

HOUSE BILL 60

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2000 Regular Session
0lr0412

(PRE-FILED)

By: **Delegate Boschert**

Requested: August 19, 1999

Introduced and read first time: January 12, 2000

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Anne Arundel County Board of Education - Appointment of**
3 **Members**

4 FOR the purpose of requiring, in Anne Arundel County, the County Executive, with
5 the advice and consent of a certain majority of the County Council, to appoint
6 members of the Anne Arundel County Board of Education from a list of
7 nominees submitted by the School Board Nominating Convention of Anne
8 Arundel County; prohibiting certain individuals from serving as members on
9 the County Board; establishing procedures for the filling of vacancies on the
10 County Board; establishing the qualifications for nominees to the Convention;
11 establishing the duties of the Convention; defining certain terms; and generally
12 relating to the Anne Arundel County Board of Education.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 3-110
16 Annotated Code of Maryland
17 (1999 Replacement Volume)

18 BY adding to
19 Article - Education
20 Section 3-110.1
21 Annotated Code of Maryland
22 (1999 Replacement Volume)

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

1

Article - Education

2 3-110.

3 (A) IN THIS SECTION, "SCHOOL BOARD NOMINATING CONVENTION" MEANS
4 THE ORGANIZATION IN EXISTENCE ON JANUARY 1, 1999 THAT SELECTS INDIVIDUALS
5 TO BE NOMINEES FOR THE COUNTY BOARD.

6 [(a)] (B) The Anne Arundel County Board consists of 8 members who shall be
7 appointed as follows:

8 (1) [3 from the County at large;

9 (2) 1 each from Legislative Districts 31, 32, and 33;

10 (3) 1 from Legislative District 27B (Anne Arundel County Election
11 District 7; Precincts 1, 2, and 9) or District 30;] 1 FROM EACH COUNCILMANIC
12 DISTRICT; and

13 [(4)] (2) 1 student member.

14 (C) (1) EXCEPT FOR THE STUDENT MEMBER, THE COUNTY EXECUTIVE,
15 WITH THE ADVICE AND CONSENT OF TWO-THIRDS OF THE COUNTY COUNCIL, SHALL
16 APPOINT A MEMBER OF THE COUNTY BOARD FROM A LIST OF NOMINEES FOR EACH
17 POSITION THAT IS SUBMITTED TO THE COUNTY EXECUTIVE BY THE SCHOOL BOARD
18 NOMINATING CONVENTION OF ANNE ARUNDEL COUNTY.

19 (2) IF THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL DO NOT
20 AGREE TO APPOINT A MEMBER TO THE COUNTY BOARD FROM THE LIST, THE SCHOOL
21 BOARD NOMINATING CONVENTION SHALL SUBMIT AN ADDITIONAL LIST OF
22 NOMINEES TO THE COUNTY EXECUTIVE.

23 [(b)] (D) (1) The student member shall:

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

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

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

29 2. Continue to serve after graduation and until a successor is
30 appointed and qualifies.

31 (2) If a vacancy in the position of the student member occurs during the
32 term of the student member, the Chesapeake Regional Association of Student
33 Councils shall:

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

1 (ii) By utilizing the same method that it used to select the previous
2 student member of the Board, select another student member to fill the vacancy.

3 [(c)] (E) A Board member who does not maintain the residency qualification
4 shall be replaced as a member.

5 [(d)] (F) If the boundary line of a [legislative] COUNCILMANIC district
6 changes, an incumbent member of the County Board who, because of the change, no
7 longer resides in the [legislative] COUNCILMANIC district from which the member
8 was appointed may complete the term.

9 (G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN
10 INDIVIDUAL EMPLOYED BY THE FEDERAL, STATE, OR COUNTY GOVERNMENT, OR AN
11 INDIVIDUAL EMPLOYED PROFESSIONALLY IN THE FIELD OF EDUCATION MAY NOT
12 SERVE AS A MEMBER OF THE COUNTY BOARD.

