

Department of Legislative Services  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

House Bill 105 (Delegate McConkey)  
Ways and Means

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**Anne Arundel County Board of Education - Selection of Members - Straw Ballot**

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This bill requires the Anne Arundel County Board of Elections to hold a nonbinding referendum at the November 2012 general election regarding the selection of members to the Anne Arundel County Board of Education. The proposed referendum asks whether voters favor changing the selection method of school board members from appointment by the Governor to a direct election by county voters.

The bill takes effect July 1, 2012.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The Anne Arundel County Board of Elections can handle the bill's requirements with existing resources.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Anne Arundel County Board of Education consists of nine members, of whom three members are appointed from the county at large, five members are appointed from each of the five legislative districts in the county, and one is a student member. Except for the student member, the Governor must appoint a member of the county board from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County.

The School Board Nominating Commission of Anne Arundel County was established in 2007 (Chapter 454). The commission must submit at least two nominees to the Governor

for each vacancy for the county board, unless there are fewer than two applicants for a vacancy.

Chapters 177 and 178 of 2011 specify that a member of the Anne Arundel County Board of Education must be appointed by the Governor from a list of nominees submitted by the School Board Nominating Commission, subject to election by the registered voters of the county at the general election following the member's nomination and appointment, regardless of whether that member is serving a first or second term.

**Background:** The Anne Arundel County Board of Education is one of five appointed school boards in the State, including one (Caroline County) that is in the process of transitioning to a hybrid board of appointed and elected members. Harford County has such a hybrid board. Eighteen local boards are elected by county voters. The selection method and number of school board members for each of the 24 local boards are shown in **Exhibit 1**.

**Exhibit 1**  
**Local Boards of Education in Maryland**

School System	Number of Members	Term	Means of Selection <sup>1</sup>
Allegany	7	4 years	E 5 from county at large 1 commissioner <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Anne Arundel	9	5 years	A 3 from county at large 5 from legislative districts 1 student (one-year term)
Baltimore City	10	3 years	A 9 from city at large 1 student (one-year term)
Baltimore	12	5 years	A 4 from county at large 7 from council districts 1 student (one-year term)
Calvert	6	4 years	E 2 from county at large 3 from commissioner districts 1 student (nonvoting, one-year term)
Caroline <sup>2</sup>	7	4 years	A/E 3 elected from school board districts 2 appointed from county at large 2 students (nonvoting, one-year term)
Carroll	9	4 years	E 5 from county at large 3 commissioners <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Cecil	6	4 years	E 5 from commissioner districts 1 student (nonvoting, one-year term)
Charles	8	4 years	E 7 from county at large 1 student (nonvoting, one-year term)
Dorchester	7	4 years	E 5 from council districts 2 students (nonvoting, one-year term)
Frederick	8	4 years	E 7 from county at large 1 student (nonvoting, one year term)
Garrett	7	4 years	E 2 from county at large 3 from commissioner districts 1 commissioner <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)

School System	Number of Members	Term		Means of Selection <sup>1</sup>
Harford	11	4 years	A/E	6 elected from council districts 3 appointed 1 superintendent <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Howard	8	4 years	E	7 from county at large 1 student (one-year term)
Kent	6	4 years	E	5 from county at large 1 student (nonvoting, one-year term)
Montgomery	8	4 years	E	2 from county at large 5 from school board districts 1 student (one-year term)
Prince George's	10	4 years	E	9 from school board districts 1 student (one-year term)
Queen Anne's	7	4 years	E	1 from county at large 4 from commissioner districts 2 students (nonvoting, one-year term)
St. Mary's	6	4 years	E	1 from county at large 4 from commissioner districts 1 student (nonvoting, one-year term)
Somerset	5	4 years	E	All from commissioner districts
Talbot	8	4 years	E	7 from school board districts 1 student (nonvoting, one-year term)
Washington	8	4 years	E	7 from county at large 1 student (nonvoting, one-year term)
Wicomico	7	5 years	A	All from county at large
Worcester	10	4 years	E	7 from commissioner districts 3 students (nonvoting, one-year term)

<sup>1</sup>A = Appointed by Governor, except in Baltimore City where board is appointed jointly by the Governor and the Mayor. E = Elected. A/E = Combined appointed and elected board.

<sup>2</sup>Voters in Caroline County decided at the 2010 general election to change from an appointed board to a combination appointed and elected board beginning with the November 2012 general election. The terms of the five current appointed members will expire December 2, 2012.

Source: Annotated Code of Maryland, Education Article, Sections 3-101 through 3-1405; local board of education websites

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 43 (Senator Simonaire) - Education, Health, and Environmental Affairs.

**Information Source(s):** Anne Arundel County, Maryland State Board of Elections,  
Department of Legislative Services

**Fiscal Note History:** First Reader - January 23, 2012  
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