

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meetings; eliminating the 5 minute time limit for representatives of a group; allowing a Resolution or Bill to be withdrawn at any time before a vote on its final passage; specifying that members may participate in a legislative session by teleconference only for an emergency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 January 2, 2018.

By order


Jessica Feldmark, Administrator to the County Council

Read for a second time and a public hearing held on January 16, 2018.

Tabled 2/5/18

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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on April 2, 2018.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 (c) *Place of Meetings.* The place of meeting of the Council shall be the Council hearing room
2 at Ellicott City, Maryland, provided, however, that at the discretion of the Chairperson or at
3 request of three Council Members, legislative sessions, work sessions or public hearings may be
4 held at such locations as the Chairperson may provide. TO PARTICIPATE IN A LEGISLATIVE
5 SESSION, A MEMBER MUST BE PRESENT IN PERSON EXCEPT THAT A MEMBER MAY PARTICIPATE IN AN
6 EMERGENCY LEGISLATIVE SESSION BY TELEPHONE OR OTHER TELECONFERENCING TECHNOLOGY.
7

8 **Rule 1.006 - Introduction of bills, resolutions and petitions.**

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

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

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

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

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

20 THE ADMINISTRATOR MAY ADD TO THE FIRST PAGE OF A BILL THE DATE OR DATES WHEN
21 THE BILL MAY FAIL DUE TO INACTION AS PROVIDED BY CHARTER SECTION 209(H).
22

23 **Rule 1.007 - Consideration of bills.**

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

1 The public hearing shall be the second reading. On final reading, a bill shall be read by number
2 and title only, except that any member may request on final reading that a bill be read once,
3 section by section for amendment before vote on final passage, and, if amended, any member
4 may request that a bill be read as amended before vote on final passage. If amended as to
5 substance, the bill shall not be passed until the title is rewritten to reflect the substance of
6 substantive amendments, a hearing is set on the substantive amendments, and proceedings are
7 conducted as in the case of newly introduced bills. Amendments may be determined to be
8 substantive by a majority vote of the Council upon motion of any member.

9
10 Rule 1.008 - Consideration of resolutions.

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

23
24 Rule 1.010 - Motions.

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

- 27 (1) To adjourn or to fix the time for adjournment;
28 (2) To lay on the table;
29 (3) To close debate (to move the question);

- 1 (4) To postpone to a certain time;
- 2 (5) To amend or to amend an amendment;
- 3 (6) To determine the substantive nature of an amendment; [[or]]
- 4 (7) To postpone indefinitely[[.]] ; OR
- 5 (8) TO WITHDRAW.

6 None of these motions shall be debatable except a motion to amend or to amend an
7 amendment. EXCEPT AS OTHERWISE PROVIDED IN THESE RULES, A [[A]] majority of members
8 present shall be required for an adoption of any motion.

9
10
11 Rule 1.012 - Conduct of public hearings.

12 (b) Preliminary Action.

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

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

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

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

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

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

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

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

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

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

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

22 A. ELECTRONICALLY IN ADVANCE OF THE HEARING; OR

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

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

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

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

3 (c) Public Participation. ~~Any person WHO HAS SIGNED UP UNDER SUBSECTION (B)(3) OF THIS~~
4 ~~RULE MAY [[desiring to]] speak on the matters or issues under consideration. [[shall first address~~
5 ~~the Chair and]] THE PERSON shall not proceed until recognized by the [[Chair]] CHAIRPERSON.~~

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

10 (1) Name.

11 (2) Home [[address]] CITY OR TOWN.

12 (3) Persons or organization represented or that he OR SHE is speaking as a private
13 citizen.

14 (4) Whether he OR SHE is speaking for or against the subject matter under
15 consideration.

16

17

Amendment 2 to Council Resolution No. 10-2018

**BY: Jennifer Terrasa
Greg Fox**

Legislative Day No. 2

Date: February 5, 2018

Amendment No. 2

(This amendment sets 5 minutes as the limit for oral testimony for certain representatives of nonprofits, boards, commissions, or task forces.)

