

# SENATE BILL 66

C2

(3lr0086)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Chair, Education, Health, and Environmental Affairs Committee**  
(By Request – Departmental – Labor, Licensing and Regulation)

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Home Improvement Commission – Membership, Quorum, ~~and~~**  
3 **Meetings, and Reports**

4 FOR the purpose of altering the membership of the Maryland Home Improvement  
5 Commission; *requiring the Governor to remove a member of the Commission if*  
6 *the member does not attend at least a certain number of certain Commission*  
7 *meetings, subject to an exception; requiring certain notice to be provided to the*  
8 *Governor; requiring the Governor to appoint a successor under certain*  
9 *circumstances; altering the quorum requirement for the Commission; altering*  
10 *the required frequency of Commission meetings; requiring the Commission to*  
11 *report certain information to certain committees of the General Assembly on or*  
12 *before a certain date each year; and generally relating to the Maryland Home*  
13 *Improvement Commission.*

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 BY repealing and reenacting, with amendments,  
 2 Article – Business Regulation  
 3 Section 8–202(a) *and (g)* and 8–204(a) and (b)  
 4 Annotated Code of Maryland  
 5 (2010 Replacement Volume and 2012 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article – Business Regulation**

9 8–202.

10 (a) (1) The Commission consists of [7] 9 members, appointed by the  
 11 Governor with the advice of the Secretary.

12 (2) Of the [7] 9 members of the Commission:

13 (i) ~~[3]~~ 4 shall have experience in some phase of the business of  
 14 home improvement;

15 (ii) at least 1 shall have experience in the business of banking or  
 16 finance; ~~and~~

17 (iii) [3] 4 shall be consumer members; **AND**

18 **(IV) 1 SHALL HAVE EXPERIENCE IN SOME PHASE OF THE**  
 19 **BUSINESS OF HOME IMPROVEMENT OR SHALL BE A CONSUMER MEMBER.**

20 **(g) (1) The Governor may remove a member for incompetence or**  
 21 **misconduct.**

22 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
 23 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
 24 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
 25 **LEAST TWO–THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR**  
 26 **YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.**

27 **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
 28 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
 29 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
 30 **PUBLIC.**

1           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
2 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
3 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

4 8-204.

5           (a) (1) **(I) A SUBJECT TO SUBPARAGRAPH (II) OF THIS**  
6 **PARAGRAPH, A** majority of the [authorized membership of] MEMBERS THEN  
7 SERVING ON the Commission is a quorum.

8                           **(II) A QUORUM MAY NOT BE FEWER THAN 4 MEMBERS.**

9           (2) The Commission may not act unless at least a majority of the  
10 [authorized membership] MEMBERS THEN SERVING concur.

11           (b) (1) The Commission shall meet at least once [a month] EVERY 2  
12 MONTHS.

13           (2) The Commission may hold meetings at the times and places in the  
14 State that it determines.

15           **(C) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION**  
16 **SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL**  
17 **AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN**  
18 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**  
19 **REGARDING:**

20                           **(1) THE ATTENDANCE RECORD OF EACH COMMISSION MEETING,**  
21 **DISAGGREGATED BY THE CONSTITUENCY THAT THE ATTENDEE REPRESENTS**  
22 **PURSUANT TO THE ATTENDEE'S APPOINTMENT UNDER § 8-202(A)(2) OF THIS**  
23 **SUBTITLE;**

24                           **(2) HOW MANY CLAIMS WERE CLOSED AT EACH MEETING; AND**

25                           **(3) HOW MANY CLAIMS REMAIN OPEN AT THE CONCLUSION OF**  
26 **EACH MEETING.**

27           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2013.