

(h) The Secretary shall adopt regulations to implement the Program.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before September 1, 2005, the Department of Health and Mental Hygiene shall submit to the Centers for Medicare and Medicaid Services an application for an amendment to the State's existing § 1115 demonstration waiver necessary to implement the ~~expansion~~ alteration to the eligibility requirement of the Maryland Pharmacy Discount Program, as provided under Section 1 of this Act.

(b) The Department shall apply for federal matching funds subject to budget neutrality requirements under § 1115 of the Social Security Act and the availability of State funds.

(c) If the application for the amendment to the State's § 1115 demonstration waiver under this section is approved, all individuals enrolled in the Maryland Pharmacy Discount Program on or before the date of approval of the waiver amendment application may remain enrolled in the Program through December 31, 2005.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect on the date that the Centers for Medicare and Medicaid Services approves a waiver amendment applied for in accordance with Section 2 of this Act. The Department of Health and Mental Hygiene, within 5 days after receiving notice of the approval or denial of the waiver amendment application, shall forward a copy of the notice to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401. If the waiver amendment applied for in accordance with Section 2 of this Act is denied, this Act shall be null and void without the necessity of any further action by the General Assembly.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2005.

May 26, 2005

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 754 – *Vehicle Laws– Utility Emergencies– Incidental Drivers*.

This bill provides that specified provisions relating to motor carriers do not apply to incidental drivers during a declared utility emergency and that specified incidental drivers employed by or under contract with a utility company are exempt from specified requirements during a utility emergency under specified circumstances.

House Bill 1146, which was passed by the General Assembly and signed by me,