

**SB0450/204431/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 450

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “testimony;” insert “establishing a State Board of Environmental Health Specialists Fund as a continuing, nonlapsing fund that is not subject to certain provisions of law; authorizing the Board to set certain fees for certain purposes; requiring certain fees to be set so as to approximate the cost of maintaining the Board; requiring certain funds to be generated by certain fees; requiring the Board to remit certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Fund; requiring the Fund to be used to cover certain costs; prohibiting the transfer or reversion of certain unspent portions of the Fund to the General Fund; prohibiting other State money to be used to support the Fund; requiring a designee of the Board to administer the Fund; requiring the legislative auditor to audit certain accounts and transactions of the Fund in accordance with certain provisions of law; altering the list of persons employed in certain job classifications that are not required to be licensed under this Act.”.

On page 2, strike beginning with “expressing” in line 1 down through “year” in line 4 and substitute “requiring the Department of Health and Mental Hygiene to ensure adequate funding for the Board during a certain fiscal year; authorizing the Department of Health and Mental Hygiene to transfer certain funds to the Board from certain other boards under certain circumstances”; after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 1-406

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)”;

in line 28, strike “21-205” and substitute “21-206”; and in line 38, strike “21-206.”.

(Over)

AMENDMENT NO. 2

On page 3, after line 11, insert:

“Article – Environment

1–406.

The following units, among other units, are included in the Department:

- (1) Air Quality Control Advisory Council;
- (2) Environmental Noise Advisory Council;
- (3) Hazardous Substances Advisory Council;
- (4) Radiation Control Advisory Board;
- (5) Science and Health Advisory Group;
- (6) [Board of Environmental Sanitarians;
- (7)] Board of Waterworks and Waste System Operators;
- [(8) (7)** Board of Well Drillers; and
- [(9) (8)** Hazardous Waste Facilities Siting Board.”.

AMENDMENT NO. 3

On page 8, after line 25, insert:

“(A) IN THIS SECTION, “FUND” MEANS THE STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS FUND.

“(B) THERE IS A STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS FUND.”;

in line 26, strike “(a)” and substitute “(C) (1)”; in the same line, strike beginning with “Except” through the second “the” and substitute “THE”; after line 27, insert:

“(2) THE FEES CHARGED SHALL BE SET SO AS TO APPROXIMATE THE COST OF MAINTAINING THE BOARD.

“(3) FUNDS TO COVER THE COMPENSATION AND EXPENSES OF THE BOARD MEMBERS SHALL BE GENERATED BY FEES SET UNDER THIS SECTION.”;

strike in their entirety, lines 28 and 29 and substitute:

“(D) (1) THE BOARD SHALL REMIT ALL FEES COLLECTED UNDER THIS TITLE TO THE COMPTROLLER.

“(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

“(E) (1) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE BOARD AS PROVIDED UNDER THIS ARTICLE.

“(2) THE FUND IS A CONTINUING, NONLAPSING FUND AND IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(Over)

**(3) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS ARTICLE.**

**(4) NO OTHER STATE MONEY MAY BE USED TO SUPPORT THE FUND.**

**(F) (1) A DESIGNEE OF THE BOARD SHALL ADMINISTER THE FUND.**

**(2) MONEY IN THE FUND MAY BE EXPENDED ONLY FOR ANY LAWFUL PURPOSE AUTHORIZED UNDER THIS ARTICLE.**

**(G) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.**

**AMENDMENT NO. 4**

On page 10, in line 18, strike “erosion” and substitute “:

**1. EROSION**”;

strike beginning with “(xviii)” in line 21 down through “motor” in line 23 and substitute:

**“2. MOTOR**”;

in line 25, after “Article,” insert “**OR**

**3. SEWAGE SLUDGE, WATER POLLUTION CONTROL,  
OR DRINKING WATER UNDER TITLE 9 OF THE ENVIRONMENT ARTICLE;**

**(XVIII) PERSONS EMPLOYED BY THE DEPARTMENT OF  
THE ENVIRONMENT AND CLASSIFIED AS EITHER:**

**1. A REGULATORY AND COMPLIANCE ENGINEER OR  
ARCHITECT; OR**

**2. AN ENVIRONMENTAL COMPLIANCE SPECIALIST;”.**

**AMENDMENT NO. 5**

On page 23, strike beginning with “it” in line 19 down through “necessary” in line 23 and substitute “, notwithstanding the provisions of § 21-206(d)(4) of the Health Occupations Article, as enacted by Section 2 of this Act, the Department of Health and Mental Hygiene shall ensure adequate funding for the State Board of Environmental Health Specialists during fiscal year 2013, and may transfer funds to the Board from another board with adequate reserve funds as determined by and at the discretion of the Secretary of Health and Mental Hygiene, to be repaid in full during fiscal year 2014”.