

(I) REQUIRE THE UTILITY COMPANY TO INDICATE THE NATURE OF THE UTILITY EMERGENCY, THE AREAS THREATENED, THE CONDITIONS WHICH HAVE BROUGHT IT ABOUT, AND THE DURATION OF THE UTILITY COMPANY'S EXPECTED RESPONSE, NOT TO EXCEED 5 DAYS;

(II) DETERMINE WHETHER A UTILITY EMERGENCY, AS DEFINED IN THIS SECTION, EXISTED AT THE TIME OF THE UTILITY COMPANY'S RESPONSE AND, IF SO, DECLARE THAT A UTILITY EMERGENCY EXISTED STARTING AT THAT TIME; AND

(III) IF A UTILITY EMERGENCY DOES NOT EXIST, NOTIFY THE UTILITY COMPANY THAT IT IS NOT ENTITLED TO AND MAY NOT EXERCISE THE RELIEF PROVIDED TO INCIDENTAL DRIVERS UNDER SUBSECTION (J) OF THIS SECTION.

(2) A UTILITY EMERGENCY TO WHICH A UTILITY COMPANY RESPONDS MAY NOT EXTEND MORE THAN 5 DAYS AFTER THE DATE THAT THE UTILITY COMPANY FIRST NOTIFIES THE SECRETARY OR SECRETARY'S DESIGNEE OF ITS RESPONSE UNLESS:

(I) THE UTILITY COMPANY PROVIDES A RENEWAL NOTIFICATION TO THE SECRETARY OR SECRETARY'S DESIGNEE; AND

(II) THE SECRETARY OR SECRETARY'S DESIGNEE DOES NOT REJECT THE RENEWAL.

(L) For the purposes of subsection (i) of this section, the Administration shall adopt regulations requiring physical examinations for intrastate commercial motor vehicle drivers.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 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 759 – *Education – Child Care Administration and Programs of the Office for Children, Youth, and Families and Maryland Family Support Centers Network – Transfer to State Department of Education.*

Senate Bill 759 requires the State Superintendent of Schools to establish an Early Childhood Development Division within the Maryland State Department of Education (MSDE) and transfers the Child Care Administration within the Department of Human Resources (DHR) to MSDE. The Office of Child Care Subsidy is not included in the transfer. Other functions and activities related to child care and early childhood education that are performed at DHR and the Office for Children,