

# County Council Of Howard County, Maryland

2012 Legislative Session

Legislative Day No. 8

## Resolution No. 101 - 2012

Introduced by: The Chair at the Request of the Charter Review Commission

A RESOLUTION proposing to amend Section 208 “Sessions of the County Council; quorum; rules of procedure”, Section 209 “Legislative Procedure”, Section 210 “Recording, printing and compilation of laws”, and Section 604 “Filing of proposed budget; copies” of the Howard County Charter by changing various publication and advertising requirements to provide that certain information also be made available in at least one electronic medium; proposing to amend Section 209 “Legislative procedure” of the Howard County Charter by permitting the County Council to extend the amount of time to post emergency legislation; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XIA of the Maryland Constitution.

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Introduced and read first time \_\_\_\_\_, 2012.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator

Read for a second time and a public hearing held on \_\_\_\_\_, 2012.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator

This Resolution was read for the third time and was Adopted\_\_\_\_, Adopted with amendments\_\_\_\_, Failed\_\_\_\_, Withdrawn \_\_\_\_ by the County Council on \_\_\_\_\_, 2012.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator

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

1 **BE IT RESOLVED** by the County Council of Howard County, Maryland, that  
2 Section 208 “Sessions of the County Council; quorum; rules of procedure” subsection (h)  
3 “Journal”, of Article II, “The Legislative Branch”, of the Howard County Charter, is  
4 hereby amended to read as follows:

5  
6 **Article II. The Legislative Branch**

7 **Section 208. Sessions of the County Council; quorum; rules of procedure.**

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9 (h) *Journal.* The Council shall provide for the keeping of a Journal which  
10 shall be [[open to the public inspection at all reasonable times]] AVAILABLE TO  
11 THE PUBLIC IN ELECTRONIC FORM AT ANY TIME.

12  
13 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,  
14 Maryland, that Section 209 “Legislative Procedure” subsection (c) “Procedure for passage  
15 of laws” and subsection (d) “Procedure for passage of emergency laws”, of Article II,  
16 “The Legislative Branch”, of the Howard County Charter, are hereby amended to read  
17 as follows:

18  
19 **Article II. The Legislative Branch.**

20 **Section 209. Legislative Procedure.**

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22 (c) *Procedure for passage of laws.*

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24 A proposed law may be introduced by bill by any member of the Council  
25 during any legislative session of the Council; provided, however, that the Council  
26 may reject any proposed law on its introduction by a vote of two-thirds of its  
27 members. Every copy of each bill shall bear the name of the member or members  
28 of the Council introducing and co-sponsoring it and the date it was introduced for  
29 the consideration of the Council.

30 Not later than the next calendar day following the introduction of a bill, the  
31 Chairperson of the Council shall schedule a public hearing thereon.

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Within twenty-four hours after the introduction of any bill, a copy thereof and notice of the time and place of the hearing shall be posted by the Administrator of the Council on an official bulletin board to be maintained in a public place by the Council. Such public hearing shall commence not less than ten calendar days after its introduction. The hearing may, but need not be, held during a legislative session and may be recessed from time to time.

The title of each bill and the time and place of the hearing thereon shall be published once a week for two successive weeks in at least one newspaper of general circulation in the County, AND IN AT LEAST ONE ELECTRONIC MEDIUM READILY AVAILABLE TO THE PUBLIC.

After the public hearing, as herein provided, a bill shall be finally passed during a legislative session, with or without amendment. If a bill is amended before it is passed and the amendment constitutes a change of substance, as determined by the affirmative vote of a majority of the Council, the bill shall not be passed until the title of the bill has been rewritten to reflect the substance of the amendment, a date for a public hearing is scheduled thereon and the revised title published in at least one newspaper of general circulation in the County, AND IN AT LEAST ONE ELECTRONIC MEDIUM READILY AVAILABLE TO THE PUBLIC, setting forth the time and place of the hearing to be held thereon.

The title of each enacted bill shall be published once in at least one newspaper of general circulation in the County, AND IN AT LEAST ONE ELECTRONIC MEDIUM READILY AVAILABLE TO THE PUBLIC.

