretary I - Executive Department (Charitable Organizations; Parole & Probation)
Secretary I - Executive Department (Notaries; Delinquent Corporations)
Secretary II - Executive Department (Administrative Secretary)

Division of State Documents

Professional Staff

Administrator
Assistant Administrator
Administrative Assistant
Fiscal Associate I

Secretarial and Administrative Staff

Administrative Aide
Secretary III

PERSONNEL ASSIGNED TO VETERAN'S ACTIVITIES

Maryland Veterans' Home Commission

Staff

Executive Director
Administrative Officer III
Operations Specialist II
Fiscal Associate II
Conservation Aide I

Cemetery Program - Maryland Veterans Commission

Staff

Veterans Cemetery Program Manager
Veterans Cemetery Superintendent (4)
Motor Equipment Operator I (4)
Motor Vehicle Operator II
Motor Vehicle Operator I (3)
Ground Supervisor I
Grounds Keeper II (2)
Grounds Keeper I (7)
Guard I (4)
Fiscal Clerk I
Office Secretary II, General
Stenographer Clerk III (4)

Service Program - Maryland Veterans Commission

Staff

State Service & Executive Officer (1)
Veterans Service Officer Supervisor (1)
Veterans Service Officer III (11)
Veterans Service Officer II (1)
Veterans Service Officer I (3)
Office Secretary III, Stenographic (1)
Office Secretary I, Stenographic (3)
Office Secretary I, General (1)
Stenographer Clerk III (3)
Stenographer Clerk I (1)
Fiscal Associate II (1)
Typist-Clerk IV (1)
Office Clerk I (1)

SUMMARY OF STATUTORY DUTIES AND FUNCTIONS
OF THE SECRETARY OF STATE

Article 2B - ALCOHOLIC BEVERAGES - BOARDS OF LICENSE COMMISSIONERS

Section 148 - Appointed by Governor and Senate

(c) - Prince Georges County

Upon judging a candidate for a Commissioner vacancy to be unfit or incompetent the Governor shall file a written statement to that effect with the Secretary of State.

Article 2B - Same

Section 156 - Removals

(a) - Boards appointed by Governor

If the Governor shall remove any Board Member appointed by him under this Article for reason of misconduct in office, incompetency or willful neglect of duty he shall file a statement of charges and findings therein in the Secretary of State's Office.

Article 11 - BANK AND TRUST COMPANIES

Section 3 - Seal

Upon devising a seal for the use of his office a Bank Commissioner shall file a description of the seal, and impression thereof, with the Secretary of State.

Article 17 - CLERKS OF COURTS

Section 70 - Delivery of Official commissions

Civil Commissions issued by the Governor and sent by the Secretary of State to the clerks of the circuit courts, the clerk of the Superior Court of Baltimore City, shall be by them delivered immediately to the persons to whom such commissions are directed, and who may apply for same.

Article 17 - Same

Section 71 - Report of officers who have taken oaths

Clerks shall report to the Secretary of State, monthly, the names and offices of all officers who have taken and subscribed the oaths required by the constitution and laws to be taken before them.

Article 23 - CORPORATIONS

Section 207 Consolidation of connecting companies

Upon sanctioning a consolidation of railroad companies by the stockholders of a railroad company of this State, same shall be filed with the office of the Secretary of State.

Article 23 - Same

Section 208 Lease by one railroad company to another railroad company

A copy of a duly executed lease between two railroad companies, upon certification by the secretary of each of the companies parties thereto under their respective corporate seals shall be filed in the Office of the Secretary of State.

Article 23 - Same

Section 209 - Acquisition of connecting railroad by railroad owning two thirds of the capital stock of that acquired

Upon acquisition of connecting railroad by a railroad owning two thirds of the capital stock of that acquired, same shall be filed in the Office of the Secretary of State.

Article 23 - Same

Section 210 - Purchase of connecting railroads

A copy of an agreement with proper certification attached, for purchase of connecting railroads shall be filed with the Secretary of State.

Article 23 - Same

Section 412 - Establishment

Upon compliance with §415(b) and (c) (Election - By members of corporations) and (Election - By stockholders) and after the 1st Board of Directors meeting a certificate shall be filed by said board with the Secretary of State certifying that the Development Credit Corporation of Maryland has commenced business.

Article 23 - Same

Section 424 - Annual Audit Report

A report of examination, audit and condition of such corporation shall be made in writing to the Secretary of State on or before the 120th day of each fiscal year of the corporation.

