

ENROLLED BILL

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegates Burns, Barkley, Barve, Benson, Branch, Cardin, C. Davis, D. Davis, Franchot, Fulton, Goodwin, Griffith, Haynes, Heller, Holmes, Howard, Hubbard, Jones, Kelley, Lee, Madaleno, Marriott, McDonough, McMillan, Minnick, Morhaim, Nathan-Pulliam, Oaks, O'Donnell, Paige, Parker, Patterson, Proctor, V. Turner, Vallario, Vaughn, Weir, and Zirkin Zirkin, Hurson, Hammen, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Frank, Goldwater, Kach, Kullen, Mandel, Murray, Pendergrass, Rudolph, and Weldon Weldon, and Carter**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER 442

1 AN ACT concerning

2 **~~Transportation~~–Baltimore-Washington International Airport –Renaming**
3 **and Other State Facilities, Roads, and Bridges - Naming**

4 FOR the purpose of renaming the Baltimore-Washington International Airport as the
5 ~~Thurgood Marshall~~ Baltimore-Washington International Thurgood Marshall
6 Airport; creating the Advisory Committee on the Naming of State Facilities,
7 Roads, and Bridges; providing for the membership and the duties of the
8 Committee; providing that expenditures to implement the funding for the
9 implementation of this Act may not exceed a certain amount during a certain
10 fiscal year shall be as provided in the State budget; requiring the Maryland

1 Aviation Commission to change certain signs to reflect the renaming of the
2 airport ~~according to a certain schedule~~; providing that letterhead, business
3 cards, and other documents reflecting the renaming of the airport may not be
4 used until all letterhead, business cards, and other documents already in print
5 and reflecting the name of the airport prior to the effective date of this Act are
6 used; prohibiting the expenditure of certain funds for certain purposes; *making*
7 *certain provisions of this Act subject to a certain contingency*; and generally
8 relating to the renaming of the Baltimore-Washington International Airport
9 *and the naming of the State Facilities, Roads, and Bridges.*

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 8-202(g) and 9-102(h-1)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 24 - Political Subdivisions - Miscellaneous Provisions
17 Section 9-807
18 Annotated Code of Maryland
19 (2001 Replacement Volume and 2004 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Public Utility Companies
22 Section 10-209(b)
23 Annotated Code of Maryland
24 (1998 Volume and 2004 Supplement)

25 *BY adding to*
26 *Article - State Government*
27 *Section 2-10A-09*
28 *Annotated Code of Maryland*
29 *(2004 Replacement Volume)*

30 BY repealing and reenacting, with amendments,
31 Article - Tax - Property
32 Section 9-216
33 Annotated Code of Maryland
34 (2001 Replacement Volume and 2004 Supplement)

35 BY repealing and reenacting, with amendments,
36 Article - Transportation
37 Section 4-208.1, 5-201(b), 5-413, 5-414, 5-509, 5-822, 5-824, 5-1201,
38 and 10-203, Title II, Article XI, Section 2

1 Annotated Code of Maryland
2 (2001 Replacement Volume and 2004 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article - Transportation
5 Section 5-201(a)
6 Annotated Code of Maryland
7 (2001 Replacement Volume and 2004 Supplement)

8 Preamble

9 WHEREAS, Thurgood Marshall, the grandson of a slave, was born in Baltimore,
10 Maryland in 1908; and

11 WHEREAS, After graduation from the Howard University Law School in 1933,
12 Marshall successfully sued to force the admittance of an African American student to
13 the University of Maryland School of Law, the same school that had denied
14 admittance to Marshall in 1930 because he was an African American; and

15 WHEREAS, Thurgood Marshall worked for the Baltimore branch of the
16 National Association for the Advancement of Colored People (NAACP) and later
17 became the Chief Counsel for the NAACP; and

18 WHEREAS, After amassing an impressive record of Supreme Court challenges to
19 state-sponsored discrimination, including the landmark Brown v. Board of Education
20 decision in 1954, President Kennedy appointed Thurgood Marshall to the United
21 States Court of Appeals for the Second Circuit where Marshall's skills as a jurist were
22 evidenced by the fact that none of his majority decisions was ever reversed by the
23 United States Supreme Court; and

