

HOUSE BILL 172

C8

4r1084
CF SB 547

By: **Delegates Mitchell, Lafferty, Guzzone, Anderson, Clippinger, Glenn, Hammen, Hogan, Jones, Kach, Malone, McIntosh, Niemann, Norman, O'Donnell, Olszewski, Pena-Melnyk, Rosenberg, Stein, M. Washington, and Zucker**

Introduced and read first time: January 15, 2014

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2014

CHAPTER _____

1 AN ACT concerning

2 **Economic Development – Baltimore Region – Baltimore Metropolitan**
3 **Council and Advisory Board and Baltimore Region Transportation Board**

4 FOR the purpose of ~~clarifying the purpose~~ altering the purposes of the Baltimore
5 Metropolitan Council; altering the membership of the Council; ~~altering the~~
6 ~~membership of~~ requiring the Council to make a certain annual report; repealing
7 provisions of law that establish the Baltimore Metropolitan Council Advisory
8 Board; establishing the Baltimore Region Transportation Board; providing for
9 the purpose and composition of the ~~Transportation Board~~; ~~specifying that all~~
10 ~~members of the Transportation Board are voting members~~; and generally
11 relating to the Baltimore Metropolitan Council and Advisory Board and the
12 Baltimore Region Transportation Board.

13 BY repealing and reenacting, without amendments,
14 Article – Economic Development
15 Section 13–301, 13–304, 13–305, 13–306, and 13–308
16 Annotated Code of Maryland
17 (2008 Volume and 2013 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Economic Development
20 Section 13–302, 13–303, ~~13–307, and 13–309~~ and 13–307

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 Annotated Code of Maryland
2 (2008 Volume and 2013 Supplement)

3 BY repealing
4 Article – Economic Development
5 Section 13–309
6 Annotated Code of Maryland
7 (2008 Volume and 2013 Supplement)

8 BY adding to
9 Article – Economic Development
10 Section ~~13–310~~ 13–309
11 Annotated Code of Maryland
12 (2008 Volume and 2013 Supplement)

13 Preamble

14 WHEREAS, The Baltimore Metropolitan Council (BMC) was created by the
15 General Assembly in 1992 out of its predecessor agency, the Baltimore Regional
16 Council of Governments; and

17 WHEREAS, Federal law requires a metropolitan planning organization to
18 develop long-range transportation plans and transportation improvement programs
19 through a performance-driven, outcome-based approach to planning for metropolitan
20 areas of the State; and

21 WHEREAS, Federal law requires a metropolitan planning organization to
22 consist of local elected officials, officials of public agencies that administer or operate
23 major modes of transportation in the metropolitan area, and appropriate State
24 officials; and

25 WHEREAS, State law authorizes the BMC to serve, with the State Department
26 of Transportation, as a metropolitan planning organization for federal funding and
27 certification; and

28 WHEREAS, The BMC created the Baltimore Region Transportation Board in
29 the BMC bylaws to serve as the designated metropolitan planning organization; and

30 WHEREAS, There is a need for the local governments in the BMC, appropriate
31 State agencies, and other organizations interested in the advancement of the
32 Baltimore region to work more cooperatively to achieve important economic
33 development, transportation, and planning requirements and goals; now, therefore,

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

36 **Article – Economic Development**

1 13-301.

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

3 (b) "Council" means the Baltimore Metropolitan Council.

4 (c) "Region" means the area that includes all of Anne Arundel County,
5 Baltimore City, Baltimore County, Carroll County, Harford County, and Howard
6 County.

7 13-302.

8 (a) There is a Baltimore Metropolitan Council.

9 (b) The Council:

10 (1) is a body politic and corporate; and

11 (2) is not a unit of State government.

