

County Council of Howard County, Maryland

2020 Legislative Session

Legislative day # 5

RESOLUTION NO. 57 - 2020

Introduced by: The Chairperson

A RESOLUTION amending the Howard County Council Rules of Procedure to provide for oral testimony via electronic means during certain states of emergency; and generally relating to the County Council's Rules of Procedure.

Introduced and read first time on _____, 2020.

By order _____
Diane Schwartz Jones, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2020.

By order _____
Diane Schwartz Jones, 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This Resolution was read the third time and was Adopted ____, Adopted with amendments ____, Failed ____, Withdrawn ____ by the County Council on _____, 2020.

Certified by _____
Diane Schwartz Jones, 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 **WHEREAS**, Article II, Section 208(f) of the Howard County Charter provides that the
2 Council shall adopt and publish such Rules of Procedure as it determines are desirable for its
3 efficient operation; and

4
5 **WHEREAS**, the Council has determined that the Rules of Procedure must be amended to
6 ensure that the Council operates efficiently and effectively.

7
8 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
9 Maryland this _____ day of _____, 2020 that the Rules of Procedure of the Howard
10 County Council, set forth in Appendix A of the Howard County Code, are amended as follows:

11
12 **Appendix A.**

13
14 **Rules of Procedure for the County Council**
15 **of Howard County, Maryland**

16 Rule 1.012 - Conduct of public hearings.

17 (a) General. The rules in this section apply to public hearings held upon pending legislation,
18 the budget, and other matters subject to public hearings. Normally these hearings will be held in
19 conjunction with regularly scheduled meetings, but they may be scheduled at other times by the
20 Chairperson in accordance with these rules.

21 (b) Preliminary Action.

22 (1) Upon convening the hearing, the Chairperson shall give a brief explanation of the
23 purpose of the hearing and shall cause to be presented any information or data, including
24 reading of the legislation by the Administrator and explanation of the legislation by the
25 Councilmember or a representative of the administration, which is required before the
26 public discussion begins.

27 (2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the time limit for oral
28 testimony at the hearing is:

- 1 a. Three minutes per person, whether speaking as an individual or on
2 behalf of an entity not included in subparagraph c below;
- 3 b. Three minutes for each representative of an entity with multiple
4 representatives speaking on behalf of the entity; or
- 5 c. Five minutes for a single representative of a nonprofit organization or
6 government board, commission, or task force regardless of the number of
7 members or supporters who may testify as individuals.
- 8 (ii) Whenever multiple items of legislation are grouped together for purposes of
9 hearing testimony, the chairperson may extend the limits for a person testifying
10 once about all the items in the group.
- 11 (iii) To qualify as a representative of a nonprofit organization, or government
12 board, commission, or task force, the representative shall submit written
13 certification from the entity or a sworn affidavit that:
- 14 a. Demonstrates that the representative is authorized to offer testimony
15 and take a position to support, oppose, or amend the legislation on behalf
16 of the entity; and
- 17 b. Indicates the number of members in the entity.
- 18 (iv) A certification or affidavit required by this subsection (b)(2) of this Rule
19 shall be submitted to the Administrator:
- 20 a. Electronically in advance of the hearing; or
21 b. In person at the hearing before giving testimony.
- 22 (3) Any individual wishing to testify shall sign up through a system provided by the
23 Administrator. The system shall include an opportunity to sign up in advance of the
24 hearing and an on-site sign up option that shall be available for the period that begins at
25 least 30 minutes before the scheduled time of the hearing and that ends when testimony
26 ends on the hearing's first day. The system shall require that each person provide:
- 27 (i) Name and city or town of residence; and
28 (ii) Telephone number, email address, or mailing address.

1 (c) Public Participation. Any person desiring to speak on the matters or issues under
2 consideration shall sign up under subsection (b)(3) of this Rule and shall proceed when
3 recognized by the Chairperson. Upon initial recognition by the Chairperson, the person shall give
4 the following information before speaking to the issue:

- 5 (1) Name.
- 6 (2) Home 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 consideration.

10 (d) Questions by Council. Any member, upon recognition by the Chair, may question any
11 speaker or witness.

12 (e) Written Testimony. Written testimony on bills may be submitted to the Council at any time
13 following introduction.

14 (F) *ADJUSTMENTS DURING STATE OF EMERGENCY.*

15 (1) THIS SUBSECTION APPLIES DURING A STATE OF EMERGENCY DECLARED BY THE
16 COUNTY EXECUTIVE, GOVERNOR, OR PRESIDENT OF THE UNITED STATES IF PUBLIC
17 GATHERINGS ARE PROHIBITED OR DECLARED TO BE A PUBLIC HEALTH RISK.

18 (2) THE PROVISIONS OF THIS SUBSECTION SUPERSEDE SUBSECTIONS (B) AND (C) OF THIS
19 RULE DURING THE TIMES THAT THIS SUBSECTION APPLIES.

20 (3) (I) AT A PUBLIC HEARING HELD ON PENDING LEGISLATION, THE BUDGET, OR
21 OTHER MATTER SUBJECT TO PUBLIC HEARINGS, THE CHAIRPERSON MAY ALLOW ORAL
22 PUBLIC TESTIMONY BY TELEPHONE OR BY USE OF A WEB-BASED OR VIDEO-CONFERENCE
23 PLATFORM.

24 (II) TESTIMONY IS LIMITED TO:

25 A. TWO MINUTES PER PARTICIPANT;

26 B. THREE MINUTES FOR THE SOLE REPRESENTATIVE OF AN ENTITY

27 DESCRIBED IN SUBSECTION (B)(2)(1)C. OF THIS RULE; OR

28 C. THE TIME THE CHAIRPERSON SETS.

1 (4) (I) A PARTICIPANT MUST SIGN-UP USING THE SYSTEM ESTABLISHED UNDER
2 SUBSECTION (B)(3) OF THIS RULE BY 7 P.M. THE DAY BEFORE THE HEARING AND PROVIDE
3 CONTACT INFORMATION.

4 (II) A PARTICIPANT MUST PROVIDE A TELEPHONE NUMBER, WHICH WILL BE USED
5 TO NOTIFY THE PARTICIPANT ABOUT WHEN AND HOW TO TESTIFY.