

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, after “County” insert “School System”; in the same line, strike the second “-”; in the same line, after “Districts” insert “- Management”; strike beginning with “elected” in line 6 down through “county” in line 7 and substitute “appointed by the County Executive of Prince George’s County and the Governor”; in line 8, after “members;” insert “altering the authorized salaries and reimbursable expenses of school board members; establishing a chief financial officer in the Prince George’s County School System with certain duties and responsibilities; providing for the alteration of the structure of the County Board to an all-elected board with certain membership under certain circumstances, subject to a certain referendum; providing for the appointment of an interim superintendent of schools and of a permanent superintendent of schools in Prince George’s County in a certain manner under certain circumstances; providing for the termination of the terms of certain appointed and elected members of the County Board under certain circumstances; providing for the effective date of certain provisions of this Act; making portions of this Act subject to a certain contingency;”; in lines 10 and 11, strike “making this Act an emergency measure;”; in line 20, after “3-1001” insert “and 3-1008”; and in line 25, strike “3-1002” and substitute “3-108, 3-114(a), 3-1002, and 3-1003”.

On page 2, after line 5, insert:

“BY adding to

Article - Education

Section 3-1001

Annotated Code of Maryland

(2001 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Education

(Over)

Section 3-1002
Annotated Code of Maryland
(2001 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 704 of the Acts of the General Assembly of 1998, as amended by Chapter 420 of the
Acts of the General Assembly of 2001
Section 2, 3, 4, and 5”.

On page 3, in line 7, after “PRECINCTS” insert “3”.

AMENDMENT NO. 2

On page 2, after line 11, insert:

“3-108.

(a) Except for the New Baltimore City Board of School Commissioners established under § 3-108.1 of this subtitle, THE PRINCE GEORGE’S COUNTY SCHOOL BOARD UNDER § 3-1002 OF THIS TITLE, and counties listed in § 3-114 of this subtitle, the Governor shall appoint the members of each county board from the residents of that county.

(b) (1) Each member shall be appointed solely because of character and fitness and without regard to political affiliation.

(2) An individual who is subject to the authority of the county board may not be appointed to or serve on the county board.

(c) (1) Each member serves for a term of 5 years beginning July 1 after his appointment and until a successor is appointed and qualifies.

(2) The Governor shall appoint a new member to fill any vacancy on an appointed board for the remainder of that term and until a successor is appointed and qualifies.

(3) Unless otherwise disqualified under this section, a member of a board is eligible for reappointment. However, an individual may not serve for more than 2 consecutive terms.

(d) (1) With the approval of the Governor, the State Superintendent may remove any

member of a county board appointed under this section for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency;

(iv) Willful neglect of duty; or

(v) Failure to attend, without good cause, at least half of the scheduled meetings of the board in any one calendar year.

(2) Before removing a member, the State Superintendent shall send the member a copy of the charges against him and give him an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10-day period:

(i) The State Superintendent promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Superintendent sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Superintendent in his own defense, in person or by counsel.

(4) If a member who is removed so requests, the State Superintendent shall file with the clerk of the circuit court for the county from which the member was appointed:

(i) A complete statement of all charges made against the member;

(ii) The findings of the State Superintendent; and

(iii) A complete record of the proceedings.

(Over)

3-114.

(a) In the following counties, the members of the county board shall be elected:

- (1) Allegany;
- (2) Calvert;
- (3) Carroll;
- (4) Charles;
- (5) Frederick;
- (6) Garrett;
- (7) Howard;
- (8) Kent;
- (9) [Prince George's;
- (10)] Montgomery;
- [~~(11)~~] (10) St. Mary's;
- [~~(12)~~] (11) Somerset; and
- [~~(13)~~] (12) Washington.”.

AMENDMENT NO. 3

On page 3, after line 23, insert:

“3-1003.

