

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Conroy” and substitute “Conroy, Cane, D. Davis, Stern, Oaks, Sher, Hammen, Owings, Elliott, Stull, Morhaim, Nathan-Pulliam, Klausmeier, Boutin, Billings, and Weir”; strike beginning with “as” in line 3 down through “Department” in line 4; in line 4, strike “serve” and substitute “promote the general welfare of”; in line 5, after “individuals” insert “in the State; providing for the powers, duties, and responsibilities of the Office”; in line 6, after “Office;” insert “providing for staffing of the Office; creating the Maryland Advisory Council for the Deaf and Hard of Hearing; providing for the membership, appointment, qualifications, terms, powers, duties, and responsibilities of the Council;”; and in the same line, strike “and providing for the duties of the Office” and substitute “requiring the Director to submit certain annual reports on or before certain dates in a certain manner; specifying the terms of the initial members of the Council; defining certain terms; and generally relating to the Office of the Deaf and Hard of Hearing”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 8 and 9 and substitute:

“Article - State Government

Section 9-2301 through 9-2307, inclusive, to be under the new subtitle “Subtitle”;

in line 10, strike “2.” and substitute “23.”; and in line 12, strike “1997” and substitute “1999”.

AMENDMENT NO. 3

On page 1, strike in its entirety line 15 and substitute:

“Article - State Government”;

(Over)

in line 16, strike “2.” and substitute “23.”; and in line 17, strike “10-201.” and substitute “9-2301.”.

On page 2, in line 5, strike “10-202.” and substitute “9-2302.”.

On page 3, in line 1, strike “10-203.” and substitute “9-2303.”.

AMENDMENT NO. 4

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 4 on page 2, inclusive, and substitute:

“(B) “COUNCIL” MEANS THE MARYLAND ADVISORY COUNCIL FOR DEAF AND HARD OF HEARING INDIVIDUALS.

(C) (1) “DEAF AND HARD OF HEARING INDIVIDUALS” MEANS THOSE RESIDENTS OF MARYLAND WHO HAVE A PARTIAL OR COMPLETE LOSS OF HEARING.

(2) “DEAF AND HARD OF HEARING INDIVIDUALS” INCLUDES THE DEAF, THE HARD OF HEARING, AND THE LATE-DEAFENED.

(D) “DIRECTOR” MEANS THE DIRECTOR OF THE OFFICE.

(E) “OFFICE” MEANS THE OFFICE OF THE DEAF AND HARD OF HEARING.”.

AMENDMENT NO. 5

On page 2, in line 6, after “(A)” insert “IN THE OFFICE OF THE GOVERNOR,”; in line 18, strike “DIRECTOR” and substitute “OFFICE”; in line 20, after “OFFICE;” insert “AND”; in line 22, strike the semicolon and substitute a period; in line 23, strike “(III)” and substitute:

“(2) THE DIRECTOR SHALL:

(I)”;

in line 26, strike “(IV)” and substitute “(II)”; in line 28, strike “(2)” and substitute “(3)”; and after line 31, insert:

“(D) THE OFFICE SHALL BE GIVEN ADEQUATE STAFF AND FUNDING TO CARRY OUT ITS DUTIES.”.

AMENDMENT NO. 6

On page 4, after line 17, insert:

“9-2304.

(A) THERE IS A MARYLAND ADVISORY COUNCIL FOR THE DEAF AND HARD OF HEARING.

(B) (1) THE COUNCIL CONSISTS OF 15 MEMBERS APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE.

(2) OF THE 15 COUNCIL MEMBERS, AT LEAST FIVE OF THE MEMBERS SHALL BE DEAF AND HARD OF HEARING INDIVIDUALS.

(C) OF THE 15 COUNCIL MEMBERS:

(1) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE STATE DEPARTMENT OF EDUCATION;

(2) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

(3) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE DEPARTMENT OF HUMAN RESOURCES;

(4) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE DEPARTMENT OF TRANSPORTATION;

(Over)

(5) ONE SHALL BE FROM THE HUMAN RELATIONS COMMISSION;

(6) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION;

(7) ONE SHALL BE THE SECRETARY OR A DESIGNEE FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND

(8) EIGHT SHALL BE FROM THE GENERAL PUBLIC.

