

# HOUSE BILL 172

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By: **Delegates Mitchell, Lafferty, Guzzone, Anderson, Clippinger, Glenn, Hammen, Hogan, Jones, Kach, Malone, McIntosh, Niemann, Norman, O'Donnell, Olszewski, Pena-Melnyk, Rosenberg, Stein, M. Washington, and Zucker**

Introduced and read first time: January 15, 2014

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Baltimore Region – Baltimore Metropolitan**  
3 **Council and Advisory Board and Baltimore Region Transportation Board**

4 FOR the purpose of clarifying the purpose of the Baltimore Metropolitan Council;  
5 altering the membership of the Council; altering the membership of the  
6 Baltimore Metropolitan Council Advisory Board; establishing the Baltimore  
7 Region Transportation Board; providing for the purpose and composition of the  
8 Transportation Board; specifying that all members of the Transportation Board  
9 are voting members; and generally relating to the Baltimore Metropolitan  
10 Council and Advisory Board and the Baltimore Region Transportation Board.

11 BY repealing and reenacting, without amendments,  
12 Article – Economic Development  
13 Section 13–301, 13–304, 13–305, 13–306, and 13–308  
14 Annotated Code of Maryland  
15 (2008 Volume and 2013 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Economic Development  
18 Section 13–302, 13–303, 13–307, and 13–309  
19 Annotated Code of Maryland  
20 (2008 Volume and 2013 Supplement)

21 BY adding to  
22 Article – Economic Development  
23 Section 13–310  
24 Annotated Code of Maryland  
25 (2008 Volume and 2013 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1 Preamble

2 WHEREAS, The Baltimore Metropolitan Council (BMC) was created by the  
3 General Assembly in 1992 out of its predecessor agency, the Baltimore Regional  
4 Council of Governments; and

5 WHEREAS, Federal law requires a metropolitan planning organization to  
6 develop long-range transportation plans and transportation improvement programs  
7 through a performance-driven, outcome-based approach to planning for metropolitan  
8 areas of the State; and

9 WHEREAS, Federal law requires a metropolitan planning organization to  
10 consist of local elected officials, officials of public agencies that administer or operate  
11 major modes of transportation in the metropolitan area, and appropriate State  
12 officials; and

13 WHEREAS, State law authorizes the BMC to serve, with the State Department  
14 of Transportation, as a metropolitan planning organization for federal funding and  
15 certification; and

16 WHEREAS, The BMC created the Baltimore Region Transportation Board in  
17 the BMC bylaws to serve as the designated metropolitan planning organization; and

18 WHEREAS, There is a need for the local governments in the BMC, appropriate  
19 State agencies, and other organizations interested in the advancement of the  
20 Baltimore region to work more cooperatively to achieve important economic  
21 development, transportation, and planning requirements and goals; now, therefore,

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

24 **Article – Economic Development**

25 13–301.

26 (a) In this subtitle the following words have the meanings indicated.

27 (b) “Council” means the Baltimore Metropolitan Council.

28 (c) “Region” means the area that includes all of Anne Arundel County,  
29 Baltimore City, Baltimore County, Carroll County, Harford County, and Howard  
30 County.

31 13–302.

32 (a) There is a Baltimore Metropolitan Council.

1 (b) The Council:

2 (1) is a body politic and corporate; and

3 (2) is not a unit of State government.

4 (c) The purposes of the Council are to:

5 (1) serve as a forum for local officials and their representatives to  
6 identify and address problems in the region;

7 (2) provide a central source of information and coordination for  
8 fashioning responses to needs in the region; [and]

9 (3) assist local jurisdictions in developing regional policies, prioritizing  
10 regional infrastructure needs, and developing regional strategies;

11 **(4) DEVELOP REGIONAL ECONOMIC STRATEGIES THAT PROMOTE**  
12 **THE BALTIMORE METROPOLITAN REGION AND DIVERSIFY THE ECONOMIC BASE,**  
13 **INCLUDING TRANSPORTATION, HOUSING, EDUCATION, AND RESIDENTIAL AND**  
14 **ECONOMIC DEVELOPMENT; AND**

15 **(5) RECOMMEND TO THE GENERAL ASSEMBLY STATUTORY**  
16 **CHANGES TO IMPROVE REGIONAL COOPERATION AND THE LONG-TERM**  
17 **ECONOMIC HEALTH OF THE REGION.**

18 13-303.

19 (a) The Council consists of:

20 (1) one member appointed by the County Executive of Anne Arundel  
21 County;

22 (2) one member appointed by the Mayor of Baltimore City;

23 (3) one member appointed by the County Executive of Baltimore  
24 County;

25 (4) one member appointed by the County Commissioners of Carroll  
26 County;

27 (5) one member appointed by the County Executive of Harford County;

28 (6) one member appointed by the County Executive of Howard County;

29 [and]

1           (7) [other members as the Council Charter provides] **ONE MEMBER**  
2 **OF THE HOUSE OF DELEGATES WHO REPRESENTS A DISTRICT WITHIN ANNE**  
3 **ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, CARROLL**  
4 **COUNTY, HARFORD COUNTY, OR HOWARD COUNTY, APPOINTED BY THE**  
5 **SPEAKER OF THE HOUSE;**

6           (8) **ONE MEMBER OF THE SENATE OF MARYLAND WHO**  
7 **REPRESENTS A DISTRICT WITHIN ANNE ARUNDEL COUNTY, BALTIMORE CITY,**  
8 **BALTIMORE COUNTY, CARROLL COUNTY, HARFORD COUNTY, OR HOWARD**  
9 **COUNTY, APPOINTED BY THE PRESIDENT OF THE SENATE; AND**

10           (9) **ONE REPRESENTATIVE OF THE PRIVATE SECTOR APPOINTED**  
11 **BY THE GOVERNOR.**

12           (b) [(1)] A member appointed under subsection (a)(1) through (6) of this  
13 section serves at the pleasure of the appointing authority.

