

County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 1

RESOLUTION NO. 10 - 2018

Introduced by: The Chairperson

A RESOLUTION amending the Howard County Council Rules of Procedure specifying the start time for certain meetings; eliminating the 5 minute time limit for representatives of a group; allowing a Resolution or Bill to be withdrawn at any time before a vote on its final passage; specifying that members may participate in a legislative session by teleconference only for an emergency legislative session; requiring a certain sign-up system for those wanting to testify; providing that individuals need not give a street address aloud when testifying; and authorizing the Administrator to add to the first page of a bill the dates that the bill may fail due to inaction as provided by Charter Section 209(h).

Introduced and read first time on _____, 2018.

By order _____
Jessica Feldmark, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2018.

By order _____
Jessica Feldmark, Administrator to the County Council

This Resolution was read the third time and was Adopted____, Adopted with amendments____, Failed____, Withdrawn ____ by the County Council on _____, 2018.

Certified by _____
Jessica Feldmark, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. ~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 request of three Council Members, legislative sessions, work sessions or public hearings may be
2 held at such locations as the Chairperson may provide. TO PARTICIPATE IN A LEGISLATIVE
3 SESSION, A MEMBER MUST BE PRESENT IN PERSON EXCEPT THAT A MEMBER MAY PARTICIPATE IN AN
4 EMERGENCY LEGISLATIVE SESSION BY TELEPHONE OR OTHER TELECONFERENCING TECHNOLOGY.
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6 **Rule 1.006 - Introduction of bills, resolutions and petitions.**

7 (d) Form of Bills. Each bill shall have printed on the first page thereof the form as provided in
8 appendix A of these Rules. The Administrator shall attach to each bill following its enactment a
9 page summarizing its final status, as provided in appendix B of these rules; for each resolution, a
10 page shall be attached as provided in appendix C; for each petition a page shall be attached as
11 provided in appendix D.

12 (1) Title. The title shall be succinct to the reference of the general subject of the bill.

13 (2) Enacting clause. The enacting clause shall read "Be it enacted by the County
14 Council of Howard County, Maryland".

15 (3) Numbering of sections. Section of a bill shall be numbered in Arabic numerals.

16 (4) Numbering of lines. The lines of the text of a bill shall be consecutively numbered
17 commencing at the top line of each page.

18 THE ADMINISTRATOR MAY ADD TO THE FIRST PAGE OF A BILL THE DATE OR DATES WHEN
19 THE BILL MAY FAIL DUE TO INACTION AS PROVIDED BY CHARTER SECTION 209(H).
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21 **Rule 1.007 - Consideration of bills.**

22 (a) *Reading of Bills.* Every bill, before it shall pass the Council, shall be read on three
23 different occasions. Any bill may be rejected upon introduction by a vote of two-thirds of the
24 members of the Council. Any bill may be withdrawn from consideration before [[final reading]]
25 A VOTE ON ITS FINAL PASSAGE by a vote of two-thirds of the members of the Council. On the first
26 reading, a bill shall be read by number and title only when introduced or when read as a
27 substantively amended bill following readvertisement and re-hearing as provided by these Rules.
28 The public hearing shall be the second reading. On final reading, a bill shall be read by number
29 and title only, except that any member may request on final reading that a bill be read once,
30 section by section for amendment before vote on final passage, and, if amended, any member

1 may request that a bill be read as amended before vote on final passage. If amended as to
2 substance, the bill shall not be passed until the title is rewritten to reflect the substance of
3 substantive amendments, a hearing is set on the substantive amendments, and proceedings are
4 conducted as in the case of newly introduced bills. Amendments may be determined to be
5 substantive by a majority vote of the Council upon motion of any member.

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7 Rule 1.008 - Consideration of resolutions.

8 There shall be a first reading and a final reading of each resolution; provided, however, that any
9 resolution may be rejected upon introduction by a vote of two-thirds of the members of the
10 Council, and provided further that any resolution may be withdrawn from consideration before
11 [[final reading]] A VOTE ON ITS FINAL PASSAGE by a vote of two-thirds of the members of the
12 Council. A resolution shall be read by number and title. A public hearing may be held on
13 resolutions at the direction of the Chairperson or by motion approved by a majority of the
14 Council. Vote on final passage shall be on roll call by the yeas and nays, and a majority of the
15 votes of the members shall be necessary to pass the resolution. If no member objects, the Council
16 may enact more than one resolution by a single combined roll call vote. An enrolled copy shall
17 be prepared after final passage and certified a true copy by the Administrator. On enrolling, the
18 Administrator shall have authority to correct obvious errors in section references and numbers,
19 capitalization, spelling, grammar, headings and similar matters.

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21 Rule 1.010 - Motions.

22 (b) *Motions on Questions under Debate.* When a question is under debate, no motion shall be
23 received except a motion:

- 24 (1) To adjourn or to fix the time for adjournment;
25 (2) To lay on the table;
26 (3) To close debate (to move the question);
27 (4) To postpone to a certain time;
28 (5) To amend or to amend an amendment;
29 (6) To determine the substantive nature of an amendment; [[or]]
30 (7) To postpone indefinitely[[.]] ; OR

1 (8) TO WITHDRAW.

2 None of these motions shall be debatable except a motion to amend or to amend an
3 amendment. EXCEPT AS OTHERWISE PROVIDED IN THESE RULES, A [[A]] majority of members
4 present shall be required for an adoption of any motion.
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7 Rule 1.012 - Conduct of public hearings.

8 (b) Preliminary Action.

