

## **Maryland Upper Shore Regional Council Section 1-101**

### **Article - Upper Shore Regional Council**

#### **§ 1-101.**

- (a) In this article the following words have the meanings indicated.
- (b) "Area" means the regional planning and development area that includes all of Cecil, Kent, and Queen Anne's counties.
- (c) "Commissioner" means a member of the board of county commissioners of Cecil County, Kent County, or Queen Anne's County.
- (d) "Council" means the Upper Shore Regional Council.
- (e) "Region" means the area that includes all of Cecil, Kent, and Queen Anne's counties.

### **Article - Upper Shore Regional Council**

#### **§ 1-102.**

- (a) The Upper Shore Regional Council is a regional planning and development agency for the area.
- (b) The region consists of all of Cecil, Kent, and Queen Anne's counties.

### **Article - Upper Shore Regional Council**

#### **§ 1-103.**

- (a) (1) The Council is a tax-exempt public body corporate and politic which operates as a cooperative planning and development agency within the region to foster the physical, economic, and social development of the region and utilizes effectively the assistance provided by the State.
- (2) The Council initiates and coordinates plans and projects for the development of human and economic resources of the Upper Shore region as an Upper Shore planning and development agency.
- (b) (1) On the dissolution of the Council, the Council, after paying or providing for the payment of all of the liabilities of the Council, shall dispose of all of the assets of the Council exclusively for the purposes of the Council or to an organization organized and operated exclusively for charitable, educational, religious, or scientific purposes that qualifies as an exempt organization under § 501(c)(3) of the Internal Revenue Code, as the Council determines.

(2) The assets not disposed of shall be disposed of by the circuit court for the county in which the principal office of the Council is located, exclusively for the purposes of the Council, or to the individual counties.

### **Article - Upper Shore Regional Council**

#### **§ 1-104.**

The Council shall cooperate with State and local departments and agencies that have relevant statutory functions and responsibilities.

### **Article - Upper Shore Regional Council**

#### **§ 1-105.**

- (a) The Council may employ a Council executive director.
- (b) The Council executive director serves at the pleasure of the Council.

### **Article - Upper Shore Regional Council**

#### **§ 1-106.**

- (a) The Council may select and retain its own legal counsel.
- (b) Notwithstanding subsection (a) of this section, on request of the Council, the Attorney General of Maryland may serve as legal advisor to the Council in all matters pertaining to the Council's activities.

### **Article - Upper Shore Regional Council**

#### **§ 1-107.**

The Council is an independent unit and may not be placed by the Governor in any principal department.

### **Article - Upper Shore Regional Council**

#### **§ 2-101.**

(a) The membership of the Council consists of the following members from Cecil, Kent, and Queen Anne's counties:

- (1) Nine commissioners, three from each county, appointed by their respective county governing bodies as voting members;
- (2) Three county administrators, one from each county, as nonvoting ex officio members;
- (3) (i) Three municipal elected officials, one from each county, appointed by their respective municipal corporations as voting members; or

(ii) If the municipal corporations located in a county are unable to choose a municipal elected official within a reasonable period of time, the Eastern Shore Municipal Association shall appoint an elected municipal official to represent the municipal corporation;

(4) Members of the General Assembly representing the region who have a majority of their legislative district in the region as voting ex officio members;

(5) Members of the General Assembly representing the region who do not have a majority of their legislative district in the region as nonvoting ex officio members; and

(6) The other commissioners as nonvoting ex officio members.

(b) (1) A voting commissioner listed under subsection (a)(1) of this section may designate another commissioner or county administrator representing the same county to vote by proxy on behalf of the voting commissioner when the voting commissioner is absent from a meeting.

(2) A voting commissioner listed under subsection (a)(1) of this section shall inform the Council executive director in advance of which other Council members the voting commissioner designates to cast a proxy vote on behalf of the voting commissioner.

(c) The bylaws of the Council may provide for additional private citizen membership on the Council.

### **Article - Upper Shore Regional Council**

#### **§ 2-102.**

(a) The voting members and members of the General Assembly who hold membership by virtue of their elected or appointed position hold office only during their term of office.

(b) Membership on the Council does not constitute holding an office of profit.

### **Article - Upper Shore Regional Council**

#### **§ 2-103.**

Vacancies on the Council shall be filled for the duration of the unexpired term in the same manner as provided for the original appointment.

### **Article - Upper Shore Regional Council**

#### **§ 2-104.**

Members of the Council serve without compensation.

## **Article - Upper Shore Regional Council**

### **§ 2-105.**

The Council shall elect a chairperson from among its members.

## **Article - Upper Shore Regional Council**

### **§ 2-201.**

The Council may adopt bylaws, rules, and regulations for the conduct of the Council and to carry out the Council's mission.

## Article - Upper Shore Regional Council

### § 2-301.

(a) (1) Subject to the availability of funds in the State budget, the Council may receive State financial support to assist in carrying out its activities.

(2) (i) On or before August 1 of each year, the Council shall submit to the Department of Business and Economic Development its proposed work programs and operating budget for the following fiscal year, together with supporting schedules to show how the budget is financed, and to provide for review and recommendations.

(ii) The Department of Business and Economic Development shall forward the proposed operating budget to the Department of Budget and Management for consideration.

(b) (1) The Council and the Council's activities may be financed cooperatively by the State of Maryland and Cecil, Kent, and Queen Anne's counties.

(2) The Council may receive additional funds from other public or private sources.

(3) The governing bodies of Cecil, Kent, and Queen Anne's counties annually shall appropriate at least \$10,000 each for the use of the Council to foster cooperative planning and development in the region.

(4) The governing bodies of Cecil, Kent, and Queen Anne's counties may appropriate any other moneys that are necessary and appropriate for the Council.

(5) Other political subdivisions or special taxing districts may appropriate money that is necessary and appropriate for the Council.

