

Charles County voters will be asked on the November 5, 2002, General Election ballot if they want the County to change its form of government to **Code Home Rule**, one of two forms of home rule for counties permissible under Maryland law. The following information provides answers to a number of frequently asked questions (FAQ's) about **Code Home Rule**. For more details, see the Form of Government Committee report on the County's web site [www.charlescounty.org](http://www.charlescounty.org).

# The FAQ's

**Q. Why did the County Commissioners appoint a committee to review the possibility of changing the County's form of government, and what was the committee's recommendation?**

**A.** The Commissioners formed the committee after receiving a number of citizen legislative proposals to change the structure of government and encountering lengthy delays in passage of several important local bills. After review, the Committee believed that purely local issues should be decided locally, rather than in Annapolis, whenever possible. The Committee could find no reason why legislators in other counties should have a vote in determining Charles County citizens' needs. Local self determination, the Committee felt, would be best achieved under **Code Home Rule**.

**Q. What would Code Home Rule allow that the present Commissioner form does not?**

**A.** **Code Home Rule** would allow a greater number of local legislative decisions to be made by the Board of County Commissioners rather than having to seek legislative approval of almost all local laws in Annapolis. In addition, **Code Home Rule** counties can amend or repeal laws in the County code that were enacted for it by the General Assembly.

**Q. What are some examples of laws which could be enacted by local elected officials under Code Home Rule which now must be approved in Annapolis?**

**A.** Some examples are nuisance abatement laws; noise restrictions; bond issues for schools, parks and other essen-

tial functions; certain public safety provisions; and the internal organization of local government.

**Q. Would Code Home Rule expedite the enactment of local laws?**

**A.** Yes. Subject to certain notice, advertising, and referenda requirements, bills could be enacted at any time during the year rather than having to wait for the 90-day annual Maryland General Assembly session. It is estimated that between 30 to 40 percent of bills now requiring State legislative approval could be enacted locally instead.

**Q. Is Code Home Rule the same as charter government like Prince George's and Montgomery Counties have?**

**A.** No. While it has most of the same powers to enact local legislation that charter governments have, there is no elected County Executive or County Council. The title "County Commissioners" is retained and the Commissioners remain the single governing body with both legislative and executive powers under **Code Home Rule**. There is no charter document drafted or enacted under **Code Home Rule**.

**Q. If Code Home Rule is adopted, is the County precluded from subsequently becoming a Charter County?**

**A.** No. This can be done at any time in the future provided State law for doing so is followed, and there is an affirmative vote of the electorate.

**Q. Will Code Home Rule increase the amount of taxes I will have to pay? Can the Commissioners create new taxes if I vote for Code Home Rule?**

**A.** No to both questions. There are no additional costs imposed by **Code Home Rule** which would necessitate any tax increases. Some additional bill advertisement, notification and publication costs may occur, but these would be negligible in the context of the County's budget. The Commissioners may not, under **Code Home Rule**, create new taxes not specifically authorized prior to the

adoption of **Code Home Rule** without General Assembly approval.

**Q. When would Code Home Rule take effect if enacted by the voters?**

**A.** **Code Home Rule** would take effect 30 days after the election.

**Q. Will Code Home Rule increase the current structure/size of the government?**

**A.** No. **Code Home Rule** will result in little or no change in the structure and current staffing of the government. Any changes would be done by local enactment rather than General Assembly legislation.

**Q. What is the process for enactment of local legislation under Code Home Rule?**

**A.** The County Commissioners must establish the number of annual legislative sessions, which is limited to 45. The public is notified once bills have been introduced and hearing dates have been established. Bills must be posted on an official bulletin board and include the name of the Commissioner(s) who introduced them. An amended bill cannot be enacted before it is reprinted and reproduced as amended. Once passed, a bill or a summary thereof must be published in a local newspaper at least three times within a 4-week period. Unless it is an emergency bill, which requires a 4/5 vote to enact, a bill becomes effective 45 days after enactment or later if specified in the bill. All legislation is subject to referendum if petitioned by 10 percent of the registered voters. This process affords citizens a greater ability to track, testify, and make their views known locally.

**Q. What other counties in Maryland have Code Home Rule, and when did they adopt it?**

**A.** Kent, 1970; Allegany, 1978; Caroline, 1984; Queen Anne's, 1990; and Worcester, 1976.

**Q. How will the Code Home Rule question be labeled on the ballot?**

**A.** "For Adoption of **Code Home Rule** Status" and "Against Adoption of **Code Home Rule** Status"

# Frequently Asked Questions about

# Code Home Rule

A form of home rule government proposed for adoption in Charles County



Structure of Government	Specified in State law. General Assembly may enact legislation in Annapolis to make changes in structure.	Commissioners determine structure through local enactments. County Commissioner title retained.
Bonding Authority	General Assembly must specifically authorize. No statutory limitation.	Commissioners authorize. No statutory maximum, but General Assembly may establish a limit.
Enact new taxes, license or franchise fees	General Assembly authorization required.	General Assembly authorization required. Cannot create new taxes, license or franchise fees not authorized at time County acquires Code Home Rule status.
Legislative process/procedures	Much less specific in law than Code Home Rule. No provisions covering legislative days, emergency bills, publication of proposed bills, identification of sponsors, etc.	State law requires maximum number of legislative sessions, public notification requirements, provisions of emergency bills, effective dates, publications and notices of proposed bills before and after enactment, identification of bill sponsors, etc.