

SENATE BILL 209

C8

(PRE-FILED)

4lr0097

CF 4lr0098

By: **Chair, Finance Committee (By Request – Departmental – Commerce)**

Requested: September 11, 2023

Introduced and read first time: January 10, 2024

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **Economic Development – Maryland Economic Development Commission –**
3 **Alterations**

4 FOR the purpose of altering certain requirements relating to industry representation on
5 the Maryland Economic Development Commission and the purpose of the
6 Commission; repealing a requirement that the Office of International Trade make a
7 certain report to the Commission; repealing a requirement that the Maryland
8 Tourism Development Board submit certain plans to the Commission; and generally
9 relating to the Maryland Economic Development Commission.

10 BY repealing and reenacting, without amendments,
11 Article – Economic Development
12 Section 2.5–201, 3–301, and 4–201(a) and (b)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Economic Development
17 Section 2.5–203, 2.5–206, 4–211, and 4–212(a)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2023 Supplement)

20 BY repealing
21 Article – Economic Development

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 3–309
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2023 Supplement)

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

6 **Article – Economic Development**

7 2.5–201.

8 In this subtitle, “Commission” means the Maryland Economic Development
9 Commission.

10 2.5–203.

11 (a) (1) (i) The Commission consists of:

12 1. not more than 21 voting members appointed by the
13 Governor with the advice and consent of the Senate;

14 2. two voting members appointed by the President of the
15 Senate of Maryland;

16 3. two voting members appointed by the Speaker of the
17 House of Delegates;

18 4. A. one member of the Senate of Maryland, designated
19 by the President of the Senate; and

20 B. one member of the House of Delegates, designated by the
21 Speaker of the House; and

22 5. the following representatives of State units and
23 instrumentalities of the State:

24 A. the Executive Director of the Maryland Economic
25 Development Corporation, or the Executive Director’s designee;

26 B. the Chief Executive Officer of the Maryland Technology
27 Development Corporation, or the Chief Executive Officer’s designee;

28 C. the Secretary or the Secretary’s designee; and

29 D. the Secretary of Labor, or the Secretary’s designee.

1 (ii) The Secretary and the Secretary of Labor or their designees,
2 State unit or instrumentality representatives, and members of the General Assembly are
3 nonvoting ex officio members of the Commission.

4 (iii) A designee under subparagraph (i)5 of this paragraph may be an
5 administrator or a senior official of the unit or instrumentality.

6 (2) The geographic representation of the Commission shall cover the entire
7 State and shall include at least one representative from:

8 (i) the upper Eastern Shore;

9 (ii) the lower Eastern Shore;

10 (iii) Calvert County, Charles County, or St. Mary's County;

11 (iv) Allegany County or Garrett County; and

12 (v) Carroll County, Frederick County, or Washington County.

13 (3) [When appointing Commission members, the Governor shall consider
14 geographic and industry representation.] **THE INDUSTRIES REPRESENTED BY**
15 **MEMBERS OF THE COMMISSION SHALL:**

16 **(I) BE DIVERSE; AND**

17 **(II) INCLUDE AT LEAST ONE REPRESENTATIVE FROM:**

18 **1. THE LIFE SCIENCES INDUSTRY; AND**

19 **2. THE MANUFACTURING INDUSTRY.**

20 (4) The members appointed shall reflect the racial and gender diversity of
21 the population of the State.

22 (b) The appointed members of the Commission shall have substantial interest or
23 experience in business or knowledge of business and economic development.

24 (c) The Commission and its members are subject to the Maryland Public Ethics
25 Law.

26 (d) (1) The term of an appointed member is 3 years.

27 (2) At the end of a term, an appointed member continues to serve until a
28 successor is appointed and qualifies.

1 (3) A member appointed after a term has begun serves only for the
2 remainder of the term and until a successor is appointed and qualifies.

3 (4) The terms of the appointed members are staggered as required by the
4 terms provided for members of the Commission on October 1, 2008.

5 (5) A member may be removed by the Governor with or without cause.

6 2.5–206.

7 (a) The Commission may:

8 (1) adopt bylaws for the conduct of its business;

9 (2) hire consultants; and

10 (3) do anything necessary or convenient to carry out its powers and the
11 purposes of this subtitle.

12 (b) The Commission shall:

13 (1) develop and update an economic development strategic plan for the
14 State;

15 (2) seek ideas and advice from each region of the State to develop the
16 economic development strategic plan;

17 [(3) incorporate into the economic development strategic plan the Maryland
18 Port Administration strategic plan developed for the Helen Delich Bentley Port of
19 Baltimore;]

20 [(4) (3) recommend to the Governor and the Secretary the program and
21 spending priorities needed to implement the economic development strategic plan;

22 [(5) (4) review the allocation of financing incentives;

23 [(6) (5) participate in encouraging new businesses to locate in the State;

24 [(7) seek contributions from the private sector to supplement economic
25 development programs and financial incentives to business;]

26 [(8) (6) conduct periodic reviews of the economic development activities
27 of the Department, the Maryland Economic Development Corporation, the Maryland
28 Technology Development Corporation, and the Maryland Public–Private Partnership
29 Marketing Corporation for compliance with the economic development strategic plan;

1 [(9)] (7) make recommendations to the Governor and the Secretary to
2 improve economic development activities that fail to achieve economic development
3 strategic goals or are inconsistent with priorities under the economic development strategic
4 plan; and

5 [(10)] (8) carry out other economic development activities that the
6 Governor or the Secretary requests.

7 [(c) The Commission may spend money raised under subsection (b) of this section
8 only in accordance with the State budget.

9 (d) Departmental regulations that pertain to financing programs shall be
10 approved by the Commission before adoption.

11 (e) The Department may not submit a budget request before the Commission
12 reviews the request.]

13 3–301.

14 In this subtitle, “Office” means the Office of International Trade.

15 [3–309.

16 The Office shall report at least twice each year to the Maryland Economic
17 Development Commission on the status of the State’s international activities.]

18 4–201.

19 (a) In this subtitle the following words have the meanings indicated.

20 (b) “Board” means the Maryland Tourism Development Board.

21 4–211.

22 The Board shall[:

23 (1)] draft and implement a 5–year strategic plan for the promotion and
24 development of tourism in the State[; and

25 (2) submit the strategic plan to the Maryland Economic Development
26 Commission for its review].

27 4–212.

28 (a) The Board shall[:

1 (1) draft and implement an annual marketing plan consistent with the
2 strategic plan developed under § 4-211 of this subtitle[; and

3 (2) submit the marketing plan to the Maryland Economic Development
4 Commission for its review].

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.