

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 113

(Delegate Kipke, *et al.*) (By Request - Anne Arundel
County Administration)

Ways and Means

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

This bill requires the Anne Arundel County Board of Elections to hold a nonbinding referendum at the November 2014 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 October 1, 2013.

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.

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, HB 1114). 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 (SB 78/HB 220) 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 four appointed school boards in the State. There are 18 elected school boards in the State and two counties have hybrid boards including both elected and appointed members. The **Appendix – Local Boards of Education** – shows the selection methods, terms of office, and membership of the 24 local boards of education.

Additional Information

Prior Introductions: SB 43 of 2012 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, HB 105, received a hearing in the House Ways and Means Committee, but no further action was taken.

Cross File: SB 173 (Chair, Anne Arundel County Senators) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - January 22, 2013
ncs/hlb

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Appendix – Local Boards of Education

<u>School System</u>	<u>Number of Members</u>	<u>Term</u>	<u>Means of Selection¹</u>	
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	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)

<u>School System</u>	<u>Number of Members</u>	<u>Term</u>	<u>Means of Selection¹</u>	
				1 student (nonvoting, one-year term)
Harford	11	4 years	A/E	6 elected from council districts 3 appointed 1 superintendent <i>ex officio</i> (nonvoting) 1 student (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)

¹A = 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.

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