

# SENATE BILL 1034

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CF HB 1033

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By: **Senator Hershey**

Introduced and read first time: February 13, 2014

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Queen Anne's County Board of Education – Filling a Vacancy in Membership**

3 FOR the purpose of altering provisions of law concerning the filling of a vacancy on the  
4 Queen Anne's County Board of Education; providing for the holding of an  
5 election to fill a vacancy on the county board under certain circumstances;  
6 providing that a member appointed by the Governor to fill a vacancy on the  
7 county board serves only for a certain period; and generally relating to the  
8 filling of a vacancy on the Queen Anne's County Board of Education.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 3–10A–01  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2013 Supplement)

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

16 **Article – Education**

17 3–10A–01.

18 (a) The Queen Anne's County Board consists of:

19 (1) Five voting, nonpartisan, elected members; and

20 (2) One nonvoting student representative from each public high school  
21 in the county.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The five voting, nonpartisan, elected members shall be elected by the  
2 voters of the entire county at a general election in accordance with subsection (c) of  
3 this section.

4 (c) (1) (i) One voting member shall reside in and be elected from each  
5 of the four county commissioner districts; and

6 (ii) One member shall reside in the county and be elected from  
7 the county at large.

8 (2) (i) A member from a county commissioner district who no  
9 longer resides in the district may not continue as a member of the county board.

10 (ii) A member at large who no longer resides in the county may  
11 not continue as a member of the county board.

12 (3) A candidate elected to the county board shall be a registered voter  
13 and resident of Queen Anne's County for at least 3 years.

14 (d) (1) Subject to paragraph (2) of this subsection, each elected voting  
15 member serves for a term of 4 years beginning on the first Monday in December after  
16 the member's election and until a successor is elected and qualifies.

17 (2) The initial terms of the elected voting members are staggered as  
18 follows:

19 (i) The three members elected to the county board at the  
20 general election in November 2008 who receive the highest number of votes cast from  
21 among the successful candidates at that election shall serve for a term of 6 years; and

22 (ii) The two members elected to the county board at the general  
23 election in November 2008 who receive the least number of votes cast from among the  
24 successful candidates at that election shall serve for a term of 4 years.

25 (3) (I) **[The] IN CASE OF A VACANCY ON THE COUNTY BOARD,**  
26 **THE** Governor shall appoint a **[new member to fill any vacancy on] QUALIFIED**  
27 **PERSON TO SERVE ON** the county board **[for the remainder of that term and]** until a  
28 successor is elected and qualifies.

29 (II) **IF THE VACANCY OCCURS BEFORE THE FILING**  
30 **DEADLINE FOR CANDIDATES FOR THE PRIMARY ELECTION THAT IS HELD IN THE**  
31 **SECOND YEAR OF THE TERM, THE INDIVIDUAL APPOINTED UNDER**  
32 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL SERVE UNTIL A SUCCESSOR IS**  
33 **ELECTED AT THE NEXT GENERAL ELECTION AND QUALIFIES.**

1                   **(III) IF THE VACANCY OCCURS AFTER THE FILING DEADLINE**  
2 **FOR CANDIDATES FOR THE PRIMARY ELECTION THAT IS HELD IN THE SECOND**  
3 **YEAR OF THE TERM, THE INDIVIDUAL APPOINTED UNDER SUBPARAGRAPH (I) OF**  
4 **THIS PARAGRAPH SHALL SERVE FOR THE REMAINDER OF THE TERM OF THE**  
5 **VACATING MEMBER AND UNTIL A SUCCESSOR IS ELECTED AT THE NEXT**  
6 **GENERAL ELECTION AND QUALIFIES.**

7           (e)   (1)   The nonvoting student members of the county board shall be  
8 elected from each of the public high schools in the county by their respective student  
9 bodies.

10                   (2)   Each student member shall:

11                           (i)   Be an eleventh or twelfth grade student in good standing in  
12 the Queen Anne's County public school system;

13                           (ii)   Be a student government association representative at the  
14 student's high school;

15                           (iii)   Serve for 1 year beginning on July 1 after the election of the  
16 member;

17                           (iv)   Be nonvoting; and

18                           (v)   Advise the county board on the thoughts and feelings of  
19 students in the Queen Anne's County public schools.

20                   (3)   Unless invited to attend by an affirmative vote of a majority of the  
21 county board, the student member may not attend an executive session of the county  
22 board.

23                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2014.