

Senate Bill 657 alters the election structure of the Prince George's County Board of Education beginning in 2010 by requiring that each of the nine elected members of the Board reside in, and be elected only by the residents of, designated school board districts. The bill also establishes eligibility criteria for school board members and new procedures for electing members to fill vacant positions. Furthermore, the bill repeals a mandated external review of the Prince George's County school system.

The Prince George's County Board of Education is currently an elected board consisting of five regional members, four at-large members, and one student member. This board took office on December 4, 2006, following the November 2006 general election. Senate Bill 657 would replace this board in 2010 with nine single-member school board districts. While I have no policy objections to the bill, the Attorney General has informed me in a letter dated May 15, 2007, that in his view, the school board districts proposed under Senate Bill 657 violate the one person/one vote requirement of the Fourteenth Amendment and are unconstitutional. The Attorney General further states in his letter that the unconstitutional election plan is not severable from the remainder of the bill and, therefore, he cannot recommend that the legislation be signed into law.

Based on the Attorney General's opinion alone, I regretfully must veto Senate Bill 657.

Sincerely,

Martin O'Malley
Governor

Senate Bill 657

AN ACT concerning

Prince George's County - Board of Education - ~~Election of Members~~

FOR the purpose of ~~repealing certain provisions of law relating to the composition of certain school districts in Prince George's County; requiring the members of the Prince George's County Board of Education to be elected from certain school board districts; providing for the boundaries of certain school board districts; requiring candidates to live in certain school board districts and be registered voters; requiring candidates for election to the County Board to include a certain petition containing a certain number of signatures with the candidate's certificate of candidacy; providing for the initial terms of the elected members of the County Board; requiring that a vacancy on the County Board be filled by a certain election if the vacancy occurs within a certain time period; requiring that certain vacancies on the County Board remain vacant under certain circumstances; providing that a member whose term expires may not hold over; requiring certain special elections to take place within a certain number of days~~