24 WHEREAS, After being appointed to the office of United States Solicitor General
25 in 1965, Thurgood Marshall represented and won more cases before the United States
26 Supreme Court than any other American; and

27 WHEREAS, Thurgood Marshall became the first African American justice to
28 serve on the United States Supreme Court when he was appointed to the highest court
29 in the land in 1967; and

30 WHEREAS, Throughout his life, Justice Marshall established a record of
31 supporting the voiceless American and he developed a profound sensitivity to injustice
32 by way of the crucible of racial discrimination in this country and he leaves a legacy
33 that expands that early sensitivity to include all of America's voiceless; and

34 WHEREAS, It is important to be mindful that there are still voiceless people who
35 deserve a voice in America, regardless of race, color, religion, national origin, gender,
36 age, marital status, sexual orientation, or disability; and

37 WHEREAS, It is important to recognize the selfless and heroic acts of individuals
38 who have fought against injustice to all people, who have labored to give voiceless

1 people a voice, and who leave a powerful legacy of social change, as Thurgood
 2 Marshall did so admirably; and

3 WHEREAS, Renaming the Baltimore-Washington International Airport to
 4 include Thurgood Marshall's name would serve as a fitting tribute to a great citizen of
 5 Maryland and would assist in continuing to give him the recognition he deserves for
 6 his life achievements, particularly in his home state; and

7 WHEREAS, Baltimore-Washington International Airport is appropriate because
 8 its name, like the area it serves, the Baltimore/Washington corridor, is nationally and
 9 world-renowned, signifying both the stature and economic power of our great State of
 10 Maryland; and

11 WHEREAS, The name, "Baltimore-Washington International Airport", is
 12 further enhanced by adding the name "Thurgood Marshall", also nationally and
 13 world-renowned, by linking Baltimore, his birthplace and the city he loved, to
 14 Washington, D.C., a city carved from the State of Maryland, our nation's capital, and
 15 the city where Justice Marshall earned his greatest fame, first as a litigator in *Brown*
 16 *v. Board of Education* and later as a Justice of the United States Supreme Court; now,
 17 therefore,

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

20 **Article 2B - Alcoholic Beverages**

21 8-202.

22 (g) (1) There is an airport concessionaire license.

23 (2) (i) An individual, association of individuals, or a corporation which
 24 is a lessee, sublessee, or a concessionaire at any airport, without further residential,
 25 voting or locative qualifications, may obtain an airport concessionaire license for the
 26 sale of any and all alcoholic beverages within the airport terminal buildings.

27 (ii) 1. This subparagraph does not apply to duty free shops.

28 2. A person who is a lessee, sublessee, or concessionaire at
 29 ~~THURGOOD MARSHALL~~ Baltimore-Washington International THURGOOD MARSHALL
 30 Airport may hold one airport concessionaire license for multiple locations within the
 31 terminal building of ~~THURGOOD MARSHALL~~ Baltimore-Washington International
 32 THURGOOD MARSHALL Airport, even if the person already holds one or more alcoholic
 33 beverages licenses of any other type issued by the Board.

34 (iii) 1. The Board may issue a second airport concessionaire
 35 license for a leased premises or concessionaire space that is licensed as of March 1,
 36 2004, at ~~THURGOOD MARSHALL~~ Baltimore-Washington International THURGOOD
 37 MARSHALL Airport to maintain service during a transition involving different
 38 licensees; but

1 2. The first airport concessionaire license shall expire when
2 the privileges under the second are exercised.

3 (iv) On receipt of an application for an airport concessionaire license
4 under subparagraph (ii) or (iii) of this paragraph, the Board shall:

5 1. Give precedence to the application over all other license
6 applications; and

7 2. Hold a hearing on the application at the Board meeting
8 that immediately follows receipt of the application.

9 (3) (i) The annual fee for the airport concessionaire license and one
10 location from which alcoholic beverages may be sold is \$5,000.

11 (ii) The annual fee for each additional location from which alcoholic
12 beverages may be sold is \$5,000.

13 (iii) Each fee shall be paid on May 1 to the Board.

14 (iv) The licensee may sell alcoholic beverages every day from each
15 location within the airport terminal buildings.

