

**HB0614/640519/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 614  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Prince George’s County – Maryland-National Capital Park and Planning Commission – Site Plan Approval Authority and Public Ethics Requirements”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 5 through 14, inclusive, and substitute:

“FOR the purpose of authorizing the County Council for Prince George’s County, sitting as a District Council, to review a final decision of the Prince George’s Planning Board on a detailed site plan; requiring the District Council to decide whether to review a final decision of the Planning Board within a certain number of days after the final decision is issued; requiring the District Council to hold a review hearing within a certain number of days after it issues a decision to conduct a certain review; authorizing a party of record to appeal to the District Council a final decision by the Planning Board relating to a detailed site plan; authorizing the District Council to revoke a delegation of site plan approval authority to the Planning Board for the purpose of delegating approval authority over detailed site plans to the governing body of a municipal corporation in the Maryland-Washington Regional District; specifying that certain conflict of interest provisions required to be enacted by Prince George’s County shall contain certain prohibitions against issuing credit cards to certain individuals and soliciting a person to enter into a business relationship with or provide anything of value to certain persons for certain purposes; prohibiting certain conflict of interest provisions from being construed in a certain manner; requiring certain lobbying provisions to prohibit a person from being engaged for lobbying purposes for compensation that is contingent on the outcome of a

(Over)

certain action; requiring certain Prince George’s County ethics enactments to provide for the establishment of a Board of Ethics composed of a certain number of members and having an executive director with certain duties and authority; and generally relating to the review of site plans for development projects in Prince George’s County and the expansion of public ethics laws required to be enacted by Prince George’s County.”;

and after line 19, insert:

“BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15-807(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15-808  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 17 on page 2, inclusive, and substitute:

“8-129.

(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE’S COUNTY, SITTING AS A DISTRICT COUNCIL, MAY REVIEW A FINAL DECISION OF THE PRINCE GEORGE’S COUNTY PLANNING BOARD ON A DETAILED SITE PLAN.

(2) (I) THE DISTRICT COUNCIL SHALL DECIDE WHETHER TO REVIEW THE FINAL APPROVAL OR DISAPPROVAL OF A DETAILED SITE PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 30 DAYS AFTER THE DATE THE FINAL APPROVAL OR DISAPPROVAL WAS ISSUED.

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF THE DISTRICT COUNCIL DECIDES TO REVIEW AN APPROVAL OR A DISAPPROVAL UNDER THIS PARAGRAPH, THE DISTRICT COUNCIL SHALL HOLD A REVIEW HEARING WITHIN 70 DAYS AFTER THE DATE THE DISTRICT COUNCIL ISSUES THE DECISION TO CONDUCT A REVIEW.

2. THE TIME FOR HOLDING A REVIEW HEARING UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE EXTENDED FOR UP TO 45 ADDITIONAL DAYS AT THE DECISION OF THE DISTRICT COUNCIL OR ON REQUEST OF THE APPLICANT.

(III) THE DISTRICT COUNCIL SHALL ISSUE A FINAL DECISION WITHIN 60 DAYS AFTER THE DATE OF THE REVIEW HEARING.

(3) A PARTY OF RECORD MAY APPEAL TO THE DISTRICT COUNCIL A FINAL DECISION BY THE PLANNING BOARD TO APPROVE OR DISAPPROVE A DETAILED SITE PLAN.

(B) THE DISTRICT COUNCIL MAY REVOKE A DELEGATION OF SITE PLAN APPROVAL AUTHORITY TO THE PLANNING BOARD FOR THE PURPOSE OF DELEGATING APPROVAL AUTHORITY OVER DETAILED SITE PLANS TO THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN THE MARYLAND-WASHINGTON REGIONAL DISTRICT UNDER § 8-112.4(B)(1) (IX) OF THIS TITLE.

15-807.

(d) (1) [In] THIS SUBSECTION APPLIES TO Prince George’s County[,  
“local].

(2) IN THIS SUBSECTION, “LOCAL official” includes:

[(1)] (I) each member of the Board of License Commissioners;

[(2)] (II) the chief inspector and any other inspector of the Board of License Commissioners;

[(3)] (III) the administrator of the Board of License Commissioners;  
and

[(4)] (IV) the attorney to the Board of License Commissioners.

