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§5–302.

(a) (1) The Board of Public Works shall establish the Interagency Committee on School Construction as a unit within the Department for administrative and budgetary purposes.

(2) The Interagency Committee consists of the following members:

(i) The State Superintendent of Schools, or the Superintendent's designee;

(ii) A member of the public appointed by the President of the Senate;

(iii) A member of the public appointed by the Speaker of the House;

(iv) The Secretary of the Department of Planning, or the Secretary's designee; and

(v) The Secretary of General Services, or the Secretary's designee.

(3) The State Superintendent of Schools, or the Superintendent's designee, shall be the Chairman of the Interagency Committee.

(4) A member of the Interagency Committee on School Construction may not be:

(i) An individual who is a regulated lobbyist as described in § 5–702(a)(1), (2), (3), or (4) of the General Provisions Article;

(ii) A member of the General Assembly;

(iii) An employee of a county government or board of education; or

(iv) A local elected official.

(5) The Board of Public Works may delegate the administrative and budgetary authority of the Board to the Interagency Committee as determined by the Board to be necessary and appropriate.

(b) (1) The Department or any other State agency may lend its employees to serve as the staff for the Interagency Committee.

(2) These employees shall be paid by the agency that employs them.

(c) The Executive Director of the Interagency Committee shall be appointed by the Interagency Committee with the approval of the Board of Public Works.

(d) (1) (i) The Interagency Committee shall prepare projections of school construction and capital improvement needs for submission to the Capital Debt Affordability Committee under § 8–112(c)(3) of the State Finance and Procurement Article.

(ii) The projections shall be prepared in accordance with the regulations adopted by the Board under § 5–301 of this subtitle.

(2) (i) The Board of Public Works or the Interagency Committee shall notify each county board and each local governing body of the annual allocation of school construction funds recommended to the Board of Public Works by the Governor under the consolidated capital debt program of the State Finance and Procurement Article.

(ii) The notification shall be made immediately after the Governor has recommended the allocations so that each county may structure its respective school construction and capital improvement priorities in accordance with the annual allocation and any amendments.

(e) (1) Before May 1 of each year, the Board of Public Works may not approve public school construction projects that comprise more than 75% of the preliminary school construction allocation, determined under § 8–113 of the State Finance and Procurement Article, for the following fiscal year.

(2) On or before December 31 of each year, the Interagency Committee shall provide recommendations to the Board of Public Works for public school construction projects that comprise 75% of the preliminary school construction allocation, determined under § 8–113 of the State Finance and Procurement Article, for the following fiscal year.

(3) On or before March 1 of each year, the Interagency Committee shall provide recommendations to the Board of Public Works, the presiding officers and the budget committees of the General Assembly, and the Department of Legislative Services for public school construction projects that comprise 90% of the school construction allocation included in the capital budget submitted by the Governor for the following fiscal year.

(4) The remaining public school construction allocation for the following fiscal year may be allocated by the Board of Public Works as provided in regulation.

(f) (1) The Interagency Committee on School Construction is a public body and subject to Title 3 of the General Provisions Article.

(2) Deliberations and decisions regarding the eligibility of projects and allocation of funding shall be considered quasi-legislative functions for the purposes of the Open Meetings Law.

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