Article 23A - CORPORATIONS - MUNICIPAL

Section 9A - Deposit with State agencies

(b) Agencies to which copies to be sent by registered mail

The mayor or other chief executive officer of each municipal corporation shall send, or cause to be sent, separately by registered mail one copy of each document, as appropriate to the Secretary of State's office.

Article 23A - Same

Section 43 - Automatic repeal

Upon termination of function of a municipal corporation the Director of the Department of Fiscal Services shall promptly certify all facts to the Secretary of State. On receipt of such certification the Secretary of State shall issue a public proclamation, declaring the charter of the municipal corporation repealed. The Secretary of State shall file copies of the proclamation with the clerk of the court of appeals, the clerk of the circuit court of the county in which the municipal corporation is located, and the Department of Legislative Reference.

Article 25A - CHARTERED COUNTIES OF MARYLAND

Section 3B - Agencies to be notified of adoption or rejection of charter

(2) Secretary of State of Maryland

State House

Annapolis, Maryland 21401 (one copy)

When a county adopts or rejects a charter form of government the Secretary of State's office will be notified of that change and copies of such will be forwarded to the Secretary of State.

Article 25B - HOME RULE FOR CODE COUNTIES

Section 7 - Referendum; agencies to be notified of adoption or rejection

(b) 2 Proclamation of the adoption or rejection of code home rule status by County Commissioners shall require prompt notification to the Secretary of State.

Article 27 - CRIMES AND PUNISHMENTS

Section 184 - Registration of name, insignia, etc., of association, lodge, etc.

Any association, lodge, etc., may register its name, insignia, etc., with the Secretary of State's office and by reregistration may cancel same.

Article 27 - Same

Section 185 - Application for such registration

Application for registration, alteration, or cancellation of name, insignia, etc., of association, lodge, etc., may be made through the Secretary of State's office.

Article 27 - Same

Section 186 - Record of such registration

The Secretary of State shall keep a properly indexed record of all registration including altered or cancelled registrations.

Article 27 - Same

Section 188 - Certificate of registration of insignia, etc.

Upon granting registration, the Secretary of State shall issue his certificate to petitioners, setting forth the fact of such registration.

Article 27 - Same

Section 190 - Fees for registration of insignia, etc.

Fees of the Secretary of State for registration, alteration, cancellation, searches and certificates issued by him shall be the same as provided by law for similar services. Fees collected, after deducting the cost of administering this law, shall be paid by the Secretary of State into the State Treasury.

Article 27 - Same

Section 600 - Notice of subtitle to each State of the United States

Upon the passage and approval by the Governor of this subtitle it shall be the duty of the Secretary of State to certify a copy of this subtitle to the executive department of each of the states of the United States.

Article 31 - DEBT - PUBLIC

Section 14 - Use of facsimile signature

A facsimile signature may be used by any authorized officer on (a) any public security, provided that at least one signature required or permitted to be placed thereon shall be manually subscribed, and (b) any instrument of payment, after filing a manual signature with the Secretary of State.

Article 33 - ELECTION CODE

Section 12-2 - Primary election for candidate for President and delegates to National Convention

The Secretary of State may place Presidential candidates upon the ballot if their candidacy is generally advocated or recognized in national new media. Through informal preliminary notice the Secretary of State may notify a candidate that his name is being placed on the ballot more than 70 days in advance. A candidate may withdraw his name from the ballot by filing a proper withdrawal affidavit with the Secretary of State. The resolution to the question of timeliness of withdrawal will be decided according to the actual date of receipt of the affidavit in the Secretary of State's office.

Article 33 - Same

Section 16-6 - Ballots and ballot labels - Questions

(a) condensed statement and descriptive title

The Secretary of State shall prepare and certify the form in which a constitutional amendment or question shall appear and each amendment or question shall be captioned with a descriptive title in boldface type containing not more than three words.

(b) Order by Secretary of State

Each election board shall follow the order designated by the Secretary of State in the preparation of ballots.

Article 33 - Same

Section 18-1 - Membership and duties

(a) Membership; secretary

The Secretary of State, Comptroller, State Treasurer, Clerk of the Court of Appeals and Attorney General shall constitute the Board of State Canvassers, three of whom shall be a quorum.

