

# HOUSE BILL 1153

P1

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By: **Delegates Montgomery, Beidle, Benson, Carr, V. Clagett, Frush, Gutierrez, Haddaway, Howard, Jameson, Kirk, Krysiak, Kullen, Lee, Levi, Love, Nathan-Pulliam, Riley, and Robinson**

Introduced and read first time: February 13, 2009

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Maryland Commission for Women – Appointment of Members**

3 FOR the purpose of altering the manner by which the members of the Maryland  
4 Commission for Women are appointed; requiring the Governor to appoint ~~a~~  
5 ~~certain number of the members of the Commission, subject to certain members~~  
6 ~~of the Commission from among certain applicants with the advice and consent~~  
7 ~~of the Senate; requiring the President of the Senate and the Speaker of the~~  
8 ~~House of Delegates each to nominate a certain number of the members of the~~  
9 ~~Commission and to submit those names to the Governor; requiring the Governor~~  
10 ~~to appoint all of the nominees of the President and the Speaker to the~~  
11 ~~Commission; requiring the Governor, the President, and the Speaker to appoint~~  
12 ~~or nominate the members of the Commission in a certain manner;~~ providing  
13 that certain current members of the Commission who were appointed by the  
14 Governor, the President, and the Speaker and whose terms expire in certain  
15 years may be ~~renominated and~~ reappointed to one additional consecutive term  
16 of office or replaced by new members in accordance with this Act; and generally  
17 relating to the appointment of the members of the Maryland Commission for  
18 Women.

19 BY repealing and reenacting, with amendments,  
20 Article – Human Services  
21 Section 2–403  
22 Annotated Code of Maryland  
23 (2007 Volume and 2008 Supplement)

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#### 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.



BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 2–404  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

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

**Article – Human Services**

2–403.

[(a) The Commission consists of:

(1) nine individuals appointed by the Governor, with the advice and  
consent of the Senate;

(2) eight individuals appointed by the President of the Senate of  
Maryland; and

(3) eight individuals appointed by the Speaker of the House of  
Delegates.

(b) (1) The following members shall be appointed from among applicants  
who have been nominated and recommended for appointment by organizations located  
in the State whose interests relate to the status of women:

(i) four members appointed by the Governor;

(ii) four members appointed by the President of the Senate of  
Maryland; and

(iii) four members appointed by the Speaker of the House of  
Delegates.

(2) The following members shall be appointed from applicants  
applying on their own behalf:

(i) five members appointed by the Governor;

(ii) four members appointed by the President of the Senate of  
Maryland; and

(iii) four members appointed by the Speaker of the House of  
Delegates.]

1           (A) THE COMMISSION CONSISTS OF 25 MEMBERS APPOINTED BY THE  
2 GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

3           (B) ~~SUBJECT TO SUBSECTION (C) OF THIS SECTION, OF~~ OF THE 25  
4 MEMBERS OF THE COMMISSION:

5               (1) ~~THE GOVERNOR SHALL APPOINT NINE OF THE MEMBERS,~~  
6 ~~SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE OF MARYLAND;~~

7               (2) ~~THE PRESIDENT OF THE SENATE SHALL NOMINATE EIGHT OF~~  
8 ~~THE MEMBERS AND SUBMIT THEIR NAMES TO THE GOVERNOR, WHO SHALL~~  
9 ~~APPOINT ALL EIGHT OF THE PRESIDENT'S NOMINEES TO THE COMMISSION; AND~~

10              (3) ~~THE SPEAKER OF THE HOUSE OF DELEGATES SHALL~~  
11 ~~NOMINATE EIGHT OF THE MEMBERS AND SUBMIT THEIR NAMES TO THE~~  
12 ~~GOVERNOR, WHO SHALL APPOINT ALL EIGHT OF THE SPEAKER'S NOMINEES TO~~  
13 ~~THE COMMISSION.~~

14           (C) (1) ~~THE FOLLOWING MEMBERS SHALL BE APPOINTED FROM~~  
15 ~~AMONG APPLICANTS WHO HAVE BEEN NOMINATED AND RECOMMENDED FOR~~  
16 ~~APPOINTMENT BY ORGANIZATIONS LOCATED IN THE STATE WHOSE INTERESTS~~  
17 ~~RELATE TO THE STATUS OF WOMEN:~~

