



Charles County Commissioners

REUBEN B. COLLINS, II, ESQ., PRESIDENT

November 16, 2022

The Hon. Arthur Ellis
Maryland State Senator
302 James Senate Office Building
11 Bladen Street, Annapolis MD 21401

The Hon. Edith J. Patterson
Maryland State Delegate
429 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. Michael Jackson
Maryland State Senator
3 W. Miller Senate Office Building
Annapolis MD 21401

The Hon. Susie Proctor
Maryland State Delegate
423 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. Debra Davis
Maryland State Delegate
204 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. C. T. Wilson
Maryland State Delegate
410 House Office Building
6 Bladen Street, Annapolis MD 21401

Re: Addendum to the Charles County Commissioners 2023 Legislative Package

Dear Madam Chair Davis and Members of the Charles County Delegation:

The Charles County Commissioners previously transmitted to the Charles County Delegation the 2023 Legislative Package containing the proposals the Charles County Commissioners support for consideration by the Charles County Delegation during the 2023 General Assembly Session. Subsequently, the Commissioners considered one (1) additional legislative proposal at the request of the Charles County Commission for Veterans Affairs that the Board of Commissioners respectfully requests the Delegation consider during the 2023 General Assembly Session.

Enclosed, please find a proposed amendment to Md. Transportation Code Ann. § 13-616 to allow disabled veterans with a 50-99% service-connected disability to obtain the specialty registration vehicle plate that is currently reserved for those disabled veterans with 100% service-connected disability. The Board of Commissioners supports this request by the Commission for Veterans Affairs as an opportunity to recognize the resident's military sacrifice, as well as increase awareness by law enforcement of the resident's condition in the event of a traffic stop. The proposal does not include a waiver of registration or

plate fees.

Thank you for your consideration of this additional legislative proposal on behalf of the Charles County Commissioners.

Very truly yours,

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND


Reuben B. Collins, II, Esq.
President

Enclosure

A proposal to allow disabled veterans with a 50-99% service-connected disability to obtain a “disabled veteran” special registration plate.

Md. Transportation Code Ann. § 13-616

Current with all legislation from the 2022 Regular Session of the General Assembly.

Michie's™ Annotated Code of Maryland > Transportation (Titles 1 — 27) > Title 13. Vehicle Laws — Certificates of Title and Registration of Vehicles. (Subts. 1 — 9) > Subtitle 6. Special Registration Plates. (Pts. I — IV) > Part II. Special Plates for Classified Vehicles. (§§ 13-612 — 13-619.3)

§ 13-616. Special registration plates for individuals with disabilities.

(a)

(1) In this subtitle the following words have the meanings indicated.

(2) “Certified nurse practitioner” means an individual who is licensed by the State Board of Nursing to practice registered nursing as described in [§ 8-101 of the Health Occupations Article](#) and who is certified as a nurse practitioner by the State Board of Nursing.

(3) “Disabled veteran” means an individual who:

(i) is honorably discharged or released under honorable circumstances from active military, naval, or air service as defined in 38 U.S.C. § 101; and

(ii) has been declared by the Veterans Administration to have a permanent service-connected disability of at least 50% that results from blindness or any other disabling cause that:

1. is reasonably certain to continue for the life of the veteran; and

2. was not caused or incurred by misconduct of the veteran.

(3) “Licensed chiropractor” means a chiropractor who is licensed by the State Board of Chiropractic Examiners to practice chiropractic or chiropractic with the right to practice physical therapy as described in [§ 3-301 of the Health Occupations Article](#).

(4) “Licensed optometrist” means an optometrist who is licensed by the State Board of Examiners in Optometry to practice optometry as described in [§ 11-101 of the Health Occupations Article](#).

(5) “Licensed physical therapist” means a physical therapist who is licensed by the State Board of Physical Therapy Examiners to practice physical therapy as described in [§ 13-101 of the Health Occupations Article](#).

(6) “Licensed physician” means a physician, including a doctor of osteopathy, who is licensed by the State Board of Physicians to practice medicine as described in [§ 14-101 of the Health Occupations Article](#).

(7) “Licensed physician assistant” means an individual who is licensed under Title 15 of the Health Occupations Article to practice medicine with physician supervision.

(8) “Licensed podiatrist” means a podiatrist who is licensed by the State Board of Podiatric Medical Examiners to practice podiatry as described in [§ 16-101 of the Health Occupations Article](#).

(b)

(1) The owner of any vehicle described in paragraph (3) of this subsection may apply to the Administration for the assignment to that vehicle of a special disability registration number and special disability registration plates, if a certified nurse practitioner, licensed physician, licensed physician assistant, licensed chiropractor, licensed optometrist, licensed podiatrist, or licensed physical therapist certifies, in accordance with paragraph (2) of this subsection, that the applicant:

- (i) Has lung disease to such an extent that forced (respiratory) expiratory volume for one second when measured by spirometry is less than one liter, or arterial oxygen tension (PO₂) is less than 60 mm/hg on room air at rest;
- (ii) Has cardiovascular disease limitations classified in severity as Class III or Class IV according to standards accepted by the American Heart Association;
- (iii) Is unable to walk 200 feet without stopping to rest;
- (iv) Is unable to walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, or other assistive device;
- (v) Requires a wheelchair for mobility;
- (vi) Has lost a foot, leg, hand, or arm;
- (vii) Has lost the use of a foot, leg, hand, or arm;
- (viii) Has a permanent impairment of both eyes so that:
 1. The central visual acuity is 20/200 or less in the better eye, with corrective glasses; or
 2. There is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye; or
- (ix) Has a permanent disability that adversely impacts the ambulatory ability of the applicant and which is so severe that the person would endure a hardship or be subject to a risk of injury if the privileges accorded a person for whom a vehicle is specially registered under this section were denied.

(x) Is a disabled veteran.

