

HOUSE BILL 468

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1lr2113

By: **Delegate Forbes**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – School Board Nominating Commission – Vacancy**
3 **Procedures**

4 FOR the purpose of requiring the Baltimore County School Board Nominating Commission
5 to hold a public hearing on the selection of a nominee for a single vacancy on the
6 Baltimore County Board of Education in a certain manner under certain
7 circumstances; requiring the Commission to make publicly available on its website
8 live video streaming of certain public hearings and certain archived video recordings;
9 authorizing the Commission to retain and reactivate the applications of certain
10 candidates for certain vacancies on the county board; authorizing the Commission to
11 reactivate certain applications under certain circumstances; making conforming
12 changes; and generally relating to vacancy procedures and the Baltimore County
13 School Board Nominating Commission.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 3–2B–03
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2020 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 3–2B–03.

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

24 (2) The purpose of the Commission is to select nominees to be
25 recommended to the Governor as qualified candidates for appointment to the Baltimore

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



County Board of Education.

(3) (I) The Commission shall hold at least three public hearings, each in a different councilmanic district, on the selection of **MULTIPLE** nominees before recommending to the Governor nominees for appointment to the county board.

(II) **FOR A SINGLE VACANCY ON THE COUNTY BOARD, THE COMMISSION SHALL HOLD PUBLIC MEETINGS IN THE FOLLOWING MANNER ON THE SELECTION OF A NOMINEE BEFORE RECOMMENDING TO THE GOVERNOR THE NOMINEE FOR APPOINTMENT TO THE COUNTY BOARD:**

1. **FOR A VACANCY IN A COUNCILMANIC DISTRICT, AT LEAST ONE PUBLIC MEETING IN THAT COUNCILMANIC DISTRICT; OR**

2. **FOR A VACANCY FOR A MEMBER APPOINTED AT-LARGE, AT LEAST ONE PUBLIC MEETING AT THE COUNTY BOARD ADMINISTRATIVE OFFICES.**

(III) **THE COMMISSION SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:**

1. **LIVE VIDEO STREAMING OF EACH PUBLIC MEETING; AND**

2. **A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF EACH PUBLIC MEETING FOR WHICH LIVE STREAMING WAS MADE AVAILABLE UNDER ITEM 1 OF THIS SUBPARAGRAPH.**

(b) (1) The Commission consists of 19 members who shall be appointed in accordance with this subsection.

(2) The Commission shall reflect the rich cultural, geographic, ethnic, and racial diversity of Baltimore County.

(3) The Governor, in consultation with the County Executive of Baltimore County, shall appoint eight members, one from each legislative district that lies in whole or in part in Baltimore County.

(4) The County Executive of Baltimore County shall appoint one member from the county at large.

(5) The following organizations each shall appoint one member:

(i) The Teachers Association of Baltimore County;

(ii) The Baltimore County Chamber of Commerce;

(iii) The PTA Council of Baltimore County, Inc.;

(iv) Towson University;

(v) The League of Women Voters of Baltimore County;

(vi) The Baltimore County Branch of the National Association for the Advancement of Colored People;

(vii) The Baltimore County Public Schools' Special Education Citizens' Advisory Committee;

(viii) The Baltimore County Student Councils;

(ix) The Council of Administrative and Supervisory Employees; and

(x) The Education Support Personnel of Baltimore County.

(c) (1) The County Executive for Baltimore County shall designate one of the Commission's members as chair of the Commission.

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

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

(d) The Baltimore County Public Schools shall provide staff for the Commission.

(e) Beginning October 1, 2018, for each nomination for a vacancy on the county board, the Commission shall submit to the Governor a list of nominees that contains:

(1) At least two names for each vacancy; or

(2) If there are fewer than two applicants for a vacancy, the number of names that is equal to the number of applicants for the vacancy.

(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY RETAIN AND REACTIVATE THE APPLICATION OF A CANDIDATE FOR A VACANCY ON THE COUNTY BOARD FOR UP TO 2 YEARS FROM THE DATE THE COMMISSION SUBMITTED THE LIST OF NOMINEES TO THE GOVERNOR FOR THE VACANCY FOR WHICH THE APPLICANT WAS INITIALLY CONSIDERED.

(2) (I) THE COMMISSION MAY REACTIVATE THE APPLICATION OF A CANDIDATE UNDER PARAGRAPH (1) OF THIS SUBSECTION ONLY WITH THE CONSENT OF THE APPLICANT.

1 **(II) TO REACTIVATE AN APPLICATION UNDER THIS**
2 **SUBSECTION, THE COMMISSION SHALL:**

3 **1. WITHIN 14 DAYS OF THE DATE OF THE NEW VACANCY,**
4 **SEND A NOTICE TO THE APPLICANT REQUESTING CONSENT TO REACTIVATE THEIR**
5 **APPLICATION; AND**

6 **2. WITHIN 14 DAYS OF THE DATE THE APPLICANT**
7 **RECEIVED THE NOTICE UNDER ITEM 1 OF THIS SUBPARAGRAPH, RECEIVE THE**
8 **CONSENT OF THE APPLICANT.**

9 **[(f)] (G)** (1) Absent an extraordinary circumstance, the Governor shall
10 appoint a member to the county board from the list provided by the Commission.

11 (2) If the Governor elects not to appoint a member from a list submitted by
12 the Commission, the Governor shall return the list to the Commission and request that the
13 Commission submit the names of additional qualified candidates.

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
15 **1, 2021.**