Article 33 - Same

Section 23-3 - Petition - Form; requirements with respect to signatures; filing

(a) The Secretary of State shall prescribe the forms for petitions filed under the provisions of Article XVI of the State Constitution.

(b) Petitions shall be filed with the Secretary of State who shall adopt procedures for their verification either by the Secretary of State or his designee or by the local board of supervisors of elections.

Article 33 - Same

Section 23-5 - Petition - Other unlawful acts

(c) To refer to the Secretary of State a petition to which is attached, appended, or subscribed any signature which the person knows to be false or fraudulent or not the genuine signature of the person purporting to sign the petition or of the person whose name is attached, appended, or subscribed to the petition.

Section 23-6 - Petition - Statement of contributions and expenditures

(a) When a petition is filed with the Secretary of State a statement showing contributions and expenditures shall be filed with it.

(b) The Secretary of State will treat the petition as invalid if a contribution and expenditure statement is not filed with it.

Article 33 - Same

Section 23-7 - Petition - Effect of question concerning invalidity of signature

On any petition submitted to the Secretary of State, any question concerning signature, or the invalidity of the signature affects on the signature in question and not any portion of the petition.

Article 33 - Same

Section 26-21 - Injunction

The Secretary of State may seek an injunction against any violation of the provisions of this subtitle.

Article 33 - Same

Section 30-2 - Statement of contributions

(d) Where filed; period of retention; inspection.

Statements shall be filed with the Secretary of State. He shall maintain them for at least two years as public record. The Secretary of State shall make the statements available for examination and copying by the public subject to reasonable fees and administrative procedures.

(e) The Secretary of State shall prepare and make available forms for the statements required by this subtitle.

Article 40 - Same

Section 25 - Council of State Governments - Communication of text to other states

The Secretary of State shall communicate with the executive branch of all state's legislatures, and advise each to enact laws similar to those passed in Maryland in order to reduce governmental confusion, competition, and conflict.

Article 41 - Same

Section 1500 - Filing orders with Secretary of State; indexing; delivery to Hall of Records Commission

(a) Originals or certified copies of executive orders signed by the Governor shall be filed with the Secretary of State.

(b) The Secretary of State shall retain signed executive orders for the term(s) of the Governor who signed them.

(c) The Secretary of State will release signed executive orders to the Hall of Records Commission upon the expiration of the term of the Governor who signed them.

Article 41 - Same

Section 150E - Delivery of copy to Department of Legislative Reference: publication

(a) Within 10 days of receipt of signed executive orders the Secretary of State shall deliver same to the Director of the Department of Legislative Reference.

Article 41 - Same

Section 37 - Application for issuance of requisition; by whom made; contents
III. Applications for the return of a person accused of committing a crime in this State are to be filed with the Secretary of State.

Article 41 - Same

Section 44 - Creation and composition; executive secretary

The Secretary of State shall be included in the Governor's Executive Council.

Article 41 - Same

Section 46 - Delivery of bills to Secretary of State; assignment of chapter numbers to approved bills

All bills, whether they become law or not, are to be delivered to the Secretary of State. The Secretary of State shall record chapter numbers on all bills signed by the Governor and keep a volume of all bills and their chapter numbers known as "Record of Chapter Numbers".

Article 41 - Same

Section 46A - Keeping compacts in office of the Secretary of State

All interstate compacts shall be kept for public record in the office of the Secretary of State.

Article 41 - Same

Section 66 - Oath

The clerk of the court shall certify to the Secretary of State that a person commissioned has taken the constitutional oath of office.

Article 41 - Same

Section 83 - Assignment to Executive Department; rights, powers, duties, etc., in general

The Secretary of State shall be assigned to the Executive Department.

Article 41 - Same

Section 84 - Seal and certification of records and papers

The Secretary of State shall maintain a seal for his department. No action of the Governor shall be given out or certified without the Governor's approval.

Article 41 - Same

Section 85 - Fees for certification

The Secretary of State may charge anyone, other than State agencies, a fee not exceeding \$1.00 for authentication or certification of any document. He may charge an additional fee of 50¢ per page when no copy is provided for certification.

Article 41 - Same

Section 86 - Recording and transmitting officers' commissions; lists of certain gubernatorial appointees

(b) The Secretary of State shall compile a list of civil officers appointed by the Governor in the prior year, each January. He shall also compile a list of officers whose terms will expire during the following twelve months. He shall send a copy of both lists to each member of the General Assembly.

