

Prince George's County Council

Agenda Item Summary

Meeting Date: 9/18/2012
Reference No.: CB-065-2012
Draft No.: 3
Proposer(s): Harrison
Sponsor(s): Harrison, Franklin, Lehman, Olson, Patterson, Turner, Toles
Item Title: An Act requiring appointees and candidates for appointment to County boards and commissions, subject to Section 322 of the County Charter, to reside in Prince George's County at the time of their confirmation; to maintain County residency throughout their length of service; and providing for a reporting requirement and expiration of service upon discontinuing County residency.

Drafter: Kathleen H. Canning, Legislative Officer
Resource Personnel: Rodney C. Streeter, Legislative Aide District 5

LEGISLATIVE HISTORY:

Date Presented:	7/24/2012	Executive Action:	10/23/2012 S
Committee Referral:	7/24/2012 - C.O.W.	Effective Date:	12/7/2012

Committee Action: 9/11/2012 - FAV(A)

Date Introduced: 9/18/2012
Public Hearing: 10/23/2012 - 1:30 PM

Council Action (1) 10/23/2012 - ENACTED
Council Votes: WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

02-112.03, 02-112.04, 02-112.05, 02-112.06, 02-112.06.01

COMMITTEE REPORTS:

COMMITTEE OF THE WHOLE

Date 9/11/2012

Committee Vote: 8-0 (In favor: Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Toles and Turner. Absent: Council Member Patterson)

The bill was heard in C.O.W. on September 11, 2012. The bill was voted out of C.O.W. favorable with amendments. Amendment number 1 removed the durational component from the residency requirement. The legislation was amended by deleting "at least sixty days prior to" and inserting "at the time of". Amendment number 2 added a reporting requirement by members who do not maintain their residency. The legislation was amended by adding "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". Amendments are reflected in Draft 2 of CB-65-2012.

The Office of Law has reviewed this bill and has indicated that there was a legal impediment caused by the

durational component. The bill was amended to remove the durational component and the bill was considered to be legally sufficient, as amended.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This bill provides that 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 their confirmation and shall maintain County residency throughout their length of service.

9/18/2012 - CB-65-2012 (DR-2) was amended on the floor prior to introduction as follows:

1. On page 1, line 3 after "requiring" insert "appointees and"
2. On page 4 ad the following: SECTION 5. BE IT FURTHER ENACTED that this legislation applies prospectively. any appointees that are not County residents cannot be reappointed.

CB-65-2012 (DR-3) was introduced.

CODE INDEX TOPICS:

INCLUSION FILES:
