


MEMORANDUM

November 30, 2018

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: Expedited Bill 39-18, Domestic Violence Coordinating Council – Membership - Amendments

PURPOSE: Public Hearing/Action – Council roll call vote required

Expedited Bill 39-18, Domestic Violence Coordinating Council – Membership - Amendments, sponsored by Lead Sponsor Councilmember Katz and Co-Sponsor Council Vice President Navarro, was introduced on November 13, 2018. A public hearing followed by action is tentatively scheduled for December 4, 2018 at 1:30 p.m.

Expedited Bill 39-18 would:

- (1) add 2 members to the Domestic Violence Coordinating Council;
- (2) extend the term of the chair of the Council; and
- (3) modify the requirements for the student member.

Background

The Domestic Violence Coordinating Council (DVCC) was established to advise the County Executive, County Council, and Criminal Justice Coordinating Commission and its members on policies, programs, and legislation necessary to prevent domestic violence and help victims and their families. The DVCC requested these changes to its composition.

Bill 39-18 would add 2 public members to the 17-member DVCC who represent a non-governmental domestic violence service or advocacy organization serving County residents. The additional members would increase the expertise in this area on the Council.

The Bill would also extend the term of the chair from 1 year to 2 years. Since the DVCC meets once every other month, replacing the chair every year results in the chair only presiding for 6 meetings.

Finally, the Bill would modify the requirements for the student member. Under the current student eligibility requirements, a student appointed in 12th grade can only serve for less than one year. The Bill would allow the student member to become involved in the DVCC Initiatives for at least a full year before graduating high school.

This packet contains:

Expedited Bill 39-18

Legislative Request Report

Circle #

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Expedited Bill No. 39-18
Concerning: Domestic Violence
Coordinating Council – Membership -
Amendments
Revised: November 7, 2018 Draft No. 2
Introduced: November 13, 2018
Expires: May 13, 2020
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Katz
Co-Sponsor: Council Vice President Navarro

AN EXPEDITED ACT to:

- (1) add 2 members to the Domestic Violence Coordinating Council;
- (2) extend the term of the chair of the Council;
- (3) modify the requirements for the student member; and
- (4) generally amend the law governing the Domestic Violence Coordinating Council.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-59

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:

Sec. 1. Section 2-59 is amended as follows:

2-59. Domestic Violence Coordinating Council.

(a) *Definition.* In this section “Coordinating Council” means the Domestic Violence Coordinating Council.

(b) *Established.* There is a Domestic Violence Coordinating Council.

(c) *Composition and terms of members.*

(1) The Coordinating Council has [17] 19 members.

(2) The County Council requests the following individuals to serve as ex officio members of the Coordinating Council:

(A) The Administrative Judge for District 6 of the Maryland District Court or designee of the Administrative Judge;

(B) The Administrative Judge for the Montgomery County Circuit Court or designee of the Administrative Judge;

(C) The State’s Attorney for Montgomery County or designee of the State’s Attorney;

(D) The Regional Director of the Division of Parole and Probation, Maryland Department of Public Safety and Corrections or designee of the Regional Director;

(E) The County Sheriff or designee of the County Sheriff; and

(F) The President of the County Board of Education or designee of the President.

(3) Subject to confirmation by the County Council, the County Executive should appoint the following individuals to serve as ex officio members of the Coordinating Council:

(A) A member or designee of the County Council, selected by the Council President;

(B) The Chief of Police or designee of the Chief of Police;

- 28 (C) The Director of the Department of Health and Human
 29 Services or designee of the Director[.];
- 30 (D) The Executive Director of the Commission for Women or
 31 designee of the Executive Director; and
- 32 (E) The Director of the Department of Correction and
 33 Rehabilitation or designee of the Director.
- 34 (4) Subject to confirmation by the County Council, the County
 35 Executive must appoint the following individuals to serve 3-year
 36 terms on the Coordinating Council:
- 37 (A) 1 attorney with experience representing victims of domestic
 38 violence; [and]
- 39 (B) 4 members of the public with a demonstrated interest in
 40 domestic violence issues, including at least one individual
 41 who is a former victim of domestic violence[.]; and
- 42 (C) 2 representatives from a non-governmental domestic
 43 violence service or advocacy organization serving County
 44 residents.
- 45 (5) Subject to confirmation by the County Council, the County
 46 Executive must appoint a student member to serve a 1-year term
 47 on the Coordinating Council. The student member's term may be
 48 renewed for 1 additional year. The student member [should] must
 49 be a high school [junior or senior] student who resides in the
 50 County when initially appointed [and should attend a public or
 51 private school in the County].
- 52 (d) *Voting, officers, meetings, and compensation.*
- 53 (1) All members of the Coordinating Council are voting members.

(2) The Coordinating Council must elect a chair and vice-chair from among its members to serve [1-year] 2-year terms.

(3) The Coordinating Council must meet at least 4 times each year.

(4) Section 2-148 does not apply to members appointed under subsection (c)(2) and (3).

(5) Except as provided in paragraph (6), a member must serve without compensation.

(6) A member may request reimbursement for mileage and dependent care costs at rates established by the County.

* * *

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

Approved:

Hans D. Riemer, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Megan Davey Limarzi, Esq., Clerk of the Council

Date

LEGISLATIVE REQUEST REPORT

Bill 39-18

Domestic Violence Coordinating Council – Membership - Amendments

DESCRIPTION: Bill 39-18 would add 2 public members to the Domestic Violence Coordinating Council (DVCC), extend the term of the chair to 2 years, and change the requirements for the student member.

PROBLEM: Since the DVCC meets once every other month, the replacing the chair every year results in the chair only presiding for 6 meetings. Under the current student eligibility requirements, a student appointed in 12th grade can only serve for less than one year. The addition of 2 public members with additional knowledge and experience in this area would expand the ability of the DVCC to accomplish its mission.

GOALS AND OBJECTIVES: The goal of the Bill is to enhance the ability of the DVCC to accomplish its mission.

COORDINATION: Police, Corrections, Health and Human Services, the Commission for Women, and the DVCC

FISCAL IMPACT: To be provided

ECONOMIC IMPACT: To be provided

EVALUATION: To be provided

EXPERIENCE ELSEWHERE: N/A

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

APPLICATION WITHIN MUNICIPALITIES: N/A

PENALTIES: N/A