
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 - Board of Education - Elected and Appointed**
3 **Members, Districts, and Taxing Authority**
4 **PG 420-02**

5 FOR the purpose of redistricting the school board districts of Prince George's County
6 to reduce the number of districts; restructuring the membership of the Prince
7 George's County Board of Education (County Board) to require certain members
8 to be appointed at large by the County Executive and the Governor for a certain
9 time period, certain members to be elected from school board districts, and
10 certain members to be elected from the county at large; providing for the terms
11 of office of the members appointed at large, elected from the county at large, and
12 elected from school board districts; repealing certain obsolete provisions;
13 providing for the termination of the terms of the elected members of the County
14 Board; establishing a chief financial officer in the Prince George's County public
15 school system; requiring the County Board to appoint an interim superintendent
16 who may not serve more than a certain number of years and who is ineligible to
17 be appointed as a permanent superintendent; authorizing the County Board to
18 levy a property tax; requiring a proposed property tax to be submitted to a
19 referendum of the legally qualified voters of Prince George's County; making
20 this Act an emergency measure; and generally relating to the Prince George's
21 County Board of Education.

22 BY repealing

23 Article - Education
24 Section 3-1001
25 Annotated Code of Maryland
26 (1999 Replacement Volume and 2001 Supplement)

27 BY adding to

28 Article - Education
29 Section 3-1001, 3-1008, and 3-1009
30 Annotated Code of Maryland
31 (1999 Replacement Volume and 2001 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article - Education
3 Section 3-1002 and 4-201(d)
4 Annotated Code of Maryland
5 (1999 Replacement Volume and 2001 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article - Education
8 Section 3-1002
9 Annotated Code of Maryland
10 (1999 Replacement Volume and 2001 Supplement)
11 (As enacted by Chapter 464 of the Acts of the General Assembly of 1999)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That Section(s) 3-1001 of Article - Education of the Annotated Code of
14 Maryland be repealed.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
16 read as follows:

17 **Article - Education**

18 3-1001.

19 (A) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS, INCLUDING ALL
20 REFERENCES TO ELECTION DISTRICTS AND PRECINCTS, ARE TO GEOGRAPHICAL
21 BOUNDARIES OF THE ELECTION DISTRICTS AND PRECINCTS, AS REVIEWED AND
22 CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS AS PART OF
23 THE 2000 CENSUS REDISTRICTING DATA PROGRAM.

24 (B) (1) THE SIX SCHOOL BOARD DISTRICTS SHALL:

25 (I) BE CREATED AFTER THE LEGISLATIVE REDISTRICTING PLAN,
26 BASED ON THE 2000 CENSUS DATA, IS ADOPTED BY THE GENERAL ASSEMBLY; AND

27 (II) CONSIST OF THE ELECTION DISTRICTS IN PRINCE GEORGE'S
28 COUNTY.

29 (2) EACH OF THE SIX SCHOOL BOARD DISTRICTS SHALL BE
30 SUBSTANTIALLY EQUAL IN POPULATION.

31 (C) BEGINNING IN 2002, THE SCHOOL BOARD DISTRICTS SHALL BE
32 REDISTRICTED EVERY 10 YEARS BASED ON THE LATEST U.S. CENSUS DATA.

33 3-1008.

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

1 (1) BE RESPONSIBLE FOR THE DAY-TO-DAY MANAGEMENT AND
2 OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC
3 SCHOOL SYSTEM;

4 (2) REPORT FINDINGS AND RECOMMENDATIONS DIRECTLY TO THE
5 COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND THE GENERAL ASSEMBLY;
6 AND

7 (3) SUBMIT A COPY OF THE REPORT TO THE COUNTY BOARD AND THE
8 SUPERINTENDENT.

9 (B) THE GOVERNOR AND COUNTY EXECUTIVE SHALL JOINTLY:

10 (1) SELECT THE CHIEF FINANCIAL OFFICER; AND

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

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

15 (D) THE CHIEF FINANCIAL OFFICER IS NOT A PUBLIC OFFICER UNDER THE
16 CONSTITUTION OR THE LAWS OF THE STATE.