16 (v) The license permits the playing of music and dancing.

17 (vi) The provisions of subsection (d) of this section relating to special
18 Sunday licenses do not apply to the holder of a license issued under this subsection.

19 (4) Licenses and licensees are subject to all laws and regulations
20 applicable to the sale of alcoholic beverages not inconsistent with the provisions of
21 this section.

22 9-102.

23 (h-1) (1) In Anne Arundel County, a current holder of a Class H alcoholic
24 beverages license, or a holder as of June 1, 2002 of a Class B alcoholic beverages
25 license that has a restriction prohibiting off-sales, may be issued a second license by
26 the Anne Arundel County Board of License Commissioners if:

27 (i) The second license is a Class H (beer, wine and liquor) license or
28 a Class H (beer and wine) license; and

29 (ii) Either the restaurant for which the Class H license under item
30 (i) of this paragraph is sought or to which the original Class B or Class H license
31 applies is located within:

32 1. A suburban community center designated by Anne
33 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
34 Anne Arundel County; or

1 2. One of the following locations as they existed on October 1,
2 1999:

- 3 A. The Glen Burnie Urban Renewal Area;
- 4 B. The Parole Town Center Growth Management Area;
- 5 C. The Odenton Town Center Growth Management Area;
- 6 D. The ~~THURGOOD-MARSHALL~~ Baltimore-Washington
7 International THURGOOD MARSHALL Airport State Priority Funding Area, as
8 designated by Anne Arundel County in accordance with Article 83A, § 5-1101(k)(6) of
9 the Code;

10 E. A shopping center with a gross area of at least 1 million
11 square feet that is zoned C3 General Commercial by the zoning article of the Anne
12 Arundel County Code; or

13 F. The Route 198 corridor, consisting of properties located
14 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
15 to the Prince George's County-Anne Arundel County line on the west.

16 (2) A person who does not hold a retail alcoholic beverages license in
17 Anne Arundel County may be issued a maximum of two licenses by the Anne Arundel
18 County Board of License Commissioners if:

- 19 (i) Each license is a Class H (beer and wine) license or a Class H
20 (beer, wine and liquor) license; and
- 21 (ii) The restaurant for which one of the Class H licenses under item
22 (i) of this paragraph is sought is located within:

23 1. A suburban community center designated by Anne
24 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
25 Anne Arundel County; or

26 2. One of the following locations as they existed on October 1,
27 1999:

- 28 A. The Glen Burnie Urban Renewal Area;
- 29 B. The Parole Town Center Growth Management Area;
- 30 C. The Odenton Town Center Growth Management Area;
- 31 D. The ~~THURGOOD-MARSHALL~~ Baltimore-Washington
32 International THURGOOD MARSHALL Airport State Priority Funding Area, as
33 designated by Anne Arundel County in accordance with Article 83A, § 5-1101(k)(6) of
34 the Code;

1 E. A shopping center with a gross area of at least 1 million
2 square feet that is zoned C3 General Commercial by the zoning article of the Anne
3 Arundel County Code; or

4 F. The Route 198 corridor, consisting of properties located
5 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
6 to the Prince George's County-Anne Arundel County line on the west.

7 (3) A franchisor may not have a direct ownership interest, as defined by
8 the Board, in more than 2 licenses under this section.

9 (4) The Board may not issue more than 30 additional Class H licenses
10 under this subsection.

11 (5) The Anne Arundel County Board of License Commissioners shall
12 adopt regulations:

13 (i) To carry out this subsection; and

14 (ii) That define "direct ownership interest" for the purposes of
15 paragraph (3) of this subsection.

16 (6) The Anne Arundel County Economic Development Corporation, in
17 consultation with the Board of License Commissioners for Anne Arundel County:

18 (i) Shall conduct a comprehensive study of the impact of this
19 subsection on the economy of Anne Arundel County; and

20 (ii) On or before January 1, 2006, shall submit its findings and
21 recommendations to the Anne Arundel County House Delegation, the Anne Arundel
22 County Senate Delegation, the County Executive for Anne Arundel County, and the
23 Anne Arundel County Council.

24 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

25 9-807.

