

Executive Orders 2016

STATE OF MARYLAND

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EXECUTIVE ORDER OF JANUARY 22, 2016

01.01.2016.01

Declaration of a State of Emergency

- WHEREAS, The State of Maryland is subject to a variety of hazards or disasters including but not limited to severe storms and significant winter weather with snow and ice accumulations, and other weather related events;
- WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency there may be a need to take protective actions to protect the lives and property of citizens being currently impacted by this winter weather;
- WHEREAS, Because of the potential impacts of this winter weather on the State of Maryland and preparations for all contingencies, an emergency exists in all jurisdictions of the State of Maryland;
- WHEREAS, In order to waive certain regulations to facilitate emergency response and restoration activities, to activate certain emergency contracts, and to facilitate the deployment of requisite resources within provisions of Maryland law;
- WHEREAS, Use of resources of the Maryland National Guard may be required;
- WHEREAS, An Executive Order to implement the emergency powers of the Governor is a prerequisite for potential federal emergency and disaster assistance; and
- WHEREAS, In order to implement the emergency powers of the Governor, an Executive Order of the Governor is appropriate.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DECLARE THAT A STATE OF EMERGENCY EXISTS IN ALL MARYLAND COUNTIES AND BALTIMORE CITY, I CALL THE MARYLAND NATIONAL GUARD INTO STATE SERVICE AND HEREBY AUTHORIZE THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR OTHER APPROPRIATE STATE AUTHORITY, DURING THIS EMERGENCY PERIOD, TO ENGAGE, DEPLOY, AND COORDINATE ALL AVAILABLE RESOURCES.

EXECUTIVE ORDER OF JANUARY 21, 2016

01.01.2016.02

Winter Weather Relief Efforts

- WHEREAS, The State of Maryland has experienced prolonged below normal temperatures and there is impending significant winter weather causing greater demand for commodities related to winter weather relief (e.g., petroleum products, propane, food, water, medical supplies, generators, restoration of electricity, snow and debris removal equipment, etc.) statewide;
- WHEREAS, The delivery or transporting of these commodities for the benefit of the citizens of Maryland is vital to the preservation of life and property;
- WHEREAS, The facilitated movement of these supplies is in the best interest of the citizens of Maryland;
- WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency and Maryland Department of Transportation that there is a need to take protective actions to protect the lives and property of citizens being currently impacted by severe cold and impending significant winter weather;
- WHEREAS, Because of the potential impact of these conditions on the State of Maryland and preparations for all contingencies, a commodities shortage emergency exists in all jurisdictions of the State of Maryland; and
- WHEREAS, In order to implement the emergency powers of the Governor, an Executive Order of the Governor is appropriate.
- NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HEREBY DECLARE, EFFECTIVE IMMEDIATELY, THAT A STATE OF EMERGENCY EXISTS PERTAINING TO THE TRANSPORT AND DELIVERY OF COMMODITIES RELATED TO WINTER WEATHER RELIEF WITHIN MARYLAND.

As a result of the emergency, the following is ordered:

1. Relief from the 60/70-hour limit in 49 CFR Part 395.3(b) of the Federal Motor Carrier Safety Regulations, adopted in Maryland under Section 25-111 of the Maryland Transportation Article, for drivers of vehicles delivering or transporting of commodities related to winter weather relief (e.g., petroleum products, propane, food, water, medical supplies, generators, restoration of electricity, snow and debris removal equipment, etc.) within the State of Maryland for the benefit of the citizens of Maryland.
2. Property-carrying drivers must comply with the 11-hour maximum driving time and 14-hour maximum driving on duty time limits contained in 49 CFR Part 395.3(a).
3. Nothing contained in this Executive Order shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility requirements (49 CFR Part 387), applicable size and weight requirements, or any portion of the regulation not specifically authorized pursuant to 49 CFR Section 390.23.
4. No motor carrier operating under the terms of this Executive Order shall require or allow a fatigued, ill, or otherwise impaired driver to operate a commercial motor vehicle in violation of 49 CFR Section 392.3. Any driver requiring qualifying rest shall be placed out of service until such time as eligibility to drive is reestablished.
5. Motor carriers or drivers that have an Out of Service Order in effect cannot take advantage of the relief from regulations that this declaration provides under Title 49 CFR 390.23.
6. Upon termination of direct assistance to the emergency relief effort, the motor carrier and driver are subject to all requirements of 49 CFR Parts 390 through 399 - except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location under the terms of the declaration. Direct assistance terminates when a driver or commercial motor vehicle is used to transport cargo not in direct furtherance of the emergency relief efforts or upon termination of this Executive Order, whichever comes first. Upon return to the terminal or other location, the driver must be relieved of all duty and responsibilities.
7. Drivers for motor carriers that operate under this Executive Order must have a copy of it in their possession.

8. Consistent with Title 49 CFR Part 390.23 and Maryland law, this Executive Order shall remain in effect for 30 days unless earlier modified or rescinded by the Governor.

EXECUTIVE ORDER OF JANUARY 27, 2016

01.01.2016.03

Maryland Early Graduation Scholarship Program

- WHEREAS, Many states are using innovative approaches to reform public education and to better meet the needs of high school students and their families. One such approach is to provide incentives to students who graduate early from high school;
- WHEREAS, Encouraging public school students to graduate early from high school by providing a financial incentive in the form of a scholarship will help Maryland high school students and their families better plan for their careers and postsecondary education expenses;
- WHEREAS, The financial incentive will be a one-time scholarship that will help defray the cost of postsecondary education;
- WHEREAS, Establishing the Maryland Early Graduation Scholarship Program will benefit the State by encouraging Maryland public high school students to graduate and attend one of Maryland's institutions of postsecondary education, creating a cost savings to the scholarship students and their families while making more efficient use of available State and local education funds; and
- WHEREAS, The Secretary of the Maryland Higher Education Commission has reviewed and approved this scholarship program in accordance with COMAR 13B.01.01.13.
- NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER ESTABLISHING THE MARYLAND

EARLY GRADUATION SCHOLARSHIP PROGRAM,
EFFECTIVE IMMEDIATELY:

A. Establishment. There is a Maryland Early Graduation Scholarship Program (Program).

B. Administration. The Maryland Higher Education Commission (Commission) shall administer the Program and facilitate the disbursement of scholarship payments.

C. Amount and Purpose of Scholarship. The amount of the Maryland Early Graduation Scholarship is up to Six Thousand Dollars (\$6,000.00) and shall be used for tuition, room and board, books, and other purposes, all as approved by the Commission.

