STELLA B. WERNER COUNCIL OFFICE BUILDING

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PRESS RELEASE

NOTE DATE CHANGE

FROM: CHARTER REVIEW COMMISSION

FOR IMMEDIATE RELEASE   Contact: Sonya E. Healy

September 28, 2005   (240) 777-7970

CHARTER REVIEW COMMISSION SCHEDULES PUBLIC FORUM
OCTOBER 24, 2005 7:30 to 9:30 p.m.

The Montgomery County Charter Review Commission will hold a public forum on <u>Monday, October 24</u> from 7:30 to 9:30 p.m. in the 7th Floor Hearing Room at the Council Office Building in Rockville. The Commission is seeking comments on a variety of issues to determine if the current system of County Government adequately addresses the needs of County residents.

Specifically, the Commission would like community input on the following issues: (1) whether the size and structure of the Council provides the appropriate level of representation; (2) if the Charter should specify that being a Councilmember is a full- or part-time job; (3) whether the State Constitution should be amended to increase the number of signatures required to petition a County Charter amendment; and (4) if the County's process for reviewing petition language should require a final determination on ballot language before signatures are collected. **While general comments are welcomed, the Commission is seeking specific recommendations on each of these issues.**

Size and Structure of the Council

Currently, the Council is made up of nine Councilmembers, with five elected from geographic districts and four elected at-large. With more than 940,000 residents and an expanding minority population, the Commission is revisiting the issues associated with the size and structure of the Council to determine if adding Council seats or changing the ratio of district versus at-large seats would help promote increased political participation.

The Commission is also considering if the Charter should specify that Councilmember positions are full-time or part-time jobs. This decision has implications beyond simply determining the amount of time a Councilmember should devote to Council-related business. Other rules must be defined, such as; whether a Councilmember should be permitted to have outside employment, what constitutes a Council-

related activity for the purpose of determining the number of hours worked, and who should have the responsibility for determining whether a Councilmember is serving as a full-time representative.

Number of Signatures Required to Petition a County Charter Amendment

The Maryland Constitution, Article XI-A, Section 5, provides that amendments to county charters can be proposed, "by a petition signed by not less than 20 percent of registered voters of the . . . county, provided, however, that in any case 10,000 signatures shall be sufficient to complete a petition." This provision has been in effect since 1915. At that time, virtually every county in Maryland had fewer than 10,000 registered voters. Today, 10,000 signatures represents approximately two percent of the County's registered voters, and this percentage will continue to decrease as the County's population grows.

Meanwhile, Charter Section 114, Referendum, requires signatures of five percent of registered voters to petition to referendum legislation enacted by the Council. The County has approximately 544,800 registered voters. Therefore, legislative petitions would require 27,240 signatures, while Charter petitions require only 10,000 signatures. As a result, it is significantly easier to petition to change the Charter than to alter Council adopted legislation.

Congruency of Ballot Language

If a sponsor of a Charter amendment is successful in gathering the requisite number of signatures, a petition is filed with the Executive, and the Executive must send the petition to the Board of Elections within 24 hours. Maryland Election Law provides that unless some other process is mandated by law, the County Attorney drafts the ballot title, the description of the proposed Charter amendment, and the voting choices. The County Code provides that the Council prepares the proposed amendment "to present the purpose and substance of the amendment fairly and concisely." The Commission is considering if the law should require the County Attorney and Council to make a final determination on ballot language prior to signature collection.

Mission of the Charter Review Commission

The Charter is the constitutional framework for County Government. Charter Section 509 provides for an eleven-member, bi-partisan Charter Review Commission to study the Charter. The Commission must report to the Council in May 2006 with recommendations for possible Charter revisions. These recommendations may lead to proposed Charter amendments that are voted on by the electorate in November 2006. The current members of the Commission are: Kenneth Muir, Chair, Barbara Smith Hawk, Vice Chair, Julie W. Davis, Mollie N. Habermeier, Cheryl C. Kagan, Michael W. McKeehan, Randy Scritchfield, Robert M. Skelton, Shelton Skolnick, and Sally Sternbach.

Those wishing to present their opinions on the issues listed above or who are interested in recommending additional issues for the Commission to study should sign up to speak by contacting Carol Edwards at 240-777-7929 or via e-mail at CharterReview.Commission@montgomerycountymd.gov. Written testimony may also be submitted

via e-mail at the above address or mailed to the Charter Review Commission c/o Montgomery County Council, Stella Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850.

The Charter can be accessed on the web at: http://www.montgomerycountymd.gov/govtmpl.asp or by calling 240-777-7900. Directions to the Council Office Building may also be obtained by calling this number. The Commission's web site is found at: http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/charterreview.asp.

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