(2) For the purposes of this section, the qualifying disabilities specified in paragraph (1) of this subsection shall be certified as follows:

- (i) A licensed physician, licensed physician assistant, or certified nurse practitioner may certify conditions specified in paragraph (1)(i) through (ix) of this subsection;
- (ii) A licensed chiropractor, licensed podiatrist, or licensed physical therapist may certify conditions specified in paragraph (1)(iii) through (vii) and (ix) of this subsection;
- (iii) A licensed optometrist may certify the condition specified in paragraph (1)(viii) of this subsection;
- (iv) The Veterans Administration may certify conditions specified in paragraph (1)(x) of this subsection.
- (iv) Notwithstanding any provision of paragraph (1) of this subsection, the applicant may self-certify conditions specified in paragraph (1)(vi) of this subsection by appearing in person with proper identification at a full-service Motor Vehicle Administration office during normal business hours.

(3) This section applies only to:

- (i) A Class A (passenger) vehicle;

Md. Transportation Code Ann. § 13-616

- (ii) A Class D (motorcycle) vehicle;
 - (iii) A Class M (multipurpose) vehicle;
 - (iv) A Class E (truck) vehicle with a one ton or less manufacturer's rated capacity; or
 - (v) A Class H, I, or J vehicle that is specially equipped for the transportation of individuals with disabilities and is used exclusively for the transportation of individuals with disabilities.
- (4)
- (i) Notwithstanding the provisions of paragraph (1) of this subsection, a nursing home, health care facility, adult day care facility, retirement home, or other facility that regularly provides transportation for individuals with disabilities may apply to the Administration for special disability registration for vehicles owned by the facility.
 - (ii) An application for special disability registration under this paragraph shall contain:
 - 1. The certification of the owner or operator of the facility that the vehicle for which the registration is sought is used exclusively for the transportation of individuals with disabilities as described in paragraph (1) of this subsection; and
 - 2. Any other information or documentation concerning the facility or the vehicle that the Administration requires.
- (c)
- (1) Except as otherwise provided in subsection (b)(4) of this section, special registration and special registration plates may be issued under this section only if the applicant submits proof satisfactory to the Administration that the applicant is an individual with a disability described in subsection (b)(1) of this section.
 - (2) Except as provided by paragraph (3) of this subsection and subsection (b)(4) of this section, the Administration may not accept applications for special registration under this section from an applicant who, at the time of application:
 - (i) Possesses one valid special registration issued under this section; or
 - (ii) Possesses two parking placards issued under § 13-616.1 of this subtitle.
 - (3) An individual may possess two valid special registrations for Class D motorcycles in addition to the special registration authorized under subsection (b) of this section and the parking placards authorized under § 13-616.1 of this subtitle.
- (d) Except as provided under §§ 13-951 and 13-952 of this title, no fee in addition to the annual registration fee otherwise required by this title is required for special registration under this section.
- (e) A special registration number assigned under this section shall:
- (1) Consist of the letters, numerals, or both that the Administration specifies; and
 - (2) Be displayed on special registration plates issued for the vehicle, together with the International Symbol of Access.
 - (3) **For an individual qualifying for special registration plates under paragraph (1)(x) of this subsection, the special registration plate shall include the words "disabled veteran."**
- (f)
- (1) In this subsection, "special types of vehicles" means:
 - (i) Emergency vehicles defined under § 11-118 of this article;
 - (ii) Service vehicles defined under § 22-201 of this article;
 - (iii) Class B (for hire) vehicles;

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- (iv) Class C (funeral and ambulance) vehicles;
 - (v) Class H (school) vehicles;
 - (vi) Class I (charter bus) vehicles;
 - (vii) Class J (vanpool) vehicles;
 - (viii) Class P (passenger bus) vehicles;
 - (ix) Class Q (limousine) vehicles; and
 - (x) State or local government vehicles.
- (2) The person for whom special registration plates are issued under this section or under a similar provision of any other state or country:
- (i)
 - 1. Except as provided in items (ii) and (iii) of this paragraph, may park for unlimited periods in parking zones restricted as to the length of parking time permitted; and
 - 2. Is not required to pay any parking meter fees of this State or of any political subdivision of this State where parking meters do not meet the requirements of the Americans with Disabilities Act;
 - (ii) May park in a parking space equipped with a parking meter only for:
 - 1. Except as provided in item 2 of this item, twice the maximum time period permitted on the parking meter but not to exceed a maximum of 4 hours; and
 - 2. If the parking meter permits parking for more than 4 hours, the period permitted on the parking meter; and
 - (iii) Subject to the posted time restriction specified for the parking zone, may park in a designated zone for the handicapped established:
 - 1. At any State-owned airport; or
 - 2. By Baltimore County on any county highway.
- (3) The provisions of this subsection supersede any local ordinance, except that they do not apply:
- (i) To zones where stopping, standing, or parking is prohibited to all vehicles;
 - (ii) To zones that are reserved for special types of vehicles;
 - (iii) Where there is a local ordinance that prohibits parking during heavy traffic periods in morning, afternoon, or evening rush hours, or where parking clearly would present a traffic hazard; or
 - (iv) In Baltimore City, where there is a local ordinance that restricts parking for vehicles that do not display a specified residential parking permit.
- (g) When using the parking privileges granted under this section:
- (1) The person shall have in the person's possession identification issued by the Administration as proof that parking privileges are being utilized by a person with a disability as defined in subsection (b)(1) of this section; and
 - (2) The person shall make the identification available upon the request of:
 - (i) A police officer, while the officer is discharging the official duties of a police officer; or
 - (ii) Any other person authorized by a political subdivision to enforce this section, while acting within the scope of this authority.

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(h) A person may not commit any fraud or make any misrepresentation in applying for disability registration plates, using special disability registration plates, or certifying an individual with a disability as defined in subsection (b)(1) of this section for special disability registration under this section.

