

SENATE BILL 547

C8

4lr2861
CF HB 172

By: **Senator Ferguson**

Introduced and read first time: January 29, 2014

Assigned to: Finance

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)

26 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

23 **Article – Economic Development**

24 13–301.

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

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

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

30 13–302.

31 (a) There is a Baltimore Metropolitan Council.

32 (b) The Council:

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

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

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

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

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

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

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

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

17 13-303.

18 (a) The Council consists of:

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

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

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

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

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

27 (6) one member appointed by the County Executive of Howard County;
28 [and]

29 (7) [other members as the Council Charter provides] **ONE MEMBER**
30 **OF THE HOUSE OF DELEGATES WHO REPRESENTS A DISTRICT WITHIN ANNE**

1 ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, CARROLL
2 COUNTY, HARFORD COUNTY, OR HOWARD COUNTY, APPOINTED BY THE
3 SPEAKER OF THE HOUSE;

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

8 (9) ONE REPRESENTATIVE OF THE PRIVATE SECTOR APPOINTED
9 BY THE GOVERNOR.

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

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

14 13-304.

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

17 13-305.

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

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

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

23 (b) A member of the Council:

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

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

26 13-306.

27 The Council may employ a staff.

28 13-307.

29 [(a)] The Council may:

1 (1) adopt a seal;

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

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

6 (4) acquire, hold, lease, use, encumber, transfer, or dispose of
7 property;

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

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

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

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

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

18 13–308.

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

21 13–309.

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

23 (b) The Advisory Board consists of:

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

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

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

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

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

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

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

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

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

15 **13-310.**

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

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

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

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

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

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

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

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

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

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

- 1 **(8) THE SECRETARY OF TRANSPORTATION;**
- 2 **(9) THE SECRETARY OF THE ENVIRONMENT; AND**
- 3 **(10) THE SECRETARY OF PLANNING.**
- 4 **(D) ALL MEMBERS OF THE BOARD ARE VOTING MEMBERS.**

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