

SENATE BILL 637

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4lr0419

By: **Senator Simonaire**

Introduced and read first time: January 30, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Board of Education Member – Limitation on**
3 **Candidacy for Other Elective Office**

4 FOR the purpose of prohibiting a member of the Anne Arundel County Board of
5 Education from being a candidate for election to a municipal, county, or State
6 office during a certain period of time immediately following the conclusion of the
7 term to which the member was appointed; providing for the application of this
8 Act; and generally relating to the candidacy of a member of the Anne Arundel
9 County Board of Education for election to another local or State office.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 3–110
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2013 Supplement)

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

17 **Article – Education**

18 3–110.

19 (a) (1) The Anne Arundel County Board consists of 9 members who shall
20 be appointed as follows:

21 (i) 3 from the county at large;

22 (ii) 1 each from legislative districts 30, 31, 32, 33, and that
23 portion of legislative district 21 that lies within Anne Arundel County; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) 1 student member.

2 (2) Except for the student member, the Governor shall appoint a
3 member of the county board from a list of nominees submitted by the School Board
4 Nominating Commission of Anne Arundel County as provided in subsection (b) of this
5 section.

6 (b) (1) (i) There is a School Board Nominating Commission of Anne
7 Arundel County.

8 (ii) The purpose of the Commission is to select nominees to be
9 recommended to the Governor as qualified candidates for appointment to the Anne
10 Arundel County Board of Education.

11 (iii) The Commission shall hold at least two public hearings on
12 the selection of nominees before recommending to the Governor nominees for
13 appointment to the county board.

14 (2) (i) The Commission consists of 11 members who shall be
15 appointed in accordance with this paragraph.

16 (ii) The Governor shall appoint five members, one from each
17 legislative district that lies in whole or in part in Anne Arundel County.

18 (iii) The County Executive of Anne Arundel County shall appoint
19 one member from the county at large.

20 (iv) The following organizations shall each appoint one member:

21 1. The Teachers Association of Anne Arundel County;

22 2. The Annapolis and Anne Arundel County Chamber of
23 Commerce;

24 3. The Anne Arundel County Council of Parent Teacher
25 Associations;

26 4. The Anne Arundel County Community College Board
27 of Trustees; and

28 5. The Association of Educational Leaders (AEL).

29 (3) (i) The Governor shall designate as chair of the Commission
30 one of the five members appointed by the Governor under [subsection (b)(2)(ii) of this
31 section] **PARAGRAPH (2)(II) OF THIS SUBSECTION.**

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

1 (iii) The Governor may reappoint the chair of the Commission for
2 a second term.

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

4 (4) The Department of Legislative Services shall provide staff for the
5 Commission.

6 (5) Beginning January 1, 2008, for each nomination to the county
7 board, the Commission shall submit to the Governor a list of nominees that contains:

8 (i) At least two names for each vacancy; or

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

11 (c) (1) Following the appointment of a member of the Anne Arundel
12 County Board of Education by the Governor, a member may serve for the remainder of
13 the member's term, as provided in § 3–108(c) of this subtitle, subject to the approval or
14 rejection of the registered voters of the county at the next general election.

15 (2) A member of the county board is eligible for nomination and
16 reappointment for a second consecutive term in accordance with the provisions of
17 subsections (a) and (b) of this section.

18 (3) (i) The approval or rejection of a member of the county board by
19 the registered voters of the county provided for in subparagraph (ii) of this paragraph
20 shall be a vote for the member's retention or removal.

21 (ii) On receipt of the notice required under § 5–301(h) of the
22 Election Law Article, the name of the member of the county board shall be placed on
23 the appropriate ballot and shown, without opposition, and the voters shall vote for or
24 against the member's retention as a member of the county board.

25 (4) If the voters reject the retention of the member, or the vote is tied:

26 (i) The position shall become vacant 10 days after certification
27 of the election returns; and

28 (ii) The member serves until a successor is appointed and
29 qualifies.

30 (d) (1) The student member shall:

31 (i) Be a regularly enrolled senior year student of good character
32 and in good standing in an Anne Arundel County public high school;

1 (ii) Be selected in the student's junior year by a method selected
2 by the Chesapeake Regional Association of Student Councils of Anne Arundel County;

3 (iii) 1. Serve a term of 1 year; and

4 2. Continue to serve after graduation and until a
5 successor is appointed and qualifies.

6 (2) If a vacancy in the position of the student member occurs during
7 the term of the student member, the Chesapeake Regional Association of Student
8 Councils shall:

9 (i) Conduct a special election at its next general meeting; and

10 (ii) By utilizing the same method that it used to select the
11 previous student member of the board, select another student member to fill the
12 vacancy.

13 (e) A board member who does not maintain the residency qualification shall
14 be replaced as a member.

15 (f) If the boundary line of a legislative district changes, an incumbent
16 member of the county board who, because of the change, no longer resides in the
17 legislative district from which the member was appointed may complete the term.

18 (g) (1) The President of the Anne Arundel County Board of Education is
19 entitled to receive \$8,000 annually as compensation and, except for the student
20 member, the other board members are entitled to receive \$6,000 each annually as
21 compensation.

22 (2) A student member who completes a full term on the board shall be
23 granted a scholarship of \$6,000 to be applied toward the student's higher education
24 costs.

25 **(H) A BOARD MEMBER MAY NOT BE A CANDIDATE FOR ELECTION TO A**
26 **MUNICIPAL, COUNTY, OR STATE OFFICE IN THIS STATE DURING THE 2 YEARS**
27 **IMMEDIATELY FOLLOWING THE END OF THE TERM TO WHICH THE MEMBER WAS**
28 **APPOINTED.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
30 construed to apply only prospectively and may not be applied or interpreted to have
31 any effect on or application to any member of the Anne Arundel County Board of
32 Education in office on or before the effective date of this Act.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2014.