(i) A person who operates a motor vehicle with a special disability registration number or special disability registration plates may not use the privileges granted under this section, unless the person:

- (1) Is a person with a disability who meets the requirements of subsection (b)(1) of this section; or
- (2) Is accompanied by a dependent, or an individual who depends on the person for transportation, who meets the requirements of subsection (b)(1) of this section.

(j) To determine if the eligibility requirements continue to be met, the Administration may conduct a review of a registration that is issued by the Administration under this subsection and:

(1) If the Administration finds it necessary to review the severity or permanency of a registration holder's disability, the Administration may request a review and recommendations from the Medical Advisory Board established under § 16-118 of this article; and

(2) If the Administration determines that eligibility requirements are not being met, the Administration may revoke the registration.

(k) The Administration shall administer the special registration plates program in accordance with the provisions of this section.

(l) In accordance with the provisions of this section, each board for licensed physicians, licensed physician assistants, licensed chiropractors, licensed optometrists, licensed podiatrists, or licensed physical therapists shall be responsible for the development and maintenance of a database system with which the Administration can interface and verify licensure.

History

An. Code 1957, art. 661/2, § 3-607; 1977, ch. 14, § 2; ch. 194; 1978, ch. 424; 1980, ch. 694; 1982, chs. 610, 683; 1984, chs. 238, 255; 1985, chs. 623, 634; 1986, ch. 450; ch. 472, § 1; ch. 644; 1988, ch. 6, § 1; ch. 615; [1989, ch. 5, § 1](#); [chs. 18, 323, 354](#); [1991, ch. 124](#); 1991, 1st Sp. Sess., ch. 2; [1993, ch. 409](#); [1995, ch. 589](#); [1997, ch. 597](#); [1999, chs. 360, 480](#); [2001, ch. 29, § 1](#); [2002, chs. 19, 129](#); [2003, ch. 21, § 1](#); [ch. 252, § 10](#); [2005, ch. 326](#); [2008, ch. 36, § 6](#); [chs. 232, 233](#); [2013, chs. 32, 33, 206, 273, 274, 312](#); [2015, ch. 76](#); [2017, ch. 55](#); [2018, ch. 12, § 1](#); [ch. 41](#).

Annotations

Notes

Effect of amendments. —

Chapters 232 and 233, Acts 2008, effective October 1, 2008, made identical changes. Each added (a)(2) and redesignated accordingly; and added "certified nurse practitioner" and variant in (b)(1) and (b)(2)(i).

Chapters 32 and 33, Acts 2013, effective October 1, 2013, made identical changes. Each substituted "item 2 of this item" for "item (ii)2 of this paragraph" in (f)(2)(ii)1; added the (f)(2)(iii)1 designation; added (f)(2)(iii)2; and made related and stylistic changes.

Chapter 206, Acts 2013, effective October 1, 2013, added "paragraph (3) of this subsection and" in the introductory language of (c)(2) and added (c)(3).

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Chapters 273 and 274, Acts 2013, effective October 1, 2013, made identical changes. Each added (a)(6) and redesignated accordingly; in the introductory language of (b)(1) and in (b)(2)(i) and (m) added "licensed physician assistant" or variants.

Chapter 312, Acts 2013, effective October 1, 2013, added (f)(3)(iv) and made related changes.

Chapter 76, Acts 2015, effective October 1, 2015, added (a)(5) and redesignated accordingly; in the introductory language of (b)(1), in (b)(2)(ii) and in (m) added "or licensed physical therapist" or variants; in (m) deleted "by July 1, 2001" after "of this section"; and made related and stylistic changes.

Chapter 55, Acts 2017, effective October 1, 2017, deleted former (k) and redesignated accordingly.

Section 1, ch. 12, Acts 2018, approved April 5, 2018, and effective from date of enactment, deleted "and Massage Therapy" following "Board of Chiropractic" in (a)(3).

Chapter 41, Acts 2018, effective October 1, 2018, reenacted (a) and (b) without change.

Editor's note. —

Pursuant to § 6 of [ch. 36, Acts 2008](#), "and Massage Therapy" was added after "Chiropractic" in (a)(3).

This section is set out to show the following change: the (b)(4) designation has been added.

Chapters 32, 33, and 312, Acts 2013, amended (f). None of the chapters referred to the others, and effect has been given to all, as they amended different portions of (f).

[Section 4, ch. 12, Acts 2018](#), provides that "the provisions of this Act are intended solely to correct technical errors in the law and there is no intent to revive or otherwise affect law that is the subject of other acts, whether those acts were signed by the Governor prior to or after the signing of this Act."






Addendum to 2023 Legislative Proposal Package

Final Audit Report

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Charles County Commissioners

REUBEN B. COLLINS, II, ESQ., PRESIDENT

October 20, 2022

By Email and US Postal Service

The Hon. Arthur Ellis
Maryland State Senator
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Re: Charles County Commissioners 2023 Legislative Package

Dear Madame Chair Davis and Members of the Charles County Delegation:

The Charles County Commissioners thank you for your participation in their public hearing to review the preliminary legislative proposals presented on September 14, 2022. The Commissioners held two follow-up work sessions on September 27, 2022, and October 18, 2022. The attached 2023 Legislative Package contains the proposals the Charles County Commissioners support for consideration by the Charles County Delegation during the 2023 General Assembly Session.

