

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2003 Legislative Session

Bill No. CB-7-2003

Chapter No. 3

Proposed and Presented by Council Member Shapiro

Introduced by Council Member Shapiro

Co-Sponsors _____

Date of Introduction February 25, 2003

BILL

1 AN ACT concerning

2 Prince George's County Council and County Executive

3 For the purpose of making amendments to provisions of the County Code regarding special
4 elections to fill a vacancy on the County Council and compensation of the County Council and
5 County Executive to conform to amendments to the County Charter approved at the 2002
6 General Election.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 2. ADMINISTRATION.

9 Sections 2-104, 2-110.01, and 2-112.01,

10 The Prince George's County Code

11 (1999 Edition, 2002 Supplement).

12 BY adding:

13 SUBTITLE 2. ADMINISTRATION.

14 Section 2-105,

15 The Prince George's County Code

16 (1999 Edition, 2002 Supplement).

17 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
18 Maryland, that Sections 2-104, 2-110.01, and 2-112.01 of the Prince George's County Code be
19 and the same are hereby repealed and reenacted with the following amendments:

20 **SUBTITLE 2. ADMINISTRATION.**

21 **DIVISION 1. COUNTY COUNCIL.**

1 **Sec. 2-104. Special election to fill vacancy on County Council.**

2 (a) The provisions of this Section shall apply only to a vacancy on the County Council
3 [which] that occurs [more than ninety days prior to the primary or general election referred to in
4 Section 303 of the County Charter. If a vacancy occurs within ninety days of the primary or
5 general election referred to in Section 303, the vacancy shall remain until the election of the
6 member pursuant to Section 303 and Section 306. If a vacancy occurs within ninety days, but
7 not less than thirty days of any other regularly scheduled election, the vacancy shall be filled at
8 such election] during the first three years of a term.

9 (b) When there is a vacancy in the office of a Council Member [which] that occurs during
10 the [period for which a special election is required] first three years of a term, the Council shall,
11 within seven (7) days after such vacancy occurs, adopt a Resolution directing that a special
12 primary and special election by the registered voters of the Council District concerned be held to
13 fill the vacancy. The Resolution shall specify:

14 (1) The date by which a certificate of candidacy must be filed with the Board of
15 Supervisors of Elections;

16 (2) The date for the special primary election; and

17 (3) The date for the special election.

18 (c) The date of the special primary election shall be any Tuesday [which] that is at least
19 forty-five (45) calendar days, but not more than sixty (60) calendar days, following the
20 occurrence of the vacancy. The date of the special election shall be any Tuesday which is at
21 least sixty (60) calendar days, but not more than ninety (90) calendar days, following the
22 occurrence of the vacancy. Polling places shall be open between the hours of 7 A.M. and 8 P.M.
23 No special primary election or special election shall be held within thirty (30) calendar days prior
24 to any regularly scheduled election.

25 (d) The Council shall consult with the Board of Supervisors of Elections before adopting
26 the Resolution described in Subsection (b).

27 (e) The County shall provide funding to cover the costs for the special primary election
28 and special election. The Board of Supervisors of Elections shall identify the costs incurred and
29 submit a request for a supplemental budget appropriation to the Director of the Office of
30 Management and Budget within sixty days after the special election.

1 (f) Except as otherwise specifically provided in this Section, and except where such
 2 construction would be unreasonable, the provisions of Article 33, Annotated Code of Maryland,
 3 the County Charter, and the County Code shall be applicable to special primary elections or
 4 special elections.

5 (g) Within seven calendar days after the adoption of the Resolution directing a special
 6 election, the Board of Supervisors of Elections shall publish once in at least one newspaper of
 7 general circulation a notice that a vacancy has occurred, that a special primary election and
 8 special election will be held on the dates specified to fill the vacancy.