26 Notwithstanding the provisions of §§ 6-102, 7-211, and 7-401 of the Tax -
27 Property Article, for all private development that is not related to aviation on
28 State-owned land at ~~THURGOOD MARSHALL~~ Baltimore-Washington International
29 THURGOOD MARSHALL Airport in Anne Arundel County, the State shall reimburse
30 Anne Arundel County on a yearly basis a sum of money that is agreed upon by the
31 Secretary of Transportation and the Anne Arundel County Executive and does not
32 exceed an amount equal to the appropriate local property taxes that the private
33 development would have paid to Anne Arundel County if the private development was
34 not constructed on State-owned land.

Article - Public Utility Companies

1
2 10-209.

3 (b) (1) A taxicab driver may not solicit the patronage of a person who is at
4 the terminal of another common carrier or at an intermediate point along an
5 established route of that carrier to use that common carrier's service.

6 (2) Paragraph (1) of this subsection does not prohibit or interfere with a
7 response to a call for a taxicab whether the call is made by telephone or by signal from
8 a pedestrian.

9 (3) Taxicabs being operated in Baltimore City:

10 (i) may transport a passenger from Baltimore City into Baltimore
11 County and return to Baltimore County for the same passenger; but

12 (ii) may not solicit a passenger within Baltimore County at any
13 time.

14 (4) This subtitle may not impede the operation of taxicabs between
15 Baltimore City and ~~THURGOOD MARSHALL~~ Baltimore-Washington International
16 THURGOOD MARSHALL Airport in the manner allowed by law.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

Article - State Government

19
20 2-10A-09.

21 (A) IN THIS SECTION, "COMMITTEE" MEANS THE ADVISORY COMMITTEE ON
22 THE NAMING OF STATE FACILITIES, ROADS, AND BRIDGES ESTABLISHED UNDER
23 THIS SECTION.

24 (B) THERE IS AN ADVISORY COMMITTEE ON THE NAMING OF STATE
25 FACILITIES, ROADS, AND BRIDGES.

26 (C) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

27 (1) THE GOVERNOR, OR THE GOVERNOR'S DESIGNEE;

28 (2) THE PRESIDENT OF THE SENATE, OR THE PRESIDENT'S DESIGNEE;

29 (3) THE SPEAKER OF THE HOUSE OF DELEGATES, OR THE SPEAKER'S
30 DESIGNEE;

31 (4) THE COMPTROLLER, OR THE COMPTROLLER'S DESIGNEE;

32 (5) THE STATE TREASURER, OR THE TREASURER'S DESIGNEE;

1 (6) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
2 DESIGNEE;

3 (7) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S
4 DESIGNEE;

5 (8) THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST OR THE
6 DIRECTOR'S DESIGNEE; AND

7 (9) A MEMBER OF THE PUBLIC, APPOINTED BY THE GOVERNOR.

8 (D) THE GOVERNOR OR THE GOVERNOR'S DESIGNEE SHALL SERVE AS CHAIR
9 OF THE COMMITTEE.

10 (E) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE STAFF
11 ASSISTANCE TO THE COMMITTEE.

12 (F) (1) THE COMMITTEE SHALL CONSIDER AND EVALUATE REQUESTS TO
13 NAME STATE FACILITIES, OTHER THAN THE FACILITIES AT A PUBLIC INSTITUTION
14 OF HIGHER EDUCATION, IN HONOR OR MEMORY OF INDIVIDUALS.

15 (2) THE COMMITTEE SHALL ACCEPT PUBLIC TESTIMONY AT HEARINGS
16 OF THE COMMITTEE.

17 (G) (1) IN ACCORDANCE WITH § 2-1246 OF THIS TITLE, THE COMMITTEE
18 SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE
19 JANUARY 1 OF EACH YEAR.

20 (2) THE REPORT SHALL INCLUDE THE RECOMMENDATIONS OF THE
21 COMMITTEE WITH REGARD TO ANY MATTER CONSIDERED BY THE COMMITTEE
22 UNDER SUBSECTION (F) OF THIS SECTION.

23 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
24 read as follows:

25 **Article - Tax - Property**

26 9-216.

