
By: St. Mary's County Delegation

Introduced and read first time: February 20, 1997
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Human Relations Commission**

3 FOR the purpose of authorizing the Board of County Commissioners of St. Mary's
4 County to establish the St. Mary's County Human Relations Commission; providing
5 for the membership, purposes, goals, powers, and duties of the Commission;
6 providing that certain information, records, and activities of the Commission remain
7 confidential under certain circumstances; providing that this Act supersedes certain
8 provisions of existing law; authorizing the Board to appropriate funds for the
9 administrative support of the Commission; providing that compliance with certain
10 provisions of this Act shall be deemed as compliance with certain provisions of
11 existing law; defining certain terms; and generally relating to the establishment of
12 the St. Mary's County Human Relations Commission.

13 BY adding to

14 Article 49B - Human Relations Commission
15 Section 43 through 50, inclusive, to be under the new subtitle "St. Mary's County
16 Human Relations Commission"
17 Annotated Code of Maryland
18 (1994 Replacement Volume and 1996 Supplement)

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

21 **Article 49B - Human Relations Commission**

22 43.

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS AND PHRASES HAVE THE
24 MEANINGS INDICATED.

25 (B) "ALTERNATIVE DISPUTE RESOLUTION" INCLUDES MEDIATION.

26 (C) "BOARD" MEANS THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S
27 COUNTY.

28 (D) "COMMISSION" MEANS THE ST. MARY'S COUNTY HUMAN RELATIONS
29 COMMISSION.

30 (E) "COUNTY" MEANS ST. MARY'S COUNTY.

2

1 44.

2 (A) THE BOARD MAY, BY ORDINANCE OR RESOLUTION, ESTABLISH A HUMAN
3 RELATIONS COMMISSION FOR THE COUNTY.

4 (B) THE PURPOSE OF THE COMMISSION IS TO:

5 (1) PROMOTE UNDERSTANDING AND HARMONY OF RELATIONSHIP
6 BETWEEN THE PEOPLE OF THE COUNTY THROUGH THE STUDY OF THE NATURE AND
7 CAUSES OF SOCIAL FRICTION AND PREJUDICE;

8 (2) ADVANCE THE MEANS FOR THE ALLEVIATION OF SOCIAL FRICTION
9 AND PREJUDICE; AND

10 (3) OTHERWISE FURTHER THE AMERICAN IDEAL OF EQUALITY AND
11 JUSTICE.

12 (C) THE COMMISSION SHALL USE ITS INFLUENCE AND PERSUASION TO
13 DIRECT THE COMMUNITY'S EFFORTS TO THE SOLUTION OF ALL THOSE PROBLEMS
14 WHICH MANY TIMES ARE THE BASIC REASONS FOR RACIAL TENSIONS.

15 (D) THE COMMISSION SHALL ENCOURAGE AND ENSURE EQUAL TREATMENT
16 OF ALL PERSONS, WITHOUT REGARD TO RACE, COLOR, RELIGION, ETHICAL OR
17 MORAL CONVICTION, ANCESTRY, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS,
18 OR PHYSICAL OR MENTAL HANDICAP, IN COMPLIANCE WITH FEDERAL, STATE, AND
19 LOCAL LAWS AND REGULATIONS RELATED TO HOUSING, EMPLOYMENT, AND
20 PUBLIC ACCOMMODATIONS.

21 45.

22 TO ACCOMPLISH THE OBLIGATIONS IMPOSED UNDER § 44 OF THIS SUBTITLE,
23 THE COMMISSION MAY:

24 (1) PROVIDE ADVICE AND ASSISTANCE RELATED TO THE FILING AND
25 PROCESSING OF GRIEVANCES AND COMPLAINTS OF DISCRIMINATION WITH THE
26 APPROPRIATE FEDERAL AND STATE AGENCIES;

27 (2) EDUCATE THE COMMUNITY TO THE RIGHTS AND RESPONSIBILITIES
28 OF INDIVIDUALS IN HOUSING, EMPLOYMENT, AND PUBLIC ACCOMMODATIONS;

29 (3) ADVOCATE THE REMOVAL OF ALL VESTIGES OF DISCRIMINATION;
30 AND

31 (4) ASSIST IN NONBINDING ALTERNATIVE DISPUTE RESOLUTION.

32 46.

33 (A) THE BOARD SHALL:

34 (1) DETERMINE THE SIZE OF THE COMMISSION.

35 (2) APPOINT THE MEMBERS OF THE COMMISSION.

36 (3) ENSURE THAT THE MEMBERSHIP OF THE COMMISSION REFLECTS
37 THE DIVERSITY OF THE COUNTY'S POPULATION.

3

1 (B) (1) THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS.

2 (2) THE TERMS OF THE MEMBERS SHALL BE STAGGERED IN A MANNER
3 TO BE DETERMINED BY THE BOARD.

4 (3) A PERSON MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

5 (C) (1) THE COMMISSION SHALL SELECT A CHAIRPERSON AND A VICE
6 CHAIRPERSON TO BE THE OFFICERS OF THE COMMISSION.

7 (2) THE TERM OF AN OFFICER OF THE COMMISSION IS 1 YEAR.

8 (3) A PERSON MAY NOT SERVE AS AN OFFICER OF THE COMMISSION
9 FOR MORE THAN TWO CONSECUTIVE TERMS.

10 (D) EACH MEMBER OF THE COMMISSION SHALL SERVE WITHOUT
11 COMPENSATION.

12 47.