Article 41 - Same

Section 88 - Reporting to Comptroller list of qualified officials

The Secretary of State shall provide to the Comptroller, annually, a list of officers who have qualified by taking the oath of office.

Article 41 - Same

Section 89 - Assistant

The Governor shall appoint an assistant to take over for the Secretary of State during his absence from the seat of office or illness.

Article 41 - Same

Section 89A - Disclosures required by certain businesses contracting with State

(a) (1) Businesses whose agreements with the State reach an aggregate \$100,000 or more shall file all pertinent data as contained in this section with the Secretary of State.

Article 41 - Same

Section 91 - Registrability

(5) The Secretary of State shall accept, register and determine the uniqueness of servicemarks of goods and services.

Article 41 - Same

Section 92 - Application for registration

(a) Contents

A person wishing to register a mark with the Secretary of State may do so on a form provided by him setting forth certain information as outlined in this section.

(d) Filing fee

The Secretary of State shall charge a filing fee of \$10.00 for registration applications.

Article 41 - Same

Section 93 - Certificate of Registration

(a) Issue; contents

Upon compliance of all regulations the Secretary of State shall issue a certificate of registration to the applicant under his signature.

(b) Admissibility in evidence

Certificates of registration issued by the Secretary of State may be used as proof of the registration of marks in any action or judicial proceedings in any court of this State.

(c) Hearing prior to denial of registration

The Secretary of State shall provide an applicant the opportunity to appear before him to explain apparent noncompliance of a registration application before he denies it.

Article 41 - Same

Section 94 - Duration and renewal

(a) Term; renewal fee

Upon expiration of the registration of a mark it may be renewed by filing a application for renewal (provided by the Secretary of State) to the Secretary of State within six months of the expiration. A renewal fee of \$5.00 should be attached, payable to the Secretary of State.

(c) Notification prior to expiration

The Secretary of State shall notify registrants of the expiration date one year prior to expiration.

Article 41 - Same

Section 95 - Assignment

Assignments of registrations may be filed with the Secretary of State for a fee of \$5.00. The Secretary of State will issue a new certificate in the assignee's name for the remainder of the current term. Such assignments must be recorded with the Secretary of State within three months to be valid.

Article 41 - Same

Section 96 - Records

The Secretary of State shall keep for public examination a record of all marks.

Article 41 - Same

Section 97 - Cancellation

The Secretary of State shall cancel from the register all marks prior to June 1, 1954 and not renewed, voluntary cancellations, nonrenewals, abandoned marks, improperly granted and fraudulently obtained registrations and marks too similar to others already recorded.

Article 41 - Same

Section 99 - Fraudulent Registration

Any person who knowingly registers a mark fraudulently with the Secretary of State shall be liable for damages.

Article 41 - Same

Section 103B - Registration of charitable organization; required reports

(a) Charitable organizations shall file their intentions of solicitation with the Secretary of State within 30 days of soliciting.

(6) (ii) The Secretary of State, at his discretion, may require an audit of charitable organizations if their total amount of gross income is less than \$100,000.

(a) (9) Statement of intention to solicit, sent to the Secretary of State, must be accompanied by a signed affidavit stating if the organization has ever had its fund raising activities restrained or restricted.

Article 41 - Same

Section 103C - Exemptions from registration

(a) (1) Educational institutions shall file a copy of annual fiscal reports that it files with the State Department of Education, with the Secretary of State.

(a) (4) A nonprofit and charitable hospital shall file with the Secretary of State a copy of the annual fiscal report most recently filed with the Department of Health and Mental Hygiene.

(b) A charitable organization claiming to be exempt from registration must set forth its justification of exemption to the Secretary of State. The Secretary of State shall issue a letter of exemption.

(c) Thereafter the organization shall submit to the Secretary of State a brief certification that their status is unchanged.

(d) A charitable organization shall report to the Secretary of State any change in their exempt status within 10 days of the occurrence.

Article 41 - Same

Section 103D - Limitations on amount of payments for solicitation activities

(a) The Secretary of State shall provide for the reporting of actual cost, and allocation of expenses of a charitable organization. The Secretary of State shall issue rules and regulations to permit a charitable organization to pay or agree to pay for expenses in connection with a fund raising activity.

(c) Contracts between charitable organizations and professional fund raisers/solicitors shall be filed with the Secretary of State.

