

SENATE BILL 85

C8, P1

(PRE-FILED)

6lr0118
CF HB 59

By: **Chair, Finance Committee (By Request – Departmental – Commerce)**

Requested: November 4, 2015

Introduced and read first time: January 13, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Economic Competitiveness and Commerce – Renaming**

3 FOR the purpose of renaming the Department of Economic Competitiveness and Commerce
4 to be the Department of Commerce; providing that the Department of Commerce is
5 the successor of the Department of Economic Competitiveness and Commerce;
6 providing that certain names and titles of a certain unit and officials in laws and
7 other documents mean the names and titles of the successor unit and officials;
8 providing for the continuity of certain matters and persons; requiring the publisher
9 of the Annotated Code of Maryland, in consultation with the Department of
10 Legislative Services, to correct cross-references and terminology in the Code that
11 are rendered incorrect by this Act; and generally relating to renaming the
12 Department of Economic Competitiveness and Commerce.

13 BY repealing and reenacting, without amendments,
14 Article – Economic Development
15 Section 1–101(a), 2–101(a), and 9–101(a)
16 Annotated Code of Maryland
17 (2008 Volume and 2015 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Economic Development
20 Section 1–101(c) to be under the amended division “Division I. Secretary of
21 Commerce and Department of Commerce”; 2–101(c)(2); 2.5–101(a) to be under
22 the amended title “Title 2.5. Department of Commerce”; and 9–101(c)
23 Annotated Code of Maryland
24 (2008 Volume and 2015 Supplement)

25 BY repealing and reenacting, without amendments,
26 Article – State Government
27 Section 8–201(a)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2015 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – State Government
5 Section 8–201(b)(4)
6 Annotated Code of Maryland
7 (2014 Replacement Volume and 2015 Supplement)

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

10 **Article – Economic Development**

11 Division I. Secretary of Commerce and Department of [Economic Competitiveness and]
12 Commerce.

13 1–101.

14 (a) In this division the following words have the meanings indicated.

15 (c) “Department” means the Department of [Economic Competitiveness and]
16 Commerce.

17 2–101.

18 (a) There is an Office of the Secretary of Commerce in the Office of the Governor.

19 (c) (2) The Secretary is the head of and is responsible for the operations of the
20 Department of [Economic Competitiveness and] Commerce established under Title 2.5 of
21 this article.

22 Title 2.5. Department of [Economic Competitiveness and] Commerce.

23 2.5–101.

24 (a) There is a Department of [Economic Competitiveness and] Commerce.

25 9–101.

26 (a) In this division the following words have the meanings indicated.

27 (c) “Department” means the Department of [Economic Competitiveness and]
28 Commerce.

29 **Article – State Government**

1 8-201.

2 (a) The Executive Branch of the State government shall have not more than 21
3 principal departments, each of which shall embrace a broad, functional area of that Branch.

4 (b) The principal departments of the Executive Branch of the State government
5 are:

6 (4) [Economic Competitiveness and] Commerce;

7 SECTION 2. AND BE IT FURTHER ENACTED, That, as provided in this Act:

8 (1) The Department of Commerce is the successor of the Department of
9 Economic Competitiveness and Commerce.

10 (2) In every law, executive order, rule, regulation, policy, or document
11 created by an official, an employee, or a unit of this State, the names and titles of those
12 agencies and officials mean the names and titles of the successor agency or official.

13 SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act affects the
14 term of office of an appointed or elected member of any commission, office, department,
15 agency, or other unit. An individual who is a member of a unit on the effective date of this
16 Act shall remain a member for the balance of the term to which appointed or elected, unless
17 the member sooner dies, resigns, or is removed under provisions of law.

18 SECTION 4. AND BE IT FURTHER ENACTED, That, except as expressly provided
19 to the contrary in this Act, any transaction or employment status affected by or flowing
20 from any change of nomenclature or any statute amended by this Act and validly entered
21 into or existing before the effective date of this Act and every right, duty, or interest flowing
22 from a statute amended by this Act remains valid after the effective date of this Act and
23 may be terminated, completed, consummated, or enforced as required or allowed by any
24 statute amended by this Act as though the amendment had not occurred. If a change in
25 nomenclature involves a change in name or designation of any State unit, the successor
26 unit shall be considered in all respects as having the powers and obligations granted the
27 former unit.

28 SECTION 5. AND BE IT FURTHER ENACTED, That:

29 (1) The continuity of every commission, office, department, agency, or other
30 unit is retained; and

31 (2) The personnel, records, files, furniture, fixtures, and other properties
32 and all appropriations, credits, assets, liabilities, and obligations of each retained unit are
33 continued as the personnel, records, files, furniture, fixtures, properties, appropriations,
34 credits, assets, liabilities, and obligations of the unit under the laws enacted by this Act.

1 SECTION 6. AND BE IT FURTHER ENACTED, That the publisher of the
2 Annotated Code of Maryland, in consultation with and subject to the approval of the
3 Department of Legislative Services, shall correct, with no further action required by the
4 General Assembly, cross-references and terminology rendered incorrect by this Act or by
5 any other Act of the General Assembly of 2016 that affects provisions enacted by this Act.
6 The publisher shall adequately describe any such correction in an editor's note following
7 the section affected.

8 SECTION 7. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2016.