

HOUSE BILL 940

L5
HB 750/07 – ENV

8lr0661

By: **Prince George’s County Delegation and Montgomery County Delegation**
Introduced and read first time: February 6, 2008
Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission and Maryland–National Capital**
3 **Park and Planning Commission – Appointments – Interviews and Financial**
4 **Statements**

5 **PG/MC 102–08**

6 FOR the purpose of authorizing, rather than requiring, the county executives of
7 Montgomery County and Prince George’s County or a designee of the county
8 executive to conduct certain interviews of each applicant for appointment or
9 reappointment to the Washington Suburban Sanitary Commission (WSSC);
10 requiring the county executives or a designee of the county executive to conduct
11 certain interviews of applicants selected for appointment to the WSSC;
12 authorizing a designee of the County Executive of Montgomery County to
13 require certain applicants to produce certain documents; altering certain
14 requirements relating to the deadline for filing of certain financial disclosure
15 statements filed by certain applicants for appointments to the WSSC and to the
16 Maryland–National Capital Park and Planning Commission (MNCPPC) in
17 Montgomery County and Prince George’s County; clarifying certain
18 requirements relating to the content of certain financial disclosure statements
19 filed by certain applicants for appointment to the WSSC and the MNCPPC;
20 making stylistic changes; and generally relating to applications for
21 appointments to the WSSC and the MNCPPC.

22 BY repealing and reenacting, with amendments,
23 Article 29 – Washington Suburban Sanitary District
24 Section 1–103

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 Annotated Code of Maryland
2 (2003 Replacement Volume and 2007 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – State Government
5 Section 15–821
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2007 Supplement)

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

10 **Article 29 – Washington Suburban Sanitary District**

11 1–103.

12 (a) (1) The County Executive shall make any appointment from a list of
13 applicants. The list of applicants shall:

14 (i) Be completed at least 3 weeks before the date the County
15 Executive makes the actual appointment; and

16 (ii) Be open to the public for inspection from the time the list is
17 first begun until an appointment is made by the County Executive.

18 (2) If [a] **THE** County Executive does not choose to appoint an
19 individual from the names on the list, the County Executive shall prepare additional
20 lists and follow the procedure applicable to the first list. The [3 week] **3–WEEK** period
21 begins with the closing of each list.

22 (b) (1) [The] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
23 County Executive or a designee of the County Executive [shall] **MAY** interview in
24 private each applicant for appointment or reappointment to the WSSC as to possible
25 or potential conflicts of interest.

26 (2) **THE COUNTY EXECUTIVE OR A DESIGNEE OF THE COUNTY**
27 **EXECUTIVE SHALL INTERVIEW IN PRIVATE, BEFORE APPOINTMENT, AN**
28 **APPLICANT WHO IS SELECTED FOR APPOINTMENT TO THE WSSC AS TO**
29 **POSSIBLE OR POTENTIAL CONFLICTS OF INTEREST.**

30 (c) (1) In Montgomery County, **IF THE COUNTY EXECUTIVE OR A**
31 **DESIGNEE OF THE COUNTY EXECUTIVE CONDUCTS AN INTERVIEW UNDER**
32 **SUBSECTION (B) OF THIS SECTION,** the applicant shall be interviewed:

33 (i) In a question and answer fashion; and

1 (ii) Under oath about all sources of income, property holdings,
2 business interests, and financial interests of the applicant, and the applicant's spouse,
3 father, mother, brother, sister, or child.

4 (2) The County Executive of Montgomery County **OR A DESIGNEE OF**
5 **THE COUNTY EXECUTIVE** may require the production of any documents that the
6 County Executive **OR DESIGNEE** wishes the applicant to produce.

7 (3) A written transcript of the interview:

8 (i) Shall be made;

9 (ii) Unless waived by the applicant, may be reviewed by the
10 applicant;

11 (iii) May be altered for the applicant by the transcribing officer if
12 accompanied by a statement of the reason given by the applicant for the alteration;
13 and

14 (iv) Shall be signed by the applicant.

15 (4) The transcribing officer shall certify on the transcript that:

16 (i) The applicant was duly sworn by the officer; and

17 (ii) The transcript is a true record of the testimony given by the
18 applicant.

19 (5) The County Executive of Montgomery County **OR A DESIGNEE OF**
20 **THE COUNTY EXECUTIVE** shall:

21 (i) Publicly disclose the complete transcribed testimony of **AN**
22 actual [appointees] **APPOINTEE** to the WSSC 3 weeks after [their] **THE** appointment;
23 and

24 (ii) Destroy the complete transcript of [all] **ANY** other
25 [applicants] **APPLICANT** immediately without the disclosure to anyone of any
26 information contained in the transcript.

27 **Article - State Government**

28 15-821.

29 (a) An applicant for appointment as commissioner shall file the financial
30 disclosure statement required by this Part III as prescribed in this section.

1 (b) The statement shall be filed with the county council and the chief
2 administrative officer of the county from which the applicant seeks appointment.

3 (c) (1) In Montgomery County, an applicant for appointment or
4 reappointment to the Maryland–National Capital Park and Planning Commission
5 shall file the statement not later than 5 days before the [initial date set for the
6 interview by the county council] **INTERVIEW CONDUCTED UNDER ARTICLE 28,
7 § 2–114 OF THE CODE**. The statement shall cover the 12–month period ending 60
8 days before the [initial date set for the interview] **DAY THE STATEMENT IS FILED**.

9 (2) In Prince George’s County, an applicant for appointment to the
10 Maryland–National Capital Park and Planning Commission shall file the statement
11 not later than 5 days before the [initial date set for the confirmation hearing by the
12 county council] **CONFIRMATION HEARING CONDUCTED UNDER ARTICLE 28, §
13 2–101 OF THE CODE**. The statement shall cover the 12–month period ending 60 days
14 before the initial date set for the confirmation hearing.

15 (d) An applicant for appointment to the Washington Suburban Sanitary
16 Commission shall file the statement not later than 5 days before the interview
17 [required by Article 29] **CONDUCTED UNDER ARTICLE 29, § 1–103** of the Code. The
18 statement shall cover the 12–month period ending 60 days before the [initial date set
19 for the interview] **DAY THE STATEMENT IS FILED**.

20 (e) An applicant for appointment to the Washington Suburban Transit
21 Commission shall file the statement at least 10 days before the appointment becomes
22 effective. The statement shall cover the 12–month period ending not more than 60
23 days before the day the statement is filed.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.