

SENATE BILL 617

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2001 Regular Session
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By: **Senators Hoffman and Bromwell**
Introduced and read first time: February 2, 2001
Assigned to: Finance and Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 21, 2001

CHAPTER _____

1 AN ACT concerning

2 **Maryland Tourism Development Board and Fund**

3 FOR the purpose of increasing the membership of the Maryland Tourism
4 Development Board with respect to the private sector business community
5 appointments of the President of the Senate and the Speaker of the House of
6 Delegates to the Board; providing for specific funding levels for the Maryland
7 Tourism Development Board Fund for certain fiscal years; requiring the Board
8 to report to certain committees by a certain date on certain activities and
9 recommendations; and generally relating to the Maryland Tourism Development
10 Board and Fund.

11 BY repealing and reenacting, without amendments,
12 Article 83A - Department of Business and Economic Development
13 Section 4-201
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 83A - Department of Business and Economic Development
18 Section ~~4-201, 4-203, 4-203~~ and 4-208
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

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

Article 83A - Department of Business and Economic Development

1 4-201.

2 {a)} In this subtitle {the following words have the meanings indicated.

3 (b) "Advisory Committee" means the Advisory Committee on Tourism.

4 (c)}, "Board" means the Maryland Tourism Development Board.

5 4-203.

6 (a) There is a Maryland Tourism Development Board in the Department.

7 (b) (1) The Board consists of [17] 19 members appointed as follows:

8 (i) 11 members shall be appointed by the Governor in consultation
9 with the Secretary and with the advice and consent of the Senate;

10 (ii) [3] 4 members shall be appointed by the President of the
11 Senate of Maryland, [1] 2 of whom shall be from the private sector business
12 community; and

13 (iii) [3] 4 members shall be appointed by the Speaker of the House
14 of Delegates, [1] 2 of whom shall be from the private sector business community.

15 (2) 2 members of the Board at all times shall be members of the General
16 Assembly of Maryland, 1 a member of the Senate of Maryland appointed by the
17 President and the other a member of the House of Delegates appointed by the
18 Speaker.

19 (3) IN MAKING THE APPOINTMENTS FROM THE PRIVATE SECTOR
20 BUSINESS COMMUNITY, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
21 HOUSE SHALL:

22 (I) ENSURE THAT EACH GEOGRAPHIC REGION OF THE STATE IS
23 EQUITABLY REPRESENTED; AND

24 (II) GIVE DUE CONSIDERATION TO THE RECOMMENDATIONS MADE
25 BY REPRESENTATIVES OF THE TOURISM INDUSTRY AND PROVIDE BALANCED
26 REPRESENTATION OF THE LODGING, FOOD SERVICE, TRANSPORTATION, RETAIL,
27 AND AMUSEMENTS AND ATTRACTIONS SECTORS OF THE TOURISM INDUSTRY.

28 [(3)] (4) A member of the Board who is a member of the General
29 Assembly may not vote on matters before the Board relating to the exercise of the
30 sovereign powers of the State.

31 [(4)] (5) In making the appointments THE GOVERNOR IS REQUIRED TO
32 MAKE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, the Governor shall:

1 (i) Ensure that each geographic region of the State is EQUITABLY
2 represented; and

3 (ii) Give due consideration to the recommendations made by
4 representatives of the tourism industry and provide balanced representation of the
5 lodging, food service, transportation, RETAIL, and amusements and attractions
6 sectors of the tourism industry.

7 (c) (1) The term of a member is 3 years and begins on July 1.

8 (2) The terms of the members are staggered as required by the terms
9 provided for the members of the Board on July 1, 1993.

10 (3) Any member is eligible for reappointment, but after serving for 2
11 consecutive 3-year terms, a member may not be reappointed until the expiration of at
12 least one year after the termination of the member's previous tenure. Vacancies shall
13 be filled immediately for the remainder of the unexpired portion of the term. A
14 member shall hold office until a successor has been appointed.

15 (4) A member of the General Assembly who is appointed to the Board by
16 the President or the Speaker serves until a successor is appointed.

17 (d) Each member of the Board appointed by the Governor serves at the
18 pleasure of the Governor. Members of the Board shall serve without compensation,
19 but each member shall be reimbursed for necessary travel and other expenses
20 incurred in the performance of official duties in accordance with the Standard State
21 Travel Regulations. The Board shall select annually from its membership a chairman,
22 [4] 5 vice-chairmen, 1 each to represent the lodging, food service, transportation,
23 RETAIL, and attractions sectors, and a secretary-treasurer.

24 4-208.

25 (a) There is a Maryland Tourism Development Board Fund.

26 (b) The Fund is established to provide a continuing fund for the Board to fund
27 programs relating to the planning, advertising, promotion, assistance, and
28 development of the tourism industry in the State.

29 (c) The Fund is a special, continuous, nonlapsing fund that is not subject to §
30 7-302 of the State Finance and Procurement Article.

31 (d) The Treasurer shall invest and reinvest the Fund in the same manner as
32 other State funds and credit any investment earnings to the General Fund.

33 (e) The Fund consists of:

34 (1) Moneys appropriated in the State budget to the Fund; and

35 (2) All funds accepted by the Board in accordance with § 4-206 of this
36 subtitle.

1 (f) Expenditures from the Fund may be made only by the Board in accordance
2 with an appropriation.

3 (g) (1) In this subsection, "Governor's proposed General Fund
4 appropriation" means the General Fund appropriation included by the Governor in
5 the annual budget bill as submitted to the General Assembly, including any proposed
6 supplemental budget, before any amendment by the General Assembly.

7 (2) The Governor shall include in the annual budget bill a proposed
8 General Fund appropriation to the Fund in an amount not less than:

9 (i) \$4,000,000, for fiscal year 1999;

10 (ii) \$5,000,000, for fiscal year 2000; [and]

11 (iii) \$6,000,000, for fiscal year 2001 [and subsequent fiscal years]
12 ~~AND FISCAL YEAR 2002, RESPECTIVELY; AND~~

13 (IV) \$8,500,000, FOR FISCAL YEAR 2003; AND EACH FISCAL YEAR
14 THEREAFTER.

15 ~~(V) \$11,000,000, FOR FISCAL YEAR 2004;~~

16 ~~(VI) \$13,500,000, FOR FISCAL YEAR 2005;~~

17 ~~(VII) \$15,000,000, FOR FISCAL YEAR 2006; AND~~

18 ~~(VIII) \$17,500,000, FOR FISCAL YEAR 2007 AND EACH FISCAL YEAR~~
19 ~~THEREAFTER.~~

20 (3) For each fiscal year, in addition to any appropriation for tourism
21 marketing from the Maryland Tourism Development Board Fund, the Governor shall
22 include in the annual budget bill submitted to the General Assembly a General Fund
23 appropriation for the Office of Tourism Development in an amount not less than the
24 amount of the Governor's proposed General Fund appropriation for the Office of
25 Tourism Development for fiscal year [1995] 2001.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Tourism
27 Development Board in the Department of Business and Economic Development shall
28 report by December 1, 2002 to the Senate Finance Committee, the Senate Budget and
29 Taxation Committee, and the House Economic Matters Committee on: (1) its
30 activities relating to planning, advertising, promotion, assistance, and development of
31 the tourism industry in the State during fiscal years 2001 and 2002; (2) its plan of
32 activities anticipated during fiscal years 2003 through 2007; and (3) its
33 recommendations on the funding level for fiscal 2004 and subsequent fiscal years.

34 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
35 effect July 1, 2001.

