

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 85 (Delegate Smigiel)
Environmental Matters

Task Force to Create Standards of Ethics for Planning and Zoning Boards

This bill establishes the Task Force to Create Standards of Ethics for Planning and Zoning Boards, staffed by the Department of Legislative Services (DLS). The task force is to examine and determine what should constitute an ethical violation for planning and zoning board members and attorneys appearing before a board. Findings and recommendations, to be implemented statewide, are due to the Governor and the General Assembly by December 31, 2006.

The bill takes effect June 1, 2006 and terminates December 31, 2006.

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for DLS are assumed to be minimal and absorbable within existing budgeted resources. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Article 66B governs zoning and planning in the State. That article has limited applicability to charter counties and Baltimore City. Local planning commissions consist of three, five, or seven members. The members of a planning commission are appointed by the local legislative body or by the person designated as the appointing power in the ordinance creating the commission. After a public hearing, the local legislative body may remove members of a planning commission for inefficiency, neglect

of duty, or malfeasance in office. Malfeasance in office describes wrongful conduct of a public official with a direct relation to the performance of official duties that substantially affects the public interest; the wrongful conduct need not constitute a violation of criminal law in order to meet this standard.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - January 17, 2006
ncs/ljm

Analysis by: Karen S. Benton

Direct Inquiries to:
(410) 946-5510
(301) 970-5510