
By: Chairman, Economic Matters Committee (Dept. Business & Economic Dev.)

Introduced and read first time: February 14, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 1996

CHAPTER ____

1 AN ACT concerning

2 **Department of Business and Economic Development**

3 FOR the purpose of modifying the duties of the Maryland Economic Development

4 Commission; providing that certain funds raised by the Maryland Economic
5 Development Commission may be expended only through an approved budget

6 amendment; abolishing the Office of Business Development and Resources;
7 providing for the Department of Business and Economic Development to perform
8 the duties formerly assigned to the Office of Business Development and Resources;
9 changing the name of the Office of International Trade within the Department, to
10 the Office of International Business; changing the name of the Division of Tourism
11 and Promotion within the Department, to the Division of Tourism, Film, and the
12 Arts; and generally relating to the operation of the Department of Business and
13 Economic Development.

14 BY repealing and reenacting, with amendments,

15 Article 83A - Department of Business and Economic Development
16 Section 1-202; 3-202, 3-205, and 3-206 to be under the amended subtitle "Subtitle
17 2. General Duties"; 3-301(a) and 3-302 to be under the amended subtitle
18 "Subtitle 3. Office of International Business"; 4-101 and 4-102 to be under
19 the amended title "Title 4. Division of Tourism, Film, and the Arts"
20 Annotated Code of Maryland
21 (1995 Replacement Volume)

22 BY repealing and reenacting, without amendments,

23 Article 83A - Department of Business and Economic Development
24 Section 3-101
25 Annotated Code of Maryland

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1 (1995 Replacement Volume)

2 BY repealing

3 Article 83A - Department of Business and Economic Development

4 Section 3-201, 3-203, and 3-204

5 Annotated Code of Maryland

6 (1995 Replacement Volume)

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

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

10 1-202.

11 (a) The Commission shall have the general purpose of establishing economic
12 development policy in the State and overseeing the Department's effortsto attract,
13 retain, and support the creation of businesses and jobs.

14 (b) The Commission shall:

15 (1) Develop and update a strategic plan for economic development in the
16 State;

17 (2) Recommend to the Governor program and spending priorities necessary
18 to implement the strategic plan;

19 (3) [Review the Department's budget prior to its submission to the
20 Governor and General Assembly for approval;

21 (4) Advise the Secretary periodically on the allocation of economic
22 development resources in the Department, particularly with regard to regional allocation
23 and allocation among industries;

24 (5) Approve Department regulations pertaining to financing programs prior
25 to their adoption;

26 [(6)] (4) Review the allocation of financing incentives;

27 [(7)] (5) Participate in marketing the State and encouraging new businesses
28 to locate in Maryland;

29 [(8)] (6) Raise private sector contributions AND FUNDS to supplement
30 economic development programs and financial incentives to business;

31 [(9)] (7) Carry out any other economic development activities at the request
32 of the Governor; and

33 [(10)] (8) Exercise those powers granted to the Commission by this title or
34 any other provision of law.

35 (c) In developing a strategic plan for economic development, the Commission
36 shall seek ideas and advice from each region of the State.

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1 (d) The Department shall provide staff support to the Commission.

2 (e) The Commission may elect an executive committee from among its members
3 that, during the intervals between meetings of the Commission, may exercise all the
4 powers and functions of the Commission.

5 (f) In addition to any other powers set forth in this title, the Commission may:

6 (1) Adopt bylaws to regulate its affairs and the conduct of its business;

7 (2) Contract for and engage the services of consultants; and

8 (3) Do anything necessary or convenient to carry out its powers and the
9 purposes of this title.

10 (G) FUNDS RAISED BY THE COMMISSION UNDER SUBSECTION (B) OF THIS
11 SECTION MAY BE EXPENDED ONLY THROUGH AN APPROVED BUDGET AMENDMENT.

12 3-101.

13 In the furtherance of its mission to attract and encourage business development and
14 service the needs of businesses, the Department shall:

15 (1) Advance the economic welfare of the people through programs and
16 activities that develop in a proper manner the State's natural resources and economic
17 opportunities;

18 (2) Promote and encourage the location and creation of new industries and
19 businesses in the State of Maryland as well as encouraging the retention and expansion of
20 existing industries;

21 (3) Support the creation of new and the growth of existing businesses in
22 Maryland by improving their quality, productivity, and competitive position in the global
23 marketplace;

24 (4) Assist the growth and revitalization of small businesses;

25 (5) Support the growth of the State and regional economies by providing
26 consulting, technical assistance, and liaison activities on business and economic
27 development issues;

28 (6) Promote the development of international trade activities;

29 (7) Assist businesses and employees through training and other employment
30 services;

31 (8) Promote regulatory reform and coordinate efforts with other State and
32 local agencies; and

33 (9) Foster and develop gainful employment opportunities for residents of
34 this State.

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1 Subtitle 2. [Office of Business Development and Resources] GENERAL DUTIES.

2 [3-201.

3 There is an Office of Business Development and Resources within the
4 Department.]

5 [3-202.] 3-201.

