

*ENROLLED BILL*  
*-- Environmental Matters/Finance --*

Introduced by **Delegates Oaks, Rosenberg, Carter, Kirk, Krysiak, Marriott, McHale, and Paige**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore Corridor Transit Study - Red Line - Requirements and Citizens'**  
3 **Advisory Council**

4 FOR the purpose of requiring the Maryland Transit Administration, in conducting the  
5 Baltimore Corridor Transit Study - Red Line, to consider the establishment of a  
6 certain fund to compensate certain property owners for damages incurred  
7 during the construction of any Red Line transit project; requiring the  
8 Administration to consider the redevelopment of certain commercial areas in  
9 conjunction with any Red Line transit study; requiring the Administration to  
10 consult with certain state agencies, the City of Baltimore, certain communities,  
11 and the property owners and business owners surrounding the Baltimore  
12 Corridor Transit Study - Red Line area; ~~requiring the Administration to~~  
13 ~~evaluate alternatives, alignments, and transit modes in terms of addressing the~~  
14 ~~transit needs within a certain area; requiring the Administration to establish a~~  
15 ~~certain advisory committee; providing for the membership of the advisory~~  
16 ~~committee; requiring the Administration to submit a certain report to the~~

1 General Assembly by a certain date; requiring the Administration to consider  
2 methods for providing preference in hiring for *certain* construction jobs ~~for~~  
3 ~~construction of any Red Line transit project to residents of certain legislative~~  
4 ~~districts surrounding the Red Line transit project to *certain individuals*;~~  
5 establishing a Citizens' Advisory Council for the Baltimore Corridor Transit  
6 Study - Red Line; providing for the membership of the Advisory Council;  
7 requiring the Maryland Transit Administrator to designate the ~~chair~~ *co-chairs*  
8 of the Advisory Council; establishing the term of the members of the Advisory  
9 Council; requiring meetings of the Advisory Council to be publicized and open to  
10 the public; prohibiting a member of the Advisory Council from receiving  
11 compensation; requiring the Advisory Council to advise the Administrator on  
12 certain major policy matters surrounding the Baltimore Corridor Transit  
13 Study - Red Line; requiring the Advisory Council to limit its review to certain  
14 matters; requiring the Advisory Council to report to the Governor and the  
15 General Assembly on its activities on or before a certain date each year;  
16 requiring the Administration to provide staff for the Advisory Council, solicit the  
17 advice of the Advisory Council at certain times, and prepare a certain report at  
18 certain times; and generally relating to the Baltimore Corridor Transit Study -  
19 Red Line.

20

Preamble

21 WHEREAS, The Maryland Transit Administration has undertaken the  
22 Baltimore Corridor Transit Study - Red Line for a proposed 10-mile rapid transit line  
23 for the Baltimore metropolitan area; and

24 WHEREAS, The Red Line transit corridor encompasses a large number of  
25 residents, small and large businesses, schools, churches, and other community  
26 institutions, all of which are deeply concerned about the future of their communities;  
27 and

28 WHEREAS, Effective, high quality public transportation is important to these  
29 communities; and

30 WHEREAS, Public transit must be frequently available, reliable, and safe, and  
31 must provide an efficient and economical means to connect community members to  
32 major destinations throughout the Baltimore metropolitan area; and

33 WHEREAS, First and foremost, the Red Line should improve the public  
34 transportation system in the Baltimore metropolitan region and in the communities  
35 surrounding the Red Line transit corridor, and should be planned in a manner to  
36 serve those communities and foster economic development; and

37 WHEREAS, It is the intent of the General Assembly that, during the course of  
38 planning and constructing the Red Line project, the Administration adhere to the best  
39 practices of transit planning and implementation; and

1       WHEREAS, It is the intent of the General Assembly that community members  
2 participate in good faith in the planning process for the Red Line project and seek to  
3 fairly represent the interests of all community members; now, therefore

4       SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
5 MARYLAND, That, in conducting the transit project referred to in the Maryland  
6 Consolidated Transportation Program for fiscal years 2006 through 2011 as the  
7 Baltimore Corridor Transit Study - Red Line, the Maryland Transit Administration  
8 shall:

9               (1)       Consider the establishment of a dedicated fund within the  
10 construction budget of the Red Line transit project to compensate property owners  
11 whose property is damaged during the construction of any Red Line project;

12              (2)       Consider the redevelopment of the commercial areas surrounding the  
13 Baltimore Corridor Transit Study - Red Line area, in consultation with:

14                   (i)       The Department of Business and Economic Development;

15                   (ii)       The Department of General Services;

16                   (iii)       The University of Maryland Medical System;

17                   (iv)       The University of Maryland, Baltimore;

18                   ~~(iv)~~   (v)       The City of Baltimore;

19                   ~~(v)~~   (vi)       Baltimore County;

20                   ~~(v)~~   ~~(vi)~~   (vii)       The surrounding communities; and

21                   ~~(vi)~~   ~~(vii)~~   (viii)       The property owners and business owners of the  
22 area comprising the Baltimore Corridor Transit Study - Red Line; and

23              (3)       Consider methods for providing preference in hiring for construction  
24 jobs for the construction of any Red Line transit project to:

25                   (i)       residents of legislative districts in which the Red Line transit  
26 project will be constructed; or

27                   (ii)       residents of legislative districts adjacent to those in which the  
28 Red Line transit project will be constructed.

