

**UNOFFICIAL COPY OF SENATE BILL 3**  
**EMERGENCY BILL**

L2

6lr0021

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By: **Senators Kittleman, Brinkley, and Haines**

Introduced and read first time: June 14, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - County Commissioners**

3 FOR the purpose of altering the boundaries for the County Commissioner Districts in  
4 Carroll County; requiring each County Commissioner to be elected by the voters  
5 of that County Commissioner District; establishing certain eligibility criteria for  
6 individuals serving as County Commissioners for Carroll County; repealing a  
7 certain requirement that a certain Commission Redistricting Committee  
8 recommend provisions for staggered terms of office for certain County  
9 Commissioners; altering a certain date for filing a certificate of candidacy for  
10 the County Commissioners election in Carroll County; making technical  
11 changes; making this Act an emergency measure; and generally relating to the  
12 County Commissioners of Carroll County.

13 BY repealing and reenacting, with amendments,  
14 The Public Local Laws of Carroll County  
15 Section 3-101  
16 Article 7 - Public Local Laws of Maryland  
17 (2004 Edition and April 2006 Supplement, as amended)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article 7 - Carroll County**

21 3-101.

22 (a) (1) The Board of County Commissioners for Carroll County consists of  
23 five Commissioners to be elected by Commissioner District AS ESTABLISHED UNDER  
24 SUBSECTION (D) OF THIS SECTION.

25 (2) ONE COUNTY COMMISSIONER SHALL BE ELECTED FROM EACH OF  
26 THE FIVE COMMISSIONER DISTRICTS ONLY BY THE VOTERS OF THAT COMMISSIONER  
27 DISTRICT AND NOT BY THE VOTERS OF THE COUNTY AT LARGE.

28 (b) Each County Commissioner is entitled to:

1 (1) A salary of \$45,000 a year; and

2 (2) An allowance for expenses incurred in the performance of the duties  
3 of that office, as provided in the county budget.

4 (C) AN INDIVIDUAL IS ELIGIBLE TO SERVE AS A COUNTY COMMISSIONER IF,  
5 ON THE DATE OF THE ELECTION:

6 (1) THE INDIVIDUAL IS AT LEAST 21 YEARS OF AGE;

7 (2) THE INDIVIDUAL IS A RESIDENT OF THE STATE OF MARYLAND AND  
8 CARROLL COUNTY;

9 (3) THE INDIVIDUAL HAS RESIDED IN CARROLL COUNTY FOR AT LEAST 1  
10 YEAR PRECEDING THE DATE OF THE ELECTION; AND

11 (4) (I) IF THE DISTRICT TO WHICH THE INDIVIDUAL HAS BEEN  
12 ELECTED TO REPRESENT HAS BEEN ESTABLISHED FOR AT LEAST 6 MONTHS PRIOR  
13 TO THE ELECTION, THE INDIVIDUAL HAS RESIDED IN THE DISTRICT FOR AT LEAST 6  
14 MONTHS; OR

15 (II) IF THE DISTRICT TO WHICH THE INDIVIDUAL HAS BEEN  
16 ELECTED TO REPRESENT HAS BEEN ESTABLISHED FOR LESS THAN 6 MONTHS PRIOR  
17 TO THE ELECTION, THE INDIVIDUAL HAS RESIDED IN THE DISTRICT FOR AS LONG AS  
18 IT HAS BEEN ESTABLISHED.

19 (D) THE FIVE COMMISSIONER DISTRICTS CONSIST OF THE FOLLOWING  
20 ELECTION DISTRICTS AND PRECINCTS AS THEY EXISTED ON DECEMBER 1, 2005:

21 (1) COMMISSIONER DISTRICT 1 CONSISTS OF CARROLL COUNTY  
22 ELECTION DISTRICTS 1, 2, 3, 6, AND 10;

23 (2) COMMISSIONER DISTRICT 2 CONSISTS OF CARROLL COUNTY  
24 ELECTION DISTRICTS 4 AND 8;

25 (3) COMMISSIONER DISTRICT 3 CONSISTS OF CARROLL COUNTY  
26 ELECTION DISTRICT 7, PRECINCTS 1 THROUGH 7, 9, AND 10;

27 (4) COMMISSIONER DISTRICT 4 CONSISTS OF CARROLL COUNTY  
28 ELECTION DISTRICT 7, PRECINCT 8, CARROLL COUNTY ELECTION DISTRICTS 9, 11, 12,  
29 AND 13, AND CARROLL COUNTY ELECTION DISTRICT 14, PRECINCTS 2 AND 3; AND

30 (5) COMMISSIONER DISTRICT 5 CONSISTS OF CARROLL COUNTY  
31 ELECTION DISTRICT 5 AND CARROLL COUNTY ELECTION DISTRICT 14, PRECINCT 1.

32 [(c)] (E) (1) On [or before May 1, 2005, and on] or before May 1 following  
33 the release of each decennial census of the United States [thereafter,] the County  
34 Commissioners shall appoint a Commission Redistricting Committee.

35 (2) (i) The Commission Redistricting Committee shall consist of seven  
36 members.

- 1 (ii) Of the seven members:
- 2 1. Three shall be recommended by the County Republican  
3 Central Committee;
- 4 2. Three shall be recommended by the County Democratic  
5 Central Committee; and
- 6 3. One shall be recommended by the County Board of  
7 Elections.

8 (iii) The Commission Redistricting Committee shall elect a  
9 Chairman from among its members.

10 (iv) The County Commissioners shall provide support staff to the  
11 Committee.

12 (3) The Commission Redistricting Committee shall recommend[:

13 (i) The] THE establishment of five Commissioner districts in the  
14 County of substantially equal population[; and

15 (ii) Provisions for staggered terms of office for the Board of County  
16 Commissioners].

17 (4) On [or before December 1, 2005, and on] or before December 1  
18 following the release of each decennial census of the United States [thereafter,] the  
19 Commission Redistricting Committee shall report its recommendations to the Carroll  
20 County Legislative Delegation to the General Assembly for consideration at the  
21 following legislative session.

22 SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding §§  
23 5-303 and 5-502 of the Election Law Article, for the 2006 Carroll County  
24 Commissioners election only:

25 (a) A certificate of candidacy shall be filed with the Carroll County Board of  
26 Elections not later than 9 p.m. on Tuesday, July 11, 2006, that is 62 days before the  
27 day on which the primary election will be held.

28 (b) An individual who has filed a certificate of candidacy may withdraw the  
29 candidacy by filing a certificate of withdrawal with the Carroll County Board of  
30 Elections on the form prescribed by the State Board of Elections by Thursday, July 13,  
31 2006.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
33 measure, is necessary for the immediate preservation of the public health or safety,  
34 has been passed by a yea and nay vote supported by three-fifths of all the members  
35 elected to each of the two Houses of the General Assembly, and shall take effect from  
36 the date it is enacted.