

SENATE BILL 279

R2

8lr1965
CF 8lr0582

By: **Senator Feldman**

Introduced and read first time: January 22, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Metro Board Member Act**

3 FOR the purpose of altering the requirement that Washington Suburban Transit
4 Commission members appointed by the Governor serve as the Commission's
5 appointees to be principal members of the Washington Metropolitan Area Transit
6 Authority Board of Directors; requiring one of the Commission's appointees to the
7 Authority's board of directors to be the Secretary of Transportation or the Secretary's
8 designee; requiring one of the Commission's appointees to the Authority's board of
9 directors to be one of the commissioners appointed by the Governor; requiring the
10 Secretary's designee to meet certain qualifications; specifying that the Secretary's
11 designee may attend meetings of the Authority's board of directors only under
12 certain circumstances; providing that the Commission's appointee to the Authority's
13 board of directors who is appointed by the Governor may not be succeeded by a
14 commissioner who is a resident of the same county; prohibiting the Secretary or the
15 Secretary's designee from receiving compensation as a member of the Authority's
16 board of directors; making conforming changes; providing for the application of this
17 Act; and generally relating to the appointment of Washington Suburban Transit
18 Commission members to the Washington Metropolitan Area Transit Authority
19 Board of Directors.

20 BY repealing and reenacting, with amendments,
21 The Public Local Laws of Montgomery County
22 Section 87-1(b) and 87-5(a)(4) and (5)(iv)
23 Article 16 – Public Local Laws of Maryland
24 (2004 Edition and September–October 2017 Supplement, as amended)

25 BY adding to
26 The Public Local Laws of Montgomery County
27 Section 87-5(a)(14) and 87-7(c)
28 Article 16 – Public Local Laws of Maryland
29 (2004 Edition and September–October 2017 Supplement, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 The Public Local Laws of Prince George's County
 3 Part III, Section 1(b) and Section 5(a)(4) and (5)(iv)
 4 Article 17 – Public Local Laws of Maryland
 5 (2011 Edition, as amended)
 6 (As enacted by Chapter 433 of the Acts of the General Assembly of 2012)

7 BY adding to
 8 The Public Local Laws of Prince George's County
 9 Part III, Section 5(a)(14)
 10 Article 17 – Public Local Laws of Maryland
 11 (2011 Edition, as amended)
 12 (As enacted by Chapter 433 of the Acts of the General Assembly of 2012)

13 BY adding to
 14 The Public Local Laws of Prince George's County
 15 Part III, Section 7(c)
 16 Article 17 – Public Local Laws of Maryland
 17 (2011 Edition, as amended)

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

20 **Article 16 – Montgomery County**

21 87–1.

22 (b) The General Assembly finds that, due to the interest of the State in
 23 transportation facilities in the Washington Metropolitan Area, and due to the substantial
 24 level of State financial support for transportation facilities and operations provided to the
 25 Commission under §§ 10–205 and 10–207 of the Transportation Article, Annotated Code of
 26 Maryland, and the substantial level of support through the Commission to the Washington
 27 Metropolitan Area Transit Authority, it is in the State's interest to alter the composition of
 28 the Washington Suburban Transit Commission to require that the Governor make certain
 29 appointments to the Commission and that the [Governor's appointees] **SECRETARY OF**
 30 **TRANSPORTATION, OR THE SECRETARY'S DESIGNEE, AND ONE OF THE GOVERNOR'S**
 31 **APPOINTEES** serve as the Commission's principal representatives on the Washington
 32 Metropolitan Area Transit Authority Board of Directors and that the State's interests are
 33 appropriately represented in Commission decisions.

34 87–5.

35 (a) (4) (i) The governor shall appoint 2 members with the advice and
 36 consent of the senate of Maryland.

37 (ii) One member shall be a resident of Montgomery County and one

1 member shall be a resident of Prince George's County.

2 [(iii) The Governor's appointees shall serve as the Commission's
3 appointees to be principal members of the Washington Metropolitan Area Transit
4 Authority Board of Directors.]

5 (5) A Commissioner serving as a principal or an alternate member on the
6 Washington Metropolitan Area Transit Authority Board of Directors:

7 (iv) [Shall] **EXCEPT FOR THE SECRETARY OF**
8 **TRANSPORTATION, OR THE SECRETARY'S DESIGNEE, SHALL** be a regular passenger
9 and customer of the bus, rail, or paratransit services of the Washington Metropolitan
10 Transit Authority; and

11 **(14) (I) THE FOLLOWING COMMISSIONERS SHALL SERVE AS THE**
12 **COMMISSION'S APPOINTEES TO BE PRINCIPAL MEMBERS OF THE WASHINGTON**
13 **METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS:**

14 **1. SUBJECT TO SUBPARAGRAPH (II) OF THIS**
15 **PARAGRAPH, THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S**
16 **DESIGNEE, AS AN EX OFFICIO PRINCIPAL MEMBER; AND**

17 **2. SUBJECT TO SUBPARAGRAPH (III) OF THIS**
18 **PARAGRAPH, ONE OF THE COMMISSIONERS APPOINTED BY THE GOVERNOR UNDER**
19 **PARAGRAPH (4) OF THIS SUBSECTION.**

