

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2018 Legislative Session

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**Reference No.:** CB-51-2018

**Draft No.:** 1

**Committee:** COMMITTEE OF THE WHOLE

**Date:** 7/2/2018

**Action:** FAV

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### REPORT:

Committee Vote: 8-0. In favor: Council Members Glaros, Davis, Franklin, Lehman, Patterson, Taveras, Toles and Turner. Absent: Council Member Harrison

The County Council convened as the Committee of the Whole on Monday, July 2, 2018, to consider CB-51-2018, legislation styled as a proposed Charter Amendment pursuant to the prescriptions for referendum set forth in Section 813 of the County Charter. As explained by legal counsel to the Legislative Branch, this bill proposes certain increases and/or new fees related to licensing and permits for Secondhand Dealer uses doing business in Prince George's County. Its underpinning derives from prior action by the County governing body to regulate licenses and/or permits for Secondhand Dealers by way of enactment of CB-14-2018. In particular, Section 2 of the prior legislation called for alternative action to be undertaken by the County to either refer such legislative enactment as to Secondhand Dealer business use licensing/permit fees to the qualified voters of the County at the 2018 General Election; or, in the alternative, that the County promulgate additional legislation to codify the fee requirements at law, proceeding in the ordinary course and exempt from the prescribed referenda criteria imposed via Section 813 of the County Charter.

The Zoning and Legislative Counsel to the County Council also explained that it remains the uniform consensus of legal counsel, for the Legislative and Executive branches of County Government alike, that the imposition of RAPID fee for Secondhand Dealers in Prince George's County falls squarely within articulated exemptions articulated in Section 813, the very provision requiring referral of new or increased fees and taxes to the electorate for contingent approval.

Thus, as further explained by counsel, while this proposed Charter Amendment is squarely contemplated by the provisions enacted within Section 2 of CB-014-2017, the determination that such fees are exempt from referendum tend to obviate such unnecessary referral at the upcoming November 2018 General Election to be conducted in the County.

After this discussion regarding the relevant underpinnings of the proposed Charter Amendment, the Committee voted 8—0 (Absent: Council Member Harrison) for a favorable recommendation and report as to CB-51-2018 (DR-1).