D. Eligibility. Applicants for the Program must:

(1) Be a high school student enrolled in any of the twenty-four local public school systems in Maryland;

(2) Participate in the alternative program leading to the grant of a high school diploma by the end of the eleventh grade as established in COMAR 13A.03.02.11;

(3) Secure acceptance to an institution of postsecondary education as defined under Section 10-101(i) of the Education Article of the Annotated Code of Maryland within six months of receipt of the high school diploma; and

(4) Apply to the Program in the manner specified by the Commission.

EXECUTIVE ORDER OF JANUARY 29, 2016

01.01.2016.04

Rescission of Executive Order 01.01.2016.01

WHEREAS,

I, Lawrence J. Hogan, Jr., Governor of the State of Maryland, issued Executive Order 01.01.2016.01 declaring a State of Emergency in the State of Maryland, which implemented the emergency powers of the Governor to protect the lives and property

of citizens impacted by severe storms and significant winter weather; and

WHEREAS, The emergency conditions requiring the Declaration no longer exist.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THAT THE STATE OF EMERGENCY IN THE STATE OF MARYLAND IS TERMINATED AND HEREBY RESCIND EXECUTIVE ORDER 01.01.2016.01

EXECUTIVE ORDER OF FEBRUARY 10, 2016

01.01.2016.05

Commission to Modernize State Procurement

WHEREAS, The State of Maryland spends \$4 billion annually on goods and services;

WHEREAS, The State procurement system has become an outdated patchwork of legislative and regulatory fixes;

WHEREAS, State procurement policies and procedures should be open, transparent, and equitable for all participants;

WHEREAS, Clear, uniform standards and training for State procurement officials will ensure the quality and integrity of the State's procurement system;

WHEREAS, Providing more predictability and reducing transaction costs to businesses will allow the State to obtain the best value for goods and services at reasonable prices; and

WHEREAS, Modern methods of procurement will safeguard equal treatment of bidders and increase competition.

NOW THEREFORE, I, LAWRENCE J. HOGAN JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN

ME BY THE CONSTITUTION AND LAWS OF MARYLAND,
HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER,
EFFECTIVE IMMEDIATELY:

A. The Establishment of the Commission to Modernize State Procurement (Commission).

B. Membership.

(1) The Commission shall consist of the following:

(a) The Lieutenant Governor;

(b) The State Comptroller, or the Comptroller's Designee;

(c) The State Treasurer, or the Treasurer's Designee;

(d) The Secretary of the Department of Budget and Management, or the Secretary's Designee;

(e) The Secretary of the Department of Transportation, or the Secretary's Designee;

(f) The Secretary of the Department of General Services, or the Secretary's Designee;

(g) The Secretary of the Department of Information Technology, or the Secretary's Designee;

(h) The Special Secretary of the Governor's Office of Minority Affairs, or the Special Secretary's Designee;

(i) Two members of the Maryland Senate, one appointed by the President of the Senate and one appointed by the Minority Leader of the Senate;

(j) Two members of the Maryland House of Delegates, one appointed by the Speaker of the House and one appointed by the Minority Leader of the House of Delegates;

(k) The Board of Public Works Executive Secretary, as a nonvoting member;

(l) A representative chosen by Maryland Nonprofits; and

(m) Five public members to be appointed by the Governor with expertise in Maryland procurement law and experience in the information technology, construction, commodities, human services, healthcare, professional services, or engineering or architectural services industries. The public members shall serve at the pleasure of the Governor.

(2) The Board of Public Works shall provide staff support to the Commission.

(3) The Assistant Attorneys General at the Department of Budget and Management, Department of Transportation, and Department of General Services may serve as legal support to the Commission.

(4) Other State agencies and their staffs may be asked to participate at the invitation of the Lieutenant Governor.

C. Duties.

(1) The Commission shall undertake a comprehensive review of Maryland's procurement code and regulations and submit to the Governor a detailed strategy with specific recommendations that may include the following:

(a) Standardization of best practices and interpretation of the procurement provisions in the Code of Maryland Regulations across all agencies to improve consistency and provide predictability to the business community;

(b) Reduction of transaction costs for State agencies by utilizing new technologies to increase efficiencies and make the procurement process more accessible to businesses;

(c) Development of a statewide procurement manual, divided by industry sector, that summarizes the procedures and processes to be used by State agencies for awarding contracts;

(d) Development of a statewide procurement training curriculum centered around a statewide procurement manual that prepares agency procurement staff to perform the procurement function at all levels of purchasing;

(e) Addressing impediments to attracting and retaining quality procurement staff;

(f) Development of a self-directed training module for any interested business to quickly learn how to effectively bid on state contracts;

(g) Simplification of procurement reporting requirements to allow agency procurement staff to more effectively manage their time;

(h) Expansion of the Small Business Reserve Program to all agencies;

(i) Expansion of the small procurement limit and the single purchase limit for corporate purchasing cards to allow for the rapid procurement of goods and services;

(j) Simplification of the current Request For Proposal (RFP) template to make it be easier for businesses to understand and respond;

(k) Reduction in the number of documents businesses are required to submit with proposals prior to a contract award;

(l) Review the mandatory terms and conditions of procurement contracts;

(m) Simplification of the Minority Business Enterprise certification process;

(n) Determination of how best to address clearly evident mistakes on procurement submissions;

(o) Establishment of standards allowing the State to obtain the overall best value instead of only the lowest price;

(p) Development of a mechanism that would deter bidders from submitting frivolous protests; and

(q) Other relevant procurement issues identified by the Commission.

(2) The Commission shall submit its recommendations for improving and modernizing Maryland's procurement process in a final written report to the Governor, no later than December 1, 2016.

D. Procedures.

(1) The Lieutenant Governor shall chair the Commission. The Chair shall:

(a) Oversee the implementation of this Executive Order and the work of the Commission;

(b) Determine the Commission's agenda; and

(c) Identify additional support as needed.

(2) The Commission shall meet as frequently as necessary to meet the deadlines established herein.

(3) A majority of the Commission members shall constitute a quorum for the transaction of any business.

(4) The Commission may adopt other procedures to ensure the orderly transaction of business.

(5) All State agencies, departments, boards and commissions within the Executive Branch are authorized and directed to coordinate with the Commission in implementing the provisions of this Executive Order.

(6) On December 31, 2016, with no further action required by the Governor, this Executive Order shall be abrogated and of no further force and effect.

