
By: **Senators Jones, Della, Gladden, and Kelley**

Introduced and read first time: February 3, 2006

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Citizens' Advisory Council for the Baltimore Corridor Transit Study - Red**
3 **Line**

4 FOR the purpose of establishing the Citizens' Advisory Council for the Baltimore
5 Corridor Transit Study - Red Line; providing for the membership and staffing of
6 the Council; specifying the membership term; providing for the appointment of
7 co-chairmen of the Council; prohibiting members of the Council from receiving
8 compensation; requiring the Council to meet and to issue an annual report;
9 specifying the purpose and mission of the Council; and generally relating to the
10 Citizens' Advisory Council for the Baltimore Corridor Transit Study - Red Line.

11 BY adding to

12 Article - Transportation

13 Section 7-708

14 Annotated Code of Maryland

15 (2001 Replacement Volume and 2005 Supplement)

16 Preamble

17 WHEREAS, The Maryland Transit Administration has undertaken the
18 Baltimore Corridor Transit Study - Red Line for a proposed 10-mile long rapid
19 transit line for the Baltimore metropolitan area; and

20 WHEREAS, The Red Line transit corridor encompasses a large number of
21 residents, small and large businesses, and community institutions, including schools
22 and churches, all of which are deeply concerned about the future of their
23 communities; and

24 WHEREAS, Red Line transit corridor neighbors and the Maryland Transit
25 Administration have committed to abide by the following principles during planning,
26 design, construction, and operation of the Red Line.

27 (1) That effective, high quality public transportation is important to local
28 communities;

1 (2) That public transit must be frequent, reliable, and safe, and provide
 2 an efficient and economical means to connect community residents to major
 3 destinations throughout the Baltimore metropolitan area;

4 (3) That first and foremost, the Red Line should benefit the communities
 5 through which it travels and be planned in a manner that serves those communities
 6 and fosters economic development that will create jobs and build community wealth;

7 (4) That the Maryland Department of Transportation and the Maryland
 8 Transit Administration will create an inclusive planning process that allows
 9 community residents, including a citizens' advisory council comprised of community
 10 residents, businesses, and institutions from the corridor, to engage in active
 11 participation in decisions about the project that will affect them; and

12 (5) That the citizens' advisory council will have access to project staff and
 13 resources, will be consulted before major project decisions are made, and community
 14 residents will participate in that process in good faith and seek fairly to represent the
 15 interests of all residents; now, therefore,

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

18 **Article - Transportation**

19 7-708.

20 (A) THERE IS A CITIZENS' ADVISORY COUNCIL FOR THE BALTIMORE
 21 CORRIDOR TRANSIT STUDY - RED LINE.

22 (B) THE COUNCIL CONSISTS OF THE FOLLOWING 15 MEMBERS:

23 (1) THREE MEMBERS EACH FROM LEGISLATIVE DISTRICTS 10, 41, 44,
 24 AND 46, SELECTED BY THE STATE SENATOR WHO REPRESENTS THAT DISTRICT;

25 (2) ONE MEMBER SELECTED BY THE MAYOR OF BALTIMORE CITY;

26 (3) ONE MEMBER SELECTED BY THE COUNTY EXECUTIVE OF
 27 BALTIMORE COUNTY; AND

28 (4) ONE MEMBER SELECTED BY THE GOVERNOR OR, AT THE
 29 GOVERNOR'S DISCRETION, SELECTED BY THE ADMINISTRATOR.

30 (C) (1) THE TERM OF A MEMBER IS 2 YEARS.

31 (2) AT THE END OF A TERM, A MEMBER:

32 (I) IS ELIGIBLE FOR REAPPOINTMENT; AND

33 (II) CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND
 34 QUALIFIES.

1 (D) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
2 JOINTLY SHALL DESIGNATE THE CO-CHAIRMEN OF THE COUNCIL.

3 (E) (1) A MAJORITY OF THE MEMBERS OF THE COUNCIL IS A QUORUM.

4 (2) (I) THE COUNCIL SHALL MEET AT LEAST ONCE EVERY 3 MONTHS.

5 (II) EACH MEETING OF THE COUNCIL IS OPEN TO THE PUBLIC.

6 (3) A MEMBER OF THE COUNCIL MAY NOT RECEIVE COMPENSATION.

7 (F) THE ADMINISTRATION SHALL PROVIDE STAFF TO THE COUNCIL IN
8 ACCORDANCE WITH THE STATE BUDGET.

