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**TESTIMONY IN SUPPORT OF HB 85,
INTRODUCED BY DEL. SMIGIEL**

Ethics Matters is a non-profit citizens organization seeking to promote ethical governance in Queen Anne's County. We strongly support Delegate Smigiel's House Bill 85, to establish a Task Force to Create Standards of Ethics for Planning and Zoning Boards.

Queen Anne's County has recently taken steps to improve its ethics law, which has been the weakest in the State. Nevertheless, serious problems remain, especially with respect to ethical policies and procedures for the County's Planning Commission.

Our County, like many other Maryland counties, is under tremendous development pressure. The stakes are high. Our Planning Commission is widely perceived by citizens to suffer from undue influence by local property developers. Up until two weeks ago a local developer served for years as chairman of the Planning Commission. Developer members of the Commission have brought projects before the Commission, amid concerns that recusal procedures were inadequate to ensure unbiased consideration of the projects. Citizens have wondered about development-related information that may become available to Commission members and about other client interests represented by the (part-time) counsel to the Commission. Financial disclosure requirements have been lacking to prevent present or former Commission members from being rewarded by developers for favorable action, or to provide accountability in regard to their own property holdings or business interests.

Citizen distrust has been heightened by procedures that seem to exclude persons outside the development community from participation in County

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planning and zoning processes. The exclusionary techniques have included holding public hearings when working citizens cannot attend, refusal to record and televise proceedings, lack of adequate notice of matters to be considered, and conducting proceedings so that testimony is inaudible and visual presentations cannot be seen by the attending public.

Efforts by citizens and some elected officials to correct this situation have been rebuffed by the Planning Commission in reliance on their claimed position above County law as an Article 66B entity. This claim makes it especially appropriate that a State task force be created to re-involve the Governor and the General Assembly in remedying the condition, evident in Queen Anne's County, of citizen distrust of the ethics of planning boards and commissions. Citizens need assurance that the planning and zoning decision-makers are acting on behalf of the public and not for individual financial gain.

Mary Campbell, President
For Ethics Matters
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