EXECUTIVE ORDER OF MAY 25, 2016

01.01.2016.06

Rescission of Obsolete Executive Orders

WHEREAS, The efficient functioning of State government is enhanced by a clear understanding of the Code of Maryland Regulations (COMAR);

WHEREAS, More than one-third of all Executive Orders in COMAR, issued by governors since 1970, are obsolete because they have been

superseded by executive and legislative action, contain expired sunset provisions, survived after the event for which they were issued, or became obsolete by other circumstances;

WHEREAS, The existence of obsolete Executive Orders creates confusion in State government and wastes the resources of businesses and citizens who must determine their effect; and

WHEREAS, The rescission of the Executive Orders listed herein will have no demonstrable impact on the management of State government, administration policies, or other actions.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND THE FOLLOWING EXECUTIVE ORDERS, EFFECTIVE IMMEDIATELY:

- (1) 01.01.1970.10, Science Advisory Council;
- (2) 01.01.1975.01, Pretrial Credit;
- (3) 01.01.1977.06, Approval of Veterans' Programs;
- (4) 01.01.1978.13, Automatic Income Maintenance System, Department of Human Resources;
- (5) 01.01.1981.09, Board of Public Works General Administration Program;
- (6) 01.01.1983.11, Interagency Committee on Specialized Transportation;
- (7) 01.01.1984.05, Maryland Executive Fellows Program;
- (8) 01.01.1985.03, State International Trade Programs - Coordination;
- (9) 01.01.1985.21, State Fleet Safety Committee;
- (10) 01.01.1987.29, Child Day Care Coordinator;
- (11) 01.01.1989.10, Statewide Conservation Program;
- (12) 01.01.1989.12, Governor's Subcabinet for Children, Youth, and Families;

- (13) 01.01.1990.01, Construction Industry Employer's Advisory Council;
- (14) 01.01.1992.04, Maryland Science Week Commission;
- (15) 01.01.1992.07, Maryland Civil War Heritage Commission;
- (16) 01.01.1992.27, State Economic Growth, Resource Protection and Planning Policy;
- (17) 01.01.1993.05, A Cabinet Council for Career and Technology Education;
- (18) 01.01.1993.13, Baltimore/Washington International Airport—Police Force;
- (19) 01.01.1993.15, Governor's Subcabinet for Energy Management;
- (20) 01.01.1993.17, Maryland State Police Strike Force;
- (21) 01.01.1994.07, Maryland Center for Industrial Energy Efficiency;
- (22) 01.01.1994.09, Commission on Neighborhoods;
- (23) 01.01.1994.11, Health Care Decisions Act Advisory Council;
- (24) 01.01.1994.22, Governor's Interagency Training Advisory Council;
- (25) 01.01.1994.23, Maryland Museum of African American History and Culture Commission;
- (26) 01.01.1994.30, Governor's Executive Committee on Drunk and Drugged Driving;
- (27) 01.01.1995.01, Governor's Council on Child Abuse and Neglect;
- (28) 01.01.1995.16, Aggregates Mining Advisory Council;
- (29) 01.01.1995.17, Governor's Commission on the Thurgood Marshall Memorial Statue;
- (30) 01.01.1995.23, Governor's Council on Management and Productivity: A Public-Private Enterprise;

- (31) 01.01.1995.26, Establishment of Continuous Quality Improvement Processes in Maryland State Government;
- (32) 01.01.1995.27, Maryland Greenways Commission;
- (33) 01.01.1998.05, Women's Health Promotion Council;
- (34) 01.01.1998.11, Protection of the Horseshoe Crab Resource;
- (35) 01.01.1998.14, Maryland Partnership For Children, Youth and Families;
- (36) 01.01.1998.17, Governor's Task Force on African American Entrepreneurship in Baltimore City;
- (37) 01.01.1998.18, Inter-Agency Nutrient Reduction Oversight Committee;
- (38) 01.01.1998.20, Maryland Office of Crime Gun Enforcement;
- (39) 01.01.1999.03, Delegation of Authority to Terminate or Suspend Special Police Officer Commissions;
- (40) 01.01.1999.17, Conquering Cancer in Maryland;
- (41) 01.01.1999.33, Procedures for Maryland Tobacco Grower Certification under the National Tobacco Grower Settlement Trust;
- (42) 01.01.1999.35, Governor's Interagency Council for the Non-Profit Sector;
- (43) 01.01.2000.01, Statewide Water Conservation Advisory Committee and Technical Advisory Committee on Water Supply Infrastructure;
- (44) 01.01.2000.06, State Advisory Council on Hunger;
- (45) 01.01.2000.16, Wetlands Restoration Policy for State-Owned Property and State Programs;
- (46) 01.01.2000.17, Community Access Steering Committee;
- (47) 01.01.2000.24, The Maryland Fatherhood Initiative;

- (48) 01.01.2001.01, Commission on Environmental Justice and Sustainable Communities;
- (49) 01.01.2001.17, Proclamation of State of Emergency Provision of Supplemental Airport Security;
- (50) 01.01.2001.21, Governor's Committee to Establish the Maryland Survivors Scholarship Fund;
- (51) 01.01.2002.13, Juvenile Justice Programs;
- (52) 01.01.2002.14, Governor's Interagency Council on Homelessness;
- (53) 01.01.2004.16, Governor's Council for Historically Underutilized Businesses;
- (54) 01.01.2004.17, Small and Minority Business Mentor-Protégé Program;
- (55) 01.01.2004.43, Residential Development Capacity Implementation;
- (56) 01.01.2006.08, Maryland State Pandemic Influenza Coordinating Committee;
- (57) 01.01.2006.10, The Maryland Youth Council;
- (58) 01.01.2006.11, Maryland Forensic Sciences Advisory Board;
- (59) 01.01.2007.02, BayStat;
- (60) 01.01.2007.12, Baltimore Red Line Community Advisory Council;
- (61) 01.01.2007.14, Collective Negotiation by Family Child Care Providers;
- (62) 01.01.2007.15, Collective Negotiation by Independent Home Care Providers;
- (63) 01.01.2007.20, Governor's P-20 Leadership Council of Maryland;
- (64) 01.01.2008.01, Rosewood Center;

- (65) 01.01.2008.08, Maryland State Drug and Alcohol Abuse Council;
- (66) 01.01.2008.09, Designation of the Early Care and Education Committee as the State Advisory Council on Early Childhood Education and Care;
- (67) 01.01.2008.14, Establishment of a No-Net Loss of Forests Policy Task Force;
- (68) 01.01.2009.18, Maryland Alcohol Safety Action Program Committee;
- (69) 01.01.2011.07, Maryland War of 1812 Bicentennial Commission;
- (70) 01.01.2012.18, Maryland's Open Data Initiative;
- (71) 01.01.2014.11, Fiscal Year 2015 State Employees' Reduction Recovery Plan; and
- (72) 01.01.2015.10, State Employee's Voluntary Separation Program.

