
By: **Delegate Shriver**

Introduced and read first time: February 21, 2002

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Joint Committee on Smart Growth**

3 FOR the purpose of creating a Joint Committee on Smart Growth; specifying the
4 membership and tenure of the Committee; providing for the appointment of
5 cochairmen of the Committee; establishing that the full authorized membership
6 of the Committee is a quorum; providing staff for the Committee; requiring the
7 Committee to hold certain meetings; authorizing the Committee to hold certain
8 hearings and consider certain votes on certain bills or resolutions; establishing
9 the powers and duties of the Committee; requiring the Committee to submit a
10 certain report by a certain date each year; and generally relating to the Joint
11 Committee on Smart Growth.

12 BY adding to

13 Article - State Government

14 Section 2-10A-08

15 Annotated Code of Maryland

16 (1999 Replacement Volume and 2001 Supplement)

17 **Preamble**

18 WHEREAS, Maryland is generally recognized as the national leader in
19 advocating a more sustainable land use pattern known as Smart Growth; and

20 WHEREAS, The goals of Maryland's Smart Growth program are to support and
21 enhance existing communities, preserve and protect the best remaining farms and
22 natural areas of the State, and save Maryland taxpayers from the high cost of
23 extending infrastructure to support dispersed development; and

24 WHEREAS, Traffic congestion, loss of farms, forests and other open spaces,
25 overcrowded schools, abandoned neighborhoods, concentrated poverty and economic
26 isolation, environmental degradation, and growing density are among the concerns
27 that have roots in our patterns of development; and

28 WHEREAS, The dominant development trend of the last half-century -- a
29 pattern of development that consumes large quantities of farm and forest land,

1 requires significant taxpayer resources on increasingly spread out and costly roads,
2 schools, and other infrastructure, and undermines the investments that generations
3 have made in our existing communities is a growing source of dissatisfaction for many
4 Marylanders; and

5 WHEREAS, Smart Growth can reduce inequity, improve personal health,
6 protect the environment, and improve the quality of life for Marylanders of all races
7 and incomes living in all types of communities from all regions of the State; and

8 WHEREAS, The issues related to Smart Growth are many and varied and affect
9 all major departments of State government; and

10 WHEREAS, The Executive Department already addresses cross-departmental
11 issues related to Smart Growth through the creation of the Governor's Smart Growth
12 Subcabinet and the Office of Smart Growth; and

13 WHEREAS, A Joint Committee on Smart Growth will enable the General
14 Assembly to provide a more integrated focus on Smart Growth issues of
15 transportation, housing, environmental protection, land preservation, and other
16 issues related to land use, development, and growth; and

17 WHEREAS, A Joint Committee on Smart Growth can help the General
18 Assembly to develop a more holistic approach to the growth and land use issues
19 addressed through Maryland's Smart Growth and Neighborhood Conservation
20 initiative; now, therefore,

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

23 **Article - State Government**

24 2-10A-08.

25 (A) THERE IS A JOINT COMMITTEE ON SMART GROWTH.

26 (B) THE COMMITTEE CONSISTS OF THE FOLLOWING 20 MEMBERS:

27 (1) FROM THE SENATE OF MARYLAND:

28 (I) THE MAJORITY LEADER;

29 (II) THE MINORITY LEADER; AND

30 (III) TWO MEMBERS FROM EACH OF THE FOUR STANDING
31 COMMITTEES; AND

32 (2) FROM THE HOUSE OF DELEGATES:

33 (I) THE MAJORITY LEADER;

34 (II) THE MINORITY LEADER; AND

1 (III) EIGHT OTHER DELEGATES APPOINTED BY THE SPEAKER FROM
2 AMONG THE MEMBERS OF THE HOUSE COMMITTEES THAT DEAL WITH ISSUES
3 AFFECTING SMART GROWTH.

4 (C) (1) MEMBERS OF THE COMMITTEE SHALL BE APPOINTED ON THE BASIS
5 OF DEMONSTRATED ABILITY AND INTEREST CONCERNING ISSUES AFFECTING
6 SMART GROWTH.

7 (2) IN MAKING APPOINTMENTS, THE PRESIDENT OF THE SENATE OF
8 MARYLAND AND THE SPEAKER OF THE HOUSE OF DELEGATES SHALL PROVIDE FOR
9 REPRESENTATION FROM:

10 (I) THE COMMITTEES THAT DEAL WITH ISSUES AFFECTING SMART
11 GROWTH; AND

12 (II) THE MAJOR AREAS OF THE STATE.

13 (D) (1) (I) A MEMBER APPOINTED BY THE PRESIDENT SERVES AT THE
14 PLEASURE OF THE PRESIDENT.

15 (II) A MEMBER APPOINTED BY THE SPEAKER SERVES AT THE
16 PLEASURE OF THE SPEAKER.

17 (2) (I) IF A VACANCY OCCURS AMONG THE SENATORS ON THE
18 COMMITTEE, A SUCCESSOR PROMPTLY SHALL BE APPOINTED BY THE PRESIDENT.

19 (II) IF A VACANCY OCCURS AMONG THE DELEGATES ON THE
20 COMMITTEE, A SUCCESSOR PROMPTLY SHALL BE APPOINTED BY THE SPEAKER.