(a) From and after [July 1, 1988] DECEMBER 2, 2002, at the beginning of each member’s full term, the Chairman of the County Board is entitled to receive [\$14,000] \$19,000 annually as compensation and the other elected AND APPOINTED members are each entitled to receive [\$13,000] \$18,000 annually as compensation.

(b) [Until the salaries of the Chairman and members of the County Board are established in accordance with the provisions of subsection (a) of this section:

(1) The Chairman of the County Board shall be paid at the rate of \$8,500 annually; and

(2) The other elected members of the County Board shall be paid at the rate of \$8,000 annually.

(c)] (1) After submitting vouchers under the rules and regulations adopted by the County Board, the Chairman and the other members, including the student member, are entitled to the allowances for travel and other expenses provided in the Prince George’s County budget.

(2) A MEMBER OF THE COUNTY BOARD MAY NOT BE REIMBURSED MORE THAN \$7,000 IN TRAVEL AND OTHER EXPENSES INCURRED IN A SINGLE FISCAL YEAR.”.

AMENDMENT NO. 4

On page 3, before line 24, insert:

“3-1008.

(A) THERE IS A CHIEF FINANCIAL OFFICER IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM WHO SHALL:

(1) BE RESPONSIBLE FOR THE DAY-TO-DAY MANAGEMENT AND

(Over)

OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM; AND

(2) BE RESPONSIBLE DIRECTLY TO THE COUNTY BOARD.

(B) THE COUNTY BOARD SHALL:

(1) SELECT THE CHIEF FINANCIAL OFFICER; AND

(2) ESTABLISH THE SALARY OF THE CHIEF FINANCIAL OFFICER.

(C) THE EMPLOYMENT CONTRACT OF THE CHIEF FINANCIAL OFFICER SHALL PROVIDE THAT CONTINUED EMPLOYMENT IS CONTINGENT ON THE EFFECTIVE FISCAL MANAGEMENT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS.

(D) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE CHIEF FINANCIAL OFFICER SHALL SUBMIT A REPORT ON THE FINANCIAL CONDITION OF THE SCHOOL SYSTEM TO THE COUNTY SUPERINTENDENT, THE COUNTY EXECUTIVE, THE COUNTY COUNCIL, AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE PRINCE GEORGE'S COUNTY DELEGATIONS TO THE HOUSE OF DELEGATES AND THE SENATE OF MARYLAND.

(E) THE CHIEF FINANCIAL OFFICER IS NOT A PUBLIC OFFICER UNDER THE CONSTITUTION OR THE LAWS OF THE STATE.”.

AMENDMENT NO. 5

On page 4, in line 3, after “(a)” insert “(1)”; in the same line, strike the comma; in the same line, strike ““elected” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) “APPOINTED MEMBER” MEANS ONE OF THE FOUR MEMBERS JOINTLY SELECTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND THE GOVERNOR.

(3) “ELECTED”;

in lines 3 and 5, in each instance, strike “nine” and substitute “FIVE”; in line 6, after “(b)” insert “(1)”; in lines 8, 10, and 11, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 10, strike “ELECTED” and substitute “APPOINTED”; after line 12, insert:

“(2) THE FIVE ELECTED MEMBERS SHALL BE ELECTED IN THE NOVEMBER GENERAL ELECTION OF 2002 BASED ON THE SCHOOL BOARD DISTRICT THEY REPRESENT, WITH ONE MEMBER ELECTED FROM EACH DISTRICT.

(3) (I) THE FOUR APPOINTED MEMBERS SHALL BE APPOINTED FROM THE COUNTY AT LARGE JOINTLY BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND THE GOVERNOR FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.

(II) THE FOUR APPOINTED MEMBERS SERVE FOR A 4-YEAR TERM.

(III) THE FOUR APPOINTED MEMBERS MAY NOT SERVE FOR MORE THAN TWO TERMS.

(4) (I) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND THE GOVERNOR SHALL JOINTLY SELECT ONE OF THE APPOINTED MEMBERS TO SERVE AS THE CHAIRMAN OF THE BOARD.