1 On page 4, strike lines 23 through 26, both inclusive, and substitute:

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

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

6 OR

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

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

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

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

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

21 B. INDICATES THE NUMBER OF MEMBERS IN THE ENTITY.”

1
2
3
4
5
6
7
8

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

A. ELECTRONICALLY IN ADVANCE OF THE HEARING; OR

B. IN PERSON AT THE HEARING BEFORE GIVING TESTIMONY.

On page 1, in line 11, insert: “AND, BE IT FURTHER RESOLVED by the County
Council of Howard County, Maryland that the changes to Rule 1.012 shall take effect
beginning on June 1, 2018.

ADOPTED as amended 4/2/18
FAILED _____
SIGNATURE Jessica Feldmark

Amendment 1 Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 1

(This amendment clarifies that the time limit is 3 minutes each if multiple representatives are speaking on behalf of an organization.)

1 On page 1:

- 2 • In line 5, strike “SUBPARAGRAPH B” and substitute “SUBPARAGRAPH C” and strike “OR”.
- 3 • In line 6, after “B.” insert “3 MINUTES FOR EACH REPRESENTATIVE OF AN ENTITY WITH
- 4 MULTIPLE REPRESENTATIVES SPEAKING ON BEHALF OF THE ENTITY; OR
- 5 C.”.

ADOPTED 4/2/18
FAILED _____
SIGNATURE Jessica Feldmark

Amendment 3 Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 3

(This amendment specifies how certifications and affidavits must be submitted.)

1 On page 1, after line 17, insert

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

4 A. ELECTRONICALLY IN ADVANCE OF THE HEARING; OR

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

ADOPTED 4/2/18
FAILED _____
SIGNATURE Jessica Addams

Amendment 5 to Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 4

Date: April 2, 2018

Amendment No. 5

(This amendment delays the effect of the changes.)

1 On page 1, in line 17, insert:
2

3

4

5

6

7

8

“On page 1, in line 11, insert: “AND, BE IT FURTHER RESOLVED by the County Council of Howard County, Maryland that the changes to Rule 1.012 shall take effect beginning on June 1, 2018.””

ADOPTED _____

4/2/18

FAILED _____

SIGNATURE _____

Jessica Feldmark

Amendment 6 to Amendment 2 to Council Resolution No. 10-2018

BY: Jennifer Terrasa

Legislative Day No. 4

Date: April 2, 2018

Amendment No. 6

(This amendment clarifies the time limit for certain persons.)

1 On page 1, at the end of line 7 before the period, insert: "regardless of the number of members or
2 supporters who may testify as individuals".
3
4

ADOPTED 4/2/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 3 to Council Resolution No. 10-2018

BY: Mary Kay Sigaty

Legislative Day No. 2

Date: 2/5/18

Amendment No. 3

(This amendment clarifies the time of availability of the system to sign up to testify and clarifies that persons desiring to speak must sign up and may proceed only when recognized by the Chairperson.)

- 1 On page 4, in line 29, after "FOR" insert "THE PERIOD THAT BEGINS".
- 2 On page 5, in line 1, after "HEARING" insert "AND THAT ENDS WHEN TESTIMONY ENDS ON THE
- 3 HEARING'S FIRST DAY".
- 4 Also on page 5, beginning in line 5, strike "Any" down through the end of line 7 and substitute
- 5 "ANY PERSON DESIRING TO SPEAK ON THE MATTERS OR ISSUES UNDER CONSIDERATION SHALL SIGN
- 6 UP UNDER SUBSECTION (B)(3) OF THIS RULE AND SHALL PROCEED WHEN RECOGNIZED BY THE
- 7 CHAIRPERSON.".

ADOPTED 4/2/18
FAILED _____
SIGNATURE Jessica Edmond

Amendment 1 to Council Resolution No. 10-2018

BY: Jennifer Terrasa

Legislative Day No. 2

Date: 2/5/18

Amendment No. 1

(This amendment sets 5 minutes as the limit for oral testimony.)

1 On page 4, in line 23, strike "3" and substitute "5".

ADOPTED _____
FAILED 2/5/18
SIGNATURE Jessica Feldman

Amendment 2 Amendment 2 to Council Resolution No. 10-2018

BY: Greg Fox and Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 2

(This amendment allows 5 minutes for a single representative of certain entities and requires them to register with and provide certain materials to the Administrator.)