EXECUTIVE ORDER OF JUNE 13, 2016

01.01.2016.07

Governor's Commission on Maryland Military Monuments
(Amends Executive Order 01.01.2011.06)

- WHEREAS, The Military Monuments Commission (the Commission) was created in 1989 by Executive Order to identify, restore, and publicize Maryland's military monuments;
- WHEREAS, By Executive Order 01.01.2008.17, the Commission was transferred from the Office of the Secretary of State to the Department of Veterans Affairs;
- WHEREAS, The Commission was originally slated to have up to 21 members appointed by the Governor, and there are currently 17 sitting members following recent resignations;

- WHEREAS, In 2009, Sections 9-912 and 9-913 of the State Government Article were added to the Annotated Code of Maryland and established the Maryland Veterans Trust Fund within the Department of Veterans Affairs, and the law was amended in 2013 to include the Maryland Veterans Trust;
- WHEREAS, Under Executive Order 01.01.2011.06, funds contributed to the Commission were transferred to the Maryland Veterans Trust Fund;
- WHEREAS, The Maryland Veterans Trust applied to the Internal Revenue Service for tax exempt status under Section 501(c)(3) of the Internal Revenue Code, which was approved with an effective date of July 1, 2013;
- WHEREAS, The Maryland Veterans Trust now serves as depository for gifts, grants, and contributions intended to assist Veterans in need;
- WHEREAS, The Commission is separate from the Veterans' Memorials and Monuments Program established under the State Government Article, Section 9-908 of the Annotated Code of Maryland, whereby the Department of Veterans Affairs maintains and preserves three monuments: the Maryland Vietnam Veterans Memorial, the Maryland Korean War Memorial, and the Maryland World War II Memorial;
- WHEREAS, The Veterans' Memorials and Monuments Program is not included in this reorganization and will remain with the Department of Veterans Affairs; and
- WHEREAS, Transfer of the Commission from the Department of Veterans Affairs to the Department of Planning will provide for greater efficiency and effectiveness in performing the duties of the Commission.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY AMEND EXECUTIVE ORDER 01.01.2011.06, AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Commission on Maryland Military Monuments (**THE COMMISSION**).
- B. Membership and Procedures.

(1) The Governor's Commission consists of up to [21] 17 members appointed by the Governor.

(2) TO THE EXTENT PRACTICABLE, MEMBERSHIP SHALL REPRESENT THE POPULATION AND GEOGRAPHIC DIVERSITY OF THE STATE.

(3) TWO OF THE MEMBERS SHALL BE NOMINATED BY THE SECRETARY OF PLANNING, AFTER CONSULTATION WITH THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST, AND HAVE KNOWLEDGE IN FIELDS SUCH AS HISTORY, CONSERVATION, HISTORIC PRESERVATION, OR RELATED DISCIPLINES.

(4) THE TERM OF A MEMBER IS FOUR YEARS, AND THE GOVERNOR MAY REAPPOINT A MEMBER FOR A SECOND TERM AT THE END OF THE MEMBER'S TERM; TERMS ARE TO BE STAGGERED.

[(2)] **(5)** The Chairperson shall be the Maryland Secretary of [Veterans Affairs] **PLANNING, OR THE SECRETARY'S DESIGNEE.**

(6) THE MARYLAND HISTORICAL TRUST SHALL STAFF AND SUPPORT THE COMMISSION.

[(3)] **(7)** The Secretary of [Veterans Affairs] **PLANNING** may appoint subcommittees to carry out the work of the commission.

(8) The Commission shall meet AT LEAST TWICE every calendar year.

[(4)] **(9)** The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform his or her duties, **INCLUDING MISSING MORE THAN ONE OF THE COMMISSION'S ANNUAL MEETINGS.**

[(5)] **(10)** The Secretary of [Veterans Affairs] **PLANNING** may remove any member of a subcommittee for any cause adversely affecting the member's ability or willingness to perform his or her duties.

[(6)](11) In the event of a vacancy on the Commission, the Governor shall appoint a successor [for the remainder of the life of the Commission] **TO FILL THE REMAINDER OF THE TERM.**

[(7)](12) In the event of a vacancy on a subcommittee, the Secretary of [Veterans Affairs shall] **PLANNING MAY** appoint a successor [for the remainder of the life of the subcommittee].

[(8)](13) A majority of the Commission shall constitute a quorum for the transaction of any Commission business. In any subcommittee, a majority shall constitute a quorum for the transaction of any subcommittee business. The Commission and the subcommittees may adopt such other procedures **AND BYLAWS** necessary to ensure the orderly transaction of business.

[(9)](14) The members of the Commission and the subcommittees may not receive compensation for their services.

C. Scope.

(1) The Commission shall undertake an inventory of Maryland military monuments, which shall include the following information:

(a) Name, date of construction, location and means of access, and the original sponsorship of each monument;

(b) Current ownership of each monument and of monument land;

(c) Complete description of each monument including construction materials, condition, theme, and inscriptions, if any; and

(d) Responsibility for maintenance of [monument]
THE MONUMENTS.

(2) The Commission shall make a determination, [as to the cost of restoration of each monument which is in need of repairs] **BASED ON HISTORICAL SIGNIFICANCE, DESIGN, FINANCIAL NEED, AND PHYSICAL CONDITION, AS TO WHICH MONUMENT SHALL RECEIVE ASSISTANCE WITH THE COST OF RESTORATION.**

[(3)] The Commission shall assign responsibility for on going maintenance of each monument.]

[(4)] (3) The Commission shall procure sufficient funds for the restoration of the monuments, **INCLUDING CONTRIBUTIONS SECURED FROM GRANTS AND FUNDRAISING EFFORTS.**

[(5)] (4) The Commission shall prepare education and tourism materials for public distribution.

D. GRANTS AND Fundraising.

(1) Contributions received by the Commission shall be deposited [with the Maryland Military Monument Commission Fund of the Maryland Veterans Trust Fund within the Department of Veterans Affairs and disbursed at the direction of the Commission] **ACCORDINGLY:**

(A) ALL FUTURE FUNDS AND CONTRIBUTIONS WILL BE DEPOSITED WITH THE MARYLAND HISTORICAL TRUST TO BE HELD IN A SPECIAL FUND ACCOUNT FOR THE PURPOSE OF ADMINISTERING AND PAYING THE EXPENSES OF THE COMMISSION; AND

(B) THE MARYLAND VETERANS TRUST WILL TRANSFER FUNDS PREVIOUSLY CONTRIBUTED TO THE COMMISSION TOTALING \$5,937.00 TO THE DEPARTMENT OF PLANNING ON BEHALF OF THE MARYLAND HISTORICAL TRUST TO BE HELD IN A SPECIAL FUND ACCOUNT AND USED FOR COMMISSION PURPOSES.