Article 41 - Same

Section 103F - Registration of professional fund raiser counsel and professional solicitor; bonds

(a) A person must register with the Secretary of State before acting as a professional fund raiser/solicitor on a form provided by him.

(b) All professional fund raiser/solicitors shall upon making application with the Secretary of State, file and have approved by the Secretary of State a bond in which the applicant shall be the principal obligor in the sum of \$10,000 with one or more sureties satisfied to the Secretary of State.

(c) Registration may be renewed by the Secretary of State for one year periods.

(d) If the Secretary of State finds that all rules and regulations have been met he may approve the registration. If an application for registration is denied the applicant may request, in writing, a hearing within 30 days of denial before the Secretary of State. The hearing shall be held within 60 days of receipt of the request.

Article 41 - Same

Section 103G - Information filed to become public records

All documents filed with the Secretary of State under this section shall become public record and be maintained in his office for at least two years.

Article 41 - Same

Section 103H - Records to be kept by charitable organizations

Records of charitable organizations shall be kept in accordance with rules and regulations established by the Secretary of State. These records shall be made available to the Secretary of State upon demand.

Article 41 - Same

Section 103I - Reciprocal agreements with other states

The Secretary of State may enter into reciprocal agreements with other states for the purpose of exchanging information about charitable organizations, professional fund raisers/solicitors. The Secretary of State may accept other states documentation in lieu of Maryland's if such information is generally the same. The Secretary of State may exempt such organizations from filing an annual registration statement if the organizations funds are derived principally from other states.

Article 41 - Same

Section 103J - Prohibited acts

(a) The following statement, "Registered with the Secretary of State of Maryland as required by law. Registration does not constitute or imply endorsement of a public solicitation for contributions.", may be used by charitable organizations, professional fund raisers/solicitors.

(e) (1) Authorization to solicit shall be filed with the Secretary of State.

Article 41 - Same

Section 103K - Nonresident charitable organizations, fund raiser counsel and solicitors

Organizations or professionals who solicit contributions within Maryland, but who are governed by the laws of another state, shall accept the Secretary of State of Maryland as their agent for all legal documents to be served upon. The Secretary of State shall forward a copy of all documents to the organization or professional fund raiser/solicitor.

Article 41 - Same

Section 103L - Enforcement of subtitle; penalties

(a) Anyone who willfully files a fraudulent registration or who willfully does not file a registration with the Secretary of State shall be subject to penalties of law.

(b) Upon complaint or upon his own motion the Secretary of State may investigate alleged violations of this subtitle. If a law has been broken the Secretary of State may cancel the registration and refer the matter for prosecution.

(c) Upon referral by the Secretary of State to the Attorney General, he shall take such action as prescribed.

(d) The Secretary of State shall adopt rules and regulations for the administration and enforcement of this subtitle.

Article 41 - Same

Section 104 - Duty to publish

The Secretary of State shall issue a manual of the State of Maryland every two years.

Article 41 - Same

Section 106 - Distribution

The Secretary of State is authorized to make such distribution of the manual of the State of Maryland as he deems necessary.

Article 41 - Same

Section 131B - Created; duties

The Division of State Documents is created within the office of the Secretary of State.

Article 41 - Same

Section 131D - Duties of Administrator

The Administrator of the State Documents Division shall be subject to the general supervision and control of the Secretary of State.

Article 41 - Same

Section 256d - Filing future documents with administrator

(c) Other documents - The Secretary of State shall transmit to the administrator of the Division of State Documents two copies of each executive order he receives.

Article 41 - Same

Section 360 - Maryland Commission on the Capital City

(b) The Governor may designate the Secretary of State to serve on the Maryland Commission on the Capital City.

Article 41 - Same

Section 455 - Preparation and transmittal of copies

The Secretary of State shall prepare and transmit copies of compacts and of this act to the properly designated persons.

Article 43 - HEALTH

Section 369 - Board of Examiners of Optometry - Certificate of appointment and oath of office

(d) Certificate of appointment and oath of office - Every person appointed to the Board shall file in the Office of the Secretary of State the constitutional oath of office.

Article 43 - Same

Section 501 - Board of Chiropractic Examiners - officers; powers and duties generally

(c) Powers and duties generally; quorum

A copy of the Board's rules and regulations shall be kept on file with the Secretary of State.

Article 43 - Same

Section 569 - Declaration and finding; scope and interpretation of law and regulations promulgated thereunder

(2) Administrative procedures and appendixes contained in the current grade "A" pasteurized milk ordinance shall be on file in the Secretary of State's office.

