

# SENATE BILL 869

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By: ~~Senator Nathan Pulliam~~ Senators Nathan Pulliam, Benson, Conway, Currie, Feldman, Ferguson, Gladden, Guzzone, Kelley, King, Lee, Madaleno, Manno, Mathias, McFadden, Muse, Peters, Pugh, Ramirez, Raskin, Young, and Zucker

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2016

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

1 AN ACT concerning

2 ~~Commission on~~ Governor's Office of Minority Affairs – Workgroup on  
3 Reconciliation and Equity

4 FOR the purpose of ~~establishing the Commission on Reconciliation and Equity; providing~~  
5 ~~for the purpose, composition, chair, and staffing of the Commission; requiring, to the~~  
6 ~~extent practicable, the members of the Commission to have expertise in certain~~  
7 ~~matters; providing for the terms of certain members of the Commission; prohibiting~~  
8 ~~a member of the Commission from receiving certain compensation, but authorizing~~  
9 ~~the reimbursement of certain expenses; requiring the Commission to hold certain~~  
10 ~~hearings and invite certain persons to testify at the hearings, to study and make~~  
11 ~~recommendations regarding certain matters, and to monitor and evaluate the~~  
12 ~~implementation of certain recommendations using certain criteria; requiring the~~  
13 ~~Commission to submit certain reports to the Governor and the General Assembly on~~  
14 ~~or before certain dates each year; specifying the terms of certain initial members of~~  
15 ~~the Commission; defining a certain term; and generally relating to the Commission~~  
16 ~~on Reconciliation and Equity~~ requiring the Governor's Office of Minority Affairs to  
17 convene a certain workgroup to explore issues of reconciliation processes and racial  
18 equity that includes certain stakeholders; requiring a certain workgroup to hold  
19 certain hearings, evaluate race relations, human rights, social justice, disparities,  
20 and institutional bias in the State, study certain racial disparities and institutional  
21 bias, determine certain best practices, strategies, and legislation, and make certain  
22 recommendations; requiring a certain workgroup to submit a certain report to the

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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.



1 Governor and the General Assembly on or before a certain date; and generally  
 2 relating to a workgroup on reconciliation and equity.

3 ~~BY adding to~~

4 ~~Article State Government~~

5 ~~Section 9-1801 through 9-1805 to be under the new subtitle "Subtitle 18.~~  
 6 ~~Commission on Reconciliation and Equity"~~

7 ~~Annotated Code of Maryland~~

8 ~~(2014 Replacement Volume and 2015 Supplement)~~

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

11 (a) The Governor's Office of Minority Affairs shall convene a workgroup to explore  
 12 issues of reconciliation processes and racial equity that includes the following stakeholders:

13 (1) the Commission on Civil Rights;

14 (2) the Department of Health and Mental Hygiene;

15 (3) the Department of Human Resources;

16 (4) the Department of Housing and Community Development;

17 (5) the State Department of Education;

18 (6) the Department of Transportation;

19 (7) the Department of Labor, Licensing, and Regulation;

20 (8) the Department of Public Safety and Correctional Services;

21 (9) the National Association for the Advancement of Colored People;

22 (10) the American Civil Liberties Union;

23 (11) the American Public Health Association;

24 (12) the Joint Center for Political and Economic Studies;

25 (13) organizations that advocate for racial justice;

26 (14) interfaith organizations;

27 (15) sociologists with expertise concerning race relations;

28 (16) business sector coalitions; and

1 (17) law enforcement and community police personnel.

2 (b) The workgroup convened under subsection (a) of this section shall:

3 (1) hold hearings at various locations throughout the State and receive  
4 testimony from individuals, State and local agencies, community-based organizations, and  
5 other public and private organizations;

6 (2) evaluate race relations, human rights, social justice, disparities, and  
7 institutional bias throughout the State;

8 (3) study any current and prospective racial disparities and any  
9 institutional bias on individuals and communities, including the effects on health,  
10 employment and economic stability, access to safe and affordable housing, income  
11 inequality, educational opportunities, and employment and achievement gaps;

12 (4) determine the best practices, strategies, courses of action, and  
13 legislation that should be introduced to address the findings under items (1) through (3) of  
14 this subsection; and

15 (5) make recommendations to:

16 (i) improve race relations, promote healing, and foster reconciliation  
17 in the State; and

18 (ii) promote the overall health and success of individuals throughout  
19 the State, including improving access to employment opportunities, safe and affordable  
20 housing, adequate medical services and treatment, and quality education.

21 (c) On or before December 1, 2019, the Governor’s Office of Minority Affairs shall  
22 report to the Governor and, in accordance with § 2–1246 of the State Government Article,  
23 the General Assembly regarding the findings and recommendations of the workgroup  
24 determined under this section.

