
By: **The Speaker (By Request - Administration) and Delegates Aumann, Bates, Boschert, Boteler, Boutin, Cluster, Costa, Cryor, DeBoy, Doory, Eckardt, Edwards, Elliott, Elmore, Frank, Fulton, Haddaway, Hammen, Impallaria, Jones, Kelly, Krebs, Kullen, Malone, McComas, McConkey, McIntosh, McKee, Miller, Morhaim, Myers, Nathan-Pulliam, O'Donnell, Parrott, Proctor, Rudolph, Shank, Shewell, Stocksdale, Stull, Walkup, and Weldon Weldon, Benson, Bromwell, Donoghue, Goldwater, Hubbard, Hurson, Kach, Mandel, Oaks, Pendergrass, and V. Turner**

Introduced and read first time: January 25, 2005
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: April 2, 2005

CHAPTER _____

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Federally Qualified Health**
3 **Centers Grant Program**

4 FOR the purpose of creating the Federally Qualified Health Centers Grant Program;
5 authorizing the Board of Public Works, on the recommendation of the Secretary
6 of Health and Mental Hygiene, to provide grants under the Program to counties,
7 municipal corporations, and nonprofit corporations for the conversion of public
8 buildings to federally qualified health centers facilities, the acquisition of
9 existing buildings or parts of buildings for use as federally qualified health
10 centers, the renovation of federally qualified health centers, the purchase of
11 capital equipment for federally qualified health centers, and the planning,
12 design, and construction of federally qualified health centers; requiring the
13 Department of Health and Mental Hygiene to make certain recommendations;
14 providing for the application process; authorizing the Board of Public Works to
15 adopt certain regulations; providing certain terms, conditions, and limitations
16 on the allocations, use, and amount of State grants; prohibiting proceeds of a
17 grant from being used for certain religious purposes; requiring the Governor to
18 include funding in the capital budget for the Federally Qualified Health Centers
19 Grant Program; authorizing the State, under certain circumstances, to recover a
20 certain portion of the State funds expended; providing for a certain judicial
21 proceeding and liens to enforce the State's right of recovery and the priority of

1 the proceeding and the lien; requiring the Department to adopt certain
2 regulations; defining certain terms; and generally relating to grants for
3 federally qualified health centers.

4 BY adding to

5 Article - Health - General

6 Section 24-1301 through 24-1307, inclusive, to be under the new subtitle

7 "Subtitle 13. Federally Qualified Health Centers Grant Program"

8 Annotated Code of Maryland

9 (2000 Replacement Volume and 2004 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Health - General**

13 **SUBTITLE 13. FEDERALLY QUALIFIED HEALTH CENTERS GRANT PROGRAM.**

14 24-1301.

15 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (B) "FEDERALLY QUALIFIED HEALTH CENTER" MEANS A HEALTH CENTER
18 THAT IS:

19 (1) DESIGNATED AS A FEDERALLY QUALIFIED HEALTH CENTER UNDER
20 § 330 OF THE FEDERAL PUBLIC HEALTH SERVICE ACT, 42 U.S.C. 254B; AND

21 (2) WHOLLY OWNED BY AND OPERATED UNDER THE AUTHORITY OF A
22 COUNTY, MUNICIPAL CORPORATION, OR NONPROFIT ORGANIZATION.

23 (C) "NONPROFIT ORGANIZATION" MEANS:

24 (1) A BONA FIDE RELIGIOUS ORGANIZATION, NO PART OF THE
25 EARNINGS OF WHICH INURES TO THE BENEFIT OF ANY INDIVIDUAL OR IS USED FOR
26 ANY PURPOSE OTHER THAN THE MAINTENANCE AND OPERATION OF A FACILITY,
27 THE PURCHASE OF EQUIPMENT TO BE USED IN A FACILITY, OR THE EXPANSION OF A
28 FACILITY; OR

29 (2) AN ORGANIZATION:

30 (I) THAT IS CHARTERED AS A NONPROFIT CORPORATION AND
31 CLASSIFIED BY THE INTERNAL REVENUE SERVICE AS NONPROFIT; AND

32 (II) NO PART OF THE EARNINGS OF WHICH INURES TO THE
33 BENEFIT OF ANY INDIVIDUAL OR IS USED FOR ANY PURPOSE OTHER THAN THE
34 MAINTENANCE AND OPERATION OF A FACILITY, THE PURCHASE OF EQUIPMENT TO
35 BE USED IN A FACILITY, OR THE EXPANSION OF A FACILITY.

