

Chapter 446

(House Bill 652)

AN ACT concerning

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

MC/PG 105–15

FOR the purpose of authorizing a commissioner appointed from Montgomery County ~~who is designated as chair or vice chair of the Commission to be reappointed for two additional consecutive full terms as long as that commissioner continues to serve as chair or vice chair of the Commission; making a stylistic change~~ to be appointed for a certain number of full terms as a member of the Maryland–National Capital Park and Planning Commission if the commissioner is designated as chair of the Montgomery County Planning Board during a certain term in office; providing for the application of this Act; and generally relating to the terms of the commissioners of the Maryland–National Capital Park and Planning Commission appointed from Montgomery County.

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

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

Article – Land Use

15–102.

- (a) (1) The Commission consists of 10 members.
- (2) Of the 10 members of the Commission:
 - (i) five shall be residents and registered voters of Montgomery County; and
 - (ii) five shall be residents and registered voters of Prince George’s County.
- (3) (i) Subject to the approval of the County Executive, the County Council shall appoint each commissioner from Montgomery County.

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

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

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

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

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

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

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

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

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

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

(II) A COMMISSIONER APPOINTED FROM MONTGOMERY COUNTY WHO IS DESIGNATED TO THE POSITION OF CHAIR OR VICE CHAIR OF THE COMMISSION UNDER § 15-106 OF THIS SUBTITLE MAY BE REAPPOINTED FOR TWO ADDITIONAL CONSECUTIVE FULL TERMS AS LONG AS THAT COMMISSIONER CONTINUES TO SERVE AS CHAIR OR VICE CHAIR OF THE COMMISSION MAY BE APPOINTED FOR A MAXIMUM OF THREE CONSECUTIVE FULL TERMS AS A MEMBER OF THE COMMISSION IF THE COMMISSIONER IS DESIGNATED AS CHAIR OF THE MONTGOMERY COUNTY PLANNING BOARD DURING THE COMMISSIONER'S SECOND TERM IN OFFICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any commissioner appointed to the Maryland-National Capital Park and Planning Commission from Montgomery County on or after June 15, 2014.

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

Approved by the Governor, May 12, 2015.