

Bylaws

Maryland Lynching Truth and Reconciliation Commission

PREAMBLE

Pursuant to the powers vested in the Maryland Lynching Truth and Reconciliation Commission under Chapter 41, Acts of 2019, which established its goals, powers, and term, the following are hereby adopted and declared as the Commission Bylaws.

Article I. Name, Purpose, and Powers

Section 1. The Maryland Lynching Truth and Reconciliation Commission (hereafter "the Commission") is a public body charged with responsibility to hold public hearings related to the history of racially motivated lynchings within the State of Maryland and receive and make recommendations that address the legacy of lynching in the State.

Section 2. The Commissioners shall perform the duties and exercise the powers specified in Chapter 41, Acts of 2019, and other pertinent provisions of law.

Section 3. The Commissioners may make and adopt rules and prescribe policies and procedures for the management, operation, and control of the Commission.

Article II. The Charge and the Responsibilities of the Commission

Section 1. As required by Chapter 41, Acts of 2019, the Commission shall hold regional hearings open to the public in areas in which a lynching of an African American by a white mob has been documented; receive from the public, including those from the families and communities affected by racially motivated lynchings, recommendations for addressing, engaging, and reconciling communities affected by racially motivated lynchings, including the erection of memorial plaques or signage at or near the sites of racially motivated lynchings, and make recommendations for addressing the legacy of lynching that are rooted in the spirit of restorative justice.

Section 2. The Commission may also hold monthly public business meetings for any purposes not inconsistent with the authorizing statute, such as preparing for its role of holding public hearings.

Section 3. The Commission may create committees as needed to perform tasks related to the duties and responsibilities of the Commission. Committees may be created in accordance with the following:

- A. Committee shall be established by majority vote of the Commission.

- B. The Chair shall appoint committee members and reassign or remove committee members.
- C. Interested parties, such as subject matter experts who are not official commission Board members, may advise or may provide input to the committees on a pro bono basis.

Section 4. The Commission and its committees will collaboratively work with experts, the public, including non-Board members interested in the overall charter of the commission, and others to prepare and submit the interim and final reports according to the timelines required under the authorizing statute.

Section 5. The Commission shall conduct its statutory charge with utmost sensitivity and prudence as it relates to the confidential character or personal nature of data, information, or stories shared by or submitted by members of the public, subject matter experts, and testifiers.

Article III. Meetings and Quorum; and Records

Section 1. Regional hearings of the Commission and other meetings of the Commission shall be held at such time and place, and through such technological means, as the Commission may determine appropriate, and which shall not be inconsistent with the authorizing statute or with these by-laws.

Section 2. All Commission hearings and meetings shall be conducted in accordance with the Open Meetings Act, Annotated Code of Maryland, Title 3 of the General Provisions Article. As such, hearings and meetings of the Commission will generally be open to the public, unless an exception applies.

Section 3. Hearings, Meetings, and Quorum Generally

A. Hearings

- 1) As prescribed by Chapter 41, Acts of 2019, the Commission may research cases of racially motivated lynchings and the involvement of State, county, and local government entities and relevant news media.
- 2) The hearings shall be held at accessible locations.
- 3) Adequate notice to the public shall be given.
- 4) A record of the public hearing proceedings shall be produced, kept, and retained by the Secretary or Assistant Secretary in accordance with procedures for records to be adopted by the Commission.

B. Meetings

- 1) The Commission and its committees may hold such meetings consistent with these by-laws.
- 2) The meetings shall be called by the Chair or by an officer acting on the Chair's behalf.

- 3) Meetings will be held no less than monthly. Commission members shall make every attempt to attend in person the meetings of the Commission and their assigned committee. If a Commission member cannot attend in person he or she may, with approval of the Chair, attend electronically so long as each member can accessibly communicate with each other, be understood, and be actively part of the decision-making process.
- 4) Minutes of the meetings shall be produced, kept, and retained by the Secretary or the Assistant Secretary in accordance with procedures adopted by the Commission.
- 5) An agenda for each meeting shall be provided by the Chair, or an officer acting in the Chair's absence, to Commission members at least one day in advance of the next regularly scheduled meeting.
- 6) The Commission and its committees may receive such advice and input as deemed necessary to meet its statutory purpose and powers discussed above so as not to be otherwise inconsistent with the authorizing statute or these by-laws.
- 7) A meeting may be canceled at the discretion of the Chair or an officer acting in the Chair's absence if it is determined that the meeting is not necessary.

C. Quorum and Voting

- 1) A quorum for any meeting of the Commission shall consist of a majority of its members. Both physical and virtual attendance at meetings counts towards the existence of a quorum.
- 2) Each Commission member shall be entitled to one vote. There shall be no voting by proxy.
- 3) Voting shall be held by oral roll call and documented in the minutes.
- 4) A vote cast by a Commission member while in attendance at a meeting virtually will be the same as if that Commission Board member was physically present.

D. Rules of Order

The rules contained in Robert's Rules of Order Newly Revised shall govern this Commission where not inconsistent with the Bylaws of the Commission or state law.

Section 4. The official records of the Commission shall be maintained in the Offices of Bowie State University or at such other designated location as the Commission may from time to time determine.

Article IV. Officers

Section 1. Commissioners shall serve during good behavior which is not inconsistent with the authorizing statute or these Bylaws. A member of the Commission shall serve until one of the following happens:

- A. The Commission member resigns from the Commission;

- B. A new Commission member is appointed to serve in one of the ex-officio positions;
- C. The Commission member is removed for cause by a vote of three-quarters of Commission Members.

Section 2. Roles of Officers

Chair: The Chair speaks on behalf of the Commission and shall preside at all meetings of the Commission. The Chair is the designated signer of papers authorized by the Commission and performs such other duties as the Commission may from time to time assign.

Vice Chair: At the request of or in the absence of the Chair, the Vice Chair shall perform all of the duties of the Chair, and, while so acting, shall have all the powers and authority of the Chair. In addition, the Vice Chair shall perform such other duties as from time to time may be assigned by the Commission or by the Commission Chair.

Secretary: The staff member from Bowie State University with the support of the staff member designee from the Maryland Lynching Memorial Project shall serve as the Secretary for the Commission.

Article V. Amendments

These Bylaws may be amended by a majority vote of the members of the Commission at any regular meeting.

Adopted November 16, 2019