

**ENROLLED BILL**

-- *Education, Health, and Environmental Affairs/Health and Government Operations* --

Introduced by **Senators Grosfeld, Astle, Britt, Brochin, Conway, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Giannetti, Gladden, Green, Hogan, Hollinger, Hughes, Jimeno, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lawlah, McFadden, Middleton, Miller, Pinsky, Ruben, Stone, and Teitelbaum**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Commission for Women**

3 FOR the purpose of altering the membership of the Maryland Commission for  
4 Women; providing for the appointment of members of the Commission; repealing  
5 provisions that require the membership of the Commission to include certain  
6 persons; requiring that certain members of the Commission shall be appointed  
7 from among applicants who have been nominated and recommended for  
8 appointment by certain organizations; requiring that certain members of the  
9 Commission shall be appointed from applicants applying on their own behalf;  
10 providing for the terms of the members of the Commission; repealing a provision  
11 requiring the Governor to designate from the members a chairman and vice  
12 chairman; providing that commissioners are not entitled to receive certain  
13 compensation; providing that a commissioner who fails to attend a certain

1 number of meetings during a certain period is considered to have resigned;  
 2 requiring the members of the Commission to elect a chair and vice chair;  
 3 repealing a provision stating that the chair of the Commission is the chief  
 4 executive officer of the Commission; requiring the Secretary of Human  
 5 Resources to appoint an executive director; providing that the executive director  
 6 is a merit employee of the Department of Human Resources and is entitled to a  
 7 certain salary; requiring the Commission to advise certain branches of  
 8 government on issues concerning women, including offering certain testimony  
 9 before certain bodies; defining certain terms; making stylistic changes;  
 10 ~~providing for the expiration of the terms of~~ *authorizing* the members serving on  
 11 the Commission on the effective date of this Act *to continue serving until the*  
 12 *expiration of certain terms*; ~~authorizing certain commissioners whose terms end~~  
 13 ~~on a certain date to reapply as commissioner~~ *providing for the rotating*  
 14 *appointment of certain commissioners*; ~~requiring, to the extent practicable, that~~  
 15 ~~the appointments to the Commission ensure geographic diversity~~; and generally  
 16 relating to the Maryland Commission for Women.

17 BY repealing

18 Article 49C - Maryland Commission for Women  
 19 Section 1, 2, and 3  
 20 Annotated Code of Maryland  
 21 (2003 Replacement Volume and 2004 Supplement)

22 BY adding to

23 Article 49C - Maryland Commission for Women  
 24 Section 1, 2, 3, and 3A  
 25 Annotated Code of Maryland  
 26 (2003 Replacement Volume and 2004 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article 49C - Maryland Commission for Women  
 29 Section 4  
 30 Annotated Code of Maryland  
 31 (2003 Replacement Volume and 2004 Supplement)

32 BY repealing and reenacting, without amendments,

33 Article 49C - Maryland Commission for Women  
 34 Section 5, 6, 7, and 8  
 35 Annotated Code of Maryland  
 36 (2003 Replacement Volume and 2004 Supplement)

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

1 **Article 49C - Maryland Commission for Women**

2 [1.

3 This article shall be known as the "Maryland Commission for Women Act".]

4 1.

5 IN THIS ARTICLE:

6 (1) "COMMISSION" MEANS THE MARYLAND COMMISSION FOR WOMEN;

7 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES;

8 AND

9 (3) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

10 [2.

11 The Maryland Commission for Women is established and consists of 24  
12 members appointed by the Governor from among persons interested in the  
13 improvement of the status of women. The membership shall include both men and  
14 women and shall be broadly representative of all fields of interest of women. It shall  
15 include persons experienced in public affairs, private industry and volunteer  
16 activities and shall represent various age groups and geographical regions of the  
17 State. The Commission is a unit of the Department of Human Resources and shall  
18 report to the Governor and the legislature through the Secretary of the Department.]

19 2.

20 (A) THE COMMISSION CONSISTS OF:

21 (1) NINE INDIVIDUALS APPOINTED BY THE GOVERNOR, WITH THE  
22 ADVICE AND CONSENT OF THE SENATE;

23 (2) EIGHT INDIVIDUALS APPOINTED BY THE PRESIDENT OF THE SENATE  
24 OF MARYLAND; AND

25 (3) EIGHT INDIVIDUALS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
26 DELEGATES.