EXECUTIVE ORDER OF JULY 31, 2016

01.01.2016.08

Declaration of Emergency in Howard County

WHEREAS,

The State of Maryland is subject to a variety of hazards or disasters including but not limited to severe storms and significant coastal and riverine flooding as well as flash flooding, and other weather related events;

WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency that there may be a need to take protective actions to protect the lives and property of citizens expected to be impacted by severe weather and flooding;

WHEREAS, Because of the potential impacts of this severe weather and flooding in Howard County including effects on roadways, critical infrastructure, and other critical resources and services and because we must prepare for all contingencies, an emergency exists in Howard County;

WHEREAS, In order to waive certain regulations to facilitate emergency response and restoration activities, to activate certain emergency contracts, and to facilitate the deployment of requisite resources within provisions of Maryland law;

WHEREAS, An Executive Order to implement the emergency powers of the Governor, is a prerequisite for potential federal emergency and disaster assistance; and

WHEREAS, In order to implement the emergency powers of the Governor, an Executive Order of the Governor is appropriate.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. State of Emergency exists in Howard County.

B. I authorize the Maryland Emergency Management Agency and all other appropriate state authorities to engage, deploy, and coordinate available resources in support of local jurisdictions and the citizens of Maryland.

EXECUTIVE ORDER OF AUGUST 31, 2016

01.01.2016.09

Starting the Public School Year After Labor Day

- WHEREAS, The Labor Day holiday weekend is an exclusively American institution that has served, both symbolically and practically, as our nation's traditional end of summer;
- WHEREAS, Generations of American workers and families have celebrated this rite of seasonal passage, and the days that precede it, with vacations, day trips, or other preferred opportunities to relax and enjoy time with family and friends;
- WHEREAS, The policy of constructing the public school (Kindergarten through 12th grade) calendars so that classes begin prior to the Labor Day holiday has imperiled this venerable tradition;
- WHEREAS, This policy has placed a significant competitive burden on Maryland's economy and many of its leading sectors, from agriculture to tourism and hospitality;
- WHEREAS, This policy imposes an unacceptable public health and safety risk upon those students, teachers, and education employees who are required to report, in the second hottest month of the calendar year, to schools that lack air conditioning;
- WHEREAS, A Task Force was convened by the Maryland General Assembly to conduct a thorough examination of the academic, administrative and economic implications associated with a post-Labor Day start to the academic year;
- WHEREAS, This Task Force, which was led by the Maryland State Department of Education and included teachers, administrators, and business and civic leaders, (1) recognized the substantial economic benefits of a post-Labor Day start, (2) found neither adverse academic consequences nor intractable administrative barriers to the adoption of such a policy, and (3) voted overwhelmingly to endorse this reform to Maryland's public school calendars by moving the school start date to post-Labor Day;
- WHEREAS, A study that was conducted by the Maryland Bureau of Revenue Estimates determined that adoption of a post-Labor Day starting date would result in an additional \$74.3 million in direct economic activity, including \$3.7 million in new wages and \$7.7 million in State and local tax revenue that could be reinvested in classrooms throughout the State of Maryland; and
- WHEREAS, Starting school after Labor Day will provide public health benefits by reducing the local ozone generation numbers due to fewer buses operating on the roadways during the heart of the ozone season.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER SHALL TAKE EFFECT IMMEDIATELY BUT SHALL FIRST APPLY TO THE 2017-2018 SCHOOL YEAR:

A. That all Kindergarten through 12th grade public schools in the State of Maryland (Public Schools), through the local Boards of Education, shall open for all pupil attendance no earlier than the Tuesday immediately following the nationally-observed Labor Day holiday.

B. That classes shall conclude and the school year for every Public School in Maryland shall adjourn no later than June 15, with the exception being summer school classes offered by school districts throughout the State.

C. That each local Board of Education shall retain full responsibility for establishing its annual academic calendar and, therefore, shall have the necessary latitude to determine how best to comply with the provisions of this Executive Order along with State and local laws.

D. That the requirements of this Executive Order do not apply to the operation of year-round schools as allowed under Section 7-103(e) of the Education Article of the Maryland Code.

E. That the requirements of this Executive Order do not apply to the timing of sports seasons as set forth in COMAR 13A.06.03.03.

F. A local Board of Education may apply to the State Board of Education annually for a waiver of the requirements of this Executive Order. A waiver may be granted at the sole discretion of the State Board of Education, as set forth in rules and regulations adopted by the State Board of Education, including:

- (1) Procedures for filing an application for a waiver;
- (2) Standards to receive a waiver based on compelling justification, which waiver is good for one school year only; and
- (3) Procedures and standards for special waivers for school districts and individual schools proposing non-traditional schedules.

G. That this Executive Order applies to future school years, including and after 2017-2018.

EXECUTIVE ORDER OF SEPTEMBER 2, 2016

01.01.2016.10

Executive Order Regarding Tropical Storm Hermine
Declaration of a State of Emergency

- WHEREAS, The State of Maryland is subject to a variety of hazards and disasters including an impending emergency as defined in Section 14-101(c)(1) of the Public Safety Article of the Annotated Code of Maryland;
- WHEREAS, Having been advised and informed by the Maryland Emergency Management Agency that as a result of the impending impact of Tropical Storm Hermine and the associated high winds, severe rain, and other significant hazards, there is a need for special preparedness and response for which resources may be requested;
- WHEREAS, There remains a need to take actions to protect the lives and property of citizens of certain Maryland counties expected to be impacted by the effects of Tropical Storm Hermine;
- WHEREAS, Resources may be requested due to intense and powerful wind, heavy rains, and flooding that may affect the following counties in Maryland: Caroline, Worcester, Somerset, Wicomico, Dorchester, Talbot, Queen Anne's, Kent, Cecil, Calvert, St. Mary's, and Charles;
- WHEREAS, Transportation, water utility, and other critical infrastructure may be negatively affected by power outages, wind damage, and flooding;
- WHEREAS, State and local government agencies may require additional resources and support in order to implement protective actions and meet the public safety and welfare needs of citizens that could be affected by the storm, heavy winds, flooding, and power outages;
- WHEREAS, The citizens of Maryland in the designated areas may require direct assistance in repairing damaged homes and businesses and in order to return to their daily lives;
- WHEREAS, Certain regulations related to commercial vehicles may need to be waived;

WHEREAS, Use of resources of the Maryland National Guard may be required; and

WHEREAS, In order to facilitate the deployment of requisite resources within provisions of Maryland law and in order to implement the emergency powers of the Governor, an Executive Order of the Governor is necessary and appropriate.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND BASED ON THE ABOVE FINDINGS, DECLARE THAT AN EMERGENCY EXISTS PERTAINING TO THE NEED TO PREPARE FOR TROPICAL STORM HERMINE WITHIN THE FOLLOWING MARYLAND COUNTIES: Caroline, Worcester, Somerset, Wicomico, Dorchester, Talbot, Queen Anne's, Kent, Cecil, Calvert, St. Mary's, and Charles.

