

**MEMORANDUM**

March 31, 2016

TO: Government Operations and Fiscal Policy Committee

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Worksession:** Bill 4-16, Boards, Committees, and Commissions – Various Amendments

Bill 4-16, Boards, Committees, and Commissions – Various Amendments, sponsored by Lead Sponsor Government Operations and Fiscal Policy Committee, was introduced on March 1, 2016. A public hearing was held on March 22.

Bill 4-16 would:

- increase the membership of the Animal Matters Hearing Board, the Commission on Aging, the Commission on People with Disabilities, the Commission on Veterans Affairs, the Commission on Child Care, and the Library Board; and
- eliminate the various geographical area recreation advisory boards.

**Background**

County Code §2-146(c) requires the Executive to appoint, subject to Council confirmation, a citizens review committee to “review the committee system and each then-existing committee and report to the Executive and Council its recommendations for changes in individual committees and the committee system as a whole.” The most recent Committee Evaluation and Review Board (CERB) was appointed on March 6, 2012 and issued its final report to the Council and the Executive on September 30, 2013. A copy of the report can be viewed at: <https://www.montgomerycountymd.gov/boards/Resources/Files/20-CERB-REPORT-2013.pdf>.

The CERB visited and reviewed the operation of 87 boards, committees and commissions (BCC) supporting the County government. The CERB made various recommendations that would require a change in County law to implement. Some of these recommendations were general changes that would apply to each BCC and some were specific to certain BCC’s. Bill 4-16 would amend County law to implement the specific changes affecting an individual BCC as recommended by the CERB.

The CERB presented its report to the Council on January 31, 2014. The Council’s Government Operations and Fiscal Policy Committee held a worksession to discuss the CERB report and recommendations on March 17, 2014.

## The Changes in the Bill

- 1. Increase the membership of the Animal Matters Hearing Board from five to seven and abolish the requirement for alternates.**

See lines 31-47 of the Bill at ©4.

- 2. Amend §27-35(a) for the Commission on Aging to include representatives from the Mental Health Advisory Committee and Veterans Affairs Commission.**

See lines 124-150 of the Bill at ©7-8. This change would create an exception to the general rule in Code §2-148(a)(1) that states:

*To promote broad participation, no individual should ordinarily serve more than 2 consecutive full terms or serve on more than one committee at any one time.*

- 3. Amend §10A-4(c)(2), Montgomery County Code, to add a designee of the Director of Community Use of Public Facilities as a public agency with non-voting membership on the Commission on Child Care.**

See lines 54-80 of the Bill at ©5.

- 4. Amend §27-51(a), Montgomery County Code, to include a representative from the Veterans Affairs Commission as a non-voting member of the Commission on People with Disabilities.**

See lines 153-164 of the Bill at ©8-9. This change would create another exception to the general rule in Code §2-148(a)(1).

- 5. Amend §24-61(c), Montgomery County Code, to include a representative from the Commission on People with Disabilities as a non-voting member of the Commission on Veterans Affairs.**

See lines 102-120 of the Bill at ©6-7. This change would create another exception to the general rule in Code §2-148(a)(1).

- 6. Amend §2-46, Montgomery County Code, to require a representative from Montgomery College to be on the Library Board.**

See lines 4-10 of the Bill at ©3.

- 7. Amend various sections of the County Code to consolidate the geographical area recreation boards into the County-wide Recreation Advisory Board.**

See lines 178-306 of the Bill at ©9-14.

## Public Hearing

Bruce Goldensohn, CERB Chair, supported the Bill at the hearing on March 22. Mr. Goldensohn suggested amendments to the provisions modifying the composition of the Commission on Child Care and the Recreation Board.

### Issues

#### 1. Should the composition of the consolidated Recreation Board be modified and the name changed?

Mr. Goldensohn testified at the public hearing that the Bill does not follow the CERB recommendations to modify the composition of the Recreation Board. Mr. Goldensohn testified that the Board should have 3 members from each of the 4 recreation areas instead of 1 and only 6 at-large members. Mr. Goldensohn also testified that the CERB recommended changing the name of the Board to the Recreation and Parks Advisory Board. **Council staff recommendation:** Amend the Bill to conform to Mr. Goldensohn's testimony. If the Committee decides to follow these recommendations, they can be accomplished with the following amendments:

*Amend lines 180-188 as follows:*

#### 41-21. Recreation ~~[[board]]~~ and Parks Advisory Board.

- (a) There is a County Recreation and Parks Advisory Board. Each member is appointed by the County Executive and confirmed by the County Council for a 3-year term beginning on July 1. A member serves until a successor is appointed and confirmed.
- (b) The voting members of the Board are:
  - (1) ~~[[1 representative]]~~ 3 representatives from each recreation area ~~[advisory board];~~ and
  - (2) ~~[[15]]~~ 6 members appointed from the County at-large to represent a cross-section of the population of the County.

