

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2016 Legislative Session**

Resolution No. CR-91-2016

Proposed by Council Member Davis

Introduced by Council Members Davis, Lehman, Harrison, Turner, Glaros, Franklin  
Taveras and Patterson

Date of Introduction November 15, 2016

**RESOLUTION**

1 A RESOLUTION concerning

2 County Council Rules of Procedure

3 For the purpose of amending Rules of Procedure for the County Council.

4 WHEREAS, Section 316 of the Prince George's County Charter provides for the County  
5 Council to adopt and publish rules; and

6 WHEREAS, the County Council Rules of Procedure, as adopted by CR-1-1995 and  
7 amended by CR-3-1996, CR-1-2008, and CR-7-2008, are maintained by the Clerk of the  
8 Council; and

9 WHEREAS, amendments to the Rules of Procedure have been proposed to provide for  
10 notice of public hearing via electronic media, to provide for recording of Council committee  
11 meetings, to provide for posting of committee agenda on public media resources, to provide for  
12 the transmittal of proposed legislation to the Council, and to make technical changes to the  
13 Rules.

14 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
15 County, Maryland, that the Rules of Procedure, be and the same are hereby amended.

16 BE IT FURTHER RESOLVED that a copy of the Council Rules of Procedure, as adopted  
17 by CR-1-1995 and amended by CR-3-1996, CR-1-2008, and CR-7-2008 be and the same are  
18 hereby repealed and readopted with the following amendments:

19  
20  
21  
22

**RULES OF PROCEDURE**

**FOR THE PRINCE GEORGE'S COUNTY COUNCIL**

(As Adopted By CR-1-1995 and Amended by CR-3-1996, CR-1-2008 and CR-7-2008)

**Table of Contents**

**Page**

1

2

3

4

5

6 **1. SCOPE OF RULES.** ..... Error! Bookmark not defined.

7 **2. COUNCIL ORGANIZATION.** ..... **2**

8 2.1. Chair[man] of the Council..... 2

9 2.2. Committees..... 3

10 2.3. Citizens Advisory Boards..... 4

11 2.4. Disorderly Conduct During Committee Meetings. .... 4

12 \* \* \* \* \*

**RULES OF PROCEDURE**

**FOR THE PRINCE GEORGE'S COUNTY COUNCIL**

\* \* \* \* \*

**2. COUNCIL ORGANIZATION.**

**2.1. Chair[man] of the Council.**

(a) The Chair[man] shall be the presiding officer of the Council and preserve order and decorum during the meetings and sessions of the Council.

(b) The Chair[man] shall have general supervision of the County Council offices, hearing and conference rooms, and other building spaces designated or actually used by the Council to conduct its business and shall have the power to order any such place to be cleared or to have any person or persons removed after giving notice.

(c) The Council Administrator shall be the administrative head of the Council and shall have supervisory authority over all the Council employees, except those in the Aide to Council Member classification. The Council Administrator, the Clerk of the Council, the County Auditor, and the Chief Zoning Hearing Examiner shall exercise personnel control and supervision over their respective divisions. The Chair[man]'s actions on administrative matters shall be reported to the full Council in a timely manner and shall stand unless otherwise directed by a majority vote of the full Council.

(d) The Chair[man] shall sign all acts, resolutions and subpoenas, and to all other written

1 documents of, or issued by order of, the Council. In the absence of the Chair[man], the  
2 Vice Chair[man] shall be authorized to sign in the place of the Chair[man].

3 (e) In the absence of the Chair[man], the Vice Chair[man] shall preside. In the absence of  
4 both the Chair[man] and Vice Chair[man], the Council Members present shall elect a Chair[man]  
5 Pro Tempore. The Presiding Officer shall have all the authority and voting rights of the  
6 Chair[man]. If, after a meeting has commenced, it is necessary for the Chair[man] and the  
7 Vice Chair[man] to be absent from time to time, the Presiding Officer may designate a Member  
8 to temporarily preside at the meeting.

9 (f) The Chair[man] may speak on points of order in preference to other members and shall  
10 decide all points of order. The Chair[man]'s decision shall be final unless it is reversed by a  
11 majority vote of Members present. The Chair[man] shall be entitled to make and second motions  
12 and vote on all questions including an appeal from a decision on a point of order. Whenever the  
13 roll is called, the Chair[man] shall be called first. The Chair[man] may elect to vote first or last.

## 14 **2.2. Committees.**

15 (a) All Council committees, committee Chairs[men] and Vice Chairs[men] shall be  
16 appointed by the Chair[man] upon the advice and consent of a majority of the full Council.

17 (b) The following standing committees shall be appointed by the Chair[man] at the  
18 beginning of the Chair[man]'s term of office:

- 19 (1) Transportation, Housing and the Environment
- 20 (2) Public Safety and Fiscal Management
- 21 (3) Planning, Zoning and Economic Development
- 22 (4) Health, Education and Human Services
- 23 (5) Rules and General Assembly

24 Each committee shall have five (5) members.

25 (c) The committee Chair[man] shall cause to be distributed to all Council members an  
26 agenda of items to be considered at each meeting at least three days prior to the meeting. The  
27 agenda shall identify legislative items by bill or resolution number, followed by the last name of  
28 the sponsors and a short title.

29 (d) A quorum of three (3) committee members shall be required to act. All Council  
30 Members of the committee present shall be entitled to vote and all questions shall be decided by  
31 majority vote of those committee members present.