1 On page 1:

- 2 • In line 6, strike "A NONPROFIT ORGANIZATION" and substitute "AN ENTITY THAT IS
3 REGISTERED UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH".
- 4 • after line 17, insert:
- 5 "(IV) A. TO REGISTER, AN ENTITY SHALL BE LOCATED IN OR SERVING HOWARD COUNTY
6 AND SHALL BE ONE OF THE FOLLOWING: A NONPROFIT ORGANIZATION, BUSINESS,
7 HOMEOWNERS ASSOCIATION, OR COMMUNITY ASSOCIATION.
- 8 B. AN ENTITY SHALL SUBMIT TO THE ADMINISTRATOR:
- 9 I. FOR A NONPROFIT ORGANIZATION, MATERIAL DEMONSTRATING THAT THE
10 ORGANIZATION IS INCORPORATED AND REGISTERED WITH THE STATE OF MARYLAND;
- 11 II. FOR A BUSINESS, EVIDENCE OF REGISTRATION IN THE STATE OF MARYLAND;
- 12 III. FOR A HOMEOWNERS ASSOCIATION AND A COMMUNITY ASSOCIATION, EVIDENCE
13 THAT THE ASSOCIATION IS ACTIVE, A COPY OF ITS BYLAWS, AND A ROSTER OF ITS OFFICERS.
- 14 C. THE ADMINISTRATOR SHALL TAKE REASONABLE STEPS TO VERIFY THE INFORMATION.
- 15 D. THE COUNCIL ADMINISTRATOR SHALL KEEP A DATABASE OF ENTITIES FOR PURPOSES OF
16 THIS PARAGRAPH."
- 17

ADOPTED _____
FAILED withdrawn 4/2/18
SIGNATURE Jessica Edmark

Amendment 4 to Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 3

Date: 3/5/18

Amendment No. 4

(This amendment allows 5 minutes for a single representative of certain entities, requires them to register with and provide certain materials to the Administrator, and delays the effect of specified changes.)

1 On page 1:

- 2 • In line 6, strike "A NONPROFIT ORGANIZATION" and substitute "AN ENTITY THAT IS
3 REGISTERED UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH".

- 4 • after line 17, insert:

5 "(IV) A. TO REGISTER, AN ENTITY SHALL BE LOCATED IN OR SERVING HOWARD COUNTY
6 AND SHALL BE ONE OF THE FOLLOWING: A NONPROFIT ORGANIZATION, BUSINESS,
7 HOMEOWNERS ASSOCIATION, OR COMMUNITY ASSOCIATION.

8 B. AN ENTITY SHALL SUBMIT A CERTIFICATE OR AFFIDAVIT TO THE ADMINISTRATOR
9 ATTESTING:

10 I. FOR A NONPROFIT ORGANIZATION, THAT THE ORGANIZATION IS INCORPORATED
11 AND REGISTERED WITH THE STATE OF MARYLAND;

12 II. FOR A BUSINESS, THAT THE BUSINESS IS REGISTERED IN THE STATE OF
13 MARYLAND;

14 III. FOR A HOMEOWNERS ASSOCIATION OR A COMMUNITY ASSOCIATION, THAT THE
15 ASSOCIATION IS ACTIVE AND HAS CURRENT BYLAWS.

16 C. THE ADMINISTRATOR SHALL TAKE REASONABLE STEPS TO VERIFY THE INFORMATION.

17 D. THE COUNCIL ADMINISTRATOR SHALL KEEP A DATABASE OF ENTITIES FOR PURPOSES OF
18 THIS PARAGRAPH."

19
20 On page 5, line 17, insert: "AND, BE IT FURTHER RESOLVED by the County Council of

1 Howard County, Maryland that the changes to Rule 1.012 shall take effect beginning on May 1,
2 2018.”

ADOPTED _____
FAILED *not introduced*
SIGNATURE *Jessica Feldman*

Amendment 1 to Council Resolution No. 10-2018

BY: Jennifer Terrasa

Legislative Day No. 2

Date: 2/5/18

Amendment No. 1

(This amendment sets 5 minutes as the limit for oral testimony.)

