
By: **Senator Grosfeld**

Introduced and read first time: February 1, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Boards and Other Similar Bodies - Open Positions - Appointments**

3 FOR the purpose of requiring the Governor's Appointments Office to make available
4 to the public an announcement regarding each open position on a State board or
5 other similar body; requiring the Appointments Office to make an appointment
6 to fill an open position on a State board or other similar body within a certain
7 time limit and to appoint only qualified individuals if the position requires
8 certain qualifications; establishing a certain penalty if the Appointments Office
9 fails to make an appointment to fill an open position on a State board or other
10 similar body within a certain time limit; defining a certain term; and generally
11 relating to appointments made for open positions on State boards and other
12 similar bodies.

13 BY adding to

14 Article - State Government

15 Section 8-505

16 Annotated Code of Maryland

17 (2004 Replacement Volume and 2005 Supplement)

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

20 **Article - State Government**

21 8-505.

22 (A) IN THIS SECTION, "OPEN POSITION" MEANS A POSITION THAT:

23 (1) IS VACANT ON A STATE BOARD, COMMISSION, TASK FORCE,
24 ADVISORY COUNCIL, ADVISORY COMMITTEE, OR OTHER SIMILAR BODY;

25 (2) REQUIRES APPOINTMENT BY THE GOVERNOR; AND

26 (3) DOES NOT RECEIVE A SALARY OR COMPENSATION BUT MAY RECEIVE
27 REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL
28 REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

1 (B) THE GOVERNOR'S APPOINTMENTS OFFICE SHALL MAKE AVAILABLE TO
2 THE PUBLIC AN ANNOUNCEMENT REGARDING EACH OPEN POSITION BY:

3 (1) POSTING A POSITION VACANCY OR JOB ANNOUNCEMENT ON THE
4 MARYLAND.GOV WEBSITE;

5 (2) POSTING A POSITION VACANCY OR JOB ANNOUNCEMENT ON THE
6 OFFICE OF THE GOVERNOR'S WEBSITE;

7 (3) PRINTING ADVERTISEMENTS IN A MINIMUM OF TWO NEWSPAPERS
8 THAT EACH HAVE A DAILY TOTAL AVERAGE PAID CIRCULATION OF 200,000 OR MORE;
9 AND

10 (4) USING ANY OTHER METHOD THAT IS REASONABLY CALCULATED TO
11 ENSURE A SUFFICIENT POOL OF APPLICANTS, INCLUDING PRINTING
12 ADVERTISEMENTS IN JOURNALS, PAPER AND ELECTRONIC BULLETIN BOARD
13 POSTINGS, AND SPECIAL NOTICES.

14 (C) IF AN OPEN POSITION REQUIRES SPECIFIC QUALIFICATIONS, THE
15 GOVERNOR'S APPOINTMENTS OFFICE SHALL APPOINT ONLY AN INDIVIDUAL WHO
16 MEETS THE SPECIFIC QUALIFICATIONS.

17 (D) THE GOVERNOR'S APPOINTMENTS OFFICE SHALL MAKE AN
18 APPOINTMENT:

19 (1) FOR EACH NEW OPEN POSITION CREATED BY LEGISLATION, WITHIN
20 60 DAYS OF THE EFFECTIVE DATE OF THE LEGISLATION; OR

21 (2) FOR EACH OPEN POSITION RESULTING FROM THE RESIGNATION,
22 TERMINATION, OR DEATH OF A CURRENT MEMBER, WITHIN 60 DAYS OF THE
23 RESIGNATION, TERMINATION, OR DEATH OF THE MEMBER.

24 (E) IF THE GOVERNOR'S APPOINTMENTS OFFICE FAILS TO MAKE AN
25 APPOINTMENT TO FILL AN OPEN POSITION WITHIN THE TIME LIMITS UNDER
26 SUBSECTION (D) OF THIS SECTION, THE PRESIDENT OF THE SENATE AND THE
27 SPEAKER OF THE HOUSE OF DELEGATES SHALL HAVE THE AUTHORITY TO JOINTLY
28 APPOINT AN INDIVIDUAL TO FILL THE OPEN POSITION WITHIN 60 DAYS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2006.