1 (e) Committee of the Whole. At the direction of the Chair[man], the Council shall sit as a  
2 Committee of the Whole. A quorum of five (5) members shall be required to act and all  
3 questions shall be decided by majority vote of those committee members present. When the  
4 Council convenes as the Committee of the Whole, the Administrator shall assign appropriate  
5 staff to record the action of the Committee of the Whole, and prepare any reports or amendments  
6 to be reported by the committee to the Council. So far as applicable, the Rules shall be observed  
7 when the Council is sitting as a Committee of the Whole.

### 8 **2.3. Citizens Advisory Boards.**

9 Pursuant to Section 506 of the Charter, the Council may appoint such advisory boards of  
10 citizens as it may deem appropriate to assist in the consideration of County policies, programs,  
11 and legislative matters. Appointments to such boards shall be made by the Chair[man] upon the  
12 advice and consent of a majority of the Council.

### 13 **2.4. Disorderly Conduct During Committee Meetings.**

14 The chair[man] of any committee shall preserve order and decorum in and adjacent to the  
15 meeting room while the committee is in session, and shall have the power to order any such  
16 place to be cleared.

## 17 **3. RIGHTS AND DUTIES OF THE MEMBERS.**

### 18 **3.1. Attendance.**

19 By the adoption of these rules, the Members of the Council commit to be present for the  
20 convening of all regularly scheduled legislative and business sessions, including public hearings,  
21 at the times designated on the agenda and to attend all meetings or work sessions of Council  
22 committees to which they have been appointed. The Council shall designate times for the  
23 convening of regular legislative and business sessions. Consistent with the times so designated,  
24 the Council Administrator, with the concurrence of the Council Chair[man], shall establish the  
25 times for public hearings. The Clerk shall enter the record of attendance in the minutes for each  
26 legislative or business session. The minutes shall also note the subsequent arrival time of a  
27 Member previously marked absent. The minutes shall contain an explanation of a member's  
28 absence as provided by the Member. The minutes shall reflect that a Member has recused  
29 himself or herself concerning a particular matter under consideration by the Council.

### 30 **3.2. Quorum.**

31 A majority of the Members of the full Council shall constitute a quorum for a legislative

1 session, regularly scheduled business meeting or public hearing. Upon notification by any  
2 Member of the lack of a quorum, the Chair[man] shall notify the Members who are absent from  
3 the chamber, but not from the seat of government, that their presence is required for a quorum.  
4 Upon such notification, the absent Members shall report to the Council chambers. If there  
5 remains a lack of a quorum, the Chair[man] shall recess the meeting to a later time.

6 **3.3. Proclamations and Commendations.**

7 Council proclamations and commendations may be proposed by any Council Member.  
8 Members proposing or initiating proclamations and commendations to be scheduled on the  
9 Agenda shall deliver them to the Council Administrator. Proclamations and commendations  
10 shall normally be scheduled [at 9:30 a.m.] on the second[, fourth and fifth ]Tuesday[s] of each  
11 month that the Council is in session.

12 **3.4. Procedure in Debate.**

13 A Member desiring to present or introduce a bill, introduce a resolution or other matter, or  
14 to make a report or motion, or to speak on any matter, shall first be recognized by the  
15 Chair[man]. A Member shall have the right to be recognized except where debate has been  
16 closed or where recognition is not otherwise in order under the Rules. If two or more Members  
17 seek recognition at the same time, the Chair[man] shall determine which is entitled to the floor.

18 \* \* \* \* \*

19 **3.8. Explanation of Vote.**

20 In any roll call vote a Member who wishes to explain his or her vote [on the subject of  
21 appointments or ceremonial matters] shall be limited to two minutes for such explanation. A  
22 Member may not yield or transfer unused time to any other Member.

23 **3.9. Election of Officers.**

24 The Council shall elect from among its Members not later than December 31 in the year in  
25 which they take office, by majority vote of the full Council, a Chair[man] and Vice Chair[man]  
26 who shall serve for a designated period. The Chair[man] or Vice Chair[man] may be removed at  
27 the will of the Council by an affirmative vote of two-thirds of the Members of the full Council.

28 \* \* \* \* \*

29 **3.11. Offices and Seats.**

30 Offices shall be allocated to the Members by the Chair[man]. Seats on the floor of the  
31 Council shall be assigned by the Chair[man]. Members may by agreement exchange their

1 assigned offices and/or seats.

2 **4. LEGISLATIVE AND BUSINESS SESSIONS.**

3 **4.1. Legislative Sessions and Business Meetings.**

4 The Council shall normally meet in legislative sessions on the first and third Tuesdays and  
5 business meetings on the second and fourth Tuesdays of each month, except August and  
6 December. Additional meetings may be called by the Chair[man] upon notice to each  
7 Council[man] person, or shall be called by the Chair[man] upon the petition of a majority of the  
8 full Council. The Chair[man] may designate additional legislative days, subject to the  
9 limitations imposed by law.

10 **4.2. Location of Sessions and Meetings.**

11 All sessions and meetings will be held at the County Administration Building,  
12 [Upper Marlboro, Maryland, and] or such other places as the Council shall designate.

13 **4.3. Open Meeting Policy.**

14 Except as expressly provided in Title [10] 3, Subtitle [5] 3 of the [State Government]  
15 General Provisions Article, Annotated Code of Maryland, all meetings of the Council, the  
16 District Council, the Board of Health, Council standing and special committees, Citizens  
17 Advisory Committees, Boards and Commissions, in legislative sessions, business meetings,  
18 public hearings, work sessions, and other meetings shall be open to the public.

19 **4.4. Closed Meetings.**

20 (a) A meeting may be adjourned to a closed session for any of the purposes set out in  
21 Section [10-508] 3-305, [State Government] General Provisions Article, Annotated Code of  
22 Maryland.