1. A proposal to amend the Alcoholic Beverages Article §18-2501 to prohibit an unlicensed establishment from allowing the consumption of alcohol on their premises. (p.1)

2. A proposal to amend the Transportation Article §25-102 to enable Charles County to pass a local law to regulate off-the-road motorcycles and all-terrain vehicles, that may include impoundment, conditions for release from impoundment, and forfeiture of vehicles operated in violation of Maryland law. (p.3)
3. A proposal to amend §9-310 of the Tax Property Article, Ann. Code MD, to allow for implementation of a real property tax credit for volunteer fire & EMS (re-introduction of H.B. 1416 from 2022, with the addition of an income cap for eligibility). (p.4)
4. A proposal to ensure posting notifications of newly introduced legislation and enacted legislation is sufficient when the bill is posted to an internet website ordinarily used by the public body to provide information to the public (re-introduction of H.B. 1428 from 2022). (p.6)
5. A proposal to adopt legislation to legalize golf carts and low speed vehicles on Cobb Island (re-introduction of S.B.76 from 2022). (p.9)
6. A proposal to enable Charles County to create a body corporate and politic known as a Revenue Authority for the purpose of developing and operating real estate projects. (p.16)
7. A proposal to amend Public Safety Article 3-101 et. seq. (MD Police Accountability Act), to require a reserve of no less than ten (10) active or retired Administrative Law Judges be established by the Office of Administrative Hearings to serve on Trial Boards convened pursuant to the Act. (p.18)
8. A proposal to amend Economic Development Article 13-603 to allow for one voting member of Tri-County Council for Southern Maryland appointed by the County Commissioners of each county for every 50,000 residents. (p.20)

Thank you for your consideration of these legislative proposals on behalf of the Charles County Commissioners.

Very truly yours,
COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND


Reuben B. Collins, II, Esq.
President

Enclosure: Charles County Commissioners
2023 Legislative Package



Charles County Sheriff's Office

Legislative Proposal

Legislative Session 2023

ALCOHOL UNLICENSED ESTABLISHMENTS

Issue: Currently Maryland law prohibits an unlicensed establishment from allowing the consumption of alcohol on their premises. This regulation only applies to unlicensed establishments that offers or provides live entertainment. There is no law to prohibit a commercial type business from encouraging and allowing its customers to bring and consume alcohol within the establishment. This practice allows these establishments or venues to avoid obtaining alcohol related licenses and permits. The Sheriff's Office is frequently called to these locations for complaints of illegal drug activity, disorderly conduct, other alcohol related offenses and other crimes.

Proposal: Amend Alcohol Beverages § 18-2501(a) to prohibit an unlicensed establishment in Charles County from allowing consumption on its premises by deleting "that offers or provides live entertainment".

OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS

Issue: Maryland law prohibits operating unregistered motor vehicles, such as all-terrain vehicles, from being on operated on a highway. Despite that law, the Sheriff's Office has seen a growing trend of individuals operating off-road vehicles on our public roads in reckless and dangerous manners. These individuals often elude or attempt to elude police. If they are stopped and identified, their vehicle may be towed from the scene but they are able to recover it fairly easily and continue their behavior.

Similar issues occur when individuals drive their all-terrain vehicles onto other people's property without permission, which is also a violation of law. These individuals are able to quickly recover their vehicles and resume their behavior.

Proposal: Enable the County Commissioners to create regulations allowing for the impoundment and possible forfeiture of off-road vehicles used in violation of Maryland law. §25-201.1(b) allows a county to "regulate the operation of off-the-road motorcycles, require them to be registered, and impose a registration fee for them." Amend §25-102.1 by adding a new subsection:

- (c) (1) This subsection only applies in Charles County.
- (2) The County Commissioners may regulate the operation of off-the-road motorcycles and all-terrain vehicles, including providing for the impoundment, conditions for release from impoundment, and forfeiture of vehicles used in violation of this Title, §6-404 of the Criminal Law Article, or §6-405 of the Criminal Law Article.

BILL DRAFT - Transportation §25-102.1

AN ACT concerning

Off-the Road Motorcycles and All-Terrain Vehicles -Charles County - Regulation

FOR the purpose of authorizing the Commissioners of Charles County to regulate the use off-road vehicles in Charles County and prescribe penalties for violations.

BY adding to

Article - Transportation
Section 25-102.1
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, that the Laws of Maryland read as follows:

Article- Transportation

25-102.1

(c)

(1) THIS SECTION ONLY APPLIES IN CHARLES COUNTY.

(2) THE COUNTY COMMISSIONERS MAY REGULATE THE OPERATION OF THE OFF-THE-ROAD MOTORCYCLES AND ALL-TERRAIN VEHICLES. THE REGULATIONS MAY INCLUDE:

(i) REGISTRATION REQUIREMENTS;

(ii) AGE RESTRICTIONS; AND

(iii) IMPOUNDMENT OF VEHICLES USED IN VIOLATION OF TITLE 21, SUBTITLE 900, OF THIS ARTICLE, §6-404 OF THE CRIMINAL LAW ARTICLE, OR §6-405 OF THE CRIMINAL LAW ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

A BILL ENTITLED

AN ACT concerning

Charles County – Property Tax – Credit for Volunteer Emergency Responders

FOR the purpose of authorizing the governing body of Charles County to grant, by law, a tax credit against the property tax imposed on the owner-occupied residence of certain emergency responders and their surviving spouses; and generally relating to a property tax credit in Charles County for emergency responders and their surviving spouses.

BY adding to

Article – Tax – Property

Section 9–310(l)

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Tax – Property

9–310.

(L) (1) IN THIS SUBSECTION, “EMERGENCY RESPONDER” MEANS AN INDIVIDUAL WHO IS AN ACTIVE OR RETIRED VOLUNTEER MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES COMPANY IN CHARLES COUNTY.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SECTION, THE GOVERNING BODY OF CHARLES COUNTY MAY GRANT, BY LAW, A PROPERTY TAX CREDIT AGAINST THE COUNTY PROPERTY TAX IMPOSED ON REAL PROPERTY THAT IS OWNED AND OCCUPIED AS THE PRINCIPAL RESIDENCE OF:

(I) AN EMERGENCY RESPONDER; OR

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

HOUSE BILL 1416

(II) AN UNMARRIED SURVIVING SPOUSE OF A DECEASED EMERGENCY RESPONDER.

