

HOUSE BILL 773

L6

(7lr1630)

ENROLLED BILL

— *Environmental Matters/ Education, Health, and Environmental Affairs* —

Introduced by **Delegates Lafferty, Barkley, Barve, Beidle, Cane, V. Clagett, DeBoy, Glenn, Guzzone, Holmes, Hucker, Kach, Kullen, Lawton, Malone, McIntosh, Murphy, Niemann, Rosenberg, Schuler, Stein, and Stull**

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 _____

1 AN ACT concerning

2 **Task Force on the Future for Growth and Development – Membership and**
3 **Charge**

4 FOR the purpose of altering the membership of the Task Force on the Future for
5 Growth and Development; requiring the Governor to designate the chair of the
6 Task Force; altering the requirements of the Task Force to ~~include certain~~
7 ~~examinations, recommendations, and determinations concerning~~ address
8 certain growth-related issues *and to serve as an advisory board to the*

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.

Italics indicate opposite chamber / conference committee amendments.



1 ~~*Governor's Smart Growth Subcabinet; requiring the Task Force to submit a*~~
 2 ~~*certain preliminary report on or before a certain date;*~~ altering the date by
 3 which the Task Force must make a certain report; making certain stylistic
 4 changes; and generally relating to the Task Force on the Future for Growth and
 5 Development.

6 BY repealing and reenacting, with amendments,
 7 Chapter 381 of the Acts of the General Assembly of 2006
 8 Section 4

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

11 **Chapter 381 of the Acts of 2006**

12 SECTION 4. AND BE IT FURTHER ENACTED, That:

13 (a) There is a Task Force on the Future for Growth and Development in
 14 Maryland.

15 (b) (1) The Task Force consists of the following members:

16 (i) two members of the House Environmental Matters
 17 Committee, appointed by the Speaker of the House;

18 (ii) two members of the Senate Education, Health, and
 19 Environmental Affairs Committee, appointed by the President of the Senate;

20 (iii) the Secretary of Planning, or the Secretary's designee;

21 (iv) the Secretary of the Environment, or the Secretary's
 22 designee;

23 ~~(v) THE SECRETARY OF TRANSPORTATION, OR THE~~
 24 ~~SECRETARY'S DESIGNEE;~~

25 ~~(vi) THE SECRETARY OF HOUSING AND COMMUNITY~~
 26 ~~DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;~~

27 ~~(vii) THE CHAIR OF THE BASE REALIGNMENT AND CLOSURE~~
 28 ~~SUBCABINET, OR THE CHAIR'S DESIGNEE;~~

1 (v) THE SECRETARY OF TRANSPORTATION, OR THE
2 SECRETARY'S DESIGNEE;

3 (vi) THE SECRETARY OF HOUSING AND COMMUNITY
4 DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

5 (vii) THE CHAIR OF THE BASE REALIGNMENT AND CLOSURE
6 SUBCABINET, OR THE CHAIR'S DESIGNEE;

7 (viii) THE EXECUTIVE DIRECTOR OF THE RURAL MARYLAND
8 COUNCIL, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

9 ~~[(v)]~~ ~~(viii)~~ ~~(viii)~~ (ix) the Director OF the University of
10 Maryland's National Center for Smart Growth, or the Director's designee;

11 ~~[(vi)]~~ ~~(ix)~~ ~~(ix)~~ (x) four representatives of local government:

12 1. two designated by the Maryland Municipal League,
13 WITH ONE REPRESENTING A RURAL COUNTY; and

14 2. two designated by the Maryland Association of
15 Counties, WITH ONE REPRESENTING A RURAL COUNTY; ~~and~~ AND

16 ~~(vii) TWO LOCAL GOVERNMENT ADMINISTRATORS OR PUBLIC~~
17 ~~WORKS DIRECTORS;~~

18 ~~1. ONE DESIGNATED BY THE MARYLAND MUNICIPAL~~
19 ~~LEAGUE; AND~~

20 ~~2. ONE DESIGNATED BY THE MARYLAND~~
21 ~~ASSOCIATION OF COUNTIES; AND~~

22 ~~[(vii)]~~ ~~(x)~~ ~~(viii)~~ (xi) the following members, appointed by the
23 Governor:

24 1. one representative of the environmental community;

25 2. one representative of the State Builders Association;

26 ~~[and]~~

1 [(iii)] 3. one representative of the agricultural community;

2 ~~AND; AND~~

3 4. THREE REPRESENTATIVES OF CITIZENS
 4 ORGANIZATIONS THAT ADDRESS AFFORDABLE HOUSING, TRANSPORTATION,
 5 AND SMART GROWTH

6 ~~4. THREE REPRESENTATIVES OF CITIZEN~~
 7 ~~ORGANIZATIONS THAT ADDRESS AFFORDABLE HOUSING, TRANSPORTATION,~~
 8 ~~AND SMART GROWTH.~~

9 (2) If the Governor appoints a regulated lobbyist to serve as a member
 10 of the Task Force, the lobbyist:

11 (i) is not subject to § 15-504(d) of the State Government Article
 12 with respect to that service; and

13 (ii) is not subject to § 15-703(f)(3) of the State Government
 14 Article as a result of that service.

15 (c) ~~From among its members, the Task Force shall elect a~~ **THE GOVERNOR**
 16 **SHALL DESIGNATE THE** chair of the Task Force.

