

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1051

(The Speaker) (By Request – Department of Legislative
Services – Code Revision)

Economic Matters

Finance

Economic Development - Cross-References, Corrections, and Modifications

This code revision bill corrects specified cross-references to the Economic Development Article in the Annotated Code of Maryland and corrects cross-references, errors, and omissions in and relating to that Article. The bill also clarifies the application of specified provisions relating to the Maryland Public Art Initiative Program, which terminates on May 31, 2010. The bill may not be interpreted to have any effect on that termination provision.

The bill also addresses specified substantive issues flagged by the Economic Development Article Review Committee.

Fiscal Summary

State Effect: The bill is primarily technical in nature and would not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: None.

Fiscal Summary

Bill Summary: To address the issues noted by the Article Review Committee, the bill also:

- corrects the annual reporting date for the Maryland Economic Development Commission;
- explicitly provides consistent removal provisions for private business members of the Maryland Tourism Board;
- provides for consistent designation of certain members of the Maryland Commission on Public Art;
- removes an unconstitutional limitation on the domicile of a returning veteran with a service-related disability in the Military Service-Related Loan Program;
- specifically authorizes the MEDCO board to determine the election of its officers and the times and places of its meetings;
- removes a confusing definition of “seafood” from the Maryland Food Center Authority statute;
- provides the Secretary of the Environment with certain explicit authority over developments of the Maryland Food Center Authority regarding State health laws;
- repeals a confusing provision on permit applications required of the Maryland Food Center Authority;
- authorizes a municipal corporation to approve a development of the Maryland Food Center Authority;
- repeals a restriction on the Secretary of Business and Economic Development over TEDCO and the Stem Cell Research Commission;
- repeals dissolution provisions for regional councils that may conflict with federal funding restrictions or otherwise purport to restrict the authority of the General Assembly to allocate council assets on the enactment of legislation to dissolve the councils;
- strikes obsolete language dealing with the Tri-County Council for Southern Maryland; and
- includes employees and officials of the Maryland Health and Higher Educational Facilities Authority and the Maryland Agricultural and Resource-Based Industry Development Corporation under State tort claims provisions.

Background: The Economic Development Article is a product of the continuing revision of the Annotated Code of Maryland by the Department of Legislative Services. The first revised articles were enacted at the First Extraordinary Session of 1973. Since that year, 31 revised articles have been enacted: Agriculture; Business Occupations and Professions; Business Regulation; Commercial Law; Corporations and Associations; Correctional Services; Courts and Judicial Proceedings; Criminal Law; Criminal Procedure; Education; Election Law; Estates and Trusts; Family Law; Financial Institutions; Health-Environmental (now Environment); Health-General; Health

Occupations; Housing and Community Development; Human Resources; Insurance; Labor and Employment; Natural Resources; Public Safety; Public Utility Companies; Real Property; State Finance and Procurement; State Government; State Personnel and Pensions; Tax-General; Tax-Property; and Transportation. The basic thrust of each revision is formal; the sole purpose of each is modernization and clarification, not policymaking.

The first drafts of this new article were prepared during the 2002 interim. A six-member Article Review Committee was appointed to review material proposed for inclusion in the Article. The final versions of the various article drafts were then collected and printed as House Bill 1050.

In the process of revising the Article, the Economic Development Article Review Committee noted several matters that it felt should be brought to the attention of the General Assembly. The committee included these notes, or “flags,” in revisor’s notes in the body of House Bill 1050, and separately collected them in two supporting documents: a report to the General Assembly (in particular the Senate Finance Committee and the House Economic Matters Committee) and an ordered ranking by relative significance. A subcommittee of the Economic Matters Committee reviewed the list of flags. Based on its assessment of several of the flags, the subcommittee recommended several additional changes to the new Article, which have been amended into the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2008
mam/ljm Revised - House Third Reader - March 22, 2008
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