29              ~~(3)       Evaluate all alternatives, alignments, and transit modes, including~~  
30 ~~heavy rail and tunneling, in terms of addressing the transportation needs of the area~~  
31 ~~comprising and surrounding the Baltimore Corridor Transit Study - Red Line,~~  
32 ~~regardless of the cost associated with a particular alternative, alignment, or transit~~  
33 ~~mode;~~

34              ~~(4)       Establish a Red Line Project Community Advisory Committee that:~~

1 (i) shall provide for community participation in the design,  
2 ~~planning, construction, and operation of the transit project known as the Red Line~~  
3 ~~project;~~

4 (ii) may not exceed 13 members; and

5 (iii) shall include:

6 1. ~~9 members who:~~

7 A. ~~are appointed by the Mayor of Baltimore City, after~~  
8 ~~consultation with the members of the Baltimore City Delegation of the General~~  
9 ~~Assembly who represent legislative districts 41, 44, and 46; and~~

10 B. ~~are business owners, residents, or service providers of the~~  
11 ~~Red Line Corridor within Baltimore City;~~

12 2. ~~3 members who:~~

13 A. ~~are appointed by the County Executive of Baltimore~~  
14 ~~County, after consultation with the members of the Baltimore County Delegation of~~  
15 ~~the General Assembly who represent legislative district 10; and~~

16 B. ~~are business owners, residents, or service providers of the~~  
17 ~~Red Line Corridor within Baltimore County; and~~

18 3. ~~1 member appointed by the Governor or, at the Governor's~~  
19 ~~discretion, the Mass Transit Administrator; and~~

20 (5) ~~Consult with the Red Line Project Community Advisory Committee~~  
21 ~~before making any major decision concerning the Red Line project.~~

22 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Transit~~  
23 ~~Administration shall report to the General Assembly by December 1, 2006, in~~  
24 ~~accordance with § 2-1246 of the State Government Article, on any findings or~~  
25 ~~information related to the requirements specified in Section 1 of this Act.~~

26 ~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
27 ~~October 1, 2006.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

32 (1) 10 members who:

33 (i) are appointed by the Maryland Transit Administrator from a  
34 list of:

- 1                           ~~1.~~       ~~10 names provided by the President of the Senate; and~~
- 2                           ~~2.~~       ~~10 names provided by the Speaker of the House; and~~
- 3                           ~~(ii)       are business owners, residents, service providers, or workers in~~  
4 ~~the Red Line transit corridor within Baltimore City;~~
- 5                           ~~(2)       3 members who are appointed by the Governor or, at the Governor's~~  
6 ~~discretion, the Maryland Transit Administrator.~~
- 7       ~~(c)       The Maryland Transit Administrator shall designate the chair of the~~  
8 ~~Advisory Council from a list of:~~
- 9                           ~~(1)       2 names provided by the President of the Senate from the 13~~  
10 ~~members appointed under subsection (b) of this section; and~~
- 11                           ~~(2)       2 names provided by the Speaker of the House from the 13 members~~  
12 ~~appointed under subsection (b) of this section.~~
- 13       ~~(d)       The term of a member of the Advisory Council shall be 1 year.~~
- 14       ~~(e)       On resignation of a member, a new member shall be appointed according to~~  
15 ~~the procedure used to appoint the resigning member.~~
- 16       ~~(f)       Meetings of the Advisory Council shall be publicized and open to the~~  
17 ~~public.~~
- 18       ~~(g)       A member of the Advisory Council may not receive compensation.~~
- 19       ~~(h)       The Advisory Council shall advise the Administrator on major policy~~  
20 ~~matters concerning the Baltimore Corridor Transit Study—Red Line, including:~~
- 21                           ~~(1)       compensation for property owners whose property is damaged during~~  
22 ~~the construction of any Red Line project, redevelopment of commercial areas~~  
23 ~~surrounding the Red Line transit corridor in Baltimore City and Baltimore County,~~  
24 ~~and providing hiring preferences as required under Section 1 of this Act; and~~
- 25                           ~~(2)       ensuring that the Red Line project:~~
- 26                           ~~(i)       benefits the communities through which it will travel;~~
- 27                           ~~(ii)       uses an inclusive planning process, including consultation with~~  
28 ~~community residents, businesses, and institutions in the corridor;~~
- 29                           ~~(iii)       is planned to maximize the likelihood that federal funding will~~  
30 ~~be obtained for the project;~~
- 31                           ~~(iv)       will be implemented after consideration of a full range of~~  
32 ~~construction alternatives, including an underground rail option;~~

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

4 ~~(vi) favors alignments that produce the least negative community~~  
5 ~~impacts practicable; and~~

6 ~~(vii) places a priority on maintaining the Study schedule.~~

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

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

11 (i) based on geographic consideration; and

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

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

19 (i) based on geographic consideration; and

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

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

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

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

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

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

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

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

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

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

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

9       (g)       A member of the Advisory Council may not receive compensation.

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

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

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

18           (3)       ensuring that the Red Line project:

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

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

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

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

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

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

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

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

1 (k) On or before September 1 of each year, the Advisory Council shall report on  
2 its activities during the prior fiscal year to the Governor and, in accordance with §  
3 2-1246 of the State Government Article, to the General Assembly.

4 (l) The Administration shall:

5 (1) provide staff to the Advisory Council;

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

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

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

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

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

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2006.