20 **(II) THE SECRETARY OF TRANSPORTATION'S DESIGNEE UNDER**
21 **SUBPARAGRAPH (I)1 OF THIS PARAGRAPH:**

22 **1. SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF**
23 **TRANSPORTATION;**

24 **2. SHALL HAVE EXPERIENCE WITH AND POSSESS**
25 **QUALIFICATIONS RELATED TO TRANSIT; AND**

26 **3. MAY ATTEND MEETINGS OF THE WASHINGTON**
27 **METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS ON BEHALF OF**
28 **THE SECRETARY ONLY IF A SCHEDULING CONFLICT ARISES.**

29 **(III) THE COMMISSION'S APPOINTEE UNDER SUBPARAGRAPH**
30 **(I)2 OF THIS PARAGRAPH MAY NOT BE SUCCEEDED IN OFFICE BY A COMMISSIONER**
31 **WHO IS A RESIDENT OF THE SAME COUNTY.**

32 87-7.

1 **(C) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S**
2 **DESIGNEE, MAY NOT RECEIVE COMPENSATION FOR SERVICE AS A PRINCIPAL**
3 **MEMBER OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BOARD**
4 **OF DIRECTORS.**

5 **Article 17 – Prince George's County**

6 Part III

7 1.

8 (b) The General Assembly finds that, due to the interest of the State in
9 transportation facilities in the Washington Metropolitan Area, and due to the substantial
10 level of State financial support for transportation facilities and operations provided to the
11 Commission under Sections 10–205 and 10–207 of the Transportation Article, Annotated
12 Code of Maryland, and the substantial level of support through the Commission to the
13 Washington Metropolitan Area Transit Authority, it is in the State's interest to alter the
14 composition of the Washington Suburban Transit Commission to require that the Governor
15 make certain appointments to the Commission and that the **[Governor's appointees]**
16 **SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE, AND ONE OF**
17 **THE GOVERNOR'S APPOINTEES** serve as the Commission's principal representatives on
18 the Washington Metropolitan Area Transit Authority Board of Directors and that the
19 State's interests are appropriately represented in Commission decisions.

20 5.

21 (a) (4) (i) The Governor shall appoint 2 members with the advice and
22 consent of the Senate of Maryland.

23 (ii) One member shall be a resident of Montgomery County and 1
24 member shall be a resident of Prince George's County.

25 [(iii) The Governor's appointees shall serve as the Commission's
26 appointees to be principal members of the Washington Metropolitan Area Transit
27 Authority Board of Directors.]

28 (5) A commissioner serving as a principal or an alternate member on the
29 Washington Metropolitan Area Transit Authority Board of Directors:

30 (iv) **[Shall] EXCEPT FOR THE SECRETARY OF**
31 **TRANSPORTATION, OR THE SECRETARY'S DESIGNEE, SHALL** be a regular passenger
32 and customer of the bus, rail, or paratransit services of the Washington Metropolitan
33 Transit Authority; and

34 **(14) (I) THE FOLLOWING COMMISSIONERS SHALL SERVE AS THE**

1 COMMISSION'S APPOINTEES TO BE PRINCIPAL MEMBERS OF THE WASHINGTON
2 METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS:

3 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH, THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S
5 DESIGNEE, AS AN EX OFFICIO PRINCIPAL MEMBER; AND

6 2. SUBJECT TO SUBPARAGRAPH (III) OF THIS
7 PARAGRAPH, ONE OF THE COMMISSIONERS APPOINTED BY THE GOVERNOR UNDER
8 PARAGRAPH (4) OF THIS SUBSECTION.

9 (II) THE SECRETARY OF TRANSPORTATION'S DESIGNEE UNDER
10 SUBPARAGRAPH (I)1 OF THIS PARAGRAPH:

11 1. SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF
12 TRANSPORTATION;

13 2. SHALL HAVE EXPERIENCE WITH AND POSSESS
14 QUALIFICATIONS RELATED TO TRANSIT; AND

15 3. MAY ATTEND MEETINGS OF THE WASHINGTON
16 METROPOLITAN AREA TRANSIT AUTHORITY BOARD OF DIRECTORS ON BEHALF OF
17 THE SECRETARY ONLY IF A SCHEDULING CONFLICT ARISES.

18 (III) THE COMMISSION'S APPOINTEE UNDER SUBPARAGRAPH
19 (I)2 OF THIS PARAGRAPH MAY NOT BE SUCCEEDED IN OFFICE BY A COMMISSIONER
20 WHO IS A RESIDENT OF THE SAME COUNTY.

21 7.

22 (C) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S
23 DESIGNEE, MAY NOT RECEIVE COMPENSATION FOR SERVICE AS A PRINCIPAL
24 MEMBER OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY BOARD
25 OF DIRECTORS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That a commissioner of the
27 Washington Suburban Transit Commission appointed as a principal member of the
28 Washington Metropolitan Area Transit Authority Board of Directors before the effective
29 date of this Act may continue to serve as a principal member of the Washington
30 Metropolitan Area Transit Authority Board of Directors until the expiration of the
31 commissioner's current term of appointment.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
33 1, 2018.