27 (B) (1) THE FOLLOWING MEMBERS OF THE COMMISSION SHALL BE  
28 APPOINTED FROM AMONG APPLICANTS WHO HAVE BEEN NOMINATED AND  
29 RECOMMENDED FOR APPOINTMENT BY ORGANIZATIONS LOCATED IN THE STATE  
30 WHOSE INTERESTS RELATE TO THE STATUS OF WOMEN:

31 (I) FOUR MEMBERS APPOINTED BY THE GOVERNOR;

32 (II) FOUR MEMBERS APPOINTED BY THE PRESIDENT OF THE  
33 SENATE OF MARYLAND; AND

1 (III) FOUR MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
2 OF DELEGATES.

3 (2) THE FOLLOWING MEMBERS OF THE COMMISSION SHALL BE  
4 APPOINTED FROM APPLICANTS APPLYING ON THEIR OWN BEHALF:

5 (I) FIVE MEMBERS APPOINTED BY THE GOVERNOR;

6 (II) FOUR MEMBERS APPOINTED BY THE PRESIDENT OF THE  
7 SENATE OF MARYLAND; AND

8 (III) FOUR MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
9 OF DELEGATES.

10 (C) (1) THE TERM OF A COMMISSIONER IS 4 YEARS.

11 (2) AT THE END OF A TERM, THE COMMISSIONER CONTINUES TO SERVE  
12 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

13 (3) A COMMISSIONER WHO IS APPOINTED AFTER A TERM HAS BEGUN  
14 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED  
15 AND QUALIFIES.

16 (4) A COMMISSIONER MAY NOT SERVE MORE THAN TWO CONSECUTIVE  
17 TERMS.

18 (D) COMMISSIONERS ARE NOT ENTITLED TO RECEIVE COMPENSATION FOR  
19 THEIR SERVICES.

20 (E) A COMMISSIONER WHO FAILS TO ATTEND AT LEAST 50% OF THE  
21 REGULARLY SCHEDULED MEETINGS DURING ANY 12-MONTH PERIOD SHALL BE  
22 CONSIDERED TO HAVE RESIGNED.

23 (F) THE COMMISSION IS A UNIT OF THE DEPARTMENT OF HUMAN RESOURCES  
24 AND SHALL REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY THROUGH  
25 THE SECRETARY.

26 [3.

27 The Governor shall appoint the members of the Commission for terms of four (4)  
28 years. Vacancies shall be filled in the same manner as the original appointments for  
29 the balance of the unexpired term. Any member of the Commission may be  
30 reappointed to one additional term as a member of the Commission. The members  
31 shall serve without compensation. The Governor shall designate a Chairman and  
32 vice-chairman. The Chairman shall be the chief executive officer of the Commission.  
33 The Commission may appoint such officers as it deems necessary.]

34 3.

35 (A) THE COMMISSION SHALL ELECT A CHAIR AND A VICE CHAIR FROM AMONG  
36 ITS MEMBERS.

1 (B) THE COMMISSION MAY APPOINT ANY OFFICERS THAT IT CONSIDERS  
2 NECESSARY.

3 3A.

4 (A) THE SECRETARY SHALL APPOINT AN EXECUTIVE DIRECTOR FOR THE  
5 COMMISSION.

6 (B) THE EXECUTIVE DIRECTOR SHALL BE A MERIT EMPLOYEE OF THE  
7 DEPARTMENT.

8 (C) THE EXECUTIVE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN  
9 THE STATE BUDGET.

10 4.

11 The Commission:

12 (1) Shall stimulate and encourage throughout the State study and  
13 review of the status of women in the State and may act as a clearinghouse for all  
14 activities to avoid duplication of effort;

15 (2) Shall strengthen home life by directing attention to critical problems  
16 confronting women as wives, mothers, homemakers and workers;

17 (3) Shall recommend methods of overcoming discrimination against  
18 women in public and private employment, and encourage women to become  
19 candidates for public office;

20 (4) Shall promote more effective methods for enabling women to develop  
21 their skills, continue their education, and to be retrained;

22 (5) May make surveys and appoint advisory committees in the fields of,  
23 but not limited to, education, social services, labor laws and employment policies, law  
24 enforcement, health and safety, new and expanded services, legal rights, family  
25 relations, human relations, and volunteer services;

26 (6) Shall secure appropriate recognition to women's accomplishments  
27 and contributions to this State; [and]

28 (7) Shall work to develop healthy attitudes within the framework of the  
29 Commission's responsibilities; AND

30 (8) SHALL INFORM THE EXECUTIVE AND LEGISLATIVE BRANCHES OF  
31 GOVERNMENT ON ISSUES CONCERNING WOMEN, INCLUDING OFFERING TESTIMONY  
32 ON THESE ISSUES BEFORE LEGISLATIVE AND ADMINISTRATIVE BODIES.