17 (d) The Department of Planning shall provide staff for the Task Force.

18 (e) A member of the Task Force:

19 (1) may not receive compensation as a member of the Task Force; but

20 (2) is entitled to reimbursement for expenses under the Standard
 21 State Travel Regulations, as provided in the State budget.

22 (f) The Task Force shall:

23 (1) study current land use policies and their impact on growth in the
 24 State;

25 (2) study current trends and challenges for municipal corporations
 26 and counties as they relate to growth, including population and demographic changes;

27 (3) analyze the capabilities of municipal corporations and counties to
 28 plan for future growth and development;

1 (4) analyze the impacts of county development proximate to municipal
2 corporate limits on municipal infrastructure, water resources, and sensitive areas;

3 (5) analyze the impacts of municipal growth and development on
4 county infrastructure, water resources, and sensitive areas;

5 (6) identify regional growth and development issues;

6 (7) study mechanisms to facilitate joint planning to coordinate growth
7 and development between municipal corporations and counties;

8 (8) examine the impact of § 1.03(e) and § 3.05(f) of Article 66B of the
9 Code on a local government's ability to establish a floating zone on a property or grant
10 piecemeal rezoning of a specific property; [and]

11 ~~(9) (I) EXAMINE ALL RELEVANT PLANNING LAWS OF THE~~
12 ~~STATE, INCLUDING THE PROVISIONS OF ARTICLE 25A, 28, AND 66B, TO~~
13 ~~IDENTIFY DUPLICATIVE AND INCONSISTENT LANGUAGE;~~

14 ~~(II) DETERMINE WHAT ELEMENTS ARE MISSING FROM THE~~
15 ~~STATE'S PLANNING LAWS; AND~~

16 ~~(III) MAKE RECOMMENDATIONS TO IMPLEMENT LAW OR~~
17 ~~REGULATIONS THAT ENSURE SOUND LAND USE PLANNING IN THE STATE;~~

18 ~~(10) MAKE RECOMMENDATIONS ON USING STATE DOLLARS TO~~
19 ~~ENCOURAGE MORE REGIONAL COOPERATION AND PLANNING;~~

20 ~~(11) (9)~~ DETERMINE METHODS TO ASSESS THE CUMULATIVE
21 IMPACTS OF PROPOSED DEVELOPMENT ON INFRASTRUCTURE, INCLUDING
22 WATER, SEWER, ROADS, AND UTILITIES, AND ON TRANSPORTATION, FIRE AND
23 SAFETY RESOURCES, HEALTH SYSTEMS, EDUCATIONAL SYSTEMS, AND
24 ENVIRONMENTAL RESOURCES ON A REGIONAL SCALE;

25 ~~(12) (I) DETERMINE THE PARAMETERS FOR A STATE~~
26 ~~DEVELOPMENT PLAN, STATE TRANSPORTATION PLAN, STATE HOUSING PLAN;~~
27 ~~AND~~

28 ~~(II) DETERMINE HOW THESE PLANS WORK TOGETHER WITH~~
29 ~~LOCAL LAND USE PLANS; AND~~

1 **(10) (I) DETERMINE THE PARAMETERS FOR A STATE**
 2 **DEVELOPMENT PLAN, STATE TRANSPORTATION PLAN, STATE HOUSING PLAN;**
 3 **AND**

4 **(II) DETERMINE HOW THESE PLANS WORK TOGETHER WITH**
 5 **LOCAL LAND USE PLANS;**

6 ~~**(10) (11) IDENTIFY INFRASTRUCTURE NEEDED FOR SMART**~~
 7 **GROWTH DEVELOPMENT CONSISTENT WITH POPULATION GROWTH;**

8 ~~**(11) (12) ASSESS MECHANISMS TO FUND THE CONSTRUCTION**~~
 9 **AND MAINTENANCE OF SMART GROWTH INFRASTRUCTURE; AND**

10 ~~**(13) EXAMINE THE CAPABILITY OF STATE AGENCIES TO**~~
 11 **COLLABORATIVELY PLAN AND COORDINATE FOR FUTURE GROWTH; AND**

12 [(9)] ~~**(14) (12) (13)**~~ make recommendations to implement law or
 13 regulations that further best management practices as they relate to future growth
 14 and development in the State; **AND**

15 **(14) SERVE AS AN ADVISORY BOARD TO THE GOVERNOR'S SMART**
 16 **GROWTH SUBCABINET, PROVIDING ADVICE AND GUIDANCE AT LEAST TWICE**
 17 **ANNUALLY THROUGH DECEMBER 31, 2010.**

18 (g) ~~**(1) On or before December 1, 2007, the Task Force shall report its**~~
 19 **PRELIMINARY findings and recommendations AND, ON ON OR BEFORE DECEMBER**
 20 **1, 2008, THE TASK FORCE SHALL REPORT ITS FINAL FINDINGS AND**
 21 **RECOMMENDATIONS.**

22 ~~**(2) THE TASK FORCE SHALL REPORT BOTH ITS PRELIMINARY**~~
 23 **AND FINAL FINDINGS AND RECOMMENDATIONS** to the Speaker of the House, the
 24 President of the Senate, the House Environmental Matters Committee, the Senate
 25 Education, Health, and Environmental Affairs Committee, and the Governor, in
 26 accordance with § 2-1246 of the State Government Article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 28 July 1, 2007.