

SENATE BILL 300

F3

3lr0348

By: **Senators Zirkin and Brochin**

Introduced and read first time: January 23, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Board of Education – Prohibited Members**

3 FOR the purpose of prohibiting a regulated lobbyist or the spouse of a regulated
4 lobbyist from being appointed as a member of the Baltimore County Board of
5 Education; and generally relating to membership and the Baltimore County
6 Board of Education.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 3–109
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2012 Supplement)

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

14 **Article – Education**

15 3–109.

16 (a) **(1)** ~~[The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE~~
17 Baltimore County Board consists of 12 members who shall be appointed as follows:

18 ~~[(1)] (I)~~ Four from the county at large;

19 ~~[(2)] (II)~~ One from each of the seven councilmanic districts in
20 Baltimore County; and

21 ~~[(3)] (III)~~ One student member from the county at large.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A REGULATED LOBBYIST OR THE SPOUSE OF A REGULATED**
2 **LOBBYIST MAY NOT BE APPOINTED AS A MEMBER OF THE BOARD.**

3 (b) (1) The student member shall:

4 (i) Be an eleventh or twelfth grade student in the Baltimore
5 County public school system;

6 (ii) Serve for 1 year; and

7 (iii) Advise the board on the thoughts and feelings of students.

8 (2) Unless invited to attend by an affirmative vote of a majority of the
9 county board, the student member may not attend an executive session that relates to:

10 (i) Hearings on appeals of special education placements;

11 (ii) Hearings held under § 6–202(a) of this article; or

12 (iii) Collective bargaining.

13 (3) As provided in paragraph (4) of this subsection, the student
14 member may vote on all matters except those relating to:

15 (i) § 6–202(a) of this article;

16 (ii) Collective bargaining;

17 (iii) Capital and operating budgets; and

18 (iv) School closings, reopenings, and boundaries.

19 (4) On a majority vote of the nonstudent members, the board may
20 determine, on a case–by–case basis, whether a matter under consideration is covered
21 by the exclusionary provisions listed in paragraph (3) of this subsection.

22 (c) A board member who does not maintain his residential qualification shall
23 be replaced as a member.

24 (d) If the boundary line of a councilmanic district is changed, the term of an
25 incumbent member of the county board who no longer resides in the councilmanic
26 district because of the change is not affected during this term.

27 (e) There is a School Shared Space Council in Baltimore County consisting of
28 12 employees of the county appointed by the County Executive for a term coterminous
29 with that of the board as follows:

- 1 (1) Two from the staff of the county board of education;
- 2 (2) Two from the County Executive's administrative staff, one of whom
3 shall be the Director of Central Services;
- 4 (3) One from the Department of Social Services;
- 5 (4) One from the Department of Recreation and Parks;
- 6 (5) One from the Department of Aging;
- 7 (6) One from the Health Department;
- 8 (7) One from the county community colleges, subject to the following
9 conditions:
- 10 (i) Representation shall be determined on a rotating basis by
11 alphabetical order by community college name; and
- 12 (ii) Each such member shall serve for 1 year;
- 13 (8) One from the Department of Juvenile Services;
- 14 (9) One from the county public libraries; and
- 15 (10) One from the Department of Planning.
- 16 (f) A county employee Council member who does not maintain his
17 employment in the county shall be replaced.
- 18 (g) In addition to the county employee members, there shall be eight county
19 citizens selected as members of the Council as follows and with the following duties:
- 20 (1) The county citizen members shall be selected by the County
21 Executive. One member shall be selected from each legislative district of Baltimore
22 County with the approval of the State Senator from that district. Each legislative
23 district representative shall reside in that district;
- 24 (2) The initial members selected to represent legislative districts 5, 7,
25 9, and 11 shall each serve for a 2-year term beginning June 1, 1979, and ending May
26 31, 1981. Thereafter all members shall be selected to serve 2-year terms. The initial
27 members selected to represent legislative districts 8, 10, 12, and 13 shall each serve
28 for a 1-year term beginning June 1, 1979, and ending May 31, 1980, and thereafter all
29 members shall be selected for 2-year terms;

1 (3) A citizen member shall be entitled to attend and vote at a Council
2 session where an issue before the Council concerns the school or schools in the citizen
3 member's respective district; and

4 (4) When the Council meets to consider countywide issues, all selected
5 citizen members shall be entitled to attend such sessions and vote.

6 (h) The Council shall:

7 (1) Meet as needed to compile the number of spaces in the public
8 schools of the county that are not filled and to evaluate the feasibility of the utilization
9 of the spaces by the community and county departments; and

10 (2) Report its findings and recommendations to the county board of
11 education and the County Executive at least twice during the school year.

12 (i) The County Executive may, by executive order, appoint up to two
13 additional members to the Council from agencies of the county government.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2013.