1 On page 4, in line 23, strike "3" and substitute "5".

Amendment 1 Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 1

(This amendment clarifies that the time limit is 3 minutes each if multiple representatives are speaking on behalf of an organization.)

1 On page 1:

- 2 • In line 5, strike "SUBPARAGRAPH B" and substitute "SUBPARAGRAPH C" and strike "OR".
- 3 • In line 6, after "B." insert "3 MINUTES FOR EACH REPRESENTATIVE OF AN ENTITY WITH
- 4 MULTIPLE REPRESENTATIVES SPEAKING ON BEHALF OF THE ENTITY; OR
- 5 C.".

Amendment 2 Amendment 2 to Council Resolution No. 10-2018

BY: Greg Fox and Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 2

(This amendment allows 5 minutes for a single representative of certain entities and requires them to register with and provide certain materials to the Administrator.)

1 On page 1:

2 • In line 6, strike “A NONPROFIT ORGANIZATION” and substitute “AN ENTITY THAT IS
3 REGISTERED UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH”.

4 • after line 17, insert:

5 “(IV) A. TO REGISTER, AN ENTITY SHALL BE LOCATED IN OR SERVING HOWARD COUNTY
6 AND SHALL BE ONE OF THE FOLLOWING: A NONPROFIT ORGANIZATION, BUSINESS,
7 HOMEOWNERS ASSOCIATION, OR COMMUNITY ASSOCIATION.

8 B. AN ENTITY SHALL SUBMIT TO THE ADMINISTRATOR:

9 I. FOR A NONPROFIT ORGANIZATION, MATERIAL DEMONSTRATING THAT THE
10 ORGANIZATION IS INCORPORATED AND REGISTERED WITH THE STATE OF MARYLAND;

11 II. FOR A BUSINESS, EVIDENCE OF REGISTRATION IN THE STATE OF MARYLAND;

12 III. FOR A HOMEOWNERS ASSOCIATION AND A COMMUNITY ASSOCIATION, EVIDENCE
13 THAT THE ASSOCIATION IS ACTIVE, A COPY OF ITS BYLAWS, AND A ROSTER OF ITS OFFICERS.

14 C. THE ADMINISTRATOR SHALL TAKE REASONABLE STEPS TO VERIFY THE INFORMATION.

15 D. THE COUNCIL ADMINISTRATOR SHALL KEEP A DATABASE OF ENTITIES FOR PURPOSES OF
16 THIS PARAGRAPH.”.

17

Amendment 3 Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 2

Date: 2/5/18

Amendment No. 3

(This amendment specifies how certifications and affidavits must be submitted.)

- 1 On page 1, after line 17, insert
- 2 “(IV) A CERTIFICATION OR AFFIDAVIT REQUIRED BY THIS SUBSECTION (B)(2) OF THIS RULE SHALL
- 3 BE SUBMITTED TO THE ADMINISTRATOR:
- 4 A. ELECTRONICALLY IN ADVANCE OF THE HEARING; OR
- 5 B. IN PERSON AT THE HEARING BEFORE GIVING TESTIMONY.

Amendment 4 to Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 3

Date: 3/5/18

Amendment No. 4

(This amendment allows 5 minutes for a single representative of certain entities, requires them to register with and provide certain materials to the Administrator, and delays the effect of specified changes.)

1 On page 1:

- 2 • In line 6, strike "A NONPROFIT ORGANIZATION" and substitute "AN ENTITY THAT IS
3 REGISTERED UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH".

- 4 • after line 17, insert:

5 "(IV) A. TO REGISTER, AN ENTITY SHALL BE LOCATED IN OR SERVING HOWARD COUNTY
6 AND SHALL BE ONE OF THE FOLLOWING: A NONPROFIT ORGANIZATION, BUSINESS,
7 HOMEOWNERS ASSOCIATION, OR COMMUNITY ASSOCIATION.

8 B. AN ENTITY SHALL SUBMIT A CERTIFICATE OR AFFIDAVIT TO THE ADMINISTRATOR
9 ATTESTING:

10 I. FOR A NONPROFIT ORGANIZATION, THAT THE ORGANIZATION IS INCORPORATED
11 AND REGISTERED WITH THE STATE OF MARYLAND;

12 II. FOR A BUSINESS, THAT THE BUSINESS IS REGISTERED IN THE STATE OF
13 MARYLAND;

14 III. FOR A HOMEOWNERS ASSOCIATION OR A COMMUNITY ASSOCIATION, THAT THE
15 ASSOCIATION IS ACTIVE AND HAS CURRENT BYLAWS.

