
By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - School Board Membership - Referendum**
3 **PG 404-02**

4 FOR the purpose of requiring that, for the Prince George's County Board of
5 Education, any County Board restructuring plan be submitted to a referendum
6 of the legally qualified voters of Prince George's County; defining a certain term;
7 requiring the Prince George's County Council and the Prince George's County
8 Board of Elections to provide for and hold the referendum; and generally
9 relating to certain referendum requirements for any Prince George's County
10 Board of Education restructuring plan.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 3-1002(e)
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2001 Supplement)

16 BY adding to
17 Article - Education
18 Section 3-1002(j)
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2001 Supplement)

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

23 **Article - Education**

24 3-1002.

25 (e) (1) If a candidate for the County Board dies or withdraws the candidacy
26 during the period beginning with the date of the primary and ending 70 days before
27 the date of the general election, the PRINCE GEORGE'S COUNTY Board of [Supervisors
28 of] Elections shall:

1 (i) Replace the name of the deceased or withdrawn candidate on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

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

6 (2) (i) Except as otherwise provided in subparagraph (ii) of this
7 paragraph, the PRINCE GEORGE'S COUNTY Board of [Supervisors of] Elections shall
8 add to the ballot for the general election the name of any person who files as a
9 candidate in accordance with paragraph (1)(ii) of this subsection.

10 (ii) The PRINCE GEORGE'S COUNTY Board of [Supervisors of]
11 Elections may not add additional candidates to the ballot for the general election
12 within 70 days before the date of the election.

13 (J) (1) IN THIS SUBSECTION, "COUNTY BOARD RESTRUCTURING PLAN"
14 MEANS AN ENACTMENT BY THE GENERAL ASSEMBLY THAT ALTERS THE:

15 (I) COMPOSITION OF THE COUNTY BOARD UNDER SUBSECTION (B)
16 OF THIS SECTION; OR

17 (II) APPOINTMENT OF MEMBERS TO THE COUNTY BOARD UNDER
18 SUBSECTION (G) OF THIS SECTION.

19 (2) BEFORE A COUNTY BOARD RESTRUCTURING PLAN BECOMES
20 EFFECTIVE, IT SHALL FIRST BE SUBMITTED TO A REFERENDUM OF THE LEGALLY
21 QUALIFIED VOTERS OF PRINCE GEORGE'S COUNTY AT A GENERAL OR SPECIAL
22 ELECTION.

23 (3) THE PRINCE GEORGE'S COUNTY COUNCIL AND THE PRINCE
24 GEORGE'S COUNTY BOARD OF ELECTIONS SHALL PROVIDE FOR AND HOLD THE
25 REFERENDUM.

26 (4) IF A MAJORITY OF THE VOTES CAST ON THE QUESTION ARE "FOR
27 THE REFERRED LAW" THE PROVISIONS OF THE COUNTY BOARD RESTRUCTURING
28 PLAN IS TO BECOME EFFECTIVE ON THE 30TH DAY FOLLOWING THE OFFICIAL
29 CANVASS OF VOTES FOR THE REFERENDUM.

30 (5) IF A MAJORITY OF THE VOTES CAST ON THE QUESTION ARE
31 "AGAINST THE REFERRED LAW" THE PROVISIONS OF THE COUNTY BOARD
32 RESTRUCTURING PLAN ARE OF NO EFFECT AND VOID.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2002.