27 (a) The governing body of a county or municipal corporation may grant a
28 property tax credit under this section against the applicable county or municipal
29 corporation property tax imposed on owner-occupied residential real property
30 situated entirely or in part within the 75 LDN noise contour as established by the
31 airport noise zone surrounding ~~THURGOOD MARSHALL~~ Baltimore-Washington
32 International THURGOOD MARSHALL Airport that has been most recently adopted by
33 the Maryland Aviation Administration as of the first day of the taxable year.

34 (b) The governing body of a county or of a municipal corporation may provide,
35 by law, for:

1 (1) the amount and duration of the property tax credit under subsection
2 (a) of this section; and

3 (2) any other provision necessary to carry out the property tax credit
4 under subsection (a) of this section.

5 **Article - Transportation**

6 4-208.1.

7 (a) The chief police officer of the Maryland Transportation Authority Police
8 Force may appoint employees of the Authority to exercise the powers specified in
9 subsection (b) of this section.

10 (b) (1) An employee appointed under this section may issue citations to the
11 extent authorized by the chief police officer for violations of those provisions of §
12 5-426 of this article relating to motor vehicle parking at ~~THURGOOD MARSHALL~~
13 Baltimore-Washington International THURGOOD MARSHALL Airport.

14 (2) The issuance of citations under this section shall comply with the
15 requirements of Title 26, Subtitle 3 of this article.

16 (c) The chief police officer, in consultation with the Maryland Police Training
17 Commission, shall adopt regulations establishing:

18 (1) Qualifications for employees appointed under this section, including
19 prerequisites of character, training, experience, and education; and

20 (2) Standards for the performance of the duties assigned to employees
21 appointed under this section.

22 5-201.

23 (a) There is a Maryland Aviation Commission.

24 (b) The Commission shall:

25 (1) Establish policies directed toward the Maryland Aviation
26 Administration's ability to improve and promote the role of the ~~THURGOOD~~
27 ~~MARSHALL~~ Baltimore-Washington International THURGOOD MARSHALL Airport as
28 an airport of service to the Washington-Baltimore metropolitan area;

29 (2) Approve regulations for the operation of the State-owned airports
30 prior to their adoption by the Executive Director;

31 (3) Direct the Administration in developing and implementing airport
32 management policy for all State-owned airports;

1 (4) Approve major capital projects, as defined in § 2-103.1(a)(4) of this
2 article, at any State-owned airport prior to the submission of those projects to the
3 Governor and General Assembly for approval;

4 (5) Exercise those powers granted to the Commission by this title or by
5 any other provision of law; and

6 (6) In carrying out the provisions of this subtitle, consider information
7 and advice from the air carrier industry, the airport concessionaire industry, the
8 airline support services industry, and citizen advisory groups.

9 5-413.

10 (a) Any person who is or becomes a full-time employee of the Maryland
11 Aviation Administration Fire Rescue Service on or before September 30, 1993 shall
12 remain or become a member of the Baltimore City Fire and Police Employees
13 Retirement System. The Administration shall reimburse the City for the employer's
14 cost of the pension coverage.

15 (b) Notwithstanding any public local or other law, the operator of a taxicab
16 authorized and licensed to operate in a political subdivision of this State may, without
17 being required to obtain an additional permit or license from any other political
18 subdivision:

19 (1) Transport passengers to ~~THURGOOD MARSHALL~~
20 Baltimore-Washington International THURGOOD MARSHALL Airport from the
21 political subdivision in which the taxicab is authorized and licensed to operate; and

22 (2) After transporting passengers to the airport from that political
23 subdivision, pick up passengers at the airport and transport them to the political
24 subdivision on its return trip.

