

HOUSE BILL 908

P1, P4, C8

0lr1811
CF SB 893

By: **Delegates Feldman, Hecht, ~~and Rice~~ Rice, Stein, and Bronrott**

Introduced and read first time: February 10, 2010

Assigned to: Economic Matters and Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Maryland Clean Energy Center – Miscellaneous Provisions**

3 FOR the purpose of altering the quorum requirement for the Maryland Clean Energy
4 Center Board; altering the minimum vote required for the Board to act;
5 designating employees and officials of the Maryland Clean Energy Center as
6 State personnel under the Maryland Tort Claims Act; ~~authorizing employees~~
7 ~~and retirees of the Maryland Clean Energy Center to participate in the State~~
8 ~~Employee and Retiree Health and Welfare Benefits Program, and requiring the~~
9 ~~Maryland Clean Energy Center to pay to the State the Center's share of the cost~~
10 ~~of the Program; authorizing the Maryland Clean Energy Center to participate~~
11 ~~in the Employees' Pension System;~~ and generally relating to the Maryland
12 Clean Energy Center.

13 BY repealing and reenacting, with amendments,
14 Article – Economic Development
15 Section 10–809
16 Annotated Code of Maryland
17 (2008 Volume and 2009 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – State Government
20 Section 12–101(a)(2)(xii) and (xiii)
21 Annotated Code of Maryland
22 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
 2 Article – State Government
 3 Section 12–101(a)(2)(xiv)
 4 Annotated Code of Maryland
 5 (2009 Replacement Volume)

6 ~~BY repealing and reenacting, with amendments,~~
 7 ~~Article – State Personnel and Pensions~~
 8 ~~Section 2–511 and 31–102(2)(xxii) and (xxiii)~~
 9 ~~Annotated Code of Maryland~~
 10 ~~(2009 Replacement Volume and 2009 Supplement)~~

11 ~~BY repealing and reenacting, without amendments,~~
 12 ~~Article – State Personnel and Pensions~~
 13 ~~Section 31–101(a) and (f)~~
 14 ~~Annotated Code of Maryland~~
 15 ~~(2009 Replacement Volume and 2009 Supplement)~~

16 ~~BY adding to~~
 17 ~~Article – State Personnel and Pensions~~
 18 ~~Section 31–102(2)(xxiv)~~
 19 ~~Annotated Code of Maryland~~
 20 ~~(2009 Replacement Volume and 2009 Supplement)~~

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

23 **Article – Economic Development**

24 10–809.

25 (a) The Board shall determine the times and places of its meetings.

26 (b) (1) [Six members] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF**
 27 **THIS SUBSECTION, A MAJORITY OF THE APPOINTED AND QUALIFIED MEMBERS**
 28 of the Board [are] **IS** a quorum.

29 (2) **NO LESS THAN FOUR MEMBERS OF THE BOARD SHALL**
 30 **CONSTITUTE A QUORUM.**

31 (c) (1) [The] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
 32 Board may act with an affirmative vote of [five Board members] **A MAJORITY OF THE**
 33 **APPOINTED AND QUALIFIED MEMBERS OF THE BOARD.**

34 (2) **THE BOARD MAY NOT ACT WITH AN AFFIRMATIVE VOTE OF**
 35 **LESS THAN FOUR BOARD MEMBERS.**

1 ~~(d) For each participant under this section, the Maryland Environmental~~
2 ~~Service, THE MARYLAND CLEAN ENERGY CENTER, and the Northeast Maryland~~
3 ~~Waste Disposal Authority or any successor agency, shall pay to the State the~~
4 ~~respective employer share of the cost of the Program based on the State subsidy~~
5 ~~allowed under this subtitle.~~

6 ~~31-101.~~

7 ~~(a) In this subtitle the following words have the meanings indicated.~~

8 ~~(f) "Employees' system" means the Employees' Retirement System or the~~
9 ~~Employees' Pension System.~~

10 ~~31-102.~~

11 ~~Subject to § 22-202(b) of this article, the governmental units that are eligible to~~
12 ~~participate in the employees' systems are:~~

13 ~~(2) the following governmental units:~~

14 ~~(xxii) subject to § 31-106.1 of this subtitle, the Maryland African~~
15 ~~American Museum Corporation; [and]~~

16 ~~(xxiii) the Garrett County Office for Children, Youth and Families;~~

17 ~~AND~~

18 ~~(xxiv) THE MARYLAND CLEAN ENERGY CENTER, AND,~~
19 ~~TO THE EXTENT AUTHORIZED BY AND IN THE MANNER PRESCRIBED BY FEDERAL~~
20 ~~LAW, EMPLOYEES HIRED THROUGH THE MARYLAND ENVIRONMENTAL SERVICE~~
21 ~~WHO ARE ASSIGNED TO THE MARYLAND CLEAN ENERGY CENTER.~~

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.