

working days during its first year the employer employs at least two but not more than 50 eligible employees and otherwise satisfies the conditions of paragraph (1)(i) of this subsection; and

(ii) if the Federal Employee Retirement Income Security Act (ERISA) is amended to exclude employee groups under a specific size, this subtitle shall apply to any employee group size that is excluded from that Act.

(3) In determining the group size specified under paragraph (1)(i) of this subsection:

(i) companies that are affiliated companies or that are eligible to file a consolidated federal income tax return shall be considered one employer; and

(ii) an employee may not be counted who is:

1. otherwise covered under a public or private health insurance plan or other health benefit arrangement; or

2. a part-time employee as described in § 15-1210(a)(1)(ii) of this subtitle.

(4) NOTWITHSTANDING PARAGRAPH (1)(I) OF THIS SUBSECTION, A PERSON IS CONSIDERED TO CONTINUE TO BE A SMALL EMPLOYER UNDER THIS SUBTITLE IF THE PERSON MET THE CONDITIONS OF PARAGRAPH (1)(I) OF THIS SUBSECTION AND PURCHASED A HEALTH BENEFIT PLAN IN ACCORDANCE WITH THIS SUBTITLE, AND SUBSEQUENTLY ELIMINATED ALL BUT ONE EMPLOYEE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved April 29, 1997.

CHAPTER 267

(House Bill 1003)

AN ACT concerning

Creation of a State Debt – Baltimore City – U.S.S. Constellation and the U.S.S. Constellation Loans of 1995 and 1996

FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$2,000,000~~ ~~\$500,000~~ \$350,000, the proceeds to be used as a grant to the Board of Directors of the Constellation Foundation, Inc. for certain acquisition, development, or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to petition the Secretary of the United States Navy to grant and convey to the Maryland Historical Trust certain easements or covenants; ~~and~~ providing generally for the issuance and sale of bonds evidencing the loan; amending Chapter 287 of the Acts of the General Assembly of 1995, the Baltimore City – U.S.S.