(3) TO BE ELIGIBLE FOR THE PROPERTY TAX CREDIT DESCRIBED IN PARAGRAPH (2), THE FEDERAL ADJUSTED GROSS INCOME OF THE EMERGENCY RESPONDER OR THE SURVIVING SPOUSE OF THE DECEASED EMERGENCY RESPONDER FOR THE IMMEDIATELY PRECEDING TAXABLE YEAR SHALL NOT EXCEED \$250,000;

(4) THE GOVERNING BODY OF CHARLES COUNTY MAY PROVIDE, BY LAW, FOR:

(I) THE AMOUNT AND DURATION OF THE TAX CREDIT UNDER THIS SUBSECTION;

(II) ADDITIONAL ELIGIBILITY CRITERIA FOR THE CREDIT; AND

(III) ANY OTHER PROVISION NECESSARY TO IMPLEMENT THE CREDIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2023, and shall be applicable to all taxable years beginning after June 30, 2023.

A proposal to ensure posting notifications of newly introduced legislation and enacted legislation is sufficient when the bill is posted to an internet website ordinarily used by the public body to provide information to the public. The proposal will amend Local Government Art. § 9-311(i). In consideration of how the public receives its information, reliance on the internet as opposed to a newspaper will best serve the public interest, and allow us to continue to meet our legal obligation without concern for the increasingly infrequent newspaper circulation in the County. ,

Md. LOCAL GOVERNMENT Code Ann. § 9-311

Statutes current through legislation effective July 1, 2021 of the 2021 Regular Session of the General Assembly. Some statutes may be more current.

**MD - Annotated Code of Maryland > LOCAL GOVERNMENT > DIVISION III. COUNTIES
> TITLE 9. GENERAL AND ADMINISTRATIVE PROVISIONS > SUBTITLE 3. CODE
COUNTIES**

§ 9-311. Legislative procedure

(a) **Introduction of bills.** -- A county commissioner of a code county may introduce a bill on any legislative day.

(b) **Public hearings on bills.** --

(1)

(i) Not later than the next day after the introduction of a bill, the presiding officer of the county commissioners shall schedule a public hearing on the bill.

(ii) A bill may be rejected after its introduction without a hearing by a vote of at least two-thirds of the total membership of the county commissioners.

(2)

(i) Except as provided in subparagraph (ii) of this paragraph, the public hearing on a bill shall be held not less than 7 days after introduction of the bill.

(ii) For an emergency bill, the public hearing shall be held not less than 3 days after introduction of the emergency bill.

(2) The public hearing on a bill:

(i) need not be held on a legislative day; and

(ii) may be adjourned from time to time.

(c) **Copy of bill and notice of hearing.** --

(1) After the introduction of a bill, a copy of the bill and notice of the date, time, and place of the hearing shall be posted:

(i) as soon as practicable;

(ii) on an official bulletin board in a public place in the building in which the county commissioners usually meet **OR ON AN INTERNET WEBSITE ORDINARILY USED BY THE COUNTY COMMISSIONERS TO PROVIDE INFORMATION TO THE PUBLIC;** and

- (iii) in a manner that provides the public ready access to the copy of the bill and the notice during regular business hours.
- (2) Additional copies of the bill and notice of the hearing shall be made available to the public.
- (d) Sponsor; introduction date.** -- Each copy of a bill shall contain:
 - (1) the name of the county commissioner who introduced the bill; and
 - (2) the date the bill was introduced.
- (e) Amendments.** --
 - (1) An amendment proposed to a bill shall be in writing.
 - (2) A copy of each amendment shall be made available for inspection by the public.
- (f) Passage of bills.** --
 - (1) After a public hearing, a bill may be finally passed on a legislative day with or without amendment.
 - (2)
 - (i) Except as provided in subparagraph (ii) of this paragraph, if a bill is amended before final passage, the bill may not be passed until it is reprinted as amended.
 - (ii) If an emergency bill is amended before final passage, the emergency bill need not be reprinted as amended.
 - (3) Except for an emergency bill, a bill may not be passed less than 7 days after its introduction.
- (g) Vote required for passage.** --
 - (1) Except as provided in paragraph (2) of this subsection, to become a public local law, a bill shall be passed by an affirmative vote of the majority of the total membership of the county commissioners.
 - (2) An emergency bill shall be passed:
 - (i) by an affirmative vote of at least four-fifths of the total membership; or
 - (ii) if the total membership is three members, by an affirmative vote of at least two members.
- (h) Journal.** --
 - (1) The county commissioners shall keep a journal that shall be open to public inspection at all reasonable times.
 - (2) On final passage of a bill, the yea and nay votes shall be recorded in the journal.
- (i) Notice of passage of bills.** -- Each bill that passes, or a fair summary of it, shall be published:
 - (1) **BY POSTING THE NOTICE ON AN OFFICIAL BULLETIN BOARD IN A PUBLIC PLACE IN THE BUILDING IN WHICH THE COUNTY COMMISSIONERS USUALLY MEET OR BY POSTING THE NOTICE ON AN INTERNET WEBSITE ORDINARILY USED BY THE COUNTY COMMISSIONERS TO PROVIDE INFORMATION TO THE PUBLIC; AND in at least one newspaper of general circulation in the county;**

- (2) ; ~~at least three times;~~
- (3) **MAINTAIN PUBLIC ACCESS TO THE NOTICE FOR AT LEAST FOUR SUCCESSIVE WEEKS IMMEDIATELY AFTER PASSAGE OF THE BILL.** ~~at weekly intervals; and~~
- (4) ~~within the 4 week period after passage of the bill.~~

Cobb Island Citizens Association

PO Box 268 13201 Main Ave Cobb Island, MD 20625 | (240) 416 - 1750 | fhiltoncicavp@gmail.com

August 9, 2022

Board of Charles County Commissioners and Office of the County Attorney

c/o Office of the County Attorney

2023 Legislative Request

200 Baltimore Street

La Plata, Md 20646

Dear Board of Charles County Commissioners and Office of the County Attorney,

I am writing on behalf of the Cobb Island Citizens Association to request your assistance in legalizing golf carts on Cobb Island.