(3) THE CONFLICT OF INTEREST PROVISIONS REQUIRED UNDER §  
15-803(A)(1) OF THIS SUBTITLE:

(I) SHALL PROHIBIT THE COUNTY GOVERNMENT FROM  
ISSUING A CREDIT CARD TO AN ELECTED COUNTY OFFICIAL OR A MEMBER OF  
THE COUNTY SCHOOL BOARD; AND

(II) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION,  
SHALL PROHIBIT AN ELECTED COUNTY OFFICIAL FROM DIRECTLY OR  
INDIRECTLY SOLICITING A PERSON TO ENTER INTO A BUSINESS RELATIONSHIP  
WITH OR PROVIDE ANYTHING OF MONETARY VALUE TO A SPECIFIC INDIVIDUAL  
OR ENTITY, IF THE PERSON BEING SOLICITED IS SEEKING:

1. THE SUCCESS OR DEFEAT OF COUNTY LEGISLATION;

2. A COUNTY CONTRACT; OR

3. ANY OTHER COUNTY BENEFIT.

(4) ANY CONFLICT OF INTEREST PROVISION ENACTED IN ACCORDANCE WITH PARAGRAPH (3)(II) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AFFECT THE VALIDITY OF ANY LEGALLY ENACTED REQUIREMENT OR CONDITION, PROPOSED AND ADOPTED ON THE PUBLIC RECORD AT A PUBLIC HEARING, THE PURPOSE OF WHICH IS TO MITIGATE THE IMPACT OF A DEVELOPMENT ON THE PROPERTY OWNERS IN THE AREAS SURROUNDING THE DEVELOPMENT, INCLUDING:

(I) AN ADEQUATE PUBLIC FACILITIES REQUIREMENT;

(II) A MINORITY BUSINESS REQUIREMENT; OR

(III) A COMMUNITY BENEFIT REQUIREMENT.

(5) THE LOBBYING PROVISIONS REQUIRED UNDER § 15-803 (A)(3) OF THIS SUBTITLE SHALL PROHIBIT A PERSON FROM BEING ENGAGED FOR LOBBYING PURPOSES FOR COMPENSATION THAT IS CONTINGENT IN ANY MANNER ON THE OUTCOME OF EXECUTIVE OR LEGISLATIVE ACTION BEFORE THE COUNTY GOVERNMENT.

(6) THE COUNTY'S ETHICS ENACTMENTS SHALL PROVIDE FOR:

(Over)

(I) A COUNTY BOARD OF ETHICS COMPOSED OF FIVE MEMBERS APPOINTED BY THE COUNTY EXECUTIVE, SUBJECT TO THE ADVICE AND CONSENT OF THE COUNTY COUNCIL;

(II) AN EXECUTIVE DIRECTOR OF THE BOARD OF ETHICS WHO:

1. SHALL MEET INDIVIDUALLY WITH EACH ELECTED OFFICIAL OF THE COUNTY AT LEAST ANNUALLY TO ADVISE THE OFFICIAL REGARDING THE REQUIREMENTS OF ANY APPLICABLE ETHICS LAW, RULE, OR STANDARD OF CONDUCT;

2. SHALL ASSIST EACH ELECTED OFFICIAL OF THE COUNTY IN PREPARING ANY AFFIDAVIT OR OTHER DOCUMENT REQUIRED TO BE FILED UNDER THE COUNTY'S ETHICS ENACTMENTS;

3. SHALL CONDUCT ETHICS-RELATED BRIEFINGS FOR THE BENEFIT OF ELECTED OFFICIALS OF THE COUNTY; AND

4. MAY PROVIDE INFORMATION TO ANY PERSON REGARDING LAWS, RULES, AND OTHER STANDARDS OF ETHICAL CONDUCT APPLICABLE TO ELECTED OFFICIALS OF THE COUNTY; AND

(III) A REQUIREMENT THAT THE BOARD OF ETHICS IS TO MEET AT LEAST TWICE A YEAR.

15-808.

(a) If the Ethics Commission determines that a county or municipal corporation has not complied with the requirements of this Part I, the Ethics

Commission may petition a circuit court with venue over the proceeding for appropriate relief to compel compliance.

(b) The circuit court may grant any available equitable relief.”.