As a result of the emergency condition, the following measures are enacted:

A. The Maryland National Guard is called into action and State service.

B. The Maryland Emergency Management Agency, the Maryland State Police, and/or any other appropriate State authority, are authorized to engage, deploy and coordinate available resources and activate their emergency preparedness plans for the following Maryland counties: Caroline, Worcester, Somerset, Wicomico, Dorchester, Talbot, Queen Anne's, Kent, Cecil, Calvert, St. Mary's, and Charles.

C. Given the uncertain path, severity and impact of Tropical Storm Hermine, all State employees are to report for work as they would in the ordinary course, unless otherwise directed.

EXECUTIVE ORDER OF SEPTEMBER 7, 2016

01.01.2016.11

Rescission of Executive Orders 01.01.2016.10

WHEREAS, I, Lawrence J. Hogan, Jr., Governor of the State of Maryland, issued Executive Order 01.01.2016.10 declaring a State of Emergency in the State of Maryland, limited to certain Maryland counties, in order to protect the lives and property of citizens; and

WHEREAS, The emergency caused by the threat and impact of severe weather of Tropical Storm Hermine no longer exists in any Maryland county.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE EMERGENCY THAT EXISTED IN THE STATE OF MARYLAND IN CERTAIN COUNTIES NO LONGER EXISTS AND HEREBY RESCIND EXECUTIVE ORDER 01.01.2016.10.

EXECUTIVE ORDER OF SEPTEMBER 15, 2016

01.01.2016.12

Council on Cancer Control
(Amends Executive Order 01.01.2002.25)

WHEREAS, The Council on Cancer Control was established in 1991 to lead a comprehensive statewide effort to prevent and control cancer among Marylanders;

WHEREAS, The Executive Order was last amended in 2002 to expand the Council membership and broadly represent interests and concerns from across the State;

WHEREAS, The initiatives of the Council have not only resulted in improved public education about risk reduction, but also in greater coordination among public and private agencies in targeting prevention and treatment services; and,

WHEREAS, To renew and strengthen the State's long term commitment to cancer control, the duties of the Council should be updated and

reaffirmed to ensure that input from the provider community and the public sector is timely and relevant.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING AMENDMENTS TO EXECUTIVE ORDER 01.01.2002.25:

A. The Council. There is a State Council on Cancer Control.

B. Membership and Procedures.

(1) The Council shall consist of up to 25 voting members including:

(a) Eight Representatives of State agencies and institutions who are:

(i) The Secretary of the Department of Health and Mental Hygiene, or a designee;

(ii) The Secretary of the Department of the Environment, or a designee;

(iii) The President of the University of Maryland, Baltimore, or a designee;

(iv) The Chief Executive Officer of Johns Hopkins Medicine, or a designee;

(v) The Director of the Marlene & Stewart Greenebaum Comprehensive Cancer Center, University of Maryland Medical System, or a designee;

(vi) The Director of the Sidney Kimmel Comprehensive Cancer Center of the Johns Hopkins Health System, or a designee;

(vii) A local health officer designated by the Secretary of the Department of Health and Mental Hygiene;

(viii) A representative of the Maryland Chapter of the American Cancer Society, designated by the Society; and

(b) Up to 15 members appointed by the Governor to represent the general public, the business community and health

and scientific disciplines, cancer survivors and others concerned with cancer prevention and control. To the extent possible, members appointed from the general public should reflect the population and geographic diversity of the State.

(c) Two representatives of the Maryland General Assembly including:

(i) One member of the Senate of Maryland, appointed by the President of the Senate; and

(ii) One member of the House of Delegates, appointed by the Speaker of the House.

(2) The Council may invite experts to participate in its research and development activities, who shall be non-voting member of the Council.

(3) The Governor shall select the chairperson of the Council.

(4) The Governor may remove any member of the Council for [any cause adversely affecting the member's ability or willingness] failure to perform his or her duties.

(5) Members appointed by the Governor pursuant to (B)(1)(b) of this Executive Order may serve up to 2 consecutive 3-year terms. In case of a vacancy in a position [which is] appointed by the Governor, [successor shall be appointed] the Governor shall appoint a successor for the remainder of the unexpired term. All other members of the Council shall serve for so long as they hold the office, designation or appointment stipulated under the provisions of (B)(1)(a) or (B)(1)(c) of this Executive Order.

(6) A majority of the Council shall constitute a quorum for the transaction of any business. The Council may adopt any other procedures necessary to ensure the orderly transaction of business.

(7) The members of the Council may not receive any compensation for their services. The public members may be reimbursed for their reasonable expenses incurred in the performance of duties, in accordance with the standard travel regulations, and as provided in the State budget.

(8) The Department of Health and Mental Hygiene shall provide the Council with necessary staff and resources.

C. Scope of the Council.

(1) The Council [shall] may:

(a) Educate and advise government officials, public and private organizations and the general public on [comprehensive State] existing and possible policies, [and] programs and innovations to [aimed at] [reducing] reduce and [controlling] control cancer incidence and mortality among Marylanders, as described in the Maryland Comprehensive Cancer Control Plan:

(b) In cooperation with Federal, State, and local governments, [and] private [agencies] organizations and academia, promote and coordinate unified programs that identify and address the cancer [fighting] care needs of Marylanders, such as public and private partnerships, to improve access to prevention, screening and treatment services;

(c) Review existing and [planned] proposed cancer programs in the public and private sectors to assure proper allocation of State resources;

(d) Promote and [guide] offer guidance on the use of the Maryland Cancer Registry as a tool for research, planning, evaluation and targeting of cancer control programs;

(e) Further the development of the Maryland Cancer Registry through the Cancer Registry Advisory Committee; and

(f) Recommend to the Governor a Chairperson for the Cancer Registry Advisory Committee from the Council's health and scientific discipline representatives.

(2) Reports. The Council shall submit an annual report of its activities to the Governor, which includes recommendations for future efforts based on the Council's work. The Annual Report shall be submitted by January 31 of each year.

