

# HOUSE BILL 88

F1

71r0975

---

By: **Delegate Lafferty**

Introduced and read first time: January 16, 2017

Assigned to: Ways and Means

---

## A BILL ENTITLED

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, instead of the Governor, to appoint the chair of the  
9 Commission; repealing the Governor's authority to reappoint the chair of the  
10 Commission; altering the terms of certain appointed members of the county board;  
11 requiring the Commission to convene its first meeting on a certain date; and  
12 generally relating to the membership of the Baltimore County Board of Education.

13 BY repealing and reenacting, without amendments,  
14 Article – Education  
15 Section 3–2A–01(a)  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2016 Supplement)

18 BY adding to  
19 Article – Education  
20 Section 3–2A–01(b)(5)  
21 Annotated Code of Maryland  
22 (2014 Replacement Volume and 2016 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – Education  
25 Section 3–2A–03(a) and (c)  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2016 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Chapter 480 of the Acts of the General Assembly of 2014  
3 Section 2

4 BY repealing and reenacting, with amendments,  
5 Chapter 481 of the Acts of the General Assembly of 2014  
6 Section 2

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

9 **Article – Education**

10 3–2A–01.

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

12 (1) Seven nonpartisan elected members;

13 (2) Four appointed members; and

14 (3) One student member.

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

16 **(I) THE GOVERNOR MAY NOT APPOINT AS A MEMBER OF THE**  
17 **COUNTY BOARD AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY FOR**  
18 **ELECTION TO THE COUNTY BOARD; AND**

19 **(II) AN INDIVIDUAL WHO FILES A CERTIFICATE OF CANDIDACY**  
20 **FOR ELECTION TO THE COUNTY BOARD MAY NOT SEEK APPOINTMENT TO THE**  
21 **COUNTY BOARD BY THE GOVERNOR THROUGH NOMINATION BY THE BALTIMORE**  
22 **COUNTY SCHOOL BOARD NOMINATING COMMISSION.**

23 3–2A–03.

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

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

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

1 (c) (1) The [Governor] COMMISSION shall designate **ONE OF ITS MEMBERS**  
2 as chair of the Commission [one of the eight members appointed by the Governor under  
3 subsection (b)(3) of this section] **BY MAJORITY VOTE.**

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

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

7 [(4)] (3) The term of a member of the Commission is 4 years.

8 **Chapter 480 of the Acts of 2014**

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

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

19 [(1) the term of the member whose term is scheduled to expire on June 30,  
20 2015, shall expire at the end of December 6, 2015, and the Governor shall appoint a member  
21 to succeed that member to serve for a term of 4 years beginning on December 7, 2015, until  
22 a successor is appointed and qualifies;

23 (2) the term of the member whose term is scheduled to expire on June 30,  
24 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member  
25 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until  
26 a successor is appointed and qualifies; and

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

33 (b) The terms of the seven members appointed from councilmanic districts 1, 2,  
34 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016,  
35 shall terminate at the end of December 2, 2018, and the members elected from those  
36 councilmanic/school board districts in Baltimore County at the general election in

1 November 2018, shall succeed those appointed members and serve for a term of 4 years  
2 beginning on December 3, 2018, until a successor is elected and qualifies.

3 **Chapter 481 of the Acts of 2014**

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

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

14 [(1) the term of the member whose term is scheduled to expire on June 30,  
15 2015, shall expire at the end of December 6, 2015, and the Governor shall appoint a member  
16 to succeed that member to serve for a term of 4 years beginning on December 7, 2015, until  
17 a successor is appointed and qualifies;

18 (2) the term of the member whose term is scheduled to expire on June 30,  
19 2016, shall expire at the end of December 4, 2016, and the Governor shall appoint a member  
20 to succeed that member to serve for a term of 4 years beginning on December 5, 2016, until  
21 a successor is appointed and qualifies; and

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

28 (b) The terms of the seven members appointed from councilmanic districts 1, 2,  
29 3, 4, 5, 6, and 7 of Baltimore County, or their successors, who are in office on June 1, 2016,  
30 shall terminate at the end of December 2, 2018, and the members elected from those  
31 councilmanic/school board districts in Baltimore County at the general election in  
32 November 2018, shall succeed those appointed members and serve for a term of 4 years  
33 beginning on December 3, 2018, until a successor is elected and qualifies.

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

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