

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 1486
Ways and Means

(Howard County Delegation)

Education, Health, and Environmental
Affairs

Howard County Board of Education - Election to Fill Vacancy
Ho. Co. 12-04

This bill alters the procedure for filling a vacancy on the Howard County Board of Education. If a vacancy occurs within one year of a member's election, the individual that is appointed to fill the vacancy must serve only until a successor is elected at the next general election. The candidate filling the vacancy must take office by the first Monday in December after the election and must continue to serve for the remainder of the vacated term, and until a successor is elected and qualifies. Candidates for the vacated office may be nominated at a primary election. If more than two members are to be elected at an election, and the terms of the offices to be filled vary, the elected candidates receiving the greater number of votes must fill the offices with longer terms.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill's procedural changes would not directly affect Howard County finances.

Small Business Effect: None.

Analysis

Current Law: Members of the Howard County Board of Education serve staggered four-year terms and are elected from the county at large. The County Executive, subject to the confirmation of the county council, must appoint a qualified individual to fill any

vacancy. An appointed member must serve the remainder of the term until a successor is appointed and qualifies.

Except as otherwise provided in Title 3 of the Education Article, the nomination and election of members to an elected county board of education is governed by provisions in Title 8 of the Election Law Article.

Background: Twelve counties currently elect members of local boards of education and 10 counties and Baltimore City have boards comprised of appointed members. The Worcester County Board of Education is in the process of changing from an appointed board to an elected board, which will be complete following the 2004 general election. **Exhibit 1** shows the method of selecting school board members in each local jurisdiction.

A referendum to change the Cecil County Board of Education to an elected board will be on the 2004 general election ballot. The Dorchester County and Prince George's County Boards of Education will revert to elected members following the 2006 general election.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2004
n/hlb

Analysis by: Michelle L. Harrison-Davis

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

Exhibit 1

Local Board of Education Membership

County	Full Voting Members	Elected Members			Student Member(s)	Years of Terms
		Appointed Members	County At Large	From Districts		
Allegany	5	0	5	0	1	4
Anne Arundel	7	7	0	0	1	5
Baltimore City	9	9	0	0	1	3
Baltimore	11	11	0	0	1	5
Calvert	5	0	2	3	1	4
Caroline	5	5	0	0	0	5
Carroll	5	0	5	0	1	4
Cecil ¹	5	5	0	0	1	5
Charles	7	0	7	0	1	4
Dorchester ²	6	6	0	0	2	5
Frederick	7	0	7	0	1	4
Garrett	5	0	2	3	1	4
Harford	7	7	0	0	1	5
Howard	5	0	5	0	0	4
Kent	5	0	5	0	0	6
Montgomery	7	0	2	5	1	4
Prince George's ³	9	9	0	0	1	4
Queen Anne's	5	5	0	0	0	5
St. Mary's	5	0	1	4	1	4
Somerset	5	0	0	5	2	4
Talbot	7	7	0	0	1	5
Washington	7	0	7	0	1	4
Wicomico	7	7	0	0	0	5
Worcester ⁴	7	3	0	4	3	4

¹ A referendum to change the Cecil County Board of Education to an elected board will be on the 2004 general election ballot.

² The Dorchester County Board of Education is changing from an appointed board to an elected board. The transition will begin at the 2004 general election and be complete following the 2006 general election.

³ In 2006 the Prince George's County Board of Education will revert to an elected board.

⁴ The Worcester County Board of Education is in the process of changing from an appointed board to an elected board. The process will be complete following the 2004 general election.

Source: Department of Legislative Services, November 2003
