

HOUSE BILL 1009

L5

3lr0841

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Members**

3 **MC/PG 109–23**

4 FOR the purpose of repealing the requirement that not more than three members of the
5 Maryland–National Capital Park and Planning Commission from each county be
6 members of the same political party; requiring the County Council of Montgomery
7 County and the County Executive of Prince George's County to consider certain
8 diversity needs when making appointments for membership on the Commission;
9 establishing that the party composition of county commissioners from each county
10 shall be based on the election results for the County Executive in the last preceding
11 general election; and generally relating to the membership of the
12 Maryland–National Capital Park and Planning Commission.

13 BY repealing and reenacting, without amendments,
14 Article – Land Use
15 Section 15–101
16 Annotated Code of Maryland
17 (2012 Volume and 2022 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Land Use
20 Section 15–102
21 Annotated Code of Maryland
22 (2012 Volume and 2022 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Land Use**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15–101.

2 (a) There is a Maryland–National Capital Park and Planning Commission.

3 (b) The Commission is a body politic and corporate and is an agency of the State.

4 15–102.

5 (a) (1) The Commission consists of 10 members.

6 (2) Of the 10 members of the Commission:

7 (i) five shall be residents and registered voters of Montgomery
8 County; and

9 (ii) five shall be residents and registered voters of Prince George’s
10 County.

11 (3) (i) Subject to the approval of the County Executive, the County
12 Council shall appoint each commissioner from Montgomery County.

13 (ii) Subject to the approval of the County Council, the County
14 Executive shall appoint each commissioner from Prince George’s County.

15 (b) Each commissioner shall be an individual of ability, experience, and integrity.

16 (c) (1) [Of the commissioners from each county, not more than three shall be
17 members of the same political party] **WHEN MAKING AN APPOINTMENT FOR**
18 **MEMBERSHIP ON THE COMMISSION, THE COUNTY COUNCIL OF MONTGOMERY**
19 **COUNTY AND, SUBJECT TO § 15–103(B) OF THIS SUBTITLE, THE COUNTY EXECUTIVE**
20 **OF PRINCE GEORGE’S COUNTY SHALL CONSIDER THE NEED FOR GEOGRAPHIC,**
21 **POLITICAL, RACIAL, ETHNIC, AND GENDER DIVERSITY AND FOR THE INCLUSION OF**
22 **INDIVIDUALS WITH DISABILITIES ON THE COMMISSION.**

23 **(2) OF THE COMMISSIONERS FROM EACH COUNTY:**

24 **(I) IF THE COUNTY EXECUTIVE RECEIVED LESS THAN 80% OF**
25 **THE VOTES CAST AT THE LAST PRECEDING GENERAL ELECTION, NOT MORE THAN**
26 **THREE COMMISSIONERS MAY BE OF THE SAME POLITICAL PARTY AS THE COUNTY**
27 **EXECUTIVE; OR**

28 **(II) IF THE COUNTY EXECUTIVE RECEIVED AT LEAST 80% OF**
29 **THE VOTES CAST AT THE LAST PRECEDING GENERAL ELECTION, NOT MORE THAN**
30 **FOUR COMMISSIONERS MAY BE OF THE SAME POLITICAL PARTY AS THE COUNTY**
31 **EXECUTIVE.**

1 ~~[(2)]~~ **(3)** A commissioner may not be selected as representing or
2 supporting any special interest.

3 (d) (1) The term of a commissioner is 4 years and begins on June 15.

4 (2) The terms of commissioners are staggered as required by the terms
5 provided for commissioners on October 1, 2012.

6 (3) At the end of a term, a commissioner continues to serve until a successor
7 is appointed and qualifies.

8 (4) A commissioner who is appointed after a term has begun serves only for
9 the rest of the term and until a successor is appointed and qualifies.

10 (5) A commissioner who is appointed to fill a vacancy for an unexpired term
11 shall be a member of the same political party as the commissioner who vacated the office.

12 (6) (i) Except as provided in subparagraph (ii) of this paragraph, a
13 commissioner appointed from Montgomery County may not be appointed for three
14 consecutive full terms.

15 (ii) A commissioner appointed from Montgomery County may be
16 appointed for a maximum of three consecutive full terms as a member of the Commission
17 if the commissioner is designated as chair of the Montgomery County Planning Board
18 during the commissioner's second term in office.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2023.