

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL NO. 705, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, before “defining” insert “establishing a term of office of the Insurance Commissioner; requiring the Commissioner to conduct a certain study;”; and in line 23, after “Section” insert “2-103.”.

AMENDMENT NO. 2

On page 16 of the bill, after line 12, insert:

“Article - Insurance

2-103.

(a) (1) The Governor shall appoint the Commissioner with the advice and consent of the Senate.

(2) The Commissioner [serves at the pleasure of the Governor] SHALL SERVE FOR A TERM OF 4 YEARS.

(3) The Commissioner is directly responsible to the Governor.

(4) The Commissioner shall counsel and advise the Governor on all matters assigned to the Administration.

(5) THE COMMISSIONER MAY BE REMOVED BY THE GOVERNOR FOR:

(I) MALFEASANCE;

(Over)

(II) INCOMPETENCE; OR
(III) FAILURE TO CARRY OUT THE DUTIES OF OFFICE IN A
MANNER CONSISTENT WITH THE REGULATORY PURPOSE AND REQUIREMENTS OF
THIS ARTICLE.

- (b) (1) The Commissioner is responsible for the operation of the Administration.
- (2) The Commissioner shall:
- (i) exercise the powers and perform the duties of the Administration under this article;
- (ii) organize the Administration to function efficiently and to serve the public; and
- (iii) establish, in the Administration, the units necessary for the exercise of the powers and performance of the duties of the Administration.
- (c) The Commissioner shall devote full time to the duties of office.
- (d) The Commissioner is in the executive service of the State Personnel Management System and is entitled to compensation under the Executive Pay Plan in accordance with the State budget.
- (e) The Commissioner shall be covered by a surety bond in the form and amount required by law.
- (f) (1) The Commissioner shall have a seal of office in the form approved by the Governor.
- (2) The impression and description of the seal shall be filed with the Secretary of State.”.

On page 14 of the Economic Matters Committee Amendments (SB0705/443878/1), after line 7 of Amendment No. 9 insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) the provisions of § 2-103(a)(2) of the Insurance Article shall apply to the Insurance Commissioner serving as the Insurance Commissioner of the Maryland Insurance Administration on June 1, 1998; and

(b) notwithstanding the provisions of § 2-103(a)(2) of the Insurance Article, for the Insurance Commissioner serving as the Insurance Commissioner of the Maryland Insurance Administration on June 1, 1998, the initial term of office shall be 5 years.”;

in lines 8 and 11, strike “9.” and “10.”, respectively, and substitute “10.” and “11.”, respectively; in line 17, strike “11.” and substitute “12.”; and in the same line, strike “13.” and substitute “14.”.

On page 15 of the Economic Matters Committee Amendments (SB0705/443878/1), in Amendment No. 9, in line 1, strike “14.” and substitute “15.”; in the same line, strike “16.” and substitute “17.”; in line 2, strike “12.” and substitute “13.”; in line 5, strike “15.” and substitute “16.”; in the same line, strike “and 10” and substitute “, 9, and 11”; and in line 8, strike “11, 12, 13, 14, and 15” and substitute “12, 13, 14, 15, and 16”.