

Introduced 7/2/18
Public Hearing 7/16/18
Council Action 7/27/18
Executive Action 8/16/18
Effective Date 10/16/18

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 10

Bill No. 49

Introduced by: The Chairperson at the request of the County Executive

AN ACT changing the name of the Commission on Disability Issues to be the Commission on Disabilities; and generally related to the Commission on Disabilities.

Introduced and read first time July 2, 2018. Ordered posted and hearing scheduled.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing on July 16, 2018.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on July 27, 2018 and Passed , Passed with amendments _____, Failed _____.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 30th day of July, 2018 at 11 a.m./p.m.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive As 6, 2018

Allan H. Kittleman
Allan H. Kittleman, County Executive

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

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that the Howard
2 County Code is amended as follows:

3
4 *By amending:*

5 *Title 2, Administrative Procedure*
6 *Subtitle 1, Administrative Procedures Act*
7 *Article II, Administrative Rules*
8 *Section 2.103(b)*

9
10 *By amending:*

11 *Title 2, Administrative Procedure*
12 *Subtitle 1, Administrative Procedures Act*
13 *Article III, Contested Cases*
14 *Section 2.109(b)*

15
16 *By amending:*

17 *Title 6, County Executive and the Executive Branch*
18 *Subtitle 3, Boards and Commissions*
19 *Section 6.318*

20
21 *By amending:*

22 *Title 6, County Executive and the Executive Branch*
23 *Subtitle 4, Department of County Administration*
24 *Section 6.408(e)(2)*

25
26 *By amending:*

27 *Title 12, Health and Social Services*
28 *Subtitle 4, Disability Issues*
29 *Section 12.401*

30
31 **Title 2. Administrative Procedure**

1 **Subtitle 1. Administrative Procedures Act**

2 **Article II. Administrative Rules**

3
4 **Section 2.103. Applicability.**

5 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship
6 Review Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of
7 Library Trustees, the Board of License Commissioners, the Board of Social Services, the Cable
8 Advisory Committee, the Commission on Aging, the Design Advisory Panel, the Fire and
9 Rescue Services Board, the Historic Landmarks and Sites Board, the Mental Health Advisory
10 Board the Plumbing Advisory Board, the Public Works Board, the Recreation and Parks Board,
11 the Alcohol and Drug Abuse Advisory Board, the Commission on [[Disability
12 Issues]]DISABILITIES, the Local Children's Board, and the Soil Conservation District.

13
14 **Section 2.109. Applicability.**

15 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship
16 Review Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of
17 Library Trustees, the Board of License Commissioners, the Board of Social Services, the Cable
18 Advisory Committee, the Commission on Aging, the Fire and Rescue Services Board, the
19 Historic Landmarks and Sites Board, the Mental Health Advisory Board, the Plumbing Advisory
20 Board, the Public Works Board, the Recreation and Parks Board, the Alcohol and Drug Abuse
21 Advisory Board, the Commission on [[Disability Issues]]DISABILITIES, the Local Children's
22 Board, and the Soil Conservation District.

23
24 **Title 6. County Executive and the Executive Branch**

25 **Subtitle 3. Boards and Commissions**

26
27 **Section 6.318. Commission on DISABILITIES [[Disability Issues]].**

28 There is a Commission on DISABILITIES [[Disability Issues]]. Its membership and duties and
29 responsibilities are set forth in subtitle 4, "Disability Issues," of title 12, "Health and Social
30 Services," of the Howard County Code.

1 **Title 6. County Executive and the Executive Branch**

2 **Subtitle 4. Department of County Administration**

3
4 **Section 6.408. Office of Transportation.**

5 (e) *Advisory Groups to the Office of Transportation.* The Office shall establish a Bicycle Advisory
6 Group and a Transit and Pedestrian Advisory Group to advise the Office on issues related to the
7 modes of transportation. Both advisory groups shall be staffed by the Office of Transportation.

8 (2) *Transit and Pedestrian Advisory Group.* The group shall be comprised of:

- 9 (a) A member of the Multimodal Transportation Board;
 - 10 (b) A Howard County Student, selected by Voices for Change;
 - 11 (c) A Howard County Student, selected by the Howard County Association of Student
12 Councils;
 - 13 (d) A Howard County resident who is a Regional Transportation Agency paratransit
14 passenger;
 - 15 (e) A Howard County resident who is a fixed-route Regional Transportation Agency
16 passenger;
 - 17 (f) Two people selected by the Howard County Public School System, at least one of
18 whom shall be a high school principal;
 - 19 (g) At least one representative from each of the following organizations:
 - 20 (i) The Howard County Association of Community Services;
 - 21 (ii) The Commission on Aging;
 - 22 (iii) The Commission on [[Disability Issues]]DISABILITIES;
 - 23 (iv) The Howard County Department of Recreation and Parks;
 - 24 (v) The Howard County Police Department; and
 - 25 (vi) The Howard County Council; and
 - 26 (h) Other members at the discretion of the Administrator of the Office.
- 27

