

---

**By: Washington County Delegation**

Introduced and read first time: February 23, 1996  
Assigned to: Commerce and Government Matters

---

Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 19, 1996

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County - Economic Development Commission**

3 FOR the purpose of authorizing the Board of County Commissioners of Washington  
4 County to provide, by ordinance, for the establishment, membership, procedures,  
5 powers, and duties of an economic development commission and to provide certain  
6 funding; repealing provisions of law relating to the Hagerstown-Washington County  
7 Economic Development Commission; making part of this Act subject to a certain  
8 contingency; and generally relating to an economic development commission in  
9 Washington County.

10 BY adding to

11 The Public Local Laws of Washington County  
12 Section 1-606  
13 Article 22 - Public Local Laws of Maryland  
14 (1991 Edition and August 1994 Supplement, as amended)

15 BY repealing

16 The Public Local Laws of Washington County  
17 Section 9-101 through 9-106, inclusive, and the title "Title 9. Economic  
18 Development Commission"  
19 Article 22 - Public Local Laws of Maryland  
20 (1991 Edition and August 1994 Supplement, as amended)

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

2

1 **Article 22 - Washington County**

2 1-606.

3 (A) THE COUNTY COMMISSIONERS, BY ORDINANCE, MAY PROVIDE FOR THE  
4 ESTABLISHMENT, MEMBERSHIP, PROCEDURES, POWERS, AND DUTIES OF AN  
5 ECONOMIC DEVELOPMENT COMMISSION.

6 (B) THE COUNTY COMMISSIONERS MAY PROVIDE FUNDING AND ANY OTHER  
7 SUPPORT TO THE ECONOMIC DEVELOPMENT COMMISSION UNDER ANY TERMS OR  
8 CONDITIONS THAT THE COUNTY COMMISSIONERS CONSIDER APPROPRIATE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
10 read as follows:

11 **Article 22 - Washington County**

12 [Title 9. Economic Development Commission.]

13 [Subtitle 1. Economic Development Commission]

14 [9-101.

15 (a) There is a Hagerstown-Washington County Economic Development  
16 Commission.

17 (b) The purpose of the Commission is to:

18 (1) Advance the general welfare of the people through programs and  
19 activities to develop Washington County's natural resources and economic opportunities  
20 pertaining to commerce, agriculture, forestry, mineral extraction and processing,  
21 transportation, travel, tourism, and recreation;

22 (2) Cooperate and offer assistance to and encourage the retention and  
23 expansion of existing industries and businesses in Washington County;

24 (3) Promote and encourage the establishing and locating of new industries  
25 and businesses in Washington County; and

26 (4) Undertake other activities intended to foster and develop gainful  
27 employment and the quality of life of all who are residents of Washington County.]

28 [9-102.

29 (a) (1) The Commission consists of not more than 25 members.

30 (2) Of the members:

31 (i) The Mayor and City Council of Hagerstown may appoint not more  
32 than 10 members; and

33 (ii) The Washington County Commissioners may appoint not more  
34 than 15 members.

3

1                   (3) (i) The members shall represent a cross-section of the economic  
2 composition of Washington County and shall be selected because of their known interest  
3 and expertise in economic development.

4                   (ii) It is advisable to select members that represent commerce,  
5 industry, health services, agriculture, banking, construction, labor, real estate, retailing,  
6 transportation, utilities, service industries, and the professions.

7                   (b) (1) The Commission shall establish a nominating Committee to fill vacancies  
8 on the Commission.

9                   (2) The nominating Committee shall forward to the Commission the names  
10 of at least 2 nominees to fill a vacancy on the Commission.

11                   (3) The Commission may approve or disapprove the recommendations of  
12 the nominating Committee.

13                   (4) If the Commission approves the qualifications of the candidates, the  
14 Commission shall submit a list of nominees to the County Commissioners and a separate  
15 list of nominees to the Mayor and City Council for approval or disapproval by the  
16 appropriate appointing authority.

17                   (c) In appointing a member to fill a vacancy, the appropriate appointing  
18 authority, either the County Commissioners or the Mayor and City Council shall give  
19 reasonable and fair consideration to the nominations submitted by the Commission.]

20 [9-103.

21                   (a) (1) The term of a member is 4 years.

22                   (2) (i) A member may be appointed to 1 additional term of 4 years.

23                   (ii) After serving two 4-year terms, a member may not be reappointed  
24 until at least 1 year has elapsed.

25                   (3) The terms of the members are staggered as determined by each  
26 appointing authority.

27                   (b) Each member shall serve without compensation but shall be reimbursed for  
28 necessary travel and other expenses incurred in the performance of their duties.

