

# HOUSE BILL 88

F3

(71r0975)

## ENROLLED BILL

— *Ways and Means/Education, Health, and Environmental Affairs* —

Introduced by ~~Delegate Lafferty~~ Baltimore County Delegation

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

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

1 AN ACT concerning

#### 2 **Education – Selection of Members to the Baltimore County School Board**

3 FOR the purpose of prohibiting the Governor from appointing certain individuals as  
4 members to the Baltimore County Board of Education in an election year; prohibiting  
5 certain individuals from seeking appointment as members of the county board in an  
6 election year; requiring the Baltimore County School Board Nominating Commission  
7 to hold a certain number of meetings, each in a separate councilmanic district, each  
8 year; requiring the ~~Commission~~ County Executive for Baltimore County, instead of  
9 the Governor, to ~~appoint~~ designate the chair of the Commission; repealing the  
10 Governor's authority to reappoint the chair of the Commission; altering the terms of  
11 certain appointed members of the county board; requiring the Commission to  
12 convene its first meeting on a certain date; and generally relating to the membership  
13 of the Baltimore County Board of Education.

14 BY repealing and reenacting, without amendments,

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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.

*Italics indicate opposite chamber/conference committee amendments.*



1 Article – Education  
2 Section 3–2A–01(a)  
3 Annotated Code of Maryland  
4 (2014 Replacement Volume and 2016 Supplement)

5 BY adding to  
6 Article – Education  
7 Section 3–2A–01(b)(5)  
8 Annotated Code of Maryland  
9 (2014 Replacement Volume and 2016 Supplement)

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 3–2A–03(a) and (c)  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2016 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Chapter 480 of the Acts of the General Assembly of 2014  
17 Section 2

18 BY repealing and reenacting, with amendments,  
19 Chapter 481 of the Acts of the General Assembly of 2014  
20 Section 2

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

23 **Article – Education**

24 3–2A–01.

25 (a) The Baltimore County Board of Education consists of:

26 (1) Seven nonpartisan elected members;

27 (2) Four appointed members; and

28 (3) One student member.

29 (b) **(5) DURING AN ELECTION YEAR:**

30 **(i) THE GOVERNOR MAY NOT APPOINT AS A MEMBER OF THE**  
31 **COUNTY BOARD AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY FOR**  
32 **ELECTION TO THE COUNTY BOARD; AND**

1 (II) AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY  
 2 FOR ELECTION TO THE COUNTY BOARD MAY NOT SEEK APPOINTMENT TO THE  
 3 COUNTY BOARD BY THE GOVERNOR THROUGH NOMINATION BY THE BALTIMORE  
 4 COUNTY SCHOOL BOARD NOMINATING COMMISSION.

5 3-2A-03.

6 (a) (1) There is a Baltimore County School Board Nominating Commission.

7 (2) The purpose of the Commission is to select nominees to be  
 8 recommended to the Governor as qualified candidates for appointment to the Baltimore  
 9 County Board of Education.

10 (3) The Commission shall hold at least [two] **THREE** public hearings,  
 11 **EACH IN A DIFFERENT COUNCILMANIC DISTRICT**, on the selection of nominees before  
 12 recommending to the Governor nominees for appointment to the county board.

13 (c) (1) The [Governor] ~~COMMISSION~~ **THE COUNTY EXECUTIVE FOR**  
 14 **BALTIMORE COUNTY** shall designate **ONE OF ITS THE COMMISSION'S MEMBERS** as  
 15 chair of the Commission [one of the eight members appointed by the Governor under  
 16 subsection (b)(3) of this section] ~~BY MAJORITY VOTE~~.

17 (2) The term of the chair of the Commission is 4 years.

18 [(3) The Governor may reappoint the chair of the Commission for a second  
 19 term.]

20 [(4)] (3) The term of a member of the Commission is 4 years.

