UNOFFICIAL COPY OF SENATE BILL 573

F1 (5lr0506)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Ways and Means --

Introduced by **Senator Colburn**

Read and Examined by Proofreaders:

_____

Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____M.

_____

President.

CHAPTER_____

AN ACT concerning

Talbot County - Board of Education - Election of Members

FOR the purpose of providing that members of the Talbot County Board of Education shall be elected; establishing a procedure for the election of members of the Talbot County Board of Education; establishing a certain term of office for elected members; providing for the removal of members under certain circumstances; providing for *the appointment of a* certain student nonvoting ~~members~~ *member*; repealing an obsolete language provision; making certain conforming changes; providing a procedure for filling a vacancy on the County Board; providing for the election of the president and vice president of the County Board; providing for the compensation of the members of the County Board; providing for the termination of the terms of the appointed members of the County Board; establishing the initial districts for the election of the members of the County Board; staggering the terms of the elected members; requiring the County Board to meet at certain intervals; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Talbot County Board

of Education.

BY renumbering
Article - Education
Section 3-113.1
to be Section 3-12A-06
Annotated Code of Maryland
(2004 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, with amendments,
Article - Education
Section 3-114
Annotated Code of Maryland
(2004 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, with amendments,
Article - Education
Section 3-114
Annotated Code of Maryland
(2004 Replacement Volume and 2004 Supplement)
(As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

BY adding to
Article - Education
Section 3-12A-01 through 3-12A-05, inclusive, to be under the new subtitle "Subtitle 12A. Talbot County"
Annotated Code of Maryland
(2004 Replacement Volume and 2004 Supplement)

<u>BY repealing and reenacting, with amendments,</u>
<u>Article - Education</u>
<u>Section 3-12A-06</u>
<u>Annotated Code of Maryland</u>
<u>(2004 Replacement Volume and 2004 Supplement)</u>
<u>(As enacted by Section 1 of this Act)</u>

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 3-113.1 of Article - Education of the Annotated Code of Maryland be renumbered to be Section(s) 3-12A-06.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Education

3-114.

(a) In the following counties, the members of the county board shall be elected:

(1) Allegany;

(2) Calvert;

(3) Carroll;

(4) Cecil;

(5) Charles;

(6) Dorchester;

(7) Frederick;

(8) Garrett;

(9) Howard;

(10) Kent;

(11) Montgomery;

(12) St. Mary's;

(13) Somerset;

(14) TALBOT;

[(14)] (15) Washington; and

[(15)] (16) Worcester.

(b) An individual subject to the authority of the county board may not serve as a member of the county board. At the time of filing a certificate of candidacy for election to a county board, a person shall certify to the local board of supervisors of election whether or not he is subject to the authority of the county board. The Governor shall not issue a commission of election to a person who has certified affirmatively and who is elected to a county board until the member-elect offers proof that he is no longer subject to the authority of the county board.

(c) The election of the county boards shall be held as provided in Subtitles 2 through 13 of this title and the Election Law Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Education

3-114.

(a) In the following counties, the members of the county board shall be elected:

(1) Allegany;

(2) Calvert;

(3) Carroll;

(4) Cecil;

(5) Charles;

(6) Dorchester;

(7) Frederick;

(8) Garrett;

(9) Howard;

(10) Kent;

(11) Prince George's;

(12) Montgomery;

(13) St. Mary's;

(14) Somerset;

(15) TALBOT;

[(15)] (16) Washington; and

[(16)] (17) Worcester.

(b) An individual subject to the authority of the county board may not serve as a member of the county board. At the time of filing a certificate of candidacy for election to a county board, a person shall certify to the local board of supervisors of election whether or not he is subject to the authority of the county board. The Governor shall not issue a commission of election to a person who has certified affirmatively and who is elected to a county board until the member-elect offers proof that he is no longer subject to the authority of the county board.