9 (h) In order to have the name of a proposed candidate placed on the ballot, the candidate
 10 shall file with the Board of Supervisors of Elections a certificate of candidacy not later than
 11 twenty-eight (28) days prior to the special primary election.

12 (i) At least 10 days prior to the special primary election and special election, the Board of
 13 Supervisors of Elections shall mail a specimen ballot to the household of each registered voter in
 14 the councilmanic district in which the vacancy occurs. The specimen ballot shall contain the
 15 names of the candidates in the order and form in which they are to be printed on the ballot,
 16 together with a statement, not to exceed 500 words, provided by each candidate.

17 (j) When there is a vacancy in the office of a Council Member that occurs during the last
 18 year of a term, a majority of the remaining members of the Council shall appoint a qualified
 19 person to fill the vacancy within thirty calendar days.

20 **Sec. 2-110.01. Compensation.**

21 (a) The members of the County Council shall receive compensation for the performance of
 22 their public duties under the Charter of \$70,000 per annum, beginning on the first Monday in
 23 December, 2002, and adjusted annually thereafter on the first Monday in December by a
 24 percentage which is seventy-five percent of the percentage by which the Consumer Price Index
 25 for the Washington Metropolitan area as of July 31 shall have changed from the preceding July
 26 31st. The compensation of the Chairman of the County Council shall be fixed at \$5,000 per
 27 annum in excess of the salary of the other council members during such person's term as
 28 Chairman, and the compensation of the Vice Chairman of the County Council shall be fixed at
 29 \$2,500 per annum in excess of the compensation of the other Council members during such
 30 person's term as Vice Chairman.

1 (b) The compensation of members of the County Council, beginning on the first Monday
2 in December, 2006, shall be determined in accordance with Section 308 of the Charter and
3 Section 2-105 of the County Code.

4 **Sec. 2-112.01. Compensation.**

5 (a) The County Executive shall receive compensation for the performance of his public
6 duties under the Charter of \$130,000 per annum, beginning on the first Monday in December,
7 2002, and adjusted annually thereafter on the first Monday in December by a percentage which is
8 seventy-five percent of the percentage by which the Consumer Price Index for the Washington
9 Metropolitan area as of August 31, shall have changed from the preceding August 31st.

10 (b) The compensation of the County Executive, beginning on the first Monday in
11 December, 2006, shall be determined in accordance with Section 406 of the Charter and Section
12 2-105 of the County Code.

13 SECTION 2. BE IT FURTHER ENACTED that Section 2-105 of the Prince George's
14 County Code be and the same is hereby added:

15 **SUBTITLE 2. ADMINISTRATION.**

16 **DIVISION 1. COUNTY COUNCIL.**

17 **Sec. 2-105. Compensation review board.**

18 (a) Not later than December 15 of the last year of each term, the County Executive and the
19 County Council shall appoint members of the Compensation Review Board to study the rate of
20 current compensation for Councilmembers and the County Executive.

21 (i) The Compensation Review Board shall consist of 11 members.

22 (ii) The County Executive shall appoint two members, one of whom shall be
23 designated as the Chairman.

24 (iii) Each member of the County Council shall appoint one member.

25 (iv) Each member of the Compensation Review Board shall be a resident of the
26 County and may not hold any elected public office or elected political party office or be an
27 employee of the County or an employee of any organization which directly or indirectly receives
28 any County funding.

29 (b) The Compensation Review Board shall make a recommendation regarding the amount
30 of compensation to be paid to members of the County Council and to the County Executive not
31 later than the following February 15.

1 (c) Within ninety days following receipt of the Compensation Review Board's
2 recommendation, the Council may amend the recommendation by a vote of not less than two-
3 thirds of the full Council. If the Council fails to amend the recommendation within ninety days,
4 the recommendation of the Compensation Review Board shall stand approved for the term of
5 office which begins on the first Monday in December immediately following.

6 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
7 calendar days after it becomes law.

 Adopted this 18th day of March, 2003.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.