#### 2. Should the provision changing the composition of the Commission on Child Care be amended?

Mr. Goldensohn testified at the public hearing that the changes to the composition of the Commission on Child Care in the Bill does not track the CERB's recommendations. Mr. Goldensohn provided Council staff with further clarification after the public hearing. The CERB recommended that the MML representative be removed. This omission appears to be a drafting error. Staff Amendment 1 would correct this omission and remove the MML member. See ©16. Mr. Goldensohn also questioned the addition of a non-voting designee of the Director of the Community Use of Public Facilities to the Commission. This non-voting position was added to the Bill based upon the summary of recommendations prepared by Council staff in March 2014. **Council staff recommendation:** remove the MML representative with Staff Amendment 1.

**3. Should the Commission on Aging, the Veterans Affairs Commission, and the Commission on People with Disabilities add a member of another Commission?**

The Bill would add a member of the Mental Health Advisory Committee and the Veterans Affairs Commission to the Commission on Aging. The Bill would add a member of the Veterans Affairs Commission to the Commission on People with Disabilities and add a member of the Commission on People with Disabilities to the Veterans Affairs Commission.

Code §2-148(a)(1) states:

*To promote broad participation, no individual should ordinarily serve more than 2 consecutive full terms or serve on more than one committee at any one time.*

Each of these changes would be another exception to this general rule. While it is important to have one or more members of the Veterans Affairs Commission who understand the issues faced by people with disabilities, that person does not have to be a member of the Commission on People with Disabilities. Mr. Goldensohn testified that these additions would not conflict with this general rule since the member would serve as a member of the original group, but only a representative to the secondary group. This is a distinction without a difference. Code §2-148(a)(1) is not mandatory, and the Committee may approve the Bill as introduced without amending this provision. However, these provisions would be exceptions to the general rule.

This packet contains:

Bill 4-16  
Legislative Request Report  
Staff Amendment 1

Circle #

1  
15  
16

Bill No. 4-16  
Concerning: Administration - Boards,  
Committees, and Commissions -  
Various Amendments  
Revised: January 21, 2016 Draft No. 1  
Introduced: March 1, 2016  
Expires: September 1, 2017  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Government Operations and Fiscal Policy Committee

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**AN ACT** to:

- (1) increase the membership of the Animal Matters Hearing Board, the Commission on Aging, the Commission on People with Disabilities, the Commission on Veterans Affairs, the Commission on Child Care, and the Library Board;
- (2) eliminate the various geographical area recreation advisory boards; and
- (3) generally amend the law governing the appointment and operation of boards, committees, commissions, and task forces that operate as part of the County government.

By amending

Montgomery County Code  
Chapter 2, Administration  
Section 2-46

Chapter 5, Animal Control  
Section 5-104

Chapter 10A, Child Care  
Section 10A-4

Chapter 24, Health and Sanitation  
Section 24-61

Chapter 27, Human Rights and Civil Liberties  
Sections 27-35 and 27-51

Chapter 41, Recreation and Recreation Facilities  
Article III. Recreation Areas and Advisory Boards.  
Sections 41-21, 41-25, 41-26, 41-27, 41-28, 41-29, and 41-30

|                              |  |
|------------------------------|--|
| <b>Boldface</b>              | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>           | <i>Added to existing law by original bill.</i>             |
| [Single boldface brackets]   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>    | <i>Added by amendment.</i>                                 |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * *                        | <i>Existing law unaffected by bill.</i>                    |

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Sections 2-46, 5-104, 10A-4, 24-61, 27-35, 27-51, 41-21, 41-25, 41-**  
 2 **26, 41-27, 41-28, 41-29, and 41-30 are amended as follows:**

3 **2-46. Library board-Established; composition; term of members.**

4           There is a Montgomery County Library Board composed of [12] 13 members  
 5 appointed by the Executive from the County at large, including 1 member  
 6 recommended by Montgomery College, subject to the confirmation of the [county  
 7 council] Council], by the county executive]. The supervisor of school libraries is an  
 8 ex officio member of the board. A member is appointed for a term of 3 years. [, in an  
 9 appointment] A member appointed to fill a vacancy before a term expires [, the  
 10 successor] serves the rest of the unexpired term.