(c) The election of the county boards shall be held as provided in Subtitles 2 through 13 of this title and the Election Law Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Education

SUBTITLE 12A. TALBOT COUNTY.

3-12A-01.

(A) THE TALBOT COUNTY BOARD CONSISTS OF:

(1) SEVEN VOTING MEMBERS, ONE MEMBER ELECTED FROM EACH OF THE SEVEN ELECTION DISTRICTS FOR THE COUNTY BOARD ESTABLISHED IN ACCORDANCE WITH THIS SUBTITLE; AND

(2) ONE NONVOTING STUDENT MEMBER FROM ~~EACH~~ *A* PUBLIC HIGH SCHOOL IN THE COUNTY.

(B) THE ELECTED MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED:

(1) AT THE GENERAL ELECTION; AND

(2) IN ACCORDANCE WITH TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.

(C) (1) A MEMBER ELECTED FROM A DISTRICT SHALL BE A RESIDENT OF THE DISTRICT.

(2) A MEMBER ELECTED OR APPOINTED FROM A DISTRICT WHO NO LONGER RESIDES IN THE DISTRICT MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD.

(D) (1) THE BOUNDARIES FOR THE ELECTION DISTRICTS FOR THE COUNTY BOARD SHALL BE ESTABLISHED PROMPTLY FOLLOWING EACH DECENNIAL CENSUS.

(2) WHENEVER ELECTION DISTRICT BOUNDARIES ARE TO BE REDRAWN, NO LATER THAN DECEMBER 1 OF THE YEAR PRIOR TO THE YEAR IN WHICH REDISTRICTING IS TO TAKE EFFECT, THE COUNTY COUNCIL SHALL APPOINT A COMMISSION ON REDISTRICTING TO INCLUDE:

(I) FOUR INDIVIDUALS NOMINATED BY EACH POLITICAL PARTY THAT POLLED AT LEAST 15 PERCENT OF THE TOTAL VOTE CAST AT THE IMMEDIATELY PRECEDING GENERAL ELECTION; AND

(II) ONE ADDITIONAL INDIVIDUAL.

(3) AN INDIVIDUAL WHO HOLDS ELECTIVE OFFICE IS NOT ELIGIBLE TO BE APPOINTED TO THE COMMISSION ON REDISTRICTING.

(4) (I) BY NOVEMBER 15 OF THE YEAR PRECEDING THE YEAR IN WHICH REDISTRICTING IS TO TAKE EFFECT, THE REDISTRICTING COMMISSION SHALL PREPARE AND MAKE AVAILABLE A PLAN OF ELECTION DISTRICTS.

(II) THE ELECTION DISTRICTS SHALL BE REASONABLY COMPACT, CONTIGUOUS, AND SUBSTANTIALLY EQUAL IN POPULATION AND, IN ACCORDANCE WITH LEGAL PRINCIPLES ESTABLISHED BY LAW, SHALL ENSURE THAT ONE OR MORE OF THE ELECTION DISTRICTS ENCOMPASSES RESIDENTS IN WHICH A MAJORITY OF THE VOTING AGE POPULATION CONSISTS OF RACIAL MINORITIES.

(III) NO LESS THAN 15 CALENDAR DAYS AND NO MORE THAN 45 CALENDAR DAYS AFTER THE REDISTRICTING COMMISSION SUBMITS ITS PLAN, THE COUNTY COUNCIL SHALL HOLD A PUBLIC HEARING ON THE PLAN.

(IV) THE REDISTRICTING PLAN SUBMITTED BY THE REDISTRICTING COMMISSION BECOMES LAW 90 DAYS AFTER IT IS SUBMITTED TO THE COUNTY COUNCIL UNLESS THE COUNTY COUNCIL ENACTS A DIFFERENT REDISTRICTING PLAN BEFORE THAT DATE.

(E) (1) EACH VOTING MEMBER SERVES FOR A TERM OF 4 YEARS BEGINNING ON JANUARY 1 AFTER THE MEMBER'S ELECTION AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(2) A VOTING MEMBER MAY NOT SERVE FOR MORE THAN THREE CONSECUTIVE TERMS.