29                   (c) (1) The Commission shall select from its own membership a chairman and a  
30 vice-chairman to serve a term of 1 year.

31                   (2) (i) The chairman and vice-chairman may be appointed to 1 additional  
32 term of 1 year.

33                   (ii) After serving 2 1-year terms as chairman or vice-chairman, a  
34 member may not be reappointed to that office until at least 1 year has elapsed.

35                   (d) The Commission may establish standing committees as necessary to conduct  
36 the business of the Commission.

37                   (e) (1) There is an executive committee of the Commission.

4

1 (2) The members of the executive committee are:

2 (i) The chairman of the Commission;

3 (ii) The vice-chairman of the Commission; and

4 (iii) Any chairman of a standing committee.

5 (3) The executive director of the Commission is an ex officio member of the  
6 executive committee.

7 (f) Upon the death, disability, resignation, or removal of any member of the  
8 Commission, the County Commissioners, or the Mayor and City Council shall appoint a  
9 person in accordance with the nomination and appointment procedures set forth in §  
10 9-102 of this subtitle to serve for the unexpired term.

11 (g) The following individuals are nonvoting ex officio members of the  
12 Commission:

13 (1) The resident State Senator;

14 (2) The chairman of the Washington County delegation of the House of  
15 Delegates;

16 (3) The President of the County Commissioners;

17 (4) 1 member of the County Commissioners;

18 (5) The Mayor of Hagerstown; and

19 (6) 1 member of the City Council.]

20 [9-104.

21 (a) The Commission shall meet at least 10 times each year and shall hold special  
22 meetings at the call of the chairman or of any 3 members of the Commission.

23 (b) The Commission shall adopt regulations necessary to govern its procedure and  
24 business.

25 (c) (1) A simple majority constitutes a quorum.

26 (2) All actions of the Commission shall be approved by a majority of the  
27 members present and authorized to vote.

28 (d) (1) The Commission shall submit for review to the County Commissioners  
29 and Mayor and City Council an annual operating budget for the fiscal year, with final  
30 approval by the County Commissioners.

31 (2) The funding of the Commission shall be as agreed upon by the County  
32 Commissioners and Mayor and City Council.

33 (e) (1) The Commission shall employ an executive director and may employ  
34 other employees as its business may require within the limits of its appropriation.

5

1 (2) The Executive Director and other employees of the Commission are  
2 employees of the County Commissioners.]

3 [9-105.

4 (a) The Commission shall file annual reports with the County Commissioners and  
5 Mayor and City Council. The reports shall be available to the public.

6 (b) The annual report shall include subjects and recommendations for the  
7 improvement and advancement of the economic welfare of the people of Washington  
8 County.]

9 [9-106.

10 The Commission may:

11 (1) Investigate and assemble information and statistics pertinent to the  
12 economic resources and industrial opportunities of the county;

13 (2) Encourage location of new industrial and business enterprises in the  
14 county and the retention and expansion of present enterprises;

15 (3) Encourage development of recreational areas and encourage tourist  
16 business in the county, making the public aware of the county's historical background and  
17 progress;

18 (4) Disseminate information in the interest of industrial and business  
19 development by publication, advertising, and other means;

20 (5) Cooperate with any federal, State, local agency, board, or commission,  
21 including the Maryland Department of Economic and Employment Development, in the  
22 furtherance of its purposes;

23 (6) Cooperate with any interested private concern, civic organization, or  
24 subdivision thereof in furtherance of its purposes; and

25 (7) Establish and appoint Advisory Groups and Committees to assist in its  
26 program of activity, the membership of which is not restricted to members of the  
27 Commission.]

28 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Board of County~~  
29 ~~Commissioners of Washington County may provide, by ordinance, for the establishment,~~  
30 ~~membership, procedures, powers, and duties of an economic development commission.~~

31 SECTION 3. AND BE IT FURTHER ENACTED, That Section 4 2 of this Act  
32 shall take effect October 1, 1996, contingent on the enactment of an ordinance by the  
33 Board of County Commissioners of Washington County that provides for the  
34 establishment, membership, procedures, powers, and duties of an economic development  
35 commission, ~~and if the Board of County Commissioners does not enact an ordinance that~~  
36 ~~so provides, Section 1 of this Act shall be null and void without the necessity of further~~  
37 ~~action by the General Assembly. The Board of County Commissioners shall forward a~~  
38 copy of the enacted ordinance to the Department of Legislative Reference, 90 State  
39 Circle, Annapolis, Maryland 21401.

1           SECTION 4. AND BE IT FURTHER ENACTED, That ~~Section 2~~, subject to  
2 Section 3 of this Act, this Act shall take effect October 1, 1996.