

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 1299
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike “planning, development, and management” and substitute “development”; strike beginning with “providing” in line 11 down through “securities” in line 13 and substitute “providing for a depository and for investment of Corporation funds”; in line 16, strike “corporation” and substitute “Corporation”; strike beginning with “recognizing” in line 19 down through “purposes;” in line 24; and in line 25, after “reports;” insert “providing for the severability of this Act; providing for the termination of the Maryland Museum of African American History and Culture Commission;”.

On page 2, in line 3, strike “20-113,” and substitute “20-114,”; in line 10, after “Section” insert “31-102(2)(xxii) and”; and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 31-102(2)(xx) and (xxi)

Annotated Code of Maryland

(1997 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 12, insert:

“20-102.

(A) THE GENERAL ASSEMBLY DECLARES AND FINDS THAT:

(1) MARYLAND POSSESSES A RICH AFRICAN AMERICAN HERITAGE, FROM MATHIAS DESOUSA TO THURGOOD MARSHALL, AND FROM THE

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UNDERGROUND RAILROAD TO THE MODERN CIVIL RIGHTS MOVEMENT:

(2) THE STATE AND ITS CITIZENS HAVE A NEED FOR AND SUPPORT AN INSTITUTION OR INSTITUTIONS TO COLLECT, PRESERVE, AND INTERPRET FOR THE PUBLIC THE STATE'S AFRICAN AMERICAN HERITAGE AND CAN DERIVE SUBSTANTIAL BENEFIT FROM THEM, INCLUDING CULTURAL AND EDUCATIONAL BENEFITS AND ECONOMIC DEVELOPMENT IN THE FORM OF INCREASED TOURISM AND VISITATION TO THE STATE; AND

(3) THE STATE, THROUGH A MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION, CAN MORE READILY ACCESS GOVERNMENTAL AND PRIVATE FINANCIAL, COMMUNITY, AND TECHNICAL SUPPORT TO PLAN AND IMPLEMENT INSTITUTIONS FOR THESE PURPOSES.

(B) THE GENERAL ASSEMBLY FURTHER DECLARES AND FINDS THAT THE ESTABLISHMENT OF A STATE PUBLIC CORPORATION TO DEVELOP, OPERATE, AND SUPPORT INSTITUTIONS FOR THE COLLECTION, PRESERVATION, AND INTERPRETATION OF THE STATE'S AFRICAN AMERICAN HERITAGE WOULD SERVE THE PUBLIC INTEREST AND WOULD COMPLEMENT EXISTING AND PROPOSED AFRICAN AMERICAN AND OTHER HISTORICAL AND CULTURAL AND HERITAGE TOURISM PROGRAMS THROUGHOUT THE STATE.

(C) THE GENERAL ASSEMBLY INTENDS THAT THE MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION INITIALLY ESTABLISH A MUSEUM OF AFRICAN HISTORY AND CULTURE IN BALTIMORE CITY, IN COOPERATION WITH AND WITH THE ACTIVE SUPPORT OF THE MAYOR AND CITY COUNCIL OF BALTIMORE, APPROPRIATE STATE AGENCIES, AND OTHER PUBLIC AND PRIVATE INSTITUTIONS.”;

in line 13, strike “20-102.” and substitute “20-103.”; in line 24, strike “16” and substitute “32”; after line 30, insert:

“(III) THE CHAIRMAN OF THE COMMISSION ON AFRICAN AMERICAN HISTORY AND CULTURE OR THE CHAIRMAN'S DESIGNEE, AND TWO OTHER COMMISSION MEMBERS APPROVED BY THE COMMISSION, ALL APPOINTED BY THE GOVERNOR, IN ORDER TO PROVIDE CONTINUING COORDINATION AND COOPERATION BETWEEN THE CORPORATION AND THE COMMISSION AND TO ASSURE CONSISTENCY WITH THE STATEWIDE PROGRAMS AND MANDATES OF THE COMMISSION;”;

in lines 31 and 33, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively; in line 33, strike “TEN” and substitute “TWENTY-THREE”; and after line 37, insert:

“(3) THE MEMBERS APPOINTED TO THE BOARD SHALL REPRESENT THE GEOGRAPHIC MAKEUP OF THE STATE, AND SHALL BE RACIALLY AND ETHNICALLY DIVERSE.

“(4) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION.”.