23 (b) A meeting may be closed upon the vote of a majority present. The motion to close a  
24 meeting shall be in writing and shall state the reason for closing the meeting, cite the statutory  
25 authority for closing the meeting and list the topics to be discussed. If any person objects to the  
26 closing of a meeting, a copy of the written statement shall be forwarded to the State Open  
27 Meetings Law Compliance Board.

28 (c) No action shall be taken and no matter shall be discussed unless it directly relates to the  
29 purpose which required the meeting to be closed.

30 (d) After a closed meeting has been held, the minutes of the next open meeting or session  
31 shall include:

1 (1) A statement of the time, place, and purpose of the closed meeting.

2 (2) The record of the vote of each Member by which the meeting was closed.

3 (3) The citation of statutory authority for closing the meeting.

4 (4) A listing of the topics of discussion, persons present, and each action taken during the  
5 session.

6 (5) The Council Administrator shall provide the foregoing information to the Clerk for  
7 each closed meeting of the Council.

8 (e) The minutes of the closed meeting shall be sealed and maintained in accordance with  
9 Section 4.8 (c).

#### 10 **4.5. Notice of Meetings.**

11 (a) Reasonable advance notice of open and closed meetings shall be given. Notice of  
12 meetings held in closed session shall be reported in the minutes of the next open meeting.

13 (b) Whenever reasonable under all the circumstances, the notice shall be in writing, shall  
14 include the date, time, and place of the meeting, shall include a statement that part or all of the  
15 meeting may be conducted in closed session, and shall be given at least five working days prior  
16 to each meeting or rescheduling thereof.

17 (c) When there are special circumstances which do not permit the regular five workings  
18 days' notice, the Chair[man] may call a special meeting and shall give the required public notice  
19 as expeditiously as possible.

20 (d) The required notice may be given by any of the following means:

21 (1) Posting or depositing the notice at a convenient public location at or near the place of  
22 the meeting. The Clerk of the Council shall notify the public by advertising in County  
23 newspapers of record:

24 (A) that such a method will be regularly employed to give notice to open meetings;  
25 and

26 (B) the location of the public notice board.

27 (2) Delivery to representatives of the news media who regularly report on the sessions,  
28 meetings, or activities of the County government.

29 (3) Any other method reasonably designed to give public notice.

30 (e) When the foregoing required notice of meeting has been given, a meeting may be  
31 recessed or adjourned for a reasonably brief period and then be reconvened without further

1 notice to continue the purpose of the meeting. Prior to such recess or adjournment, the  
2 Chair[man] will state the time and place the meeting will reconvene. If the meeting is recessed  
3 or adjourned without announcement of a time for reconvening, the reconvened meeting shall be  
4 subject to the requirement for notice of meeting.

5 \* \* \* \* \*

6 **4.7. Public Participation.**

7 (a) Reasonable seating facilities shall be provided for the general public at all sessions and  
8 public meetings, and the general public is encouraged to attend. Unless a majority of the Council  
9 present shall direct otherwise, time shall normally be afforded during a session or meeting for  
10 members of the public to address the Council. Persons seeking to address the Council on a  
11 specific matter may be required to state reasons for an appearance in writing.

12 (b) Council work sessions are designed to allow Members an opportunity to formulate  
13 their position and policies, to consider staff studies and recommendations, and to review any  
14 other related record material. The Council may direct specific questions to those in attendance to  
15 clarify or explain a point being considered.

16 (c) Public hearings on pending legislation or the budget are convened for the express  
17 purpose of obtaining public participation and comment. Such hearings may be held on a  
18 legislative or business session day.

19 (d) At all times, order and decorum shall be maintained in keeping with the dignity of the  
20 governmental process, and no person or groups shall interfere with this process. No one shall  
21 delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer. Posters  
22 or placards [must remain outside] are not permitted in the Council Hearing Room. [No smoking  
23 is permitted in the Council Hearing Room.] The number of persons in the Hearing Room shall  
24 not exceed the limit established by the County Fire Department. [Overflow crowds in attendance  
25 for public proceedings may listen to or view proceedings on loudspeakers provided in adjacent  
26 space in the lobby area of the County Administration Building] When practicable, and in  
27 accordance with law, attendees for public proceedings exceeding the legal capacity of the  
28 Hearing Room should be accommodated in an alternate space or area designated by the Council.

29 (e) Smoking, including but not limited to e-cigarettes, e-hookahs, or vaporizing pens, is  
30 strictly prohibited in the Council Hearing Room.

31 (f) The open meetings of the County Council, the County Council committees, and the



1 District Council are recorded [on audio and video tape] and shall be retained in accordance with  
 2 law. [Both audio and video tapes] The recordings are considered public records. The Clerk shall  
 3 establish procedures for persons to review and obtain copies [of the tapes]. Persons who desire  
 4 to televise, videotape, photograph, broadcast or record an open meeting shall make appropriate  
 5 arrangements with the Clerk in advance of the meeting.

6 **4.8. Minutes of Meetings.**

7 (a) Minutes of each meeting shall be kept of items considered, actions taken thereon, and  
 8 each recorded vote. Additional matters may be included.

9 (b) Minutes of an open meeting shall be promptly prepared and shall be open to public  
 10 inspection.

11 (c) The Council Administrator shall prepare the minutes of a closed session in one original  
 12 copy and without duplicate. If the Council Administrator is absent from a closed meeting, the  
 13 Chair[man] shall cause minutes to be kept and delivered to the Council Administrator. The  
 14 minutes of the closed meeting shall be sealed and maintained in the custody of the Council  
 15 Administrator with proper safekeeping to prevent their disclosure. The minutes may not be open  
 16 to public inspection, except as follows:

17 (1) For a meeting closed under the authority of Section [10-508 (a) (5)] 3-305 (b) (5),  
 18 [State Government] General Provisions Article, when the County invests the funds;

19 (2) For a meeting closed under Section [10-508 (a) (6)] 3-305 (b) (6), [State Government]  
 20 General Provisions Article, when the public securities being discussed have been marketed; or

21 (3) Upon the vote of a majority of the full Council.

