

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 837

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Intervention” insert “Comprehensive Early”; in line 5, after the first “the” insert “Maryland Infants and Toddlers Program in the”; in line 8, after “Act;” insert “providing for the transfer of the functions, powers, duties, equipment, assets, and liabilities consistent with a certain federal law, and the employees of the Maryland Infants and Toddlers Program, to the State Department of Education; providing that certain employees of the Maryland Infants and Toddlers Program shall be transferred under this Act without diminution of certain employment rights, benefits, or status; providing for the continuity of the terms of office of members of certain boards or other units, certain existing laws, regulations, permits, and contracts, certain transactions, and certain obligations of the Maryland Infants and Toddlers Program; providing for certain corrections in the Annotated Code of Maryland under certain circumstances;”; in the same line, strike “an” and substitute “the” .

AMENDMENT NO. 2

On page 1, in lines 18, 23, and 29, in each instance, strike “2-107” and substitute “8-416”.

On page 2, in line 4, strike “2-107.” and substitute “8-416.”.

AMENDMENT NO. 3

On page 1, after line 20, insert:

“BY repealing and reenacting, with amendments,

Article 49D - Office for Children, Youth, and Families

Section 1

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)” .

(Over)

On page 2, after line 2, insert:

“Article 49D - Office for Children, Youth, and Families

1.

(a) The Office for Children, Youth, and Families is created as part of the Executive Department.

(b) The head of the Office is the Special Secretary for Children, Youth, and Families. The Special Secretary is appointed by and serves at the pleasure of the Governor and is directly responsible to him. The Special Secretary shall receive the salary provided in the State budget.

(c) The Office shall have a Director and the assistants, fiscal analysts, consultants, and employees provided in the State budget. The Special Secretary may establish areas of responsibility within the office and may designate staff as necessary to fulfill the duties assigned to the Special Secretary.

(d) The following units are in the Office:

(1) Advisory Committee for Children, Youth, and Families;

(2) Children's councils;

(3) Governor's Council on Adolescent Pregnancy;

(4) State Coordinating Council for Residential Placement of Handicapped Children;

AND

(5) [Infants and Toddlers Interagency Coordinating Council; and

(6)] Other multiple agency initiatives for children, youth, and families that are not reserved by law to another agency.”.

AMENDMENT NO. 4

On page 2, after line 37, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on July 1, 1997 the functions, powers, duties, equipment, assets, liabilities consistent with the requirements of the federal Education of the Handicapped Act, Public Law 99-457, as amended, and the employees of the Maryland Infants and Toddlers Program, which administers the interagency system of comprehensive early intervention services to infants and toddlers, in the Office for Children, Youth, and Families shall be transferred to the State Department of Education.

SECTION 4. AND BE IT FURTHER ENACTED, That employees of the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families who are transferred to the State Department of Education subject to the implementation of this Act shall be so transferred without diminution of their rights, benefits, or employment and retirement status.

SECTION 5. AND BE IT FURTHER ENACTED, That nothing in this Act affects the term of office of a member of any board, commission, committee, or other unit in the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families. A person who is a member of any board, commission, committee, or other unit in the Maryland Infants and Toddlers Program on the effective date of this Act shall remain a member for the balance of the term to which appointed, unless the member sooner dies, resigns, or is removed under provisions of law.

SECTION 6. AND BE IT FURTHER ENACTED, That, except as otherwise provided by law, all existing laws, rules and regulations, proposed rules and regulations, standards and guidelines, policies, order and other directives, permits and licenses, applications for permits and licenses, forms, plans, memberships, contracts, property, investigations, administrative and judicial responsibilities associated with, and all matters pending before, the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families as of July 1, 1997, shall continue in effect under the State Department of Education until completed, withdrawn, canceled, modified, or otherwise changed pursuant to law.

SECTION 7. AND BE IT FURTHER ENACTED, That any transaction of the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families affected by or flowing from any change of nomenclature or any statute amended, repealed, or transferred, and validly entered into before July 1, 1997, and every right, duty, or interest flowing from the statute remains valid after July 1, 1997, and may be terminated, completed, consummated, or enforced as required or

(Over)

permitted by any statute amended, repealed, or transferred by this Act as though the repeal, amendment, or transfer had not occurred. If the change in nomenclature as to the interagency system of comprehensive early intervention service for infants and toddlers involves a change in name or designation of any State agency, the successor agency shall be considered in all respects as having the powers and obligations granted the former agency.

SECTION 8. AND BE IT FURTHER ENACTED, That, to the extent that all contracts, agreements, grants, or other obligations entered into by the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families before July 1, 1997, are valid, legal, and binding, but which under the terms of such obligations are to continue in effect after July 1, 1997, those obligations are hereby declared valid, legal, and binding obligations of the State Department of Education, enforceable in accordance with their terms, and the laws of this State.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) Pursuant to the transfer of the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families to the State Department of Education that is proposed by this Act, the publishers of the Annotated Code of Maryland, subject to the approval of the Maryland Department of Legislative Reference, shall propose the correction of any agency names and titles throughout the Annotated Code that are rendered incorrect by this Act.

(b) To the extent necessitated by this Act, the Department of Legislative Reference, in conjunction with the publishers of the Annotated Code, shall revise the Annotated Code of Maryland in order to conform the Code to the transfer of the Maryland Infants and Toddlers Program in the Office for Children, Youth, and Families to the State Department of Education as required under this Act, and this statutory revision shall be ratified by the passage of the Annual Corrective Bill of 1998.”.

On page 2, in line 38, strike “3.” and substitute “10.”.