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By: **Senators Pipkin, Astle, Brinkley, Brochin, Della, Hafer, Harris, Hooper, Klausmeier, Middleton, Stone, and Teitelbaum**

Introduced and read first time: February 4, 2005

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Transportation Authority - Membership**

3 FOR the purpose of increasing the number of appointed members of the Maryland  
4 Transportation Authority; prohibiting an appointed member of the Authority  
5 from being an employee of the Executive Branch of the State government;  
6 requiring that certain appointed members have expertise in certain specialties;  
7 ~~altering~~ establishing that the terms of the appointed members of the Authority  
8 are staggered as provided in this Act; providing for the expiration of the terms of  
9 the appointed members of the Authority; limiting the number of terms that an  
10 appointed member of the Authority may serve; providing for the application of  
11 ~~this Act;~~ and generally relating to the membership of the Maryland  
12 Transportation Authority.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 4-202  
16 Annotated Code of Maryland  
17 (2001 Replacement Volume and 2004 Supplement)

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

20 **Article - Transportation**

21 4-202.

22 (a) The Secretary of Transportation is the Chairman of the Authority.

1 (b) (1) In addition to the Chairman, the Authority consists of [six] EIGHT  
2 members appointed by the Governor with the advice and consent of the Senate.

3 (2) THE APPOINTED MEMBERS OF THE AUTHORITY MAY NOT BE  
4 EMPLOYEES OF THE EXECUTIVE BRANCH OF THE STATE GOVERNMENT.

5 (3) OF THE APPOINTED MEMBERS:

6 (I) ONE SHALL HAVE EXPERTISE IN STRUCTURAL ENGINEERING;

7 (II) ONE SHALL HAVE EXPERTISE IN TRANSPORTATION PLANNING;

8 (III) ONE SHALL HAVE EXPERTISE IN LAND USE PLANNING; AND

9 (IV) ONE SHALL HAVE EXPERTISE IN FINANCE.

10 (c) (1) Each appointed member serves for a term of [3] 4 years and until  
11 his successor is appointed and qualifies.

12 (2) The terms of ~~[one third] HALF of the appointed members expire each~~  
13 year THE APPOINTED MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS  
14 PROVIDED FOR MEMBERS OF THE AUTHORITY ON OCTOBER 1, 2005.

15 (3) AN APPOINTED MEMBER MAY NOT SERVE MORE THAN TWO  
16 CONSECUTIVE TERMS.

17 [(2)] (4) A member appointed to fill a vacancy in an unexpired term  
18 serves only for the remainder of that term.

19 (d) A member of the Authority is entitled to:

20 (1) The compensation provided in the State budget; and

21 (2) Reimbursement for expenses, in accordance with the Standard State  
22 Travel Regulations of the Department of Budget and Management.

23 SECTION 2. AND BE IT FURTHER ENACTED, That ~~this Act shall be~~  
24 ~~construed to apply only prospectively and may not be applied or interpreted to have~~  
25 ~~any effect on or application to any of the members of the Maryland Transportation~~  
26 ~~Authority appointed before the effective date of this Act until the expiration of their~~  
27 ~~term, notwithstanding any other provision of law, the terms of the appointed~~  
28 members of the Authority shall expire as follows:

29 (1) the terms of the members whose terms, before the effective date of this Act,  
30 were scheduled to expire in 2006 shall expire in 2006;

31 (2) the terms of the members whose terms, before the effective date of this Act,  
32 were scheduled to expire in 2007 shall expire in 2006;

33 (3) the terms of the members whose terms, before the effective date of this Act,  
34 were scheduled to expire in 2008 shall expire in 2007; and

1       (4)       the terms of the additional members appointed under Section 1 of this Act  
2 shall expire in 2007.

3       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect October 1, 2005.