12 (c) The purposes of the Council are to:

13 (1) serve as a forum for local officials and their representatives to
14 identify and address problems in the region;

15 (2) provide a central source of information and coordination for
16 fashioning responses to needs in the region; [and]

17 (3) assist local jurisdictions in developing regional policies, prioritizing
18 regional infrastructure needs, and developing regional strategies; AND

19 (4) ~~DEVELOP REGIONAL ECONOMIC STRATEGIES THAT PROMOTE~~
20 ~~THE BALTIMORE METROPOLITAN REGION AND DIVERSIFY THE ECONOMIC BASE,~~
21 ~~INCLUDING TRANSPORTATION, HOUSING, EDUCATION, AND RESIDENTIAL AND~~
22 ~~ECONOMIC DEVELOPMENT; AND~~

23 (5) ~~RECOMMEND TO THE GENERAL ASSEMBLY STATUTORY~~
24 ~~CHANGES TO IMPROVE REGIONAL COOPERATION AND THE LONG TERM~~
25 ~~ECONOMIC HEALTH OF THE REGION~~ FACILITATE COORDINATION AND
26 COLLABORATION AMONG LOCAL JURISDICTIONS AND ORGANIZATIONS IN THE
27 BALTIMORE REGION TO FOSTER ECONOMIC GROWTH AND DEVELOPMENT IN
28 THE REGION IN AREAS THAT INCLUDE:

29 (I) REGIONAL TRANSPORTATION;

1 **(II) HOUSING;**

2 **(III) WORKFORCE DEVELOPMENT; AND**

3 **(IV) RENEWABLE ENERGY PROJECTS AND USAGE.**

4 13–303.

5 (a) The Council consists of:

6 (1) one member appointed by the County Executive of Anne Arundel
7 County;

8 (2) one member appointed by the Mayor of Baltimore City;

9 (3) one member appointed by the County Executive of Baltimore
10 County;

11 (4) one member appointed by the County Commissioners of Carroll
12 County;

13 (5) one member appointed by the County Executive of Harford County;

14 (6) one member appointed by the County Executive of Howard County;
15 [and]

16 (7) [other members as the Council Charter provides] **ONE MEMBER**
17 **OF THE HOUSE OF DELEGATES WHO REPRESENTS A DISTRICT WITHIN ANNE**
18 **ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, CARROLL**
19 **COUNTY, HARFORD COUNTY, OR HOWARD COUNTY, APPOINTED BY THE**
20 **SPEAKER OF THE HOUSE;**

21 (8) **ONE MEMBER OF THE SENATE OF MARYLAND WHO**
22 **REPRESENTS A DISTRICT WITHIN ANNE ARUNDEL COUNTY, BALTIMORE CITY,**
23 **BALTIMORE COUNTY, CARROLL COUNTY, HARFORD COUNTY, OR HOWARD**
24 **COUNTY, APPOINTED BY THE PRESIDENT OF THE SENATE; AND**

25 (9) **ONE REPRESENTATIVE OF THE PRIVATE SECTOR APPOINTED**
26 **BY THE GOVERNOR.**

27 (b) [(1)] A member appointed under subsection (a)(1) through (6) of this
28 section serves at the pleasure of the appointing authority.

29 [(2) A member appointed under subsection (a)(7) of this section serves
30 as the Council Charter provides.]

1 13-304.

2 As provided in the Council Charter, the Council shall elect a chair from among
3 its members.

4 13-305.

5 (a) (1) The Council shall meet at least quarterly at the times and places
6 that it determines.

7 (2) A majority of the members of the Council is a quorum.

8 (3) An action of the Council is not effective unless approved by
9 majority vote of all members of the Council.

10 (b) A member of the Council:

11 (1) may not receive compensation as a member of the Council; but

12 (2) is entitled to reimbursement for reasonable expenses.

13 13-306.

14 The Council may employ a staff.

15 13-307.

16 ~~[(a)]~~ The Council may:

17 (1) adopt a seal;

18 (2) sue or be sued, subject to the limitations of Title 5, Subtitle 3 of the
19 Courts and Judicial Proceedings Article;

20 (3) adopt a charter, bylaws, rules, and guidelines to carry out its
21 purposes;

22 (4) acquire, hold, lease, use, encumber, transfer, or dispose of
23 property;

24 (5) enter into a contract and execute any instrument necessary or
25 convenient to carry out its purposes;

26 (6) exercise any corporate power granted to a corporation under the
27 Corporations and Associations Article;

1 (7) serve, with the State Department of Transportation, as a
2 metropolitan planning organization for federal funding and certification; and

3 (8) do all things necessary or convenient to carry out the powers
4 granted by this subtitle.