11 **5-104. Animal Matters Hearing Board.**

12           (a) *Jurisdiction.*

13           (1) As provided in this Chapter, the Animal Matters Hearing Board  
 14 has jurisdiction to hear:

15           (A) original complaints involving allegations of violations of  
 16 this Chapter or a violation of the terms of an adoption  
 17 agreement; and

18           (B) appeals from any decision or order of the Director.

19           (2) The Board must not enter an order that conflicts with a decision of  
 20 the County Circuit or District Court.

21           (3) The Board must not hear a complaint or an appeal involving the  
 22 seizure of an animal if the owner has been arrested and charged  
 23 with violating any provision of Title 10, Subtitle 6 of the Criminal  
 24 Law Article or Section 21-1004.1 of the Transportation Article of  
 25 the Maryland Code until the charges have been finally resolved by  
 26 the court with jurisdiction.

27 (b) *Complaints.* A person may file a complaint with the Board alleging a  
28 violation of this Chapter or a violation of an animal shelter adoption  
29 contract. A complaint must be filed within one year after the alleged  
30 violation occurred.

31 (c) *Membership.*

32 (1) The Animal Matters Hearing Board consists of [5] 7 members  
33 appointed by the County Executive and confirmed by the County  
34 Council. The Board must include:

- 35 (A) a representative of licensed animal fanciers;
- 36 (B) a representative of the County Humane Society; and
- 37 (C) [3] 5 public members.

38 (2) [The Executive must appoint, subject to Council confirmation, a  
39 qualified alternate for each member. The alternate may vote in  
40 place of the member when the member is absent.

41 (3)] The Executive may remove a member who misses three meetings  
42 during a fiscal year without permission of the Chair.

43 [(4)] (3) Each member [and alternate] serves for 3 years or until a  
44 successor takes office, whichever is later. A person appointed to  
45 fill a vacancy fills the remainder of the predecessor's term.

46 [(5)] (4) The Board must elect a Chair each year from among its  
47 members.

48 \* \* \*

49 **10A-4. Commission on child care.**

50 \* \* \*

51 (c) *Membership of Commission.*

52 (1) The members of the Commission are appointed by the County  
53 Executive, subject to confirmation by the County Council.

54 (2) The Commission has 18 voting members and [5] 6 to [7] 8  
 55 nonvoting members. The County Executive should appoint the  
 56 voting members so that:

57 [a.] (A) Seven members are providers of child care services.

58 The Executive should appoint providers of different types  
 59 of child care services and providers to different age groups.

60 These include family day care providers, group day care  
 61 providers, private educational institutions, and providers  
 62 serving infants, toddlers, pre-school and school-age  
 63 children, and children with special needs.

64 [b.] (B) Five members are parents of children receiving child  
 65 care services.

66 [c.] (C) Five members are selected from the business  
 67 community and the general public.

68 [d.] (D) One member represents the Montgomery County  
 69 chapter of the Maryland Municipal League.

70 (3) The Superintendent of Schools, the Chairman of the Montgomery  
 71 County Planning Board, the President of Montgomery College, or  
 72 their designees, are nonvoting members of the Commission. Two  
 73 designees of the Director of the Department of Health and Human  
 74 Services and one designee of the Director of the Community Use  
 75 of Public Facilities are also nonvoting members of the  
 76 Commission. In addition, upon recommendation of the  
 77 Commission, the Executive may designate representatives of up to  
 78 2 public agencies to serve as nonvoting members. The Executive  
 79 may appoint these additional members to serve less than [three-  
 80 year] 3-year terms.

81 (4) Each member must reside or work in Montgomery County.

82 \* \* \*

83

84 **24-61. Commission on Veterans Affairs.**

85 (a) Definition. In this Section “Commission” means the Commission on  
86 Veterans Affairs.

87 (b) Established. The County Executive must appoint, subject to confirmation  
88 by the Council, a Commission on Veterans Affairs.