A public hearing shall be held on all resolutions of confirmation of executive and Council appointments to all boards and commissions and in no event shall such resolution of confirmation be adopted less than twenty-five days after its introduction.

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(d) *Procedure for passage of emergency laws.*

To meet an immediate emergency affecting the public health, safety, or welfare, the Council may pass emergency bills. Every emergency bill shall be plainly designated as such, and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the claimed emergency in clear and specific terms. The term "emergency bill" shall not include any measure creating or abolishing any office; changing the compensation, term, or duty of any officer; granting any franchise or special privilege; or creating any vested right or interest.

Upon the introduction of an emergency bill, the Chairperson of the Council shall schedule a public hearing which shall take place not less than thirty-six hours after its introduction. The Administrator of the Council shall, within ~~four~~ TWELVE hours after its introduction, post a copy thereof and notice of time and place of the hearing upon an official bulletin board to be maintained by the Council in a public place, AND IN AT LEAST ONE ELECTRONIC MEDIUM READILY AVAILABLE TO THE PUBLIC.

In accordance with State law, the validity of emergency legislation shall not be affected if passed prior to the completion of advertising thereof. An emergency bill may be passed during any legislative session by an affirmative vote of two-thirds of the members of the Council. The effective date of all emergency bills shall be the date of their enactment.

**AND BE IT FURTHER RESOLVED** by the County Council of Howard County, Maryland, that Section 210 "Recording, printing and compilation of laws" subsection (b) "Printing and publication of laws", of Article II, "The Legislative Branch", of the Howard County Charter, is hereby amended to read as follows:

1           **Article II. The Legislative Branch.**

2           **Section 210. Recording, printing and compilation of laws.**

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4           (b) *Printing and publication of laws.* The Council shall cause each  
5 ordinance, resolution, rule and regulation having the force and effect of law and  
6 each amendment to this Charter to be printed promptly following its enactment  
7 and they shall receive such publication as may from time to time be required by  
8 law. The rules, regulations, ordinances, resolutions and Charter amendments shall  
9 be made available to the public at reasonable prices to be fixed by the Council,  
10 AND IN AT LEAST ONE ELECTRONIC MEDIUM READILY AVAILABLE TO THE PUBLIC.

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12           ***AND BE IT FURTHER RESOLVED*** by the County Council of Howard County,  
13 *Maryland, that Section 604 “Filing of proposed budget; copies”, of Article VI, “Budgetary*  
14 *and Fiscal Procedures”, of the Howard County Charter, is hereby amended to read as*  
15 *follows:*

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17           **Article VI. Budgetary and Fiscal Procedures.**

18           **Section 604. Filing of proposed budget; copies.**

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20           The proposed County budget shall be filed with the Administrator of the Council  
21 and a copy shall be delivered to each member of the Council. At least three  
22 complete copies shall be on file in the office of the Council and shall be available  
23 for inspection by the public during regular business hours. One copy shall be  
24 supplied to each newspaper of general circulation in the County and to each  
25 County library. The budget message and supporting summary tables shall be  
26 reproduced in multiple copies, and a copy shall be made available to any  
27 interested person on request. ALL OF THE DOCUMENTS REQUIRED BY THIS SECTION  
28 SHALL BE MADE AVAILABLE IN AT LEAST ONE ELECTRONIC MEDIUM THAT IS  
29 READILY AVAILABLE TO THE PUBLIC.

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1           **AND BE IT FURTHER RESOLVED** *by the County Council of Howard*  
2           *County, Maryland, that at the next general election to be held in Maryland, the proposed*  
3           *amendments to the Howard County Charter shall be submitted to the voters of Howard*  
4           *County for their adoption or rejection in accordance with the provisions of the Article X*  
5           *of the Howard County Charter and Article XIA of the Maryland Constitution, and if*  
6           *adopted by the majority of the voters, shall stand adopted from and after the 30<sup>th</sup> day*  
7           *following the general election;*

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9           **AND BE IT FURTHER RESOLVED** *by the County Council of Howard*  
10          *County, Maryland, that this Resolution, having been approved by two-thirds of the*  
11          *members of the Howard County Council, stands adopted this \_\_\_\_\_ day of*  
12          \_\_\_\_\_, 2012 *in accordance with Article X of the Howard County Charter.*