

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 253

(Senator Edwards)

Education, Health, and Environmental Affairs

Environmental Matters

Garrett County - Vacancy in Office of County Commissioner - Appointment Process

This bill alters the procedures for filling a vacancy in an office of county commissioner in Garrett County by requiring the Governor to use procedures required for other commission counties, subject to the requirement that in Garrett County the nominee or appointee reside in the same commissioner district in which the former county commissioner resided.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill will not materially alter Garrett County operations or finances as the Governor will continue to make appointments to fill commissioner vacancies.

Small Business Effect: None.

Analysis

Current Law: When a vacancy occurs in the office of county commissioner, the Governor must appoint a new commissioner applicable to commission counties and code home rule counties; unless, a code home rule county has enacted a public local law providing other procedures for appointing a new commissioner. Procedures for appointing a new county commissioner, should the position become vacant, are provided in Article 25, Section 16.

Background: There are three forms of county government in Maryland: commission, charter home rule, and code home rule. **Exhibit 1** shows the form of government for each Maryland county and the year in which local home rule was granted.

Exhibit 1
Forms of County Governments in Maryland

<u>Charter Home Rule</u>		<u>Code Home Rule</u>		<u>Commission</u>
Anne Arundel	1964	Allegany	1974	Calvert
Baltimore	1956	Caroline	1984	Carroll
Dorchester	2002	Charles	2002	Cecil ¹
Harford	1972	Kent	1970	Frederick
Howard	1968	Queen Anne's	1990	Garrett
Montgomery	1948	Worcester	1976	St. Mary's
Prince George's	1970			Somerset
Talbot	1973			Washington
Wicomico	1964			

¹Cecil County will become a charter home rule county on December 3, 2012.
Source: Department of Legislative Services

Additional Information

Prior Introductions: None.

Cross File: HB 201 (Delegate Beitzel) - Environmental Matters.

Information Source(s): Garrett County, Department of Legislative Services

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ncs/hlb

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