21 (E) (1) FROM AMONG THE MEMBERSHIP OF THE COMMITTEE, THE
22 PRESIDENT SHALL APPOINT A SENATOR TO SERVE AS THE SENATE CHAIRMAN OF
23 THE COMMITTEE AND THE SPEAKER SHALL APPOINT A DELEGATE TO SERVE AS THE
24 HOUSE CHAIRMAN OF THE COMMITTEE.

25 (2) THE SENATE CHAIRMAN AND THE HOUSE CHAIRMAN SHALL
26 ALTERNATE ANNUALLY AS PRESIDING CHAIRMAN AND COCHAIRMAN OF THE
27 COMMITTEE.

28 (F) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE
29 COMMITTEE IS A QUORUM.

30 (G) THE DEPARTMENT OF LEGISLATIVE SERVICES, OFFICE OF POLICY
31 ANALYSIS, SHALL PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

32 (H) THE COMMITTEE SHALL HOLD:

33 (1) AN ORGANIZATIONAL MEETING PROMPTLY AFTER THE
34 APPOINTMENT OF ITS MEMBERS; AND

35 (2) ANY OTHER MEETINGS THAT THE COMMITTEE CONSIDERS
36 NECESSARY TO CARRY OUT ITS DUTIES EFFICIENTLY.

1 (I) THE COMMITTEE MAY:

2 (1) HOLD A HEARING ON ANY MATTER RELATING TO THE FUNCTIONS OF
3 THE COMMITTEE; AND

4 (2) CONSIDER A VOTE ON A BILL OR RESOLUTION REFERRED TO IT BY
5 THE PRESIDENT OR THE SPEAKER.

6 (J) IN ADDITION TO ANY POWERS AND DUTIES SET FORTH ELSEWHERE, IN AN
7 ENDEAVOR TO COORDINATE A HOLISTIC APPROACH TO SMART GROWTH, THE
8 COMMITTEE SHALL:

9 (1) EXPLORE AND PROMOTE COMMUNITY-FOCUSED DEVELOPMENT
10 POLICIES, INCLUDING THE MOST PRUDENT USE OF LIMITED INFRASTRUCTURE
11 FUNDS;

12 (2) IDENTIFY STATE POLICIES AND ACTIONS THAT, IN CONJUNCTION
13 WITH PUBLIC AND PRIVATE PARTNERS, CAN WORK TO MAKE THE SMART GROWTH
14 PROGRAM MORE EFFECTIVE;

15 (3) REVIEW AND MAKE RECOMMENDATIONS TO ALIGN STATE
16 STATUTES, REGULATIONS, PROGRAMS, SERVICES, AND BUDGETARY PRIORITIES
17 WITH THE STATE POLICIES AND ACTIONS DESCRIBED IN PARAGRAPH (2) OF THIS
18 SUBSECTION;

19 (4) PROVIDE OVERSIGHT TO STATE DECISIONS ON FACILITIES
20 PLACEMENT TO ASSURE THAT THEY ARE CONSISTENT WITH SMART GROWTH
21 POLICIES;

22 (5) PROVIDE COMPREHENSIVE GUIDANCE FOR THE INTEGRATION OF
23 VARIOUS LAND PRESERVATION AND FARMLAND PROTECTION PROGRAMS;

24 (6) ADVISE THE OFFICE OF SMART GROWTH AND OTHER STATE
25 AGENCIES ON WAYS STATE GOVERNMENT CAN BETTER ASSIST LOCALITIES IN
26 ADDRESSING GROWTH MANAGEMENT AND ENVIRONMENTAL PROTECTION ISSUES;

27 (7) INVESTIGATE WAYS IN WHICH THE FEDERAL GOVERNMENT COULD
28 BETTER ASSIST THE STATE IN IMPLEMENTING ITS SMART GROWTH POLICIES;

29 (8) SEARCH FOR ANY INTERDEPARTMENTAL GAPS, INCONSISTENCIES,
30 AND INEFFICIENCIES IN THE IMPLEMENTATION OR ATTAINMENT OF THE STATE
31 POLICIES AND ACTIONS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION;

32 (9) IDENTIFY ANY NEW LAWS, REGULATIONS, PROGRAMS, SERVICES,
33 AND BUDGETARY PRIORITIES THAT ARE NEEDED TO ENSURE AND PROMOTE
34 DESIRED SMART GROWTH;

35 (10) EXAMINE STATEWIDE DEMOGRAPHIC AND DEVELOPMENT TRENDS
36 AND DEVELOP WAYS TO ADDRESS OR REVERSE THESE TRENDS AND PRESERVE
37 COMMUNITY CHARACTER; AND

1 (11) SERVE AS AN INFORMATIONAL RESOURCE FOR THE SENATE AND
2 THE HOUSE OF DELEGATES ON LEGISLATIVE POLICY MATTERS CONCERNING SMART
3 GROWTH.

4 (K) (1) SUBJECT TO § 2-1246 OF THIS TITLE, THE COMMITTEE SHALL SUBMIT
5 AN ANNUAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1 OF
6 EACH YEAR.

7 (2) THE REPORT SHALL INCLUDE:

8 (I) A DESCRIPTION OF THE WORK OF THE COMMITTEE; AND

9 (II) ANY RECOMMENDATIONS OF THE COMMITTEE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2002.