89 (c) Composition; Term.

90 (1) The Commission has 16 voting members.

91 (2) The Executive should appoint 8 members who are veterans and  
92 may be a member of a veterans group, such as:

93 (A) Vietnam Veterans of America;

94 (B) American Veterans (AMVETS);

95 (C) Disabled American Veterans;

96 (D) Veterans of Foreign Wars;

97 (E) Women Veterans of America;

98 (F) American Legion; or

99 (G) Military Order of the Purple Heart.

100 (3) The Executive must appoint 4 members to represent the general  
101 public.

102 (4) The Executive must designate the following ex officio members:

103 (A) the Director of the Department of Health and Human  
104 Services, or the Director’s designee;

105 (B) the Director of the Department of Economic Development,  
106 or the Director’s designee;

107 (C) the County Executive or the Executive’s designee; and

108 (D) the President of Montgomery College or the President's  
 109 designee.

110 (5) The Executive must invite a representative of the County's  
 111 Congressional delegation who is either a member of the delegation  
 112 or an individual designated to represent the delegation to be a non-  
 113 voting member of the Commission.

114 (6) The Executive must appoint a member of the Commission on  
 115 People with Disabilities as a non-voting member.

116 (7) The term of each member is 3 years.

117 [(7)] (8) The Executive must designate a chair and a vice-chair from  
 118 among the Commission's members.

119 [(8)] (9) After an appointment to fill a vacancy before a term expires,  
 120 the successor serves the rest of the unexpired term.

121 \* \* \*

122 **27-35. Creation; composition; appointment; terms and compensation of**  
 123 **members; meetings; quorum; reports.**

124 (a) *Creation and composition; appointment of members; election of officers.*

125 There is hereby established a commission on aging [. The commission  
 126 shall consist of no less than] with at least eighteen (18) members  
 127 appointed by the [county executive] Executive, subject to confirmation  
 128 by the [county council] Council. [Membership shall] After considering  
 129 the recommendations of the commission, the Executive must appoint a  
 130 majority of members who are [consist of the] older citizens. In addition,  
 131 each member must be:

132 (1) a County resident; and

133 (2) an individual who is or who has been active in business, industry,  
 134 labor, community service, religion, welfare, education, the



- 162 (B) Department of Transportation; [and]
- 163 (C) Human Rights Commission; and
- 164 (D) Veterans Affairs Commission; and
- 165 (5) two nonvoting members from the Department of Health and
- 166 Human Services.

167 The County Executive appoints Commission members. The County Executive  
 168 appoints voting members subject to confirmation by the County Council. The  
 169 County Executive may appoint additional nonvoting members from other  
 170 governmental agencies. All appointments are for a [3 year] 3-year term  
 171 beginning October 1, except appointments to fill unexpired terms. If a vacancy  
 172 occurs on the Commission, the County Executive should appoint a successor to  
 173 complete the unexpired term within 60 days of the occurrence of the vacancy.  
 174 After receiving recommendations of Commission members, the County  
 175 Executive must appoint the chairperson and vice chairperson of the Commission,  
 176 subject to confirmation by the County Council.

177 \* \* \*

178 **Article III. Recreation Areas and Advisory Boards.**

179 \* \* \*

180 **41-21. Recreation board.**

- 181 (a) There is a County Recreation Board. Each member is appointed by the
- 182 County Executive and confirmed by the County Council for a 3-year term
- 183 beginning on July 1. A member serves until a successor is appointed and
- 184 confirmed.
- 185 (b) The voting members of the Board are:
  - 186 (1) 1 representative from each recreation area [advisory board]; and
  - 187 (2) 15 members appointed from the County at-large to represent a
  - 188 cross-section of the population of the County.

- 189 (c) The ex officio, nonvoting members of the Board are:
- 190 (1) a representative of the Department of Parks of the Maryland-
- 191 National Capital Park and Planning Commission;
- 192 (2) an administrative representative of the Board of Education;
- 193 (3) the immediate past Chair of the County Recreation Board, unless
- 194 that person serves on the Board in another capacity;
- 195 (4) a representative of the Office of Community Use of Public
- 196 Facilities;
- 197 (5) a representative of the Community Action Board;
- 198 (6) a representative of the Commission on Aging; and
- 199 (7) a representative of the Commission on People with Disabilities.