(F) THE TERMS OF THE VOTING MEMBERS ARE STAGGERED AS FOLLOWS:

(1) ONE MEMBER ELECTED FROM EACH OF DISTRICTS 1, 3, 4, AND 7 AT THE 2006 GENERAL ELECTION, AND EVERY 4 YEARS THEREAFTER; AND

(2) ONE MEMBER ELECTED FROM EACH OF DISTRICTS 2, 5, AND 6 AT THE 2008 GENERAL ELECTION, AND EVERY 4 YEARS THEREAFTER.

(G) (1) THE GOVERNOR SHALL APPOINT A NEW MEMBER TO FILL ANY VACANCY ON THE COUNTY BOARD ~~FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES~~ UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES AT THE NEXT CONGRESSIONAL ELECTION.

(2) A RESIDENT OF THE DISTRICT IN WHICH A VACANCY EXISTS MAY APPLY FOR APPOINTMENT BY THE GOVERNOR TO FILL THE VACANCY.

(H) THE STUDENT MEMBER SHALL BE ~~ELECTED~~ *APPOINTED* AND SERVE ON THE COUNTY BOARD IN ACCORDANCE WITH § 3-12A-06 OF THIS SUBTITLE.

3-12A-02.

(A) THE STATE BOARD MAY REMOVE A MEMBER OF THE COUNTY BOARD FOR ANY OF THE FOLLOWING REASONS:

(1) IMMORALITY;

(2) MISCONDUCT IN OFFICE;

(3) INCOMPETENCY;

(4) WILLFUL NEGLECT OF DUTY; OR

(5) FAILURE TO ATTEND, WITHOUT GOOD CAUSE:

(I) AT LEAST 75% OF THE SCHEDULED MEETINGS OF THE COUNTY BOARD IN ANY 1 CALENDAR YEAR; OR

(II) THREE CONSECUTIVE SCHEDULED MEETINGS OF THE COUNTY BOARD.

(B) BEFORE REMOVING A MEMBER, THE STATE BOARD SHALL SEND THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND GIVE THE MEMBER AN OPPORTUNITY WITHIN 10 DAYS TO REQUEST A HEARING.

(C) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:

(1) THE STATE BOARD PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE STATE BOARD SENDS THE MEMBER A NOTICE OF THE HEARING; AND

(2) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE STATE BOARD IN THE MEMBER'S OWN DEFENSE, IN PERSON, OR BY COUNSEL.

(D) A MEMBER REMOVED UNDER THIS SECTION HAS THE RIGHT TO A DE NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR TALBOT COUNTY.

3-12A-03.

AT ITS FIRST MEETING AT THE BEGINNING OF EACH CALENDAR YEAR, THE COUNTY BOARD SHALL ELECT A PRESIDENT AND A VICE PRESIDENT FROM AMONG ITS MEMBERS.

3-12A-04.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE VOTING MEMBERS SHALL RECEIVE COMPENSATION AS SET BY THE COUNTY COUNCIL.

(B) (1) THE SALARY OF EACH VOTING MEMBER OF THE COUNTY BOARD SHALL BE AT LEAST $3,200.

(2) THE SALARY OF THE PRESIDENT OF THE COUNTY BOARD SHALL BE AT LEAST $3,600.

3-12A-05.

(A) THE COUNTY BOARD SHALL MEET AT LEAST ONCE EACH MONTH.

(B) EXCEPT FOR THOSE ACTIONS AUTHORIZED BY SUBSECTION (C) OF THIS SECTION, ALL ACTIONS OF THE COUNTY BOARD SHALL BE TAKEN AT A PUBLIC MEETING AND A RECORD OF THE MEETING AND ALL ACTIONS SHALL BE MADE PUBLIC.

