

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2006 Legislative Session

Bill No. CB-58-2006
 Chapter No. 25
 Proposed and Presented by Council Member Dernoga
 Introduced by Council Members Dernoga, Peters, Dean, Knotts, Exum, Harrington,
Campos and Bland
 Date of Introduction June 20, 2006

CHARTER AMENDMENT

1 AN ACT concerning

2 Sections 402, 607, 804, and 806, Charter of Prince George's County

3 For the purpose of proposing a new Section 607 and amendments to Sections 402, 804 and 806
 4 of the Charter of Prince George's County to provide a statement of the County's policy to
 5 encourage and support local and minority business in the County, to amend the time for Council
 6 consideration of the proposed County budget; to provide that the annual budget document
 7 contain forecasts of goods and services that would necessitate competitive bidding; and to
 8 provide that reports of certain positions in the exempt service be submitted semi-annually.

9 BY adding:

10 Section 607,

11 Charter of Prince George's County, Maryland.

12 BY proposing amendments to:

13 Sections 402, 804, and 806,

14 Charter of Prince George's County, Maryland.

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 16 Maryland, that the following new Section 607 and amendments to Sections 402, 804, and 806 of
 17 the Charter of Prince George's County be and the same are hereby proposed:

18 **Section 402. Executive Power and Duties.**

19 All executive power vested in Prince George's County by the Constitution and laws of
 20 Maryland and this Charter shall be vested in the County Executive who shall be the chief
 21 executive officer of the County and who shall faithfully execute the laws. His powers, duties,

and responsibilities shall include, but shall not be limited to: (1) preparing and submitting to the Council and the public, within six months after the close of the fiscal year, an annual report on the activities and accomplishments of the County government, including a detailed financial statement; (2) providing the Council, or a committee thereof, with any information concerning the executive branch which the Council may require for the exercise of its powers; (3) recommending to the Council such measures for legislative action as he may deem to be in the best interests of the County; (4) appointing the head of each agency of the executive branch, subject to confirmation by the Council as required by Section 322 of this Charter, and removing the same at his discretion; (5) preparing an executive pay plan which establishes the compensation of the Chief Administrative Officer and the head of each agency of the executive branch, subject to the approval of the Council; (6) appointing the members of all boards and commissions subject to confirmation by the Council as required by Section 322 of this Charter, unless otherwise prescribed by law or this Charter; (7) insuring that County funds in excess of those required for immediate needs are invested in the best interests of the County; (8) signing or causing to be signed on the County's behalf all deeds, contracts and other instruments, including those which, prior to the adoption of this Charter, required the signature of the Chairman or any member of the Board of County Commissioners, and affixing the County Seal thereto; [and] (9) preparing and submitting to the County Council semi-annual reports of certain exempt positions consistent with Section 806 of this Charter; and (10) enforcing all laws in the County except as otherwise provided for by state law or charters of municipalities located within the County.

Section 607. Local and Minority Business.

The County is committed to the encouragement and support of local and minority businesses consistent with requirements of Federal and State law.

Section 804. Public Hearings by County Executive and Submission of the County Budget.

The County Executive shall hold one or more advertised public hearings on the proposed budget prior to submission to the Council. Not later than [March 31] March 15 of each fiscal year, the County Executive shall submit to the Council the proposed County budget for the ensuing fiscal year.

Section 806. Contents of the Operating Budget.

(a) The proposed operating expense budget shall contain the following information: (1) a statement of all revenue estimated to be received by the County during the ensuing fiscal year,

classified so as to show the receipts by funds and sources of income; (2) a statement of debt service requirements for the ensuing fiscal year; (3) a statement of the estimated surplus if any, available for expenditure during the ensuing fiscal year, and any estimated deficit in any fund required to be made up in the ensuing fiscal year; (3.1) the proposed expenditures of the Legislative Branch as submitted by the Council; (4) an estimate of the expenditures which the County Executive deems necessary for conducting the business of the County to be financed from and not to exceed estimated revenue for the ensuing fiscal year; (5) a statement of the bonded and other indebtedness of the County government and its agencies, including self-liquidating and special taxing district debt and contingent liabilities; (6) a statement of the proposed contingency reserves, subject to appropriation only in accordance with Section 816 of this Charter, which shall equal five per centum of the general fund, provided, however, that if an emergency results in a depletion of the reserve by more than thirty per centum, the reserve deficit may be refunded within the next two fiscal years; (7) a comparative statement of the actual revenues and expenditures for the last completed fiscal year; the budgeted and estimated revenues and expenditures for the currently ending fiscal year; and the projected revenues and expenditures recommended by the Executive for the ensuing fiscal year; [and] (8) forecast of goods and services that would necessitate competitive bidding for the ensuing fiscal year; and (9) any other material which the County Executive may deem advisable or the Council may require by resolution.

(b) Concurrent with the submission of the proposed annual operating budget, the County Executive shall submit to the County Council a report of all exempt positions pursuant to Section 902(2), (3), (4), (5), (9), and (13) of this Charter. The report shall include the name of the incumbent and compensation for all such positions for the six-month period ending the prior March 1. A second report for the six-month period ending September 1 shall be submitted not later than September 15 of each year. A similar report shall be filed in the manner prescribed herein by the County Council for the Legislative Branch.

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 2006 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 7, 2006, and shall be placed on the ballot in the following form:

PROPOSED CHARTER AMENDMENT

To provide a statement of the County's policy to encourage and support local and minority business in the County, to amend the time for Council consideration of the proposed County budget; to provide that the annual budget document contain forecasts of goods and services that would necessitate competitive bidding; and to provide that reports of certain positions in the exempt service be submitted semi-annually.

Adopted this 18th day of July, 2006, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

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

CB-58-2006 WAS APPROVED AT REFERENDUM ON 11/7/2006
EFFECTIVE DATE: 12/8/2006