1 (D) "WHOLLY OWNED" INCLUDES LEASED, IF:

2 (1) (I) THE LEASE IS FOR A MINIMUM TERM OF 30 YEARS FOLLOWING
3 PROJECT COMPLETION; OR

4 (II) THE LEASE AGREEMENT EXTENDS THE RIGHT OF PURCHASE
5 TO THE LESSEE; AND

6 (2) THE LESSOR CONSENTS TO THE RECORDING IN THE LAND RECORDS
7 OF THE COUNTY OR BALTIMORE CITY WHERE THE FACILITY IS LOCATED, OF A
8 NOTICE OF THE STATE'S RIGHT OF RECOVERY AS PROVIDED UNDER § 24-1306 OF THIS
9 SUBTITLE.

10 24-1302.

11 (A) THERE IS A FEDERALLY QUALIFIED HEALTH CENTERS GRANT PROGRAM.

12 (B) ON THE RECOMMENDATION OF THE SECRETARY, THE BOARD OF PUBLIC
13 WORKS MAY MAKE GRANTS TO COUNTIES, MUNICIPAL CORPORATIONS, AND
14 NONPROFIT ORGANIZATIONS FOR:

15 (1) THE CONVERSION OF PUBLIC BUILDINGS OR PARTS OF PUBLIC
16 BUILDINGS TO FEDERALLY QUALIFIED HEALTH CENTERS;

17 (2) THE ACQUISITION OF EXISTING BUILDINGS OR PARTS OF BUILDINGS
18 FOR USE AS FEDERALLY QUALIFIED HEALTH CENTERS;

19 (3) THE RENOVATION OF FEDERALLY QUALIFIED HEALTH CENTERS;

20 (4) THE PURCHASE OF CAPITAL EQUIPMENT FOR FEDERALLY
21 QUALIFIED HEALTH CENTERS; OR

22 (5) THE PLANNING, DESIGN, AND CONSTRUCTION OF FEDERALLY
23 QUALIFIED HEALTH CENTERS.

24 24-1303.

25 (A) ANY COUNTY, MUNICIPAL CORPORATION, OR NONPROFIT ORGANIZATION
26 SPONSORING A PROJECT INVOLVING WORK SPECIFIED IN § 24-1302 OF THIS
27 SUBTITLE MAY APPLY TO THE SECRETARY FOR A STATE GRANT TO BE APPLIED
28 TOWARD THE COST OF THAT PROJECT.

29 (B) THE APPLICATION FOR A GRANT SHALL INCLUDE:

30 (1) PROJECT PLANS FOR THE WORK TO BE CARRIED OUT;

31 (2) A STATEMENT LISTING THE PERSONNEL EMPLOYED OR TO BE
32 EMPLOYED AT THE FEDERALLY QUALIFIED HEALTH CENTER, INCLUDING ALL
33 REMUNERATION AND PERQUISITES FOR PERSONAL SERVICES AND ALL OTHER
34 EXPENSES PAID OR TO BE PAID TO THE PERSONNEL;

1 (3) ALL OTHER EXPENSES INCURRED OR TO BE INCURRED IN
2 OPERATING THE FEDERALLY QUALIFIED HEALTH CENTER; AND

3 (4) THE SCHEDULE OF RATES CHARGED OR TO BE CHARGED FOR
4 SERVICES RENDERED.

5 (C) ON APPROVAL OF A PROJECT AND THE PROJECT PLANS, THE SECRETARY
6 SHALL PROMPTLY REPORT THE APPLICATION TO THE BOARD OF PUBLIC WORKS,
7 TOGETHER WITH THE SECRETARY'S RECOMMENDATION THAT THE BOARD MAKE
8 FUNDS AVAILABLE AS PROVIDED IN THIS SUBTITLE.