(C) THE COUNTY BOARD MAY TAKE ACTIONS IN EXECUTIVE SESSION IN ACCORDANCE WITH § 10-508 OF THE STATE GOVERNMENT ARTICLE.

3-12A-06.

~~(a) (1) There shall be one nonvoting student member on the Talbot County Board of Education ELECTED FROM EACH PUBLIC HIGH SCHOOL IN THE COUNTY.~~

~~(2) The student [member] MEMBERS shall advise the other members of the County Board on the viewpoint of students who attend Talbot County public schools.~~

~~(b) (1) [The] EACH nonvoting student member of the County Board shall be:~~

~~(i) A regularly enrolled 11th or 12th grade student in good standing at a Talbot County public school;~~

~~(ii) Qualified according to eligibility requirements established by the County Board; and~~

~~(iii) Of good character.~~

~~(2) [(i)] The student [member] MEMBERS shall be elected for a 1-year term during the school year prior to the school year that the [member is] MEMBERS ARE to serve on the County Board.~~

~~[(ii) For the 1997-1998 school year, the student member shall be elected as soon as possible at the beginning of the 1997-1998 school year.]~~

~~(3) [The position of student member shall alternate annually between a student from St. Michaels High School and Easton High School.~~

~~(4)] The Student Government Association of each of the respective high schools shall adopt procedures for the election of the student member from that high school.~~

~~[(5)] (4) If a [vacancy in the position of student member occurs] STUDENT MEMBER'S POSITION ON THE COUNTY BOARD BECOMES VACANT during the term of the student member, the Student Government Association of the high school of that student shall elect another student member to fill the vacancy in accordance with its procedures.~~

~~[(6)] (5) Unless invited to attend by an affirmative vote of a majority of the County Board, the student [member] MEMBERS may not attend an executive session of the County Board.~~

(a) (1) There shall be one nonvoting student member on the Talbot County Board of Education.

(2) The student member shall advise the other members of the County Board on the viewpoint of students who attend Talbot County public schools.

(b) (1) The nonvoting student member of the County Board shall be:

(i) A regularly enrolled 11th or 12th grade student in good standing at a Talbot County public school;

(ii) Qualified according to eligibility requirements established by the County Board; and

(iii) Of good character.

(2) [(i)] The student member shall be [elected] APPOINTED for a 1-year term during the school year prior to the school year that the member is to serve on the County Board.

[(ii) For the 1997-1998 school year, the student member shall be elected as soon as possible at the beginning of the 1997-1998 school year.]

(3) The position of student member shall alternate annually between a student from St. Michaels High School and Easton High School.

(4) The [Student Government Association of each of the respective high schools] COUNTY BOARD shall adopt procedures for the [election] APPOINTMENT of the student member [from that high school].

(5) If a vacancy in the position of student member occurs during the term of the student member, the [Student Government Association of the high school of that student] COUNTY BOARD shall [elect] APPOINT another student member to fill the vacancy in accordance with its procedures.

(6) Unless invited to attend by an affirmative vote of a majority of the County Board, the student member may not attend an executive session of the County Board.

SECTION 5. AND BE IT FURTHER ENACTED, That the initial districts for the election of the members of the Talbot County Board of Education as required under this Act are as follows:

(a) District 1 consists of:

(1) Talbot precinct 01-001:

(i) Blocks (960200): 2043, 3000 through 3006, 3008 through 3011, 3012, 3013, 3019, 3034 through 3037, and 3050; and

(ii) Blocks (960300): 1019 through 1037, 1040 through 1046, 1048 through 1050, 2000 through 2003, 2005 through 2007, 2009 through 2012, and 2018 through 2022;

(2) Talbot precinct 01-002:

(i) Blocks (960200): 3007, 3051, and 3052;

(ii) Blocks (960400): 2051 through 2053, 2057 through 2061, 2063 through 2069, 3000 through 3020, 4003 through 4008, 4018, and 4019;

(iii) Blocks (960500): 3057, 3058, and 3069 through 3073; and

(iv) Blocks (960900): 4008 and 4009;

