HOUSE BILL 172

C8 4lr1084

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

A BILL ENTITLED

AN ACT concerning

Economic Development – Baltimore Region – Baltimore Metropolitan Council and Advisory Board and Baltimore Region Transportation Board

FOR the purpose of clarifying the purpose of the Baltimore Metropolitan Council; altering the membership of the Council; altering the membership of the Baltimore Metropolitan Council Advisory Board; establishing the Baltimore Region Transportation Board; providing for the purpose and composition of the Transportation Board; specifying that all members of the Transportation Board are voting members; and generally relating to the Baltimore Metropolitan Council and Advisory Board and the Baltimore Region Transportation Board.

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

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–302, 13–303, 13–307, and 13–309
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY adding to
Article – Economic Development
Section 13–310
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

Preamble

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

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

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

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

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

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

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

Article – Economic Development

13–301.

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

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

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

13–302.

(a) There is a Baltimore Metropolitan Council.

(b) The Council:

(1) is a body politic and corporate; and

(2) is not a unit of State government.

(c) The purposes of the Council are to:

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

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

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

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

(5) RECOMMEND TO THE GENERAL ASSEMBLY STATUTORY CHANGES TO IMPROVE REGIONAL COOPERATION AND THE LONG–TERM ECONOMIC HEALTH OF THE REGION.

13–303.

(a) The Council consists of:

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

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

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

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

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

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

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

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

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

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

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

13–304.

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

13–305.

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

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

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

(b) A member of the Council:

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

(2) is entitled to reimbursement for reasonable expenses.

13–306.

The Council may employ a staff.

13–307.

[(a)**]** The Council may:

(1) adopt a seal;

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

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

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

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

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

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

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

[(b) The Council Charter shall include provisions for the admission and withdrawal of Council members under § 13–303(a)(7) of this subtitle.**]**

13–308.

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

13–309.

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

(b) The Advisory Board consists of:

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

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

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

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

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

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

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

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

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

13–310.

(A) THERE IS A BALTIMORE REGION TRANSPORTATION BOARD.

(B) THE BOARD SERVES AS THE METROPOLITAN PLANNING ORGANIZATION FOR FEDERAL PLANNING AND CERTIFICATION AS REQUIRED BY FEDERAL LAW.

(C) THE BOARD CONSISTS OF:

(1) THE MAYOR OF THE CITY OF ANNAPOLIS;

(2) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY;

(3) THE MAYOR OF BALTIMORE CITY;

(4) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY;

(5) THE PRESIDENT OF THE CARROLL COUNTY COMMISSIONERS;

(6) THE COUNTY EXECUTIVE OF HARFORD COUNTY;

(7) THE COUNTY EXECUTIVE OF HOWARD COUNTY;

(8) THE SECRETARY OF TRANSPORTATION;

(9) THE SECRETARY OF THE ENVIRONMENT; AND

(10) THE SECRETARY OF PLANNING.

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

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