

SENATE BILL 869

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By: **Senator Nathan-Pulliam**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Reconciliation and Equity**

3 FOR the purpose of establishing the Commission on Reconciliation and Equity; providing
4 for the purpose, composition, chair, and staffing of the Commission; requiring, to the
5 extent practicable, the members of the Commission to have expertise in certain
6 matters; providing for the terms of certain members of the Commission; prohibiting
7 a member of the Commission from receiving certain compensation, but authorizing
8 the reimbursement of certain expenses; requiring the Commission to hold certain
9 hearings and invite certain persons to testify at the hearings, to study and make
10 recommendations regarding certain matters, and to monitor and evaluate the
11 implementation of certain recommendations using certain criteria; requiring the
12 Commission to submit certain reports to the Governor and the General Assembly on
13 or before certain dates each year; specifying the terms of certain initial members of
14 the Commission; defining a certain term; and generally relating to the Commission
15 on Reconciliation and Equity.

16 BY adding to

17 Article – State Government

18 Section 9–1801 through 9–1805 to be under the new subtitle “Subtitle 18.

19 Commission on Reconciliation and Equity”

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2015 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

23 That the Laws of Maryland read as follows:

24 **Article – State Government**

25 **SUBTITLE 18. COMMISSION ON RECONCILIATION AND EQUITY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **9-1801.**

2 **IN THIS SUBTITLE, "COMMISSION" MEANS THE COMMISSION ON**
3 **RECONCILIATION AND EQUITY.**

4 **9-1802.**

5 **THERE IS A COMMISSION ON RECONCILIATION AND EQUITY.**

6 **9-1803.**

7 **(A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

8 **(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY**
9 **THE PRESIDENT OF THE SENATE;**

10 **(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY**
11 **THE SPEAKER OF THE HOUSE;**

12 **(3) THE CHAIR OF THE COMMISSION ON CIVIL RIGHTS, OR THE**
13 **CHAIR'S DESIGNEE;**

14 **(4) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE**
15 **SECRETARY'S DESIGNEE;**

16 **(5) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S**
17 **DESIGNEE;**

18 **(6) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,**
19 **OR THE SECRETARY'S DESIGNEE;**

20 **(7) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE**
21 **SUPERINTENDENT'S DESIGNEE;**

22 **(8) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S**
23 **DESIGNEE;**

24 **(9) THE SECRETARY OF LABOR, LICENSING, AND REGULATION, OR**
25 **THE SECRETARY'S DESIGNEE;**

26 **(10) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL**
27 **SERVICES, OR THE SECRETARY'S DESIGNEE; AND**

1 **(11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:**

2 **(I) ONE REPRESENTATIVE OF THE NATIONAL ASSOCIATION**
3 **FOR THE ADVANCEMENT OF COLORED PEOPLE;**

4 **(II) ONE REPRESENTATIVE OF THE AMERICAN CIVIL LIBERTIES**
5 **UNION;**

6 **(III) ONE REPRESENTATIVE OF THE AMERICAN PUBLIC HEALTH**
7 **ASSOCIATION;**

8 **(IV) ONE REPRESENTATIVE OF THE JOINT CENTER FOR**
9 **POLITICAL AND ECONOMIC STUDIES;**

10 **(V) TWO REPRESENTATIVES OF ORGANIZATIONS THAT**
11 **ADVOCATE FOR RACIAL JUSTICE;**

12 **(VI) TWO REPRESENTATIVES OF INTERFAITH ORGANIZATIONS;**

13 **(VII) ONE SOCIOLOGIST WITH EXPERTISE CONCERNING RACE**
14 **RELATIONS;**

15 **(VIII) ONE REPRESENTATIVE OF A BUSINESS SECTOR COALITION;**
16 **AND**

17 **(IX) ONE MEMBER WITH EXPERTISE IN LAW ENFORCEMENT AND**
18 **COMMUNITY POLICING.**

19 **(B) TO THE EXTENT PRACTICABLE, THE MEMBERS OF THE COMMISSION**
20 **SHALL HAVE EXPERTISE IN RECONCILIATION PROCESSES AND RACIAL EQUITY**
21 **ISSUES.**

22 **(C) (1) THE TERM OF A MEMBER OF THE COMMISSION WHO IS**
23 **APPOINTED BY THE GOVERNOR IS 3 YEARS.**

24 **(2) THE TERMS OF THE MEMBERS APPOINTED BY THE GOVERNOR**
25 **ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR THE MEMBERS ON**
26 **OCTOBER 1, 2016.**

27 **(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO**
28 **SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

1 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES**
2 **ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED**
3 **AND QUALIFIES.**

4 **(D) THE COMMISSION SHALL DETERMINE THE TIMES, PLACES, AND**
5 **FREQUENCY OF THE MEETINGS OF THE COMMISSION.**

6 **(E) THE COMMISSION SHALL ELECT A CHAIR FROM AMONG THE MEMBERS**
7 **OF THE COMMISSION.**

8 **(F) THE STATE AGENCIES REPRESENTED ON THE COMMISSION SHALL**
9 **PROVIDE STAFF FOR THE COMMISSION.**

10 **(G) A MEMBER OF THE COMMISSION:**

11 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
12 **COMMISSION; BUT**

13 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
14 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

15 **9-1804.**

16 **(A) THE PURPOSE OF THE COMMISSION IS TO FOSTER RECONCILIATION**
17 **AND ACHIEVE RACIAL EQUITY BY:**

18 **(1) INCREASING AWARENESS THROUGH PUBLIC DISCUSSIONS ABOUT**
19 **THE NATURE, EXTENT, CAUSES, AND CONSEQUENCES OF RACIAL INEQUITIES;**