In July 2021, Cobb Island Citizens voted unanimously to legalize golf carts. The reasoning is as follows:

1. Legalization requires a valid driver license, and this requirement will exclude 11- to 16-year-olds from operating golf carts. Because they are not legal, we citizens, and Charles County police, have no recourse to reprimand or ticket, underage and unlicensed drivers. Unlicensed drivers operating golf carts causes safety risks to both the golf cart occupants, pedestrians, vehicles, and other golf carts. If golf carts are legalized, the unlicensed driver, and their parent, will be cited and their golf cart will be towed or picked up by their parents.
2. Licensed drivers must drive to the far right of the road. This requirement is common sense golf cart etiquette. The rule is not currently practiced, but legalization will require this rule, and those who don't abide will be cited.
3. Golf carts may not be operated between dusk and dawn. Once legalized, those abusing this rule, will be cited. Golf carts are currently being driven after dusk. Many don't have lights and the operators are putting themselves at risk, as well as pedestrians, vehicles, and other golf carts.

Golf carts are practical and fun. There are over fifty in use on the island. The citizens of Cobb Island, along with the Cobb Island Citizens Association request legislation for safety issues and the ability to report abusers. We feel the island will be a safer place to live and operate golf carts if this legislation is passed.

Please see attached Senate Bill SB76, sponsored by Senator Arthur Ellis. The bill was pre-filed with the Senate on October 29, 2021. The First Reading took place on January

12, 2022, and a favorable report was concluded and adopted by the Senate on February 2, 2022. The Second Reading passed the Senate on February 3, 2022. The Third Reading passed the Senate on February 8, 2022. The senate passed SB76 unanimously. Three island residents testified via Zoom before the Senate and Senator Ellis presented a wonderful power point that focused on the size of the island, the number of residents, and the reasons for our desire to legalize golf carts. SB76 was then sent to the House, under HB76, on March 21, 2022, where it was stalled. HB76 was not brought up for a vote tally by the House.

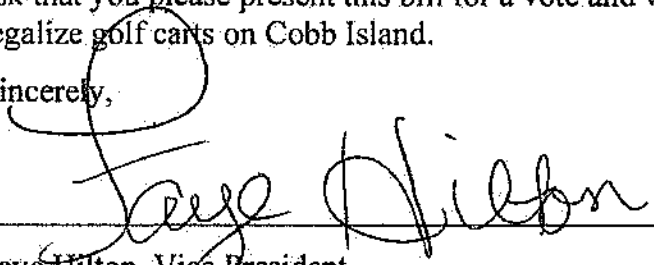
When this process started, the Cobb Island Citizens Association board, and residents, were not aware of a missing step. It is our understanding that because the bill was not presented to the House, prior to the Senate hearings, it was dismissed by the House. The citizens association board was told the bill was originally presented to the House by sponsor Senator Ellis, who offered to cross-file, but the offer was declined by the House. It is our understanding that because the bill was not pre-filed with the House prior to the hearing, it was not presented for a House vote tally which caused the bill to stall.

The Cobb Island Citizens Association and residents of Cobb Island support the legalization of golf carts. The island is small community of residents who enjoy driving their golf carts to and from island events, the market, restaurants, church, and the post office. They are enjoyable and an offer an environmental and economic savings compared to vehicles. As the vice-president of the citizens association, and a long-term island resident, I ask for your undivided support of legalizing golf carts on Cobb Island because this legalization provides safety mechanisms and makes our island a safer place to live

This attachment also includes over one hundred letters of support from islanders.

On behalf of the Cobb Island Citizens Association board, and the island residents, I ask that you please present this bill for a vote and vote in favor of passing the bill to legalize golf carts on Cobb Island.

Sincerely,



Faye Hilton, Vice President

Cobb Island Citizens Association

(240) 416 - 1750 | fhiltoncicavp@gmail.com

SENATE BILL 76

R4, R5

2lr1067

(PRE-FILED)

By: Senator Ellis

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 Motor Vehicle Registration - Exceptions for Golf Carts and Low Speed Vehicles
3 - Cobb Island

4 FOR the purpose of establishing exceptions to motor vehicle registration requirements for
5 golf carts and low speed vehicles on Cobb Island in Charles County, subject to certain
6 requirements; and generally relating to exceptions to motor vehicle registration
7 requirements for golf carts and low speed vehicles on Cobb Island.

8 BY repealing and reenacting, without amendments,
9 Article - Transportation
10 Section 11-180.1 and 13-402(a)(1)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 13-402(c)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2021 Supplement)

18 BY adding to
19 Article - Transportation
20 Section 21-104.5 and 21-104.6
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2021 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 Article - Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SENATE BILL 76

2lr1067

R4, R5

(PRE-FILED)

By: Senator Ellis

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 3, 2022

CHAPTER _____

1 AN ACT concerning

2 Motor Vehicle Registration -- Exceptions for Golf Carts and Low Speed Vehicles
3 - Cobb Island

4 FOR the purpose of establishing exceptions to motor vehicle registration requirements for
5 golf carts and low speed vehicles on Cobb Island in Charles County, subject to certain
6 requirements; and generally relating to exceptions to motor vehicle registration
7 requirements for golf carts and low speed vehicles on Cobb Island.

8 BY repealing and reenacting, without amendments,
9 Article -- Transportation
10 Section 11-130.1 and 13-402(a)(1)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article -- Transportation
15 Section 13-402(c)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2021 Supplement)

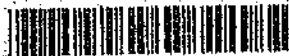
18 BY adding to
19 Article -- Transportation
20 Section 21-104.5 and 21-104.6
21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike-out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2020 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article -- Transportation

11-130.1.

"Low speed vehicle" means a four-wheeled motor vehicle that has a maximum speed capability that exceeds 20 miles per hour but is less than 25 miles per hour.

