

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2022-09**

RESOLUTION NO. 30-2022

Title of Resolution: Charter Amendment – Vacancy in the Office of County Executive

Synopsis: A Resolution amending Article 4, Executive, Section 407, Vacancy in the Office of County Executive, of the Cecil County Charter to provide that the Council has thirty days after receiving a list of nominees from the county central committee of the political party affiliated with the person vacating the office, to fill the County Executive vacancy. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County

Introduced by: Council President on behalf of the County Council

Introduced and ordered posted on: April 19, 2022

Public hearing scheduled on: May 17, 2022 at 7:00 p.m.

Scheduled for consideration on: June 7, 2022

By: _____
Council Manager

Notice and title of Resolution having been posted on (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on (dates), a public hearing was held on (date), and concluded on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

1 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter
2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3 **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to
4 any charter adopted by any County of this State under the provisions of this Article may be
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000
7 signatures shall be sufficient to complete a petition; and

8 **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare
10 and certify, and submit to the State Board of Election, not later than August 5, 2022, the
11 following information as required under §7-103(b) of the Election Law Article for each question
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that
15 the voter has; and

16 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the
18 President of the County Council once a week for five successive weeks prior to the election in at
19 least one newspaper published in said County; and

20 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to
22 the voters of the County at the next general or congressional election occurring after the
23 passage of the resolution; and

24 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part
27 of the charter of the County from and after the thirtieth day after said election; and

28 **WHEREAS**, Article 4, Executive, Section 407, Vacancy in the Office of County Executive,
29 of the Cecil County Charter currently provides that:

30 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
31 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority of
32 the council members shall appoint, within thirty days, a person to fill the vacancy. An
33 appointee, when succeeding a party member, shall be a member of the same political party as
34 the person elected to such office and shall be a nominee of the County central committee of
35 that party. Any person appointed to fill a vacancy shall meet the qualifications provided in
36 Section 405 of this Charter.”, and

37 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
38 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following
39 amendment to Article 4, Executive, Section 407, Vacancy in the Office of County Executive, of
40 the Cecil County Charter:

41 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
42 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority of
43 the council members shall appoint, within thirty days **AFTER RECEIVING A LIST OF THREE**
44 **NOMINEES FROM THE LOCAL CENTRAL COMMITTEE**, a person to fill the vacancy. An
45 appointee, when succeeding a party member, shall be a member of the same political party as
46 the person elected to such office. ~~and shall be a nominee of~~ The County central committee
47 of that party **SHALL SUBMIT A LIST OF THREE NOMINEES WITHIN THIRTY DAYS OF THE**
48 **VACANCY TO THE COUNTY COUNCIL**. Any person appointed to fill a vacancy shall meet the
49 qualifications provided in Section 405 of this Charter.”

50 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
51 **COUNTY, MARYLAND**, that the following amendment to Article 4, Executive, Section 407,
52 Vacancy in the Office of County Executive, of the Cecil County Charter, shall be submitted to the
53 voters of the County at the next general or congressional election in accordance with Article 6,
54 Section 602 of the Cecil County Charter and Article XI-A, §5 of the Maryland Constitution:
55 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
56 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority of
57 the council members shall appoint, within thirty days **AFTER RECEIVING A LIST OF THREE**
58 **NOMINEES FROM THE LOCAL CENTRAL COMMITTEE**, a person to fill the vacancy. An

59 appointee, when succeeding a party member, shall be a member of the same political party as
60 the person elected to such office. ~~and shall be a nominee of~~ The County central committee
61 of that party **SHALL SUBMIT A LIST OF THREE NOMINEES WITHIN THIRTY DAYS OF THE**
62 **VACANCY TO THE COUNTY COUNCIL.** Any person appointed to fill a vacancy shall meet the
63 qualifications provided in Section 405 of this Charter.”

64 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
65 **MARYLAND,** that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
66 Law Article, the Attorney, designated to represent the county legislative body, shall prepare,
67 certify, and submit to the State Board of Election, not later than August 5, 2022, the following
68 information as required under §7-103(b) of the Election Law Article: (1) a question number or
69 letter as by the Election Board; (2) a brief designation of the type or source of the question; (3)
70 a brief descriptive title in boldface type; (4) a condensed statement of the purpose of the
71 question; and (5) the voting choices that the voter has.

72 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
73 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
74 §5 of the Maryland Constitution, the amendments shall be published by the President of the
75 County Council once a week for five successive weeks prior to the election in at least one
76 newspaper published in said County.

77 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
78 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
79 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted
80 to the voters of the County at the next general or congressional election occurring after the
81 passage of this Resolution.

82 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
83 **MARYLAND,** that in accordance with Article 6, Section 602 of the Cecil County Charter and
84 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
85 the aforementioned proposed amendment shall be in favor thereof, then the proposed
86 amendment shall be adopted and become a part of the Charter of Cecil County from and after
87 the thirtieth day after said election.

INTRODUCED: **April 19, 2022**

ADOPTED: _____

President of the Council

ATTEST:

Council Manager