17 3-1009.

18 (A) SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, THE
19 COUNTY BOARD MAY LEVY, BY RESOLUTION, A PROPERTY TAX ON THE ASSESSABLE
20 PROPERTY OF THE COUNTY TO PROVIDE FUNDING FOR PUBLIC SCHOOL OPERATIONS
21 AND EXPENSES IN THE COUNTY.

22 (B) THE TAX AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION IS IN
23 ADDITION TO THE COUNTY'S PROPERTY TAX.

24 (C) THE PROPERTY TAX:

25 (1) SHALL BE COLLECTED IN THE SAME MANNER THAT STATE AND
26 COUNTY PROPERTY TAXES ARE COLLECTED IN THE COUNTY; AND

27 (2) IS SUBJECT TO THE SAME EXEMPTIONS, CREDITS, PAYMENT
28 REQUIREMENTS, AND ENFORCEMENT PROVISIONS THAT APPLY TO THE COUNTY
29 PROPERTY TAX UNDER THE TAX - PROPERTY ARTICLE, INCLUDING THE IMPOSITION
30 OF A LIEN ON REAL PROPERTY FOR UNPAID TAXES, IMPOSITION OF INTEREST AND
31 PENALTY DUE ON OVERDUE TAXES, AND PROVISIONS RELATING TO TAX SALES.

32 (D) THE COUNTY SHALL REMIT THE TAXES COLLECTED DURING ANY MONTH,
33 AND INTEREST OR PENALTIES ON THE TAXES COLLECTED, TO THE OFFICIAL
34 DESIGNATED BY THE COUNTY BOARD TO RECEIVE THE TAXES.

35 (E) (1) BEFORE A PROPOSED TAX RESOLUTION BY THE COUNTY BOARD
36 BECOMES EFFECTIVE, IT SHALL FIRST BE SUBMITTED TO A REFERENDUM OF THE

1 LEGALLY QUALIFIED VOTERS OF PRINCE GEORGE'S COUNTY AT THE NEXT GENERAL
2 ELECTION.

3 (2) ONCE APPROVED BY THE LEGALLY QUALIFIED VOTERS OF THE
4 COUNTY, THE PROPOSED TAX SHALL BECOME EFFECTIVE BEGINNING IN THE NEXT
5 FISCAL YEAR.

6 4-201.

7 (d) (1) [If] EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS
8 SUBSECTION, IF a vacancy occurs in the office of county superintendent, the county
9 board shall appoint an interim county superintendent who serves until July 1 after
10 his appointment.

11 (2) (I) IN PRINCE GEORGE'S COUNTY, IF A VACANCY OCCURS IN THE
12 OFFICE OF COUNTY SUPERINTENDENT, THE PRINCE GEORGE'S COUNTY BOARD
13 SHALL APPOINT AN INTERIM COUNTY SUPERINTENDENT.

14 (II) THE INTERIM SUPERINTENDENT SHALL SERVE A TERM OF NO
15 MORE THAN 2 YEARS.

16 (III) THE INTERIM SUPERINTENDENT IS NOT ELIGIBLE FOR
17 APPOINTMENT AS THE PERMANENT SUPERINTENDENT.

18 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
19 read as follows:

20 **Article - Education**

21 3-1002.

22 (a) (1) In this subtitle[,] THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (2) ["elected] "ELECTED member" means one of the [nine] elected
25 members of the Prince George's County Board or a member appointed to fill a vacancy
26 of one of these [nine] members.

27 (3) "APPOINTED MEMBER" MEANS ONE OF THE THREE MEMBERS
28 JOINTLY SELECTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND
29 THE GOVERNOR FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED TO THE
30 COUNTY EXECUTIVE AND THE GOVERNOR BY THE STATE BOARD.

31 (b) (1) (I) The Prince George's County Board consists of [nine] SIX elected
32 members, THREE APPOINTED MEMBERS, and one student member selected under
33 subsection (f)(2) of this section UNTIL THE NOVEMBER GENERAL ELECTION OF 2004.

