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THE MARYLAND HOUSE OF DELEGATES
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**HB809: Members of Boards, Committees, Commissions, Task Forces, or
Workgroups – Removal or Suspension**

Senate Education, Energy, and the Environment Committee

Thursday, March 21, 2024 1:00PM

Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and the Environment Committee:

HB809 is a bill requested by the Office of the Attorney General to standardize procedures for the suspension or removal of a member of a board, committee, commission, task force, or workgroup created by State law. This would establish that a member may be removed or suspended for misconduct, incompetence, neglect of duties, or other good cause by the individual or entity that appointed the member.

Currently, there is not a standard policy across boards, committees, commissions, task forces, and workgroups for the removal of members. If the law that created the body does not explicitly address the question of removal or suspension of members, then there is little in practice that can be done in the event of member misconduct, incompetence, neglect of duties, or other good cause.

Under this bill, a member may be removed or suspended after (1) a consultation with the Chair of the board, committee, commission, task force, or workgroup; and (2) the member has been given notice and an opportunity to be heard regarding the reason for their removal or suspension. This bill would not apply to the removal of a member from a standing committee.

We have introduced an amendment to clarify that a consultation with the Chair would not be required if the member in question is the Chair of the body, and that this legislation would not limit the rights of a member to express their views to the fullest extent protected for a public official by the U.S. Constitution or by the Maryland Constitution.

A fair, consistent process begets transparency and legitimacy. In the context of a significant decision regarding the potential removal or suspension of a member, it is critical that such a standard is in place.

I urge the committee to give a favorable report on HB809.