6 The [Office] DEPARTMENT shall:

7 (1) Investigate and assemble information pertinent to the economic
8 development, industrial opportunities and economic resources of the State, including raw
9 materials, power and water resources, transportation facilities, markets, labor, banking
10 and financing facilities, industrial sites and other fields of research;

11 (2) Encourage location and development of new business enterprises in the
12 State and the retention and expansion of present enterprises in coordination with local
13 governing bodies and local economic development agencies;

14 (3) [Coordinate its activities with those of the Division of Tourism and
15 Promotion in the promotion of tourism in the State;

16 (4) Encourage formation of local and sectional development committees
17 and cooperate with local civic groups and other local, State and federal development
18 agencies;

19 [[5]] (4) Disseminate information in the interest of industrial development
20 in this State, by publication, advertising and other means;

21 [[6]] (5) Assist businesses in the areas of technology development and
22 commercialization, small business development, workforce development and productivity,
23 manufacturing modernization, and defense conversion;

24 [[7]] (6) Serve as ombudsmen for businesses affected by State policies and
25 programs;

26 [[8]] (7) Coordinate business assistance service delivery to individual
27 companies;

28 [[9]] (8) Link groups of businesses to address regional and industry specific
29 needs;

30 [[10]] (9) Broker information exchange and entrepreneurial services that
31 enhance economic development through partnerships with businesses, nonprofit
32 organizations, professional groups, local economic development entities, and local
33 governments;

34 [[11]] (10) Assist in developing and conducting regional strategic planning
35 and coordinating State investments with regional economic development entities;

36 [[12]] (11) Collect and assemble information and data available from other
37 State agencies and departments;

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1 [(13)] (12) Monitor economic conditions, release reports, and maintain
2 inter-industry models of State regulations and local economies;

3 [(14)] (13) Utilize the resources of the State's community colleges, as the
4 [Office] DEPARTMENT deems appropriate, to provide assistance in the delivery of
5 services; and

6 [(15)] (14) Administer those programs assigned to the [Office]
7 DEPARTMENT by law or designated by the Secretary.

8 [3-203.

9 The Secretary, with the approval of the Governor, shall appoint a Director of the
10 Office. The Director shall hold office at the Secretary's pleasure and may be removed by
11 the Secretary, with the approval of the Governor. Any such removal by the Secretary is
12 final and is not subject to any appeal. The Director shall be selected because of known
13 experience and interest in the development of natural resources and industrial and
14 business opportunities. The Director shall operate this Office under the direction of the
15 Secretary in accordance with the provisions of the law relating to establishment of the
16 Department.]

17 [3-204.

18 In the performance of duties, the Director, subject to the approval of the Secretary
19 or the Secretary's designee, is hereby authorized and empowered to make and enter into
20 contracts, and to assume such other functions as are necessary to carry out the provisions
21 of this subtitle that are not inconsistent with this or other acts. The Director, subject to
22 approval of the Secretary, may make and enter into contracts with other boards,
23 commissions, agencies and institutions of this State or other states, upon such terms as
24 may be mutually agreed upon, to have such studies and research activities conducted as
25 may be necessary and proper, and is authorized to pay the cost thereof out of funds which
26 may be appropriated to the Office.]

27 [3-205.] 3-202.

28 (a) The [Office] DEPARTMENT shall provide support to industry-led regional
29 technology councils that provide assistance to private enterprises attempting to establish
30 or expand manufacturing and technology-based businesses.

31 (b) The [Office] DEPARTMENT in its discretion, shall determine:

32 (1) Which entity will best serve as the regional technology council for a
33 particular region;

34 (2) The geographic areas that constitute a region for purposes of this
35 section; and

36 (3) The type of support the Department will provide to each regional
37 technology council, which may take the form of grants, loans, in-kind assistance, advice,
38 or other assistance the [Office] DEPARTMENT considers appropriate.

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1 [3-206.] 3-203.

2 So far as may be practicable in performance of its duties in connection with
3 collection and assembling of information, the [Office] DEPARTMENT shall make use of
4 pertinent data secured from the boards, commissions, agencies and institutions of this
5 State. The [Office] DEPARTMENT shall have access to all records, data, information and
6 statistics of such other boards, commissions, agencies and institutions except records or
7 information required by law to be confidential and secret.

8 Subtitle 3. Office of International [Trade] BUSINESS.

9 3-301.

10 (a) There is an Office of International [Trade] BUSINESS within the Department
11 to promote the development of international [trade] BUSINESS activities and
12 opportunities for the citizens of this State.

13 3-302.

14 The Office of International [Trade] BUSINESS shall report not less than twice
15 annually to the Maryland Economic Development Commission on the status of the State's
16 international activities.

17 Title 4. Division of Tourism [and Promotion], FILM, AND THE ARTS.

18 4-101.

19 There is a Division of Tourism [and Promotion], FILM, AND THE ARTS within the
20 Department.

21 4-102.

22 (a) (1) With the approval of the Governor, the Secretary shall appoint a
23 Director of the Division of Tourism [and Promotion], FILM, AND THE ARTS.

24 (2) The Director shall hold office at the Secretary's pleasure.

25 (3) With the approval of the Governor, the Director may be removed by the
26 Secretary.

27 (4) Any such removal by the Secretary is final and is not subject to any
28 appeal.

29 (b) The Director shall be selected because of known experience and interest in
30 tourism [and promotion], FILM, AND THE ARTS.

31 (c) The Director shall operate this Division under the direction of the Secretary
32 in accordance with the provisions of law.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 1996.

