

SENATE BILL 617

Unofficial Copy  
C8

2001 Regular Session  
(11r1620)

**ENROLLED BILL**

-- Finance and Budget and Taxation/Economic Matters --

Introduced by **Senators Hoffman and Bromwell**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER 612

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)

1 BY repealing and reenacting, with amendments,  
2 Article 83A - Department of Business and Economic Development  
3 Section ~~4-201, 4-203, 4-203~~ and 4-208  
4 Annotated Code of Maryland  
5 (1998 Replacement Volume and 2000 Supplement)

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

8 **Article 83A - Department of Business and Economic Development**

9 4-201.

10 ~~{(a)}~~ In this subtitle ~~{the following words have the meanings indicated.~~

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

12 ~~{(c)}~~ "Board" means the Maryland Tourism Development Board.

13 4-203.

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

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

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

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

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

23 (2) 2 members of the Board at all times shall be members of the General  
24 Assembly of Maryland, 1 a member of the Senate of Maryland appointed by the  
25 President and the other a member of the House of Delegates appointed by the  
26 Speaker.

27 (3) IN MAKING THE APPOINTMENTS FROM THE PRIVATE SECTOR  
28 BUSINESS COMMUNITY, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE  
29 HOUSE SHALL:

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

32 (II) GIVE DUE CONSIDERATION TO THE RECOMMENDATIONS MADE  
33 BY REPRESENTATIVES OF THE TOURISM INDUSTRY AND PROVIDE BALANCED

1 REPRESENTATION OF THE LODGING, FOOD SERVICE, TRANSPORTATION, RETAIL,  
2 AND AMUSEMENTS AND ATTRACTIONS SECTORS OF THE TOURISM INDUSTRY.

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

6           [(4)]   (5)    In making the appointments THE GOVERNOR IS REQUIRED TO  
7 MAKE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, the Governor shall:

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

10                   (ii)   Give due consideration to the recommendations made by  
11 representatives of the tourism industry and provide balanced representation of the  
12 lodging, food service, transportation, RETAIL, and amusements and attractions  
13 sectors of the tourism industry.

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

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

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

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

24   (d)    Each member of the Board appointed by the Governor serves at the  
25 pleasure of the Governor. Members of the Board shall serve without compensation,  
26 but each member shall be reimbursed for necessary travel and other expenses  
27 incurred in the performance of official duties in accordance with the Standard State  
28 Travel Regulations. The Board shall select annually from its membership a chairman,  
29 [4] 5 vice-chairmen, 1 each to represent the lodging, food service, transportation,  
30 RETAIL, and attractions sectors, and a secretary-treasurer.

31 4-208.

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

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

36   (c)    The Fund is a special, continuous, nonlapsing fund that is not subject to §  
37 7-302 of the State Finance and Procurement Article.

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

3 (e) The Fund consists of:

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

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

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

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

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

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

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

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

19 (IV) \$8,500,000, FOR FISCAL YEAR 2003; ~~AND EACH FISCAL YEAR~~  
20 ~~THEREAFTER.~~

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

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

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

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

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

32 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Tourism  
33 Development Board in the Department of Business and Economic Development shall  
34 report by December 1, 2002 to the Senate Finance Committee, the Senate Budget and  
35 Taxation Committee, and the House Economic Matters Committee on: (1) its

1 activities relating to planning, advertising, promotion, assistance, and development of  
2 the tourism industry in the State during fiscal years 2001 and 2002; (2) its plan of  
3 activities anticipated during fiscal years 2003 through 2007; and (3) its  
4 recommendations on the funding level for fiscal 2004 and subsequent fiscal years.

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