EXECUTIVE ORDER OF OCTOBER 11, 2016

01.01.2016.13

Starting the Public School Year After Labor Day
(Amends Executive Order 01.01.2016.09)

- WHEREAS, The Labor Day holiday weekend is an exclusively American institution that has served, both symbolically and practically, as our nation's traditional end of summer;
- WHEREAS, Generations of American workers and families have celebrated this rite of seasonal passage, and the days that precede it, with vacations, day trips, or other preferred opportunities to relax and enjoy time with family and friends;
- WHEREAS, The policy of constructing the public school (Kindergarten through 12th grade) calendars so that classes begin prior to the Labor Day holiday has imperiled this venerable tradition;
- WHEREAS, This policy has placed a significant competitive burden on Maryland's economy and many of its leading sectors, from agriculture to tourism and hospitality;
- WHEREAS, This policy imposes an unacceptable public health and safety risk upon those students, teachers, and education employees who are required to report, in the second hottest month of the calendar year, to schools that lack air conditioning;
- WHEREAS, The State has a particularly compelling interest in safeguarding the physical and psychological well being of minors;
- WHEREAS, Section 6-408(c)(3) of the Education Article of the Maryland Code provides that a public school employer may not negotiate the school calendar with employee organizations;
- WHEREAS, A Task Force was convened by the Maryland General Assembly to conduct a thorough examination of the academic, administrative and economic implications associated with a post-Labor Day start to the academic year;
- WHEREAS, This Task Force, which was led by the Maryland State Department of Education and included teachers, administrators, and business and civic leaders, (1) recognized the substantial economic benefits of a post-Labor Day start, (2) found neither adverse academic consequences nor intractable administrative barriers to the adoption of such a policy, and (3) voted overwhelmingly to endorse this reform to Maryland's public school calendars by moving the school start date to post-Labor Day;

WHEREAS, A study that was conducted by the Maryland Bureau of Revenue Estimates determined that adoption of a post-Labor Day starting date would result in an additional \$74.3 million in direct economic activity, including \$3.7 million in new wages and \$7.7 million in State and local tax revenue that could be reinvested in classrooms throughout the State of Maryland; and

WHEREAS, Starting school after Labor Day will provide public health benefits by reducing the local ozone generation numbers due to fewer buses operating on the roadways during the heart of the ozone season.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER SHALL TAKE EFFECT IMMEDIATELY, SHALL FIRST APPLY TO THE 2017-2018 SCHOOL YEAR, AND SHALL REPLACE AND SUPERSEDE EXECUTIVE ORDER 01.01.2016.09:

A. That all Kindergarten through 12th grade public schools in the State of Maryland (Public Schools), through the local Boards of Education, shall open for [all] pupil attendance no earlier than the Tuesday immediately following the nationally-observed Labor Day holiday.

B. That classes shall conclude and the school year for every Public School in Maryland shall adjourn no later than June 15, with the exception being summer school classes offered by school districts throughout the State.

C. That each local Board of Education shall retain full responsibility for establishing its annual academic calendar and, therefore, shall have the necessary latitude to determine how best to comply with the provisions of this Executive Order along with State and local laws.

D. That the requirements of this Executive Order do not apply to the operation of year-round schools as allowed under Section 7-103(e) of the Education Article of the Maryland Code.

E. That the requirements of this Executive Order do not apply to the timing of sports seasons as set forth in COMAR 13A.06.03.03.

[F. A local Board of Education may apply to the State Board of Education annually for a waiver of the requirements of this

Executive Order. A waiver may be granted at the sole discretion of the State Board of Education, as set forth in rules and regulations adopted by the State Board of Education, including:

- (1) Procedures for filing an application for a waiver;
- (2) Standards to receive a waiver based on compelling justification, which waiver is good for one school year only; and
- (3) Procedures and standards for special waivers for school districts and individual schools proposing non-traditional schedules.]

F. STUDENTS WITH DISABILITIES, SUBJECT TO AN EXISTING INDIVIDUALIZED EDUCATION PROGRAM THAT HAS IDENTIFIED THE STUDENT'S FINAL YEAR OF SCHOOL AS THE 2017-2018 SCHOOL YEAR, SHALL REMAIN ELIGIBLE FOR THE 2017-2018 SCHOOL YEAR IF THEIR 20TH BIRTHDAY OCCURED ON OR AFTER THE FIRST DAY OF THE ACADEMIC CALENDAR IN THEIR JURISDICTION FOR THE 2016-2017 SCHOOL YEAR.

G. THAT A LOCAL BOARD OF EDUCATION MAY APPLY TO THE STATE BOARD OF EDUCATION ANNUALLY FOR A WAIVER OF THE REQUIREMENTS OF THIS EXECUTIVE ORDER. A WAIVER SHALL ONLY BE GRANTED AFTER THE LOCAL BOARD OF EDUCATION SATISFIES THE PROCEDURAL REQUIREMENTS SET FORTH IN SECTION 1.B BELOW AND CLEARLY ESTABLISHES ALL OF THE ELEMENTS OF ONE OF THE COMPELLING JUSTIFICATIONS SET FORTH IN SECTION 2 BELOW.

(1) APPLICATION FOR WAIVER.

(A) A LOCAL BOARD OF EDUCATION MAY SUBMIT A WRITTEN APPLICATION FOR A WAIVER FROM THE REQUIREMENT TO BEGIN CLASSES NO SOONER THAN THE TUESDAY FOLLOWING THE NATIONALLY-OBSERVED LABOR DAY HOLIDAY OR ENDING CLASSES NO LATER THAN JUNE 15TH BASED UPON A COMPELLING JUSTIFICATION AS DEFINED HEREIN.

(B) A WAIVER APPLICATION SHALL INCLUDE:

(I) A DETAILED PETITION AND SUPPORTING DOCUMENTATION CLEARLY ESTABLISHING THAT ALL OF THE ELEMENTS OF ONE OF THE BELOW COMPELLING JUSTIFICATIONS FOR STARTING THE SCHOOL YEAR PRIOR TO LABOR DAY OR ENDING CLASSES AFTER JUNE 15TH HAVE BEEN MET;

(II) A CERTIFICATION THAT THE LOCAL SCHOOL BOARD HAS CONDUCTED AT LEAST ONE PUBLIC MEETING AT WHICH THE WAIVER APPLICATION WAS CONSIDERED AND APPROVED, TOGETHER WITH MINUTES OF ALL SUCH MEETINGS; AND

(III) ANY ADDITIONAL INFORMATION THAT THE STATE BOARD OF EDUCATION REQUESTS IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THIS EXECUTIVE ORDER.

