BY: Budget and Taxation Committee

<u>AMENDMENTS TO SENATE BILL NO. 426</u>
(First Reading File Bill)

AMENDMENT NO. 1

        On page 1, at the top of the bill, insert "<u>EMERGENCY BILL</u>"; in line 3, strike "Per Child"; strike beginning with "private" in line 4 down through "programs" in line 17 and substitute "<u>State agencies to redesign the rate setting structure for private residential or nonresidential child care programs and certain nonpublic general education schools; requiring certain State agencies to develop a certain plan; making the Department of Education the lead agency in redesigning a certain rate setting structure; making this Act an emergency measure</u>"; strike beginning with "per" in line 17 down through "child" in line 18; in line 18, strike "set by" and substitute "<u>for</u>"; and strike lines 20 through 24 in their entirety.

AMENDMENT NO. 2

        On page 2, strike in their entirety lines 3 through 9, inclusive; in line 10, strike "Special Secretary" and substitute "<u>Subcabinet Fund</u>"; and in line 14, strike "the Laws of Maryland read as follows".

        On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 33 on page 3, inclusive, and substitute:

        "<u>(a) (1) In this section the following words have the meanings indicated.</u>

              <u>(2) "Agencies" means the Department of Budget and Management, Department of Education, Health and Mental Hygiene, Department of Human Resources, and Department of Juvenile Justice.</u>

              <u>(3) "Nonpublic general education school" means a nonpublic school approved in COMAR 13A 09.10.07 pursuant to § 2-206 of the Education Article and operated in conjunction with residential or nonresidential programs licensed or approved by the Department of Education, the</u>

Department of Health and Mental Hygiene, the Department of Human Resources, or the Department of Juvenile Justice.

(4) "Nonresidential child care program" means a program that:

(i) Provides services for children in a nonresidential setting, designed to achieve objectives related to the needs of children at risk of out-of-home placement; and

(ii) Is licensed or approved by the Department of Health and Mental Hygiene, the Department of Human Resources, or the Department of Juvenile Justice.

(5) "Residential child care program" means a program that:

(i) Provides care for children 24 hours a day within a structured set of services and activities designed to achieve objectives related to the needs of the children served; and

(ii) Is licensed by the Department of Health and Mental Hygiene, the Department of Human Resources, or the Department of Juvenile Justice.

(b) (1) On or before September 1, 1998, the agencies, in consultation with the Office of Children, Youth, and Families, shall redesign the rate setting structure for private residential or nonresidential child care programs and nonpublic general education schools licensed or approved by the agencies, subject to the State's allowable cost policy, to achieve equitable treatment for all providers, whether new or existing.

(2) On or before October 1, 1998, the agencies, in consultation with the Office of Children, Youth, and Families, shall submit to the budget committees for review and comment a plan for implementing the redesigned rate setting structure.

(3) The Department of Education, as the fiscal agent of the Subcabinet Fund for Children, Youth, and Families, shall be the lead agency in redesigning the rate setting structure and developing an implementation plan.

(4) The redesigned rate setting structure shall be used by the agencies in preparing the

State budget for Fiscal Year 2000.".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 34 and 35 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.".