

HOUSE BILL 1400

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F3

2002 Regular Session
(2r2868)

ENROLLED BILL

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

Introduced by **Carroll 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 425

1 AN ACT concerning

2 **Carroll County - Board of Education - Start of Term**

3 FOR the purpose of requiring that a member elected to the Carroll County Board of
4 Education begin the member's term on a certain day; and generally relating to
5 the start day of a member's term and the compensation of members of the
6 Carroll County Board of Education.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 3-401
10 Annotated Code of Maryland
11 (2001 Replacement Volume)

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

1 **Article - Education**

2 3-401.

3 (a) The Carroll County Board consists of:

4 (1) Five voting members; and

5 (2) The County Commissioners, who are nonvoting ex officio members.

6 (b) A candidate elected to the County Board shall be a resident and registered
7 voter of Carroll County. Any member who no longer resides in Carroll County may
8 not continue as a member of the Board.

9 (c) (1) Members of the Carroll County Board shall be elected as follows:

10 (i) Two members of the Board shall be elected in the November
11 general election of 1994 and every 4 years thereafter;

12 (ii) Two members of the County Board shall be elected in the
13 November general election of 1996 and every 4 years thereafter; and

14 (iii) One member of the County Board shall be elected in the
15 November general election of 1998 and every 4 years thereafter.

16 (2) Members of the County Board shall be elected:

17 (i) At a general election as required by this section; and

18 (ii) On a general countywide ticket.

19 (d) (1) Each member serves for a term of 4 years BEGINNING THE FIRST
20 MONDAY IN DECEMBER IMMEDIATELY FOLLOWING THE MEMBER'S ELECTION and
21 until a successor is elected and qualifies. The terms of the members are staggered as
22 required for the elections to the County Board in subsection (c)(1) of this section.

23 (2) The Governor shall appoint a new member to fill any vacancy on the
24 Board for the remainder of that term and until a successor is elected and qualifies.

25 (3) A member of the County Board as of October 1, 1993, and any
26 member appointed to fill a vacancy in an unexpired term of such member, shall hold
27 office during his term and until a successor is elected and qualifies.

28 (e) (1) The State Board may remove a member of the County Board for:

29 (i) Immorality;

30 (ii) Misconduct in office;

31 (iii) Incompetency; or

1 (iv) Willful neglect of duty.

2 (2) Before removing a member, the State Board shall send the member a
3 copy of the charges against him and give him an opportunity within 10 days to
4 request a hearing.

5 (3) If the member requests a hearing within the 10-day period:

6 (i) The State Board promptly shall hold a hearing, but a hearing
7 may not be set within 10 days after the State Board sends the member a notice of the
8 hearing; and

9 (ii) The member shall have an opportunity to be heard publicly
10 before the State Board in his own defense, in person or by counsel.

11 (4) A member removed under this subsection has the right to a de novo
12 review of the removal by the Circuit Court for Carroll County.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 ~~October~~ July 1, 2002.