13-402.

(a) (1) Except as otherwise provided in this section or elsewhere in the Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway shall be registered under this subtitle.

(c) Registration under this subtitle is not required for:

(1) A vehicle that is driven on a highway:

(i) In conformity with the provisions of this title relating to manufacturers, transporters, dealers, secured parties, owners or operators of special mobile equipment, or nonresidents; or

(ii) Under a temporary registration card issued by the Administration;

(2) A vehicle owned and used by the United States, unless an authorized officer or employee of the United States requests registration of the vehicle;

(3) A farm tractor or any farm equipment;

(4) A vehicle the front or rear wheels of which are lifted from the highway;

(5) A towed vehicle that is attached to the towing vehicle by a tow bar and for which no driver is necessary;

(6) A vehicle owned by and in the possession of a licensed dealer for purpose of sale;

(7) A vehicle owned by a new resident of this State during the first 60 days of residency provided the vehicle displays valid registration issued by the jurisdiction of the resident's former domicile;

1 (8) New vehicles being operated as part of a shuttle, as defined in § 13-626
2 of this title, while following a registered vehicle displaying a shuttle permit issued by the
3 Administration;

4 (9) A vehicle operated in connection with maritime commerce exclusively
5 within any terminal owned or leased by the Maryland Port Administration;

6 (10) A snowmobile that is operated on highways and roadways as prescribed
7 by § 25-102(a)(14) of this article;

8 (11) A golf cart that is operated on a highway on Smith Island, provided that
9 the golf cart is equipped with lighting devices as required by the Administration if it is
10 operated on a highway between dusk and dawn;

11 (12) A golf cart that is operated on a highway in accordance with §§
12 21-104.2 through 21-104.4] § 21-104.2, § 21-104.3, § 21-104.4, OR § 21-104.5 of this
13 article;

14 (13) A golf cart that is operated on an Allegany County highway as allowed
15 by the county under § 25-102(a)(16) of this article; [or]

16 (14) A vehicle owned by an accredited consular or diplomatic officer of a
17 foreign government and operated for official or personal purposes when the vehicle displays
18 a valid diplomatic license plate issued by the United States government; OR

19 (15) A LOW SPEED VEHICLE THAT IS OPERATED ON A HIGHWAY IN
20 ACCORDANCE WITH § 21-104.6 OF THIS ARTICLE.

21 21-104.5.

22 A PERSON WHO OPERATES A GOLF CART ON A HIGHWAY ON COBB ISLAND,
23 CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER §
24 18-402(c)(12) OF THIS ARTICLE:

25 (I) MAY OPERATE THE GOLF CART ONLY:

26 (I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED
27 LIMIT DOES NOT EXCEED 30 MILES PER HOUR;

28 (II) BETWEEN DAWN AND DUSK; AND

29 (III) IF THE GOLF CART IS EQUIPPED WITH LIGHTING DEVICES
30 AS REQUIRED BY THE ADMINISTRATION;

1 (2) SHALL KEEP THE GOLF CART AS FAR TO THE RIGHT OF THE
2 ROADWAY AS FEASIBLE; AND

3 (3) SHALL POSSESS A VALID DRIVER'S LICENSE.

4 21-104.6.

5 A PERSON WHO OPERATES A LOW SPEED VEHICLE ON A HIGHWAY ON COBB
6 ISLAND, CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER §
7 13-402(C)(15) OF THIS ARTICLE:

8 (1) MAY OPERATE THE LOW SPEED VEHICLE ONLY:

9 (I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED
10 LIMIT DOES NOT EXCEED 30 MILES PER HOUR;

11 (II) BETWEEN DAWN AND DUSK; AND

12 (III) IF THE LOW SPEED VEHICLE IS EQUIPPED WITH LIGHTING
13 DEVICES AS REQUIRED BY THE ADMINISTRATION;

14 (2) SHALL KEEP THE LOW SPEED VEHICLE AS FAR TO THE RIGHT OF
15 THE ROADWAY AS FEASIBLE; AND

16 (3) SHALL POSSESS A VALID DRIVER'S LICENSE.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.

REVENUE AUTHORITY PROPOSAL:

The governing body of the County is authorized to create, by local law, a body corporate and politic and a unit of the County known as the "Revenue Authority of Charles County."

(1) PURPOSE.

(a) Subject to the provisions of Subsection (c) of this Section, the Authority may construct, reconstruct, remodel, renovate, improve, equip, furnish, maintain, acquire (by purchase, lease, or other legal means), operate, control, regulate, and finance or refinance projects within the boundary lines of the County, devoted wholly or partially for public uses, good, or general welfare.

(b) Projects authorized under Subsection (a) of this Section may include:

(1) Projects to stimulate employment or economic growth in the County;

(2) Stadiums and recreational facilities;

(3) Housing projects;

(4) Health and welfare facilities;

(5) Transportation facilities and systems;

(6) Land and buildings to be occupied by governmental or educational agencies; and

(7) Other projects authorized by local law.

(c) The approval of the governing body of the County, by ordinance or resolution, shall be required for all projects authorized under this Section.

(2) ESTABLISHMENT.

The Authority shall be created when the County:

(1) Passes local laws providing and constituting the terms of the charter for the Authority; and

(2) Files the charter with:

(A) The Department of Assessments and Taxation;

(B) The Department of Legislative Services; and

(C) The Secretary of State.

(c) The County may:

(1) Amend the Authority's charter through local law if the amendments are filed with the Department of Assessments and Taxation, the Department of Legislative Services, and the Secretary of State;

(2) Change the structure, organization, program, powers, or activity of the Authority unless the change would impair the Authority's obligations under a contract or agreement the Authority entered into before the change; and

(3) Terminate the Authority unless the termination would impair the Authority's obligations under a contract or agreement the Authority entered into before the termination.