200 **[41-25. Recreation area advisory boards-Created.**

201 In each recreation area created pursuant to this article, there shall be one

202 (1) recreation area advisory board which shall serve as the representative body

203 for such area on recreation matters.]

204 **[41-26. Same-Purpose; goals and opportunities.**

205 The recreation area advisory boards shall encourage the development of

206 desirable recreational and park opportunities in the designated recreation areas

207 of the county, so that all the people may live enriched lives, find greater

208 enjoyment and happiness, have better mental health, greater physical vitality

209 and deeper moral strength. To accomplish this purpose, each board shall be

210 concerned with the following recreational goals and opportunities:

- 211 (a) Opportunities that reflect the interests and needs of recreation area
- 212 residents.
- 213 (b) Opportunities within the financial ability of all the people.
- 214 (c) Equality of opportunity for all people, regardless of race, origin, religion,
- 215 age or sex.

- 216 (d) Year-round opportunity for all ages and both sexes.
- 217 (e) A wide range and diversity of individual choices (e.g., camping, dance,
- 218 drama, athletics, fine arts, performing arts, games, music, social
- 219 recreation, crafts and special events).
- 220 (f) A balanced emphasis within the range of individual choices.
- 221 (g) Opportunities for varying degrees of skill.
- 222 (h) Opportunities for the individual, the family and groups.
- 223 (i) Opportunities for progressive advancement.
- 224 (j) Opportunities for creative expression.
- 225 (k) Active and passive opportunities.
- 226 (l) Opportunities that utilize other community resources.
- 227 (m) Relating opportunities to other community agencies.
- 228 (n) Opportunities for residents to participate in recreational planning.
- 229 (o) Assistance to individuals and groups seeking their own opportunities.
- 230 (p) Indoor and outdoor recreation opportunities centrally located and easily
- 231 accessible.
- 232 (q) Advice on the acquisition of open space to satisfy recreational pursuits,
- 233 prevent overcrowding, make the district a more attractive place to live,
- 234 conserve wooded areas and stream valleys, preserve historical, geological
- 235 and horticultural features, and preserve areas of natural beauty.
- 236 (r) Recreation grounds and facilities based upon user interests and needs and
- 237 population ratio.]

238 **[41-27. Membership.**

- 239 (a) Each recreation area advisory board consists of 9 members and 2
- 240 alternates, each of whom resides in the designated recreation area. Each
- 241 member is appointed by the county executive, subject to confirmation by
- 242 the county council. Individual appointments to a board must reflect a

243 wide diversity of recreational interests. The Executive must consider  
244 geographical representation from different neighborhood centers in the  
245 recreation area. In order to maintain continuity on each recreation area  
246 advisory board, the Executive must appoint 3 members of each board  
247 annually and appoint the 2 alternates every 3 years. Each member serves  
248 3 years or until a successor is confirmed. A regular board member must  
249 not serve more than 2 consecutive full terms, but any member may be  
250 reappointed after a lapse of one year. A vacancy occurring before a term  
251 expires is filled for the remainder of the unexpired term of the  
252 predecessor. Appointments to unexpired terms are not a full term.

253 (b) When the Executive appoints an alternate member of a recreation area  
254 advisory board, the Executive must designate whether the appointee  
255 would serve as the primary or secondary alternate. Alternate members  
256 may participate in board discussions but must not vote unless acting for  
257 an absent board member. When a board member resigns, the first  
258 alternate becomes a full member for the remainder of the former  
259 member's term and the second alternate becomes the first alternate.

260 (c) A municipality with an active recreation program in a designated County  
261 recreation area may designate one or more representatives to serve as  
262 non-voting, ex officio members of the recreation area advisory board for  
263 that area.

264 (d) The members of each board serve without compensation. The department  
265 of recreation must designate a department employee to advise each board,  
266 and the director of the department must ask the Maryland-National  
267 Capital Park and Planning Commission to have a staff member present at  
268 meetings of each board.]

269 **[41-28. Same-Chairperson and vice-chairperson.**

270 The chairperson and vice-chairperson shall be elected by each recreation area  
271 advisory board from among its members. The term of the chairperson and vice-  
272 chairperson shall be one (1) year, and each shall be eligible for reelection for an  
273 additional one-year term. No chairperson or vice-chairperson shall serve  
274 consecutively for more than two (2) years.]