34 (II) BEGINNING ON THE FIRST MONDAY IN DECEMBER 2004, THE
35 PRINCE GEORGE'S COUNTY BOARD CONSISTS OF SEVEN ELECTED MEMBERS, TWO

1 APPOINTED MEMBERS, AND ONE STUDENT MEMBER SELECTED UNDER SUBSECTION
2 (F)(2) OF THIS SECTION UNTIL THE NOVEMBER GENERAL ELECTION OF 2006.

3 (III) BEGINNING ON THE FIRST MONDAY IN DECEMBER 2006, THE
4 PRINCE GEORGE'S COUNTY BOARD CONSISTS OF NINE ELECTED MEMBERS AND ONE
5 STUDENT MEMBER SELECTED UNDER SUBSECTION (F)(2) OF THIS SECTION.

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

9 (3) (I) THREE APPOINTED MEMBERS SHALL BE APPOINTED FROM THE
10 COUNTY AT LARGE JOINTLY BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S
11 COUNTY AND THE GOVERNOR AS FOLLOWS:

12 1. ONE APPOINTED MEMBER SHALL SERVE ONE 2-YEAR
13 TERM, WHICH SHALL EXPIRE IN DECEMBER 2004; AND

14 2. TWO APPOINTED MEMBERS SHALL SERVE ONE 4-YEAR
15 TERM, WHICH SHALL EXPIRE IN DECEMBER 2006.

16 (II) AS THE TERMS OF THE THREE APPOINTED MEMBERS EXPIRE,
17 THE MEMBER SHALL BE ELECTED AT LARGE BY THE REGISTERED VOTERS OF
18 PRINCE GEORGE'S COUNTY AT THE GENERAL ELECTION HELD IN NOVEMBER
19 PRECEDING THE EXPIRATION DATE OF THE APPOINTED MEMBER'S TERM.

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

23 (2) From the time of filing as a candidate for election, each candidate for
24 THE SCHOOL BOARD DISTRICT POSITIONS OF the County Board shall reside in the
25 school board district the candidate seeks to represent.

26 (3) An elected County Board member shall forfeit the office if the
27 member:

28 (i) [Fails] IN THE CASE OF A MEMBER ELECTED TO REPRESENT A
29 SCHOOL BOARD DISTRICT, FAILS to reside in the school board district from which the
30 member was elected, unless this change is caused by a change in the boundaries of
31 the district; or

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

33 (4) A County Board member may not hold another office of profit in
34 county government during the member's term.

35 (5) Each elected member of the County Board shall be nominated by the
36 registered voters of the member's school board district.

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

2 (1) [At] SUBJECT TO SUBSECTION (G) OF THIS SECTION, AT the general
3 election every [2] 4 years [as required by subsection (g) of this section] BEGINNING
4 WITH THE GENERAL ELECTION OF NOVEMBER 2002; and

5 (2) (I) [By] IN THE CASE OF MEMBERS ELECTED FROM SCHOOL
6 BOARD DISTRICTS, BY the registered voters of the member's school board district;

7 (II) IN THE CASE OF APPOINTED MEMBERS FROM THE COUNTY AT
8 LARGE, BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND THE
9 GOVERNOR; OR

10 (III) IN THE CASE OF MEMBERS ELECTED AT LARGE, BY THE
11 REGISTERED VOTERS OF PRINCE GEORGE'S COUNTY.

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

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

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

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

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

28 (f) (1) The student member shall be an eleventh or twelfth grade student in
29 the Prince George's County public school system during the student's term in office.

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

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

- 1 (i) Capital and operating budgets;
- 2 (ii) School closings, reopenings, and boundaries;
- 3 (iii) Collective bargaining decisions;
- 4 (iv) Student disciplinary matters;
- 5 (v) Teacher and administrator disciplinary matters as provided
6 under § 6-202(a) of this article; and
- 7 (vi) Other personnel matters.