## 25 ~~Article – State Government~~

### 26 ~~SUBTITLE 18. COMMISSION ON RECONCILIATION AND EQUITY.~~

#### 27 ~~9–1801.~~

28 ~~IN THIS SUBTITLE, “COMMISSION” MEANS THE COMMISSION ON~~  
29 ~~RECONCILIATION AND EQUITY.~~

#### 30 ~~9–1802.~~

~~THERE IS A COMMISSION ON RECONCILIATION AND EQUITY.~~

~~9-1803.~~

~~(A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:~~

~~(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

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

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

~~(5) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S DESIGNEE;~~

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

~~(7) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE SUPERINTENDENT'S DESIGNEE;~~

~~(8) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;~~

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

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

~~(11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:~~

~~(i) ONE REPRESENTATIVE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE;~~

~~(ii) ONE REPRESENTATIVE OF THE AMERICAN CIVIL LIBERTIES UNION;~~

1 ~~(III) ONE REPRESENTATIVE OF THE AMERICAN PUBLIC HEALTH~~  
2 ~~ASSOCIATION;~~

3 ~~(IV) ONE REPRESENTATIVE OF THE JOINT CENTER FOR~~  
4 ~~POLITICAL AND ECONOMIC STUDIES;~~

5 ~~(V) TWO REPRESENTATIVES OF ORGANIZATIONS THAT~~  
6 ~~ADVOCATE FOR RACIAL JUSTICE;~~

7 ~~(VI) TWO REPRESENTATIVES OF INTERFAITH ORGANIZATIONS;~~

8 ~~(VII) ONE SOCIOLOGIST WITH EXPERTISE CONCERNING RACE~~  
9 ~~RELATIONS;~~

10 ~~(VIII) ONE REPRESENTATIVE OF A BUSINESS SECTOR COALITION;~~  
11 ~~AND~~

12 ~~(IX) ONE MEMBER WITH EXPERTISE IN LAW ENFORCEMENT AND~~  
13 ~~COMMUNITY POLICING.~~

14 ~~(B) TO THE EXTENT PRACTICABLE, THE MEMBERS OF THE COMMISSION~~  
15 ~~SHALL HAVE EXPERTISE IN RECONCILIATION PROCESSES AND RACIAL EQUITY~~  
16 ~~ISSUES.~~

17 ~~(C) (1) THE TERM OF A MEMBER OF THE COMMISSION WHO IS~~  
18 ~~APPOINTED BY THE GOVERNOR IS 3 YEARS.~~

19 ~~(2) THE TERMS OF THE MEMBERS APPOINTED BY THE GOVERNOR~~  
20 ~~ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR THE MEMBERS ON~~  
21 ~~OCTOBER 1, 2016.~~

22 ~~(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO~~  
23 ~~SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

24 ~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES~~  
25 ~~ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED~~  
26 ~~AND QUALIFIES.~~

27 ~~(D) THE COMMISSION SHALL DETERMINE THE TIMES, PLACES, AND~~  
28 ~~FREQUENCY OF THE MEETINGS OF THE COMMISSION.~~

29 ~~(E) THE COMMISSION SHALL ELECT A CHAIR FROM AMONG THE MEMBERS~~  
30 ~~OF THE COMMISSION.~~

1 ~~(F) THE STATE AGENCIES REPRESENTED ON THE COMMISSION SHALL~~  
2 ~~PROVIDE STAFF FOR THE COMMISSION.~~

3 ~~(G) A MEMBER OF THE COMMISSION:~~

4 ~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE~~  
5 ~~COMMISSION; BUT~~

6 ~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~  
7 ~~STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

8 ~~9-1804.~~

9 ~~(A) THE PURPOSE OF THE COMMISSION IS TO FOSTER RECONCILIATION~~  
10 ~~AND ACHIEVE RACIAL EQUITY BY:~~

11 ~~(1) INCREASING AWARENESS THROUGH PUBLIC DISCUSSIONS ABOUT~~  
12 ~~THE NATURE, EXTENT, CAUSES, AND CONSEQUENCES OF RACIAL INEQUITIES;~~

13 ~~(2) INVOLVING INDIVIDUALS AND PUBLIC AND PRIVATE ENTITIES,~~  
14 ~~INCLUDING MAJORITY AND MINORITY GROUPS, IN EVERY SECTOR THROUGHOUT~~  
15 ~~THE STATE IN A COLLECTIVE PROCESS;~~

16 ~~(3) FOSTERING RACIAL EQUITY THROUGH RECOGNITION,~~  
17 ~~UNDERSTANDING, ADJUSTMENT, COMPROMISE, AND FORGIVENESS; AND~~

18 ~~(4) RECOMMENDING STRATEGIES, CHANGES, AND ACTIONS IN~~  
19 ~~INSTITUTIONS, POLICIES, AND LAWS TO ELIMINATE SYSTEMIC RACISM AND~~  
20 ~~PROMOTE EQUITY, OPPORTUNITY, HEALING, AND HARMONY.~~

21 ~~(B) THE COMMISSION SHALL:~~

22 ~~(1) (i) HOLD HEARINGS AT VARIOUS LOCATIONS THROUGHOUT~~  
23 ~~THE STATE AND RECEIVE TESTIMONY FROM INDIVIDUALS, STATE AND LOCAL~~  
24 ~~AGENCIES, COMMUNITY-BASED ORGANIZATIONS, AND OTHER PUBLIC AND PRIVATE~~  
25 ~~ORGANIZATIONS; AND~~

