

HOUSE BILL 321

L5

7lr0978

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

Introduced and read first time: January 25, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission and Maryland–National Capital**
3 **Park and Planning Commission – Office of the Inspector General**

4 **MC/PG 110–17**

5 FOR the purpose of establishing an Office of the Inspector General in the
6 Maryland–National Capital Park and Planning Commission; authorizing the
7 Inspector General to conduct certain investigations; requiring the Inspector General
8 to conduct a certain audit; authorizing the Inspector General or a designated
9 Assistant Inspector General to subpoena certain persons or evidence, administer
10 oaths, and take depositions and other testimony for certain purposes; authorizing a
11 certain court to compel compliance with a certain order or subpoena or compel
12 certain testimony or the production of evidence under certain circumstances;
13 requiring the Inspector General to submit certain information to the
14 Maryland–National Capital Park and Planning Commission and the county
15 executives of Montgomery County and Prince George's County each year;
16 establishing an Office of the Inspector General in the Washington Suburban
17 Sanitary Commission; authorizing the Inspector General to conduct certain
18 investigations; requiring the Inspector General to conduct a certain audit;
19 authorizing the Inspector General or a designated Assistant Inspector General to
20 subpoena certain persons or evidence, administer oaths, and take depositions and
21 other testimony for certain purposes; authorizing a certain court to compel
22 compliance with a certain order or subpoena or compel certain testimony or the
23 production of evidence under certain circumstances; requiring the Inspector General
24 to submit certain information to the Washington Suburban Sanitary Commission
25 and the county executives of Montgomery County and Prince George's County each
26 year; and generally relating to the establishment of Offices of the Inspector General
27 in the Maryland–National Capital Park and Planning Commission and the
28 Washington Suburban Sanitary Commission.

29 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Land Use

Section 15–101

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY adding to

Article – Land Use

Section 15–401 to be under the new subtitle “Subtitle 4. Office of the Inspector General”

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 17–101

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

Section 17–601 to be under the new subtitle “Subtitle 6. Office of the Inspector General”

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Land Use

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.

SUBTITLE 4. OFFICE OF THE INSPECTOR GENERAL.

15–401.

(A) THERE IS AN OFFICE OF THE INSPECTOR GENERAL IN THE COMMISSION.

(B) THE INSPECTOR GENERAL:

(1) MAY INVESTIGATE MISMANAGEMENT, MISCONDUCT, FRAUD, WASTE, AND ABUSE AT THE COMMISSION; AND

(2) SHALL CONDUCT AN ANNUAL AUDIT OF THE COMMISSION.

(C) (1) THE INSPECTOR GENERAL, OR A DESIGNATED ASSISTANT INSPECTOR GENERAL, MAY SUBPOENA ANY PERSON OR EVIDENCE, ADMINISTER OATHS, AND TAKE DEPOSITIONS AND OTHER TESTIMONY FOR THE PURPOSE OF INVESTIGATING MISMANAGEMENT, MISCONDUCT, FRAUD, WASTE, OR ABUSE AT THE COMMISSION.

(2) IF A PERSON FAILS TO COMPLY WITH A LAWFUL ORDER OR SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE INSPECTOR GENERAL OR A DESIGNATED ASSISTANT INSPECTOR GENERAL, A COURT OF COMPETENT JURISDICTION MAY COMPEL:

(I) COMPLIANCE WITH THE ORDER OR SUBPOENA; OR

(II) TESTIMONY OR THE PRODUCTION OF EVIDENCE.

(D) ON OR BEFORE JANUARY 1 EACH YEAR, THE INSPECTOR GENERAL SHALL SUBMIT TO THE COMMISSION AND THE COUNTY EXECUTIVES OF MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY A COPY OF THE AUDIT AND A SUMMARY OF THE REPORTS AND INVESTIGATIONS MADE BY THE INSPECTOR GENERAL IN ACCORDANCE WITH THIS SECTION.

Article – Public Utilities

17–101.

(a) There is a Washington Suburban Sanitary Commission.

(b) The Commission has jurisdiction over the sanitary district.

SUBTITLE 6. OFFICE OF THE INSPECTOR GENERAL.

17–601.

(A) THERE IS AN OFFICE OF THE INSPECTOR GENERAL IN THE COMMISSION.

(B) THE INSPECTOR GENERAL:

1 **(1) MAY INVESTIGATE MISMANAGEMENT, MISCONDUCT, FRAUD,**
2 **WASTE, AND ABUSE AT THE COMMISSION; AND**

3 **(2) SHALL CONDUCT AN ANNUAL AUDIT OF THE COMMISSION.**

4 **(C) (1) THE INSPECTOR GENERAL, OR A DESIGNATED ASSISTANT**
5 **INSPECTOR GENERAL, MAY SUBPOENA ANY PERSON OR EVIDENCE, ADMINISTER**
6 **OATHS, AND TAKE DEPOSITIONS AND OTHER TESTIMONY FOR THE PURPOSE OF**
7 **INVESTIGATING MISMANAGEMENT, MISCONDUCT, FRAUD, WASTE, OR ABUSE AT THE**
8 **COMMISSION.**

9 **(2) IF A PERSON FAILS TO COMPLY WITH A LAWFUL ORDER OR**
10 **SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE INSPECTOR**
11 **GENERAL OR A DESIGNATED ASSISTANT INSPECTOR GENERAL, A COURT OF**
12 **COMPETENT JURISDICTION MAY COMPEL:**

13 **(I) COMPLIANCE WITH THE ORDER OR SUBPOENA; OR**

14 **(II) TESTIMONY OR THE PRODUCTION OF EVIDENCE.**

15 **(D) ON OR BEFORE JANUARY 1 EACH YEAR, THE INSPECTOR GENERAL**
16 **SHALL SUBMIT TO THE COMMISSION AND THE COUNTY EXECUTIVES OF**
17 **MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY A COPY OF THE AUDIT AND**
18 **A SUMMARY OF THE REPORTS AND INVESTIGATIONS MADE BY THE INSPECTOR**
19 **GENERAL IN ACCORDANCE WITH THIS SECTION.**

20 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
21 **October 1, 2017.**