Article 43 - Same

Section 621 - State Board of Examiners of Psychologists-Part of Department of Health and Mental Hygiene; appointment, terms and oath of members

Board members constitutional oath of office shall be filed with the Secretary of State.

Article 43 - Same

Section 635 - Roster of certified psychologists

A copy of the roster of certified psychologists shall be filed with the Secretary of State.

Article 43C - MARYLAND HEALTH AND HIGHER EDUCATIONAL FACILITIES AUTHORITY

Section 4 - Creation and composition of Authority; appointment, removal, terms, etc., of members, officers; executive director; general counsel

(b) Composition; terms of office; vacancy; removal of members; oath

Members of the Authority shall file a copy of their oath in the office of the Secretary of State.

Article 48A - INSURANCE CODE

Section 20 - Commissioners seal

The Commissioners seal shall be on file in the Secretary of State's office.

Article 48A - Same

Section 206 - Procedure for service of process, etc. - Unauthorized persons doing insurance business

(a) Doing insurance business appoints Secretary of State agent - All legal documents served on persons not authorized to practice in the insurance business shall be served on the Secretary of State as his agent.

Article 56 - LICENSES

Section 76 - License to conduct business required; office to be maintained; records and files; supervision of office; grounds for refusal to issue license

(c) Nonresident applicants shall file a consent with the Secretary of State stipulating that suits and actions may be filed against them in the proper courts.

Article 56 - Same

Section 242 - Statement of registration; bond

(a) Required; information to be provided

All trading stamp companies shall file pertinent information with the Secretary of State before distributing trading stamps.

(c) Claims against bond - Procedure

Upon default on redemption of trading stamps a holder may file a complaint with the Secretary of State. If he determines that a default did occur he shall notify the company and publish such default. The Secretary of State shall be paid by the surety such amount as will be necessary to cover all claims.

(e) Termination of liability on old bond when new bond filed.

Holders of trading stamps shall file proof of claims with the Secretary of State before prosecuting such claims.

(f) Time of filing statement and bond; registration fee

Registration statements and bond shall be filed with the Secretary of State July 1, annually, along with a registration fee of \$25.

Article 56 - Same

Section 243 - Notice of intention to cease or suspend redemption of stamp

No trading stamp company shall cease the redemption of stamps without a prior notice to the Secretary of State.

Article 56 - Same

Section 309 - Roster of all registered professional foresters to be prepared annually

Rosters of all registered professional foresters shall be filed with the Secretary of State.

Article 56 - Same

Section 334 - Board of Registration for Professional Land Surveyors-Deposit of fees; disbursement of appropriations; record of proceedings; roster of surveyors

(c) A copy of the Professional Land Surveyors roster shall be filed with the Secretary of State.

Article 68 - NOTARIES PUBLIC

Section 1 - Appointment, qualifications, applications, term, commission and fees

(c) Application; notice of appointment

Applications for appointment as a notary public shall be filed with the Secretary of State on forms provided by him. The Secretary of State will notify the applicant when the appointment is made.

(e) Renewal of commission; qualifying; revocation and reinstatement
The Secretary of State shall issue notice of renewal to notaries public.
The Secretary of State, for good cause may reinstate commissions.

(f) The Secretary of State shall forward to the Clerk of the Court of the county in which the notary public resides, a commission signed the Governor and Secretary of State under the great seal of the State. The Secretary of State may fix this fee and such other reasonable fees as may be required for the processing of applications and the issuance and renewal of notarial commissions.

(g) The Secretary of State may prepare and adopt forms as required under this section, including the form of original applications, the form of commissions, and forms for renewal of commissions.

Article 68 - Same

Section 2 - Removal

Upon removal of a notary and the opportunity for a hearing before the Secretary of State, the Secretary of State shall submit his recommendation to the Governor.

Article 70 - Official Oaths

Section 2 - Secretary of State; judges and clerks of Court of Appeals and Court of Special Appeals; Attorney General; State Reporter; Adjutant General; Treasurer; Comptroller; Commissioner of the Land Office

The Secretary of State shall take and subscribe the said oath before the Governor and same shall be preserved in a book to be kept by the Secretary of State.

