

HOUSE BILL 773

L6

7lr1630

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**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2007

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; ~~requiring the Task Force to submit a certain~~
9 ~~preliminary report on or before a certain date~~; altering the date by which the
10 Task Force must make a certain report; making certain stylistic changes; and
11 generally relating to the Task Force on the Future for Growth and
12 Development.

13 BY repealing and reenacting, with amendments,
14 Chapter 381 of the Acts of the General Assembly of 2006
15 Section 4

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

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 **Chapter 381 of the Acts of 2006**

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

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

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

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

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

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

11 (iv) the Secretary of the Environment, or the Secretary's
12 designee;

13 ~~(v) THE SECRETARY OF TRANSPORTATION, OR THE~~
14 ~~SECRETARY'S DESIGNEE;~~

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

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

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

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

22 1. two designated by the Maryland Municipal League;
23 and

24 2. two designated by the Maryland Association of
25 Counties; ~~and~~

1 (VII) TWO LOCAL GOVERNMENT ADMINISTRATORS OR PUBLIC
2 WORKS DIRECTORS:

3 1. ONE DESIGNATED BY THE MARYLAND MUNICIPAL
4 LEAGUE; AND

5 2. ONE DESIGNATED BY THE MARYLAND
6 ASSOCIATION OF COUNTIES; AND

7 [(vii)] ~~(x)~~ (VIII) the following members, appointed by the
8 Governor:

9 1. one representative of the environmental community;

10 2. one representative of the State Builders Association;

11 ~~and~~

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

13 ~~AND~~

14 ~~4. THREE REPRESENTATIVES OF CITIZEN~~
15 ~~ORGANIZATIONS THAT ADDRESS AFFORDABLE HOUSING, TRANSPORTATION,~~
16 ~~AND SMART GROWTH.~~

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

19 (i) is not subject to § 15–504(d) of the State Government Article
20 with respect to that service; and

21 (ii) is not subject to § 15–703(f)(3) of the State Government
22 Article as a result of that service.

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

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

26 (e) A member of the Task Force:

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

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

3 (f) The Task Force shall:

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

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

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

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

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

14 (6) identify regional growth and development issues;

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

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

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

23 ~~(H) DETERMINE WHAT ELEMENTS ARE MISSING FROM THE~~
24 ~~STATE'S PLANNING LAWS; AND~~

25 ~~(HH) MAKE RECOMMENDATIONS TO IMPLEMENT LAW OR~~
26 ~~REGULATIONS THAT ENSURE SOUND LAND USE PLANNING IN THE STATE;~~

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

1 ~~(11)~~ **(9)** DETERMINE METHODS TO ASSESS THE CUMULATIVE
 2 IMPACTS OF PROPOSED DEVELOPMENT ON INFRASTRUCTURE, INCLUDING
 3 WATER, SEWER, ROADS, AND UTILITIES, AND ON TRANSPORTATION, FIRE AND
 4 SAFETY RESOURCES, HEALTH SYSTEMS, EDUCATIONAL SYSTEMS, AND
 5 ENVIRONMENTAL RESOURCES ON A REGIONAL SCALE;

6 ~~(12) (I)~~ ~~DETERMINE THE PARAMETERS FOR A STATE~~
 7 ~~DEVELOPMENT PLAN, STATE TRANSPORTATION PLAN, STATE HOUSING PLAN;~~
 8 ~~AND~~

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

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

13 **(11)** ASSESS MECHANISMS TO FUND THE CONSTRUCTION AND
 14 MAINTENANCE OF SMART GROWTH INFRASTRUCTURE; AND

15 ~~(13)~~ ~~EXAMINE THE CAPABILITY OF STATE AGENCIES TO~~
 16 ~~COLLABORATIVELY PLAN AND COORDINATE FOR FUTURE GROWTH; AND~~

17 [(9)] ~~(14)~~ **(12)** make recommendations to implement law or
 18 regulations that further best management practices as they relate to future growth
 19 and development in the State.

20 (g) ~~(1)~~ ~~On or before December 1, 2007, the Task Force shall report its~~
 21 ~~PRELIMINARY findings and recommendations AND, ON~~ **ON OR BEFORE DECEMBER**
 22 **1, 2008, THE TASK FORCE SHALL REPORT ITS FINAL FINDINGS AND**
 23 **RECOMMENDATIONS;**

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

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