14           [(2)] A member appointed under subsection (a)(7) of this section serves  
15 as the Council Charter provides.]

16 13–304.

17           As provided in the Council Charter, the Council shall elect a chair from among  
18 its members.

19 13–305.

20           (a) (1) The Council shall meet at least quarterly at the times and places  
21 that it determines.

22           (2) A majority of the members of the Council is a quorum.

23           (3) An action of the Council is not effective unless approved by  
24 majority vote of all members of the Council.

25           (b) A member of the Council:

26           (1) may not receive compensation as a member of the Council; but

27           (2) is entitled to reimbursement for reasonable expenses.

28 13–306.

29           The Council may employ a staff.

1 13-307.

2 [(a)] The Council may:

3 (1) adopt a seal;

4 (2) sue or be sued, subject to the limitations of Title 5, Subtitle 3 of the  
5 Courts and Judicial Proceedings Article;

6 (3) adopt a charter, bylaws, rules, and guidelines to carry out its  
7 purposes;

8 (4) acquire, hold, lease, use, encumber, transfer, or dispose of  
9 property;

10 (5) enter into a contract and execute any instrument necessary or  
11 convenient to carry out its purposes;

12 (6) exercise any corporate power granted to a corporation under the  
13 Corporations and Associations Article;

14 (7) serve, with the State Department of Transportation, as a  
15 metropolitan planning organization for federal funding and certification; and

16 (8) do all things necessary or convenient to carry out the powers  
17 granted by this subtitle.

18 [(b)] The Council Charter shall include provisions for the admission and  
19 withdrawal of Council members under § 13-303(a)(7) of this subtitle.]

20 13-308.

21 The Council may accept from any private or public source a contribution or  
22 grant of money or property.

23 13-309.

24 (a) There is a Baltimore Metropolitan Council Advisory Board.

25 (b) The Advisory Board consists of:

26 (1) the Anne Arundel County Executive and the Chair of the Anne  
27 Arundel County Council or the Chair's designee;

28 (2) the Mayor of Baltimore and the President of the Baltimore City  
29 Council or the President's designee;

1 (3) the Baltimore County Executive and the Chair of the Baltimore  
2 County Council or the Chair's designee;

3 (4) two members of the Board of County Commissioners of Carroll  
4 County **APPOINTED BY THE COUNTY COMMISSIONERS;**

5 (5) the Harford County Executive and the President of the Harford  
6 County Council or the President's designee;

7 (6) the Howard County Executive and the Chair of the Howard County  
8 Council or the Chair's designee; [and]

9 (7) [other members as the Council Charter provides] **ONE MEMBER**  
10 **OF THE GENERAL ASSEMBLY APPOINTED JOINTLY BY THE PRESIDENT OF THE**  
11 **SENATE AND THE SPEAKER OF THE HOUSE; AND**

12 (8) **TWO MEMBERS APPOINTED BY THE GOVERNOR WHO**  
13 **REPRESENT ORGANIZATIONS THAT PROMOTE BUSINESS AND REGIONAL ISSUES**  
14 **IN THE BALTIMORE METROPOLITAN REGION.**

15 (c) As provided in the Council Charter, the Advisory Board shall elect a chair  
16 from among its members.

17 **13-310.**

18 (A) **THERE IS A BALTIMORE REGION TRANSPORTATION BOARD.**

19 (B) **THE BOARD SERVES AS THE METROPOLITAN PLANNING**  
20 **ORGANIZATION FOR FEDERAL PLANNING AND CERTIFICATION AS REQUIRED BY**  
21 **FEDERAL LAW.**

22 (C) **THE BOARD CONSISTS OF:**

23 (1) **THE MAYOR OF THE CITY OF ANNAPOLIS;**

24 (2) **THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY;**

25 (3) **THE MAYOR OF BALTIMORE CITY;**

26 (4) **THE COUNTY EXECUTIVE OF BALTIMORE COUNTY;**

27 (5) **THE PRESIDENT OF THE CARROLL COUNTY COMMISSIONERS;**

28 (6) **THE COUNTY EXECUTIVE OF HARFORD COUNTY;**

1           **(7) THE COUNTY EXECUTIVE OF HOWARD COUNTY;**

2           **(8) THE SECRETARY OF TRANSPORTATION;**

3           **(9) THE SECRETARY OF THE ENVIRONMENT; AND**

4           **(10) THE SECRETARY OF PLANNING.**

5           **(D) ALL MEMBERS OF THE BOARD ARE VOTING MEMBERS.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7           October 1, 2014.