22 (d) Minutes of open Council meetings shall be prepared by the Clerk. Minutes for all  
 23 other meetings shall be kept at the direction of the chair[man] of the meeting or as prescribed by  
 24 the Council Administrator.

25 **5. AGENDA.**

26 The Chair[man] and Vice Chair[man], in conjunction with the Administrator, shall prepare  
 27 each agenda of the Council and shall have authority to remove items submitted to accommodate  
 28 the time scheduled for the meeting. When such items are removed because of lack of time, they  
 29 shall be placed on the next appropriate agenda. The Chair[man]'s decision shall stand unless  
 30 overruled by a majority of the full Council at any meeting at which the question is considered.

31 (a) The agenda for all legislative and business meetings shall contain, as appropriate, the

1 following:

- 2 (1) The Call to Order, Invocation and Pledge of Allegiance;  
 3 (2) The Consent Agenda;  
 4 (3) Consideration of Items Removed from the Consent Agenda;  
 5 (4) Proposed Correspondence/Administrative Officer's Report;  
 6 (5) Briefings/Discussion Items;  
 7 (6) Second Reading of Bills (Introduction);  
 8 (7) Public Hearings;  
 9 (8) Bills Eligible for Third Reading (Enactment), and Resolutions Eligible for Final

10 Reading (Adoption);

- 11 (9) Requests by the General Public to Address the Council;  
 12 (10) Such other business as will come before the Council;

13 (b) The agenda shall remain open until the close of business fourteen (14) calendar days  
 14 prior to the meeting. Any Member shall have the right to place any bill for presentation or  
 15 introduction, resolution for introduction or other item of business to be presented to the Council.  
 16 Any matter not included on the agenda may be added only upon a vote of majority of the full  
 17 Council. A separate vote shall be necessary for each addition upon the request of any Member.

18 **6. CALL TO ORDER.**

19 (a) The Chair[man] shall take the chair at the date and hour to which the Council was  
 20 adjourned at the last sitting and, on the appearance of a quorum, shall immediately call the  
 21 Members to order. The Clerk shall call the roll. In the absence of the Chair[man] and Vice  
 22 Chair[man] at ten minutes after the time set for the meeting, a quorum of Members being  
 23 present, the Council shall convene. The Clerk shall call the roll and Members shall signify their  
 24 attendance by responding.

25 (b) In the absence of a quorum at ten minutes after the time set for the meeting, the Clerk  
 26 shall record the names of the Members then present.

27 **7. ORDER OF BUSINESS.**

28 After the Invocation and Pledge of Allegiance, the order of business shall proceed  
 29 according to the Agenda. The order of business may be changed at any time by the vote of a  
 30 majority of Members present, or by the Chair[man], unless a majority of the Members present  
 31 object.

1 **8. VOTING.**

2 (a) All questions shall be determined by a majority vote of the Members present, except as  
3 required for:

4 (1) The final action on a bill or resolution;

5 (2) The suspension of rules;

6 (3) The amendment of a bill or resolution after introduction;

7 (4) The approval of a letter requiring the Council Chair[man]'s signature on behalf of the  
8 Council;

9 (5) Any other circumstance specially provided for in these Rules, the Charter for Prince  
10 George's County, Maryland, the County Code, or the Constitution and Laws of the State of  
11 Maryland; or

12 (6) Special voting requirements for confirmation of administrative appointments pursuant  
13 to Section 322 of the Charter.

14 (b) Members must be physically present at the meeting at the time the vote is taken in  
15 order to vote.

16 (c) The Chair[man] shall put questions in the following form: "Those in favor (as the  
17 question may be), say 'Aye'"; and after the affirmative voice is expressed, "Those opposed, say  
18 'No'"; if voice vote cannot be determined or a roll call is requested, the Chair[man] shall direct  
19 the Clerk to call the roll. The Clerk shall announce the results of every vote by roll call and that  
20 vote shall be final, subject to reconsideration in accordance with Section 9.6 of the Rules.

21 (d) All voting except on procedural motions shall be by roll call. In any roll call, the Clerk  
22 shall call the roll of Members alphabetically, after the Presiding Officer shall have been called.

23 (e) A Member who has an apparent conflict, but not an actual conflict of interest as  
24 defined by the Code of Ethics, may act on a matter if, prior to voting, the Member files with the  
25 Clerk of the Council and the Board of Ethics a sworn statement which describes the  
26 circumstances of the apparent conflict and the legislation to which it relates. The statement shall  
27 assert that the Member is able to vote, and otherwise participate in legislative action relating  
28 thereto, fairly, objectively, and in the public interest. The Clerk shall maintain each statement  
29 for the term of office of the Member. All statements filed with the Clerk shall be available for  
30 public review.

31 (f) A Member who has an actual conflict of interest as defined by the Code of Ethics shall

1 state that a conflict of interest exists and that the Member will neither participate in the  
2 consideration of the issue nor vote on the issue.

3 **9. PROCEDURAL RULES.**

4 \* \* \* \* \*

5 **9.3. Stating of Motions; Withdrawal of Motions.**

6 When a motion has been made and seconded, the Chair[man] shall, unless the motion is  
7 ruled out of order, state the question, together with the names of the Members who made and  
8 seconded the motion. After a motion is stated by the Chair[man], it shall be deemed to be in the  
9 possession of the Council, but may be withdrawn by the maker with the concurrence of the  
10 person seconding any time prior to commencement of the vote on such motion.

