HOUSE BILL 1491

R2 4lr3293

By: **Delegates Oaks, Carter, and Rosenberg**
Introduced and read first time: February 24, 2014
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Transportation – Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line

FOR the purpose of providing that a member of the Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line is entitled to reimbursement of expenses under certain State regulations as provided in the State budget; clarifying language; and generally relating to the Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line.

BY repealing and reenacting, with amendments,
Chapter 2 of the Acts of the General Assembly of the Special Session of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the Special Session of 2006
Section 2

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

Chapter 2 of the Acts of the Special Session of 2006

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line.

(b) The Advisory Council consists of the following members:

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

(1) 5 members who are business owners, residents, service providers, or workers in the Red Line transit corridor, and who are appointed by the President of the Senate:

(i) based on geographic consideration; and

(ii) after consultation with the members of the Baltimore City Delegation of the General Assembly who represent legislative districts 41, 44, and 46 and the members of the Baltimore County Delegation to the General Assembly who represent legislative district 10;

(2) 5 members who are business owners, residents, service providers, or workers in the Red Line transit corridor, and who are appointed by the Speaker of the House:

(i) based on geographic consideration; and

(ii) after consultation with the members of the Baltimore City Delegation of the General Assembly who represent legislative districts 41, 44, and 46 and the members of the Baltimore County Delegation to the General Assembly who represent legislative district 10;

(3) 2 members who are appointed by the Governor or, at the Governor's discretion, the Maryland Transit Administrator;

(4) 2 members who are appointed by the Mayor of the City of Baltimore to represent the Baltimore City Department of Transportation and the Baltimore City Department of Planning; and

(5) 1 member who is appointed by the County Executive of Baltimore County.

(c) The Maryland Transit Administrator shall designate two co–chairs of the Advisory Council in the following manner:

(1) one from a list of two names provided by the President of the Senate from the members appointed under subsection (b) of this section; and

(2) one from a list of two names provided by the Speaker of the House from the members appointed under subsection (b) of this section.

(d) The term of a member of the Advisory Council shall continue until the commencement of operation of passenger service on the initial phase of the Red Line or until project funding is otherwise expended.

(e) On resignation of a member, a new member shall be appointed by the person who appointed the resigning member.

(f) (1) The Advisory Council shall meet at least once every 3 months.

(2) The meetings of the Advisory Council shall be publicized and open to the public.

(g) A member of the Advisory Council**:**

(1) may not receive compensation **AS A MEMBER OF THE ADVISORY COUNCIL; BUT**

(2) IS ENTITLED TO REIMBURSEMENT OF EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(h) The Advisory Council shall advise the Administrator on major policy matters concerning the Baltimore Corridor Transit Study – Red Line, including:

(1) compensation for property owners whose property is damaged during the construction of any Red Line project, redevelopment of commercial areas surrounding the Red Line transit corridor in Baltimore City and Baltimore County, and providing hiring preferences as provided by Section 1 of this Act;

(2) consideration of a full range of construction alternatives, including an underground rail option;

(3) ensuring that the Red Line project:

(i) benefits the communities through which it will travel;

(ii) uses an inclusive planning process, including consultation with community residents, businesses, and institutions in the corridor;

(iii) is planned to maximize the likelihood that federal funding will be obtained for the project;

(iv) includes, during its planning phase, the distribution of factual information that allows the community to compare the costs, benefits, and impacts of all construction alternatives;

(v) favors alignments that produce the least negative community impacts practicable; and

(vi) places a priority on maintaining the Study schedule.

(i) The Advisory Council shall limit its review to matters within the scope of the Study and any other matters identified by the Administrator.

(j) The Advisory Council shall advise the Administrator on the major policy matters under subsection (h) of this section in a manner to maintain the Red Line project schedule.

(k) On or before September 1 of each year, the Advisory Council shall report on its activities during the prior fiscal year to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(l) The Administration shall:

(1) provide staff to the Advisory Council;

(2) solicit the advice of the Advisory Council before major project decisions are made; and

(3) at the conclusion of the planning phase of the Red Line and at the commencement of passenger service, prepare a report, in consultation with the Advisory Council, that evaluates:

(i) the Advisory Council as a best practice strategy for incorporating community participation in major transportation planning projects;

(ii) whether it is advisable for a similar advisory council to be incorporated into major planning projects undertaken by the Administration throughout the State; and

(iii) if it is advisable, how incorporation of an advisory council into major planning projects can best be accomplished.

Chapter 3 of the Acts of the Special Session of 2006

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line.

(b) The Advisory Council consists of the following members:

(1) five members who are business owners, residents, service providers, or workers in the Red Line transit corridor, and who are appointed by the President of the Senate:

(i) based on geographic consideration; and

(ii) after consultation with the members of the Baltimore City Delegation of the General Assembly who represent legislative districts 41, 44, and 46 and the members of the Baltimore County Delegation to the General Assembly who represent legislative district 10;

(2) five members who are business owners, residents, service providers, or workers in the Red Line transit corridor, and who are appointed by the Speaker of the House:

(i) based on geographic consideration; and

(ii) after consultation with the members of the Baltimore City Delegation of the General Assembly who represent legislative districts 41, 44, and 46 and the members of the Baltimore County Delegation to the General Assembly who represent legislative district 10;

(3) two members who are appointed by the Governor or, at the Governor's discretion, the Maryland Transit Administrator;

(4) two members who are appointed by the Mayor of the City of Baltimore to represent the Baltimore City Department of Transportation and the Baltimore City Department of Planning; and

(5) one member who is appointed by the County Executive of Baltimore County.

(c) The Maryland Transit Administrator shall designate two co–chairs of the Advisory Council in the following manner:

(1) one from a list of two names provided by the President of the Senate from the members appointed under subsection (b) of this section; and

(2) one from a list of two names provided by the Speaker of the House from the members appointed under subsection (b) of this section.

(d) The term of a member of the Advisory Council shall continue until the commencement of operation of passenger service on the initial phase of the Red Line or until project funding is otherwise expended.

(e) On resignation of a member, a new member shall be appointed by the person who appointed the resigning member.

(f) (1) The Advisory Council shall meet at least once every 3 months.

(2) The meetings of the Advisory Council shall be publicized and open to the public.

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(1) may not receive compensation **AS A MEMBER OF THE ADVISORY COUNCIL; BUT**

(2) IS ENTITLED TO REIMBURSEMENT OF EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(h) The Advisory Council shall advise the Administrator on major policy matters concerning the Baltimore Corridor Transit Study – Red Line, including:

(1) compensation for property owners whose property is damaged during the construction of any Red Line project, redevelopment of commercial areas surrounding the Red Line transit corridor in Baltimore City and Baltimore County, and providing hiring preferences as provided by Section 1 of this Act;

(2) consideration of a full range of construction alternatives, including an underground rail option;

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(i) benefits the communities through which it will travel;

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(l) The Administration shall:

(1) provide staff to the Advisory Council;

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(i) the Advisory Council as a best practice strategy for incorporating community participation in major transportation planning projects;

(ii) whether it is advisable for a similar advisory council to be incorporated into major planning projects undertaken by the Administration throughout the State; and

(iii) if it is advisable, how incorporation of an advisory council into major planning projects can best be accomplished.

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