

March 26, 2026

Written Testimony Unfavorable to SB1005 – Maryland-National Capital Park and Planning Commission
General Counsel and Powers of Local Planning Boards - Alterations

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

My name is Susan McCutchen. I am writing in strong opposition to SB1005, sponsored by Prince George's County Senators.

This bill addresses: Repealing the requirement that the Maryland-National Capital Park and Planning Commission appoint a general counsel; requiring the Montgomery County Planning Board and the Prince George's County Planning Board to appoint legal counsel for Commission operations within each respective county subject to certain requirements; requiring the Montgomery County Planning Board and the Prince George's County Planning Board to exercise direct authority over certain functions within each county; etc.

From my two decades of experience as a contractor for the M-NCPPC, I have learned that it is not by any means a well-oiled administrative machine and it is highly political, neither of which is a surprise for a large, unwieldy government organization. *SB1005 decidedly would not be an improvement and likely would make policies and procedures even more complicated. It would create more top-level layers of administration and further enhance the operational control and overarching power of the County Executive and Prince George's County Planning Board Chair.* If money is to be spent, it should be on improving the current system by streamlining the top-heavy level of administrators who consistently look to advance their careers, end up befuddling procedures as a result, and hinder effective administration throughout the system.

SB1005 would likely cost taxpayers millions every year because it would fundamentally restructure core functions at the M-NCPPC. Further, it would probably give even more political juice to the County Executive and Planning Board Chair, who already are opaque in their actions and wield unchecked power. The thought that the General Assembly would approve this last-minute power grab and fail to thoroughly explore the potential impacts of this legislation is alarming.

The history of the deliberations about SB1005 is suspect. The full commission discussed it on March 18, at which time Prince George's County Planning Board Chair Darryl Barnes did not vote on a position. Montgomery County Planning Board Vice-Chair Josh Linden wanted a vote, which did not happen, but he asked for at least an update and discussion. After this update and a short briefing from the General Council, several Montgomery County members expressed concerns about the bill's potential fiscal and operational impacts, the loss of legal counsel's independence and objectivity, and impacts on staff and retirees. *No Prince George's County members asked questions or offered substantive comments.* Following Chair Barnes' insistence that the board needed to discuss, deliberate, and make an "informed and intelligent decision," a seven-minute emergency meeting was convened on March 20, at which there was no substantive discussion, other than an expressed concern about potential impacts on merit employees and retirees. A not-unexpected fait accompli, the board voted to support SB1005. On March 23, Chair Barnes sent out a broad community message (a letter dated March 20) to justify his arguments and make assurances that "our responsibilities to our employees, residents, and stakeholders remain the same." A decision made with limited discussion and transparency is not very assuring.

Thank you for this opportunity to provide testimony in strong opposition to SB1005. Please do not advance it further.

Sincerely,

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