

## Chapter 405

(House Bill 345)

AN ACT concerning

### State Government – State Designations – Review, Evaluation, and Recommendation by the State Archivist

FOR the purpose of authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; requiring the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; and generally relating to recommendations and advice regarding State designations.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1007  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

#### Article – State Government

9–1007.

(a) In addition to any powers set forth elsewhere, the State Archivist may:

(1) adopt regulations to:

(i) govern the Archives;

(ii) manage the Hall of Records Building and other real and personal property that the Archives acquires;

(iii) manage the records under the supervision of the Archives;

and

(iv) define the categories of records in the report of the Records Management Division under § 10–634 of this article; [and]

(2) have a seal; AND

**(3) ON REQUEST, OR AT THE STATE ARCHIVIST'S DISCRETION, REVIEW, EVALUATE, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING STATE DESIGNATIONS UNDER TITLE 13 OF THIS ARTICLE.**

**(B) AT THE REQUEST OF THE PRESIDENT OF THE SENATE ~~OR~~, THE SPEAKER OF THE HOUSE, THE CHAIR OF THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, OR THE CHAIR OF THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, THE STATE ARCHIVIST SHALL REVIEW, EVALUATE, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING STATE DESIGNATIONS UNDER TITLE 13 OF THIS ARTICLE.**

**[(b)] (C) (1)** The State Archivist may establish reasonable fees for the care and preservation of records and other services provided by the Archives.

(2) Fees may be in the form of:

(i) a percentage not to exceed 2% of an existing fee charged at the time of the creation of a record in any form or format; or

(ii) a flat rate subscription charge for a publication of the Archives.

(3) Of the fees collected, 7% shall be deposited in the Archives Endowment Account of the State Archives Fund established under § 9-1013 of this subtitle as an educational and entrepreneurial reserve.

**[(c)] (D)** The State Archivist shall submit to the Governor and, subject to § 2-1246 of this article, to the General Assembly an annual report on the activities of the Archives and the Commission during the preceding fiscal year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

**Approved by the Governor, May 4, 2010.**