11 **9.4. Motions in Writing.**

12 If requested by the Chair[man] or any Member, a motion shall be submitted in writing and  
13 read by the Clerk before it shall be debated.

14 \* \* \* \* \*

15 **10. LEGISLATIVE PROCESS - ADMINISTRATIVE REQUIREMENTS.**

16 \* \* \* \* \*

17 **10.2. Form of Legislation.**

18 Every bill or resolution presented and introduced shall be prepared on [Legislative  
19 Information System] formats prescribed by the Clerk. [The Clerk shall prepare and maintain bill,  
20 resolution and agenda item summary formats in forms substantially the same as the formats in  
21 Attachments A, B and C respectively.]

22 (a) **Bill Content.** Each bill should normally have the following content:

23 (1) Heading.

24 (2) Title -- A short title of the subject matter plus a brief summary of the bill's purpose.

25 The wording of the short title and summary will customarily be used by the Clerk to advertise  
26 the bill.

27 (3) Function Paragraph -- States the function of the bill (amend, repeal, add) and the Code  
28 sections concerned.

29 (4) Enacting Sections -- The operative sections of the bill. The enacting clause shall read  
30 "BE IT ENACTED by the County Council of Prince George's County, Maryland".

31 (b) **Numbering of Sections.** Sections of a bill shall be numbered in Arabic numerals.

1 (c) **New and Old Matter.** A bill proposing to amend, repeal, or add to existing law shall  
2 underscore the new matter and place within brackets all matter to be eliminated from existing  
3 law. The text of the Budget Bill, any bill proposing the issue of bonds or other certificates of  
4 indebtedness need not be underscored. It is unnecessary to include deleted language if its length  
5 exceeds two full bill pages. Asterisks shall be used to indicate intervening Code provisions  
6 which are to remain unchanged.

7 (d) **Emergency Bills, Charter Amendments.** If the bill is either a Charter Amendment or  
8 an Emergency Bill, the words "Charter Amendment" or "Emergency Bill" shall be included in  
9 the heading of the bill and the adoption clause shall indicate adoption by a two-thirds vote.

10 \* \* \* \* \*

11 **11. PRESENTATION (FIRST READING).**

12 **11.1. Debate on Presentation (First Reading).**

13 Bills eligible for presentation shall be listed on the Consent Agenda and the full titles shall  
14 be printed. Unless a bill is removed from the Consent Agenda, there shall be no debate or  
15 discussion on the bill during the time it is before the Council on presentation. If the bill has been  
16 removed from the Consent Agenda, the Member presenting the bill may make an explanatory  
17 statement as to the purpose of the bill, not to exceed two minutes in length. If a Council Member  
18 desires to join in the sponsorship of the bill, the Chair[man] shall thereupon so instruct the Clerk.

19 **11.2. Committee Referrals.**

20 (a) By the adoption of these rules, the Council agrees to observe the established practice of  
21 "presenting" a bill prior to introduction, thereby permitting, before Council Public Hearing  
22 Notices are advertised, in-depth examination and possible refinements after review of the  
23 legislation's fiscal effects and other pertinent information supplied by interested persons. The  
24 Council agrees that no bill shall be presented (or introduced, if presentation is bypassed) after  
25 September 30 of each year, except: (1) emergency bills; (2) Charter amendments; (3) bills  
26 appropriating funds or levying a tax; (4) bills authorizing the sale of bonds, creating a project in  
27 the Capital Improvements Program, or transferring appropriations between projects in the Capital  
28 Budget; and (5) bills approving labor agreements, and attendant legislation necessary to  
29 implement the provisions of such agreements. Upon presentation of each bill, it shall be referred  
30 by the Chair[man] to the appropriate committee. The bill shall be returned by the committee to  
31 the Council for introduction within thirty (30) working days unless deferred for an additional

1 period of thirty (30) working days, or unless held in committee as set forth below. Nothing  
 2 herein shall preclude a committee's review of a bill prior to presentation or a resolution prior to  
 3 introduction. The committee may take the following actions:

- 4 (1) Report out with favorable recommendation;
- 5 (2) Report out with unfavorable recommendation;
- 6 (3) Report out with no recommendation;
- 7 (4) Report out with favorable recommendation, as amended;
- 8 (5) Hold in committee upon request of the proposer(s) and presenter(s);
- 9 (6) Hold in committee for further study; or
- 10 (7) Hold in committee indefinitely;

11 (b) Upon introduction, each resolution shall be referred by the Chair[man] to the  
 12 appropriate committee unless the matter has already been considered by committee. A resolution  
 13 may be held in committee upon the request of the proposer(s).

14 (c) Any Member may present a bill or introduce a resolution at any Council Business or  
 15 Legislative Session, provided that an original copy of said bill or resolution has been filed with  
 16 the Council Administrator fourteen (14) calendar days prior to the session.

17 (d) Any Member may introduce a bill on any Legislative Session day. If a bill is  
 18 introduced without presentation, the Chair[man] may refer the bill to committee.

### 19 **11.3. Committee Procedures.**

#### 20 **(a) Committee Agenda.**

21 The Council Administrator shall cause to be prepared an agenda for each work session  
 22 scheduled by the standing committees. The Agenda shall be distributed to all Members, the  
 23 County Executive, appropriate resource personnel, and press representatives and posted on the  
 24 public notice board and other Council public media resources.

#### 25 **(b) Committee Meetings.**

26 (1) For each item to be considered by the committee, the proposer or sponsor shall  
 27 present the item to the committee and respond to questions concerning the item.

28 (2) The committee shall receive comments from the Council staff and appropriate  
 29 Executive staff. Members may address questions to the staff.