9 24-1304.

10 (A) THE ALLOCATION AND USE OF STATE FUNDS UNDER THIS SUBTITLE ARE
11 SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THIS SECTION.

12 (B) STATE FUNDS MAY ONLY BE USED FOR THE PURPOSES LISTED UNDER §
13 24-1302 OF THIS SUBTITLE AND APPROVED BY THE SECRETARY UNDER § 24-1303 OF
14 THIS SUBTITLE.

15 (C) THE ALLOCATION AND USE OF STATE FUNDS UNDER THIS SUBTITLE ARE
16 SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

17 (1) ANY FEDERAL OR OTHER GRANT THAT IS RECEIVED FOR AN
18 ELIGIBLE PROJECT SHALL BE APPLIED FIRST TO THE COST OF THE PROJECT;

19 (2) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A STATE
20 GRANT MAY NOT EXCEED 50% OF THE COST OF ELIGIBLE WORK REMAINING UNPAID
21 AFTER ALL FEDERAL GRANTS HAVE BEEN APPLIED; AND

22 (3) FOR PURPOSES OF THIS SUBTITLE, COMMUNITY DEVELOPMENT
23 BLOCK GRANT FUNDS SHALL BE CONSIDERED AS LOCAL MATCHING FUNDS AND MAY
24 NOT BE CONSIDERED AS FEDERAL GRANT FUNDS.

25 (D) FOR A PROJECT DESIGNATED AS ELIGIBLE FOR POVERTY AREA FUNDING
26 UNDER FEDERAL REGULATIONS, STATE PLANS, OR DEPARTMENTAL REGULATIONS, A
27 STATE GRANT MAY COVER UP TO 75% OF THE COST OF ELIGIBLE WORK REMAINING
28 UNPAID AFTER ALL FEDERAL GRANTS HAVE BEEN APPLIED.

29 (E) THE AMOUNT OF THE STATE GRANT RECOMMENDED TO THE BOARD OF
30 PUBLIC WORKS FOR ANY PROJECT SHALL BE DETERMINED AFTER CONSIDERATION
31 OF:

32 (1) ALL ELIGIBLE PROJECTS;

33 (2) THE TOTAL OF UNALLOCATED STATE FUNDS AVAILABLE AT THE
34 TIME THE GRANT RECOMMENDATION IS MADE TO THE BOARD OF PUBLIC WORKS;
35 AND

36 (3) THE PRIORITIES OF AREA NEED ESTABLISHED BY THE DEPARTMENT.

1 (F) (1) NO PORTION OF THE PROCEEDS OF A STATE GRANT MAY BE USED:

2 (I) TO FURTHER SECTARIAN RELIGIOUS INSTRUCTION;

3 (II) IN CONNECTION WITH THE DESIGN, ACQUISITION, OR
4 CONSTRUCTION OF ANY BUILDING TO BE USED AS A PLACE OF SECTARIAN
5 RELIGIOUS WORSHIP OR INSTRUCTION; OR

6 (III) IN CONNECTION WITH ANY PROGRAM OR DEPARTMENT OF
7 DIVINITY FOR ANY RELIGIOUS DENOMINATION.

8 (2) ON THE REQUEST OF THE BOARD OF PUBLIC WORKS, THE
9 APPLICANT SHALL SUBMIT EVIDENCE SATISFACTORY TO THE BOARD THAT THE
10 PROCEEDS OF THE GRANT ARE NOT BEING USED FOR A PURPOSE PROHIBITED
11 UNDER THIS SUBSECTION OR UNDER APPLICABLE FEDERAL LAW.

12 (G) BEGINNING IN FISCAL YEAR 2007 AND CONTINUING EVERY FISCAL YEAR
13 THEREAFTER, THE GOVERNOR SHALL INCLUDE AN APPROPRIATION IN THE STATE
14 CAPITAL BUDGET TO BE DISTRIBUTED AND MANAGED IN ACCORDANCE WITH THIS
15 SUBTITLE.

16 24-1305.