26 ~~(ii) INVITE REPRESENTATIVES FROM INTERESTED~~  
27 ~~STAKEHOLDER GROUPS TO TESTIFY AT THE HEARINGS;~~

28 ~~(2) STUDY;~~

1           ~~(I) THE NATURE OF RACE RELATIONS, RACIAL DISPARITIES,~~  
2 ~~GENDER DIFFERENCES IN THE EXPERIENCE OF RACIAL INEQUITIES, AND~~  
3 ~~INSTITUTIONAL BIAS THROUGHOUT THE STATE;~~

4           ~~(II) THE IMPACT OF PERSISTENT RACIAL DISPARITIES AND~~  
5 ~~INSTITUTIONAL BIAS ON INDIVIDUALS AND COMMUNITIES, INCLUDING THE~~  
6 ~~EFFECTS ON HEALTH, EMPLOYMENT AND ECONOMIC STABILITY, ACCESS TO SAFE~~  
7 ~~AND AFFORDABLE HOUSING, INCOME INEQUALITY, EDUCATIONAL OPPORTUNITIES,~~  
8 ~~AND ACHIEVEMENT GAPS;~~

9           ~~(III) PAST AND ONGOING EFFORTS TO PROMOTE HUMAN RIGHTS~~  
10 ~~AND SOCIAL JUSTICE; AND~~

11           ~~(IV) BEST PRACTICES THROUGHOUT THE UNITED STATES~~  
12 ~~REGARDING POLICIES, LAWS, AND SYSTEMS DESIGNED TO ELIMINATE RACIAL AND~~  
13 ~~GENDER INEQUITIES AND FOSTER RECONCILIATION BETWEEN VARIOUS GROUPS;~~

14           ~~(3) IDENTIFY THE CRITERIA TO BE USED IN MONITORING AND~~  
15 ~~EVALUATING THE IMPLEMENTATION OF THE STRATEGIES AND CHANGES IN~~  
16 ~~INSTITUTIONS, POLICIES, AND LAWS RECOMMENDED BY THE COMMISSION;~~

17           ~~(4) MAKE RECOMMENDATIONS REGARDING STRATEGIES, CHANGES,~~  
18 ~~AND ACTIONS IN STATE INSTITUTIONS, POLICIES, AND LAWS TO IMPROVE RACE~~  
19 ~~RELATIONS, ELIMINATE RACIAL AND GENDER INEQUITIES, AND SUPPORT~~  
20 ~~RECONCILIATION, INCLUDING MEASURES TO:~~

21           ~~(I) INCREASE AWARENESS OF CONSCIOUS AND UNCONSCIOUS~~  
22 ~~BIAS AND STRUCTURAL INEQUITIES AND THEIR CONSEQUENCES;~~

23           ~~(II) ELIMINATE IMPLICIT AND EXPLICIT INSTITUTIONAL BIAS;~~

24           ~~(III) IMPROVE RACE RELATIONS, PROMOTE HEALING, AND~~  
25 ~~FOSTER RECONCILIATION BETWEEN VARIOUS GROUPS; AND~~

26           ~~(IV) PROMOTE THE OVERALL HEALTH AND SUCCESS OF~~  
27 ~~INDIVIDUALS THROUGHOUT THE STATE, INCLUDING IMPROVING ACCESS TO~~  
28 ~~EMPLOYMENT OPPORTUNITIES, SAFE AND AFFORDABLE HOUSING, ADEQUATE~~  
29 ~~MEDICAL SERVICES AND TREATMENT, AND A QUALITY EDUCATION; AND~~

30           ~~(5) USING THE CRITERIA IDENTIFIED UNDER PARAGRAPH (3) OF THIS~~  
31 ~~SUBSECTION, MONITOR AND EVALUATE THE IMPLEMENTATION OF THE~~  
32 ~~RECOMMENDED STRATEGIES AND CHANGES IN STATE INSTITUTIONS, POLICIES,~~  
33 ~~AND LAWS.~~

1 ~~9-1805.~~

2 ~~ON OR BEFORE JUNE 30 AND DECEMBER 31 EACH YEAR, THE COMMISSION~~  
3 ~~SHALL SUBMIT REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246~~  
4 ~~OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE~~  
5 ~~ACTIVITIES OF THE COMMISSION, INCLUDING A SUMMARY OF FINDINGS BASED ON~~  
6 ~~TESTIMONY RECEIVED AT THE PUBLIC HEARINGS AND OTHER FINDINGS AND~~  
7 ~~RECOMMENDATIONS OF THE COMMISSION.~~

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

- 11 ~~(1) three members in 2017;~~
- 12 ~~(2) four members in 2018; and~~
- 13 ~~(3) four members in 2019.~~

14 ~~SECTION 2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 ~~October~~ July 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.