

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 24

(Delegate Love, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

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Anne Arundel County - Board of Education - Appointment Process

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This bill establishes a School Board Nominating Commission of Anne Arundel County to submit nominees for the county board of education to the Governor. The Governor must select one of the commission's nominees to fill each vacancy on the board. A member appointed to the board of education would be subject to a vote for or against retention by county voters at the next general election and may serve a second consecutive term subject to the results of a retention vote during the second term. If voters reject the retention of a board member, the position becomes vacant 10 days after the certification of the election returns and the rejected member serves until a new member is appointed.

The bill takes effect July 1, 2006.

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Fiscal Summary

**State Effect:** The Governor could make appointments to the nominating commission and could continue to make appointments to the Anne Arundel County Board of Education with existing resources.

**Local Effect:** Any costs associated with providing meeting space for the nominating commission and holding public hearings would be minimal and could be absorbed within Anne Arundel County's existing budget.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The nominating commission consists of 15 members: 5 appointed by the Governor, 2 appointed by the county executive, 2 appointed by the county council, and 1 member appointed by each of 6 county interest groups. Nominating commission members serve four-year terms, with the initial members serving until January 18, 2008.

Before recommending board of education nominees to the Governor, the commission must hold at least two public hearings. Beginning January 1, 2007, the commission must submit at least two nominees for each board of education vacancy unless fewer than two individuals apply.

**Current Law:** The Anne Arundel County Board of Education consists of seven members appointed by the Governor, and one student member. Of the seven appointed members, three are appointed from the county at large and four are appointed from legislative districts in the county. The seven appointed members serve staggered five-year terms, and the student member serves a one-year term. If a vacancy occurs among the board's appointed members, the Governor appoints a replacement.

The State Superintendent, with the approval of the Governor, may remove any member of a county board of education for: immorality; misconduct in office; incompetency; willful neglect of duty; or failure to attend, without good cause, at least half of the scheduled board meetings in any calendar year.

**Background:** The Anne Arundel County Board of Education is 1 of 10 appointed school boards in the State. Another 13 local boards of education are elected, and 1, the Dorchester County board, is in the process of transitioning from an appointed board to an elected board. The selection method and number of school board members for each of the 24 local boards are shown in **Exhibit 1**. None of Maryland's school boards use the selection process proposed in this bill.

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**Exhibit 1**  
**Local Boards of Education**  
**Members and Selection Methods**

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

\*The Cecil and Talbot county boards will begin transitioning to elected boards at the 2006 general election.

\*\*The Prince George's County board will revert to an elected board at the 2006 general election.

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## **Additional Information**

**Prior Introductions:** As amended, HB 625 of 2005 was similar to this bill. The bill passed the House, but the Education, Health, and Environmental Affairs Committee took no action on it.

**Cross File:** None.

**Information Source(s):** Anne Arundel County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2006  
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