



Montgomery County

Office of Intergovernmental Relations

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HB 778

DATE: March 30, 2023

SPONSOR: Montgomery County Delegation and Prince George's County Delegation

ASSIGNED TO: Education, Energy, and the Environment

CONTACT PERSON: Kathleen Boucher (kathleen.boucher@montgomerycountymd.gov)

POSITION: Support

**Montgomery County – Bicounty Agencies –
Commissioner Discipline, Disclosures, Training, and Ethics
MC/PG 105-23**

This bill makes a variety of changes to State law governing the five Commissioners of the Maryland-National Capital Park and Planning Commission (M-NCPPC) who serve on the Montgomery County Planning Board ("Planning Board member"), including removal and discipline of members, outside employment, political activities, revolving door policy, and training.

Removal and Discipline: Under current law, the County Council, by majority vote, may remove a Planning Board member after holding a public hearing and issuing a written statement outlining the cause for removal. The bill expands that provision to allow the Council to discipline a member using the same process.

Outside Employment: The bill prohibits the Planning Board Chair from engaging in any other full-time employment.

Political Solicitations: The bill prohibits a Planning Board member from soliciting from any individual or entity with business before the Commission: (1) a financial contribution for any political candidate, political organization, or ballot question; or (2) an endorsement of or opposition to a political candidate.

Revolving Door: The bill prohibits a former Planning Board member, for one year after the member leaves office, from assisting or representing another party for compensation in a matter that was the subject of an action before the Planning Board while the member served on the Board.

Training: The bill requires all Planning Board members to complete training on the following topics within three months following appointment: (1) the Open Meetings Act; (2) the State ethics law; and (3) the policies and practices of M-NCPPC regarding ethics, drug- and alcohol-free work place, and workplace harassment and intimidation. Within the same time period, members must also complete the education course for planning officials in Maryland conducted by the Maryland Department of Planning.

County Position: The County Executive and County Council support this bill as a vehicle to enhance transparency and public trust in the work of the Montgomery County Planning Board. In particular, it serves the public interest to: (1) prohibit outside employment for a full-time Planning Board Chair with a salary of almost \$230,000; (2) avoid conflicts of interest that could undermine public trust by requiring a cooling off period before a former Board member represents parties before the Board; (3) mandate enhanced training on the topics outlined above; and (4) ensure that Board members do not engage in the types of political activities referenced above that could undermine their objectivity and independence. We respectfully request that the Education, Energy, and Environment Committee give the bill a favorable report.