18                   (I) ~~FOUR OF THE MEMBERS APPOINTED BY THE~~  
19 ~~GOVERNOR;~~

20                   (II) ~~FOUR OF THE MEMBERS NOMINATED BY THE~~  
21 ~~PRESIDENT OF THE SENATE AND SUBMITTED TO THE GOVERNOR FOR~~  
22 ~~APPOINTMENT; AND~~

23                   (III) ~~FOUR OF THE MEMBERS NOMINATED BY THE SPEAKER~~  
24 ~~OF THE HOUSE OF DELEGATES AND SUBMITTED TO THE GOVERNOR FOR~~  
25 ~~APPOINTMENT.~~

26           (2) ~~THE FOLLOWING MEMBERS SHALL BE APPOINTED FROM~~  
27 ~~APPLICANTS APPLYING ON THEIR OWN BEHALF:~~

28                   (I) ~~FIVE OF THE MEMBERS APPOINTED BY THE GOVERNOR;~~

29                   (II) ~~FOUR OF THE MEMBERS NOMINATED BY THE~~  
30 ~~PRESIDENT OF THE SENATE AND SUBMITTED TO THE GOVERNOR FOR~~  
31 ~~APPOINTMENT; AND~~

~~(III) FOUR OF THE MEMBERS NOMINATED BY THE SPEAKER OF THE HOUSE OF DELEGATES AND SUBMITTED TO THE GOVERNOR FOR APPOINTMENT.~~

(1) 12 SHALL BE APPOINTED FROM AMONG APPLICANTS WHO HAVE BEEN NOMINATED AND RECOMMENDED FOR APPOINTMENT BY ORGANIZATIONS LOCATED IN THE STATE WHOSE INTERESTS RELATE TO THE STATUS OF WOMEN; AND

(2) 13 SHALL BE APPOINTED FROM AMONG APPLICANTS APPLYING ON THEIR OWN BEHALF.

~~[(c)] (D)~~ To the extent practicable, in making ~~[(appointments)] THE NOMINATIONS~~ under this section, the Governor, ~~the President of the Senate, and the Speaker of the House OF DELEGATES~~ shall ensure geographic diversity among the membership of the Commission.

~~[(d)] (E)~~ (1) The term of a commissioner is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Commission on October 1, 2007.

(3) A commissioner may not serve more than two consecutive terms.

(4) At the end of a term, a commissioner continues to serve until a successor is appointed and qualifies.

(5) A commissioner who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

~~[(e)] (F)~~ A commissioner who fails to attend at least 50% of the regularly scheduled meetings of the Commission during any 12-month period shall be considered to have resigned.

~~[(f)] (G)~~ Commissioners are not entitled to receive compensation for their services.

2-404.

(a) The Commission shall elect a chair and a vice chair from among its members.

(b) The Commission may appoint any officers that it considers necessary.

SECTION 2. AND BE IT FURTHER ENACTED, That:

1       ~~(a)~~ the members of the Maryland Commission for Women who were  
2 appointed by the Governor, by the President of the Senate, and by the Speaker of the  
3 House, and whose terms end in 2009, 2010, and 2011, respectively, may be:

4               (1) reappointed by the Governor, subject to the advice and consent of  
5 the Senate, to one additional consecutive term of office; or

6               (2) replaced with new members appointed in accordance with the  
7 provisions of Section 1 of this Act; ~~and~~

8       ~~(b) the members of the Commission who were appointed by the President of~~  
9 ~~the Senate and the members of the Commission who were appointed by the Speaker of~~  
10 ~~the House, all of whose terms end in 2009, 2010, and 2011, respectively, may be:~~

11               ~~(1) renominated by the President of the Senate and the Speaker of the~~  
12 ~~House and, if so, the President and the Speaker shall submit their names to the~~  
13 ~~Governor who shall reappoint them to one additional consecutive term of office; or~~

14               ~~(2) replaced with new members nominated and appointed in~~  
15 ~~accordance with the provisions of Section 1 of this Act.~~

16       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 June 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.