

SENATE BILL 950

K1, P2

8lr3234

By: **Senator Exum**

Introduced and read first time: February 26, 2008

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Injured Workers' Insurance Fund – Minority Business Enterprise**
3 **Procurement Activities**

4 FOR the purpose of requiring the Board for the Injured Workers' Insurance Fund to
5 conduct procurement activities identical to and consistent with certain minority
6 business enterprise purchasing standards applicable to State government
7 agencies; specifying that the Fund is subject to certain provisions of State law;
8 requiring the Board to submit in its annual report to the Governor certain data
9 regarding minority business enterprise procurement activities; and generally
10 relating to minority business enterprise procurement activities of the Injured
11 Workers' Insurance Fund.

12 BY repealing and reenacting, with amendments,
13 Article – Labor and Employment
14 Section 10–105 and 10–126(a)
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2007 Supplement)

17 BY adding to
18 Article – Labor and Employment
19 Section 10–115
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2007 Supplement)

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

24 **Article – Labor and Employment**

25 10–105.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The Fund is independent of all State units.

2 (b) (1) Except as provided in paragraph (2) of this subsection and
3 elsewhere in this subtitle, the Fund is not subject to any law, including § 6–106 of the
4 State Government Article, that affects governmental units.

5 (2) The Fund is subject to:

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

7 (ii) Title 12 of the State Government Article;

8 (iii) the Maryland Public Ethics Law; [and]

9 (iv) Title 5, Subtitle 3 of the State Personnel and Pensions
10 Article; **AND**

11 (v) **TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND**
12 **PROCUREMENT ARTICLE.**

13 (3) Paragraph (1) of this subsection does not affect the exemption from
14 property tax under § 7–210 of the Tax – Property Article.

15 (c) The Fund is a member of the Property and Casualty Insurance Guaranty
16 Corporation.

17 **10–115.**

18 **THE BOARD SHALL CONDUCT PROCUREMENT ACTIVITIES IDENTICAL TO**
19 **AND CONSISTENT WITH MINORITY BUSINESS ENTERPRISE PURCHASING**
20 **STANDARDS APPLICABLE TO STATE GOVERNMENT AGENCIES UNDER THE STATE**
21 **FINANCE AND PROCUREMENT ARTICLE.**

22 10–126.

23 (a) Within 90 days after the close of each fiscal year, the Board shall submit
24 to the Governor an annual report that includes a detailed statement of:

25 (1) the condition and expenses of the Fund in detail;

26 (2) growth of the Fund;

27 (3) changes in earned premiums of the Fund;

28 (4) changes in the number of policyholders of the Fund;

29 (5) the degree of the Fund’s personnel flexibility;

1 (6) trends in the overall market share; [and]

2 (7) trends in the premium to expense ratio;

3 **(8) THE IDENTITY OF THE NONMINORITY BUSINESSES AND**
4 **MINORITY BUSINESS ENTERPRISES USED BY THE FUND;**

5 **(9) ACTIONS THE BOARD UNDERTOOK TO INCREASE THE USE OF**
6 **MINORITY BUSINESSES AS CONTRACTORS; AND**

7 **(10) ALL CONTRACTS PROPOSED AND BUDGETED FOR THE**
8 **CURRENT FISCAL YEAR.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2008.