9 (1) Upon convening the hearing, the [[presiding officer]] CHAIRPERSON shall give a brief
10 explanation of the purpose of the hearing and shall cause to be presented any information or data,
11 including reading of the legislation by the Administrator and explanation of the legislation by the
12 Councilmember or a representative of the administration, which is required before the public
13 discussion begins. [[In the case of a hearing during which a large number of people wish to
14 testify, the Chairperson may, prior to the presentation of testimony by the first person, establish a
15 maximum time limit of three minutes for oral testimony by each person. The Chairperson may
16 also establish a maximum time limit of five minutes for oral testimony by a spokesperson
17 testifying for an organization. The Chairperson may require advance sign-up sheets to expedite
18 testimony, and in such cases all those who are signed to speak shall be heard before any people
19 testifying spontaneously are recognized. When advance signup sheets are necessary, people
20 wishing to testify shall be permitted to sign up beginning one-half hour prior to the scheduled
21 starting time for the public hearing.]]

22 ~~(2) THE TIME LIMIT FOR ORAL TESTIMONY AT THE HEARING IS 3 MINUTES PER PERSON~~
23 ~~EXCEPT THAT WHENEVER MULTIPLE ITEMS OF LEGISLATION ARE GROUPED TOGETHER FOR~~
24 ~~PURPOSES OF HEARING TESTIMONY, THE CHAIRPERSON MAY EXTEND THE LIMIT FOR A PERSON~~
25 ~~TESTIFYING ONCE ABOUT ALL OF THE ITEMS IN THE GROUP.~~

26 (2)(I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE TIME LIMIT FOR
27 ORAL TESTIMONY AT THE HEARING IS:

28 A. 3 MINUTES PER PERSON, WHETHER SPEAKING AS AN INDIVIDUAL OR ON BEHALF
29 OF AN ENTITY NOT INCLUDED IN SUBPARAGRAPH C BELOW;

1 B. 3 MINUTES FOR EACH REPRESENTATIVE OF AN ENTITY WITH MULTIPLE
2 REPRESENTATIVES SPEAKING ON BEHALF OF THE ENTITY; OR

3 C. 5 MINUTES FOR A SINGLE REPRESENTATIVE OF A NONPROFIT ORGANIZATION OR
4 GOVERNMENT BOARD, COMMISSION, OR TASK FORCE REGARDLESS OF THE
5 NUMBER OF MEMBERS OR SUPPORTERS WHO MAY TESTIFY AS INDIVIDUALS.

6 (II) WHENEVER MULTIPLE ITEMS OF LEGISLATION ARE GROUPED TOGETHER FOR
7 PURPOSES OF HEARING TESTIMONY, THE CHAIRPERSON MAY EXTEND THE LIMITS
8 FOR A PERSON TESTIFYING ONCE ABOUT ALL THE ITEMS IN THE GROUP.

9 (III) TO QUALIFY AS A REPRESENTATIVE OF A NONPROFIT ORGANIZATION, OR
10 GOVERNMENT BOARD, COMMISSION, OR TASK FORCE, THE REPRESENTATIVE SHALL
11 SUBMIT WRITTEN CERTIFICATION FROM THE ENTITY OR A SWORN AFFIDAVIT THAT:

12 A. DEMONSTRATES THAT THE REPRESENTATIVE IS AUTHORIZED TO OFFER
13 TESTIMONY AND TAKE A POSITION TO SUPPORT, OPPOSE, OR AMEND THE
14 LEGISLATION ON BEHALF OF THE ENTITY; AND

15 B. INDICATES THE NUMBER OF MEMBERS IN THE ENTITY.

16 (IV) A CERTIFICATION OR AFFIDAVIT REQUIRED BY THIS SUBSECTION (B)(2) OF THIS
17 RULE SHALL BE SUBMITTED TO THE ADMINISTRATOR:

18 A. ELECTRONICALLY IN ADVANCE OF THE HEARING; OR

19 B. IN PERSON AT THE HEARING BEFORE GIVING TESTIMONY.

20 (3) ANY INDIVIDUAL WISHING TO TESTIFY SHALL SIGN UP THROUGH A SYSTEM PROVIDED
21 BY THE ADMINISTRATOR. THE SYSTEM SHALL INCLUDE AN OPPORTUNITY TO SIGN UP IN ADVANCE
22 OF THE HEARING AND AN ON-SITE SIGN UP OPTION THAT SHALL BE AVAILABLE FOR THE PERIOD
23 THAT BEGINS AT LEAST 30 MINUTES BEFORE THE SCHEDULED TIME OF THE HEARING AND THAT
24 ENDS WHEN TESTIMONY ENDS ON THE HEARING'S FIRST DAY. THE SYSTEM SHALL REQUIRE THAT
25 EACH PERSON PROVIDE:

26 (I) NAME AND CITY OR TOWN OF RESIDENCE; AND

27 (II) TELEPHONE NUMBER, EMAIL ADDRESS, OR MAILING ADDRESS.

28 (c) Public Participation. ~~Any person who has signed up under subsection (B)(3) of this~~
29 ~~RULE MAY [[desiring to]] speak on the matters or issues under consideration. [[shall first address~~
30 ~~the Chair and]] THE PERSON shall not proceed until recognized by the [[Chair]] CHAIRPERSON.~~

1 ANY PERSON DESIRING TO SPEAK ON THE MATTERS OR ISSUES UNDER CONSIDERATION SHALL SIGN
2 UP UNDER SUBSECTION (B)(3) OF THIS RULE AND SHALL PROCEED WHEN RECOGNIZED BY THE
3 CHAIRPERSON. Upon initial recognition by the [[Chair]] CHAIRPERSON, the person shall give the
4 following information before speaking to the issue:

- 5 (1) Name.
- 6 (2) Home [[address]] CITY OR TOWN.
- 7 (3) Persons or organization represented or that he OR SHE is speaking as a private
8 citizen.
- 9 (4) Whether he OR SHE is speaking for or against the subject matter under
10 consideration.

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