(II) THE CHAIRMAN OF THE BOARD SHALL SERVE FOR A 2-YEAR TERM.

(III) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE CHAIRMAN OF THE BOARD MAY BE SELECTED TO SERVE MORE THAN ONE TERM.”;

in line 16, after the second “for” insert “A POSITION AS AN ELECTED MEMBER OF”; in line 21, strike “Fails” and substitute “IN THE CASE OF AN ELECTED MEMBER, FAILS”; in line 27, strike “(I)”; strike beginning with “WHO” in line 27 down through “DISTRICT” in line 28; strike in their entirety lines 30 through 32, inclusive; in line 33, after “(d)” insert “(1)”; in the same line, strike “Members” and substitute “ELECTED MEMBERS”; and in line 34, strike “(1)” and substitute “(I)”.

On page 5, in line 1, strike “(2) (I)” and substitute “(II)”; strike beginning with the semicolon in line 1 down through “COUNTY” in line 4; after line 4, insert:

“(2) (I) EACH APPOINTED MEMBER SHALL:

1. BE A RESIDENT OF THE COUNTY; AND

2. BE JOINTLY APPOINTED BY THE COUNTY EXECUTIVE AND THE GOVERNOR TO SERVE AT LARGE FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.

(II) 1. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY AND SHALL HAVE SERVED IN A HIGH LEVEL MANAGEMENT POSITION WITH SUCH AN ENTITY.

2. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN GOVERNMENTAL BUDGET PROCESSES AND PRINCIPLES.

3. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION.”;

and in line 5, after “for” insert “A POSITION AS AN ELECTED MEMBER OF”.

On page 6, in lines 17, 30, and 35, in each instance, after “elected” insert “OR APPOINTED”; in line 18, after “election” insert “OR APPOINTMENT”; in line 25, after “(4)” insert “(1)”; in line 27, strike “on” and substitute “IN A POSITION OF AN ELECTED MEMBER OF”; after line 28, insert:

“(II) TO THE EXTENT PRACTICABLE, THE COUNTY EXECUTIVE AND THE GOVERNOR SHALL FILL ANY VACANCY IN A POSITION OF AN APPOINTED MEMBER OF THE COUNTY BOARD WITHIN 60 DAYS AFTER THE DATE OF THE VACANCY FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.”;

in lines 30 and 35, in each instance, strike “AND TWO COUNTY AT LARGE MEMBERS”; and after line 37, insert:

“(3) OF THE APPOINTED MEMBERS WHO ARE APPOINTED TO SERVE STARTING ON THE FIRST MONDAY IN DECEMBER 2002:

(I) TWO SHALL SERVE UNTIL THE FIRST MONDAY IN DECEMBER 2004, AND SHALL BE ELIGIBLE TO SEEK REAPPOINTMENT TO A 4-YEAR TERM; AND

(II) TWO SHALL SERVE UNTIL THE FIRST MONDAY IN DECEMBER 2006, AND SHALL BE ELIGIBLE TO SEEK REAPPOINTMENT TO A 4-YEAR TERM.”.

On page 7, in line 22, after “(a)” insert “(1)”; in the same line, strike the comma; in the same line, strike ““elected” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “APPOINTED MEMBER” MEANS ONE OF THE FOUR MEMBERS JOINTLY SELECTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE’S COUNTY AND THE GOVERNOR.

(3) “ELECTED”;

in lines 22 and 24, in each instance, strike “nine” and substitute “FIVE”; in line 25, after “(b)” insert “(1)”; in lines 27, 29, and 30, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 29, strike “ELECTED” and substitute “APPOINTED”; and after line 31, insert:

“(2) THE FIVE ELECTED MEMBERS SHALL BE ELECTED IN THE NOVEMBER GENERAL ELECTION OF 2002 BASED ON THE SCHOOL BOARD DISTRICT THEY REPRESENT, WITH ONE MEMBER ELECTED FROM EACH DISTRICT.

