

Public Hearing

MEMORANDUM

April 23, 2009

TO: County Council

FROM: Amanda Mihill, Legislative Analyst *A. Mihill*

SUBJECT: **Public Hearing:** Bill 13-09, Consumer Protection – Advisory Committee – Membership

Bill 13-09, Consumer Protection – Advisory Committee – Membership, sponsored by Councilmember Leventhal, was introduced on March 31, 2009. A Public Safety Committee worksession is tentatively scheduled for June 25.

Bill 13-09 would modify the membership of the Advisory Committee on Consumer Protection; and generally amend the consumer protection law.

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Bill No. 13-09
Concerning: Consumer Protection –
Advisory Committee – Membership
Revised: 3/17/2009 Draft No. 1
Introduced: March 31, 2009
Expires: October 1, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Leventhal

AN ACT to:

- (a) modify the membership of the Advisory Committee on Consumer Protection; and
- (b) generally amend the law related to consumer protection.

By amending

Montgomery County Code
Chapter 11, Consumer Protection
Section 11-3

Boldface	<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. Section 11-3 is amended as follows:**

2 **11-3. Advisory Committee on Consumer Protection.**

3 (a) *Creation [and composition; appointment of members; chair].* [There is]
 4 The County Executive must appoint, subject to confirmation by the
 5 Council, an Advisory Committee on Consumer Protection[,which
 6 consists of].

7 (b) Composition; term.

8 (1) The Committee has 9 [persons appointed by the County
 9 Executive, subject to confirmation by the County Council. The
 10 membership] members, which must reflect a cross-section of
 11 consumer and business interests. Of the members appointed:

12 (A) [At] at least 2 members must be members of the Better
 13 Business Bureau, the Montgomery County Chamber of
 14 Commerce or a local chamber of commerce, or of another
 15 County-wide or local association of merchants[.];

16 (B) [At] at least 1 member must be a member of the
 17 Community Action Board[.]; and

18 (C) [a second] 1 member must be recommended by the
 19 Community Action Board.

20 (2) If, after written notice to these groups, no application is received
 21 from a member of these groups, and no recommendation is
 22 received from one of these groups, the Executive may appoint a
 23 person from the public-at-large.

24 (3) Each member serves a 3 year term. A member appointed to fill a
 25 vacancy serves the rest of the unexpired term. Each member
 26 continues in office until a successor is appointed and confirmed.

27 (c) Officers. The Committee must elect one member as chair and another
28 member as vice chair, each to serve in that capacity at the pleasure of
29 the Committee, and such other officers as it determines.

30 [(b)] (d) * * *

31 [(c)] (e) * * *

32 [(d)] (f) * * *

33 *Approved:*

34

Philip M. Andrews, President, County Council Date

35 *Approved:*

36

Isiah Leggett, County Executive Date

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

38

Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 13-09, *Consumer Protection – Advisory Committee – Membership*

DESCRIPTION:	Bill 13-09 would modify the membership of the Advisory Committee on Consumer Protection; and generally amend the consumer protection law.
PROBLEM:	The current membership criteria for the Advisory Committee requires 2 members to be members of either the Better Business Bureau or a county-wide association of merchants. This criterion excludes individuals who are members of local merchant associations, but are not members of a county-wide association of merchants.
GOALS AND OBJECTIVES:	To provide additional flexibility for the Executive to appoint members of the business community.
COORDINATION:	Office of Consumer Protection
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Amanda Mihill, Legislative Analyst, (240) 777-7815.
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	N/A

B13-09



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OFFICE OF MANAGEMENT AND BUDGET

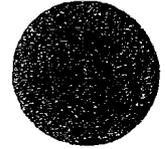
Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

041625

April 10, 2009



TO: Phil Andrews, President, County Council
FROM: Joseph F. Beach, Director *JFB for Joe Beach*
SUBJECT: Bill No. 13-09, Consumer Protection – Advisory Committee Membership

The purpose of this memorandum is to transmit a fiscal and economic impact statement to the Council on the subject legislation.

7:57 APR 10 PM 2:05
MONTGOMERY COUNTY
COUNCIL

LEGISLATION SUMMARY

Bill 13-09 would modify the membership of the Advisory Committee on Consumer Protection and generally amend the consumer protection law. The bill would provide additional flexibility for the Executive, to appoint members of the business community to the Advisory Committee, subject to confirmation by the Council.

FISCAL and ECONOMIC IMPACT

Bill 13-09 has no fiscal or economic impact. The following contributed to and concurred with this analysis: Eric Friedman of the Office of Consumer Protection, Michael Coveyou and David Platt of the Department of Finance, and Phil Weeda of the Office of Management and Budget.

JFB:pw

- c: Kathleen Boucher, Assistant Chief Administrative Officer
- Dee Gonzalez, Offices of the County Executive
- Eric Friedman, Office of Consumer Protection
- Marc Hansen, Office of the County Attorney
- Michael Coveyou, Department of Finance
- David Platt, Department of Finance
- Angela Dizelos, Office of Management and Budget
- Brady Goldsmith, Office of Management and Budget
- Phil Weeda, Office of Management and Budget

Office of the Director

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