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

12 (5) Unless invited to attend by an affirmative vote of a majority of the
13 County Board, the student member may not attend an executive session that relates
14 to hearings on appeals of special education placements, hearings held under §
15 6-202(a) of this article, or collective bargaining.

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

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

21 (g) (1) An elected member serves for a term of 4 years beginning on the first
22 Monday in December after the member's election and until a successor is elected and
23 qualifies.

24 (2) The terms of ELECTED members are staggered as required [by the
25 terms of the members serving on the County Board as of July 1, 1978] UNDER
26 SUBSECTION (H) OF THIS SECTION.

27 [(2)] (3) The student member serves for a term of 1 year beginning at
28 the end of a school year.

29 [(3)] (4) Subject to the confirmation of the County Council, the County
30 Executive of Prince George's County shall appoint a qualified individual to fill any
31 vacancy on the County Board until a successor is elected and qualifies at the next
32 Congressional election.

33 (h) (1) The [County Board] ELECTED members from school board districts
34 [II, V, and VIII] I, III, AND V who were elected for the first time at the [November 6,
35 1973] NOVEMBER 5, 2002 election serve until the first Monday in December [1978]
36 2004 and may seek reelection in [1978] 2004 for a 4-year term.

1 (b) (1) (I) The Prince George's County Board consists of [nine] SIX elected
2 members, THREE APPOINTED MEMBERS, and one student member selected under
3 subsection (f)(2) of this section UNTIL DECEMBER 2004.

4 (II) BEGINNING ON THE FIRST MONDAY IN DECEMBER 2004, THE
5 PRINCE GEORGE'S COUNTY BOARD CONSISTS OF SEVEN ELECTED MEMBERS, TWO
6 APPOINTED MEMBERS, AND ONE STUDENT MEMBER SELECTED UNDER SUBSECTION
7 (F)(2) OF THIS SECTION UNTIL DECEMBER 2006.

8 (III) BEGINNING ON THE FIRST MONDAY IN DECEMBER 2006, THE
9 PRINCE GEORGE'S COUNTY BOARD CONSISTS OF NINE ELECTED MEMBERS AND ONE
10 STUDENT MEMBER SELECTED UNDER SUBSECTION (F)(2) OF THIS SECTION.

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

14 (3) (I) THREE APPOINTED MEMBERS SHALL BE APPOINTED FROM THE
15 COUNTY AT LARGE JOINTLY BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S
16 COUNTY AND THE GOVERNOR AS FOLLOWS:

17 1. ONE APPOINTED MEMBER SHALL SERVE ONE 2-YEAR
18 TERM, WHICH SHALL EXPIRE IN DECEMBER 2004; AND

19 2. TWO APPOINTED MEMBERS SHALL SERVE ONE 4-YEAR
20 TERM, WHICH SHALL EXPIRE IN DECEMBER 2006.

21 (II) AS THE TERMS OF THE THREE APPOINTED MEMBERS EXPIRE,
22 THE MEMBER SHALL BE ELECTED AT LARGE BY THE REGISTERED VOTERS OF
23 PRINCE GEORGE'S COUNTY AT THE GENERAL ELECTION HELD IN NOVEMBER
24 PRECEDING THE EXPIRATION DATE OF THE APPOINTED MEMBER'S TERM.

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

28 (2) From the time of filing as a candidate for election, each candidate for
29 THE SCHOOL BOARD DISTRICT POSITIONS OF the County Board shall reside in the
30 school board district the candidate seeks to represent.

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

33 (i) [Fails] IN THE CASE OF A MEMBER ELECTED TO REPRESENT A
34 SCHOOL BOARD DISTRICT, FAILS to reside in the school board district from which
35 [he] THE MEMBER was elected, unless this change is caused by a change in the
36 boundaries of the district; or

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

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

3 (5) Each elected member of the County Board shall be nominated by the
4 registered voters of his school board district.

