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By: **Senator Middleton**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Charles County Board of Education - Elimination of Staggered**  
3 **Terms**

4 FOR the purpose of eliminating staggered terms of office for the members of the  
5 Charles County Board of Education; establishing that members of the Board are  
6 elected in gubernatorial election years; altering the term of office for certain  
7 members whose terms expire in a certain year; and generally relating to the  
8 Charles County Board of Education.

9 BY repealing and reenacting, with amendments,  
10 Article - Education  
11 Section 3-501(d)  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1998 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 3-501.

18 (d) (1) Each voting member serves for a term of 4 years beginning on the  
19 third Monday in December after the [voting member's] GUBERNATORIAL election  
20 and until a successor is elected and qualifies. If the third Monday in December is a  
21 legal holiday, the term begins on the first day after the third Monday in December  
22 that is not a legal holiday.

23 (2) [The terms of voting members are staggered as required by the terms  
24 of the voting members serving on December 15, 1990.

25 (3) Subject to the requirements of paragraph (4) of this subsection, the  
26 remaining] THE voting members of the County Board shall select a qualified  
27 individual to fill any vacancy on the Board for the remainder of that term and until a  
28 successor is elected and qualifies.

1                   (4)     (i)       If a vacancy occurs between the beginning of the term and a  
2 date that is 10 days prior to the filing deadline for candidates for the primary election  
3 that is held in the second year of the term, the individual appointed under paragraph  
4 (3) of this subsection shall serve only until a successor is elected by the voters at a  
5 special election to be held at the time of the next general election.

6                               (ii)       In all other respects, the election to fill the vacancy under this  
7 paragraph shall be governed by the provisions of Subtitle 32 of the Election Code.

8                               (iii)       The person receiving the greatest number of votes in the  
9 election shall take office on the third Monday in December after the election, and  
10 shall continue to serve for the remaining 2 years of the term and until a successor is  
11 elected and qualifies.

12                               (iv)       If no person files as a candidate to fill the vacancy, or if none  
13 qualifies, the individual appointed to fill the vacancy by the County Board under  
14 paragraph (3) of this subsection shall serve the remainder of the term to which the  
15 individual was appointed, and until a successor is elected and qualifies.]

16       SECTION 2. AND BE IT FURTHER ENACTED, That the office of each voting  
17 member of the Charles County Board of Education whose term expires in the year  
18 2000 shall be filled in the 2000 general election for a term of 2 years and until a  
19 successor is elected and qualifies.

20       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 1999.