

SENATE BILL 547

C8

4r2861
CF HB 172

By: ~~Senator Ferguson~~ Senators Ferguson, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

Introduced and read first time: January 29, 2014

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 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
21 Annotated Code of Maryland
22 (2008 Volume and 2013 Supplement)

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

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

11 Preamble

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

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

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

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

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

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

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

34 **Article – Economic Development**

35 13–301.

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

2 (b) “Council” means the Baltimore Metropolitan Council.

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

6 13–302.

7 (a) There is a Baltimore Metropolitan Council.

8 (b) The Council:

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

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

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

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

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

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

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

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

28 (I) REGIONAL TRANSPORTATION;

29 (II) HOUSING;

1 (III) WORKFORCE DEVELOPMENT; AND

2 (IV) RENEWABLE ENERGY PROJECTS AND USAGE.

3 13–303.

4 (a) The Council consists of:

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

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

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

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

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

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

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

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

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

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

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

30 13–304.

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

3 13-305.

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

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

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

9 (b) A member of the Council:

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

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

12 13-306.

13 The Council may employ a staff.

14 13-307.

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

16 (1) adopt a seal;

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

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

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

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

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

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

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

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

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

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

11 13-308.

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

14 ~~13-309.~~

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

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

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

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

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

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

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

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

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

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

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

6 ~~13-310.~~ 13-309.

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

8 (B) THE BOARD SERVES AS THE METROPOLITAN PLANNING
9 ORGANIZATION FOR FEDERAL ~~PLANNING~~ FUNDING AND CERTIFICATION AS
10 REQUIRED BY FEDERAL LAW.

11 (C) THE BOARD CONSISTS OF:

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

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

14 (3) THE MAYOR OF BALTIMORE CITY;

15 (4) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY;

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

17 (6) THE COUNTY EXECUTIVE OF HARFORD COUNTY;

18 (7) THE COUNTY EXECUTIVE OF HOWARD COUNTY;

19 (8) THE SECRETARY OF TRANSPORTATION;

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

21 (10) THE SECRETARY OF PLANNING; AND

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

23 (I) THE CHIEF EXECUTIVE OFFICER OR PRESIDENT OF THE
24 BOARD OF COMMISSIONERS OF ANY OTHER JURISDICTION; AND

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.