

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 657

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; strike beginning with "Construction" in line 2 through "Agencies" in line 3 and substitute "School Construction"; in line 7, after the second "County" insert "; requiring the State and the Prince George's County government to provide certain funding for public school construction for a certain period; requiring a certain State/local cost sharing formula for public school construction costs in Prince George's County; providing that certain funds are contingent on certain conditions; providing that the release of projects for bidding is contingent on receipt of certain information and certain approvals; altering certain provisions relating to school construction, planning, and management in Prince George's County for certain purposes for a certain period; providing for the termination of this Act subject to a certain exception; making this Act an emergency measure; and generally relating to school construction in Prince George's County"; and after line 7, insert:

"BY repealing and reenacting, with amendments,

Article - Education

Section 5-301(h)

Annotated Code of Maryland

(1997 Replacement Volume and 1997 Supplement)".

AMENDMENT NO. 2

On page 1, after line 20, insert:

"5-301.

(h) (1) With respect to public school construction or public school capital improvements, including sites for school buildings, the authority, responsibilities, powers, and duties of the following are subject to the rules, regulations, and procedures adopted by the Board of Public

(Over)

Works under this section:

(i) The State Board;

(ii) The State Superintendent;

(iii) The county governments;

(iv) The county boards; and

(v) All other State or local governmental agencies under this article.

(2) THE RULES, REGULATIONS, AND PROCEDURES ADOPTED BY THE BOARD OF PUBLIC WORKS SHALL INCLUDE PROVISIONS THAT IN PRINCE GEORGE'S COUNTY, THE COUNTY EXECUTIVE, THE COUNTY COUNCIL CHAIRMAN, AND THE BOARD OF EDUCATION CHAIRMAN SHALL ENTER INTO BINDING CONTRACTS OR AGREEMENTS FOR SCHOOL CONSTRUCTION, PLANNING, AND MANAGEMENT TO BE PLACED UNDER THE DIRECTION OF THE PRINCE GEORGE'S COUNTY GOVERNMENT.

(3) If, as to public school construction or public school capital improvements, there is any conflict between the rules, regulations, and procedures of the Board of Public Works and the authority, responsibilities, powers, and duties of the individuals and agencies specified in paragraph (1) of this subsection, the rules, regulations, and procedures of the Board of Public Works shall prevail.”

AMENDMENT NO. 3

On page 2, strike in their entirety lines 16 and 17 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999 through 2002, in each year, the State shall provide at least \$35 million for public school construction projects in Prince George's County and the Prince George's County government shall provide a minimum of \$32 million for public school construction projects, and such additional funds as may be necessary to match the annual State appropriation for public school construction projects in Prince George's County. For fiscal years 2000 through 2002, the full level of State funding shall be contingent on future economic conditions and review and approval by the State Superintendent of Schools of the Prince George's County Board of Education's Comprehensive Plan described in the 1998 Memorandum of Understanding signed by the parties to Vaughns, et al. v. Board of Education of

Prince George's County, et al. and submitted to the United States District Court.

SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999 through 2002, in each year, the State shall provide 75 percent of the eligible costs for up to \$35 million in public school construction costs in Prince George's County. At least \$20 million of the State funds must be spent each year on neighborhood school projects. For funding above \$35 million, the State shall provide 60 percent of the eligible costs. Neighborhood school projects shall be identified by the Interagency Committee on Public School Construction and shall include new public schools and additions or improvements to existing public schools which serve students reassigned to their local communities based upon the Community Schools Education Plan developed by the Prince George's County Board of Education.

SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school construction projects being released for bidding as a result of State funding in fiscal years 1999 through 2002, the Prince George's County Board of Education, the County Executive, and the County Council shall submit to the Interagency Committee on School Construction the most recent Community Schools Education Plan and the Prince George's County Board of Education Capital Improvement Program and a letter of endorsement of the plan and program. The Interagency Committee shall review the information submitted and determine which projects or portions thereof are justified and which qualify as neighborhood school projects. Prior to any approval from the Interagency Committee to release any projects for bidding, the educational programs and services proposed for each project shall be reviewed and approved by the State Superintendent of Schools for consistency with practices and strategies that result in improved student achievement and academic and social success.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, this Act shall remain effective until June 30, 2002, and, at the end of June 30, 2002, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

(b) As to school construction projects for which the construction contract has been approved by the Interagency Committee on School Construction on or before June 30, 2002, the provisions of § 5-301(h)(2) of the Education Article as enacted by this Act shall remain in effect for the duration of

(Over)

the contract.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.