
By: **Montgomery County Delegation**
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Assigned to: Commerce and Government Matters
Reassigned: Appropriations, February 3, 1998

Committee Report: Favorable
House action: Adopted
Read second time: March 10, 1998

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County - Board of Education - Capital Improvements Program**
3 **MC 818-98**

4 FOR the purpose of establishing a biennial capital improvements program process in
5 Montgomery County for public schools; authorizing the County Council to
6 amend an approved capital improvements program at any time by an
7 affirmative vote of a certain number of council members; substituting the
8 reference to the Board of Education for the former reference to the
9 Superintendent; and generally relating to the capital improvements program for
10 public schools in Montgomery County.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 5-306
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1997 Supplement)

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

18 **Article - Education**

19 5-306.

20 (a) This section supplements the provisions of §§ 5-101 through 5-108 of this
21 title and does not supersede or impair those provisions.

1 (b) Before [November] DECEMBER 1 of each ODD-NUMBERED CALENDAR
2 year, the Montgomery County [Superintendent] BOARD shall prepare and submit to
3 the Montgomery County Executive a 6-year capital improvements program.

4 (c) The capital improvements program shall include:

5 (1) A statement of the objectives of the capital programs and the
6 relationship of these programs to the long range development plans adopted by the
7 county;

8 (2) Recommended capital projects and a proposed construction schedule;

9 (3) An estimate of cost and a statement of all funding sources; and

10 (4) All anticipated capital projects and programs of the County Board,
11 including substantial improvements and extensions of projects previously authorized.

12 (d) The County Executive shall include the 6-year program of the County
13 [Superintendent] BOARD, with the recommended revisions and modifications of the
14 County Executive, in the comprehensive 6-year program submitted EACH
15 EVEN-NUMBERED CALENDAR YEAR to the Montgomery County Council under § 302
16 of the Montgomery County charter.

17 (e) (1) On or before adoption of its annual budget and appropriations
18 resolution IN EACH EVEN-NUMBERED CALENDAR YEAR, the County Council shall
19 adopt a 6-year capital improvements program for the County Board as a part of the
20 comprehensive 6-year program.

21 (2) This 6-year capital improvements program shall be adopted after
22 public hearings on the 6-year programs or capital budgets of the County and other
23 agencies.

24 (3) In its adoption, the County Council may make amendments,
25 revisions, and modifications.

26 (4) THE COUNTY COUNCIL MAY AMEND AN APPROVED CAPITAL
27 IMPROVEMENTS PROGRAM AT ANY TIME BY AN AFFIRMATIVE VOTE OF SIX COUNCIL
28 MEMBERS.

29 [(4)] (5) Any amendment, revision, or modification may not become final
30 until it is submitted to the County Board for written comment with at least 30 days'
31 notice.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 1998.