(3) (I) THE FOUR APPOINTED MEMBERS SHALL BE APPOINTED FROM THE COUNTY AT LARGE JOINTLY BY THE COUNTY EXECUTIVE OF PRINCE GEORGE’S COUNTY AND THE GOVERNOR FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.

(II) THE FOUR APPOINTED MEMBERS SERVE FOR A 4-YEAR TERM.

(III) THE FOUR APPOINTED MEMBERS MAY NOT SERVE FOR MORE THAN TWO TERMS.

(4) (I) THE COUNTY EXECUTIVE OF PRINCE GEORGE’S COUNTY AND THE GOVERNOR SHALL JOINTLY SELECT ONE OF THE APPOINTED MEMBERS TO SERVE AS THE CHAIRMAN OF THE BOARD.

(II) THE CHAIRMAN OF THE BOARD SHALL SERVE FOR A 2-YEAR TERM.

(III) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE CHAIRMAN OF THE BOARD MAY BE SELECTED TO SERVE MORE THAN ONE TERM.”.

On page 8, in line 4, after the second “for” insert “A POSITION AS AN ELECTED MEMBER OF”; in line 9, strike “Fails” and substitute “IN THE CASE OF AN ELECTED MEMBER, FAILS”; in line 17, after “(d)” insert “(1)”; in the same line, strike “Members” and substitute “ELECTED MEMBERS”; in line 18, strike “(1)” and substitute “(I)”; in line 20, strike “(2) (I)” and substitute “(II)”; strike beginning with the semicolon in line 21 down through “COUNTY” in line 23; after line 23, insert:

“(2) (I) EACH APPOINTED MEMBER SHALL:

1. BE A RESIDENT OF THE COUNTY; AND

2. BE JOINTLY APPOINTED BY THE COUNTY EXECUTIVE AND THE GOVERNOR TO SERVE AT LARGE FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.

(II) 1. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY, AND SHALL HAVE SERVED IN A HIGH LEVEL MANAGEMENT POSITION WITH SUCH AN ENTITY.

2. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE IN GOVERNMENTAL BUDGET PROCESSES AND PRINCIPLES.

3. AT LEAST ONE OF THE APPOINTED MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION.”;

and in line 24, after “for” insert “A POSITION AS AN ELECTED MEMBER OF”.

On page 10, in lines 1, 14, and 19, in each instance, after “elected” insert “OR APPOINTED”; in line 2, after “election” insert “OR APPOINTMENT”; in line 9, after “(4)” insert “(I)”; in line 11, strike “on” and substitute “IN A POSITION OF AN ELECTED MEMBER OF”;

(Over)

after line 12, insert:

“(II) TO THE EXTENT PRACTICABLE, THE COUNTY EXECUTIVE AND THE GOVERNOR SHALL FILL ANY VACANCY IN A POSITION OF AN APPOINTED MEMBER OF THE COUNTY BOARD WITHIN 60 DAYS AFTER THE DATE OF THE VACANCY FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED BY THE STATE BOARD.”;

in lines 14 and 19, in each instance, strike “AND TWO COUNTY AT LARGE MEMBERS”; and after line 21 insert:

“(3) OF THE APPOINTED MEMBERS WHO ARE APPOINTED TO SERVE STARTING ON THE FIRST MONDAY IN DECEMBER 2002:

(I) TWO SHALL SERVE UNTIL THE FIRST MONDAY IN DECEMBER 2004, AND SHALL BE ELIGIBLE TO SEEK REAPPOINTMENT TO A 4-YEAR TERM; AND

(II) TWO SHALL SERVE UNTIL THE FIRST MONDAY IN DECEMBER 2006, AND SHALL BE ELIGIBLE TO SEEK REAPPOINTMENT TO A 4-YEAR TERM.”.

