

Testimony SB0496 Bus Lic Lindsey .pdf

Uploaded by: Dawne Lindsey

Position: FAV

SB0496 Business Regulation - Miscellaneous State Business Licenses – Alterations
Finance Committee – February 24, 2022
Sponsor: Senator Pamela Beidle
Position: Favorable

Testimony of Dawne Lindsey, Clerk of the Circuit Court, Allegany County

Thank you, Chair Kelley, Vice Chair Feldman, and members of the committee, for this opportunity to testify in support of Senate Bill 496. For the record, my name is Dawne Lindsey, Clerk of the Circuit Court for Allegany County. My testimony today is on behalf of the Maryland Circuit Court Clerks' Association, which represents the elected Clerks of the Circuit Court in Maryland.

Our Clerk's Association supports SB 496 because it accomplishes several important updates to business licensing, specifically:

SB 496 updates wording in Title 17 of the Business Regulation Article to allow for modern technology. For instance, wherever the title refers to the use of paper, that language has been expanded to allow paper or electronic means in order to reflect today's business practices.

The proposed changes update definitions in Title 17 to answer commonly asked questions, such as clarifying that this title applies to for-profit businesses, and does not apply to not-for-profit businesses.

The proposed changes clarify that issuance fees collected by the clerk shall be paid into the general fund of the state.

The proposed changes update notification requirements between the Comptroller and the clerks to reflect current business practices and clarify the language regarding the transfer of licenses from one party to another.

The proposed changes clarify that non-resident construction licenses shall be issued in the first county in which the company does business.

The proposed changes also clarify when a business needs a peddler's license and when it needs a trader's license. For instance, it clarifies that for a mobile place of business, such as a food truck, if the business is always parked at the same location when doing business then it should be issued a trader's license, but if it moves around then it should get a peddler's license.

The proposed changes clarify a long-standing question regarding whether a Storage Warehouse license applies to self-storage units or not. It codifies the longstanding interpretation from the Comptroller's Office that the business itself should be issued a warehouse license, but every individual in the warehouse does not need a license.

Our Association hopes you will give a favorable report on SB 496, and we would like to thank Senator Beidle for sponsoring this bill. Thank you for the opportunity to comment, and I am available if you have any questions.

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Uploaded by: Pamela Beidle

Position: FAV

PAMELA G. BEIDLE
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 24, 2022

SB0496
Business Regulation - Miscellaneous State Business Licenses – Alterations

Good Afternoon Chair Kelley, Vice Chair Feldman, and Members of the Finance committee:

Thank you for this opportunity to present SB 496 to you. This proposal was brought to me by the Maryland Circuit Court Clerks' Association. Although it is large bill, it is very simple. SB496 simply updates and clarifies the Title 17 of the Business Regulation Article to reflect today's technology and practices, some of which have been out dated for more than 30 years.

I have with me representatives of the Circuit Court Clerks' Association who will explain SB496 and answer your questions.

Thank you and I look forward to a favorable report.

Testimony SB0496 Bus Lic Poyer.pdf

Uploaded by: Scott Poyer

Position: FAV

SB0496 Business Regulation - Miscellaneous State Business Licenses – Alterations
Finance Committee – February 24, 2022
Sponsor: Senator Pamela Beidle
Position: Favorable

Testimony of Scott Poyer, Clerk of the Circuit Court, Anne Arundel County

Thank you, Chair Kelley, Vice Chair Feldman, and members of the committee, for this opportunity to testify in support of Senate Bill 496. For the record, my name is Scott Poyer, Clerk of the Circuit Court for Anne Arundel County. My testimony today is on behalf of the Maryland Circuit Court Clerks' Association, which represents the elected Clerks of the Circuit Court in Maryland.

Our Clerk's Association supports SB 496 because it accomplishes several important updates to business licensing. In order to reduce bureaucracy and streamline business licensing, it proposes to repeal four types of licenses, as follows:

The first type of license recommended for repeal is Subtitle 4 – Amusement Devices, otherwise known as pinball and console machines. Decades ago there may have been thousands of pinball machines licensed in the state. In 2021, there were only five licenses in the entire state of Maryland, and these five licenses brought in a total of \$304 to the Maryland Treasury. Repealing this subtitle would reduce bureaucracy and have almost no effect on state revenue.

The second type of license recommended for repeal is Subtitle 7 – Wholesale Farm Machinery Dealers. There were only two licenses issued in the state in 2021, which generated \$254 in licensing revenue for the state. If this subtitle is repealed it will eliminate duplication with the Trader's License, which is required for any business that sells goods in the state.

The third type of license recommended for repeal is Subtitle 15 – Plumbers and Gas Fitters. A total of 324 licenses were issued in 2021, which generated \$6,236 in licensing revenue for the state. Although this license would have a small effect on state revenue, it is recommended for repeal to eliminate the double regulation of plumbers and gas fitters. Currently, Plumbers and Gas Fitters appear to be the only profession in the state who are required to obtain a professional license, issued under Business Occupations and Professions Title 12, and simultaneously under Business Regulation Title 17. Repealing Subtitle 15 of Title 17 would still require plumbers to obtain a professional license, but plumbing businesses would no longer be required to pay between \$5 and \$40 a year to also obtain a plumbers and gas fitters business license.

The fourth type of license recommended for repeal is Subtitle 20 – Trading Stamp Issuers. You, your parents, or your grandparents may remember these as companies like S&H Green Stamps where grocery stores gave out stamps when you paid for your groceries. The stamps could be collected in a book which you could then be traded in for prizes. No Trading Stamp licenses were issued in 2021 and no revenue was generated. Also there appears to be no record of any of these licenses being issued in at least the last 30 years, and probably longer.

Our Association hopes you will give a favorable report on SB 496, and we would like to thank Senator Beidle for sponsoring this bill. Thank you for the opportunity to comment, and I am available if you have any questions.

SB 496 _Thompson_Restaurant Association_FWA.pdf

Uploaded by: Melvin Thompson

Position: FWA



Senate Bill 496

Business Regulation – Miscellaneous State Business Licenses - Alterations

February 24, 2022

Position: Favorable with Amendments

Madame Chair and Members of the Senate Finance Committee:

The *Restaurant Association of Maryland* supports the goal of Senate Bill 496 to make updates and alterations to business licenses under Maryland's Business Regulation Article. In 2009, the General Assembly repealed an antiquated Soda Fountain License requirement under this Article at the request of our organization.

We have concerns about language in Subtitle 16 of the bill regarding license requirements for restaurants. We believe it is unnecessary, duplicative and confusing to require restaurants to have both a Restaurant License and a Trader's License. Restaurants should not be required to also have a Trader's License because our industry does not primarily sell inventory at wholesale or retail in the sense that the Trader's License is intended. Restaurants and other eating places are primarily in the business of preparing and serving/selling value-added foodservice products.

We have been in contact with a representative of the Maryland Circuit Court Clerk's Association about an amendment that would achieve our goal of requiring only one license for restaurants under the Business Regulation Article. We are currently working on amendment language that we hope the Circuit Court Clerk's Association can also support so that we can subsequently submit it for this Committee's consideration.

Thank you.

Sincerely,

Melvin R. Thompson
Senior Vice President
Government Affairs and Public Policy