28 **Title 12, Health and Social Services**

29 **Subtitle 4. Disability Issues**

30
31 **Section 12.401. Commission on [[disability issues]] DISABILITIES.**

1 (a) *General Provisions.* General provisions regarding the following are set forth in subtitle 3,
2 "Boards and Commissions," of title 6, "County Executive and the Executive Branch," of the
3 Howard County Code.

4 (b) *Membership.* There is a Commission on ~~[[Disability issues]]~~ DISABILITIES consisting of 15
5 members.

6 (c) *Qualifications:*

7 (1) At least 13 of the 15 members shall be residents of Howard County.

8 (2) All members shall:

9 (i) Have evinced a broad based interest in, and/or experience with, issues involving
10 persons with disabilities; and

11 (ii) Be willing and able to commit time and effort to actively pursue the responsibilities of
12 a working Commission.

13 (3) At least eight of the members of the Commission shall be persons with ~~[[a]]~~ disabilities.

14 (4) Two members of the Commission shall be a board or staff member of an agency providing
15 services to persons with disabilities.

16 (5) Two members of the Commission shall be a relative of persons with disabilities.

17 (d) *Meetings.* The Commission shall meet regularly at the call of the Chairperson or at the call of
18 a majority of its members. The Committee shall meet as frequently as necessary to perform its
19 duties, but at least six times a year.

20 (e) *Staff.* The County Executive shall designate a disabilities issues coordinator who shall serve
21 as Executive Secretary to the Commission and shall also serve as the 504 compliance monitor for
22 the County.

23 (f) *Rules and Regulations.* The Commission has the option of establishing committees for the
24 proper and efficient performance of its duties. Committees may include nonmembers of the
25 Commission.

26 (g) *Records.* The records of the Commission's activities and the minutes of its meetings shall be
27 kept on file and open to the public.

28 (h) *Duties and Responsibilities:*

29 (1) *Public awareness.* The Commission on ~~[[Disability issues]]~~ DISABILITIES shall:

- 1 (i) Listen to the concerns of persons with disabilities, their families, friends, service
2 providers and interested citizens by holding public forums or hearings, and/or
3 conducting surveys and studies.
- 4 (ii) Develop activities which will increase public awareness of the concerns and
5 contributions in our community of persons with disabilities.
- 6 (iii) Promote equal rights and opportunities for all persons with disabilities, including
7 identifying barriers to these rights and recommending necessary policies and actions to
8 remove those barriers.
- 9 (2) Advise on governmental programs, policies and budget. The Commission on [[Disability
10 issues]] DISABILITIES shall:
- 11 (i) Review overall services and activities of governmental agencies providing services to
12 persons with disabilities, including collecting data and reviewing reports and
13 publications.
- 14 (ii) Advise the County Executive and County Council on the needs, inequalities, unmet
15 needs, and gaps in such areas as housing, transportation, recreation, employment,
16 education, community services, treatment, rehabilitation and related matters, which
17 may preclude the full integration of persons with disabilities into the community.
- 18 (iii) Make recommendations to the County Executive and County Council regarding the
19 impact of County Government policies, programs, services and facilities on persons
20 with disabilities.
- 21 (iv) Make recommendations during the budget development process regarding the funding
22 of programs for persons with disabilities; review the County Executive's budget
23 recommendations for such programs and make recommendations prior to the budget's
24 submission to the County Council.
- 25 (v) Identify and recommend to the County Executive and the County Council appropriate
26 sources of State and Federal financial assistance for purposes of comprehensively
27 assisting persons with disabilities.
- 28 (vi) Submit an annual report to the County Council and the County Executive which sets
29 forth the status of citizens with disabilities and makes recommendations for the most
30 effective delivery of services and programs, annual priorities for delivery of services to
31 individuals and funding proposals as may be appropriate.

1 (vii) Advise the County Executive on other matters related to persons with disabilities.

2 (3) *Compliance.* The Commission on [[disability issues]] DISABILITIES shall assist the County
3 Government in ensuring compliance with the requirements of Section 504 of the
4 rehabilitation act of 1973 and the Americans with Disabilities Act of 1990.

5

6 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
7 *this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on August 6, 2018.

Jessica Feldmark
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council