13 (2) AN INDIVIDUAL WHO IS RETIRED FROM EMPLOYMENT AS
14 DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY SERVE AS A MEMBER OF
15 THE COUNTY BOARD IF THE INDIVIDUAL IS NO LONGER EMPLOYED BY THE
16 FEDERAL, STATE, OR COUNTY GOVERNMENT OR EMPLOYED PROFESSIONALLY IN
17 THE FIELD OF EDUCATION.

18 (H) (1) (I) IN THE EVENT OF A VACANCY ON THE COUNTY BOARD, THE
19 COUNTY EXECUTIVE SHALL APPOINT A SUCCESSOR FROM A LIST OF NOMINEES
20 THAT IS SUBMITTED TO THE COUNTY EXECUTIVE BY THE SCHOOL BOARD
21 NOMINATING CONVENTION OF ANNE ARUNDEL COUNTY.

22 (II) THE SUCCESSOR MUST RESIDE AND BE REGISTERED TO VOTE
23 IN THE COUNCILMANIC DISTRICT IN WHICH THE VACANCY OCCURRED.

24 (III) A PERSON APPOINTED TO FILL A VACANCY BEGINS A NEW
25 TERM.

26 (2) UNLESS OTHERWISE DISQUALIFIED, A MEMBER OF THE COUNTY
27 BOARD IS ELIGIBLE FOR REAPPOINTMENT FOR NOT MORE THAN TWO CONSECUTIVE
28 TERMS.

29 (I) A MEMBER OF THE COUNTY BOARD IS NOT ELIGIBLE FOR RETIREMENT OR
30 OTHER BENEFITS EXTENDED TO EMPLOYEES OF THE COUNTY BOARD OR OF THE
31 COUNTY OR TO ELECTED OFFICIALS OF THE COUNTY OR STATE.

32 (J) THE COUNTY COUNCIL SHALL ADOPT PROCEDURES FOR RATIFICATION
33 AND ADOPTION OF THE BYLAWS OF THE COUNTY BOARD.

34 3-110.1.

35 (A) IN THIS SECTION, "SCHOOL BOARD NOMINATING CONVENTION" HAS THE
36 MEANING INDICATED IN § 3-110 OF THIS SUBTITLE.

1 (B) A DELEGATE TO THE SCHOOL BOARD NOMINATING CONVENTION SHALL
2 VOTE FOR A NOMINEE FOR THE COUNCILMANIC DISTRICT IN WHICH BOTH THE
3 DELEGATE AND THE NOMINEE RESIDE AND ARE REGISTERED TO VOTE.

4 (C) THE SCHOOL BOARD NOMINATING CONVENTION MAY NOT REQUIRE THAT
5 A DELEGATE HAVE GROUP SPONSORSHIP.

6 (D) (1) THE SCHOOL BOARD NOMINATING CONVENTION SHALL SELECT FOR
7 EACH COUNCILMANIC DISTRICT AT LEAST TWO BUT NOT MORE THAN THREE
8 NOMINEES.

9 (2) A NOMINEE SHALL:

10 (I) MEET THE CRITERIA OF THE STATE ETHICS COMMISSION; AND

11 (II) BE A REGISTERED VOTER AND RESIDENT OF THE
12 COUNCILMANIC DISTRICT THAT THE NOMINEE WISHES TO REPRESENT.

13 (3) THE SCHOOL BOARD NOMINATING CONVENTION SHALL PROVIDE A
14 LIST OF NOMINEES FROM A COUNCILMANIC DISTRICT TO THE COUNTY EXECUTIVE
15 AT LEAST 60 DAYS BEFORE THE APPOINTMENT OF MEMBERS TO THE COUNTY
16 BOARD.

17 (4) THE SCHOOL BOARD NOMINATING CONVENTION MAY PUBLISH THE
18 NUMBER OF VOTES EACH NOMINEE RECEIVED.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2000.