(d) Before the County establishes the Authority, the County shall hold a public hearing which:

(1) Shall be advertised twice by publication in a newspaper of general circulation in the County at least 10 days before the hearing; and

(2) May not be part of the annual budget hearing.

A proposal to require that a reserve of no less than ten (10) active or retired Administrative Law Judges be established by the Office of Administrative Hearings to serve on Trial Boards convened pursuant to Public Safety Article 3-101 et. seq. (MD Police Accountability Act), who have been trained in accordance with §3-106.

§ 3-106. Trial board process — Members — Training on police procedures — Open to public — Oaths and subpoenas — Trial board hearing — Burden of proof — Discipline for cause only — Finality.

(a)

(1) Except as provided in paragraph (2) of this subsection, each law enforcement agency shall establish a trial board process in accordance with this section to adjudicate all matters for which a police officer is subject to discipline.

(2) A small law enforcement agency may use the trial board process of another law enforcement agency by mutual agreement.

(b) (1) Except as provided in paragraph (2) of this subsection, a trial board shall be composed of:

(i) SUBJECT TO SUBSECTION (a) THROUGH (c) OF THIS SECTION, an actively serving or retired administrative law judge ~~or a retired judge of the District Court or a circuit court, appointed by the chief executive officer of the county;~~

(a) THE ADMINISTRATIVE LAW JUDGE TO SERVE ON THE TRIAL BOARD SHALL BE APPOINTED BY THE LOCAL GOVERNING BODY FROM THE LIST OF PRE-QUALIFIED ADMINISTRATIVE LAW JUDGES PROVIDED BY THE OFFICE OF ADMINISTRATIVE HEARINGS;

(b) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL CREATE AND MAINTAIN A LIST OF NO LESS THAN TWELVE ACTIVE OR RETIRED ADMINISTRATIVE LAW JUDGES FOR ASSIGNMENT TO A TRIAL BOARD;

(c) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL ENSURE THAT EACH ADMINISTRATIVE LAW JUDGE ON THE LIST DESCRIBED IN (b) IS PROPERLY TRAINED IN ACCORDANCE WITH §3-106, ABLE TO SERVE A TRIAL BOARD AND AVAILABLE TO ACCEPT THE TRIAL BOARD ASSIGNMENT, EITHER REGIONALLY OR STATEWIDE, AS REQUIRED; AND

(d) THE OFFICE OF ADMINISTRATIVE HEARINGS MAY CREATE A NEW POSITION OF ADMINISTRATIVE LAW JUDGE SPECIFICALLY TRAINED TO HANDLE TRIAL BOARD ASSIGNMENTS IN ORDER TO ENSURE THE AVAILABILITY OF AT LEAST TWELVE (12) JUDGES AT ANY GIVEN TIME.

(ii) a civilian who is not a member of an administrative charging committee, appointed by the county's police accountability board; and

(iii) a police officer of equal rank to the police officer who is accused of misconduct appointed by the head of the law enforcement agency.

§ 9-1604. Chief Administrative Law Judge — Powers and duties.

(a) The Chief Administrative Law Judge shall:

(1) supervise the Office of Administrative Hearings;

- (2) establish qualifications for administrative law judges;
- (3) appoint and remove administrative law judges in accordance with § 9-1605 of this subtitle;
- (4) assign administrative law judges to conduct hearings in contested cases or cases to determine eligibility for compensation and benefits under § 10-501 of the State Finance and Procurement Article;
- (5) if necessary, establish classifications for case assignment on the basis of subject matter, expertise, and case complexity;
- (6) establish and implement standard and specialized training programs and provide materials for administrative law judges;
- (7) provide and coordinate continuing education programs and services for administrative law judges, including research, technical assistance, technical and professional publications, compiling and disseminating information, and advise of changes in the law relative to their duties;
- (8) develop model rules of procedure and other guidelines for administrative hearings;
- (9) develop a code of professional responsibility for administrative law judges; and
- (10) monitor the quality of State administrative hearings.

(11) establish a reserve of no less than ten (10) qualified, active or retired Administrative Law Judges to serve on Trial Boards pursuant to Public Safety Article 3-101 et.seq.

Md. Economic Development Code Ann. § 13-603

Current with all legislation from the 2022 Regular Session of the General Assembly.

Michie's™ Annotated Code of Maryland > Economic Development (Divs. I — II) > Division II. Independent and Regional Development Units and Resources. (Titles 9 — 16) > Title 13. Regional Development Resources. (Subts. 1 — 12) > Subtitle 6. Tri-County Council for Southern Maryland. (Pts. I — III) > Part I. General Provisions. (§§ 13-601 — 13-617)

§ 13-603. Membership.

(a) The Council consists of:

- (1) the members of the General Assembly representing the region, as voting members;
- (2) the commissioners of Calvert, Charles, and St. Mary's counties, as voting members;
- (3) one voting member appointed by the president of the Southern Maryland Municipal Association;
- (4) one voting member at large from each county **FOR EVERY 50,000 RESIDENTS AS DETERMINED BY THE DECENNIAL CENSUS**, appointed by the commissioners of the county with the concurrence of the members of the General Assembly representing the county;
- (5) one nonvoting member from each county, appointed jointly by the economic development commission and the planning and zoning commission of the county; and
- (6) one nonvoting member appointed by the Department and the Department of Planning.

(b)

- (1) An ex officio member is a member only during the member's term of office.
- (2) A member at large serves at the pleasure of the elected members who represent the same county.
- (3) At the end of a term, a member continues to serve until a successor is appointed.
- (4) Except for an ex officio member, a member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

History

An. Code 1957, art. 20, §§ 2-101 to 2-104; [2008, ch. 306, § 2](#).

Annotations

Research References & Practice Aids

Hierarchy Notes:

[Md. Economic Development Code Ann](#)

Md. Economic Development Code Ann. § 13-603

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End of Document


2023 Legis Pkg to Delegation

Final Audit Report


2022-10-21


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