

HB1039/339033/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1039
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 27, strike the period; in line 34, after “law;” insert “requiring the Authority to publish certain notices in certain newspapers of record;”; strike beginning with “requiring” in line 44 down through “Directors;” in line 45; and in line 47, strike “establishing certain duties of the Board” and substitute “specifying the membership of the Authority that constitutes a quorum”.

On page 2 in lines 46 and 48, and on page 3 in lines 1, 2, and 4, in each instance, strike “Board” and substitute “Authority”.

On page 3, in line 9, after “owners;” insert “establishing certain requirements a new owner or owners must meet;”; and in line 29, after “State” insert “and County”; in the same line, after “Center” insert “and regarding the expenditure of funds appropriated to the Authority for operating expenses”.

AMENDMENT NO. 2

On page 15, strike line 29 in its entirety; and in lines 30 and 31, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively; and in line 30, after the second “COUNTY” insert “, MARYLAND”.

On page 16, in lines 1, 3, 15, and 26, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

On page 19, strike beginning with “BE” in line 27 down through “SHALL” in line 29.

(Over)

On page 20, in lines 3 and 5, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; and in line 28, after “BOARD” insert “OF DIRECTORS”.

On page 20 in lines 4, 8, and 9, on page 21 in lines 8, 11, and 25, and on page 24 in line 19, in each instance, strike “BOARD” and substitute “AUTHORITY”.

On page 27, in line 1, strike “BOARD’S” and substitute “AUTHORITY’S”.

On page 30, in line 26, strike “of the Board”.

AMENDMENT NO. 3

On page 18, after line 17, insert:

“(5) THE AUTHORITY SHALL PUBLISH ALL NOTICES REQUIRED TO BE PUBLISHED UNDER THIS SUBTITLE IN NEWSPAPERS OF RECORD IN THE COUNTY AS PROVIDED BY SECTION 1008 OF THE COUNTY CHARTER.”

AMENDMENT NO. 4

On page 20, in line 26, strike the second “OR”; in line 29, strike the period and substitute a semicolon; and after line 29, insert:

“(III) HAVE A CURRENT OR PAST FINANCIAL INTEREST IN OR OTHER CONFLICT OF INTEREST WITH A POTENTIAL BIDDER;

(IV) BE A LOBBYIST LICENSED BY THE STATE ETHICS COMMISSION;

(V) BE A CHAIR OR TREASURER OF A POLITICAL COMMITTEE REGISTERED WITH THE STATE BOARD OF ELECTIONS OR THE FEDERAL ELECTIONS COMMISSION; OR

(VI) BE A MEMBER OF A POLITICAL PARTY CENTRAL COMMITTEE.”.

AMENDMENT NO. 5

On page 21, strike in their entirety lines 1 through 7, inclusive, and substitute:

“(C) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE BOARD SHALL CONSTITUTE A QUORUM IN ACCORDANCE WITH § 3 OF ROBERT’S RULES OF ORDER, 10TH EDITION.”.

AMENDMENT NO. 6

On page 22, after line 21, insert:

“(D) IF, AT THE END OF THE 60 DAYS, THE GOVERNOR, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL HAVE FAILED TO REACH AGREEMENT BUT BELIEVE THAT AN EXTENSION OF TIME WOULD ENABLE THEM TO REACH THE AGREEMENT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE GOVERNOR, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL:

(1) MAY EXTEND THEIR NEGOTIATIONS FOR UP TO BUT NOT MORE THAN 30 ADDITIONAL DAYS; AND

(2) SHALL NOTIFY THE AUTHORITY AND THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY OF THE EXTENSION OF TIME.”;

in line 22, strike “(D)” and substitute “(E)”; in line 29, after “AUTHORITY,” insert “OR WITHIN 90 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY IF THE PARTIES USE THE ADDITIONAL TIME AS SET FORTH IN SUBSECTION (D) OF THIS SECTION,”; and in line 35, after “60” insert “OR 90”.

On page 23, in line 1, strike “**(B) AND (C)**” and substitute “**(B), (C), AND (D)**”; and in line 4, strike “**§ 24-1604(D)(3)**” and substitute “**§ 24-1604(E)(3)**”.

On page 29 in line 26, and on page 30 in line 5, in each instance, strike “**§ 24-1604(D)(2)**” and substitute “**§ 24-1604(E)(2)**”.

AMENDMENT NO. 7

On page 24, in line 7, after “**OF**” insert “**ALL OF**”.

AMENDMENT NO. 8

On pages 24 and 25, strike in their entirety the lines beginning with line 31 on page 24 through line 1 on page 25, inclusive, and substitute:

“(III) THE DEVELOPMENT POTENTIAL OF THE REAL PROPERTY REMAINING CONSISTENT WITH THE SURROUNDING AREAS AS NECESSARY TO IMPLEMENT THE AGREEMENT TO TRANSFER THE PRINCE GEORGE’S COUNTY HEALTH CARE SYSTEM;”.

AMENDMENT NO. 9

On page 24, strike in their entirety lines 10 through 12, inclusive, and substitute:

“(I) THE PORTION OR PORTIONS OF THE REAL PROPERTY TO BE TRANSFERRED UNDER THE PROPOSAL;”.

AMENDMENT NO. 10

On page 24, in lines 14 and 18, in each instance, strike “**ACQUIRED OR**”; and in line 29, strike “**ACQUIRED BY OR**”.

On page 27, in lines 10 and 11, strike “**THAT ARE ACQUIRED BY THE NEW OWNER OR OWNERS**” and substitute “**OF THE PRINCE GEORGE’S COUNTY**”.