25 (c) The Administration may not begin construction of the new parallel
26 transport runway, identified in the Airport Master Plan as runway 10 R/28L, until:

27 (1) The Administration:

28 (i) 1. Reviews the current airport noise zone and abatement
29 procedures, such reviews to include an examination and an evaluation of runway
30 curfews; and

31 2. Updates the noise zone as proposed by the Administration
32 on February 25, 1987;

33 (ii) Adopts the proposed noise assistance programs for residential
34 areas within the airport noise zone including, but not limited to:

35 1. Extension of the voluntary acquisition program;

1 2. In cooperation with the Board of Airport Zoning Appeals
2 established by Subtitle 5 of this title, strengthening of zoning permit procedures as
3 necessary; and

4 3. Establishment of a homeowner assistance program; and

5 (iii) Implements a pilot program of homeowner assistance in fiscal
6 year 1988; and

7 (2) The State Highway Administration completes construction of the
8 following highway projects required in conjunction with airport improvements:

9 (i) Hammonds Ferry Road/Poplar Avenue intersection
10 improvements;

11 (ii) MD 170/Poplar Avenue intersection;

12 (iii) Poplar Avenue widening;

13 (iv) MD 176 widenings;

14 (v) MD 176/Hammonds Ferry Road intersection;

15 (vi) Nursery Road/MD 295 interchange; and

16 (vii) MD 3/MD 176 Interchange (auxiliary lane).

17 (d) The international terminal at ~~THURGOOD MARSHALL~~
18 Baltimore-Washington International THURGOOD MARSHALL Airport shall be named
19 the Governor William Donald Schaefer International Terminal.

20 5-414.

21 (a) There is a Citizens Committee for the Enhancement of Communities
22 Surrounding ~~THURGOOD MARSHALL~~ Baltimore-Washington International
23 THURGOOD MARSHALL Airport.

24 (b) (1) The Citizens Committee consists of 11 members who are appointed
25 by the Secretary after recommendation by the members of the legislative delegation
26 from legislative districts 12, 13, and 32 as follows:

27 (i) Two members of the Citizens Committee shall be recommended
28 by each of the delegates representing district 32;

29 (ii) One member of the Citizens Committee shall be recommended
30 by the delegates representing district 12;

31 (iii) One member of the Citizens Committee shall be recommended
32 by the delegates representing district 13; and

1 (iv) Three members of the Citizens Committee shall be
2 recommended by the senator representing district 32.

3 (2) The members shall be representatives of community associations
4 that are either wholly or partially situated:

5 (i) In the most recent certified noise zone, adopted under § 5-806
6 of this title, for ~~THURGOOD MARSHALL~~ Baltimore-Washington International
7 THURGOOD MARSHALL Airport; or

8 (ii) In a border extending 2 miles outside of the certified noise zone.

9 (c) (1) The term of a member of the Citizens Committee is 3 years.

10 (2) The terms of the members are staggered as required by the terms
11 provided for members of the Citizens Committee on October 1, 2001.

12 (3) At the end of a term, a member continues to serve until a successor is
13 appointed.

14 (4) A member who is appointed after a term has begun serves only for
15 the rest of the term and until a successor is appointed.

16 (d) From among the members of the Citizens Committee, the Secretary shall
17 appoint a chairman.

18 (e) (1) The Citizens Committee shall meet regularly at the call of the
19 chairman.

20 (2) The Secretary, or the Secretary's designee, shall meet with the
21 Citizens Committee at least quarterly.

22 (f) A member of the Citizens Committee may not receive compensation or
23 other reimbursement for expenses.

24 (g) The Citizens Committee shall:

25 (1) Evaluate issues of livability in the communities located in the area
26 described in subsection (b)(2) of this section and the unique impacts on livability in
27 these communities arising from their close proximity to ~~THURGOOD MARSHALL~~
28 Baltimore-Washington International THURGOOD MARSHALL Airport;

29 (2) Develop projects designed to address transportation issues that affect
30 livability in the communities; and

31 (3) Make recommendations to the Secretary for the funding of projects
32 designed to address transportation issues that affect livability in the communities.

33 (h) (1) The Secretary shall consider the recommendations of the Citizens
34 Committee.

1 (2) The Secretary may make grants-in-aid, under § 2-103(i)(2) of this
2 article, to fund transportation related projects recommended by the Citizens
3 Committee.

4 (3) (i) The Secretary shall identify in the annual budget for the
5 Department an amount designated for the grants-in-aid authorized under this
6 subsection.

7 (ii) In making a budget designation under this paragraph, the
8 Secretary shall consider the number of aircraft operations at ~~THURGOOD MARSHALL~~
9 Baltimore-Washington International THURGOOD MARSHALL Airport for the most
10 recent available calendar year.

