
By: **Delegates Bozman and Conway**
Introduced and read first time: January 24, 2003
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 19, 2003

CHAPTER 122

1 AN ACT concerning

2 **Worcester County - Board of Education - Eligibility to Serve**

3 FOR the purpose of permitting a school bus contractor ~~under the authority of the~~
4 ~~Worcester County Board of Education~~ to be eligible to serve as a ~~county board~~
5 member of the Worcester County Board of Education; and generally relating to
6 the eligibility of certain persons to serve on the Worcester County Board of
7 Education.

8 BY repealing and reenacting, without amendment,
9 Article - Education
10 Section 3-114(b)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2002 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 3-1401
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2002 Supplement)

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

1 **Article - Education**

2 3-114.

3 (b) An individual subject to the authority of the county board may not serve as
4 a member of the county board. At the time of filing a certificate of candidacy for
5 election to a county board, a person shall certify to the local board of supervisors of
6 election whether or not he is subject to the authority of the county board. The
7 Governor shall not issue a commission of election to a person who has certified
8 affirmatively and who is elected to a county board until the member-elect offers proof
9 that he is no longer subject to the authority of the county board.

10 3-1401.

11 (a) The Worcester County Board consists of seven voting members and one
12 nonvoting student member from each public high school in the county.

13 (b) (1) The seven voting members of the Worcester County Board shall be
14 elected at a general election.

15 (2) Members of the Worcester County Board shall be elected in
16 accordance with Title 8, Subtitle 8 of the Election Law Article.

17 (c) (1) A member from a county commissioner district shall be a resident of
18 the district.

19 (2) A member from a county commissioner district who no longer resides
20 in the district may not continue as a member of the County Board.

21 (3) ~~NOTWITHSTANDING § 3-114(B) OF THIS TITLE OR ANY OTHER LAW, A~~
22 ~~SCHOOL BUS CONTRACTOR SUBJECT TO THE AUTHORITY OF THE COUNTY BOARD IS~~
23 ~~ELIGIBLE TO SERVE AS A MEMBER OF THE COUNTY BOARD.~~

24 (d) Of the seven voting members of the County Board, one shall be elected
25 from each of the seven county commissioner districts.

26 (e) A member serves for a term of 4 years beginning on the January 1 after the
27 member's election and until a successor is elected and qualifies.

28 (f) (1) One member shall be elected from each of the county commissioner
29 districts 1, 4, 6, and 7 at the November 2002 general election.

30 (2) One member shall be elected from each of the county commissioner
31 districts 2, 3, and 5 at the November 2004 general election.

32 (g) (1) The county commissioners shall appoint a new member to fill any
33 vacancy on the County Board for the remainder of that term and until a successor is
34 elected and qualifies.

35 (2) A resident of the district in which a vacancy exists may apply to the
36 county commissioners to fill the vacancy.

1 (3) The county commissioners shall adopt rules for the application
2 procedure to fill a vacancy on the County Board.

3 (h) (1) Each student member shall:

4 (i) Be a 12th grade student in the Worcester County public school
5 system elected by the high school students of the public school which the student
6 attends, in accordance with procedures established by the school system;

7 (ii) Serve for 1 year beginning on July 1 after the election of the
8 member;

9 (iii) Be a nonvoting member; and

10 (iv) Advise the Board on the interests of students.

11 (2) Unless invited to attend by an affirmative vote of a majority of the
12 County Board, the student members may not attend an executive session.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2003.