17 (A) THE BOARD OF PUBLIC WORKS SHALL MAKE ALLOCATIONS FROM FUNDS
18 AVAILABLE UNDER THIS SUBTITLE IN ACCORDANCE WITH THIS SUBTITLE.

19 (B) THE BOARD SHALL CERTIFY THE ALLOCATIONS TO THE PROPER STATE
20 OFFICERS, AND THE TREASURER SHALL MAKE PAYMENTS TO OR ON BEHALF OF THE
21 APPLICANT, WHEN NEEDED, FOR THE APPROVED PROJECT.

22 (C) THE BOARD OF PUBLIC WORKS MAY ADOPT REGULATIONS TO IMPLEMENT
23 THIS SECTION.

24 24-1306.

25 (A) THE STATE MAY RECOVER FROM EITHER THE TRANSFEROR OR
26 TRANSFEREE OR, IN THE CASE OF A PROPERTY THAT HAS CEASED TO BE A
27 FEDERALLY QUALIFIED HEALTH CENTER, FROM THE OWNER, AN AMOUNT BEARING
28 THE SAME RATIO TO THE THEN CURRENT VALUE OF SO MUCH OF THE PROPERTY AS
29 CONSTITUTED AN APPROVED PROJECT AS THE AMOUNT OF THE STATE
30 PARTICIPATION BORE TO THE TOTAL ELIGIBLE COST OF THE APPROVED PROJECT,
31 TOGETHER WITH ALL COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE
32 STATE IN THE RECOVERY PROCEEDINGS, IF, WITHIN 30 YEARS AFTER COMPLETION
33 OF A PROJECT, A PROPERTY FOR WHICH FUNDS HAVE BEEN PAID UNDER THIS
34 SUBTITLE:

35 (1) IS SOLD OR TRANSFERRED TO ANY PERSON, AGENCY, OR
36 ORGANIZATION THAT WOULD NOT QUALIFY AS AN APPLICANT UNDER THIS
37 SUBTITLE, OR THAT IS NOT APPROVED AS A TRANSFEREE BY THE BOARD OF PUBLIC
38 WORKS; OR

1 (2) CEASES TO BE A FEDERALLY QUALIFIED HEALTH CENTER AS
2 DEFINED IN THIS SUBTITLE.

3 (B) (1) BEFORE THE STATE MAKES ANY FUNDS AVAILABLE FOR AN
4 APPROVED PROJECT, THE DEPARTMENT SHALL CAUSE A NOTICE OF THIS RIGHT OF
5 RECOVERY TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY OR
6 BALTIMORE CITY WHERE THE PROPERTY IS LOCATED.

7 (2) THE RECORDING OF THE NOTICE:

8 (I) DOES NOT CREATE A LIEN AGAINST THE PROPERTY; BUT

9 (II) SHALL CONSTITUTE NOTICE TO ANY POTENTIAL TRANSFEREE,
10 POTENTIAL TRANSFEROR, POTENTIAL CREDITOR, OR OTHER INTERESTED PARTY OF
11 THE POSSIBILITY THAT THE STATE MAY OBTAIN A LIEN UNDER THIS SUBTITLE.

12 (C) (1) (I) THE SECRETARY OF THE BOARD OF PUBLIC WORKS MAY FILE A
13 CIVIL COMPLAINT UNDER SUBSECTION (B) OF THIS SECTION, IN THE CIRCUIT COURT
14 FOR THE COUNTY OR BALTIMORE CITY WHERE THE PROPERTY IS LOCATED, AGAINST
15 THE OWNER OF THE PROPERTY AND ANY OTHER INTERESTED PARTIES, INCLUDING
16 ANY TRANSFEROR THAT THE STATE WISHES TO MAKE A PARTY.

17 (II) THE COMPLAINT SHALL BE FILED WITH:

18 1. SWORN AFFIDAVITS STATING FACTS ON WHICH THE
19 ALLEGATIONS OF DEFAULT ARE BASED; AND

20 2. A DETAILED JUSTIFICATION OF THE AMOUNT CLAIMED.

