

HOUSE BILL 639

F3

8lr2193

By: **Washington County Delegation**

Introduced and read first time: February 1, 2008

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2008

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Board of Education – Vacancies**

3 FOR the purpose of ~~requiring the Board of County Commissioners of Washington~~
4 ~~County, instead of the Governor, to appoint~~ altering the method of appointing
5 certain individuals to fill certain vacancies on the Board of Education of
6 Washington County; establishing a Washington County School Board
7 Nominating Commission; specifying the membership of the Commission;
8 specifying the duties of the Commission; providing for the staffing of the
9 Commission; requiring the Commission to submit certain nominees within a
10 certain period of time to the Board of County Commissioners of Washington
11 County; requiring the Board of County Commissioners of Washington County to
12 select certain individuals within a certain period of time to fill certain vacancies
13 on the Board of Education of Washington County; and generally relating to
14 appointments to the Board of Education of Washington County.

15 BY repealing and reenacting, without amendments,
16 Article – Education
17 Section 3–1301(a)
18 Annotated Code of Maryland
19 (2006 Replacement Volume and 2007 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Education
22 Section 3–1301(c)
23 Annotated Code of Maryland
24 (2006 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
 2 Article – Education
 3 Section 3–1301(e)
 4 Annotated Code of Maryland
 5 (2006 Replacement Volume and 2007 Supplement)

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

8 **Article – Education**

9 3–1301.

10 (a) The Washington County Board consists of seven members.

11 (c) (1) Each member serves for a term of 4 years beginning on the first
 12 Tuesday in December after the member’s election and until a successor is elected and
 13 qualifies.

14 (2) The terms of members are staggered as required by the terms of
 15 the members serving on the County Board as of July 1, 1986.

16 (3) At the end of a term, a member continues to serve until a successor
 17 is elected and qualifies.

18 (4) ~~The [Governor]~~ **IN ACCORDANCE WITH SUBSECTION (E) OF**
 19 **THIS SECTION, THE COUNTY COMMISSIONERS** shall appoint a qualified individual
 20 to fill any vacancy on the County Board for the remainder of that term and until a
 21 successor is elected and qualifies.

22 **(E) (1) IN THIS SECTION, “WASHINGTON COUNTY DELEGATION”**
 23 **MEANS THE SENATORS AND DELEGATES IN THE GENERAL ASSEMBLY OF**
 24 **MARYLAND WHO ARE ELECTED TO REPRESENT WASHINGTON COUNTY OR ANY**
 25 **PORTION OF WASHINGTON COUNTY.**

26 **(2) THERE IS A WASHINGTON COUNTY SCHOOL BOARD**
 27 **NOMINATING COMMISSION.**

28 **(3) THE COMMISSION SHALL CONSIST OF THE FOLLOWING SIX**
 29 **VOTING MEMBERS:**

30 **(I) ONE MEMBER APPOINTED BY THE SENATOR MEMBERS**
 31 **OF THE WASHINGTON COUNTY DELEGATION;**

1 (II) ONE MEMBER APPOINTED BY THE DELEGATE MEMBERS
2 OF THE WASHINGTON COUNTY DELEGATION;

3 (III) ONE MEMBER APPOINTED BY THE COUNTY BOARD; AND

4 (IV) THE FOLLOWING THREE MEMBERS APPOINTED BY THE
5 COUNTY COMMISSIONERS:

6 1. ONE MEMBER REPRESENTING THE WASHINGTON
7 COUNTY BUSINESS COMMUNITY;

8 2. ONE MEMBER REPRESENTING THE WASHINGTON
9 COUNTY CITIZENS ADVISORY COUNCIL; AND

10 3. ONE MEMBER REPRESENTING THE WASHINGTON
11 COUNTY EDUCATIONAL COMMUNITY.

12 (4) (I) THE CHAIRMAN OF THE COMMISSION SHALL BE A
13 MEMBER OF THE PUBLIC APPOINTED BY THE COUNTY COMMISSIONERS.

14 (II) THE CHAIRMAN MAY NOT BE A MEMBER OF EITHER THE
15 COUNTY BOARD OR THE WASHINGTON COUNTY DELEGATION.

16 (III) THE CHAIRMAN IS A NONVOTING MEMBER OF THE
17 COMMISSION WHO SHALL VOTE ONLY WHEN THERE IS A TIE VOTE AMONG THE
18 VOTING MEMBERS OF THE COMMISSION.

19 (5) THE COUNTY COMMISSIONERS SHALL PROVIDE THE STAFF
20 FOR THE COMMISSION.

21 (6) THE COMMISSION SHALL:

22 (I) ADVERTISE THE VACANCY AND PROVIDE THE
23 PROCEDURES FOR FILLING THE VACANCY IN AT LEAST ONE MEDIUM
24 ACCESSIBLE TO THE GENERAL PUBLIC, WHICH INCLUDES:

25 1. A NEWSPAPER OF GENERAL CIRCULATION IN THE
26 REGION; OR

27 2. AN ELECTRONIC POSTING ON THE LOCAL SCHOOL
28 SYSTEM WEBSITE; AND

29 (II) BEFORE SELECTING ANY NOMINEES, HOLD AT LEAST
30 ONE PUBLIC HEARING.

1 **(7) WITHIN 30 DAYS OF THE VACANCY OCCURRING, THE**
2 **COMMISSION SHALL SUBMIT THE NAMES OF NO MORE THAN THREE NOMINEES**
3 **TO THE COUNTY COMMISSIONERS FOR THEIR CONSIDERATION.**

4 **(8) WITHIN 15 DAYS AFTER RECEIVING THE NAMES OF THE**
5 **NOMINEES PROVIDED BY THE COMMISSION UNDER PARAGRAPH (7) OF THIS**
6 **SUBSECTION, THE COUNTY COMMISSIONERS SHALL SELECT AN INDIVIDUAL TO**
7 **FILL THE VACANCY ON THE COUNTY BOARD.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.