20 **(2) INVOLVING INDIVIDUALS AND PUBLIC AND PRIVATE ENTITIES,**
21 **INCLUDING MAJORITY AND MINORITY GROUPS, IN EVERY SECTOR THROUGHOUT**
22 **THE STATE IN A COLLECTIVE PROCESS;**

23 **(3) FOSTERING RACIAL EQUITY THROUGH RECOGNITION,**
24 **UNDERSTANDING, ADJUSTMENT, COMPROMISE, AND FORGIVENESS; AND**

25 **(4) RECOMMENDING STRATEGIES, CHANGES, AND ACTIONS IN**
26 **INSTITUTIONS, POLICIES, AND LAWS TO ELIMINATE SYSTEMIC RACISM AND**
27 **PROMOTE EQUITY, OPPORTUNITY, HEALING, AND HARMONY.**

28 **(B) THE COMMISSION SHALL:**

1 **(1) (I) HOLD HEARINGS AT VARIOUS LOCATIONS THROUGHOUT**
2 **THE STATE AND RECEIVE TESTIMONY FROM INDIVIDUALS, STATE AND LOCAL**
3 **AGENCIES, COMMUNITY-BASED ORGANIZATIONS, AND OTHER PUBLIC AND PRIVATE**
4 **ORGANIZATIONS; AND**

5 **(II) INVITE REPRESENTATIVES FROM INTERESTED**
6 **STAKEHOLDER GROUPS TO TESTIFY AT THE HEARINGS;**

7 **(2) STUDY:**

8 **(I) THE NATURE OF RACE RELATIONS, RACIAL DISPARITIES,**
9 **GENDER DIFFERENCES IN THE EXPERIENCE OF RACIAL INEQUITIES, AND**
10 **INSTITUTIONAL BIAS THROUGHOUT THE STATE;**

11 **(II) THE IMPACT OF PERSISTENT RACIAL DISPARITIES AND**
12 **INSTITUTIONAL BIAS ON INDIVIDUALS AND COMMUNITIES, INCLUDING THE**
13 **EFFECTS ON HEALTH, EMPLOYMENT AND ECONOMIC STABILITY, ACCESS TO SAFE**
14 **AND AFFORDABLE HOUSING, INCOME INEQUALITY, EDUCATIONAL OPPORTUNITIES,**
15 **AND ACHIEVEMENT GAPS;**

16 **(III) PAST AND ONGOING EFFORTS TO PROMOTE HUMAN RIGHTS**
17 **AND SOCIAL JUSTICE; AND**

18 **(IV) BEST PRACTICES THROUGHOUT THE UNITED STATES**
19 **REGARDING POLICIES, LAWS, AND SYSTEMS DESIGNED TO ELIMINATE RACIAL AND**
20 **GENDER INEQUITIES AND FOSTER RECONCILIATION BETWEEN VARIOUS GROUPS;**

21 **(3) IDENTIFY THE CRITERIA TO BE USED IN MONITORING AND**
22 **EVALUATING THE IMPLEMENTATION OF THE STRATEGIES AND CHANGES IN**
23 **INSTITUTIONS, POLICIES, AND LAWS RECOMMENDED BY THE COMMISSION;**

24 **(4) MAKE RECOMMENDATIONS REGARDING STRATEGIES, CHANGES,**
25 **AND ACTIONS IN STATE INSTITUTIONS, POLICIES, AND LAWS TO IMPROVE RACE**
26 **RELATIONS, ELIMINATE RACIAL AND GENDER INEQUITIES, AND SUPPORT**
27 **RECONCILIATION, INCLUDING MEASURES TO:**

28 **(I) INCREASE AWARENESS OF CONSCIOUS AND UNCONSCIOUS**
29 **BIAS AND STRUCTURAL INEQUITIES AND THEIR CONSEQUENCES;**

30 **(II) ELIMINATE IMPLICIT AND EXPLICIT INSTITUTIONAL BIAS;**

31 **(III) IMPROVE RACE RELATIONS, PROMOTE HEALING, AND**
32 **FOSTER RECONCILIATION BETWEEN VARIOUS GROUPS; AND**

1 (IV) PROMOTE THE OVERALL HEALTH AND SUCCESS OF
2 INDIVIDUALS THROUGHOUT THE STATE, INCLUDING IMPROVING ACCESS TO
3 EMPLOYMENT OPPORTUNITIES, SAFE AND AFFORDABLE HOUSING, ADEQUATE
4 MEDICAL SERVICES AND TREATMENT, AND A QUALITY EDUCATION; AND

5 (5) USING THE CRITERIA IDENTIFIED UNDER PARAGRAPH (3) OF THIS
6 SUBSECTION, MONITOR AND EVALUATE THE IMPLEMENTATION OF THE
7 RECOMMENDED STRATEGIES AND CHANGES IN STATE INSTITUTIONS, POLICIES,
8 AND LAWS.

9 9-1805.

10 ON OR BEFORE JUNE 30 AND DECEMBER 31 EACH YEAR, THE COMMISSION
11 SHALL SUBMIT REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246
12 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE
13 ACTIVITIES OF THE COMMISSION, INCLUDING A SUMMARY OF FINDINGS BASED ON
14 TESTIMONY RECEIVED AT THE PUBLIC HEARINGS AND OTHER FINDINGS AND
15 RECOMMENDATIONS OF THE COMMISSION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
17 members of the Commission on Reconciliation and Equity appointed by the Governor shall
18 expire as follows:

- 19 (1) three members in 2017;
- 20 (2) four members in 2018; and
- 21 (3) four members in 2019.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2016.