16 C. THE ADMINISTRATOR SHALL TAKE REASONABLE STEPS TO VERIFY THE INFORMATION.

17 D. THE COUNCIL ADMINISTRATOR SHALL KEEP A DATABASE OF ENTITIES FOR PURPOSES OF
18 THIS PARAGRAPH."

19
20 On page 5, line 17, insert: "AND, BE IT FURTHER RESOLVED by the County Council of

1 Howard County, Maryland that the changes to Rule 1.012 shall take effect beginning on May 1,
2 2018.”

Amendment 5 to Amendment 2 to Council Resolution No. 10-2018

BY: Jon Weinstein

Legislative Day No. 4

Date: April 2, 2018

Amendment No. 5

(This amendment delays the effect of the changes.)

1 On page 1, in line 17, insert:
2

3 “On page 1, in line 11, insert: “**AND, BE IT FURTHER RESOLVED** by the County
4 Council of Howard County, Maryland that the changes to Rule 1.012 shall take effect
5 beginning on June 1, 2018.””
6
7

Amendment 6 to Amendment 2 to Council Resolution No. 10-2018

BY: Jennifer Terrasa

Legislative Day No. 4

Date: April 2, 2018

Amendment No. 6

(This amendment clarifies the time limit for certain persons.)

1 On page 1, at the end of line 7 before the period, insert: "regardless of the number of members or
2 supporters who may testify as individuals".

3

4

Amendment 2 to Council Resolution No. 10-2018

BY: Jennifer Terrasa
Greg Fox

Legislative Day No. 2

Date: 2/5/18

Amendment No. 2

(This amendment sets 5 minutes as the limit for oral testimony for certain representatives of nonprofits, boards, commissions, or task forces.)

1 On page 4, strike lines 23 through 26, both inclusive, and substitute:

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

4 A. 3 MINUTES PER PERSON, WHETHER SPEAKING AS AN INDIVIDUAL OR ON BEHALF
5 OF AN ENTITY NOT INCLUDED IN SUBPARAGRAPH B. BELOW; OR

6 B. 5 MINUTES FOR A SINGLE REPRESENTATIVE OF A NONPROFIT ORGANIZATION OR
7 GOVERNMENT BOARD, COMMISSION, OR TASK FORCE.

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

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

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

17 B. INDICATES THE NUMBER OF MEMBERS IN THE ENTITY.”

Amendment 3 to Council Resolution No. 10-2018

BY: Mary Kay Sigaty

Legislative Day No. 2

Date: 2/5/18

Amendment No. 3

(This amendment clarifies the time of availability of the system to sign up to testify and clarifies that persons desiring to speak must sign up and may proceed only when recognized by the Chairperson.)

- 1 On page 4, in line 29, after "FOR" insert "THE PERIOD THAT BEGINS".
- 2 On page 5, in line 1, after "HEARING" insert "AND THAT ENDS WHEN TESTIMONY ENDS ON THE
- 3 HEARING'S FIRST DAY".
- 4 Also on page 5, beginning in line 5, strike "Any" down through the end of line 7 and substitute
- 5 "ANY PERSON DESIRING TO SPEAK ON THE MATTERS OR ISSUES UNDER CONSIDERATION SHALL SIGN
- 6 UP UNDER SUBSECTION (B)(3) OF THIS RULE AND SHALL PROCEED WHEN RECOGNIZED BY THE
- 7 CHAIRPERSON.".

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Monday, March 19, 2018 6:07 PM
To: CouncilMail
Subject: CR10

Sorry for just noticing this, I just thought that the "entities" that can have 5 minutes, including task force members needed some clarification. I could be wrong, but I figure businesses and non-profit orgs are easy to define as an entity and from whom authorization needs to be given, but who gives permission to a task force member to speak? Would it be the chair people, or a vote of the whole? It needs some spelling out maybe. Also then I figured it might be good to say it only applied to task force members on the topics the task force addressed, but that's less important, of course.

