

Bill No.: _____
Requested: _____
Committee: _____

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

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission and Maryland–National Capital**
3 **Park and Planning Commission – Appointments – Interviews and Financial**
4 **Statements**

5 **PG/MC 102–08**

6 FOR the purpose of authorizing, rather than requiring, the county executives of
7 Montgomery County and Prince George’s County or a designee of the county
8 executive to conduct certain interviews of each applicant for appointment or
9 reappointment to the Washington Suburban Sanitary Commission (WSSC);
10 requiring the county executives or a designee of the county executive to conduct
11 certain interviews of applicants selected for appointment to the WSSC;
12 authorizing a designee of the County Executive of Montgomery County to
13 require certain applicants to produce certain documents; altering certain
14 requirements relating to the deadline for filing of certain financial disclosure
15 statements filed by certain applicants for appointments to the WSSC and to the
16 Maryland–National Capital Park and Planning Commission (MNCPPC) in
17 Montgomery County and Prince George’s County; clarifying certain
18 requirements relating to the content of certain financial disclosure statements
19 filed by certain applicants for appointment to the WSSC and the MNCPPC;
20 making stylistic changes; and generally relating to applications for
21 appointments to the WSSC and the MNCPPC.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



22 BY repealing and reenacting, with amendments,
23 Article 29 – Washington Suburban Sanitary District
24 Section 1–103
25 Annotated Code of Maryland
26 (2003 Replacement Volume and 2007 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article – State Government
29 Section 15–821
30 Annotated Code of Maryland
31 (2004 Replacement Volume and 2007 Supplement)

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

34 **Article 29 – Washington Suburban Sanitary District**

35 1–103.

36 (a) (1) The County Executive shall make any appointment from a list of
37 applicants. The list of applicants shall:

38 (i) Be completed at least 3 weeks before the date the County
39 Executive makes the actual appointment; and

40 (ii) Be open to the public for inspection from the time the list is
41 first begun until an appointment is made by the County Executive.

42 (2) If [a] **THE** County Executive does not choose to appoint an
43 individual from the names on the list, the County Executive shall prepare additional
44 lists and follow the procedure applicable to the first list. The [3 week] **3-WEEK** period
45 begins with the closing of each list.

46 (b) (1) [The] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
47 County Executive or a designee of the County Executive [shall] **MAY** interview in
48 private each applicant for appointment or reappointment to the WSSC as to possible
49 or potential conflicts of interest.

50 **(2) THE COUNTY EXECUTIVE OR A DESIGNEE OF THE COUNTY**
51 **EXECUTIVE SHALL INTERVIEW IN PRIVATE, BEFORE APPOINTMENT, AN**
52 **APPLICANT WHO IS SELECTED FOR APPOINTMENT TO THE WSSC AS TO**
53 **POSSIBLE OR POTENTIAL CONFLICTS OF INTEREST.**

54 (c) (1) In Montgomery County, **IF THE COUNTY EXECUTIVE OR A**
55 **DESIGNEE OF THE COUNTY EXECUTIVE CONDUCTS AN INTERVIEW UNDER**
56 **SUBSECTION (B) OF THIS SECTION,** the applicant shall be interviewed:

57 (i) In a question and answer fashion; and

58 (ii) Under oath about all sources of income, property holdings,
59 business interests, and financial interests of the applicant, and the applicant's spouse,
60 father, mother, brother, sister, or child.

61 (2) The County Executive of Montgomery County **OR A DESIGNEE OF**
62 **THE COUNTY EXECUTIVE** may require the production of any documents that the
63 County Executive **OR DESIGNEE** wishes the applicant to produce.

64 (3) A written transcript of the interview:

65 (i) Shall be made;

66 (ii) Unless waived by the applicant, may be reviewed by the
67 applicant;

68 (iii) May be altered for the applicant by the transcribing officer if
69 accompanied by a statement of the reason given by the applicant for the alteration;
70 and

71 (iv) Shall be signed by the applicant.

72 (4) The transcribing officer shall certify on the transcript that:

73 (i) The applicant was duly sworn by the officer; and

74 (ii) The transcript is a true record of the testimony given by the
75 applicant.

76 (5) The County Executive of Montgomery County **OR A DESIGNEE OF**
77 **THE COUNTY EXECUTIVE** shall:

78 (i) Publicly disclose the complete transcribed testimony of **AN**
79 actual [appointees] **APPOINTEE** to the WSSC 3 weeks after [their] **THE** appointment;
80 and

81 (ii) Destroy the complete transcript of [all] **ANY** other
82 [applicants] **APPLICANT** immediately without the disclosure to anyone of any
83 information contained in the transcript.

84 **Article – State Government**

85 15–821.

86 (a) An applicant for appointment as commissioner shall file the financial
87 disclosure statement required by this Part III as prescribed in this section.

88 (b) The statement shall be filed with the county council and the chief
89 administrative officer of the county from which the applicant seeks appointment.

90 (c) (1) In Montgomery County, an applicant for appointment or
91 reappointment to the Maryland–National Capital Park and Planning Commission
92 shall file the statement not later than 5 days before the [initial date set for the
93 interview by the county council] **INTERVIEW CONDUCTED UNDER ARTICLE 28,**
94 **§ 2–114 OF THE CODE.** The statement shall cover the 12–month period ending 60
95 days before the [initial date set for the interview] **DAY THE STATEMENT IS FILED.**

96 (2) In Prince George’s County, an applicant for appointment to the
97 Maryland–National Capital Park and Planning Commission shall file the statement
98 not later than 5 days before the [initial date set for the confirmation hearing by the
99 county council] **CONFIRMATION HEARING CONDUCTED UNDER ARTICLE 28, §**
100 **2–101 OF THE CODE.** The statement shall cover the 12–month period ending 60 days
101 before the initial date set for the confirmation hearing.

102 (d) An applicant for appointment to the Washington Suburban Sanitary
103 Commission shall file the statement not later than 5 days before the interview
104 [required by Article 29] **CONDUCTED UNDER ARTICLE 29, § 1-103** of the Code. The
105 statement shall cover the 12-month period ending 60 days before the [initial date set
106 for the interview] **DAY THE STATEMENT IS FILED.**

107 (e) An applicant for appointment to the Washington Suburban Transit
108 Commission shall file the statement at least 10 days before the appointment becomes
109 effective. The statement shall cover the 12-month period ending not more than 60
110 days before the day the statement is filed.

111 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
112 October 1, 2008.