

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2014 Legislative Session

Bill No. CB-52-2014

Chapter No. 27

Proposed and Presented by Council Member Franklin

Introduced by Council Members Franklin, Davis and Harrison

Co-Sponsors

Date of Introduction June 30, 2014

CHARTER AMENDMENT

1 AN ACT concerning

2 Amendment of Sections 317, 809, 1008, and 1105, Charter of Prince George's County
3 For the purpose of proposing amendments to Sections 317, 809, 1008, and 1105 of the Charter of
4 Prince George's County to change the number of designated newspapers of record from three to
5 one or more; and to designate two or more primary sources of County maintained electronic
6 media available to the public for publication and transmission of official County notices.

7 BY proposing an amendment to:

8 Section 317, 809, 1008, and 1105,
9 Charter of Prince George's County, Maryland.

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that the following amendment to Section 317, 809, 1008, and 1105, Charter of Prince
12 George's County, Maryland, is hereby proposed:

13 Section 317. Enactment of Legislation.

14 Every law of the County shall be styled: "Be it enacted by the County Council of Prince
15 George's County, Maryland." The Council shall enact no law except by bill. The subject of
16 every law shall be described in its title. Every law enacted by the Council, except the budget law
17 and supplementary appropriation laws, shall embrace but one subject. No law or section of law
18 shall be revived or amended by reference to its title only. A bill may be introduced by any
19 member of the Council on any legislative session-day of the Council. On the introduction of any
20 bill, a copy thereof and notice of the time and place of the public hearing on the bill shall be

1 posted by the Clerk of the Council within ten days on an official bulletin board to be set up by
2 the Council in a public place and by any other such methods as the Council shall dictate.
3 Additional copies of the bill shall be made available to the public and to the press. Every copy of
4 each bill shall bear the name of the member of the Council introducing it and the date it was
5 introduced. Within ten days following the introduction of a bill the Clerk of the Council shall
6 schedule and give public notice of a public hearing on the bill, which hearing shall not be less
7 than fourteen days after its introduction. The Council may reject any bill on its introduction
8 without a hearing by a majority vote of the members of the full Council. Such public notice shall
9 be published in the County newspapers of record and in media for public notice as defined in
10 Section 1008 of this Charter. The public hearing may, but need not be, held on a legislative
11 session-day and may be adjourned from time to time. After the public hearing, a bill may be
12 finally enacted on a legislative session-day with or without amendment, except, that if a bill is
13 amended before enactment and the amendment constitutes a change of substance, the bill shall
14 not be enacted until it is reprinted or reproduced as amended and a public hearing shall be set
15 thereon and proceedings had, as in the case of a newly introduced bill. Any bill not enacted by
16 the last day of November of each year shall be considered to have failed. To meet a public
17 emergency affecting the public health, safety, or welfare, the County may enact emergency bills.
18 Every emergency bill shall be plainly designated as such and shall contain, after the enacting
19 clause, a declaration stating that an emergency exists and describing the claimed emergency in
20 clear and specific terms. The term "emergency bill" shall not include any measure creating or
21 abolishing any office; changing the compensation, term, or duty of any officer; granting any
22 franchise or special privilege; or creating any vested right or interest. No bill shall be enacted
23 except by the affirmative vote of a majority of the full Council. No emergency bill shall be
24 enacted except by an affirmative vote of two-thirds of the members of the full Council. In the
25 event of an emergency declared by the Governor pursuant to provisions of State law, which
26 emergency affects any part or all of Prince George's County, the Council may provide, by law,
27 for modification of voting, quorum, and publication requirements consistent with State law, for
28 matters relating to and necessary to respond to the emergency.