Thanks all,
Lisa

Sayers, Margery

From: LisaMarkovitz <lmarkovitz@comcast.net>
Sent: Monday, March 19, 2018 3:01 PM
To: CouncilMail
Subject: CR10-2018

I see this is on the current legislation list, and it has amendments filed. For amendment 2 there is possibly a need for another amendment to amendment 2.

Amendment 2 states that "task force members" can have 5 minutes. You might want to put in language regarding task force members who served on a task force that is the subject of the legislation, otherwise, having served on any task force ever, technically, would entitle someone to 5 minutes forever? :)

Lisa

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Date: 16 January 2018

Subject: HCCA Testimony for CR10-2018 Council Procedures

My name is Stu Kohn and I am the President of the Howard County Citizens Association, HCCA. The address is PO Box 89, Ellicott City, MD.

We are very much in favor of improving the Introduction of Bills, Resolutions and Petitions as stated on page 2, lines 5 thru 18. If this in anyway benefits to prevent the catastrophe we all faced with both the APFO and Mulching Bill re-runs then this will be an extremely positive step for all.

Please refer to page 4, lines 27 and 28 and consider adding the following: After the word "Administrator" on line 28 add – at a minimum of one week prior to the Public Legislative Hearing.

Now for the unfortunate negative reaction to this proposed Resolution. We simply do not understand the rationale for eliminating the standard 5 minute Group testimony as described on page 4 lines 8 thru 26. Why? What precipitated this proposed action? What did we do? Do you know the average time that a Group representative takes to testify?

If this portion of the Resolution is not amended it will be known as the Archie Bunker clause. Meaning when Archie stated, to Edith to stifle herself. This is what you are doing to respected organizations? By having Groups testifying it serves to eliminate time as not as many individuals would testify who are members of a particular Group, thus saving time. Question – how much time will the Petitioner be allowed?

We are glad to see that there are no sponsors associated with this Resolution. Hopefully this means the majority of the Council does not support the proposed decrease of the time limit for Group testimony. We would not want the passage of CR10 as it stands now to be a part of your legacy. After all, Thomas Jefferson is quoted as saying, "Information is the currency of democracy."

Although my five minutes is not up, I thank you for listening. Hopefully, you will in no way approve the elimination of the 5-minute Group testimony. We would think you would want to gather as much information as possible to make your decisions.

Thank you.

Stu Kohn
HCCA, President

Sayers, Margery

From: DIANE BUTLER <politicodiane@msn.com>
Sent: Tuesday, January 09, 2018 8:16 AM
To: CouncilMail; Kittleman, Allan; Weinstein, Jon; Fox, Greg; Terrasa, Jen; Sigaty, Mary Kay; Ball, Calvin B
Subject: Groups

Dear Council and County Executive,

As the past president of the Saint Johns Community Association representing more than 1,000 homes, for over ten years, I would like to support NOT changing the 5 minute limit for groups. 3 minutes is a very short time for well thought out testimony. I know because after stepping down as the president of the group, I had to start limiting my testimony to three minutes. For personal testimony that is OK, but when you have to represent the views of the many diverse citizens in your group, you need the extra two minutes to properly represent all of the citizens within your group. Testimony is gleaned from conversations and Emails from the people that you are speaking for, and you must be able to have the time to properly articulate their feelings.

We have had some huge hearings lately, that have demanded some late nights, from all of us, not just the council. Possibly booking less contentious bills on the same night might fix this problem. But limiting the free speech of citizens that have banded together to seek your attention is not the way to fix these late nights. Paying more attention to things that are really important to the constituents that you serve might be well warranted. When you have that many people showing up for hearings, maybe you haven't been listening as well as you might. You are here to represent us, not the other way around. When associations work together to bring you testimony it shows great community activism and should not be limited.

Thank you,
Diane Butler

Sayers, Margery

From: Lisa Markovitz <lmarkovitz@comcast.net>
Sent: Saturday, January 06, 2018 2:00 PM
To: CouncilMail
Subject: CR10

Dear Council Members,

I believe there are many good parts of Council Resolution 10 in current legislation. If anyone can please tell me what the purpose was in proposing to eliminate groups from having 5 minutes instead of 3, please advise.

