

SENATE BILL 1164

R2
SB 654/16 – FIN

7lr0327

By: **Senators Salling, Astle, Bates, Cassilly, DeGrange, Eckardt, Hershey, Manno, Norman, Rosapepe, Serafini, Simonaire, Waugh, and Young**
Introduced and read first time: March 1, 2017
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transportation Authority – Membership**

3 FOR the purpose of altering the membership of the Maryland Transportation Authority to
4 include certain members of the General Assembly as nonvoting members serving in
5 an advisory capacity only; specifying certain criteria concerning the appointment,
6 tenure, and compensation of the legislative members of the Authority; clarifying
7 language; making stylistic changes; and generally relating to the membership of the
8 Maryland Transportation Authority.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 4–202
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2016 Supplement)

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

16 **Article – Transportation**

17 4–202.

18 (a) The Secretary of Transportation is the [Chairman] **CHAIR** of the Authority.

19 (b) (1) In addition to the [Chairman] **CHAIR**, the Authority consists of [eight]:

20 (I) **EIGHT** members appointed by the Governor with the advice and
21 consent of the Senate; **AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(II) SERVING IN A NONVOTING ADVISORY CAPACITY ONLY:

1. TWO MEMBERS OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

2. TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE.

(2) The [appointed] members of the Authority **APPOINTED BY THE GOVERNOR** may not be employees of the Executive Branch of the State government.

(3) Of the [appointed] members **APPOINTED BY THE GOVERNOR:**

(i) One shall have expertise in structural engineering;

(ii) One shall have expertise in transportation planning;

(iii) One shall have expertise in land use planning; and

(iv) One shall have expertise in finance.

(4) The [appointed] members of the Authority **APPOINTED BY THE GOVERNOR** shall reflect the racial, gender, and geographic diversity of the population of the State.

(5) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

1. IN EACH INSTANCE, SHALL INCLUDE ONE MEMBER OF THE MAJORITY PARTY AND ONE MEMBER OF THE MINORITY PARTY; AND

2. SHALL REPRESENT A LEGISLATIVE DISTRICT THAT INCLUDES A TRANSPORTATION FACILITIES PROJECT TO THE EXTENT THAT THERE IS A SENATOR OR DELEGATE THAT FULFILLS THAT CRITERION.

(II) IF THERE IS NOT A SENATOR OR DELEGATE FROM THE APPROPRIATE PARTY WHO REPRESENTS A LEGISLATIVE DISTRICT THAT SATISFIES THE REQUIREMENT UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH:

1. THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE, AS APPROPRIATE, MAY APPOINT ANY MEMBER FROM THE MAJORITY PARTY TO FILL THAT OPEN SLOT IF THE POSITION IS SLOTTED FOR A MEMBER OF THE MAJORITY PARTY; OR

1 **2. THE MINORITY LEADER OF THE SENATE OR THE**
2 **HOUSE OF DELEGATES, AS APPROPRIATE, MAY APPOINT ANY MEMBER FROM THE**
3 **MINORITY PARTY TO FILL THAT OPEN SLOT IF THE POSITION IS SLOTTED FOR A**
4 **MEMBER OF THE MINORITY PARTY.**

5 (c) (1) Each [appointed] member **APPOINTED BY THE GOVERNOR OR BY**
6 **THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE** serves for a term
7 of 4 years and until a successor is appointed and qualifies.

8 (2) The terms of the [appointed] members **APPOINTED BY THE**
9 **GOVERNOR** are staggered as required by the terms provided for members of the Authority
10 on January 1, 2007.

11 (3) [An appointed] **A** member **APPOINTED BY THE GOVERNOR** may not
12 serve more than three consecutive terms.

13 (4) **(I)** A member appointed **BY THE GOVERNOR, THE PRESIDENT OF**
14 **THE SENATE OR THE SPEAKER OF THE HOUSE, OR THE MINORITY LEADER OF THE**
15 **SENATE OR THE HOUSE OF DELEGATES, AS APPROPRIATE** to fill a vacancy in an
16 unexpired term serves only for the remainder of that term.

17 **(II) IF A LEGISLATIVE MEMBER RETIRES OR OTHERWISE**
18 **CEASES TO BE A MEMBER OF THE GENERAL ASSEMBLY DURING THE MEMBER'S**
19 **TERM ON THE AUTHORITY, THE APPOINTING AUTHORITY FOR THAT MEMBER MAY,**
20 **IN ACCORDANCE WITH SUBSECTION (B)(5) OF THIS SECTION, APPOINT A NEW**
21 **MEMBER TO FILL THE VACANCY FOR THE REMAINDER OF THAT TERM.**

22 (d) **(1)** A member of the Authority **APPOINTED BY THE GOVERNOR** is
23 entitled to:

24 **[(1)] (I)** The compensation provided in the State budget; and

25 **[(2)] (II)** Reimbursement for expenses[, in accordance with] **UNDER** the
26 Standard State Travel Regulations of the Department of Budget and Management.

27 **(2) A LEGISLATIVE MEMBER OF THE AUTHORITY:**

28 **(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
29 **AUTHORITY; BUT**

30 **(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER**
31 **THE STANDARD STATE TRAVEL REGULATIONS OF THE DEPARTMENT OF BUDGET**
32 **AND MANAGEMENT.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.