

SENATE BILL 369

R2

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By: **Senator Della**

Introduced and read first time: January 28, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Port Commission – Membership**

3 FOR the purpose of altering the voting membership of the Maryland Port Commission
4 by adding certain members to represent certain organizations; altering the
5 number of Commission voting members required to constitute a quorum;
6 establishing initial staggered terms for Commission memberships created by
7 this Act; repealing an obsolete provision staggering the initial terms of
8 Commission members; and generally relating to the membership of the
9 Maryland Port Commission.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 6–201
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2009 Supplement)

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

17 **Article – Transportation**

18 6–201.

19 (a) There is a Maryland Port Commission.

20 (b) The Commission shall:

21 (1) Establish policies directed toward improving the competitive
22 position of the ports of Maryland within the international port industry;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Adopt regulations for the operation of the Administration in a
2 competitive manner within the port industry;

3 (3) Exercise those powers granted to the Commission and to the
4 Maryland Port Administration by this title or by any other provision of law;

5 (4) Unless otherwise directed by the Secretary, serve as the board of
6 directors of any private operating company created under this title; and

7 (5) In carrying out the provisions of this subtitle, seek information and
8 advice from port labor and management groups.

9 (c) (1) The Commission shall consist of [7] NINE voting members[, 6 of
10 whom shall be appointed by the Governor with the advice and consent of the Senate
11 and the 7th shall be the Secretary of Transportation who shall be the Chairman of the
12 Commission] **AS FOLLOWS:**

13 (I) **THE SECRETARY OF TRANSPORTATION, WHO SHALL**
14 **SERVE AS THE CHAIR OF THE COMMISSION; AND**

15 (II) **THE FOLLOWING EIGHT MEMBERS, WHO SHALL BE**
16 **APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE**
17 **SENATE:**

18 1. **SIX MEMBERS FROM THE GENERAL PUBLIC;**

19 2. **ONE MEMBER REPRESENTING THE STEAMSHIP**
20 **TRADE ASSOCIATION OF BALTIMORE; AND**

21 3. **ONE MEMBER REPRESENTING THE**
22 **INTERNATIONAL LONGSHOREMEN'S ASSOCIATION.**

23 (2) The Secretary of Business and Economic Development shall serve
24 as a nonvoting ex officio Commission member.

25 (d) (1) Subject to the provisions of paragraph (3) of this subsection, the
26 Governor may not appoint to the Commission:

27 (i) An officer or employee of the State;

28 (ii) A representative of any entity whose principal activities are
29 ports-related;

30 (iii) A person employed by any entity whose principal activities
31 are ports-related; or

1 (iv) A member of the General Assembly.

2 (2) The Governor shall take into consideration geographic
3 representation when appointing the [6] EIGHT members of the Commission.

4 (3) Notwithstanding paragraph (1) of this subsection, a member of the
5 Maryland Transportation Authority or any other State board, commission, or
6 authority may be appointed a member of the Maryland Port Commission. Any person
7 so appointed who is compensated by the State is not entitled to any compensation or
8 other emolument, except expenses incurred in connection with attendance at hearings,
9 meetings, field trips, and working sessions, for any services rendered as a
10 Commissioner.

11 (e) (1) Each appointed member serves for a term of 3 years and until a
12 successor is appointed and qualifies. The terms of appointed members shall be
13 staggered as required by the original appointments to the Commission[, 2 of which
14 shall be for 3 years, 2 of which shall be for 2 years, and 2 of which shall be for 1 year].

15 (2) A member appointed to fill a vacancy in an unexpired term serves
16 only for the remainder of that term or until a replacement is appointed.

17 (f) The Commission shall meet at a time and place designated by the
18 Chairman of the Commission. The Commission shall meet as often as its duties
19 require, but not less than quarterly. Attendance by [4] FIVE voting members shall
20 constitute a quorum.

21 (g) Except as provided under subsection (d)(3) of this section, members of the
22 Commission appointed by the Governor are entitled to the compensation and expenses
23 provided for in the State budget. Members of the Commission are subject to the
24 provisions of § 8-501 of the State Government Article.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the initial terms of the
26 members of the Maryland Port Commission who are appointed to fill memberships
27 created by this Act shall expire as follows:

28 (1) the term of the member representing the Steamship Trade
29 Association of Baltimore shall expire in 2013; and

30 (2) the term of the member representing the International
31 Longshoremen's Association shall expire in 2014.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2010.