

HB 535 - MoCo_Elrich_FAV (GA 22).pdf

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OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

March 10, 2022

TO: The Honorable Kumar P. Barve
Chair, Environment and Transportation Committee

FROM: Marc Elrich
County Executive

RE: House Bill 535, *Washington Suburban Transit Commission – Montgomery County Commissioners – Repeal of Term Limit PG/MC 111-22*
Support

The Washington Suburban Transit Commission is composed of: (1) two members appointed by the County Executive of Montgomery County subject to confirmation by the County Council; (2) two members appointed by the County Executive of Prince George's County subject to confirmation by the County Council; (3) two members appointed by the Governor; and (4) the Secretary of the Maryland Department of Transportation serving as an ex officio member. One of the two members appointed by the County Executive of Prince George's County must be a member of the County Council. All appointed members serve four-year terms. Except for the required member from the Prince Georges County Council, all appointed members are prohibited from serving more than two consecutive terms.

House Bill 535 repeals the term limits for the two members appointed by the County Executive of Montgomery County. I believe that the bill serves the public interest by allowing trusted individuals who have gained experience and expertise over time to be reappointed to the Commission when appropriate and respectfully request that the Environment and Transportation Committee give the bill a favorable report.

HB 535-PG-MC 111-22 - Term Limit Repeal - Letter o

Uploaded by: Todd Turner

Position: FAV

January 21, 2022

The Honorable Benjamin Kramer
The Honorable Marc Korman
Montgomery County Delegation
219 Lowe House Office Building
6 Bladen Street, Room 219
Annapolis, MD 21401

***Re: Letter of Support – PG/MC 111-22 Washington Suburban Transit Commission –
Montgomery County Commissioners – Repeal of Term Limit (Amended)***

Dear Chair Kramer, Chair Korman, and Delegation Members:

Thank you for the opportunity to submit for the official record that the Washington Suburban Transit Commission (WSTC, or the Commission) supports Delegation Bill PG/MC 111-22 with Delegate Solomon's proposed amendments. The WSTC offers the following information for your consideration.

The WSTC is a seven-member Commission comprised of the Maryland Secretary of Transportation and two appointees each from the Governor of Maryland, the County Executive of Montgomery County, and the County Executive of Prince George's County. The Commission is charged with acting as the liaison between the State, the two counties, and the Washington Metropolitan Area Transit Authority (WMATA) for public transit, rail, bus, and paratransit planning and policy issues. Additionally, the WSTC has the authority to levy a property tax in each county to support their mass transit services, associated debt service, and administrative costs.

Currently, with the exception of the Secretary of Transportation who serves on the WSTC in an ex officio capacity, the Commissioners of the WSTC are limited to serving two consecutive four-year appointments. PG/MC 111-22 would lift this restriction from the Commissioners appointed by the County Executives. While the Commissioner from Prince George's County who is appointed from among the membership of the County Council would still have a term limit in a practical sense, this restriction would be applied as a result of the term limit placed on their position as an elected official, and not any such boundary applied to them as a Commissioner of the WSTC.

One of the most important roles of the WSTC is to appoint from among its membership representatives to WMATA's Board of Directors. From the Commission, the Secretary of Transportation and the Governor's appointees serve as Maryland's principal Directors on the WMATA Board, and one each of the County Executives' appointees serve as WMATA Alternate Directors. WMATA is a highly complex and challenging organization; one which utilizes its Board in a considerably more hands-on capacity than is typical of other organizations. The ability to retain a Director on the WMATA Board provides a valuable resource; a Board member with a greater depth of institutional knowledge of the decisions made by the Board and the reasons for making them.

As an interstate Compact-governed authority, WMATA sets no bounds on the length of time a Director may serve on the Board. Representatives from WMATA's other funding jurisdictions have certainly held their positions on the WMATA Board for longer than the eight years allowable for a Maryland member. This restriction is entirely self-imposed, and only serves to disadvantage our members as they are asked to make impactful decisions to guide the actions of a multi-billion dollar transit system without the full benefit of its complicated history.

The requirements for serving as a Commissioner on the WSTC, and as a Director on the WMATA Board, compound the difficulty in identifying qualified candidates for these seats. This can, and does, lead to vacancies on the Commission. While Commissioners will continue to serve at the pleasure of their respective appointing authority, be that authority the Governor or a County Executive, the repeal of term limits would help reduce the frequency of recruiting hard-to-find candidates for these vacancies.

As originally introduced, PG/MC 111-22 proposed to repeal term limits for only the appointees of the County Executive of Montgomery County. The amendment proposed by Delegate Solomon extends the scope of the term limit repeal to also include the appointees of the County Executive of Prince George's County. The WSTC believes that parity among the counties represented by the Commission best serves the interests of all involved.

For these reasons, the Washington Suburban Transit Commission offers its support for PG/MC 111-22 with Delegate Solomon's amendments, and respectfully requests the Montgomery County Delegation grant this legislation a favorable report and forward it to the Maryland General Assembly for their consideration. Should there be any questions or concerns, please do not hesitate to contact the Commission.

Respectfully submitted,



Michael Goldman

Chair

Washington Suburban Transit Commission

cc: The Honorable Todd Turner, Vice Chair, WSTC
Col. Donald Drummer (US Army, Ret.), Secretary-Treasurer, WSTC
The Honorable Tom Hucker, Commissioner, WSTC
Mr. Thomas Graham, Commissioner, WSTC
Mr. Christopher Zappi, Commissioner, WSTC
Sec. James F. Ports, Jr., Commissioner, WSTC
Mr. Pat Pscherer, Jr., Director, Washington Area Transit Office, MDOT

HB0535 - TSO - WSTC Repeal of Term Limits - LOI_FI

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Position: INFO



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
James F. Ports, Jr.
Secretary

March 10, 2022

The Honorable Kumar P. Barve
Chairman, House Environment and Transportation Committee
251 House Office Building
Annapolis, MD 21401

Re: *Letter of Information – House Bill 535 – Washington Suburban Transit Commission – Montgomery County Commissioners – Repeal of Term Limit*

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 535 but offers the following information for the Committee's consideration.

House Bill 535 would lift the existing two term limit restriction for the Commissioners appointed to the Washington Suburban Transit (WSTC) Commission. by the County Executive of Montgomery County and the Prince George's County Council. Currently, six of the seven Commissioners on the WSTC are limited to two consecutive four-year terms; the seventh member of the Commission is the Secretary of Transportation.

As House Bill 535 is currently drafted, the gubernatorial appointees from Prince George's County and Montgomery County would remain constrained to two consecutive four-year terms on the Commission. To create parity among the appointees to the WSTC, it is requested that the Committee consider including the gubernatorial appointees to the Commissioners whose term limits would be repealed by House Bill 535.

Candidates who qualify to serve as Commissioners on the WSTC are often difficult to identify and take a significant amount of time to recruit. As a result, vacancies on the Commission, and carry-overs to avoid vacancies, are not uncommon. House Bill 535 provides the flexibility to retain Commissioners beyond the current two-term maximum. Under House Bill 535, Commissioners would continue to serve at the will and pleasure of their respective appointing authority.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 535.

Respectfully submitted,

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
410-865-1090

Pat Pscherer
Director, Washington Area Transit Office
Maryland Department of Transportation
410-865-1101