30 (3) Unless the committee is considering a matter which is required to be decided  
 31 upon a record that results from a public hearing process which has been conducted, the

1 committee shall receive comments from members of the public. Members may address  
 2 questions to members of the public. The chair[man] may announce in advance or at the time set  
 3 for comments a reasonable time limitation for comments from members of the public so that all  
 4 may have an opportunity to be heard.

5 (4) The committee may deliberate and take appropriate action concerning the item.  
 6 Final action shall be by roll call vote. During deliberations the committee may address questions  
 7 to appropriate staff. Public comments are not in order during committee deliberations.

8 **(c) Committee Hearings.**

9 Upon notice to the public, the chair[man] of any committee may convene the committee to  
 10 conduct informational or investigatory hearings.

11 **(d) Report of Action.**

12 The Chair[man] of each standing committee shall direct the staff director of the committee  
 13 to prepare a report of the bills and resolutions upon which the committee acted. The report shall  
 14 give the number of each bill or resolution, the nature of the action thereon, and each recorded  
 15 vote. The report shall serve as the minutes of the committee meeting. The committee's recorded  
 16 vote shall show how each Member present voted and the names of committee members absent  
 17 from the vote. The Council Administrator shall provide copies of the report to Members and to  
 18 the Clerk who shall maintain it as a public record.

19 **(e) Bills and Resolutions Reported to Council.**

20 Every bill or resolution upon which a committee has taken final action shall be so reported  
 21 to the floor of the Council. At any time after the public hearing on a bill and before its final  
 22 enactment, or at any time prior to the final enactment of a resolution, a bill or resolution may be  
 23 returned to committee upon a majority vote of the full Council.

24 **(f) Committee Amendments.**

25 When a bill or resolution is reported from committee with amendments, the amendments as  
 26 proposed shall be incorporated into the bill or resolution. The Legislative Officer shall review  
 27 each bill or resolution reported by a committee prior to introduction.

28 **11.4. Fiscal Effect.**

29 If a bill or resolution on enactment or adoption would result in an increase or decrease in  
 30 County revenues, appropriations, or fiscal liability, the committee which considered the bill or  
 31 resolution shall, in its report, as provided by the County Auditor, explain these fiscal effects to

1 the Council. When requested, the Office of Finance and/or the Office of Management and  
2 Budget shall assist in the preparation of information required by the committee. Proposed  
3 legislation submitted by the County Executive shall be accompanied by a statement of its fiscal  
4 effect.

5 **12. INTRODUCTION (SECOND READING).**

6 **12.1. Debate on Introduction (Second Reading).**

7 (a) Prior to introduction the Chair[man] shall read each bill by short title. The chair[man]  
8 of the committee to which the bill was referred shall provide a report of the action and  
9 recommendation of the committee. A member may address questions concerning the bill to the  
10 committee chair[man], at the leave of the Presiding Officer.

11 (b) The Council shall consider amendments to each bill proposed by the committee and  
12 additional amendments as may be proposed by any member prior to introduction of the bill.

13 (c) There shall be no debate on any bill during the time it is before the Council for  
14 introduction unless there is a motion to amend or reject the bill. Debate on a motion to amend,  
15 duly seconded, shall be limited to the substance of such amendment. Debate upon a motion to  
16 reject, duly seconded, shall be limited to the merits of the bill.

17 (d) The Chair[man] shall declare the bill to be introduced.

18 \* \* \* \* \*

19 **12.3. Introduction of Bills.**

20 Subsequent to committee action, the committee chair[man] shall forward an original copy  
21 of the bill, as amended, and the committee report to the Council Administrator, for transmittal to  
22 the Clerk, at least seven (7) calendar days prior to the convening of the legislative session.

23 **12.4. Sponsorship of Bills and Resolutions.**

24 The sponsor of every bill and resolution shall be indicated on the heading.

25 (a) Only the names of Council Members initiating a bill or resolution shall appear on the  
26 "Proposed and Presented by" line. Other Members may join as sponsors of a bill or resolution by  
27 statement during a Council Session or by written notice to the Clerk. If such statement or notice  
28 is given prior to the time of introduction, the names of such Members shall be entered on the  
29 "Introduced by" line following the names of the initiating Members. If the statement or notice is  
30 given after introduction but prior to 3rd or Final Reading, their names shall be placed on the "Co-  
31 Sponsors" line. Names of Members may not be added to legislation after final action on it has



1 been taken by the Council. The Clerk shall reprint copies of bills and resolutions to reflect  
2 sponsors at the time of introduction, but no further revisions need be made until the final draft is  
3 prepared.

4 (b) Legislation shall be introduced by one or more Members.

5 (c) The proposer(s) and presenter(s) shall have the right to withdraw the legislation, or  
6 have his or her name stricken from the heading, at any time prior to introduction.

7 (d) Proposed legislation transmitted to the Council by the Executive[,] or Planning Board  
8 [shall] may be placed on the next appropriate agenda [for presentation] by the Chair[man] "by  
9 request".

10 \* \* \* \* \*

11 **13. PUBLIC HEARINGS.**

12 \* \* \* \* \*

13 **13.2. Public Hearing.**

14 Following the introduction of a bill the Chair[man] shall schedule a public hearing on the  
15 bill not earlier than fourteen (14) working days after its introduction.