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

6 (1) [At] SUBJECT TO SUBSECTION (G) OF THIS SECTION, AT the general
7 election every [2] 4 years [as required by subsection (g) of this section] BEGINNING
8 WITH THE GENERAL ELECTION OF NOVEMBER 2002; and

9 (2) (I) [By] IN THE CASE OF MEMBERS ELECTED FROM SCHOOL
10 BOARD DISTRICTS, BY the registered voters of [his] THE MEMBER'S school board
11 district;

12 (II) IN THE CASE OF MEMBERS APPOINTED FROM THE COUNTY AT
13 LARGE, JOINTLY BY THE COUNTY EXECUTIVE AND THE GOVERNOR; OR

14 (III) IN THE CASE OF MEMBERS ELECTED AT LARGE, BY THE
15 REGISTERED VOTERS OF PRINCE GEORGE'S COUNTY.

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

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

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

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

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

32 (f) (1) The student member shall be an eleventh or twelfth grade student in
33 the Prince George's County public school system during the student's term in office.

34 (2) An eligible student shall file a nomination form at least 2 weeks
35 before a special election meeting of the Prince George's Regional Association of
36 Student Governments. Nomination forms shall be made available in the
37 administrative offices of all public senior high schools in the county, the office of

1 student concerns, and the office of the president of the regional association. The
2 delegates to the regional association annually shall elect the student member to the
3 Board at a special election meeting to be held each school year.

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

6 (i) Capital and operating budgets;

7 (ii) School closings, reopenings, and boundaries;

8 (iii) Collective bargaining decisions;

9 (iv) Student disciplinary matters;

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

12 (vi) Other personnel matters.

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

17 (5) Unless invited to attend by an affirmative vote of a majority of the
18 County Board, the student member may not attend an executive session that relates
19 to hearings on appeals of special education placements, hearings held under §
20 6-202(a) of this article, or collective bargaining.

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

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

26 (g) (1) Each elected member serves for a term of 4 years beginning on the
27 first Monday in December after [his] THE MEMBER'S election and until [his] A
28 successor is elected and qualifies.

29 (2) The terms of members are staggered as required [by the terms of the
30 members serving on the County Board as of July 1, 1978] UNDER SUBSECTION (H) OF
31 THIS SECTION.

32 [(2)] (3) The student member serves for a term of 1 year beginning at
33 the end of a school year.

34 [(3)] (4) Subject to the confirmation of the County Council, the County
35 Executive of Prince George's County shall appoint a qualified individual to fill any

1 vacancy on the County Board until a successor is elected and qualifies at the next
2 Congressional election.

3 (h) (1) The [County Board] ELECTED members from school board districts
4 [II, V, and VIII] I, III, AND V who were elected for the first time at the [November 6,
5 1973] NOVEMBER 5, 2002 election serve until the first Monday in December [1978]
6 2004 and may seek reelection in [1978] 2004 for a 4-year term.

7 (2) The ELECTED members from school board districts [III, VI, and IX]
8 II, IV, AND VI who were elected at the [November 6, 1973] NOVEMBER 5, 2002 election
9 serve until the first Monday in December[, 1980] 2006 and may seek reelection in
10 [1980] 2006 for a 4-year term.

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

13 (i) Immorality;

14 (ii) Misconduct in office;

15 (iii) Incompetency; or

16 (iv) Willful neglect of duty.

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

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

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

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

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

28 SECTION 5. AND BE IT FURTHER ENACTED, That the terms of the elected
29 members of the Prince George's County Board of Education serving on June 1, 2002,
30 or of their successors selected to fill a vacancy, shall terminate at the end of December
31 3, 2002.

32 SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall
33 take effect on the taking effect of the termination provision specified in Chapter 464,
34 Section 4 of the Acts of the General Assembly of 1999. If that termination provision
35 takes effect, Section 3 of this Act shall be abrogated and of no further force and effect.
36 This Act may not be interpreted to have any effect on that termination provision.

1 SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety,
3 has been passed by a yea and nay vote supported by three-fifths of all the members
4 elected to each of the two Houses of the General Assembly and, except as provided in
5 Section 6 of this Act, shall take effect from the date it is enacted.