21 (2) IF THE CIRCUIT COURT DETERMINES FROM THE STATE'S INITIAL
22 FILING THAT A DEFAULT HAS OCCURRED, PENDING FULL DETERMINATION OF THE
23 STATE'S CLAIM, THE COURT SHALL AUTHORIZE A TEMPORARY LIEN ON THE
24 PROPERTY:

25 (I) IN THE AMOUNT OF THE STATE'S COMPLAINT PLUS ANY
26 ADDITIONAL AMOUNT ESTIMATED TO BE NECESSARY TO COVER THE COSTS AND
27 REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE; OR

28 (II) IN OTHER AMOUNTS THAT THE COURT DETERMINES TO BE
29 REASONABLE.

30 (3) (I) A TEMPORARY LIEN SHALL TAKE EFFECT:

31 1. ON THE DATE OF THE COURT'S AUTHORIZATION, IF THE
32 SECRETARY OF THE BOARD OF PUBLIC WORKS RECORDS A NOTICE OF TEMPORARY
33 LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY WHERE THE
34 PROPERTY IS LOCATED WITHIN 10 DAYS AFTER THE COURT'S AUTHORIZATION; OR

35 2. ON THE DATE A NOTICE OF TEMPORARY LIEN IS
36 RECORDED.

1 (II) WHILE THE TEMPORARY LIEN IS IN EFFECT, NEITHER THE
2 OWNER NOR ANY PERSON WHO ACQUIRED AN INTEREST IN THE PROPERTY AFTER
3 THE STATE FIRST MADE FUNDS AVAILABLE IN CONNECTION WITH THE PROPERTY
4 MAY, WITHOUT THE PRIOR WRITTEN CONSENT OF THE STATE:

5 1. TAKE ANY ACTION THAT WOULD AFFECT THE TITLE TO
6 THE PROPERTY; OR

7 2. INSTITUTE ANY PROCEEDINGS TO ENFORCE A SECURITY
8 INTEREST OR OTHER SIMILAR RIGHTS IN THE PROPERTY.

9 (4) (I) THE OWNER OF THE PROPERTY OR ANY OTHER INTERESTED
10 PARTY MAY OBTAIN RELEASE OF A TEMPORARY LIEN AT ANY TIME BY FILING WITH
11 THE COURT A BOND SECURING THE PAYMENT IN FULL OF THE STATE'S CLAIM AND
12 ANY ADDITIONAL AMOUNT NECESSARY TO COVER THE COSTS AND REASONABLE
13 ATTORNEYS' FEES INCURRED BY THE STATE.

14 (II) THE OWNER OR OTHER INTERESTED PARTY MAY CAUSE THE
15 RELEASE TO BE RECORDED IN THE LAND RECORDS.

16 (D) PROCEEDINGS TO DETERMINE THE STATE'S RIGHT TO RECOVER AND THE
17 AMOUNT OF ITS RECOVERY UNDER THIS SUBTITLE SHALL HAVE PRIORITY OVER
18 OTHER CIVIL PROCEEDINGS IN THE CIRCUIT COURTS.

19 (E) (I) (I) AT THE CONCLUSION OF FULL ADVERSARY PROCEEDINGS ON
20 THE ISSUE OF DEFAULT AND OF ANY DISPUTES OVER THE AMOUNT OF THE STATE'S
21 RECOVERY, THE CIRCUIT COURT SHALL, IF IT FINDS THAT A DEFAULT HAS
22 OCCURRED, ISSUE A FINAL JUDGMENT FOR THE AMOUNT IT FINDS TO BE
23 RECOVERABLE BY THE STATE.

24 (II) ALL PARTIES INVOLVED IN THE DEFAULT, INCLUDING IN
25 EVERY CASE THE OWNER OF THE PROPERTY, SHALL BE HELD JOINTLY AND
26 SEVERALLY LIABLE TO THE STATE FOR THE AMOUNT OF THE JUDGMENT.

