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**By: Senator Middlebrooks**

Introduced and read first time: January 26, 1996

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Aviation Commission - Composition of the Commission**

3 FOR the purpose of requiring that of the eight members of the Maryland Aviation  
4 Commission appointed by the Governor, two shall be residents of the noise zone  
5 surrounding Baltimore/Washington International Airport and one shall reside  
6 within 2 miles of the airport control tower of Baltimore/Washington International  
7 Airport; requiring the Governor to ensure that the membership of the Commission  
8 complies with the residency requirement established under this Act before a certain  
9 date; and generally relating to the composition of the Maryland Aviation  
10 Commission.

11 BY repealing and reenacting, with amendments,  
12 Article - Transportation  
13 Section 5-201  
14 Annotated Code of Maryland  
15 (1993 Replacement Volume and 1995 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article - Transportation  
18 Section 5-801(f)  
19 Annotated Code of Maryland  
20 (1993 Replacement Volume and 1995 Supplement)

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

23 **Article - Transportation**

24 5-201.

25 (a) There is a Maryland Aviation Commission.

26 (b) The Commission shall:

27 (1) Establish policies directed toward the Maryland Aviation  
28 Administration's ability to improve and promote the role of the Baltimore/Washington  
29 International Airport as an airport of service to the Washington-Baltimore metropolitan  
30 area;

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1 (2) Approve regulations for the operation of the State-owned airports prior  
2 to their adoption by the Executive Director;

3 (3) Direct the Administration in developing and implementing airport  
4 management policy for all State-owned airports;

5 (4) Approve major capital projects, as defined in § 2-103.1(a)(4) of this  
6 article, at any State-owned airport prior to the submission of those projects to the  
7 Governor and General Assembly for approval;

8 (5) Exercise those powers granted to the Commission by this title or by any  
9 other provision of law; and

10 (6) In carrying out the provisions of this subtitle, consider information and  
11 advice from the air carrier industry, the airport concessionaire industry, the airline  
12 support services industry, and citizen advisory groups.

13 (c) (1) The Commission shall consist of nine voting members:

14 (i) Eight appointed by the Governor with the advice and consent of  
15 the Senate; and] INCLUDING:

16 1. TWO MEMBERS WHO SHALL RESIDE WITHIN THE NOISE  
17 ZONE SURROUNDING BALTIMORE/WASHINGTON INTERNATIONAL AIRPORT; AND

18 2. ONE MEMBER WHO SHALL RESIDE WITHIN 2 MILES OF  
19 THE CONTROL TOWER OF BALTIMORE/WASHINGTON INTERNATIONAL AIRPORT;  
20 AND

21 (ii) The Secretary of Transportation, who shall be the Chairman of the  
22 Commission.

23 (2) The Secretary of Business and Economic Development shall serve as a  
24 nonvoting ex officio Commission member.

25 (d) (1) Subject to the provisions of paragraph (3) of this subsection, the  
26 Governor may not appoint to the Commission:

27 (i) An officer or employee of the State, except as provided in  
28 subsection (c) of this section;

29 (ii) A representative of any entity whose principal activities are related  
30 to the operation of State-owned airports;

31 (iii) A person employed by any entity whose principal activities are  
32 related to the operation of State-owned airports; or

33 (iv) A member of the General Assembly.

34 (2) In appointing the eight members of the Commission, the Governor shall  
35 take into consideration both the geographic and ethnic representation of the State such  
36 that all segments of the population of the State to the extent possible are represented on  
37 the Commission.

1 (3) Notwithstanding paragraph (1) of this subsection, a member of any State  
2 board, commission, or authority may be appointed a member of the Maryland Aviation  
3 Commission. Any person so appointed who is compensated by the State is not entitled to  
4 any compensation or other emolument, except expenses incurred in connection with  
5 attendance at hearings, meetings, field trips, and working sessions, for any services  
6 rendered as a Commissioner.

7 (e) (1) Each appointed member serves for a term of 3 years and until a  
8 successor is appointed and qualifies.

9 (2) The terms of the members are staggered as required by the terms  
10 provided for members of the Commission on October 1, 1994.

11 (3) At the end of a term, a member continues to serve until a successor is  
12 appointed and qualifies.

13 (4) A member who is appointed after a term has begun serves only for the  
14 rest of the term and until a successor is appointed and qualifies.

15 (f) (1) The Commission shall meet at a time and place designated by the  
16 Chairman of the Commission.

17 (2) The Commission shall meet as often as its duties require, but not less  
18 than quarterly.

19 (3) (i) Attendance by five members shall constitute a quorum.

20 (ii) No formal action may be taken by the Commission except by an  
21 affirmative vote of a majority of the entire Commission.

22 (g) Except as provided under subsection (d)(3) of this section, members of the  
23 Commission appointed by the Governor are entitled to the compensation and expenses  
24 provided for in the State budget. Members of the Commission are subject to the  
25 provisions of Article 41, § 1-203 of the Code.

26 5-801.

27 (f) "Noise zone" means an area of land surrounding an airport within which the  
28 cumulative noise exposure is equal to or greater than the lowest limit for cumulative noise  
29 exposure established by the Executive Director.

30 SECTION 2. AND BE IT FURTHER ENACTED, That, before January 1, 1998,  
31 the Governor shall ensure that the membership of the Maryland Aviation Commission  
32 complies with the requirements of § 5-201(c)(1)(i) of the Transportation Article as  
33 enacted by Section 1 of this Act.

34 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 1996.