

Committee: PHED Committee Review: Worksession held Staff: Christine Wellons, Legislative Attorney Purpose: Withdraw Bill under Council Rule 6g. Keywords: #BroadcastMCEDC

SUBJECT

Bill 11-21, Montgomery County Economic Development Corporation – Bylaws – Live Video Streaming of Open Meetings

Lead Sponsor: Councilmember Glass

Co-Sponsors: Council President Hucker, Councilmembers Jawando, Katz, Navarro, Council Vice President Albornoz and Councilmember Rice

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Motion followed by hand vote, under Council Rule 6g, on whether to withdraw Bill 11-21.
- A motion may be made by an original sponsor of the bill to withdraw the bill.
- A majority vote is required to withdraw the bill.

DESCRIPTION/ISSUE

The lead sponsor of Bill 11-21, Councilmember Glass, requests the withdrawal of the bill following his work with the Montgomery County Economic Development Corporation (MCEDC) regarding the substance of the bill. The bill would have required MCEDC to adopt bylaws mandating: (1) the live streaming of certain meetings; and (2) the archiving of certain videos.

SUMMARY OF KEY DISCUSSION POINTS

- Bill 11-21 was introduced on March 2, 2021.
- A public hearing was held on March 23, 2021.
- A worksession of the PHED Committee was held on June 21, 2021.
- The lead sponsor has worked with the affected entity, MCEDC, and wishes to withdraw the bill.

This report contains:

Bill 11-21

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Bill No.		11-21		
Concerning: <u>N</u>	/lontgomery	<u>County</u>		
Economic	Developm	ent Corporation		
 Bylaws 	 Live Vide 	eo Streaming of		
Open Meetings				
Revised: 2/2	4/2021	_ Draft No. <u>3</u>		
Introduced:	March 2, 2	2021		
Expires:	Septembe	r 2, 2022		
Enacted:	-			
Executive:				
Effective:				
Sunset Date: None				
Ch, Lav	ws of Mont.	Со.		

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Glass

Co-Sponsors: Council President Hucker and Councilmembers Jawando, Katz, Navarro, Council Vice President Albornoz and Councilmember Rice

AN ACT to:

- (1) require the Montgomery County Economic Development Corporation to adopt bylaws requiring the live video streaming of certain meetings;
- (2) require the archiving of certain videos; and
- (3) generally amend the law regarding the bylaws and meetings of the Economic Development Corporation.

By amending

Montgomery County Code Chapter 15A, Economic Development Section 15A-4

Boldface <u>Underlining</u> [Single boldface brackets] <u>Double underlining</u> [[Double boldface brackets]] * * *	Heading or defined term. Added to existing law by original bill. Deleted from existing law by original bill. Added by amendment. Deleted from existing law or the bill by amendment. Existing law unaffected by bill.
* * *	Existing law unaffected by bill.
[[Double boldface brackets]]	Deleted from existing law or the bill by amendment.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec. 1. Section 15A-4 is mended as follows:			
2	2 15A-4. Status; incorporation; bylaws.			
3				* * *
4	(c)	<u>Publi</u>	c trans	parency.
5		<u>(1)</u>	The C	County Council finds that:
6			<u>(A)</u>	Since its inception in 2016, the Montgomery County
7				Economic Development Corporation (MCEDC) has
8				received a total of \$39.5 million in general operating and
9				emergency supplement funding to implement and manage
10				programs furthering the County's business attraction,
11				retention, and growth initiatives;
12			<u>(B)</u>	MCEDC has received \$24.2 million in general operating
13				support to administer the Economic Development Grant &
14				Loan Program, MOVE Program, Biotech Credit
15				Supplement, and Small Business Assistance Program;
16			<u>(C)</u>	During the Covid-19 pandemic, MCEDC has administered
17				<u>\$15.3 million in special appropriations to implement the</u>
18				Local Production Fund, Telework Assistance Program, 3R
19				Initiative and the Restaurant Relief Fund;
20			<u>(D)</u>	According to MCEDC's FY20 annual report, 96% of the
21				organization's revenue was provided by County taxpayers.
22		<u>(2)</u>	The b	ylaws must require the Corporation:



23			<u>(A)</u>	to comply with the Maryland Open Meetings law, \underline{as}
24				amended, and the Maryland Public Information Act, as
25				amended; and
26			<u>(B)</u>	to comply with the requirements of subsection (d).
27	<u>(d)</u>	<u>Live</u>	<u>Video S</u>	Streaming of Open Meetings.
28		<u>(1)</u>	<u>For</u> p	urposes of this subsection, open meeting means an open
29			sessic	on of the Corporation under Section 3-301 of the General
30			Provi	sions Article of the Maryland Code, as amended.
31		<u>(2)</u>	Excep	ot as provided in paragraph (3), the Corporation must:
32			<u>(A)</u>	make publicly available through its website live video
33				streaming of each open meeting of the Corporation; and
34			<u>(B)</u>	maintain a publicly available archive that contains each
35				video created under subparagraph (A).
36		<u>(3)</u>	The r	equirements of this subsection do not apply if:
37			<u>(A)</u>	<u>a majority of Board of Directors find that a technical</u>
38				problem or an emergency situation prevents the live video
39				streaming of a meeting;
40			<u>(B)</u>	a factor beyond the Corporation's control, including an
41				electrical power outage or an interrupted internet
42				connection, prevents or delays live video streaming of a
43				meeting; or
44			<u>(C)</u>	<u>a factor beyond the Corporation's control, including a</u>
45				website error, makes the archive required under paragraph
46				(2) temporarily unavailable.
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47 (4) <u>A failure to comply with this section does not invalidate any</u>
48 <u>action of the Corporation.</u>