13 (A) THIS SECTION SUPERSEDES ANY CONTRARY PROVISIONS OF THE ST.
14 MARY'S COUNTY OPEN MEETINGS ACT AND THE MARYLAND PUBLIC INFORMATION
15 ACT.

16 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION:

17 (I) ALL ACTIVITIES OF THE COMMISSION THAT RELATE TO AN
18 ALTERNATIVE DISPUTE RESOLUTION, GRIEVANCE, OR COMPLAINT OF
19 DISCRIMINATION SHALL BE CONDUCTED IN CONFIDENCE AND WITHOUT PUBLICITY;
20 AND

21 (II) THE COMMISSION MAY MEET IN CLOSED OR EXECUTIVE
22 SESSIONS WHEN DEALING WITH AN ALTERNATIVE DISPUTE RESOLUTION,
23 GRIEVANCE, OR COMPLAINT OF DISCRIMINATION.

24 (2) IF ALL PARTIES INVOLVED IN AN ALTERNATIVE DISPUTE
25 RESOLUTION, GRIEVANCE, OR COMPLAINT OF DISCRIMINATION CONSENT IN
26 WRITING, THE COMMISSION'S ACTIVITIES RELATED TO THAT ALTERNATIVE
27 DISPUTE RESOLUTION, GRIEVANCE, OR COMPLAINT OF DISCRIMINATION MAY BE
28 CONDUCTED PUBLICLY.

29 (3) EXCEPT AS PROVIDED UNDER § 50 OF THIS SUBTITLE, THE
30 COMMISSION SHALL HOLD CONFIDENTIAL ALL INFORMATION CONCERNING AN
31 ALTERNATIVE DISPUTE RESOLUTION, GRIEVANCE, OR COMPLAINT OF
32 DISCRIMINATION, INCLUDING THE IDENTITIES OF THE PARTIES INVOLVED.

33 (C) (1) INFORMATION RELATED TO THE ACTIVITIES OR INVOLVEMENT OF
34 THE COMMISSION IN AN ALTERNATIVE DISPUTE RESOLUTION, GRIEVANCE, OR
35 COMPLAINT OF DISCRIMINATION MAY NOT BE ADMITTED AS EVIDENCE IN ANY
36 ADMINISTRATIVE PROCEEDING OR LITIGATION.

37 (2) THE RECORDS OF THE COMMISSION MAY NOT BE DISCOVERED IN
38 ANY ADMINISTRATIVE PROCEEDING OR LITIGATION.

4

1 (D) (1) EXCEPT AS PROVIDED UNDER § 50 OF THIS SUBTITLE AND
2 PARAGRAPH (2) OF THIS SUBSECTION, INFORMATION OR RECORDS RELATED TO
3 THE ACTIVITIES OF THE COMMISSION OR THE INVOLVEMENT OF THE COMMISSION
4 IN AN ALTERNATIVE DISPUTE RESOLUTION, GRIEVANCE, OR COMPLAINT OF
5 DISCRIMINATION ARE NOT SUBJECT TO PUBLIC INSPECTION UNDER THE
6 MARYLAND PUBLIC INFORMATION ACT.

7 (2) STATISTICAL INFORMATION MAY BE MADE AVAILABLE FOR PUBLIC
8 INSPECTION UNDER § 10-624(C) OF THE STATE GOVERNMENT ARTICLE.

9 (E) THE COMMISSION SHALL HOLD CONFIDENTIAL ANY INFORMATION AND
10 RECORDS OBTAINED BY A PREDECESSOR COUNTY BODY THAT WAS AUTHORIZED
11 TO PERFORM A FUNCTION SIMILAR TO THAT OF THE COMMISSION BEFORE THE
12 EFFECTIVE DATE OF THIS SUBTITLE.

13 48.

14 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL
15 FILE WITH THE BOARD A COMPREHENSIVE REPORT OF ITS ACTIVITIES AT LEAST
16 ONCE EVERY 12 MONTHS.

17 (B) THE COMMISSION MAY NOT REVEAL ANY CONFIDENTIAL INFORMATION
18 IN ITS REPORT TO THE BOARD.

19 49.

20 THE BOARD MAY APPROPRIATE FUNDS FOR THE ADMINISTRATIVE SUPPORT
21 OF THE COMMISSION.

22 50.

23 (A) A PERSON SEEKING THE INVOLVEMENT OF THE COMMISSION IN AN
24 ALTERNATIVE DISPUTE RESOLUTION RELATED TO AN INCIDENT WITHIN THE
25 COMMISSION'S JURISDICTION SHALL FILE A WRITTEN REQUEST FOR ALTERNATIVE
26 DISPUTE RESOLUTION WITHIN 6 MONTHS AFTER THE DATE OF THE RELEVANT
27 INCIDENT.

28 (B) (1) A PERSON SATISFYING THE TIME REQUIREMENTS UNDER
29 SUBSECTION (A) OF THIS SECTION SHALL BE DEEMED TO HAVE COMPLIED WITH THE
30 REQUIREMENTS OF § 9A OF THIS ARTICLE.

31 (2) THE COMMISSION MAY PROVIDE A COPY OF A WRITTEN REQUEST
32 FILED UNDER SUBSECTION (A) OF THIS SECTION TO THE MARYLAND COMMISSION
33 ON HUMAN RELATIONS TO VERIFY A PARTY'S COMPLIANCE WITH THE
34 REQUIREMENTS OF § 9A OF THIS ARTICLE.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 July 1, 1997.