

SB0378/974538/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 378
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 31, after “procedures;” insert “requiring certain governmental activities and units to be subject to certain provisions of this Act and exempting certain governmental activities and units from certain provisions of this Act for a certain year; requiring the Department on or before a certain date to send a certain self-evaluation report form to certain units subject to termination or responsible for a governmental activity subject to termination; requiring the units subject to termination or responsible for a governmental activity subject to termination to submit a certain self-evaluation report form to the Department on or before a certain date and requiring the Department to compile the forms on or before a certain date; requiring the units subject to termination or responsible for a governmental activity subject to termination to ensure that certain legislation is requested; stating the intent of the General Assembly that the Department conduct certain full evaluations and make certain recommendations on or before certain dates; requiring certain proposed legislation to include certain provisions;”.

On page 2, in line 21, strike “, 8-407, and 8-408” and substitute “and 8-407 through 8-409”.

On pages 2 through 4, strike in their entirety the lines beginning with line 24 on page 2 through line 1 on page 4, inclusive.

AMENDMENT NO. 2

On page 11, in line 8, after the parenthesis, insert “, INCLUDING THE ELECTROLOGY PRACTICE COMMITTEE”; in line 12, after the parenthesis, insert “, INCLUDING THE ALLIED HEALTH ADVISORY COMMITTEES UNDER THE JURISDICTION OF THE BOARD”.

(Over)

On page 18, after line 4, insert:

“8-409.

(A) THIS SECTION APPLIES TO THE FOLLOWING GOVERNMENTAL ACTIVITIES AND UNITS:

(1) ACUPUNCTURE BOARD, STATE (§ 1A-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(2) AMUSEMENT RIDE SAFETY, STATE ADVISORY BOARD (§ 3-303 OF THE BUSINESS REGULATION ARTICLE);

(3) APPRENTICESHIP AND TRAINING COUNCIL (§ 11-403 OF THE LABOR AND EMPLOYMENT ARTICLE);

(4) ARCHITECTS, STATE BOARD OF (§ 3-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(5) ATHLETIC COMMISSION, STATE (§ 4-201 OF THE BUSINESS REGULATION ARTICLE);

(6) AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS, STATE BOARD OF EXAMINERS FOR (§ 2-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(7) BARBERS, STATE BOARD OF (§ 4-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(8) BOILER RULES, BOARD OF (§ 12-904 OF THE PUBLIC SAFETY ARTICLE);

(9) CEMETERY OVERSIGHT, OFFICE OF (§ 5-201 OF THE BUSINESS REGULATION ARTICLE);

(10) CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF (§ 3-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(11) COLLECTION AGENCY LICENSING BOARD, STATE (§ 7-201 OF THE BUSINESS REGULATION ARTICLE);

(12) COSMETOLOGISTS, STATE BOARD OF (§ 5-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(13) COUNSELORS AND THERAPISTS, STATE BOARD OF PROFESSIONAL (§ 17-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(14) DIETETIC PRACTICE, STATE BOARD OF (§ 5-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(15) ELECTRICIANS, STATE BOARD OF MASTER (§ 6-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(16) ELEVATOR SAFETY REVIEW BOARD (§§ 12-819 THROUGH 12-841 OF THE PUBLIC SAFETY ARTICLE);

(17) ENGINEERS, STATE BOARD FOR PROFESSIONAL (§ 14-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(18) ENGINEERS, STATE BOARD OF STATIONARY (§ 6.5-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(19) ENVIRONMENTAL SANITARIANS, STATE BOARD OF (§ 11-201 OF THE ENVIRONMENT ARTICLE);

(20) FINANCIAL REGULATION, OFFICE OF THE COMMISSIONER OF (§ 2-101 OF THE FINANCIAL INSTITUTIONS ARTICLE);

(21) FORESTERS, STATE BOARD OF (§ 7-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(22) HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS, STATE BOARD OF (§ 9A-201 OF THE BUSINESS REGULATION ARTICLE);

(23) HOME IMPROVEMENT COMMISSION, MARYLAND (§ 8-201 OF THE BUSINESS REGULATION ARTICLE);

(24) HORSE INDUSTRY BOARD, MARYLAND (§ 2-701 OF THE AGRICULTURE ARTICLE);

(25) INDIVIDUAL TAX PREPARERS, STATE BOARD OF (§ 21-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(26) INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED (§ 8-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(27) LABOR AND INDUSTRY, DIVISION OF (TITLE 2 OF THE LABOR AND EMPLOYMENT ARTICLE);

(28) LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL (§ 15-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(29) LANDSCAPE ARCHITECTS, STATE BOARD OF EXAMINERS OF (§ 9-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(30) LAW EXAMINERS, STATE BOARD OF (§ 10-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(31) MARYLAND-BRED RACE FUND ADVISORY COMMITTEE (§ 11-531 OF THE BUSINESS REGULATION ARTICLE);

(32) MOLD REMEDIATION SERVICES, LICENSING AND REGULATION OF (§ 8-701 OF THE BUSINESS REGULATION ARTICLE);

(33) NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS OF (§ 9-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(34) OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD (§ 5-302 OF THE LABOR AND EMPLOYMENT ARTICLE);

(35) OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF (§ 10-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(36) OPTOMETRY, STATE BOARD OF EXAMINERS IN (§ 11-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(Over)

