

HOUSE BILL 88

F3

(7lr0975)

ENROLLED BILL

— *Ways and Means/Education, Health, and Environmental Affairs* —

Introduced by ~~Delegate Lafferty~~ Baltimore County Delegation

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Education – Selection of Members to the Baltimore County School Board**

3 FOR the purpose of prohibiting the Governor from appointing certain individuals as
4 members to the Baltimore County Board of Education in an election year; prohibiting
5 certain individuals from seeking appointment as members of the county board in an
6 election year; requiring the Baltimore County School Board Nominating Commission
7 to hold a certain number of meetings, each in a separate councilmanic district, each
8 year; requiring the ~~Commission~~ *County Executive for Baltimore County*, instead of
9 the Governor, to ~~appoint~~ *designate* the chair of the Commission; repealing the
10 Governor's authority to reappoint the chair of the Commission; altering the terms of
11 certain appointed members of the county board; requiring the Commission to
12 convene its first meeting on a certain date; and generally relating to the membership
13 of the Baltimore County Board of Education.

14 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



Article – Education

Section 3–2A–01(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 3–2A–01(b)(5)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–2A–03(a) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Chapter 480 of the Acts of the General Assembly of 2014

Section 2

BY repealing and reenacting, with amendments,

Chapter 481 of the Acts of the General Assembly of 2014

Section 2

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Education

3–2A–01.

(a) The Baltimore County Board of Education consists of:

(1) Seven nonpartisan elected members;

(2) Four appointed members; and

(3) One student member.

(b) **(5) DURING AN ELECTION YEAR:**

(i) THE GOVERNOR MAY NOT APPOINT AS A MEMBER OF THE COUNTY BOARD AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY FOR ELECTION TO THE COUNTY BOARD; AND

(II) AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY FOR ELECTION TO THE COUNTY BOARD MAY NOT SEEK APPOINTMENT TO THE COUNTY BOARD BY THE GOVERNOR THROUGH NOMINATION BY THE BALTIMORE COUNTY SCHOOL BOARD NOMINATING COMMISSION.

3-2A-03.

(a) (1) There is a Baltimore County School Board Nominating Commission.

(2) The purpose of the Commission is to select nominees to be recommended to the Governor as qualified candidates for appointment to the Baltimore County Board of Education.

(3) The Commission shall hold at least [two] **THREE** public hearings, **EACH IN A DIFFERENT COUNCILMANIC DISTRICT**, on the selection of nominees before recommending to the Governor nominees for appointment to the county board.

(c) (1) The [Governor] ~~COMMISSION~~ THE COUNTY EXECUTIVE FOR BALTIMORE COUNTY shall designate **ONE OF ITS THE COMMISSION'S MEMBERS** as chair of the Commission [one of the eight members appointed by the Governor under subsection (b)(3) of this section] ~~BY MAJORITY VOTE~~.

(2) The term of the chair of the Commission is 4 years.

[(3) The Governor may reappoint the chair of the Commission for a second term.]

[(4)] (3) The term of a member of the Commission is 4 years.

Chapter 480 of the Acts of 2014

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the appointed members of the Baltimore County Board of Education shall expire as follows:

(a) The terms of the four members appointed at large who are in office on the effective date of this Act, OR THE TERMS OF THEIR SUCCESSORS, shall expire [as follows:] **AT THE END OF DECEMBER 2, 2018, AND THE GOVERNOR SHALL APPOINT FOUR MEMBERS FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE COUNTY SCHOOL BOARD NOMINATING COMMISSION AS ESTABLISHED UNDER § 3-2A-03 OF THE EDUCATION ARTICLE TO SUCCEED THOSE FOUR DEPARTING MEMBERS, EACH TO SERVE FOR A TERM OF 4 YEARS BEGINNING ON DECEMBER 3, 2018, UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

[(1) the term of the member whose term is scheduled to expire on June 30, 2015, shall expire at the end of December 6, 2015, and the Governor shall appoint a member

1 to succeed that member to serve for a term of 4 years beginning on December 7, 2015, until
2 a successor is appointed and qualifies;

3 (2) the term of the member whose term is scheduled to expire on June 30,
4 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member
5 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until
6 a successor is appointed and qualifies; and

7 (3) the terms of the two members whose terms are scheduled to expire on
8 June 30, 2018, shall expire at the end of December 2, 2018, and the Governor shall appoint
9 two members from a list of nominees submitted by the Baltimore County School Board
10 Nominating Commission as established by Section 1 of this Act to succeed those two
11 departing members, each to serve for a term of 4 years beginning on December 3, 2018,
12 until a successor is appointed and qualifies.]

13 (b) The terms of the seven members appointed from councilmanic districts 1, 2,
14 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016,
15 shall terminate at the end of December 2, 2018, and the members elected from those
16 councilmanic/school board districts in Baltimore County at the general election in
17 November 2018, shall succeed those appointed members and serve for a term of 4 years
18 beginning on December 3, 2018, until a successor is elected and qualifies.

19 Chapter 481 of the Acts of 2014

20 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the appointed
21 members of the Baltimore County Board of Education shall expire as follows:

22 (a) The terms of the four members appointed at large who are in office on the
23 effective date of this Act, **OR THE TERMS OF THEIR SUCCESSORS,** shall expire [as
24 follows:] **AT THE END OF DECEMBER 2, 2018, AND THE GOVERNOR SHALL APPOINT**
25 **FOUR MEMBERS FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE**
26 **COUNTY SCHOOL BOARD NOMINATING COMMISSION AS ESTABLISHED UNDER §**
27 **3-2A-03 OF THE EDUCATION ARTICLE TO SUCCEED THOSE FOUR DEPARTING**
28 **MEMBERS, EACH TO SERVE FOR A TERM OF 4 YEARS BEGINNING ON DECEMBER 3,**
29 **2018, UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

30 [(1) the term of the member whose term is scheduled to expire on June 30,
31 2015, shall expire at the end of December 6, 2015, and the Governor shall appoint a member
32 to succeed that member to serve for a term of 4 years beginning on December 7, 2015, until
33 a successor is appointed and qualifies;

34 (2) the term of the member whose term is scheduled to expire on June 30,
35 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member
36 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until
37 a successor is appointed and qualifies; and

(3) the terms of the two members whose terms are scheduled to expire on June 30, 2018, shall expire at the end of December 2, 2018, and the Governor shall appoint two members from a list of nominees submitted by the Baltimore County School Board Nominating Commission as established by Section 1 of this Act to succeed those two departing members, each to serve for a term of 4 years beginning on December 3, 2018, until a successor is appointed and qualifies.]

(b) The terms of the seven members appointed from councilmanic districts 1, 2, 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016, shall terminate at the end of December 2, 2018, and the members elected from those councilmanic/school board districts in Baltimore County at the general election in November 2018, shall succeed those appointed members and serve for a term of 4 years beginning on December 3, 2018, until a successor is elected and qualifies.

SECTION 2. AND BE IT FURTHER ENACTED, That the Baltimore County School Board Nominating Commission shall first convene on October 1, 2017, to begin preparing its first set of recommendations to the Governor.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.