(D) (1) THE EIGHT MEMBERS FROM THE GENERAL PUBLIC SHALL BE CHOSEN FROM DIFFERENT GEOGRAPHICAL AREAS OF THE STATE.

(2) OF THE EIGHT MEMBERS FROM THE GENERAL PUBLIC:

(I) FIVE SHALL BE DEAF AND HARD OF HEARING INDIVIDUALS;

(II) ONE SHALL BE A PRIVATE CITIZEN WITH SPECIAL KNOWLEDGE OR EXPERTISE RELATING TO SERVICES TO DEAF AND HARD OF HEARING INDIVIDUALS;

(III) ONE SHALL BE A PARENT OF A DEAF OR HARD OF HEARING CHILD; AND

(IV) ONE SHALL BE FROM A PRIVATE AGENCY PROVIDING SERVICES TO DEAF AND HARD OF HEARING INDIVIDUALS.

9-2305.

(A) THE TERM OF A MEMBER OF THE COUNCIL IS 3 YEARS.

(B) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE

TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON OCTOBER 1, 2001.

(C) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) A MEMBER MAY NOT SERVE CONSECUTIVELY MORE THAN TWO 3-YEAR TERMS.

(F) ANY MEMBER WHO FAILS TO ATTEND AT LEAST 50 PERCENT OF THE REGULARLY SCHEDULED MEETINGS DURING ANY 12-MONTH PERIOD SHALL BE CONSIDERED TO HAVE RESIGNED.

9-2306.

THE COUNCIL SHALL:

- (1) ADVISE THE OFFICE IN CARRYING OUT ITS DUTIES;
- (2) REVIEW STATEWIDE ACTIVITIES FOR DEAF AND HARD OF HEARING INDIVIDUALS, INCLUDING REVIEWING REPORTS AND PUBLICATIONS OF COMMITTEES AND COMMISSIONS;
- (3) FOSTER COORDINATION OF AND SUPPORT FOR PROGRAMS FOR DEAF AND HARD OF HEARING INDIVIDUALS;
- (4) STUDY WAYS TO MAXIMIZE THE USE OF THE FACILITIES AND SERVICES AVAILABLE TO DEAF AND HARD OF HEARING INDIVIDUALS;
- (5) HOLD:

(Over)

(I) AT LEAST QUARTERLY, REGULARLY SCHEDULED MEETINGS; AND

(II) OPEN MEETINGS TO PROVIDE DIRECT COMMUNICATION, BETWEEN DEAF AND HARD OF HEARING INDIVIDUALS AND PRIVATE AND PUBLIC ORGANIZATIONS AND THE GENERAL PUBLIC, ABOUT PROGRAMS AND SERVICES FOR AND NEEDS OF DEAF AND HARD OF HEARING INDIVIDUALS; AND

(6) ASSIST ANY LOCAL GOVERNING BODY OF A COUNTY TO ESTABLISH A LOCAL ADVISORY COUNCIL FOR DEAF AND HARD OF HEARING INDIVIDUALS IN THE COUNTY FOR PURPOSES OF IMPLEMENTING THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT OF 1990 AND OTHER RELEVANT STATE AND FEDERAL LAWS.

9-2307.

ON OR BEFORE JANUARY 1, 2002, AND ANNUALLY THEREAFTER, THE DIRECTOR SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, TO THE MEMBERS OF THE GENERAL ASSEMBLY, A REPORT ON:

(1) THE ACTIVITIES OF THE OFFICE;

(2) THE STATUS OF PROGRAMS AND SERVICES FACILITATED BY THE OFFICE;

(3) STATISTICS ON COMPLIANCE WITH STATE AND FEDERAL LAWS RELATED TO DEAF AND HARD OF HEARING INDIVIDUALS; AND

(4) RECOMMENDATIONS FOR IMPROVED DELIVERY OF SERVICES FOR DEAF AND HARD OF HEARING INDIVIDUALS.”.

AMENDMENT NO. 7

On page 4, in line 18, after “2.” insert “AND BE IT FURTHER ENACTED, That the terms of the initial members of the Maryland Advisory Council for the Deaf and Hard of Hearing shall expire as follows:”

- (1) five members in 2002;
- (2) five members in 2003; and
- (3) five members in 2004.

SECTION 3.”.