

HOUSE BILL 652

L5

5lr0419

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 12, 2015
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Montgomery**
3 **County – Commissioner Terms**

4 **MC/PG 105–15**

5 FOR the purpose of authorizing a commissioner appointed from Montgomery County who
6 is designated as chair or vice chair of the Commission to be reappointed for two
7 additional consecutive full terms as long as that commissioner continues to serve as
8 chair or vice chair of the Commission; making a stylistic change; providing for the
9 application of this Act; and generally relating to the terms of the commissioners of
10 the Maryland–National Capital Park and Planning Commission appointed from
11 Montgomery County.

12 BY repealing and reenacting, with amendments,
13 Article – Land Use
14 Section 15–102
15 Annotated Code of Maryland
16 (2012 Volume and 2014 Supplement)

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

19 **Article – Land Use**

20 15–102.

21 (a) (1) The Commission consists of 10 members.

22 (2) Of the 10 members of the Commission:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) five shall be residents and registered voters of Montgomery
2 County; and

3 (ii) five shall be residents and registered voters of Prince George's
4 County.

5 (3) (i) Subject to the approval of the County Executive, the County
6 Council shall appoint each commissioner from Montgomery County.

7 (ii) Subject to the approval of the County Council, the County
8 Executive shall appoint each commissioner from Prince George's County.

9 (b) Each commissioner shall be an individual of ability, experience, and integrity.

10 (c) (1) Of the commissioners from each county, not more than three shall be
11 members of the same political party.

12 (2) A commissioner may not be selected as representing or supporting any
13 special interest.

14 (d) (1) The term of a commissioner is 4 years and begins on June 15.

15 (2) The terms of commissioners are staggered as required by the terms
16 provided for commissioners on October 1, 2012.

17 (3) At the end of a term, a commissioner continues to serve until a successor
18 is appointed and qualifies.

19 (4) A commissioner who is appointed after a term has begun serves only for
20 the rest of the term and until a successor is appointed and qualifies.

21 (5) A commissioner who is appointed to fill a vacancy for an unexpired term
22 shall be a member of the same political party as the commissioner who vacated the office.

23 (6) (I) **[A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
24 **PARAGRAPH, A commissioner appointed from Montgomery County may not be appointed**
25 **for [three] MORE THAN TWO consecutive full terms.**

26 (II) **A COMMISSIONER APPOINTED FROM MONTGOMERY**
27 **COUNTY WHO IS DESIGNATED TO THE POSITION OF CHAIR OR VICE CHAIR OF THE**
28 **COMMISSION UNDER § 15-106 OF THIS SUBTITLE MAY BE REAPPOINTED FOR TWO**
29 **ADDITIONAL CONSECUTIVE FULL TERMS AS LONG AS THAT COMMISSIONER**
30 **CONTINUES TO SERVE AS CHAIR OR VICE CHAIR OF THE COMMISSION.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
32 apply retroactively and shall be applied to and interpreted to affect any commissioner

1 appointed to the Maryland–National Capital Park and Planning Commission from
2 Montgomery County on or after June 15, 2014.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2015.