(37) PHYSICAL THERAPY EXAMINERS, STATE BOARD OF (§ 13-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(38) PILOTS, STATE BOARD OF (§ 11-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(39) PLUMBING, STATE BOARD OF (§ 12-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(40) PODIATRIC MEDICAL EXAMINERS, STATE BOARD OF (§ 16-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(41) PREVAILING WAGE RATES, ADVISORY COUNCIL ON (§ 17-203 OF THE STATE FINANCE AND PROCUREMENT ARTICLE);

(42) PSYCHOLOGISTS, STATE BOARD OF EXAMINERS OF (§ 18-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(43) PUBLIC ACCOUNTANCY, STATE BOARD OF (§ 2-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(44) RACING COMMISSION, STATE (§ 11-201 OF THE BUSINESS REGULATION ARTICLE);

(45) REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF (§ 16-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(46) REAL ESTATE COMMISSION, STATE (§ 17-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(47) RESIDENTIAL CHILD CARE PROGRAM PROFESSIONALS, STATE BOARD FOR CERTIFICATION OF (§ 20-202 OF THE HEALTH OCCUPATIONS ARTICLE);

(48) SECURITY SYSTEMS TECHNICIANS, LICENSING AND REGULATION OF (§ 18-201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);

(49) SOCIAL WORK EXAMINERS, STATE BOARD OF (§ 19-201 OF THE HEALTH OCCUPATIONS ARTICLE);

(50) STANDARD BRED RACE FUND ADVISORY COMMITTEE, MARYLAND (§ 11-625 OF THE BUSINESS REGULATION ARTICLE);

(51) VETERINARY MEDICAL EXAMINERS, STATE BOARD OF (§ 2-302 OF THE AGRICULTURE ARTICLE);

(52) WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF (§ 12-201 OF THE ENVIRONMENT ARTICLE); AND

(53) WELL DRILLERS, STATE BOARD OF (§ 13-201 OF THE ENVIRONMENT ARTICLE).

(B) ON OR BEFORE JULY 1 OF THE SECOND YEAR BEFORE THE TERMINATION DATE OF A GOVERNMENTAL ACTIVITY OR UNIT SUBJECT TO THIS SECTION, THE DEPARTMENT SHALL SEND THE UNIT SUBJECT TO TERMINATION

OR RESPONSIBLE FOR THE GOVERNMENTAL ACTIVITY SUBJECT TO TERMINATION A SELF-EVALUATION REPORT FORM.

(C) ON OR BEFORE NOVEMBER 1 OF THE SECOND YEAR BEFORE THE TERMINATION DATE OF A GOVERNMENTAL ACTIVITY OR UNIT SUBJECT TO THIS SECTION, THE UNIT SUBJECT TO TERMINATION OR RESPONSIBLE FOR THE GOVERNMENTAL ACTIVITY SUBJECT TO TERMINATION SHALL SUBMIT TO THE DEPARTMENT A SELF-EVALUATION REPORT ON THE FORM PROVIDED BY THE DEPARTMENT.

(D) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE DEPARTMENT SHALL COMPILE THE SELF-EVALUATION REPORTS REQUIRED UNDER THIS SECTION AND SUBMIT THEM TO THE COMMITTEES OF JURISDICTION.

(E) EACH UNIT SUBJECT TO TERMINATION OR RESPONSIBLE FOR THE GOVERNMENTAL ACTIVITY SUBJECT TO TERMINATION SHALL ENSURE THAT LEGISLATION IS REQUESTED TO EXTEND THE TERMINATION DATE OF THE GOVERNMENTAL ACTIVITY OR UNIT.”.

On page 18, in lines 5, 16, and 23, strike “8-409.”, “8-410.”, and “8-411.”, respectively, and substitute “8-410.”, “8-411.”, and “8-412.”, respectively; in line 7, after “subtitle” insert “OR SUBJECT TO § 8-409 OF THIS SUBTITLE”; and after line 24, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In 2012 only, the Elevator Safety Review Board, the State Board of Stationary Engineers, the Division of Labor and Industry, the Maryland Apprenticeship and Training Council, the Advisory Council on Prevailing Wage Rates, the Maryland Occupational Safety and Health Advisory Board, the Amusement Ride

Safety Advisory Board, and the Board of Boiler Rules shall be exempt from the requirements under § 8-409 of the State Government Article as established under this Act.

(b) It is the intent of the General Assembly that the Department of Legislative Services shall:

(1) on or before December 1, 2012, conduct a full evaluation of the Employment Standards and Classification Program of the Division of Labor and Industry and the Advisory Council on Prevailing Wage Rates as approved by the Legislative Policy Committee in December 2011; and

(2) on or before January 1, 2013, make recommendations to the committees of jurisdiction on new termination dates for the Elevator Safety Review Board, the State Board of Stationary Engineers, and the Board of Boiler Rules.

(c) Proposed legislation submitted as part of the full evaluation conducted under subsection (b) of this section shall extend the termination dates of the Maryland Apprenticeship and Training Council, the Maryland Occupational Safety and Health Advisory Board, and the Amusement Ride Safety Advisory Board by 10 years as approved by the Legislative Policy Committee in December 2011.”.

On pages 18 and 19, strike in their entirety the lines beginning with line 25 on page 18 down through line 27 on page 19, inclusive.

On page 19, in line 28, strike “12.” and substitute “3.”; and in line 29, strike “October” and substitute “July”.