HEALTH CARE SYSTEM"; in line 13, after "SECTION;" insert "AND"; in line 16, strike "; AND" and substitute a period; strike in their entirety lines 17 through 20, inclusive; and in lines 29 and 30, strike "ACQUIRED BY THE NEW OWNER OR OWNERS" and substitute "OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM".

AMENDMENT NO. 11

On page 23, in line 5, strike "WITHIN 90 DAYS AFTER ITS ESTABLISHMENT,"; and in line 8, strike the period and substitute ":

(1) IF THE AGREEMENT REQUIRED UNDER § 24-1604(B) OF THIS SUBTITLE IS REACHED WITHIN 60 DAYS, THE AUTHORITY SHALL ISSUE THE REQUEST FOR PROPOSALS WITHIN 90 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY; AND

(2) IF THE AGREEMENT REQUIRED UNDER § 24-1604(B) OF THIS SUBTITLE IS REACHED WITHIN 90 DAYS AS SET FORTH IN § 24-1604(D) OF THIS SUBTITLE, THE AUTHORITY SHALL ISSUE THE REQUEST FOR PROPOSALS WITHIN 120 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY."

AMENDMENT NO. 12

On page 27, after line 20, insert:

"(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ANY PROPERTY ON WHICH THERE IS NO FACILITY DEFINED AS PART OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM AND WHICH THE NEW OWNER OR OWNERS OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM WILL NOT USE OR DEVELOP SHALL REMAIN UNDER THE CONTROL AND OWNERSHIP OF THE COUNTY.";

and in line 21, strike "(2)" and substitute "(3)".

AMENDMENT NO. 13

On page 27, in line 31, after "SYSTEM" insert ", IN ACCORDANCE WITH THE GOALS SET FOR THE HEALTH CARE SYSTEM IN § 24-1602(C) OF THIS SUBTITLE,".

AMENDMENT NO. 14

On page 27, in line 22, after "PLACING" insert "FOR ITS BENEFIT".

On page 28, in line 23, after "COUNTY" insert "FOR ITS BENEFIT".

AMENDMENT NO. 15

On page 28, in line 1, strike "ONE YEAR" and substitute "2 YEARS".

AMENDMENT NO. 16

On page 28, in line 14, strike "TWO APPRAISALS" and substitute "ONE APPRAISAL"; in line 17, strike "AND"; after line 17, insert:

"(III) ONE APPRAISAL SHALL BE CONDUCTED BY AN INDEPENDENT QUALIFIED APPRAISER SELECTED BY THE AUTHORITY THAT IS NEITHER UNDER CONTRACT WITH THE STATE NOR THE COUNTY; AND";

and in line 18, strike "(III)" and substitute "(IV)".

AMENDMENT NO. 17

On page 28, in line 20, after "DIMENSIONS" insert "OR THE COUNTY".

AMENDMENT NO. 18

On page 28, in line 21, strike "SHALL BE" and substitute "MAY NOT BE".

AMENDMENT NO. 19

On page 29, in line 2, strike "ALL" and substitute "THE".

AMENDMENT NO. 20

On page 29, in lines 14 and 15, strike "AT THE PLACE DESIGNATED BY THE AUTHORITY" and substitute "IN PRINCE GEORGE'S COUNTY".

AMENDMENT NO. 21

On page 30, in line 16, strike "(1)"; and strike in their entirety lines 20 through 24, inclusive.

On page 31, after line 21, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if it becomes necessary to sustain operations at the Prince George's County health care system, the State and the County shall each make an initial payment in equal amounts to Dimensions out of the \$12,000,000 each has appropriated for fiscal year 2009 in advance of the beginning of fiscal year 2009."

AMENDMENT NO. 22

On page 31, in line 22, strike "5." and substitute "6."; after line 28, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the money for operating expenses that the Prince George's County Hospital Authority receives from the State and Prince George's County in accordance with § 24-1607(c) of the Health – General Article, as enacted by Section 1 of this Act, shall be used only for necessary expenses and kept at a minimum for the purpose of maximizing the funding for the continued operation of the Prince George's County health care system. Any money provided to the Prince George's County Hospital Authority for operating expenses that is neither used nor necessary for use by the Authority shall be transferred to the Dimensions Health Corporation or the new owner or owners of the Prince George's County health care system.";

and in lines 29, 32, and 37, strike “6.”, “7.”, and “8.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

AMENDMENT NO. 23

On page 17, in line 13, after “**ARTICLE;**” insert “**AND**”.

On page 25, in lines 21 and 22, in each instance, strike “**PRINCE GEORGE’S**”.

On page 26, in lines 5 and 6, in each instance, strike “**PRINCE GEORGE’S**”; and in line 28, after “**FOR**” insert “**AN**”.

On page 27, in line 11, after the third “**THE**” insert “**PRINCE GEORGE’S COUNTY**”; in line 16, after the second “**THE**” insert “**PRINCE GEORGE’S COUNTY**”; and in line 34, after the third “**THE**” insert “**PRINCE GEORGE’S COUNTY**”.

On page 28, in line 3, after “**THE**” insert “**PRINCE GEORGE’S COUNTY**”.

On page 30, in line 27, strike “two” and substitute “2”; and in the same line, strike the second “of” and substitute “after”.

On page 31, in line 38, strike the first “two” and substitute “2”; in the same line, after the first “years” insert “from the date it is enacted”; and in the same line, strike “two years” and substitute “the 2-year period”.