275 **[41-29. Meetings; quorum.**

276 Each recreation area advisory board meets in public session on call by the  
277 chairman as frequently as necessary to perform its duties, but not less than 10  
278 times annually. Reasonable notice must be given for all meetings of the board.  
279 A majority of the members of the board is a quorum for the transaction of  
280 business, and a majority vote of those present at any meeting is required for any  
281 action taken by the board.]

282 **[41-30. Duties.**

283 Each board must advise the county recreation board, the county  
284 executive, the county council, the director of the county department of  
285 recreation, and the Montgomery County Planning Board about the appropriate  
286 number and nature of recreation programs, neighborhood and community parks,  
287 and facilities for leisure activities and the well-being of county residents. A  
288 board also may:

- 289 (a) Study and appraise the existing and future recreation needs of its  
290 recreation area in terms of program, facilities and services, and suggest  
291 plans to meet those needs.
- 292 (b) Provide general comments on annual budget requests for recreation and  
293 parks, programs and facilities.
- 294 (c) Support high standards in recreation leadership and in quality of program  
295 service.

- 296 (d) Encourage cooperation with other related agencies and assist in
- 297 correlating community forces for the development of recreation and
- 298 parks.
- 299 (e) Render advice on the design and layout of recreation grounds and
- 300 facilities.
- 301 (f) Advise the county council on legislative and budgetary matters regarding
- 302 recreation.
- 303 (g) Inform the Regional Citizens Advisory Board about matters related to
- 304 recreation and parks, and collaborate with the Regional Board on planning,
- 305 conservation, environment, and other issues that affect park and recreation
- 306 facilities and services.]

307

308 *Approved:*

309

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Nancy Floreen, President, County Council Date

310 *Approved:*

311

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Isiah Leggett, County Executive Date

312 *This is a correct copy of Council action.*

313

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Linda M. Lauer, Clerk of the Council Date

## LEGISLATIVE REQUEST REPORT

Bill 4-16

Boards, Committees, and Commissions – Various Amendments

**DESCRIPTION:** Bill 4-16 would increase the membership of the Animal Matters Hearing Board, the Commission on Aging, the Commission on People with Disabilities, the Commission on Veteran Affairs, the Commission on Child Care, and the Library Board. The Bill would also eliminate the various geographical area recreation advisory boards.

**PROBLEM:** The Executive appointed, subject to Council confirmation, a citizen committee (CERB) to study the 87 boards, committees, commissions, and task forces that support County government in 2012. The CERB issued a final report in 2014. This Bill would implement some of the recommendations from the CERB report.

**GOALS AND OBJECTIVES:** Improve the operation of the 87 BCC's.

**COORDINATION:** County Executive, Chief Administrative Officer.

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Robert H. Drummer, Senior Legislative Attorney

**APPLICATION WITHIN MUNICIPALITIES:** Not applicable.

**PENALTIES:** Not applicable.

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## Staff Amendment 1

*Amend lines 51-80 as follows:*

### 10A-4. Commission on child care.

\* \* \*

- (c) Membership of Commission.
- (1) The members of the Commission are appointed by the County Executive, subject to confirmation by the County Council.
  - (2) The Commission has ~~[[18]]~~ 17 voting members and ~~[5]~~ 6 to ~~[7]~~ 8 nonvoting members. The County Executive should appoint the voting members so that:
    - [a.] ~~(A)~~ Seven members are providers of child care services. The Executive should appoint providers of different types of child care services and providers to different age groups. These include family day care providers, group day care providers, private educational institutions, and providers serving infants, toddlers, pre-school and school-age children, and children with special needs.
    - [b.] ~~(B)~~ Five members are parents of children receiving child care services.
    - [c.] ~~(C)~~ Five members are selected from the business community and the general public.
    - [d.] ~~[(D)]~~ One member represents the Montgomery County chapter of the Maryland Municipal League.]]
  - (3) The Superintendent of Schools, the Chairman of the Montgomery County Planning Board, the President of Montgomery College, or their designees, are nonvoting members of the Commission. Two designees of the Director of the Department of Health and Human Services and one designee of the Director of the Community Use of Public Facilities are also nonvoting members of the Commission. In addition, upon recommendation of the Commission, the Executive may designate representatives of up to 2 public agencies to serve as nonvoting members. The Executive may appoint these additional members to serve less than ~~[three-year]~~ 3-year terms.