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SECRETARY-TREASURER

**WSTC Meeting
September 20, 2023**

**Agenda Item 4.
Amendment to WSTC By-Laws**

**Overview**The current WSTC By-laws, last amended in 2015, need to be updated to reflect changes in law passed in 2018 and Administration policies related to the WMATA Principal Director appointment. These changes are divided into two potential amendments below. No action will be taken in this meeting. This item is for discussion only. Engagement with Commissioners and jurisdictions will occur through the fall.

**Potential Amendments**

Amendment 1

Section II, Paragraph 2 of the By-laws currently reads:

The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. The Governor’s appointees shall serve as the Commission’s appointees to the WMATA Board of Directors.

Consistent with current Maryland law, Staff recommends that Section II, Paragraph 2 of the By-laws be amended to read:

The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. One of those appointees shall serve as a Commission appointee to the WMATA Board of Directors and a Principal Director. The other Commission appointee to the WMATA Board of Directors and Principal Director shall be the Maryland Secretary of Transportation, or the Secretary’s designee.

Amendment 2

This Amendment would clarify the period of appointment of a Commissioner as a Principal Director to the WMATA Board. As will be discussed on September 20, the term of this appointment could be either two years or four years. Section II, Paragraph 2 would be further amended to read:

The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. One of those appointees shall serve as a Commission appointee to the WMATA Board of Directors and a Principal Director. **The Commission appointee to the WMATA Board of Directors shall rotate every two/four years between a Montgomery County resident and a Prince George’s County resident, with the term of the new Commission appointee to the WMATA Board of Directors commencing on July 1 of the third/fifth year following the commencement of the current Commission appointee to the WMATA Board of Directors.** The other Commission appointee to the WMATA Board of Directors and Principal Director shall be the Maryland Secretary of Transportation, or the Secretary’s designee.

**Staff Analysis**

Staff recommends adoption of Amendment 1. Regarding the approaches to Amendment 2, MDOT prefers to establish consistent four-year terms for the jurisdictional WMATA Board of Directors seat and is working to confirm whether any regulatory or statutory changes are needed to effect that policy. MDOT staff will update the Commissioners on those efforts, and other legislative reform recommendations, in the September 20 meeting.

MDOT staff will also work to identify whether any flexibility in the proposed Amendment 2 language is needed to address early departures from the Board.