5 ~~[(b) The Council Charter shall include provisions for the admission and~~
6 ~~withdrawal of Council members under § 13-303(a)(7) of this subtitle~~ **SHALL REPORT**
7 **ANNUALLY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF**
8 **THE STATE GOVERNMENT ARTICLE, ON:**

9 (1) **THE STATUS OF THE COUNCIL'S EFFORTS; AND**

10 (2) **RECOMMENDED POLICY GOALS, STRATEGIES, AND**
11 **STATUTORY CHANGES TO IMPROVE REGIONAL COOPERATION AND THE**
12 **LONG-TERM HEALTH OF THE REGION.]**

13 13-308.

14 The Council may accept from any private or public source a contribution or
15 grant of money or property.

16 ~~13-309.~~

17 ~~(a) There is a Baltimore Metropolitan Council Advisory Board.~~

18 ~~(b) The Advisory Board consists of:~~

19 ~~(1) the Anne Arundel County Executive and the Chair of the Anne~~
20 ~~Arundel County Council or the Chair's designee;~~

21 ~~(2) the Mayor of Baltimore and the President of the Baltimore City~~
22 ~~Council or the President's designee;~~

23 ~~(3) the Baltimore County Executive and the Chair of the Baltimore~~
24 ~~County Council or the Chair's designee;~~

25 ~~(4) two members of the Board of County Commissioners of Carroll~~
26 ~~County APPOINTED BY THE COUNTY COMMISSIONERS;~~

27 ~~(5) the Harford County Executive and the President of the Harford~~
28 ~~County Council or the President's designee;~~

29 ~~(6) the Howard County Executive and the Chair of the Howard County~~
30 ~~Council or the Chair's designee; [and]~~

1 ~~(7) [other members as the Council Charter provides] ONE MEMBER~~
 2 ~~OF THE GENERAL ASSEMBLY APPOINTED JOINTLY BY THE PRESIDENT OF THE~~
 3 ~~SENATE AND THE SPEAKER OF THE HOUSE; AND~~

4 ~~(8) TWO MEMBERS APPOINTED BY THE GOVERNOR WHO~~
 5 ~~REPRESENT ORGANIZATIONS THAT PROMOTE BUSINESS AND REGIONAL ISSUES~~
 6 ~~IN THE BALTIMORE METROPOLITAN REGION.~~

7 ~~(e) As provided in the Council Charter, the Advisory Board shall elect a chair~~
 8 ~~from among its members.~~

9 ~~13-310. 13-309.~~

10 (A) THERE IS A BALTIMORE REGION TRANSPORTATION BOARD.

11 (B) THE BOARD SERVES AS THE METROPOLITAN PLANNING
 12 ORGANIZATION FOR FEDERAL ~~PLANNING~~ FUNDING AND CERTIFICATION AS
 13 REQUIRED BY FEDERAL LAW.

14 (C) THE BOARD CONSISTS OF:

15 (1) THE MAYOR OF THE CITY OF ANNAPOLIS;

16 (2) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY;

17 (3) THE MAYOR OF BALTIMORE CITY;

18 (4) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY;

19 (5) THE PRESIDENT OF THE CARROLL COUNTY COMMISSIONERS;

20 (6) THE COUNTY EXECUTIVE OF HARFORD COUNTY;

21 (7) THE COUNTY EXECUTIVE OF HOWARD COUNTY;

22 (8) THE SECRETARY OF TRANSPORTATION;

23 (9) THE SECRETARY OF THE ENVIRONMENT; ~~AND~~

24 (10) THE SECRETARY OF PLANNING; AND

25 (11) AS AUTHORIZED UNDER 23 U.S.C. §§ 134 AND 135:

26 (i) THE CHIEF EXECUTIVE OFFICER OR PRESIDENT OF THE
 27 BOARD OF COMMISSIONERS OF ANY OTHER JURISDICTION; AND

1 (II) THE SECRETARY OR CHIEF APPOINTED OFFICIAL OF
2 ANY OTHER UNIT OF STATE GOVERNMENT.

3 ~~(D) ALL MEMBERS OF THE BOARD ARE VOTING MEMBERS.~~

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2014.

Approved:

_____ Governor.

_____ Speaker of the House of Delegates.

_____ President of the Senate.