(3) Talbot precinct 01-003: Blocks (960400): 1018 through 1021, 1027, 1032 through 1036, 1042, and 2062;

(4) Talbot precinct 01-005: Blocks (960500): 1065;

(5) Talbot precinct 03-001:

(i) Blocks (960500): 3074 and 3075; and

(ii) Blocks (960900): 2003, 2023, 3001, 3005 through 3009, 3016, 4007, and 4010 through 4012;

(6) Talbot precinct 3-002: Blocks (960900): 2004, 2022, and 3014;

(7) Talbot precinct 3-003: Blocks (960900): 2018; and

(8) Undefined voting districts:

(i) Blocks (960200): 2990, 2995 through 2999, and 3999; and

(ii) Blocks (960300): 1997 through 1999, 2995 through 2997, and 2999;

(b) District 2 consists of:

(1) Talbot precinct 01-001:

(i) Blocks (960200): 3014 through 3018, 3020 through 3033, 3038 through 3049, and 3053 through 3064; and

(ii) Blocks (960400): 4050;

(2) Talbot precinct 01-002: Blocks (960900): 2000 and 2002;

(3) Talbot precinct 03-001: Blocks (960900): 3002 through 3004, 3010, 3011, 3020, 4000, 4001, 4006, and 4013 through 4034;

(4) Talbot precinct 03-002: Blocks (960900): 2019 through 2021, 2024 through 2045, 2072 through 2088, 2090 through 2099, 2995, 2997, 3012, 3013, 3015, 3017 through 3019, and 3021;

(5) Talbot precinct 3-003: Blocks (960900): 1000 through 1050, 2001, 2005 through 2017, 2046 through 2071; and

(6) Undefined voting districts:

(i) Blocks (960200): 3991, 3992, and 3995 through 3998;

(ii) Blocks (960300): 2998; and

(iii) Blocks (960900): 1997 through 1999, 2999, and 4035;

(c) District 3 consists of:

(1) Talbot precinct 01-001: Blocks (960300): 1038, 1039, and 1047;

(2) Talbot precinct 01-002:

(i) Blocks (960400): 2054 through 2056; and

(ii) Blocks (960500): 2023 through 2027, 2030, and 2031;

(3) Talbot precinct 01-003:

(i) Blocks (960300): 1000 through 1018;

(ii) Blocks (960400): 1005, 1007 through 1017, 1022 through 1026, 1028 through 1031, 1037 through 1041, and 2000 through 2050; and

(iii) Blocks (960500): 2011 through 2013, 2028, and 2029;

(4) Talbot precinct 01-005: Blocks (960500): 1012, 1013, 1022 through 1027, 1066 through 1075, 2000 through 2002, 2005 through 2010, 2014 through 2022, and 2032 through 2035;

(5) Talbot precinct 04-001:

(i) Blocks (960100): 2098 and 2996; and

(ii) Blocks (960500): 2998; and

(6) Undefined voting districts:

(i) Blocks (960100): 2997; and

(ii) Blocks (960500): 2999;

(d) District 4 consists of:

(1) Talbot precinct 01-004:

(i) Blocks (960100): 1067; and

(ii) Blocks (960200): 1994;

(2) Talbot precinct 01-005:

(i) Blocks (960100): 1082; and

(ii) Blocks (960500): 1001, 1014 through 1021, 1028, 2003, and 2004;

(3) Talbot precinct 04-001:

(i) Blocks (960100): 2000 through 2016, 2018 through 2061, 2064 through 2097, 2099, 2100 through 2107, and 2994; and

(ii) Blocks (960500): 1029 through 1031;

(4) Talbot precinct 04-002; and

(5) Undefined voting districts:

(i) Blocks (960100): 1996; and

(ii) Blocks (960500): 1998;

(e) District 5 consists of:

(1) Talbot precinct 01-001: Blocks (960300): 2004, 2008, 2013 through 2017, and 2023; and

