

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 865

(Montgomery County Delegation and
Prince George's County Delegation)

Environmental Matters

Budget and Taxation

**Prince George's County - Maryland-National Capital Park and Planning
Commission – Commissioners
MC/PG 121-03**

This bill alters, beginning in 2007, the terms of office for the commissioners of the Maryland-National Capital Park and Planning Commission (M-NCPPC) appointed from Prince George's County to coincide with the term of office of the Prince George's County Executive. The bill also expands the application of the provisions of law regarding conflicts of interest to M-NCPPC commissioners appointed from Prince George's County.

The bill is effective June 1, 2003.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

Local Effect: Prince George's County expenditures could increase minimally due to the bill's penalty provisions.

Small Business Effect: None.

Analysis

Bill Summary: The bill coincides the terms of office of the M-NCPPC commissioners appointed from Prince George's County with the term of office of the Prince George's

County Executive by: (1) changing from June 15 to February 1, beginning in 2007, the date by which appointments must be made; (2) making current commissioner's terms expire on June 15, 2003; and (3) making commissioner's terms beginning on June 15, 2003 expire on February 1, 2007 instead of June 15, 2007.

Current Law: Members of M-NCPPC serve four-year, staggered terms. Terms of office for members begin on June 15 of the year in which the appointment was made. Appointments of members of M-NCPPC must be made on or before June 15 of the year in which an appointment is made. Provisions of law regarding conflicts of interest apply only to M-NCPPC commissioners appointed from Montgomery County.

Background: M-NCPPC acquires, develops, maintains, and administers a regional system of parks in Montgomery and Prince George's counties. M-NCPPC has ten members with five members each from Montgomery and Prince George's counties, each with four-year terms.

State Fiscal Effect: Any commissioner convicted of violating conflict of interests laws could be punished by a fine of not more than \$1,000 or six months in jail, or both fine and imprisonment, or by suspension from the commission or employment for not more than six months, or by outright forfeiture and removal from office, or by any combination at the discretion of the court. Fine revenues collected in District Court cases go to the State general fund. Generally, persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to a local detention facility. The State reimburses counties for part of their incarceration costs, on a per diem basis, after a person has served 90 days. State per diem reimbursement in Prince George's County for fiscal 2004 is estimated to be \$42. This bill alone should not create the need for additional beds, personnel, or facilities. Although the bill could result in an increase in the number of cases heard in District Court, any such increase is expected to be minimal.

Local Fiscal Effect: Expenditures could increase minimally as a result of the bill's incarceration penalties. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the cost of the per diem cost after 90 days. Per diem operating costs of detention facilities in Prince George's County are expected to be \$83 per inmate in fiscal 2004. However, court cases arising from conflict of interest by M-NCPPC members appointed from Prince George's County are expected to be minimal. Accordingly, Prince George's County expenditures could increase minimally if MNCPPC members appointed from the county are incarcerated for violations of conflict of interest laws governing the commission.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland-National Capital Park and Planning Commission,
Department of Legislative Services

Fiscal Note History: First Reader - March 31, 2003
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