

HOUSE BILL 1491

R2

4lr3293

By: **Delegates Oaks, Carter, and Rosenberg**

Introduced and read first time: February 24, 2014

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 7, 2014

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Transportation – Citizens’ Advisory Council for the Baltimore Corridor**
3 **Transit Study – Red Line**

4 FOR the purpose of providing that a member of the Citizens’ Advisory Council for the
5 Baltimore Corridor Transit Study – Red Line is entitled to reimbursement of
6 expenses under certain State regulations as provided in the State budget;
7 clarifying language; and generally relating to the Citizens’ Advisory Council for
8 the Baltimore Corridor Transit Study – Red Line.

9 BY repealing and reenacting, with amendments,
10 Chapter 2 of the Acts of the General Assembly of the Special Session of 2006
11 Section 2

12 BY repealing and reenacting, with amendments,
13 Chapter 3 of the Acts of the General Assembly of the Special Session of 2006
14 Section 2

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

17 **Chapter 2 of the Acts of the Special Session of 2006**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) There is a Citizens' Advisory Council for the Baltimore Corridor Transit
2 Study – Red Line.

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

4 (1) 5 members who are business owners, residents, service providers,
5 or workers in the Red Line transit corridor, and who are appointed by the President of
6 the Senate:

7 (i) based on geographic consideration; and

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

12 (2) 5 members who are business owners, residents, service providers,
13 or workers in the Red Line transit corridor, and who are appointed by the Speaker of
14 the House:

15 (i) based on geographic consideration; and

16 (ii) after consultation with the members of the Baltimore City
17 Delegation of the General Assembly who represent legislative districts 41, 44, and 46
18 and the members of the Baltimore County Delegation to the General Assembly who
19 represent legislative district 10;

20 (3) 2 members who are appointed by the Governor or, at the
21 Governor's discretion, the Maryland Transit Administrator;

22 (4) 2 members who are appointed by the Mayor of the City of
23 Baltimore to represent the Baltimore City Department of Transportation and the
24 Baltimore City Department of Planning; and

25 (5) 1 member who is appointed by the County Executive of Baltimore
26 County.

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

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

31 (2) one from a list of two names provided by the Speaker of the House
32 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
3 or until project funding is otherwise expended.

4 (e) On resignation of a member, a new member shall be appointed by the
5 person 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
8 to the public.

9 (g) A member of the Advisory Council:

10 (1) may not receive compensation **AS A MEMBER OF THE ADVISORY**
11 **COUNCIL; BUT**

12 (2) **IS ENTITLED TO REIMBURSEMENT OF EXPENSES UNDER THE**
13 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
14 **BUDGET.**

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

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

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

23 (3) ensuring that the Red Line project:

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

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

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

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

1 (v) favors alignments that produce the least negative
2 community impacts practicable; and

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

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

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

9 (k) On or before September 1 of each year, the Advisory Council shall report
10 on its activities during the prior fiscal year to the Governor and, in accordance with §
11 2–1246 of the State Government Article, the General Assembly.

12 (l) The Administration shall:

13 (1) provide staff to the Advisory Council;

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

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

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

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

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

26 **Chapter 3 of the Acts of the Special Session of 2006**

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

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

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

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

4 (i) based on geographic consideration; and

5 (ii) after consultation with the members of the Baltimore City
6 Delegation of the General Assembly who represent legislative districts 41, 44, and 46
7 and the members of the Baltimore County Delegation to the General Assembly who
8 represent legislative district 10;

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

12 (i) based on geographic consideration; and

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

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

19 (4) two members who are appointed by the Mayor of the City of
20 Baltimore to represent the Baltimore City Department of Transportation and the
21 Baltimore City Department of Planning; and

22 (5) one member who is appointed by the County Executive of
23 Baltimore County.

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29 from the members appointed under subsection (b) of this section.

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

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

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

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

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17 incorporating community participation in major transportation planning projects;

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.