AMENDMENT NO. 6

On page 11, after line 2, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Sections 3 and 4 of this Act be repealed.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Education

3-1001.

THE PRINCE GEORGE'S COUNTY SCHOOL BOARD DISTRICTS ARE COTERMINOUS WITH THE NINE COUNCILMANIC DISTRICTS AS ADOPTED BY THE PRINCE GEORGE'S COUNTY COUNCIL AND REVIEWED AND CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS OR THEIR DESIGNEES AS PART OF THE 2000 CENSUS REDISTRICTING DATA PROGRAM AND EACH DECENNIAL CENSUS REDISTRICTING DATA PROGRAM THEREAFTER.

3-1002.

(a) In this subtitle, "elected member" means one of the nine elected members of the Prince George's County Board or a member appointed to fill a vacancy of one of these nine members.

(b) The Prince George's County Board consists of 10 MEMBERS AS FOLLOWS:

(1) [nine] ONE elected [members] MEMBER FROM EACH OF THE NINE COUNCILMANIC DISTRICTS; and

(2) [one] ONE student member selected under subsection (f)(2) of this section.

(c) (1) A candidate for the County Board shall be a resident of Prince George's County for at least 3 years and a registered voter of the county before the election.

(2) From the time of filing as a candidate for election, each candidate for the County Board shall reside in the school board district the candidate seeks to represent.

(3) An elected County Board member shall forfeit [his] THE office if [he] THE MEMBER:

(i) Fails to reside in the school board district from which [he] THE MEMBER was elected, unless this change is caused by a change in the boundaries of the district; or

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(ii) Fails to be a registered voter of the county.

(4) A County Board member may not hold another office of profit in county government during [his] THE MEMBER'S term.

(5) Each elected member of the County Board shall be nominated by the registered voters of [his] THE MEMBER'S school board district.

(d) Members of the Prince George's County Board shall be elected:

(1) At the general election every [2] 4 years as required by subsection (g) of this section; and

(2) By the registered voters of [his] THE MEMBER'S school board district.

(e) (1) If a candidate for the County Board dies or withdraws the candidacy during the period beginning with the date of the primary and ending 70 days before the date of the general election, the Board of Supervisors of Elections shall:

(i) Replace the name of the deceased or withdrawn candidate on the ballot for the general election with the name of the candidate who received the next highest number of votes in the primary election; or

(ii) If a contested primary was not held, reopen the filing process to allow other persons to file as candidates.

(2) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, the Board of Supervisors of Elections shall add to the ballot for the general election the name of any person who files as a candidate in accordance with paragraph (1)(ii) of this subsection.

(ii) The Board of Supervisors of Elections may not add additional candidates to the ballot for the general election within 70 days before the date of the election.

(f) (1) The student member shall be an eleventh or twelfth grade student in the

Prince George's County public school system during the student's term in office.

(2) An eligible student shall file a nomination form at least 2 weeks before a special election meeting of the Prince George's Regional Association of Student Governments. Nomination forms shall be made available in the administrative offices of all public senior high schools in the county, the office of student concerns, and the office of the president of the regional association. The delegates to the regional association annually shall elect the student member to the Board at a special election meeting to be held each school year.

(3) The student member may vote on all matters before the Board except those relating to:

(i) Capital and operating budgets;

(ii) School closings, reopenings, and boundaries;

(iii) Collective bargaining decisions;

(iv) Student disciplinary matters;

(v) Teacher and administrator disciplinary matters as provided under § 6-202(a) of this article; and

(vi) Other personnel matters.

(4) On an affirmative vote of a majority of the elected members of the County Board, the Board may determine if a matter before the Board relates to a subject that the student member may not vote on under paragraph (3) of this subsection.

(5) Unless invited to attend by an affirmative vote of a majority of the County Board, the student member may not attend an executive session that relates to hearings on appeals of special education placements, hearings held under § 6-202(a) of this article, or collective bargaining.

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(6) The Prince George's Regional Association of Student Governments may establish procedures for the election of the student member of the County Board.

