

Bill No. 32-01
Concerning: Recreation – County Board
and Area Advisory Boards
Revised: Nov. 21, 2001 Draft No. 3
Introduced: October 2, 2001
Enacted: November 27, 2001
Executive: December 6, 2001
Effective: March 7, 2002
Sunset Date: None
Ch. 29, Laws of Mont. Co. 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) modify the membership and duties of the County Recreation Board and the recreation area advisory boards; and
- (2) generally amend County law regarding the County Recreation Board and the recreation area advisory boards.

By amending

Montgomery County Code
Chapter 41, Recreation and Recreation Facilities
Sections 41-21, 41-27, and 41-30

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 **Section 1.** Sections 41-21; 41-27, and 41-30 of the Code are amended as
 2 follows:

3 **ARTICLE III. RECREATION AREAS AND ADVISORY BOARDS.**

4 **41-21. Recreation board [— Created; composition; appointment and**
 5 **terms of members; *ex officio* members].**

6 (a) There is a County Recreation Board. Each member is appointed by the
 7 County Executive and confirmed by the County Council for a 3-year
 8 term beginning on July 1. A member serves until a successor is
 9 appointed and confirmed.

10 (b) The voting members of the Board are:

11 (1) [2 representatives of] 1 representative from each recreation area
 12 advisory board; and

13 * * *

14 **41-27. [Composition, appointment, terms and compensation of members;**
 15 **filling vacancies; *ex officio* members; advisors] Membership.**

16 (a) Each recreation area advisory board consists of [12] 9 members and [3]
 17 2 alternates, each of whom resides in the designated recreation area.
 18 Each member is appointed by the county executive, subject to
 19 confirmation by the county council. Individual appointments to a board
 20 must reflect a wide diversity of recreational interests. The Executive
 21 must consider geographical representation from different neighborhood
 22 centers in the recreation area. In order to maintain continuity on each
 23 recreation area advisory board, [6] the Executive must appoint 3
 24 members of each board [should be appointed] annually and appoint the
 25 2 alternates every 3 years. [The terms of each] Each member [is] serves
 26 3 years or until a successor is confirmed. A regular board member must
 27 not serve more than 2 consecutive full terms, but any member may be

28 reappointed after a lapse of one year. A vacancy occurring before a
 29 term expires is filled for the remainder of the unexpired term of the
 30 predecessor. Appointments to unexpired terms of less than two years
 31 are not a full term.

32 (b) ~~[[Alternate members for each board shall be designated first]] [,] [[and
 33 second]] [and third] [[alternates]]~~ When the Executive appoints an
 34 alternate member of a recreation area advisory board, the Executive
 35 must designate whether the appointee would serve as the primary or
 36 secondary alternate. Alternate members may participate in board
 37 discussions but [may] must not vote unless acting [in the stead of] for an
 38 absent board member. [In the event] When a [vacancy is created by the
 39 resignation of a regular] board member resigns, [an] the first alternate
 40 [shall immediately fill such a vacancy according to the order of
 41 designation and shall thereupon have the rights and obligations of a
 42 regular board] becomes a full member for the remainder of the
 43 [unexpired] former member's term and the second alternate becomes
 44 the first alternate.

45 (c) ~~[Each]~~ A municipality [which has within a designated recreation area]
 46 with an active recreation program in a designated County recreation
 47 area may designate [a representative] one or more representatives to
 48 serve as non-voting, ex officio members of the recreation area advisory
 49 board for that area.

50 (d) The members of each board serve without compensation. The
 51 department of recreation must designate a [staff] department employee
 52 to advise each board, and the director of the department must ask [the
 53 board of education and] the Maryland-National Capital Park and

54 Planning Commission to have a staff member present at meetings of
 55 each board.

56 **41-30. [Same —] Duties.**

57 Each board [shall offer general advice and guidance to] must advise the county
 58 recreation board, [and, through the recreation board, shall advise] the county
 59 executive, the county council, [and] the director of the county department of
 60 recreation [on providing] , and the Montgomery County Planning Board about the
 61 appropriate number and nature of recreation programs, [on providing adequate]
 62 neighborhood and community parks, and [on providing adequate] facilities for [the]
 63 leisure [-time pursuits] activities and the well-being of county residents [and, in
 64 addition, may give attention to the following concerns:]. A board also may:

65 (a) Study and appraise the existing and future recreation needs of its
 66 recreation area in terms of program, facilities and services, and suggest
 67 plans to meet those needs.

68 * * *

69 (g) Inform the Regional Citizen Advisory Board about matters related to
 70 recreation and parks, and collaborate with the Regional Board on
 71 planning, conservation, environment, and other issues that affect park
 72 and recreation facilities and services.

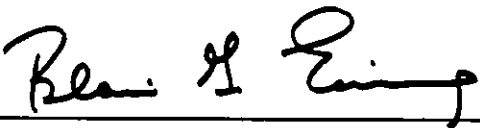
73 **Sec. 2. Transition.**

74 (a) Notwithstanding the reduction in membership required by the
 75 amendments to Code Section 41-27(a) in Section 1 of this Act, an
 76 individual who is a member of a recreation area advisory board when
 77 this Act takes effect continues to serve the remainder of the member's
 78 original term. The Executive must not appoint a new member or
 79 alternate member of a board until the number serving on that board is

80 less than the number allowed in Section 41-27(a) as amended by this
 81 Act.

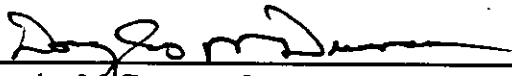
82 (b) Until July 2004, notwithstanding the requirement for 3-year terms, the
 83 County Executive must appoint members of the County Recreation
 84 Board or a recreation area advisory board to a term of either 1, 2, or 3
 85 years to maintain staggered terms on each board.

86 *Approved:*

87  11/29/01

 Blair G. Ewing, President, County Council Date

88 *Approved:*

89  12/6/01

 Douglas M. Duncan, County Executive Date

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

91  12/10/01

 Mary A. Edgar, CMC, Clerk of the Council Date