

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

A BILL ENTITLED

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; and generally
8 relating to the Maryland Tourism Development Board and Fund.

9 BY repealing and reenacting, with amendments,
10 Article 83A - Department of Business and Economic Development
11 Section 4-201, 4-203, and 4-208
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 2000 Supplement)

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

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

17 4-201.

18 [(a)] In this subtitle [the following words have the meanings indicated.

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

20 (c)], "Board" means the Maryland Tourism Development Board.

21 4-203.

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

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

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

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

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

6 (2) 2 members of the Board at all times shall be members of the General
7 Assembly of Maryland, 1 a member of the Senate of Maryland appointed by the
8 President and the other a member of the House of Delegates appointed by the
9 Speaker.

10 (3) IN MAKING THE APPOINTMENTS FROM THE PRIVATE SECTOR
11 BUSINESS COMMUNITY, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
12 HOUSE SHALL:

13 (I) ENSURE THAT EACH GEOGRAPHIC REGION OF THE STATE IS
14 REPRESENTED; AND

15 (II) GIVE DUE CONSIDERATION TO THE RECOMMENDATIONS MADE
16 BY REPRESENTATIVES OF THE TOURISM INDUSTRY AND PROVIDE BALANCED
17 REPRESENTATION OF THE LODGING, FOOD SERVICE, TRANSPORTATION, RETAIL,
18 AND AMUSEMENTS AND ATTRACTIONS SECTORS OF THE TOURISM INDUSTRY.

19 [(3)] (4) A member of the Board who is a member of the General
20 Assembly may not vote on matters before the Board relating to the exercise of the
21 sovereign powers of the State.

22 [(4)] (5) In making the appointments THE GOVERNOR IS REQUIRED TO
23 MAKE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, the Governor shall:

24 (i) Ensure that each geographic region of the State is represented;
25 and

26 (ii) Give due consideration to the recommendations made by
27 representatives of the tourism industry and provide balanced representation of the
28 lodging, food service, transportation, RETAIL, and amusements and attractions
29 sectors of the tourism industry.

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

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

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

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

3 (d) Each member of the Board appointed by the Governor serves at the
4 pleasure of the Governor. Members of the Board shall serve without compensation,
5 but each member shall be reimbursed for necessary travel and other expenses
6 incurred in the performance of official duties in accordance with the Standard State
7 Travel Regulations. The Board shall select annually from its membership a chairman,
8 [4] 5 vice-chairmen, 1 each to represent the lodging, food service, transportation,
9 RETAIL, and attractions sectors, and a secretary-treasurer.

10 4-208.

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

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

15 (c) The Fund is a special, continuous, nonlapsing fund that is not subject to §
16 7-302 of the State Finance and Procurement Article.

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

19 (e) The Fund consists of:

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

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

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

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

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

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

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

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

35 (IV) \$8,500,000, FOR FISCAL YEAR 2003;

- 1 (V) \$11,000,000, FOR FISCAL YEAR 2004;
2 (VI) \$13,500,000, FOR FISCAL YEAR 2005;
3 (VII) \$15,000,000, FOR FISCAL YEAR 2006; AND
4 (VIII) \$17,500,000, FOR FISCAL YEAR 2007 AND EACH FISCAL YEAR
5 THEREAFTER.

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2001.