

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**1996 Legislative Session**

Bill No. _____ CB-79-1996

Chapter No. _____ 28

Proposed and Presented by _____ Council Member Maloney

Introduced by _____ Council Members Maloney, Scott, Estepp, and Wilson

Co-Sponsors

Date of Introduction _____ July 9, 1996

CHARTER AMENDMENT

AN ACT concerning

Amendment of Section 309, Charter of Prince George's County

For the purpose of proposing an amendment to Section 309 of the Charter of Prince George's County to provide for the filling of a vacancy in the Council by direct election under certain circumstances.

BY proposing an amendment to:

Section 309,

Charter of Prince George's County, Maryland.

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that the following amendment to Section 309, Charter of Prince George's County, Maryland, is hereby proposed:

Sec. 309. Vacancies.

A vacancy in the Council shall exist upon the death or resignation of a Councilman, or upon forfeiture of office by a Councilman. When a vacancy has occurred more than ninety days prior to the primary or general election referred to in Section 303, a majority of the remaining members of the Council shall [appoint a person] schedule a special election within ninety days, but not less than thirty days to fill the vacancy. If a vacancy occurs within ninety days of the primary or general election referred to in Section 303, the vacancy shall remain until the election of the member pursuant to Section 303 and Section 306. If a vacancy occurs within ninety days, but not less than thirty days of any other regularly scheduled election, the

vacancy shall be filled at such election. [within thirty calendar days. If such appointee is to succeed a member of a political party, he shall be selected from a list of three names submitted to the Council by the Central Committee of the party to which the former member of the Council belonged. If the Council has not acted within thirty calendar days, the County Executive shall appoint a person to fill the vacancy within ten calendar days thereafter. If a person having held the vacant position was a member of a political party at the time of his election, the person appointed by the County Executive shall be selected from the same list that the Central Committee of that party has previously submitted to the Council. An appointee shall serve for the unexpired term of his predecessor. Any member appointed to fill a vacancy shall meet the same qualifications and residence requirements as the previous members; provided that when permitted by the Constitution of the State, t] The Council shall provide by law for the conduct of special elections to fill vacancies on the Council that occur during the [first two years of a] term.

SECTION 2. BE IT FURTHER ENACTED that a copy of this Act be transmitted to the County Executive for publication and that a copy also be transmitted to the Board of Supervisors of Elections for submission of the proposed amendment to the voters of this County at the 1996 General Election pursuant to Section 1105 of the Charter.

SECTION 3. BE IT FURTHER ENACTED that the question of adoption of this proposed Charter Amendment shall be submitted to the voters of the County at the General Election occurring on November 5, 1996, and shall be placed on the ballot in the following form:

PROPOSED CHARTER AMENDMENT

To provide that vacancies on the County Council shall be filled by special election under certain circumstances as permitted by the State Constitution.

SECTION 4. BE IT FURTHER ENACTED that this proposed charter amendment shall not be effective unless a proposed amendment to the Maryland Constitution, Chapter 81, Laws of Maryland 1996, is approved by the voters at the General Election occurring on

November 5, 1996.

Adopted this 30th day of July, 1996, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

NOTE: CB-79-1996 WAS APPROVED AT REFERENDUM ON 11/5/96.