

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



February 8, 2012

DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 12-0021 – Youth Commission – Voting Member
Qualifications

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0021.

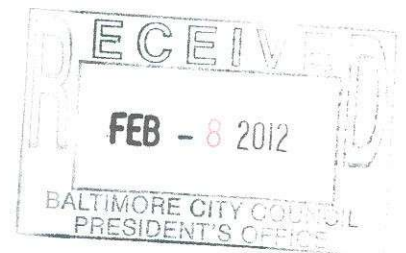
The bill would restrict voting members on the Youth Commission to those who will remain 25 or younger during their entire 4 year term. This would effectively prohibit someone over 22 from serving as a voting member of the Commission. *See* City Code, Art. 1, §22-1(e). This prohibition should survive any equal protection challenge as it is rationally related to a legitimate City interest. *See, e.g., Baltimore Gas and Elec. Co. v. Heintz*, 760 F.2d 1408, 1417 (4th Cir. 1985)(citing *Western & Southern L.I. Co. v. Board of Equalization*, 451 U.S. 648, 668, (1981)(classifications must reasonably promote the government's legitimate purpose to survive an Equal Protection challenge)); *see also Manson v. Edwards*, 482 F.2d 1076, 1077 (6th Cir. 1973)(“Differentiations based upon classification by age are not viewed as suspect.”).

As there are no legal impediments to such a restriction, the Law Department approves this bill for form and legal sufficiency.

Very truly yours,

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Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Victor Tervalá, Assistant Solicitor



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