

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 980

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 6 down through "investments;" in line 12 and substitute "increasing the number of members on the Board for the Fund; increasing the number of Board members that must concur for the Board to act; requiring the Maryland Insurance Commissioner to examine the Injured Workers' Insurance Fund in accordance with provisions of the Insurance Article relating to the examination of an insurer's affairs, transactions, accounts, records, and assets; requiring the Commissioner to submit a final report of any examination to the Governor and the Legislative Policy Committee of the General Assembly; altering provisions relating to the investment of excess moneys in the Fund; repealing provisions making the State Treasurer the custodian of the Fund and governing how the State Treasurer disburses money from the Fund;"; strike beginning with "repealing" in line 12 down through "Administration;" in line 22; in line 23, strike "meet" and substitute "meets"; in line 24, after "corporation;" insert "providing that certain member insurers of a certain corporation are obligated only for liabilities arising from certain claims filed against the Fund; providing that the Fund is obligated as a member of a certain corporation only for liabilities arising from certain claims filed against certain member insurers;"; and in line 25, strike "defining certain terms;".

On page 2, in line 3, strike "10-118, and 10-122" and substitute "10-110, 10-112, 10-118, 10-122, and 10-125"; in line 8, strike the first comma and substitute "and"; in the same line, strike ", and 10-125"; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On page 3, in line 10, after "(i)" insert "Title 10, Subtitle 5 of the State Government Article;

(ii) Title 10, Subtitle 6, Part III of the State Government Article;

in line 12, before "Title" insert "(iii)";

(Over)

in line 13, strike “(II)” and substitute “(iv)”; and in line 14, strike “(III)” and substitute “(v)”.

AMENDMENT NO. 3

On page 3, after line 19, insert:

“10-110.

(a) The Board consists of [7] 9 members appointed by the Governor with the advice and consent of the Senate.

(b) Each member shall be a citizen of the State.

(c) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(d) (1) The term of a member is 5 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 1991.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(e) The Governor may remove a member for incompetence or misconduct.

10-112.

(a) The Board may not act on any matter unless at least [4] 5 members concur.

(b) Each member of the Board shall devote the time needed to carry out the duties of office.

(c) The Board shall determine the times and places of its meetings.

- (d) (1) Each member of the Board is entitled to:
- (i) the salary provided in the budget of the Board; and
  - (ii) reimbursement for expenses under the Standard State Travel Regulations, as provided in the budget of the Board.
- (2) Each member of the Board shall be paid semimonthly.

AMENDMENT NO. 4

On page 5, in line 2, strike "(a)"; and in line 17, strike the bracket.

On page 6, in line 13, strike "(b)" and substitute "(4)"; in lines 14, 15, and 16, strike "(1)", "(2)", and "(3)", respectively, and substitute "(I)", "(II)", and "(III)", respectively; and in line 16, strike the bracket and substitute:

"(B) (1) THE MARYLAND INSURANCE COMMISSIONER SHALL EXAMINE THE FUND IN ACCORDANCE WITH §§ 2-205 AND 2-207 THROUGH 2-209 OF THE INSURANCE ARTICLE.

(2) THE MARYLAND INSURANCE COMMISSIONER SHALL SUBMIT THE FINAL REPORT OF ANY EXAMINATION OF THE FUND TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY."

On pages 6 and 7, strike in their entirety the lines beginning with line 17 on page 6 through line 2 on page 7, inclusive.

On page 7, in line 3, strike "the" and substitute ":

(a) The;  
and after line 7, insert:

“(b) With regard to claims filed against the Injured Workers’ Insurance Fund, member insurers of the Property and Casualty Insurance Guaranty Corporation are obligated, under Title 9, Subtitle 3 of the Insurance Article, only for liabilities arising from claims filed against the Injured Workers’ Insurance Fund on or after the commencement of membership of the Injured Workers’ Insurance Fund in the Corporation.

“(c) With regard to claims filed against any member insurer other than the Injured Workers’ Insurance Fund, the Injured Workers’ Insurance Fund is obligated as a member of the Property and Casualty Insurance Guaranty Corporation, under Title 9, Subtitle 3 of the Insurance Article, only for liabilities arising from claims filed against other member insurers of the Corporation on or after the commencement of membership of the Injured Workers’ Insurance Fund in the Corporation.”.