

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.

Introduced and read first time June 7, 2012.

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

Read for a second time and a public hearing held on June 18, 2012.

Talked July 2, 2012

By order Stephen M. LeGendre
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This Resolution was read for the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on July 26, 2012.

By order Stephen M. LeGendre
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.**

8
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.**

21
22 (c) *Procedure for passage of laws.*

23
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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(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
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Article II. The Legislative Branch.

Section 210. Recording, printing and compilation of laws.

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

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

Article VI. Budgetary and Fiscal Procedures.

Section 604. Filing of proposed budget; copies.

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

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 30th day
7 following the general election;

8

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 26th day of
12 July, 2012 in accordance with Article X of the Howard County Charter.