27 (2) (I) EXCEPT AS THE STATE MAY OTHERWISE PROVIDE BY A
28 WRITTEN SUBORDINATION AGREEMENT, IF THE AMOUNT OF THE FINAL JUDGMENT
29 REMAINS UNPAID AFTER 30 DAYS FOLLOWING THE COURT'S FINAL ORDER, THE
30 FINAL JUDGMENT SHALL CONSTITUTE A LIEN ON THE PROPERTY, SUPERIOR TO THE
31 LIEN OR OTHER INTEREST OF A MORTGAGEE, PLEDGEE, PURCHASER, OR JUDGMENT
32 CREDITOR WHOSE INTEREST BECAME PERFECTED AGAINST THIRD PERSONS AFTER
33 THE STATE FIRST MADE FUNDS AVAILABLE UNDER THIS SUBTITLE.

34 (II) 1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, A LIEN
35 TAKES EFFECT ON THE DATE A NOTICE OF LIEN IS RECORDED.

36 2. A LIEN TAKES EFFECT ON THE 31ST DAY FOLLOWING THE
37 COURT'S FINAL ORDER IF THE SECRETARY OF THE BOARD OF PUBLIC WORKS
38 RECORDS A NOTICE OF LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE
39 CITY WHERE THE PROPERTY IS LOCATED ON OR BEFORE THE 41ST DAY FOLLOWING
40 THE FINAL ORDER.

1 (III) 1. AT THE TIME THAT A LIEN TAKES EFFECT, ANY
2 TEMPORARY LIEN THEN IN EFFECT SHALL BE AUTOMATICALLY AND FULLY
3 RELEASED.

4 2. THE RECORDED NOTICE OF A LIEN SHALL CONSTITUTE
5 NOTICE OF THE RELEASE OF A TEMPORARY LIEN.

6 (IV) A LIEN IMPOSED UNDER THIS SUBSECTION MAY BE ENFORCED
7 AND FORECLOSED IN ACCORDANCE WITH THE PROCEDURES PRESCRIBED IN THE
8 MARYLAND RULES, EXCEPT THAT NEITHER THE STATE NOR ANY AGENT APPOINTED
9 BY THE STATE TO SELL THE PROPERTY NEED FILE A BOND.

10 (3) (I) THE OWNER OR ANY OTHER INTERESTED PARTY MAY OBTAIN
11 RELEASE OF A LIEN AT ANY TIME BY PAYING TO THE STATE THE FULL AMOUNT OF
12 THE JUDGMENT RENDERED BY THE CIRCUIT COURT, TOGETHER WITH INTEREST
13 FROM THE DATE OF JUDGMENT.

14 (II) ON PAYMENT IN FULL, THE SECRETARY OF THE BOARD OF
15 PUBLIC WORKS SHALL CAUSE A RELEASE TO BE RECORDED IN THE LAND RECORDS.

16 (4) IF THE CIRCUIT COURT FINDS THAT THERE HAS BEEN NO DEFAULT
17 OR IF THE FULL AMOUNT OF THE COURT'S JUDGMENT IS PAID TO THE STATE WITHIN
18 30 DAYS AFTER THE COURT'S FINAL ORDER, A TEMPORARY LIEN THEN IN EFFECT
19 SHALL BE RELEASED IMMEDIATELY AND THE SECRETARY OF THE BOARD OF PUBLIC
20 WORKS SHALL CAUSE THE RELEASE TO BE RECORDED IN THE LAND RECORDS.

21 (F) (1) ALL FUNDS RECOVERED AS A RESULT OF THIS RIGHT OF RECOVERY
22 SHALL BE DEPOSITED IN THE ANNUITY BOND FUND AND APPLIED TO THE DEBT
23 SERVICE REQUIREMENTS OF THE STATE.

24 (2) IF THE BOARD DETERMINES THAT THERE IS GOOD CAUSE FOR
25 RELEASING THE TRANSFEROR, TRANSFEREE, OR OWNER FROM THE OBLIGATION
26 IMPOSED UNDER THIS SUBTITLE, THE BOARD OF PUBLIC WORKS MAY WAIVE THE
27 STATE'S RIGHT OF RECOVERY UNDER THIS SUBTITLE.

28 24-1307.

29 THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE
30 PROVISIONS OF THIS SUBTITLE.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect July 1, 2005.

