



Prince George's County, Maryland
Inter-Office Memorandum
Office of Law

LEGISLATIVE COMMENT

DATE: September 9, 2019

TO: Robert J. Williams, Jr., Council Administrator

THRU: Howard W. Stone, Committee Director
Government Operations and Fiscal Policy Committee (GOFP)

THRU: Rhonda L. Weaver, County Attorney *RW*

FROM: Bridgette Greer, Special Assistant to the County Attorney *Bgreer*

RE: CR-69-2019

The Office of Law has reviewed the above referenced resolution as it was introduced on July 23, 2019 and offers the following comments:

This resolution seeks to establish policies and procedures for advertising vacancies on boards and commissions. It is our opinion that that the County Council does not have the authority to promulgate rules and procedures regarding such appointments as the initial selection of appointments falls under the authority of the County Executive. *See* County Charter Sections 402(6), 504. The County Council, pursuant to Section 322 of the Charter, has the authority to confirm appointments to boards and commissions through their processes, which generally include committee and full council public hearings.

Board and Commission members occupy exempt service positions, as opposed to classified positions, and as such are not subject to many of the recruitment requirements set forth in the County's Personnel Law. Therefore, the process by which the County Executive selects appointees is up to the discretion of the County Executive, while the confirmation of such individuals is within the powers and duties of the Council. The confirmation process provides

opportunity for the Council and the public to consider and assess the qualifications of any appointee.

The Office of Law would be happy to provide further discussion into this matter.