



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

From: Lori L. Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: February 18, 2020

Subject: Bill No. 10-20 – Commission on Disability Issues – Modification of Provisions

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 10-20, a Bill that modifies provisions of the Code related to the Commission on Disability Issues.

Purpose.

The purpose of the Bill is to modify provisions of the Code related to the Commission on Disability Issues, including terms, number of members, removal, and purposes.

Background. The Commission on Disability Issues was created in 2006, and is codified in Article 3, Subtitle 2B of the Code.¹ The Department of Aging and Disabilities provides administrative assistance to the Commission. The Commission was recently reconstituted by the County Executive. The changes included in the legislation have been requested by the Department of Aging and Disabilities and the Boards and Commissions Coordinator based on their experience with the Commission.

SECTION 1.

Throughout the Title, “persons with disabilities” is changed to “individuals with disabilities”, as that is the preferred term in the community of individuals with disabilities.

¹The Commission was also previously created by Executive Order, which has resulted in some confusion. This confusion has been perpetuated by the rescission and reenactment of such an Executive Order even after the provisions were codified, most recently by former County Executive Schuh in 2016 (See Schuh Executive Order 9).

In § **3-2B-103(a)**, the number of commissioners is changed from at least 28 to at least 22, and the number of voting members is changed from 21 to 15. This makes it easier to locate and appoint candidates for the positions. In **paragraph (a)(2)**, “ex officio” is corrected to “non-voting” because those members described in that paragraph do not serve by virtue of their title, but are appointed from among a list of specified County and non-County agencies.

Subsection 3-2B-103(b) is changed to require that only voting members must be residents of the County.

Subsection 3-2B-103(c) is added to provide that the ADA Coordinator in the Department of Aging and Disabilities is the liaison between the Commission and the County Executive and the Department of Aging and Disabilities. The ADA Coordinator will also provide administrative assistance to the Commission. This subsection codifies current practice.

Paragraph 3-2B-104(a)(1) is changed so that the stagger of terms of the voting members is one-third of the modified number of voting members. **Paragraph (a)(3)** is added to set a maximum of two consecutive terms. A limit on number of consecutive terms is consistent with other appointed boards and commissions. **Subsection (d)** is added to address removal for cause, which may occur if a member misses 25% or more of the scheduled meetings during a 12-month period. This is also consistent with other appointed boards and commissions.

Section 3-2B-107 is modified to clarify that rules and regulations adopted by the Commission will be related to its meetings.

Section 3-2B-109 is modified to clarify the powers and duties of the Commission. Paragraph (3) is removed because it is redundant of paragraphs (1) and newly renumbered paragraphs (4) and (5). Other changes are made to reiterate that the Commission is advisory to the County Executive on issues that are faced by and common to individuals with disabilities.

SECTION 2.

This Section provides that the bill will take effect 45 days from the date that it becomes law.

The Office of Law is available to answer any additional questions regarding Bill No. 10-20. Thank you.

cc: Honorable Stuart Pittman, County Executive
Jennifer Purcell, Chief of Staff
Benjamin J. Birge, Chief Administrative Officer
Peter Baron, Director of Government Affairs
Jim Beauchamp, Budget Officer
Pam Jordan, Director, Department of Aging and Disabilities
Kaley Schultze, Boards and Commissions Coordinator