11 (iii) A budget amount designated under this paragraph shall include
12 an amount equal to at least one dollar for every takeoff and landing of an aircraft that
13 occurs at ~~THURGOOD MARSHALL~~ Baltimore-Washington International THURGOOD
14 MARSHALL Airport for the most recent available calendar year.

15 (i) Staff support for the Citizens Committee shall be provided by the
16 Department.

17 5-509.

18 (a) In this section, "district" means the land area established for ~~THURGOOD~~
19 ~~MARSHALL~~ Baltimore-Washington International THURGOOD MARSHALL Airport
20 delineated by and contained within a circle the radius of which is 4 miles from a point
21 the Maryland grid coordinates of which are E893,909.99 -- N490,279.30.

22 (b) (1) Except as otherwise provided in this subtitle, a structure may not be
23 erected, altered, or maintained and a tree or other vegetation may not be allowed to
24 grow or be maintained at a height greater than the height limit established for the
25 district.

26 (2) The Administration shall adopt regulations establishing the
27 maximum height limit any structure, tree, or other vegetation may be allowed to grow
28 or be maintained in the district, consistent with applicable federal aviation
29 regulations.

30 (3) The Administration shall file in the land records of Anne Arundel
31 County, Baltimore County, and Howard County a map depicting the district
32 established by this section.

33 5-822.

34 (a) Appeals to the Board of Airport Zoning Appeals may be taken in the
35 manner set forth in § 5-814 of this subtitle by any aggrieved person or by any officer
36 or agency of a political subdivision affected by the decision of the Administration.

37 (b) The Board of Airport Zoning Appeals may grant variances for State owned
38 airports in the manner set forth in § 5-815 of this subtitle.

1 (c) The Board of Airport Zoning Appeals shall condition any variance
2 prerequisite to the grant of a permit required by § 5-821 of this subtitle so as to
3 require the applicant to:

4 (1) Construct the proposed structure so as to comply with all applicable
5 noise insulation regulations promulgated by the administration; and

6 (2) Grant to the Administration an aviation easement as defined by §
7 5-1201(h) of this title, such easement including a provision relinquishing any right to
8 receive remuneration or other compensation or benefit under any program of this
9 State designed to allay, abate, or compensate for the effects of aircraft noise and
10 emissions in connection with the operation of ~~THURGOOD MARSHALL~~
11 Baltimore-Washington International THURGOOD MARSHALL Airport.

12 (d) After consultation with the Board of Airport Zoning Appeals and affected
13 local governments, the Administration shall adopt regulations to further the intent of
14 this section and to meet the sound insulation goals set forth in § 5-815(a) of this
15 subtitle.

16 (e) Any aggrieved person or any officer or agency of an affected political
17 subdivision may appeal from a decision of the Board of Airport Zoning Appeals in the
18 manner set forth in § 5-816 of this subtitle.

19 (f) Upon timely application, an affected political subdivision may intervene in
20 any appeal taken under this subtitle to the Board of Airport Zoning Appeals or to a
21 court of competent jurisdiction.

22 5-824.

23 (a) If the State purchases real property within the noise zone of ~~THURGOOD~~
24 ~~MARSHALL~~ Baltimore-Washington International THURGOOD MARSHALL Airport for
25 noise mitigation purposes with federal, State, or local funds, the Administration may
26 not use the real property to construct or extend any terminal, fuel farm, runway, or
27 taxiway.

28 (b) This section does not preclude the Administration from purchasing real
29 property for noise mitigation purposes or for projects to promote the public safety as
30 it is affected by existing or future airport operations and facilities.

31 5-1201.

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

33 (b) "Airport" means ~~THURGOOD MARSHALL~~ Baltimore-Washington
34 International THURGOOD MARSHALL Airport.

35 (c) "Board" means the Board of Airport Zoning Appeals established under
36 Subtitle 5 of this title.

1 (d) "Cumulative noise exposure" means a calculated or measured value for the
 2 exposure to aircraft noise in a 24-hour period, using the annual day-night (average)
 3 sound level (LDN) methodology.