(C) THE TIMELINES FOR APPLICATIONS FOR A WAIVER SHALL BE ESTABLISHED BY THE STATE BOARD OF EDUCATION.

(2) FOR THE PURPOSE OF THIS EXECUTIVE ORDER, "COMPELLING JUSTIFICATION" MEANS ONLY:

(A) ADOPTION OF INNOVATIVE SCHOOL SCHEDULE. A LOCAL BOARD OF EDUCATION PROPOSES AN INNOVATIVE SCHOOL SCHEDULE FOR CERTAIN LOW-PERFORMING OR AT RISK PUBLIC SCHOOLS, AS ENCOURAGED IN SECTION 7-103.1 OF THE EDUCATION ARTICLE OF THE MARYLAND CODE, WHICH REQUIRES AN OPENING DATE BEFORE LABOR DAY OR ENDING CLASSES AFTER JUNE 15TH;

(B) CHARTER SCHOOLS. A LOCAL BOARD OF EDUCATION PROPOSES AN INNOVATIVE SCHOOL SCHEDULE FOR A CHARTER SCHOOL THAT REQUIRES AN OPENING DATE BEFORE LABOR DAY OR ENDING CLASSES AFTER JUNE 15TH; OR

(C) EMERGENCY SCHOOL CLOSINGS. LOCAL SCHOOL DISTRICTS HAVE CLOSED 10 DAYS PER YEAR DURING ANY 2 OF THE LAST 5 YEARS BECAUSE OF NATURAL DISASTERS, CIVIL DISASTERS, OR SEVERE WEATHER CONDITIONS.

(3) ANY WAIVER GRANTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTIONS 2.A OR 2.B SHALL ONLY APPLY TO THOSE SCHOOLS WHERE SUCH INNOVATIVE SCHOOL SCHEDULES ARE OFFERED.

(4) ANY WAIVER GRANTED BY THE STATE BOARD OF EDUCATION SHALL BE FOR ONLY ONE SCHOOL YEAR.

[G.] H. That this Executive Order applies to future school years, including and after 2017-2018.

EXECUTIVE ORDER OF NOVEMBER 7, 2016

01.01.2016.14

Maryland Redistricting Reform Commission
(Amends Executive Order 01.01.2015.21)

- WHEREAS, The integrity of elections is essential to the success of our democracy;
- WHEREAS, Fairness in process and good governance are what the citizens of Maryland expect and deserve;
- WHEREAS, The process of redistricting should be fully transparent and subject to input and scrutiny from the public;
- WHEREAS, An overwhelming majority of Marylanders favor an independent, non-partisan commission for redistricting over the existing process for drawing district lines;
- WHEREAS, It could be considered a conflict of interest for politicians to redraw the districts in which they run for re-election;
- WHEREAS, National publications have listed Maryland as having some of the most “gerrymandered” congressional districts in the United States;
- WHEREAS, Maryland’s redistricting can negatively impact the creation of majority-minority districts causing underrepresentation of racial minorities;

WHEREAS, Every effort should be made to keep communities, counties, and municipalities within a single election district to help ensure all Marylanders have effective representation;

WHEREAS, Independent commissions in other states have greatly reduced politics and partisanship in redistricting and have established more election districts based on population, compactness, and natural boundaries;

WHEREAS, Maryland should lead on this issue and should not wait for the federal government or other states to act on the issue of redistricting reform;

WHEREAS, The establishment of the Maryland Redistricting Reform Commission would benefit the State by gathering citizens, experts and interested parties to conduct a comprehensive examination of Maryland's redistricting process and make recommendations on ways to reform our system; and

WHEREAS, The Maryland Redistricting Reform Commission was originally set to terminate on November 8, 2016, but the Governor declares that it shall remain in operation until November 8, 2017 in order to issue additional reports as directed by the Governor.

NOW THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is a Maryland Redistricting Reform Commission (Commission).

B. Membership. The Commission consists of the following voting members:

(1) Two members of the Maryland Senate, one appointed by the President of the Senate and one appointed by the Minority Leader of the Senate;

(2) Two members of the Maryland House of Delegates, one appointed by the Speaker of the House and one appointed by the Minority Leader of the House of Delegates;

(3) Two representatives from policy research organizations;

(4) One representative from a non-profit voter advocacy organization;

(5) One representative from a government reform advocacy organization; and

(6) Up to five additional members appointed by the Governor.

C. The members identified in Sections B(3) through B(6). shall be appointed by the Governor and shall serve at the pleasure of the Governor.

D. The Governor shall designate the Chair or Co-Chairs from among the members.

E. In the event of a vacancy, the Governor shall appoint a successor to fill the remainder of the term.

F. To the extent practicable, the members of the Commission shall reflect the diversity of the population of the State.

G. Procedures.

(1) The majority of voting members of the Commission shall constitute a quorum for the transaction of any business.

(2) The Commission shall hold publicly announced meetings at such times and such places as it deems necessary. The meetings shall be accessible to the general public in accordance with the Maryland Open Meetings Act or other applicable law.

(3) The Commission may adopt such other procedures as may be necessary to ensure the orderly transaction of business, including the creation of committees.

(4) The Chair or Co-Chairs may, with the consent of the Commission, designate additional individuals, including interested citizens, elected officials, educators, or specialists with relevant expertise, to serve on any committee.

(5) The Commission may consult with the principal departments of State government to obtain such technical assistance and advice as it deems necessary to complete its duties. All Executive Branch departments shall cooperate with and assist the Commission in carrying out its responsibilities.

H. Duties. The Commission shall:

(1) Conduct a comprehensive examination of ideas that could enhance the integrity of Maryland's congressional and legislative redistricting process;

(2) Review approaches of other states that have established independent, non-partisan redistricting commissions;

(3) Conduct regional summits in various parts of the State, including the Eastern Shore, Southern Maryland, Western Maryland, and Central Maryland to allow citizens to offer their ideas and input on redistricting reform;

(4) Provide an electronic portal for citizens to submit their comments to the Commission;

(5) Develop a recommendation for a constitutional amendment on congressional and legislative redistricting; and

(6) Promote redistricting reform publicly across the State as an essential component of ensuring fair elected representation and election integrity in Maryland.

I. Reports and Recommendations.

(1) The Commission shall issue a report addressing the duties listed in Section H.

(2) The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Delegates, no later than November 3, 2015.

(3) The Commission may issue additional reports as directed by the Governor.

J. Termination of the Commission. The Commission shall terminate on November 8, [2016] 2017, unless the Governor declares before that date that the Commission shall remain in operation.

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