

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2012 Legislative Session

Bill No. CB-65 -2012

Chapter No. 49

Proposed and Presented by Council Member Harrison

Introduced by Council Members Harrison, Franklin, Lehman, Olson, Patterson,
Turner and Toles

Date of Introduction September 18, 2012

BILL

1 AN ACT concerning

2 Boards and Commissions - Residency Requirement

3 For the purpose of requiring appointees and candidates for appointment to County boards and
4 commissions, subject to Section 322 of the County Charter, to reside in Prince George's County
5 at the time of their confirmation; to maintain County residency throughout their length of
6 service; and providing for a reporting requirement and expiration of service upon discontinuing
7 County residency.

8 BY repealing and reenacting without amendments:

9 SUBTITLE 2. ADMINISTRATION.

10 Sections 2-112.03, 2-112.04, 2-112.05, 2-112.06,

11 The Prince George's County Code

12 (2011 Edition).

13 BY adding:

14 SUBTITLE 2. ADMINISTRATION.

15 Section 12-112.06.01,

16 The Prince George's County Code

17 (2011 Edition).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's
19 County, Maryland, that Sections 2-112.03, 2-112.04, 2-112.05, and 2-112.06, of the
20 Prince George's County Code be and the same are hereby repealed and reenacted
21 without amendments:

SUBTITLE 2. ADMINISTRATION.**DIVISION 2A. ADMINISTRATIVE APPOINTMENTS.****Sec. 2-112.03. Legislative intent.**

(a) It is the expressed intent and purpose of the County Council to achieve, through this legislation, an informative and organized method of reviewing and considering the qualifications of those individuals appointed by the County Executive under Section 322 of the Charter for Prince George's County and those individuals appointed by the County Executive to serve on the Washington Suburban Sanitary Commission and the Maryland-National Capital Park and Planning Commission.

(b) Further, it is the expressed desire of the County Council to make public that information upon which the confirmation decision is made, except that information which is required to be held in confidence, enabling the citizens of Prince George's County to have available sufficient information in order to completely and responsibly comment during the public hearing on any above-mentioned appointment.

Sec. 2-112.04. Standardized Data Form Required.

In order to establish qualifications and suitability for employment and service, the County Executive shall send to the County Council a Standardized Appointee Data Form, as set forth in Section 2-112.05 of this Division, completed under oath or affirmation in due form of law by every individual appointed in accordance with Section 322 of the Charter for Prince George's County, Maryland, and every individual appointed by the County Executive to the Washington Suburban Sanitary Commission and the Maryland-National Capital Park and Planning Commission, subject to confirmation by the County Council.

Sec. 2-112.05. Format for Standardized Appointee Data Form.

(a) The County Executive shall assemble or cause to have assembled a Standardized Appointee Data Form which shall be completed by all individuals as set forth in Section 2-112.04 of this Division. The completed Standardized Appointee Data Form shall be presented to the County Council at the time at which an individual, as set forth in Section 2-112.04 of this Division, is appointed by the County Executive for Prince George's County, Maryland. A copy of the completed Standardized Appointee Data Form shall also be transmitted to the Clerk of the County Council and shall immediately be made a document of public record and thus shall be made available for public review upon request. The Standardized Appointee Data Form shall be

1 established as a standard County form to be completed by all individuals appointed as set forth in
 2 Section 2-112.04 of this Division and shall reflect the following information regarding the
 3 appointee:

- 4 (1) Current full legal name;
- 5 (2) Current legal address and all past addresses established within five years
 6 immediately preceding the date of completion of this form and current citizenship;
- 7 (3) Current home and business phone numbers;
- 8 (4) List of present and all past employment occupations during the past five years
 9 including name, address, date of employment and termination, reason for termination, brief job
 10 description for each occupation, names of immediate supervisors;
- 11 (5) All education received, name and location of educational institutions attended,
 12 degrees acquired, date and cause for any dismissal from such educational institutions, any
 13 additional training received;
- 14 (6) Current and previous memberships in professional, civic, and fraternal
 15 associations or organizations where related to the qualifications for the appointive position;
- 16 (7) Statement of any felony conviction;
- 17 (8) Military experience including length of service, and rank achieved;
- 18 (9) Five personal references not to include members of family;
- 19 (10) Additional information - special qualifications, skills, data which the appointee
 20 wishes to submit.

21 **Sec. 2-112.06. Criminal Records.**

22 The County Executive for Prince George's County shall endeavor to obtain through the
 23 Prince George's County Police Department a copy of a Federal Bureau of Investigation criminal
 24 report for each individual appointed as set forth in Section 2-112.04 of this Division. Such
 25 information, when acquired by the County Executive, shall be confidential information and shall
 26 be made available at the time of appointment to the members of the County Council or the
 27 individual appointee upon written or oral request.

28 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince
 29 George's County, Maryland, that Section 2-112.06.01, of the Prince George's County
 30 Code be and the same is hereby added:

31 **SUBTITLE 2. ADMINISTRATION.**

DIVISION 2A. ADMINISTRATIVE APPOINTMENTS.

Section 12-112.06.01. Residency Requirement.

Notwithstanding applicable State law, candidates for appointment to County boards and commissions, subject to Section 322 of the County Charter, shall reside in Prince George’s County [at least sixty days prior to] at the time of their confirmation and shall maintain County residency throughout their length of service. Board or commission members that do not maintain their residency shall immediately notify the County Executive and the County Council and their service automatically expires from the date that the member moved from the county.

SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

SECTION 5. BE IT FURTHER ENACTED that this legislation applies prospectively. Any appointees that are not County residents cannot be reappointed.

Adopted this 23rd day of October, 2012.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Rushern L. Baker, III
County Executive