4 (e) "Annual day-night (average) sound level" means the annual average
 5 aircraft noise level occurring during a 24-hour period, the calculation of which
 6 includes the addition of a 10 decibel penalty to noises occurring between 10 p.m. and
 7 7 a.m. daily.

8 (f) "Noise zone" means an area of land surrounding the airport within which
 9 the cumulative noise exposure is equal to or greater than the lowest limit for
 10 cumulative noise exposure established by the Executive Director, under Subtitle 8 of
 11 this title.

12 (g) "Homeowner" means an owner of residentially used real property situated
 13 within the airport noise zone.

14 (h) "Aviation easement" means a written privilege granted by a homeowner
 15 related to aircraft overflight, noise, and associated effects which may arise in the
 16 ordinary operation of the airport.

17 (i) "School" means a public or privately operated elementary, secondary,
 18 postsecondary, or noncollegiate institution, with facilities in use on or before April 1,
 19 1987, which is:

20 (1) Located within the airport noise zone; and

21 (2) Certified or accredited by the State Board of Education.

22 10-203.

23 TITLE II

24 Compact Regulatory Provisions

25 Article XI

26 2. Solely for the purposes of this section and § 18 of this article:

27 (a) The Metropolitan District shall include that portion of Anne Arundel
 28 County, Maryland, occupied by the ~~THURGOOD MARSHALL~~ Baltimore-Washington
 29 International THURGOOD MARSHALL Airport; and

30 (b) Jurisdiction of the Commission shall apply to taxicab rates, charges,
 31 regulations, and minimum insurance requirements for interstate transportation
 32 between the ~~THURGOOD MARSHALL~~ Baltimore-Washington International
 33 THURGOOD MARSHALL Airport and other points in the Metropolitan District, unless
 34 conducted by a taxicab licensed by the State of Maryland or a political subdivision of
 35 the State of Maryland, or operated under a contract with the State of Maryland.

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

2 (a) Expenditures to implement this Act may not exceed \$250,000 in fiscal year
3 2006 Funding for the implementation of this Section and this Act shall be as provided
4 in the State budget.

5 (b) ~~(1)~~ In fiscal year 2006, the The Maryland Aviation Commission shall
6 change 49% of the existing signs in the airport to reflect the renaming of
7 Baltimore-Washington International Airport to be the Thurgood Marshall
8 Baltimore-Washington International Thurgood Marshall Airport.

9 ~~(2)~~ In fiscal year 2007, the Maryland Aviation Commission shall change
10 the remaining signs not changed under paragraph (1) of this subsection to reflect the
11 renaming of Baltimore-Washington International Airport to be the Thurgood
12 Marshall Baltimore-Washington International Airport.

13 (c) Letterhead, business cards, and other documents reflecting the renaming
14 of Baltimore-Washington International Airport to be the Thurgood Marshall
15 Baltimore-Washington International Thurgood Marshall Airport may not be used
16 until all letterhead, business cards, and other documents already in print and
17 reflecting the name of the airport prior to the effective date of this Act have been used.

18 (d) In fiscal year 2006, funds intended for renaming Baltimore-Washington
19 International Airport to be the Thurgood Marshall Baltimore-Washington
20 International Thurgood Marshall Airport may not be used to:

21 (1) replace highway signs that use the Baltimore-Washington
22 International Airport name or logo; or

23 (2) repaint buses that use the Baltimore-Washington International
24 Airport name or logo.

25 SECTION 4. AND BE IT FURTHER ENACTED, That, consistent with the
26 long-standing policy on the naming of State buildings and other capital improvements
27 adopted by the Board of Public Works in 1961, and reiterated on January 15, 2004,
28 Sections 1 and 3 of this Act shall take effect October 1, 2005, contingent on ratification
29 by the Board of Public Works of the renaming of the Baltimore-Washington
30 International Airport to be the Baltimore-Washington International Thurgood
31 Marshall Airport. Upon ratification of the name change under this section, the Board
32 of Public Works shall notify the Department of Legislative Services, 90 State Circle,
33 Annapolis, Maryland 21401.

34 SECTION 2. ~~3-5.~~ AND BE IT FURTHER ENACTED, That, subject to
35 Section 4 of this Act this Act shall take effect October 1, 2005.

