

CHAPTER 512

(House Bill 639)

AN ACT concerning

Washington County - Board of Education - Vacancies

FOR the purpose of ~~requiring the Board of County Commissioners of Washington County, instead of the Governor, to appoint~~ altering the method of appointing certain individuals to fill certain vacancies on the Board of Education of Washington County; establishing a Washington County School Board Nominating Commission; specifying the membership of the Commission; specifying the duties of the Commission; providing for the staffing of the Commission; requiring the Commission to submit certain nominees within a certain period of time to the Board of County Commissioners of Washington County; requiring the Board of County Commissioners of Washington County to select certain individuals within a certain period of time to fill certain vacancies on the Board of Education of Washington County; and generally relating to appointments to the Board of Education of Washington County.

BY repealing and reenacting, without amendments,
Article - Education
Section 3-1301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article - Education
Section 3-1301(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article - Education
Section 3-1301(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Article - Education

3-1301.

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

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

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

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

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

(E) (1) IN THIS SECTION, "WASHINGTON COUNTY DELEGATION" MEANS THE SENATORS AND DELEGATES IN THE GENERAL ASSEMBLY OF MARYLAND WHO ARE ELECTED TO REPRESENT WASHINGTON COUNTY OR ANY PORTION OF WASHINGTON COUNTY.

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

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

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

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

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

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

1. ONE MEMBER REPRESENTING THE WASHINGTON COUNTY BUSINESS COMMUNITY;

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

3. ONE MEMBER REPRESENTING THE WASHINGTON COUNTY EDUCATIONAL COMMUNITY.

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

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

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

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

(6) THE COMMISSION SHALL:

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

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

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

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

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

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

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

Approved by the Governor, May 13, 2008.