Article 70 - Same

Section 12 - Reports of clerks to Secretary of State; fee

The clerk of the Superior Court and Clerks of the circuit courts shall report to the Secretary of State, monthly, the names and offices of all officers who have taken and subscribed the same before them, respectively, which reports shall be carefully preserved by the said Secretary of State; and he shall be competent to certify the character and qualification of officers equally with the aforesaid clerks.

Article 73B - OFFICIAL OATHS

Section 12 - Administration

(5) Board of Trustees-State Retirement System

Each trustee, shall take an oath of office which must immediately be filed in the office of the Secretary of State.

Article 73B - Same

Section 87 - Administration

(5) Board of Trustees - Oath of Office

Oaths of trustees shall be filed in the office of the Secretary of State.

Article 75.5 - PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Section 3 - Board of Registration - Part of Department of Licensing and Regulation; appointment; terms

(d) (1) Before beginning his term of office, each Board member shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his official duty.

Article 75.5 - Same

Section 11 - Annual roster

Copies of this roster shall be placed on file with the Secretary of State and furnished to the public at a reasonable cost to be established by the Board.

Article 78A - PUBLIC WORKS

Section 51 - Facilities for the handicapped

(f) Filing standards with the Secretary of State
The standards shall be filed with the Secretary of State.

Article 78B - RACING COMMISSION

Section 2 - Composition of Commission; eligibility; removal; boards

(a) Composition of Commission; eligibility; removal of commissioner
(3) If a commissioner shall be removed, the Governor shall file in the office of the Secretary of State a statement of all charges made against such commissioner, and his findings thereon, together with a record of the proceedings.

Article 81 - REVENUE AND TAXES

Section 11 - Taxation of real and personal property of corporations entitled to exemptions under contract

(a) In general
Corporations shall have delivered to the Secretary of State an instrument in writing electing to surrender its right to all exemptions from ordinary and special State, county and city taxes to which it may be entitled.

Article 88B - STATE POLICE

Section 54 - Administration

(5) Board of Trustees - Oath of Office
An oath of office shall immediately be filed in the office of the Secretary of State.

Article 89 - Division of Labor and Industry

Section 1 - Adoption of rules, regulations and standards by reference

The Secretary of State is required to receive and catalog all rules and regulations promulgated by the commissioner of Labor and Industry which incorporate rules and regulations of other state agencies.

Article 89 - Same

Section 31 - Occupational Safety and Health Advisory Board; rules, regulations and standards

(1) Adoption of rules, regulations and standards by reference
The Commissioner shall file with the Secretary of State notice of his adoption of rules, regulations and standards.

Article 95A - UNEMPLOYMENT INSURANCE LAW

Section 12 - Duties; powers; rules; personnel; advisory councils; employment stabilization; records; reports; witnesses; subpoenas; federal cooperation

(b) General rules shall become effective ten days after filing with the Secretary of State.

Article 100 - WORK, LABOR AND EMPLOYMENT

Section 104 - Wage rates to be determined prior to advertising for bids, awarding contract or disbursing funds; contractors and subcontractors who violate subtitle

(c) The Commission shall file with the Secretary of State, a list of contractors who habitually violate this subtitle.

Article - AGRICULTURE

Section 8-403 - Application and statement of supervisors and committees

(a) Filing application with Secretary of State

Applications shall be filed with the Secretary of State by supervisors of each resulting district when property, assets and rights to which they are entitled is received.

Article - Same

Section 8-404 - Certificate of constitution of district; powers of new districts and supervisors

(a) Recordation of applications; issuance of certificate of constitution of district.

The Secretary of State shall record, file and issue under the seal of the state, a certificate of constitution of any district.

Article - Same

Section 9-403 - Agreement between Secretary of Agriculture and county for control or eradication

Agreements between the Secretary and the county must be filed with the Secretary of State.

Article - CORPORATIONS AND ASSOCIATIONS

Section 1-205 - Effect of acceptance for recording of filing

(c) Copy of articles or certificates of incorporation as evidence of existence or corporation.

Certified documents from the Secretary of State shall serve as evidence of the existence of a corporation.

Article - Same

Section 3-505 - Additional notice by Secretary of State

Proclamations of the forfeiture of charter of a corporation shall be sent by the Secretary of State to the Comptroller, Treasurer and the Department.

Article - Same

Section 3-506 Correction of mistakes

(a) Proclamation

The Governor may send a proclamation to the Secretary of State correcting a mistake. He will send copies of the proclamation to the Comptroller, Treasurer and the Department.