16 (a) Notice of the time and place of the public hearing and the title or summary of the  
17 contents of the bill shall be published in the County newspapers of record and other County  
18 maintained electronic media once a week for two successive weeks immediately prior to the  
19 public hearing. Special requirements relating to notice of certain public hearings are contained  
20 in [Section 7-108 (d) (3) (Zoning Plans), 7-116 (d) (Subdivision Regulations), and 8-115 (b)  
21 (Building Code), Article 28] the Land Use Article, Annotated Code of Maryland. Zoning bills  
22 shall normally be scheduled for public hearing between thirty-five (35) and forty-five (45) days  
23 after introduction. Subdivision bills shall normally be scheduled for public hearing between  
24 forty (40) and sixty (60) days after introduction. All hearings shall be scheduled during normal  
25 business hours unless the Council, by concurrence, shall direct otherwise. [District Council  
26 hearings shall be scheduled during normal business hours unless there are twenty-five (25) or  
27 more parties of record and a Council Member has requested, in writing, that the hearing be held  
28 outside of normal business hours.]

29 (b) A copy of the bill and notice of the time and place of the public hearing on the bill shall  
30 be posted by the Clerk within [five] ten working days after the bill's introduction on the public  
31 notice board.

1 (c) Public hearings on administrative appointments by the County Executive shall be held  
 2 not less than ten (10) working days and not more than thirty (30) working days after their  
 3 submission to the Council by the County Executive.

4 (d) Public hearings on all other matters shall be held upon the order of the Chair[man] or  
 5 upon a motion, duly seconded and approved by a majority of the full Council.

6 (e) Copies of proposed legislation or other subject matter shall be made available in  
 7 reasonable numbers for distribution to the press and the public at the time of hearing and at the  
 8 office of the Clerk prior to the hearing. Unless required by law, a verbatim transcript shall not be  
 9 taken except upon order of the Chair[man]. A quorum shall be required to conduct a public  
 10 hearing. The Clerk shall record Members present and absent for each session in which a public  
 11 hearing is held.

### 12 **13.3. Preliminary Action.**

13 Upon convening the hearing, the Chair[man] shall give a brief explanation of the purpose of  
 14 the hearing and shall cause to be presented any information or data which is required before  
 15 public discussion and comments begin.

### 16 **13.4. Information from Public.**

17 Each person who wishes to speak shall be recognized by the Chair[man], come forth and  
 18 state the following information:

19 (a) Name

20 (b) Address

21 (c) Person or organization represented, or that the speaker is speaking individually.

22 \* \* \* \* \*

### 23 **13.6. Questions.**

24 Any Member, upon recognition by the Chair[man], may briefly question any speaker.  
 25 Members and speakers shall refrain from engaging in debate. After having been recognized one  
 26 time, a Member shall not speak again until all other Members have been afforded the opportunity  
 27 to comment or question the speaker; provided, however, that a Member may yield to another  
 28 Member.

### 29 **13.7. Record.**

30 The record of a public hearing shall remain open until the date and time specified by the  
 31 Chair[man] that the record will be closed.

1 \* \* \* \* \*

2 **14. ENACTMENT OR ADOPTION (THIRD OR FINAL READING).**

3 \* \* \* \* \*

4 **14.2. Final Action.**

5 (a) Prior to final action on a bill, the Chair[man] shall read the bill by short title. No bill  
6 shall be enacted except by the affirmative vote of a majority of the full Council. Prior to final  
7 action on an emergency bill, the Chair[man] shall read the bill by short title and shall read the  
8 emergency stated in the bill. No emergency bill shall be enacted except by an affirmative vote of  
9 two-thirds of the Members of the full Council. Adoption of resolutions shall require the  
10 affirmative vote of a majority of the full Council.

11 (b) No amendment to a bill may be acted upon by the Council on the day of the public  
12 hearing or subsequent thereto, unless the Council has been convened in legislative session. No  
13 amendment to a bill or resolution shall be adopted by less than a majority vote of the full  
14 Council.

15 (c) When time permits, proposed amendments shall be typed on a separate form. The  
16 Clerk shall distribute the proposed amendments to every Member. This requirement shall not  
17 preclude the offering of amendments orally during debate. Upon the direction of the Chair[man],  
18 the bill shall be reprinted incorporating all amendments. Amendments shall be numbered by the  
19 Clerk in order of introduction. Voting on amendments may be by item where presented by  
20 separate enumeration and by an entire redraft when substituted for the draft that was introduced  
21 and considered at the public hearing.

22 **14.3. Enrolled Copy.**

23 After passage of a bill, the Clerk shall promptly prepare and certify the enrolled copy in  
24 printed or typewritten form which shall be presented to the Chair[man]. By signing, the  
25 Chair[man] shall certify the enrolled copy as being the text as finally enacted. The copy so  
26 certified by the Chair[man] shall be conclusive evidence of the bill as enacted and shall be  
27 maintained by the Clerk in an official file of Acts of the County Council. On enrolling, the Clerk  
28 shall have authority to correct obvious errors in section references and number, references to  
29 existing law, capitalization, spelling, grammar, headings, and similar matters. Similar  
30 corrections may be made by the Legislative Officer in the preparation of the Code and Code  
31 Supplements.

1 **15. BILLS SENT TO EXECUTIVE.**

2 **15.1. Presentation.**

3 Enrolled copies of all bills requiring the County Executive's consideration shall be delivered  
4 to the Executive's office by the Clerk within [five] ten working days after final passage by the  
5 Council. A receipt of delivery shall be obtained from a person authorized by the County  
6 Executive to receive bills on the Executive's behalf. A journal notation of the time and date  
7 delivered, the person delivering, and the person accepting delivery shall be made.

8 **15.2. Vetoes.**

9 When a bill has been vetoed by the Executive and returned to the Clerk of the Council, the  
10 Executive's message containing the objections to the bill shall be entered upon the journal. Not  
11 later than at its next legislative session, the Council shall reconsider the bill. The Chair[man]  
12 shall put the question, "Shall the earlier action of the Council be affirmed notwithstanding the  
13 objections of the Executive?" The question is debatable. The votes of six (6) Members shall be  
14 necessary to pass the bill over the Executive's veto. The vote of the Council shall be determined  
15 by roll call and entered upon the journal.

