

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 625

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates Leopold, McConkey, Frush, and Moe” and substitute “Anne Arundel County Delegation”; strike beginning with “Selection” in line 2 down through “Referendum” in line 3 and substitute “Appointment Process”; strike in their entirety lines 4 through 26, inclusive; after line 26, insert:

“FOR the purpose of requiring the Governor to appoint a member of the Anne Arundel County Board of Education from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County; providing for the establishment, purpose, membership, terms of office, and chair of the Commission; requiring the Commission to submit to the Governor a certain list of nominees for each nomination to the County Board beginning on a certain date; authorizing members of the County Board to serve the remainder of a member’s first term or a second consecutive term subject to the results of a certain retention election at a certain time; specifying the process of reappointment of members serving on the County Board as of a certain date; specifying the terms of the initial members of the Commission; and generally relating to the appointment process for members of the Anne Arundel County Board of Education.”;

and strike in their entirety lines 27 through 31, inclusive.

On page 2, in line 1, after “3-108(a)” insert “and (c)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“3-108.

(Over)

(a) Except for the Baltimore City Board of School Commissioners established under § 3-108.1 of this subtitle, the New Prince George’s County Board of Education established under § 3-108.2 of this subtitle, and counties listed in § 3-114 of this subtitle, AND SUBJECT TO THE PROVISIONS OF § 3-110 OF THIS SUBTITLE WITH RESPECT TO THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION, the Governor shall appoint the members of each county board from the residents of that county.

(c) (1) Each member serves for a term of 5 years beginning July 1 after [his] THE MEMBER’S appointment and until a successor is appointed and qualifies.

(2) The Governor shall appoint a new member to fill any vacancy on an appointed board for the remainder of that term and until a successor is appointed and qualifies.

(3) Unless otherwise disqualified under this section, a member of a board is eligible for reappointment. However, an individual may not serve for more than 2 consecutive terms.”;

in line 8, after “(a)” insert “(1)”; in lines 10, 11, 12, 13, 14, and 16, strike “(1)”, “(2)”, “(3)”, “(i)”, “(ii)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “1.”, “2.”, and “(IV)”, respectively; after line 16, insert:

“(2) EXCEPT FOR THE STUDENT MEMBER, THE GOVERNOR SHALL APPOINT A MEMBER OF THE COUNTY BOARD FROM A LIST OF NOMINEES SUBMITTED BY THE SCHOOL BOARD NOMINATING COMMISSION OF ANNE ARUNDEL COUNTY AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

(B) (1) (I) THERE IS A SCHOOL BOARD NOMINATING COMMISSION OF ANNE ARUNDEL COUNTY.

(II) THE PURPOSE OF THE COMMISSION IS TO SELECT NOMINEES TO BE RECOMMENDED TO THE GOVERNOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION.

(2) THE COMMISSION CONSISTS OF 13 MEMBERS WHO SHALL BE

APPOINTED AS FOLLOWS:

(I) THE GOVERNOR SHALL APPOINT FIVE MEMBERS, ONE FROM EACH LEGISLATIVE DISTRICT THAT LIES IN WHOLE OR IN PART IN ANNE ARUNDEL COUNTY;

(II) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY SHALL APPOINT TWO MEMBERS FROM THE COUNTY AT LARGE; AND

(III) THE FOLLOWING ORGANIZATIONS SHALL EACH APPOINT ONE MEMBER:

1. THE TEACHER'S ASSOCIATION OF ANNE ARUNDEL COUNTY;

2. THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CHAMBER OF COMMERCE;

3. THE ANNE ARUNDEL COUNTY COUNCIL OF PARENT TEACHER ASSOCIATIONS;

4. THE CITIZEN'S ADVISORY BOARD;

5. THE ANNE ARUNDEL COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES; AND

6. THE ASSOCIATION OF EDUCATIONAL LEADERS (AEL).

(3) (I) THE GOVERNOR SHALL DESIGNATE AS CHAIR OF THE COMMISSION ONE OF THE FIVE MEMBERS APPOINTED BY THE GOVERNOR UNDER SUBSECTION (B)(2)(I) OF THIS SECTION.

(II) THE TERM OF THE CHAIR OF THE COMMISSION IS 4 YEARS.

(Over)

(III) THE GOVERNOR MAY REAPPOINT THE CHAIR OF THE COMMISSION FOR A SECOND TERM.

(IV) THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS.

(4) BEGINNING JANUARY 1, 2006, FOR EACH NOMINATION TO THE COUNTY BOARD, THE COMMISSION SHALL SUBMIT TO THE GOVERNOR A LIST OF NOMINEES THAT CONTAINS:

(I) AT LEAST TWO NAMES; OR

(II) IF THERE ARE FEWER THAN TWO APPLICANTS, THE NUMBER OF NAMES THAT IS EQUAL TO THE NUMBER OF APPLICANTS.

(C) (1) FOLLOWING THE INITIAL APPOINTMENT OF A MEMBER OF THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION BY THE COMMISSION, A MEMBER MAY CONTINUE TO SERVE FOR THE REMAINDER OF THE MEMBER'S FIRST TERM SUBJECT TO THE APPROVAL OR REJECTION OF THE REGISTERED VOTERS OF THE COUNTY AT THE NEXT GENERAL ELECTION.

(2) A MEMBER OF THE COUNTY BOARD MAY SERVE FOR A SECOND CONSECUTIVE TERM SUBJECT TO THE APPROVAL OR REJECTION OF THE REGISTERED VOTERS OF THE COUNTY AT THE NEXT GENERAL ELECTION.

(3) (I) THE APPROVAL OR REJECTION OF A MEMBER OF THE COUNTY BOARD BY THE REGISTERED VOTERS OF THE COUNTY PROVIDED FOR IN SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE A VOTE FOR THE MEMBER'S RETENTION OR REMOVAL.

(II) THE NAME OF THE MEMBER OF THE COUNTY BOARD SHALL BE ON THE APPROPRIATE BALLOT, WITHOUT OPPOSITION, AND THE VOTERS SHALL VOTE FOR OR AGAINST THE MEMBER'S RETENTION AS A MEMBER OF THE COUNTY BOARD.

(4) IF THE VOTERS REJECT THE RETENTION OF THE MEMBER, OR THE VOTE IS TIED, THE POSITION SHALL BECOME VACANT 10 DAYS AFTER CERTIFICATION OF THE ELECTION RETURNS.

(5) A MEMBER OF THE COUNTY BOARD SERVES UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.”;

and in line 17, strike “(b)” and substitute “(D)”.

AMENDMENT NO. 3

On page 3, in lines 1 and 3, strike “(c)” and “(d)”, respectively, and substitute “(E)” and “(F)”, respectively; and after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED That a member serving a first term on the Anne Arundel County Board of Education as of July 1, 2006:

(a) (1) shall be eligible to be included in the list of nominees submitted by the School Board Nominating Commission of Anne Arundel County to the Governor to serve a second term when the first term ends; and

(2) may be reappointed by the Governor to the Anne Arundel County Board of Education subject to the approval or rejection of the registered voters of the county at the next general election; and

(b) as provided in § 3-108(c)(3) of the Education Article, is not eligible to serve another consecutive term following the second term by a reappointment.

SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial members of the School Board Nominating Commission of Anne Arundel County shall expire January 18, 2007.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.”.

(Over)

AMENDMENT NO. 4

On pages 3 through 9, strike in their entirety the lines beginning with line 6 on page 3 through line 20 on page 9, inclusive.