Article - Same

Section 7-304 - Failure of corporation to file required report

(c) Demand and notice

(2) Demand for a delinquent report and notice of forfeiture shall be sent to the Secretary of State if no address exists for the corporation.

Article - EDUCATION

Section 2-203 - Removal of Board members

(c) Record of removal to be filed

If a member is removed the Governor shall file with the Secretary of State a statement of all charges along with findings and a record of the proceedings.

Article - Same

Section 6-603 - Filing and publication of contracts

(a) A copy of all contracts on behalf of the State shall be filed with the Secretary of State.

Article - NATURAL RESOURCES

Section 5-801 - Authority of Governor; form of compact; when effective; compact administrator; duty of department

(b) Article IX - When effective, exchange of official documents

When the Governor has executed a compact on behalf of the State a copy shall be filed with the Secretary of State.

Article - Same

Section 6-403 - Governor official representative; assistant representative

The oath of the assistant representative of the Interstate Oil Compact Commission shall be filed with the Secretary of State.

Article - Same

Section 8-607 - Board of well drillers

(g) The boards seal shall be filed with the Secretary of State.

Article - TRANSPORTATION

Section 12-412 - Requisites of agreements, arrangements, and declarations

(b) Filing; distribution

The Administrator shall file copies of agreements, arrangements, and declarations with the Secretary of State.

Article - Same

Section 22-404.2 - Display of State seal on vehicle

The Secretary of State may display the State seal on a motor vehicle.

Article - Same

Section 22-508 - Documents and notices from Commission

(a) Filing of documents

Documents filed under Article III (j) of the Compact shall be filed with the Secretary of State.

Article - MARYLAND CONSTITUTION
Article 11 - Executive Department

Section 2 - Time, place and manner of holding election for Governor and Lieutenant Governor; qualifications of voters
Election returns are to be transmitted to the Secretary of State.

Article - Same

Section 22 - Appointment and term of Secretary of State; compensation
The Secretary of State shall be appointed by the Governor and serve to the end of the term of the Governor from whom he received the appointment. His annual salary shall be prescribed by the General Assembly.

Article - Same

Section 23 - Duties of the Secretary of State
The Secretary of State shall keep and preserve a record of all official acts and proceedings. He shall perform other duties as may be prescribed by law, or as may properly belong to his office, together with all clerical duties belonging to the Executive Department.

Article - Same
Article XVI - The Referendum

Section 2 - When laws to take effect; effect of filing of referendum petition
The Secretary of State shall refer referendum petitions for vote in general elections.

Article - Same

Section 3 - Number of signers necessary for petition; effect of petition signed by more than one third required number; time for filing petitions; meaning of "passed" and "enacted"; signing after passage
(a) Any Public Local Law for any one county or Baltimore City shall be referred by the Secretary of State only to the people of that County or Baltimore City.
(b) Referendum petitions with less than the required number of signatures shall be filed with the Secretary of State before June 1st. The deadline to complete the petition shall then be extended to June 30th.

Article - Same

Section 5 - Text of measures to be furnished to voters; ballots; proclamation of result of election
(b) The text of laws to be voted upon by the public shall be summarized by the Secretary of State.

COMAR PUBLICATION STATUS

Titles Printed

01 Executive
02 State Law
03 Treasury
04 General Services
05 Economic and Community
Development
06 Personnel (with
exception)
07 Human Resources
08 Natural Resources
09 Licensing & Regulation
(with exception)
10 Health and Mental Hygiene
11 Transportation (except MVA)
12 Public Safety and
Correctional Services
16 State Planning
19 Board of Ethics

Titles Not Printed

11 Transportation (MVA)
13 Education
14 Independent Agencies (due
Summer, 1979 with exception
15 Agriculture (due winter
1979-1980)
17 Budget & Fiscal Planning
(No regulations yet
promulgated)
18 Assessments & Taxation
20 Public Service (due Spring
1980)

Subtitles Not Printed

06.11 State Accident Fund
09.02 Insurance Division
14.07 Maryland Auto Insurance Fund (MAIF)
14.09 Workman's Compensation
14.12 Tax Court

Supplements Issued

01 Executive - Supp. 1
03 Treasury - Supp. 1
07 Human Resources - Supp. 1, 2, 3
09 Licensing & Regulation - Supp. 1,2
10 Health & Mental Hygiene - Supp. 1
11 Transportation - Supp. 1
12 Public Safety & Correctional Services - Supp. 1