16 \* \* \* \* \*

17 **17. CLERK OF THE COUNCIL.**

18 The Clerk of the Council shall be directly responsible to the Council Administrator and  
19 shall have the following specific duties:

20 \* \* \* \* \*

21 **(g) Permanent Records.**

22 The Clerk shall maintain the journal of legislation containing a permanent record of every  
23 law as finally passed and enrolled. The Clerk shall also maintain a permanent record of all  
24 minutes and proceedings of the Council, including a permanent file of resolutions adopted by the  
25 Council. The Clerk shall be responsible for maintaining in a secure storage area all current and  
26 prior permanent records of the Board of County Commissioners, and of the County Council,  
27 together with true and exact copies of all rules and regulations adopted by the County Council or  
28 any other applicable documents of a permanent nature. [Microfilm of records, t] To the extent  
29 [that such] records are made, they shall be maintained in a separate place and a copy shall be  
30 filed under regulations of the State of Maryland Hall of Records Commission.

\* \* \* \* \*

**18. COUNTY AUDITOR.**

All requests for financial or performance audits and special reports from the Office of Audits and Investigations shall be submitted to the Administrator, who shall cause the matter to be placed on the next appropriate Agenda for Council consideration. Upon Council approval, the Administrator shall transmit the request, in writing, to the Auditor. Upon completion of such an audit or report, the Auditor shall forward a sufficient quantity to the Administrator, who shall provide a copy to all Members and to all appropriate agencies and departments. Reports on financial and performance audits by the County Auditor shall be available for release to the press and the public, twenty-four (24) hours after distribution to Members' Offices and the Office of the County Executive. Any report by the County Auditor containing information that could lead to a criminal investigation shall be referred by the Chair[man] to the Prince George's County State's Attorney and the report shall not be released to the press or the public until the State's Attorney assents to such release.

\* \* \* \* \*

**20. MISCELLANEOUS.**

**20.1. Subpoena Power; Oaths.**

(a) Pursuant to the authority granted by Section 1012 of the Charter, the Council is empowered to administer oaths, compel the attendance of witnesses, and require the production of records and other materials in connection with any investigation, inquiry, or hearing authorized by law or by the Charter.

(b) Oaths may be administered by the Chair[man], Vice Chair[man], or Presiding Officer at any session, meeting, hearing, or other proceeding of the Council or of a Council Committee.

(c) The subpoena power of the Council shall extend not only to Council proceedings but also to any other investigation, inquiry, or hearing which is conducted under the authority of the law or of the Charter. Issuance of any subpoena authorized by this Rule shall be by signature of the Council Chair[man] or, if absent, of the Acting Chair[man].

(d) When directed by two-thirds vote of the full Council, the Chair[man] shall issue the subpoena and direct its service.

(e) (1) Notwithstanding the requirement for a two-thirds vote of the Council, a subpoena may be issued where a request for the subpoena has come from an agent or agency authorized by

1 law to request a subpoena from the Council and where the agent or agency certifies in writing the  
2 particulars necessary to issue the subpoena and the following:

3 (A) A hearing or proceeding has been commenced and the taking of testimony has  
4 been postponed for the issuance of a subpoena, and

5 (B) The testimony or documents of the party to be subpoenaed has been shown to the  
6 satisfaction of the agent or agency to be clearly material to the issues under consideration and  
7 absolutely necessary for a fair and impartial determination by the agent or agency.

8 (2) When the special circumstances in paragraph (1) next above have been met, the  
9 subpoena may be issued by vote of a majority of the members of the full Council; or by the  
10 Chair[man] if there is no meeting of the Council scheduled during the ten (10) calendar days  
11 following delivery to the Council offices of the subpoena request.

12 (f) Service of any subpoena issued under this Section may be accomplished by personal  
13 service by any person designated by the Chair[man], including an agent or representative of any  
14 agency described in Subsection (e), above.

15 (g) When evidence has been transmitted to the Council that a subpoena issued under this  
16 Rule has not been complied with by the party subpoenaed, the matter shall be referred to the  
17 Office of Law for enforcement by court proceedings, provided that such reference has been  
18 directed by:

19 (1) Vote of a majority of the Members of the full Council; or

20 (2) The Chair[man], if there is no meeting of the Council scheduled during the ten (10)  
21 calendar days following delivery to the Council offices of the evidence of noncompliance.

## 22 **20.2. Council Appointments to Commissions or Boards.**

23 (a) When there is a vacancy on a Commission or Board which must be filled by the  
24 County Council, the Chair[man] shall solicit written recommendations for the appointment(s)  
25 from all Council Members. The Council shall meet, in executive session, as the Committee of  
26 the Whole to discuss the merits of the proposed appointee(s). The appointment shall be  
27 confirmed upon a majority vote of the full Council in a public session.

28 (b) Where the Chair[man] is given sole authority to make an appointment, the Chair[man]  
29 may do so without resort to the procedure outlined in (a).

## 30 **20.3 Former Members of the Council.**

31 At the discretion of the Chair[man], a former Member may be granted the privileges of the

1 floor of the Council for ceremonial and social purposes.

2 **20.4 Security.**

3 The Chair[man] and the Administrator shall provide for the security of the Council in its  
4 offices and meeting rooms.

5 BE IT FURTHER RESOLVED, that the amendments to the Rules of Procedure adopted by  
6 this Resolution shall be effective on and after the date of adoption of this Resolution.

Adopted this 15th day of November, 2016.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council