

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 324

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Task Force on Lending Equity within Financial Institutions Providing State Depository Services”; strike beginning with “requiring” in line 3 down through “Treasurer” in line 10 and substitute “establishing a Task Force on Lending Equity within Financial Institutions Providing State Depository Services; providing for the purpose of the Task Force; providing for the composition, co-chairmen, and staff of the Task Force; providing that the members of the Task Force may not receive compensation, but may be reimbursed for certain expenses; providing for the duties of the Task Force; requiring the Task Force to submit certain reports to the Governor and to the General Assembly on or before certain dates; providing for the termination of this Act; defining certain terms; and generally relating to the Task Force on Lending Equity within Financial Institutions Providing State Depository Services”; and strike in their entirety lines 11 through 20, inclusive.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 23 on page 1 through line 3 on page 3, inclusive.

AMENDMENT NO. 3

On page 1, in line 22, strike “the Laws of Maryland read as follows”; and after line 22, insert:

“(a) In this Act, the following words have the meanings indicated:

(1) (i) “Minority business enterprise” means any legal entity, except a joint venture, that is:

1. organized to engage in commercial transactions;

(Over)

2. at least 51% owned and controlled by one or more individuals who are socially and economically disadvantaged; and

3. managed by, and the daily business operations of which are controlled by, one or more of the socially and economically disadvantaged individuals who own it.

(ii) “Minority business enterprise” includes a not for profit entity organized to promote the interests of physically or mentally disabled individuals.

(2) “Lending equity policy” means a policy that links the performance of a financial institution in providing adequate access to credit and capital for minority business enterprises with the selection of the financial institution as a depository.

(b) There is a Task Force on Lending Equity within Financial Institutions Providing State Depository Services.

(c) The purpose of the Task Force is to:

(1) develop meaningful criteria for evaluating minority business enterprises’ access to credit and capital from financial institutions providing or desiring to provide depository services to the State; and

(2) advise the State Treasurer on developing additional or supplemental criteria to be considered in the selection of a financial institution as a depository.

(d) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the State Treasurer or the Treasurer’s designee;

(4) the Commissioner of Financial Regulation or the Commissioner's designee;
(5) one representative of the Governor's Office of Minority Affairs, appointed by the Governor;

(6) one representative of the Governor's Council for Historically Underutilized Businesses, appointed by the Governor;

(7) one representative of the Governor's Task Force on Centralized Bidder Registration for Minority Business Procurement, appointed by the Governor;

(8) two representatives of the banking industry, appointed by the Maryland Bankers Association;

(9) two owners of a minority business enterprise, appointed by the Governor;

(10) one representative of the commercial insurance bonding industry, appointed by the Governor; and

(11) one member of the public with State and national experience in financial regulation and fair lending practices, appointed by the Governor.

(e) The President of the Senate and the Speaker of the House shall jointly appoint co-chairmen from among the Senate and House members appointed to the Task Force.

(f) The Treasurer's Office and the Department of Legislative Services shall jointly provide staff for the Task Force.

(g) A member of the Task Force may not receive compensation for serving on the Task Force, but is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(h) The Task Force shall:

(1) identify appropriate data, such as a State Centralized Bidder Registration Number, that would demonstrate whether financial institutions are providing adequate access to credit and capital for minority business enterprises;

(2) advise the State Treasurer in developing additional or supplemental criteria to be considered in the selection of a financial institution as a depository that ensures that such institutions provide adequate opportunities for access to credit and capital for minority business enterprises; and

(3) develop a strategy to implement a lending equity policy, which may incorporate the findings of the Governor's Task Force on Centralized Bidder Registration for Minority Business Procurement.

(i) (1) The Task Force shall submit reports, in accordance with paragraph (2) of this subsection, on its findings and recommendations to the Governor, and in accordance with § 2-1246 of the State Government Article, to the General Assembly.

(2) The Task Force shall submit:

(i) an interim report, on or before December 1, 2004, that defines a strategy to implement a lending equity policy and may incorporate the findings of the Governor's Task Force on Centralized Bidder Registration for Minority Business Procurement; and

(ii) a final report on or before September 1, 2005."

AMENDMENT NO. 4

On page 3, in line 5, after "2004." insert "It shall remain effective for a period of 1 year and 3 months and, at the end of September 30, 2005, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."