9 (G) THE PURPOSE AND MISSION OF THE COUNCIL IS TO ENSURE THAT THE
10 ADMINISTRATION:

11 (1) STUDIES THE FULL RANGE OF OPTIONS FOR THE BALTIMORE
12 CORRIDOR TRANSIT STUDY - RED LINE PROJECT, INCLUDING RAIL IN A TUNNEL, AND
13 DEVELOPS FACTUAL INFORMATION THAT ALLOWS THE COMMUNITY TO COMPARE
14 THE COSTS, BENEFITS, AND IMPACTS OF THE OPTIONS;

15 (2) CONSULTS WITH THE COMMUNITY ON THE DESIGN OF THE
16 PROJECT, INCLUDING STATIONS, LIGHTING, LANDSCAPING, AND PUBLIC ART TO
17 ENSURE THAT THE PROJECT DESIGN REFLECTS THE SPECIAL HERITAGE OF THE
18 COMMUNITY AND BECOMES A SOURCE OF CIVIC PRIDE;

19 (3) (I) EMPLOYS AND OTHERWISE ENGAGES MEMBERS OF THE
20 COMMUNITY TO ACT AS LIAISONS TO THE PROJECT;

21 (II) WHEN CONSTRUCTION CONTRACTS ARE LET, DEVELOPS
22 PROGRAMS TO ALLOW BUSINESSES LOCATED IN THE COMMUNITIES AFFECTED BY
23 THE PROJECT TO HAVE A REASONABLE OPPORTUNITY TO BID ON THE WORK; AND

24 (III) ATTEMPTS TO ACHIEVE DISADVANTAGED BUSINESS
25 ENTERPRISE GOALS FOR ALL PHASES OF THE WORK THAT WILL EXCEED ANY
26 MINIMUM GOALS ESTABLISHED UNDER STATE AND FEDERAL LAW;

27 (4) PLANS AND DESIGNS THE PROJECT SO THAT, TO THE EXTENT
28 PRACTICABLE, ALTERNATIVES THAT INVOLVE THE ACQUISITION OF MULTIPLE
29 ADJACENT PROPERTIES ARE REJECTED AS INFEASIBLE, AND COMMUNITY
30 RESIDENTS AND BUSINESSES ARE NOT DISPLACED NOR THE VALUE OF THEIR
31 PROPERTY DIMINISHED;

32 (5) ORGANIZES AND IMPLEMENTS AN EFFECTIVE "NO BUSINESS GOES
33 OUT OF BUSINESS" STRATEGY DURING THE COURSE OF CONSTRUCTION;

34 (6) SEEKS TO MITIGATE CONSTRUCTION IMPACTS TO THE MAXIMUM
35 EXTENT PRACTICABLE AND COMMITS TO RESTORE ANY PRIVATE PROPERTY OR
36 BUILDINGS THAT ARE DAMAGED BY CONSTRUCTION;

1 (7) REJECTS ANY ALTERNATIVE FOR THE PROJECT THAT HARMS PARKS,
2 CEMETERIES, OR HISTORIC STRUCTURES;

3 (8) COMMITS TO UPHOLD THE PRINCIPLES OF ENVIRONMENTAL
4 JUSTICE WHICH RECOGNIZE THE RIGHT OF LOW INCOME AND MINORITY
5 COMMUNITIES TO BE PROTECTED FROM HARM CAUSED BY TRANSPORTATION
6 PROJECTS;

7 (9) ENDEAVORS TO INTEGRATE THE PROJECT WITH THE EXISTING
8 TRANSPORTATION INFRASTRUCTURE WHERE PRACTICABLE AND THEREBY
9 COMPLIMENT EXISTING TRANSPORTATION SYSTEMS;

10 (10) COORDINATES PROJECT CONSTRUCTION, TO THE EXTENT
11 PRACTICABLE, WITH ROAD CONSTRUCTION OR RESURFACING AND OTHER
12 INFRASTRUCTURE PROJECTS UNDERTAKEN BY LOCAL GOVERNMENTS; AND

13 (11) RECOGNIZES THE LEGACY OF PRIOR TRANSPORTATION DECISIONS
14 AND PROJECTS THAT HAVE PROVEN TO BE DETRIMENTAL TO THE COMMUNITY AND
15 ENDEAVORS TO DEVELOP THE RED LINE IN A MANNER THAT REDUCES THE HARM
16 CAUSED BY THOSE PRIOR DECISIONS AND PROJECTS.

17 (H) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, IN ACCORDANCE WITH §
18 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE COUNCIL SHALL ISSUE AN
19 ANNUAL REPORT OF ITS ACTIVITIES FOR THE PRIOR FISCAL YEAR TO THE
20 GOVERNOR AND THE GENERAL ASSEMBLY.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2006.