(2) Talbot precinct 01-002:

(i) Blocks (960400): 2070, 3021 through 3046, 4000 through 4002, 4009 through 4017, 4020 through 4049, and 4051 through 4068; and

(ii) Blocks (960500): 3000 through 3056, 3059 through 3068, 3076, 3077, 3996, 3997, 4002 through 4005, and 4997;

(f) District 6 consists of:

(1) Talbot precinct 01-001:

(i) Blocks (960200): 2000 through 2018, and 2020 through 2042; and

(ii) Blocks (960600): 1000 through 1005, 1090, and 1091;

(2) Talbot precinct 01-004:

(i) Blocks (960100): 1066; and

(ii) Blocks (960200): 1000 through 1006, 1009 through 1039, 1995, and 1996;

(3) Talbot precinct 01-005:

(i) Blocks (960400): 1000 through 1004 and 1006; and

(ii) Blocks (960500): 1002 through 1011 and 1033 through 1064;

(4) Talbot precinct 02-001:

(i) Blocks (960600): 1018 through 1022, 1024, and 1084 through 1087; and

(ii) Blocks (960700): 1030, 1031, 1036 through 1039, 3023, 4017 through 4021, 4027, 4028, and 4039 through 4048;

(5) Talbot precinct 02-003:

(i) Blocks (960200): 2019; and

(ii) Blocks (960600): 1006 through 1017, 1023, 1025 through 1059, 1061 through 1083, 1088, and 1089; and

(6) Undefined voting district:

(i) Blocks (960200): 1998, 2989, 2991, and 2993;

(ii) Blocks (960600): 1994, 1995, and 1997; and

(iii) Blocks (960700): 3999; and

(g) District 7 consists of:

(1) Talbot precinct 02-001: Blocks (960700): 1000 through 1006, 1009 through 1029, 1032 through 1035, 3000 through 3022, 4000 through 4016, 4022 through 4026, and 4029 through 4038;

(2) Talbot precinct 02-002;

(3) Talbot precinct 05-001;

(4) Talbot precinct 05-002;

(5) Talbot precinct 05-003; and

(6) Undefined voting district:

(i) Blocks (960700): 1998, 2024, and 2997; and

(ii) Blocks (960800): 1996, 1998, 2994, and 2998.

SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the appointed members of the Talbot County Board expire as follows:

(a) (1) The terms of the appointed members whose terms are scheduled to expire on June 30, 2005, shall terminate at the end of December 31, 2006, and the members elected from districts 1, 4, and 7 at the general election in November 2006, shall succeed those appointed members and serve for a term of 4 years until a successor is elected and qualifies; and

(2) The term of the appointed member whose term is scheduled to expire on June 30, 2006, shall terminate at the end of December 31, 2006, and the member elected from district 3 at the general election in November 2006, shall succeed that appointed member and serve for a term of 4 years until a successor is elected and qualifies;

(b) (1) The term of the appointed member whose term is scheduled to expire on June 30, 2007, shall terminate at the end of December 31, 2008, and the member elected from district 6 at the general election in November 2008, shall succeed that appointed member and serve for a term of 4 years until a successor is elected and qualifies;

(2) The term of the appointed member whose term is scheduled to expire on June 30, 2008, shall terminate at the end of December 31, 2008, and the member elected from district 2 at the general election in November 2008, shall succeed that appointed member and serve for a term of 4 years until a successor is elected and qualifies; and

(3) The term of the appointed member whose term is scheduled to expire on June 30, 2009, shall terminate at the end of December 31, 2008, and the member elected from district 5 at the general election in November 2008, shall succeed that appointed member and serve for a term of 4 years until a successor is elected and qualifies.

SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 20 of Chapter 289 of the Acts of the General Assembly of 2002. If that termination provision takes effect, Section ~~1~~ *3* of this Act shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 7 of this Act, this Act shall take effect October 1, 2005.