

Expedited Bill No. 40-16  
Concerning: Consolidated Retiree Health  
Benefits Trust Board -- Authority to  
Delegate - Amendments  
Revised: 9-26-2016 Draft No. 1  
Introduced: October 4, 2016  
Enacted: November 15, 2016  
Executive: November 28, 2016  
Effective: November 28, 2016  
Sunset Date: None  
Ch. 37, Laws of Mont. Co. 2016

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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### AN EXPEDITED ACT to:

- (1) permit the Board of Trustees for the Consolidated Retiree Health Benefits Trust to assign or delegate signature authority through a written policy; and
- (2) generally amend the law regarding the Consolidated Retiree Health Benefits Trust Fund.

By amending

Montgomery County Code  
Chapter 33, Personnel and Human Resources  
Section 33-160

**Boldface**

Underlining

**[Single boldface brackets]**

Double underlining

**[[Double boldface brackets]]**

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 33-160 is amended as follows:**

**33-160. Board of Trustees.**

\* \* \*

(f) Officers. The Board must select a chair, vice chair, and secretary from the Board's members.

(1) The chair must preside at meetings of the Board and may take administrative action [, including executing an instrument,] on behalf of the Board. [A person may rely in good faith on an act of the chair as legally valid.]

(2) The vice chair must perform the duties and exercise the powers of the chair when the chair is unavailable, or the Board determines is otherwise unable to perform the duties of the chair.

(3) The secretary must record the proceedings and actions of the Board and may certify a document or action of the Board. A person may rely in good faith on the secretary's certification as proof of the document or action.

(g) Meetings and actions.

(1) The Board must meet at least once during each calendar quarter. The chair, or 10 members of the Board, may call a meeting of the Board, in the manner and at times and places provided under the policies of the Board. The Board is a public body under the State Open Meetings Act.

(2) (A) Ten trustees constitute a quorum.

(B) Each trustee has one vote.

(C) Ten trustees must agree for the Board to act.

(3) The Board may act without a meeting. All of the trustees must concur in writing for the Board to approve any action the Board takes without a meeting.

(4) The Board may adopt procedures consistent with this Section.

(5) In its written policies and procedures, the [The] Board may authorize a trustee, the Executive Director, or a similarly situated County employee, to execute instruments on behalf of the Board. [The authority must be in writing and specifically describe the instrument and how the trustee must execute the instrument.]

\* \* \*

## Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

*Approved:*

Nancy Floreen November 14, 2016  
Nancy Floreen, President, County Council Date

*Approved:*

Isiah Leggett November 28, 2016  
Isiah Leggett, County Executive Date

*This is a correct copy of Council action.*

Linda M. Lauer Nov. 28, 2016  
Linda M. Lauer, Clerk of the Council Date