



INFORMATIONAL POSITION STATEMENT

Bill: SB 1005 Maryland–National Capital Park and Planning Commission General Counsel and Powers of Local Planning Boards – Alterations

Position: Informational

Date: March 26, 2026

Contact: Michael Aniton, Acting General Counsel

Jordan Baucum Colbert, Senior Government Affairs Analyst

Dear Chair Brian Feldman,

The Maryland-National Capital Park and Planning Commission (“M-NCPPC” or “the Commission”) has not voted on this bill. Therefore, the full Commission does not have a position. *The Montgomery County Planning Board voted to oppose this bill. The Prince George’s Planning Board has voted to support this bill.*

The Office of General Counsel offers background and historical information.

What this Bill Does. The purpose of this bill is to repeal the requirement that M-NCPPC appoint a general counsel. This bill requires the Montgomery County Planning Board to appoint a legal counsel for the Commission operations conducted primarily in Montgomery County. This bill requires the Prince George’s County Planning Board to appoint a legal counsel for the Commission operations conducted primarily in Prince George’s County. Legal Counsel appointed under this law, if passed, would serve at the pleasure of the appointing county planning board. Additionally, the bill requires the Commission to appoint one of the legal counsel from each planning board to represent the Commission as a single corporate entity and to provide legal services to the Inspector General.

This bill also grants the Montgomery County Planning Board and the Prince George’s County Planning Board direct authority and control over administrative functions for Commission operations within each respective county for:

- i. Human Resources
- ii. IT
- iii. Legal Services
- iv. Procurement (recently amended)

The bill indicates that the Commission may use shared administrative services. The effective date for this bill is October 26, 2026.

Land Use Article §15-101. (a) There is a Maryland-National Capital Park and Planning Commission. (b) The Commission is a body politic and corporate and is an agency of the State.

Historical Background About M-NCPPC. Founded in 1927, M-NCPPC is a nationally recognized leader in land use planning, parks, and recreation achieving countless awards for innovation, stewardship and exemplary vision for enhancing the lives of current and future generations. The agency, which is chartered by the State of Maryland, has geographic authority in the Montgomery County and Prince George’s County region, which are the two Maryland counties surrounding Washington, DC.

Current Structure. The Commission is comprised of 7 distinct departments, each led by their respective Department Head as indicated below. **This bill gives direct authority and control over administrative functions for Commission operations within each respective county for IT, Human Resources, Legal Services and Procurement. The bill as written will alter the current structure of the Commission.**

Functions under the current structure.

- The Department of Parks and Recreation, Prince George’s County, and the Prince George’s County Planning Department carry out services for Prince George’s County. The Directors of these two departments are appointed by the Prince George’s County Planning Board.
- Montgomery Parks and Montgomery Planning carry out services for Montgomery County. The Director for these two departments are appointed by the Montgomery County Planning Board.
- Bi-county corporate management is carried out through Central Administrative Services (CAS) by the Department of Human Resources and Management, the Department of Finance, and the Office of the General Counsel.
- Other Bi-county functions also include the Office of Inspector General, the Office of the Chief Information Officer, Merit System Board and Employee Retirement System (ERS).

I. Department of Human Resources. The Department of Human Resources and Management (DHRM) delivers executive and operational leadership through corporate governance for the Commission. This includes:

- Corporate budgeting and prudent fiscal planning
- Human resources administration and programs that ensure equal employment opportunities and fair practices
- Organizational standards, promoting public accountability, organizational effectiveness, and a preferred workplace

The Executive Director oversees the work of the department and carries out specific executive functions for the Commission. Under the leadership of the Executive Director, the Department of Human Resources and Management includes 4 divisions:

- Corporate Human Resources
- Corporate Policy and Management Operations
- Corporate Budget Office
- Corporate Communications

II. Information Technology (IT). The Office of the Chief Information Officer (OCIO), as led by the Chief Information Officer (CIO), defines, implements, monitors, and maintains Enterprise Information Technology (EIT) for the M-NCPPC. The OCIO works to ensure transparency and maximize value to the taxpayer.

- The CIO strives to ensure the right EIT is in the right place, at the right time, working with the Chief Technology Officers of each department. Together, they assign EIT across the Commission, to deliver highly reliable and secure services and products.

Corporate Information Technology

- Corporate IT provides Commission-wide Information Technology (IT) infrastructure standards, core business systems, data security, service, and support to all departments in the Commission.
- Corporate IT also implements and administers IT governance policies established by the Chief Information Officer (CIO) to ensure accountability and protection of the Commission's data.
- Corporate IT is comprised of two Divisions: Enterprise IT (EIT) and Executive Office Building IT (EOB-IT).

III. Office of General Counsel (OGC). The mission of the Office of the General Counsel (OGC) is to provide cost effective legal advice and representation of the highest quality to the Commission as a corporate entity. The primary focus of the work program is providing proactive counsel, preventive advice, and early intervention to support decision-makers with a clear picture of all their lawful options.

Under the direction of the General Counsel, the OGC provides a comprehensive program of legal services to the Commission, supporting virtually every facet of the Commission's work program including, but not limited to:

- Advocating on the Commission's behalf in litigation before State and Federal courts
- Guiding the Commission's internal corporate operations

- Advising Commission staff and the Planning Boards concerning their regulatory responsibilities
- Participating in cross-functional teams to develop creative solutions to challenges facing the Commission
- Providing consistent and sound ethical and legal advice

Work Programs

- Corporate Governance
- Legislation
- Litigation
- Transactions
- Land-Use and Planning
- Compliance and Ethics

In addition, the OGC provides legal services to the Office of the Inspector General, who is responsible for investigating cases of fraud, waste and abuse.

Service of Process: Service of Process to the Commission should be made to the General Counsel in the Office of General Counsel.

IV. Department of Finance. The Finance Department operates under the direction of the Secretary-Treasurer. The mission of the Finance Department is to provide comprehensive financial services, planning, and management information systems using advanced technologies to Commission management staff, Montgomery and Prince George’s County governments, and other relevant outside entities. The Finance Department serves as a means of maintaining a financially sound organization to support Commission programs and to assure fiscal accountability.

It is organized into three (3) service areas:

- Corporate Financial Services & Finance Administration
- Corporate Procurement Services
- Corporate Accounting Services

The Department is responsible for:

- Accounting and Financial Reporting
- Financial Systems Administration and User Security
- Corporate Financial Policy
- Management of Debt and Investments
- Payroll Administration and Disbursements
- Procurement