33 5.

34 (a) The Commission, subject to the approval of the Secretary of the  
35 Department of Human Resources, may accept federal funds granted by Congress or

1 executive order for all or any of the purposes of this article as well as private gifts and  
2 donations from individuals, private organizations or foundations. However, the  
3 acceptance and use of federal funds shall not be considered a commitment of State  
4 funds and places no obligation upon the legislature to continue the purposes for which  
5 the funds are made available.

6 (b) The Department shall include the Commission in its annual budget.

7 6.

8 The Commission shall have the full cooperation of all executive departments  
9 and agencies of the State in the performance of its duties.

10 7.

11 The Commission shall submit an annual report to the Governor and, subject to  
12 § 2-1246 of the State Government Article, to the General Assembly through the  
13 Secretary of Human Resources and shall include recommendations based on its  
14 studies.

15 8.

16 The Commission shall have no authority to promulgate rules and regulations.

17 SECTION 2. AND BE IT FURTHER ENACTED, That ~~the term of office of each~~  
18 member of the Maryland Commission for Women who is serving on the Commission  
19 on the effective date of this Act shall ~~expire on October 31, 2005. Each commissioner~~  
20 ~~whose term ends on October 31, 2005, may reapply as commissioner of the Maryland~~  
21 ~~Commission for Women~~ *continue to serve until the end of that member's term.*

22 SECTION 3. AND BE IT FURTHER ENACTED, That ~~the terms of the members~~  
23 ~~of the Maryland Commission for Women whose term of office begins on November 1,~~  
24 ~~2005, shall expire as follows:~~

25 (1) ~~in 2007, 3 members appointed by the Governor, 2 members appointed~~  
26 ~~by the President of the Senate, and 2 members appointed by the Speaker of the House~~  
27 ~~of Delegates;~~

28 (2) ~~in 2008, 2 members appointed by the Governor, 2 members appointed~~  
29 ~~by the President of the Senate, and 2 members appointed by the Speaker of the House~~  
30 ~~of Delegates;~~

31 (3) ~~in 2009, 2 members appointed by the Governor, 2 members appointed~~  
32 ~~by the President of the Senate, and 2 members appointed by the Speaker of the House~~  
33 ~~of Delegates; and~~

34 (4) ~~in 2010, 2 members appointed by the Governor, 2 members appointed~~  
35 ~~by the President of the Senate, and 2 members appointed by the Speaker of the House~~  
36 ~~of Delegates~~ *on June 1, 2005, the Governor shall appoint one member in accordance*  
37 *with Article 49C, § 2(b)(2)(i) of the Code, as enacted by Section 1 of this Act. Additional*

1 appointments to fill existing vacancies as of June 1, 2005 and future vacancies that  
2 occur at the end of each member's term, shall be made on a rotating basis in the  
3 following order:

4           (1)       one member in accordance with Article 49C, § 2(b)(1)(i) of the Code;

5           (2)       one member in accordance with Article 49C, § 2(b)(1)(ii) of the Code;

6           (3)       one member in accordance with Article 49C, § 2(b)(1)(iii) of the Code;

7           (4)       one member in accordance with Article 49C, § 2(b)(2)(i) of the Code;

8           (5)       one member in accordance with Article 49C, § 2(b)(2)(ii) of the Code;

9 and

10          (6)       one member in accordance with Article 49C, § 2(b)(2)(iii) of the Code.

11       SECTION 4. AND BE IT FURTHER ENACTED, That, to the extent  
12 practicable, in making appointments under this Act, the Governor, the President of  
13 the Senate, and the Speaker of the House shall ensure geographic diversity among  
14 the membership of the Maryland Commission for Women.

15       SECTION 4-~~5~~. AND BE IT FURTHER ENACTED, That this Act shall take  
16 effect ~~October~~ June 1, 2005.