On page 4, in lines 1, 3, 5, 6, 8, and 18, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “20-103.”, respectively, and substitute “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “20-104.”, respectively; in lines 7, 8, and 9, in each instance, strike “ELECTED” and substitute “APPOINTED”; in line 13, strike “NINE” and substitute “SEVENTEEN”; and after line 17, insert:

“(4) THE BOARD SHALL APPOINT AN EXECUTIVE COMMITTEE AND MAY APPOINT SUCH OTHER COMMITTEES AS THE BOARD DEEMS NECESSARY OR DESIRABLE.”.

On page 5, in line 13, strike “20-104.” and substitute “20-105.”.

On page 6, in line 29, strike “20-105.” and substitute “20-106.”; after line 30, insert:

“THE CORPORATION SHALL.”;

in line 31, strike “(A) THE PURPOSE OF THE CORPORATION IS TO” and substitute “(1)”; in line 35, strike the period and substitute a semicolon; and strike line 36 in its entirety.

On page 7, in lines 1, 4, 15, 17, 22, and 30, strike “(1)”, “(2)”, “(3)”, “20-106.”, “20-107.”, and “20-108.”, respectively, and substitute “(2)”, “(3)”, “(4)”, “20-107.”, “20-108.”, and “20-109.”, respectively; and in line 20, strike “MUSEUM PLAN” and substitute “PROGRAMS”.

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On page 8, in line 3, strike “INCOME” and substitute “REVENUE”; in line 6, strike “20-109.” and substitute “20-110.”; in line 10, after “DIRECTORS,” insert “IN ANY STATE OR NATIONAL BANK OR FEDERALLY INSURED SAVINGS AND LOAN ASSOCIATION LOCATED IN THE STATE HAVING A TOTAL PAID-IN CAPITAL OF AT LEAST \$1,000,000.”; strike beginning with “IN” in line 13 down through “\$10,000,000.” in line 19; and strike beginning with “A” in line 21 down through “COMPANY” in line 22 and substitute “THE TRUST DEPARTMENT OF ANY STATE OR NATIONAL BANK OR SAVINGS AND LOAN ASSOCIATION”.

On page 9, in line 18, after “ASSEMBLY.” insert “EACH REPORT SHALL:”; strike in their entirety lines 19 and 20; in line 25, strike “20-110.” and substitute “20-111.”; and after line 25, insert:

“(A) FOR PURPOSES OF APPLYING FOR, RECEIVING, AND ENTERING INTO AGREEMENTS IN CONNECTION WITH LOANS, GRANTS, INSURANCE, OR OTHER FORMS OF FINANCIAL ASSISTANCE, THE CORPORATION IS:

(1) A PUBLIC BODY WITHIN THE MEANING OF THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY ACT; AND

(2) A POLITICAL SUBDIVISION WITHIN THE MEANING OF THE MARYLAND INDUSTRIAL LAND ACT AND THE MARYLAND INDUSTRIAL AND COMMERCIAL REDEVELOPMENT FUND ACT.

(B) THE PROVISIONS OF ARTICLE 83A, §§ 5-712, 5-713, AND 5-803(C)(2)(IV) OF THE CODE DO NOT APPLY TO THE CORPORATION WHEN IT IS RECEIVING FINANCIAL ASSISTANCE AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION.”.

On page 10, strike in their entirety lines 1 through 8, inclusive; and in line 9, strike “20-111.” and substitute “20-112.”.

On page 11, in lines 1 and 3, strike “20-112.” and “20-113.”, respectively, and substitute “20-113.” and “20-114.”, respectively; after line 6, insert:

“31-102.

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

(2) the following governmental units:

(xx) subject to § 31-107 of this subtitle, the University of Maryland Medical System Corporation; [and]

(xxi) the Upper Potomac River Commission[.]; AND

(XXII) SUBJECT TO § 31-106.1 OF THIS SUBTITLE, THE MARYLAND AFRICAN AMERICAN MUSEUM CORPORATION.”;

strike in their entirety lines 13 through 17, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the members of the Maryland Museum of African American History and Culture Commission created by Executive Order 01.01.1994.23, serving as of July 1, 1998, who have expertise in African American history, culture, museums, or related areas, shall be appointed as members of the Board of Directors of the Maryland African American Museum Corporation, subject to their consent.”;

in line 19, strike “members” and substitute “any member”; in line 20, in each instance, strike “5” and substitute “10”; in line 21, strike “5” and substitute “11”; and strike in their entirety lines 22 through 32, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of this Act, the Chairman of the Maryland Museum of African American History and Culture Commission shall serve as the initial Chairman of the Board of Directors.

SECTION 5. AND BE IT FURTHER ENACTED, That the Maryland Museum of African American History and Culture Commission shall terminate upon appointment and qualification of its

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consenting members to the Board of Directors, but in any case no later than October 1, 1998.”.