(7) The election procedures established by the Prince George's Regional Association of Student Governments are subject to the approval of the elected members of the County Board.

(g) (1) [Each] AN elected member serves for a term of 4 years beginning on the first Monday in December after [his] THE MEMBER'S election and until [his] THE MEMBER'S successor is elected and qualifies. [The terms of members are staggered as required by the terms of the members serving on the County Board as of July 1, 1978.]

(2) The student member serves for a term of 1 year beginning at the end of a school year.

(3) Subject to the confirmation of the County Council, the County Executive of Prince George's County shall appoint a qualified individual to fill any vacancy on the County Board until a successor is elected and qualifies at the next Congressional election.

(h) [(1) The County Board members from school board districts II, V, and VIII who were elected for the first time at the November 6, 1973 election serve until the first Monday in December 1978 and may seek reelection in 1978 for a 4-year term.

(2) The members from school board districts III, VI, and IX who were elected at the November 6, 1973 election serve until the first Monday in December, 1980 and may seek reelection in 1980 for a 4-year term.

(i) (1) With the approval of the Governor, the State Board may remove a member of the County Board for any of the following reasons:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

(2) Before removing a member, the State Board shall send the member a copy of the charges [against him] PENDING and give [him] THE MEMBER an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10-day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in [his] THE MEMBER'S own defense, in person or by counsel.

(4) A member removed under this subsection has the right to a de novo review of the removal by the Circuit Court for Prince George's County."

AMENDMENT NO. 7

On page 11, in line 3, strike "5." and substitute "7."; and strike in their entirety lines 7 through 16, inclusive, and substitute:

"SECTION 8. AND BE IT FURTHER ENACTED, That if there is a vacancy in the position of county superintendent in the Prince George's County school system on or after the date this Act takes effect, the Prince George's County Board of Education may not appoint a permanent county superintendent of schools until after the first Monday in December, 2002. The Prince George's County Board of Education shall initiate a search process for a permanent county superintendent not later than 30 days after the first Monday in December 2002. The Board shall appoint a permanent county superintendent no later than April 1, 2003, unless extenuating circumstances exist as determined by the Board, in consultation with the State Superintendent of Schools. In this event, the Board shall appoint a permanent county superintendent no later than July 1, 2003.

SECTION 9. AND BE IT FURTHER ENACTED, That, subject to Section 10 of this Act,

(Over)

Section 4 of this Act shall take effect on the taking effect of the termination provision specified in Section 4 of Chapter 464 of the Acts of the General Assembly of 1999. If that termination provision takes effect, Section 3 of this Act shall be abrogated and of no further force and effect. This Act may not be interpreted to have any effect on that termination provision.

SECTION 10. AND BE IT FURTHER ENACTED, That before Sections 5 and 6 of this Act become effective they shall first be submitted to a referendum of the legally qualified voters of Prince George's County at the general election to be held in November of 2006. The cost of the special election, if any, shall be paid by the County governing body. The County governing body and the Board of Supervisors of Elections of Prince George's County shall do those things necessary and proper to provide for and hold the referendum required by this section. If a majority of the votes cast on the question are "For the referred law" the provisions of Sections 5 and 6 of this Act shall become effective on January 1, 2008, but if a majority of the votes cast on the question are "Against the referred law" the provisions of Sections 5 and 6 of this Act are of no effect and null and void. Notwithstanding the effect of the provisions of Sections 5 and 6 of this Act after approval at referendum under this section, the members of the Board serving on December 31, 2007 shall remain in office until December 1, 2008, and if a vacancy occurs before November 4, 2008, the member's successor shall be appointed in accordance with Section 3 or Section 4 of this Act, as appropriate, to serve for the remainder of the unexpired term.

SECTION 11. AND BE IT FURTHER ENACTED, That, except as provided in Sections 9 and 10 of this Act, this Act shall take effect June 1, 2002."