29 **Section 809. Public Budget Hearings and Action on the Budget by the Council.**

30 Upon receipt of the proposed County budget, the Clerk of the Council shall cause to be
31 published a notice of the place and time of at least two public hearings on the budget by the

1 Council. Such public notice shall be published in the County newspapers of record and in media
 2 for public notice as defined in Section 1008 of this Charter. The Council may hold such other
 3 preliminary hearings on the budget for the purpose of obtaining information as it may determine,
 4 but no action shall be taken by the Council on the budget except in public session. After the final
 5 public budget hearing, the Council may not add new items but may increase, decrease, or delete
 6 any items in the budget except those required by the laws of this State or of this County, and
 7 except any provisions for debt service on obligations then outstanding or for estimated cash
 8 deficits. The Council shall have no power to change the form of the budget as submitted by the
 9 Executive or to alter the revenue estimates except to correct mathematical errors, or, by a vote of
 10 two-thirds of the members of the full County Council, adjust the revenue estimates by an
 11 increase or decrease of no more than one percent (1%). The adoption of the operating budget,
 12 the capital budget and the capital program shall be by the affirmative vote of not less than a
 13 majority of the full Council by a law to be known as the Annual Budget and Appropriation
 14 Ordinance of Prince George's County. The Annual Budget and Appropriation Ordinance shall be
 15 adopted by the Council on or before June 1 of each fiscal year, and if the Council fails to do so,
 16 the proposed operating budget submitted by the County Executive shall stand adopted, and funds
 17 for the expenditures proposed in the current expense budget shall stand appropriated as fully and
 18 to the same extent as if favorable action thereon had been taken by the Council.

19 **Section 1008. Newspapers of Record.**

20 The Council shall designate [three] one or more County newspapers of record and shall
 21 designate two or more primary sources of County maintained electronic media available to the
 22 public for the publication and transmission of official County notices. [The three newspapers of
 23 record shall have a combined circulation of not less than three percent of the population of the
 24 County.] Such designation shall be for at least one year and shall, insofar as possible, provide
 25 County-wide [coverage] access. At least four weeks' public notice shall be given prior to any
 26 change in newspapers of record. Where a newspaper of record is sold to or merged with another
 27 newspaper, the designation shall continue in the new newspaper if circulation is continued to the
 28 previous subscribers, unless the designation is declined by the paper. Where the circulation of a
 29 newspaper of record is not continued, or the designation is declined, for any reason, the County
 30 Council may designate another newspaper of record without public notice for a temporary or
 31 permanent period.

1 **Section 1105. Charter Amendment.**

2 Amendments to this Charter may be proposed by an act of the Council approved by not less
 3 than two-thirds of the members of the full Council, and such action shall be exempt from
 4 executive veto. Amendments may also be proposed by petition filed with the County Executive
 5 and signed by 10,000 registered voters of the County. When so proposed, whether by act of the
 6 Council or by petition, the question shall be submitted to the voters of the County at the next
 7 general election occurring after the passage of said act or the filing of said petition; and if at said
 8 election the majority of votes cast on the question shall be in favor of the proposed amendment,
 9 such amendment shall stand adopted from and after the thirtieth day following said election.
 10 Any amendments to this Charter, proposed in the manner aforesaid, shall be published by the
 11 County Executive in the County newspapers of record and in media for public notice as defined
 12 in Section 1008 of this Charter for five successive weeks prior to the election at which the
 13 question shall be considered by the voters of the County.

14 SECTION 2. BE IT FURTHER ENACTED that a copy of this Act be transmitted to the
 15 County Executive for publication and that a copy also be transmitted to the Board of Supervisors
 16 of Elections for submission of the proposed amendment to the voters of this County at the 2014
 17 General Election pursuant to Section 1105 of the Charter.

18 SECTION 3. BE IT FURTHER ENACTED that the question of adoption of this proposed
 19 Charter Amendment shall be submitted to the voters of the County at the General Election
 20 occurring on November 4, 2014, and shall be placed on the ballot in the following form:

21
 22 **PROPOSED CHARTER AMENDMENT**

23 To change the number of designated newspapers of record from three to one or more; and
 24 to designate two or more primary sources of County maintained electronic media available
 25 to the public for publication and transmission of official County notices.

1 Adopted this 23rd day of July, 2014, by an affirmative vote of two-thirds of the members of
2 the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.