#### 21 Chapter 480 of the Acts of 2014

22 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the appointed  
 23 members of the Baltimore County Board of Education shall expire as follows:

24 (a) The terms of the four members appointed at large who are in office on the  
 25 effective date of this Act, **OR THE TERMS OF THEIR SUCCESSORS**, shall expire [as  
 26 follows:] **AT THE END OF DECEMBER 2, 2018, AND THE GOVERNOR SHALL APPOINT**  
 27 **FOUR MEMBERS FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE**  
 28 **COUNTY SCHOOL BOARD NOMINATING COMMISSION AS ESTABLISHED UNDER §**  
 29 **3-2A-03 OF THE EDUCATION ARTICLE TO SUCCEED THOSE FOUR DEPARTING**  
 30 **MEMBERS, EACH TO SERVE FOR A TERM OF 4 YEARS BEGINNING ON DECEMBER 3,**  
 31 **2018, UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

32 [(1) the term of the member whose term is scheduled to expire on June 30,  
 33 2015, shall expire at the end of December 6, 2015, and the Governor shall appoint a member

1 to succeed that member to serve for a term of 4 years beginning on December 7, 2015, until  
2 a successor is appointed and qualifies;

3 (2) the term of the member whose term is scheduled to expire on June 30,  
4 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member  
5 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until  
6 a successor is appointed and qualifies; and

7 (3) the terms of the two members whose terms are scheduled to expire on  
8 June 30, 2018, shall expire at the end of December 2, 2018, and the Governor shall appoint  
9 two members from a list of nominees submitted by the Baltimore County School Board  
10 Nominating Commission as established by Section 1 of this Act to succeed those two  
11 departing members, each to serve for a term of 4 years beginning on December 3, 2018,  
12 until a successor is appointed and qualifies.]

13 (b) The terms of the seven members appointed from councilmanic districts 1, 2,  
14 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016,  
15 shall terminate at the end of December 2, 2018, and the members elected from those  
16 councilmanic/school board districts in Baltimore County at the general election in  
17 November 2018, shall succeed those appointed members and serve for a term of 4 years  
18 beginning on December 3, 2018, until a successor is elected and qualifies.

#### 19 Chapter 481 of the Acts of 2014

20 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the appointed  
21 members of the Baltimore County Board of Education shall expire as follows:

22 (a) The terms of the four members appointed at large who are in office on the  
23 effective date of this Act, **OR THE TERMS OF THEIR SUCCESSORS,** shall expire [as  
24 follows:] **AT THE END OF DECEMBER 2, 2018, AND THE GOVERNOR SHALL APPOINT**  
25 **FOUR MEMBERS FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE**  
26 **COUNTY SCHOOL BOARD NOMINATING COMMISSION AS ESTABLISHED UNDER §**  
27 **3-2A-03 OF THE EDUCATION ARTICLE TO SUCCEED THOSE FOUR DEPARTING**  
28 **MEMBERS, EACH TO SERVE FOR A TERM OF 4 YEARS BEGINNING ON DECEMBER 3,**  
29 **2018, UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

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35 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member  
36 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until  
37 a successor is appointed and qualifies; and

1           (3)    the terms of the two members whose terms are scheduled to expire on  
 2 June 30, 2018, shall expire at the end of December 2, 2018, and the Governor shall appoint  
 3 two members from a list of nominees submitted by the Baltimore County School Board  
 4 Nominating Commission as established by Section 1 of this Act to succeed those two  
 5 departing members, each to serve for a term of 4 years beginning on December 3, 2018,  
 6 until a successor is appointed and qualifies.]

7           (b)    The terms of the seven members appointed from councilmanic districts 1, 2,  
 8 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016,  
 9 shall terminate at the end of December 2, 2018, and the members elected from those  
 10 councilmanic/school board districts in Baltimore County at the general election in  
 11 November 2018, shall succeed those appointed members and serve for a term of 4 years  
 12 beginning on December 3, 2018, until a successor is elected and qualifies.

13           SECTION 2. AND BE IT FURTHER ENACTED, That the Baltimore County School  
 14 Board Nominating Commission shall first convene on October 1, 2017, to begin preparing  
 15 its first set of recommendations to the Governor.

16           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 17 October 1, 2017.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.