The public, for the most part, doesn't see any other goal than to limit testimony time due to frustratingly long hearings. The optics on that aren't good as you can imagine. I am hopeful this resolution will be amended to possibly fix whatever problem you see needs fixing in a different way. I would be happy to discuss if you desire, as I am hearing a lot of feedback, as I am sure you also will. I actually think this will backfire and make hearings longer.

Thank you for your hard work.

Lisa Markovitz

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

January 16, 2018

Lisa Markovitz

President, The People's Voice

3205 Corporate Court

Ellicott City MD 21042

CR-10 Support with Amendment

CR10 - 2018

There are several policies in CR10 that are helpful, but we disagree that the 2 minute extra time given to groups should be eliminated. Group leaders are often able to offer helpful suggestions due to hearing many issues from their members, and typically are not just being repetitive.

I suggest that defining a group, and maybe requiring an up front sign-in to get the extra time, indicating a Board of Directors authorization to speak for the group, is a better way to address concerns expressed by Council Members about rule following. HOA's have Boards and one of the biggest complaints I have heard online about this is that they have the right to speak for 5 minutes about issues affecting neighborhoods.

As for members speaking as well as the group leader, that shouldn't reduce time anyway, except for multiple Board Members, noting the group affiliation. Group leaders, given authority to speak for the group, don't even know if other members are going to show up. They have already prepared for 5 minutes. I think the majority of the issues on this particular part of this topic would be relieved by having groups defined and signing in ahead. Those who have not done that just identify as individuals, not part of the group, and then no rules are broken.

Don't punish group leaders, doing their best to give feedback within the rules, and who are clearly authorized to speak for their groups, because of concerns about unenforced rule-breaking. I suggest there are ways to enforce instead of altering, which currently appears to many a squelching action, which could be adopted by other County entities as well, having detrimental affects.

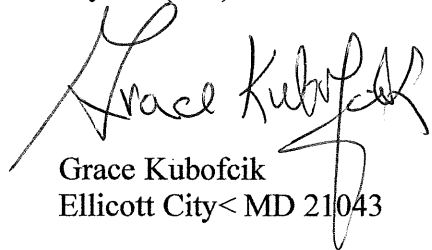
January 16,2018
Re: CR 10-18 HC Council Rules of Procedure

Chairperson Sigaty and members of the County Council:

This past year and recent legislative sessions have certainly demonstrated the strong will of the County Council to listen to all who wish to testify even when it has meant long hours and additional public hearings. This willingness has strengthened public confidence and often has resulted in changes to proposed legislation or resolutions.

I was surprised when I read the proposed changes to the current Rules of Procedure. Specifically I do not support the elimination of 5 minutes of testimony time for organizations. Professional, non-profit, civic, religious, business, agricultural, arts, environmental and other organizations have appeared and testified and using the 5 minutes to convey input from their members. Eliminating this provision will increase the number of individual members of these organizations to appear and testify. (Rule 1.012(b)(2)

The second provision you need to change is the proposal to require individuals to sign up in advance of the hearing on site that is available for at least 30 minutes before the hearing. In addition is the words "who has signed up" under public participation. (Rule 1.012 (b)(2)&(3). By adopting this language you have cut off those who come late to the issue or have been sitting in front of you and discovering based on testimony that they now want to express their point of view. Council chairs have always asked is their anyone (else) who wishes to testify. Please retain that democratic courtesy.



Grace Kubofcik
Ellicott City < MD 21043

SUMMARY OF TESTIMONY

CR10-2018

James D. Walsh

January 16, 2018

I am here before you this evening to voice my concern about one aspect of CR 10-2018, namely its elimination of the 5-minute time limit for representatives of a group.

Most community representatives have learned how to present their cases effectively and succinctly. I believe that allowing a designated group representative to speak for 5 minutes actually helps facilitate Council meetings, because allowing a designated representative to speak for an extra 2 minutes may allow a citizens group to adequately address a number of issues shared by the community, and probably cuts down on repetitive testimony.

If there is any concern about anyone abusing the current system, I would suggest that they could be addressed by some other measure such as requiring written authorization from a group, or by requiring a group to register with the County and designate their spokespersons in advance.