

HB0455/255068/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 455

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Elected School Board” and substitute “Board of Education – Election of Members – Referendum”; strike beginning with “specifying” in line 5 down through “change;” in line 15 and substitute “specifying that the members be elected by certain districts; specifying member qualifications; establishing a certain term of office for the members; specifying the initial terms of the members and staggering their terms; providing a procedure for filling a vacancy on the county board; requiring the county board to conduct certain interviews and publish certain notices when filling a vacancy; providing for the removal of members under certain circumstances; providing for the election of the president and vice president of the county board; providing for the compensation and expenses of the members of the county board; requiring the county board to meet at certain intervals; providing that the terms of certain appointed members of the county board shall expire on a certain date; making a stylistic change; submitting this Act to a referendum of the legally qualified voters of Caroline County;”; and in line 24, strike “3–3A–05” and substitute “3–3A–06”.

AMENDMENT NO. 2

On page 3, after line 5, insert:

“(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

“(B) “BOARD OF EDUCATION DISTRICT” OR “DISTRICT” MEANS A GEOGRAPHIC AREA OF CAROLINE COUNTY IN WHICH AN ELECTED MEMBER OF THE CAROLINE COUNTY BOARD OF EDUCATION MUST BE A LEGAL RESIDENT.

(Over)

(C) "ELECTED MEMBER" MEANS ONE OF THE FIVE NONPARTISAN VOTING MEMBERS OF THE CAROLINE COUNTY BOARD OF EDUCATION.

3-3A-02.;

strike beginning with the colon in line 6 down through "SECTION." in line 11 and substitute "FIVE ELECTED MEMBERS.

(B) (1) ONE ELECTED MEMBER SHALL BE ELECTED FROM EACH OF THE FIVE BOARD OF EDUCATION DISTRICTS ESTABLISHED IN CAROLINE COUNTY.

(2) AN ELECTED MEMBER SHALL BE:

(I) A RESIDENT OF THE DISTRICT FROM WHICH THE MEMBER IS ELECTED; AND

(II) ELECTED ONLY BY THE VOTERS OF THAT DISTRICT.

(C) (1) THE BOARD OF EDUCATION DISTRICTS SHALL:

(I) BE ESTABLISHED BY THE COUNTY COMMISSIONERS OF CAROLINE COUNTY; AND

(II) BE SUBSTANTIALLY EQUAL IN POPULATION AND REAPPORTIONED ON THE BASIS OF EACH DECENNIAL CENSUS OF THE UNITED STATES.

(2) REAPPORTIONED DISTRICTS SHALL BECOME EFFECTIVE FOR THE TERM OF OFFICE COMMENCING AFTER THE FIRST REGULAR PRIMARY

ELECTION HELD AT LEAST 15 MONTHS AFTER THE OFFICIAL REPORT ON POPULATION IS RECEIVED BY THE STATE FROM THE BUREAU OF THE CENSUS.

(D) (1) AS APPLICABLE FOR THAT BOARD OF EDUCATION DISTRICT, AT THE GENERAL ELECTION THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(2) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.”;

in line 12, strike “(C)” and substitute “(E)”; in the same line, strike “A CANDIDATE” and substitute “AN INDIVIDUAL”; strike in their entirety lines 15 through 17, inclusive, and substitute:

“(2) A MEMBER MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD IF THE MEMBER:

(I) NO LONGER RESIDES IN THE BOARD OF EDUCATION DISTRICT THAT THE MEMBER IS DESIGNATED TO REPRESENT; OR

(II) IS NOT A REGISTERED VOTER OF CAROLINE COUNTY.”;

in line 21, strike “(D)” and substitute “(F)”; in line 22, strike “VOTING, NONPARTISAN,”; in line 25, strike “VOTING”; and in line 28, strike “2010” and substitute “2012”.

On page 4, in line 2, strike “2010” and substitute “2012”; in line 5, strike “(E)” and substitute “(G)”; in line 7, strike “VOTING, NONPARTISAN”; in the same line,

(Over)

strike “ELECTED,” and substitute “ELECTED”; in the same line, strike “OF THE COUNTY BOARD”; after line 10, insert:

“(2) AN INDIVIDUAL APPOINTED TO FILL A VACANCY FOR AN ELECTED MEMBER SHALL BE A RESIDENT OF THE SAME BOARD OF EDUCATION DISTRICT AS THAT OF THE VACATING MEMBER.”;

in lines 11, 14, and 25, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 11, after “VACANCY” insert “FOR AN ELECTED MEMBER”; in line 11, strike “VOTING,”; in line 12, strike “NONPARTISAN,”; in line 27, strike “VOTING, NONPARTISAN,”; and strike in their entirety lines 29 through 34, inclusive.

On page 5, strike in their entirety lines 1 through 17, inclusive; in line 18, strike “~~3-3A-02.~~” and substitute “3-3A-03.”; in line 20, strike “A VOTING, NONPARTISAN, ELECTED” and substitute “ANY”; and in lines 26 and 30, in each instance, strike “VOTING, NONPARTISAN, ELECTED”.

On page 6, in lines 5 and 8, in each instance, strike “VOTING, NONPARTISAN, ELECTED”; in line 11, strike “~~3-3A-03.~~” and substitute “3-3A-04.”; in line 12, strike “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AT” and substitute “AT”; in lines 13 and 19, in each instance, strike “VOTING, NONPARTISAN,”; strike in their entirety lines 16 and 17; in line 22, strike “~~3-3A-04.~~” and substitute “3-3A-05.”; in line 24, after “COMPENSATION” insert a comma; in lines 24 and 25, strike “, NONPARTISAN, ELECTED”; in line 25, strike “EACH”; in line 27, strike “VOTING,”; in line 28, strike “NONPARTISAN,”; and in line 30, strike “A VOTING, NONPARTISAN,” and substitute “AN”.

AMENDMENT NO. 3

On page 7, in line 6, strike "~~3-3A-05.~~" and substitute "3-3A-06."; in line 16, strike "5," and substitute "2."; after line 16, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That before this Act becomes effective it shall first be submitted to a referendum of the legally qualified voters of Caroline County at the general election to be held in November of 2010. The County governing body and the Caroline County Board of Elections shall do those things necessary and proper to provide for and hold the referendum required by this section. There shall be printed on the ballot to be used at this election the title of this Act and underneath the title, on separate lines, a square or box opposite the words "For a Board of Education Elected by the Voters of Caroline County" and a corresponding square box opposite the words "For a Board of Education Appointed by the Governor". A voter may choose only one of the methods of selection. If a majority of the votes cast on the question are "For a Board of Education Elected by the Voters of Caroline County", the provisions of this Act shall become effective on the 30th day following the official canvass of votes for the referendum."

in line 17, strike "3." and substitute "4."; and strike beginning with "That" in line 17 down through "2009." in line 18 and substitute "That, subject to the provisions of Section 3 of this Act and for the sole purpose of providing for the referendum required by Section 3 of this Act, this Act shall take effect October 1, 2009.".