

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION DAY 2014-02**

**BILL NO. 2014-04**

**Title of Bill:** Ethics Commission - Removal of Commission Members

**Synopsis:** An Act to amend Chapter 39 (Ethics), Article II (Ethics Commission) to add a new section to be titled "Removal of Commission Members" to provide a process to remove Ethics Commission members for cause.

**Introduced by:** Councilwoman Broomell

**Introduced and ordered posted on:** February 4, 2014

**Public hearing scheduled on:** March 4, 2014 **at:** 7:00 p.m.

**Scheduled for consideration:** March 18, 2014

By: \_\_\_\_\_  
Council Manager

**Public Hearing**

Notice of time and place of public hearing and title of Bill have been posted by \_\_\_\_\_ at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on \_\_\_\_\_, public hearing was held on \_\_\_\_\_, and concluded on \_\_\_\_\_.

By: \_\_\_\_\_  
Council Manager

**Explanation:** CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates language added to a Bill by amendment.  
~~Strike through~~ indicates language stricken out of a Bill by amendment

1           **WHEREAS**, Pursuant to Section 15-803, Subtitle 8 (Local Government Provision) of the Local  
2 Government Article of the Annotated Code of Maryland, each county shall enact provisions to govern  
3 the public ethics of local officials relating to: 2012 Ethics Laws; and

4           **WHEREAS**, Pursuant to Section 412 (b) (Appointment and Removal of Department Heads and  
5 Others) of the Charter of Cecil County, the Executive shall appoint all members of boards and  
6 commissions, such membership shall be subject to confirmation by the Council, and the Executive shall  
7 removal individuals appointed at the Executive's discretion, unless otherwise prohibited by law; and

8           **WHEREAS**, Pursuant to Section 39-8A (Powers and duties), Article II (Ethics Commission), Chapter  
9 39 (Ethics), the Commission is an advisory body responsible for interpreting the Ethics Laws and advising  
10 persons subject to this law regarding its application; and

11           **WHEREAS**, the County Executive removed a member from the Ethics Commission in 2013, and

12           **WHEREAS**, members of the Ethics Commission should be protected from political pressures; and

13           **WHEREAS**, the removal of members of the Ethics Commission should only be done for cause and  
14 there should be a check and balance between the Executive and Legislative branches regarding the  
15 removal of Commission members.

16           **NOW THEREFORE, BE IT HEREBY ENACTED** by the County Council of Cecil County, Maryland that  
17 a new section of Chapter 39 (Ethics), Article II (Ethics Commission), of the Code of Cecil County to be  
18 titled Section 39-13 "Removal of Commission Members" is hereby enacted to read as follows:

19 39-13 REMOVAL OF COMMISSION MEMBERS

20 A. THE COUNCIL OR THE COUNTY EXECUTIVE MAY INITIATE THE REMOVAL OF A COMMISSION  
21 MEMBER FOR:

- 22 (1) NEGLECT OF DUTY;
- 23 (2) MISCONDUCT IN OFFICE;
- 24 (3) DISABILITY THAT RENDERS THE MEMBER UNABLE TO PERFORM THE DUTIES OF THE  
25 OFFICE; OR
- 26 (4) VIOLATION OF LAW.

27 B. THE COUNCIL OR THE COUNTY EXECUTIVE MUST GIVE THE MEMBER WRITTEN NOTICE OF THE  
28 REASON FOR REMOVAL. THE MEMBER IS ENTITLED TO A HEARING. IF THE COUNTY EXECUTIVE  
29 INITIATES THE REMOVAL, THE HEARING MUST BE HELD BY THE COUNCIL, OR A HEARING OFFICER

- 30 DESIGNATED BY THE COUNCIL. IF THE COUNCIL INITIATES THE REMOVAL, THE HEARING MUST  
31 BE HELD BY THE COUNTY EXECUTIVE OR A HEARING OFFICER DESIGNATED BY THE EXECUTIVE.
- 32 C. A MEMBER IS REMOVED IF THE COUNCIL AND COUNTY EXECUTIVE CONCUR IN REMOVAL.
- 33 D. IF THE COUNTY EXECUTIVE DOES NOT APPROVE A REMOVAL WITHIN FOURTEEN (14) DAYS  
34 AFTER THE COUNCIL VOTES TO REMOVE A MEMBER, THE COUNCIL MAY REMOVE THE  
35 COMMISSION MEMBER WITHOUT THE APPROVAL OF THE COUNTY EXECUTIVE BY AN  
36 AFFIRMATIVE VOTE OF FOUR MEMBERS OF THE COUNCIL.

**CERTIFICATION**

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

\_\_\_\_\_  
BY: Council Manager

**BILL NO: 2014-04**

**Title of Bill:** Ethics Commission - Removal of Commission Members  
is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text  
as finally passed.

**CERTIFIED TRUE AND CORRECT**

**ENROLLED**

\_\_\_\_\_  
Council Manager

\_\_\_\_\_  
Council President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**BY THE COUNCIL**

Read the third time.

**Passed - LSD** \_\_\_\_\_

**Passage Failed - LSD** \_\_\_\_\_

**BY:** \_\_\_\_\_  
Council Manager

**SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE** for approval this  
day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m. / p.m.  
(10 business days from adoption §306)

**BY:** \_\_\_\_\_  
Council Manager

**BY THE EXECUTIVE:**

\_\_\_\_\_  
Cecil County Executive

**APPROVED Date:** \_\_\_\_\_

**VETOED Date:** \_\_\_\_\_  
(10 business days from presentation §306 )

**BY THE COUNCIL**

This Bill No. 2014- 04 having been approved by the Executive and returned to the Council becomes law

on \_\_\_\_\_ with an effective date of \_\_\_\_\_.

**BY:** \_\_\_\_\_  
Council Manager