

HB1106/293725/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1106
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Surety**” insert “**Special Fund, Fees, and**”; in line 4, after the first “of” insert “**establishing the Sellers of Travel Registration Fund as a special, nonlapsing fund in the Maryland Department of Labor; requiring that certain investment earnings be credited to the General Fund of the State; requiring the Secretary of Labor to annually calculate certain costs; authorizing the Department to set by regulation certain fees based on certain calculations; prohibiting certain fees from increasing by more than a certain amount each year;**”; in line 5, strike “of Labor evidence of financial security” and substitute “**proof of professional liability and errors and omissions liability in at least a certain amount**”; in line 9, after “Section” insert “**2-106.17 and 2-106.18; and**”; and in the same line, strike “17-2205” and substitute “**17-2203**”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“2-106.17.

(A) IN THIS SECTION, “FUND” MEANS THE SELLERS OF TRAVEL REGISRATION FUND.

(B) (1) THERE IS A SELLERS OF TRAVEL REGISRATION FUND.

(2) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(C) (1) THE DEPARTMENT SHALL PAY ALL FEES COLLECTED UNDER TITLE 17, SUBTITLE 22 OF THIS ARTICLE TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

(D) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE DEPARTMENT UNDER TITLE 17, SUBTITLE 22 OF THIS ARTICLE.

(E) THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL ADMINISTER THE FUND.

(F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(G) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

2-106.18.

(A) THE SECRETARY SHALL ANNUALLY CALCULATE THE DIRECT AND INDIRECT COSTS ATTRIBUTABLE TO THE DEPARTMENT UNDER TITLE 17, SUBTITLE 22 OF THIS ARTICLE.

(B) THE DEPARTMENT SHALL ESTABLISH FEES BASED ON THE CALCULATIONS PROVIDED BY THE SECRETARY UNDER THIS SECTION.

(C) EACH FEE ESTABLISHED BY THE DEPARTMENT UNDER TITLE 17, SUBTITLE 22 OF THIS ARTICLE MAY NOT BE INCREASED ANNUALLY BY MORE THAN 12.5% OF THE EXISTING AND CORRESPONDING FEES OF THE DEPARTMENT UNDER TITLE 17, SUBTITLE 22 OF THIS ARTICLE.”;

and strike in their entirety lines 20 and 21.

On page 2, in lines 1 and 11, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; and in line 3, strike “(D)(1)(II)” and substitute “(C)(1)(II)”.

On page 3, in line 11, strike “EVIDENCE OF FINANCIAL SECURITY” and substitute “**PROOF OF PROFESSIONAL LIABILITY AND ERRORS AND OMISSIONS INSURANCE IN THE AMOUNT OF AT LEAST \$1,000,000**”.

On pages 3 through 5, strike beginning with “IF” in line 22 on page 3 down through “17-2204.” in line 21 on page 5 and substitute:

“(1) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE DEPARTMENT SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO THE COMPTROLLER.

“(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE SELLERS OF TRAVEL REGISTRATION FUND ESTABLISHED IN § 2-106.17 OF THIS ARTICLE.

17-2203.”

On page 5, in line 22, strike “DIVISION AND THE”; in line 24, strike the second “AND”; and in line 25, after “SUBTITLE” insert “;AND”

(Over)

(3) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING REGULATIONS ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION OF SELLERS OF TRAVEL AND PROVIDING FOR THE ENFORCEMENT OF THIS SUBTITLE”.

On pages 5 and 6, strike in their entirety the lines beginning with line 26 on page 5 through line 9 on page 6, inclusive.