

## CHAPTER 152

(Senate Bill 426)

AN ACT concerning

### Maryland Tourism Development Board – Membership

FOR the purpose of expanding the membership of the Maryland Tourism Development Board by adding two appointments of the President of the Senate and the Speaker of the House of Delegates and three appointments of the Governor who are from certain destination marketing organizations; providing that certain members appointed by the Governor meet certain qualifications; providing that certain members may not vote on any matter before the Board; specifying a certain legislative intent relating to the role of certain members; making certain stylistic changes; and generally relating to the membership of the Maryland Tourism Development Board.

BY repealing and reenacting, with amendments,  
 Article 83A – Department of Business and Economic Development  
 Section 4–203  
 Annotated Code of Maryland  
 (2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,  
 Article 83A – Department of Business and Economic Development  
 Section 4–206 and 4–207  
 Annotated Code of Maryland  
 (2003 Replacement Volume and 2006 Supplement)

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

#### Article 83A – Department of Business and Economic Development

4–203.

- (a) There is a Maryland Tourism Development Board in the Department.
- (b) (1) The Board consists of [19] **24** members appointed as follows:

(i) [11] **14** members shall be appointed by the Governor;

**1. 11 OF WHOM SHALL BE APPOINTED** in consultation with the Secretary and with the advice and consent of the Senate; **AND**

**2. 3 OF WHOM SHALL BE DIRECTORS OR CHIEF EXECUTIVE OFFICERS FROM AMONG THE DESTINATION MARKETING ORGANIZATIONS OFFICIALLY RECOGNIZED BY THE MARYLAND OFFICE OF TOURISM DEVELOPMENT;**

(ii) [4] **5** members shall be appointed by the President of the Senate of Maryland, 2 of whom shall be from the private sector business community; and

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

(2) [Two] **FOUR** members of the Board at all times shall be members of the General Assembly of Maryland, [1 a member] **2 TO BE MEMBERS** of the Senate of Maryland appointed by the President and the other [a member] **2 TO BE MEMBERS** of the House of Delegates appointed by the Speaker.

(3) In making the appointments from the private sector business community, the President of the Senate and the Speaker of the House shall:

(i) Ensure that each geographic region of the State is equitably represented; ~~and~~

(ii) Give due consideration to the recommendations made by representatives of the tourism industry and provide balanced representation of the lodging, food service, transportation, retail, and amusements and attractions sectors of the tourism industry; ~~AND~~

~~(iii) ENSURE THAT 3 MEMBERS ARE DIRECTORS OR CHIEF EXECUTIVE OFFICERS FROM AMONG THE 25 DESTINATION MARKETING ORGANIZATIONS OFFICIALLY RECOGNIZED BY THE MARYLAND OFFICE OF TOURISM DEVELOPMENT.~~

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

**(II) A MEMBER OF THE BOARD WHO IS A DIRECTOR OR CHIEF EXECUTIVE OFFICER FROM A DESTINATION MARKETING ORGANIZATION MAY NOT VOTE ON ANY MATTER BEFORE THE BOARD.**

(5) In making the appointments the Governor is required to make under paragraph (1)(i) of this subsection, the Governor shall:

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

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

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

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

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

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

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

Subject to the approval of the Secretary, the Board has the following powers and duties:

- (1) To adopt reasonable regulations to effectuate the provisions of this subtitle;
- (2) To enter into contracts and agreements;
- (3) To engage services;
- (4) To request and obtain from any department, division, board, bureau, commission or other agency or unit of the State, assistance and data to enable it to carry out its powers and duties under this subtitle;
- (5) To accept any federal funds granted by an act of Congress or by executive order for any of the purposes of this subtitle;
- (6) To accept any gifts, donations, or bequests for any of the purposes of this subtitle; and
- (7) Subject to the provisions of § 4–208 of this subtitle, to generate revenue through sales of goods and services relating to tourism.

4–207.

Subject to the approval of the Secretary, the Board shall:

- (1) Draft and implement:
  - (i) A 5–year strategic plan for the promotion and development of tourism in Maryland; and
  - (ii) An annual marketing plan consistent with the strategic plan;
- (2) Submit to the Maryland Economic Development Commission for its review the 5–year strategic plan and annual marketing plan;
- (3) Establish an annual operating budget consistent with the marketing plan;

- (4) Protect, preserve, promote, and restore the natural, historical, scenic, and cultural resources in the State;
- (5) Encourage the development of new tourism resources, products, businesses, and attractions in the State;
- (6) Facilitate the movement and activities of tourists to, from, and within the State through signs, information aids, and other services;
- (7) Improve the safety and security of tourists in the State;
- (8) Encourage and facilitate training and education of individuals for jobs in the tourism industry, and provide a healthy environment for the development of human resources in tourism businesses;
- (9) Encourage residents to pursue careers in the tourism industry;
- (10) Produce a climate conducive to small tourism business growth and viability;
- (11) Review existing and proposed taxes, fees, licenses, regulations, and regulatory procedures affecting tourism and tourism businesses in the State and evaluate their impact on the ability of the tourism industry to create employment and generate income;
- (12) Support the conducting of research necessary to evaluate, plan, and execute effective tourism programs;
- (13) Cooperate with other public and private agencies and organizations in the development and promotion of the State's tourism and travel industries;
- (14) Encourage, assist, and coordinate the tourism activities of local and regional promotional organizations;
- (15) Publish and submit to the Commission and the Secretary an annual report and other material that the Board considers appropriate;
- (16) Set policies regarding the expenditures of appropriated and other funds for tourism advertising, written and graphic materials, cooperative and matching promotional programs, and other tourism and travel developmental and promotional activities for the State; and

(17) Spend funds of the Maryland Tourism Development Board Fund for the planning, advertising, promotion, assistance, and development of tourism and travel industries in this State.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the members appointed to the Maryland Tourism Development Board from among the destination marketing organizations shall actively advocate and promote the collective interests of all destination marketing organizations.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

**Approved by the Governor, April 24, 2007.**