
By: **Senators Mitchell, Conway, and Sfikas**
Introduced and read first time: February 4, 1999
Assigned to: Budget and Taxation and Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education - New Baltimore City Board of School**
3 **Commissioners**

4 FOR the purpose of specifying that the provisions of this Act reflect a certain consent
5 decree and a certain commitment to appropriate additional funds for the
6 Baltimore City Public Schools; prohibiting the reduction of certain State funds
7 under specified circumstances; prohibiting Baltimore City from using certain
8 funds to meet certain statutory obligations; requiring the Board to submit a
9 certain report in a certain manner; providing for the termination of certain
10 provisions of this Act; and generally relating to the New Baltimore City Board of
11 School Commissioners and the management of the Baltimore City Public School
12 System.

13 BY repealing and reenacting, with amendments,
14 Chapter 105 of the Acts of the General Assembly of 1997
15 Section 9 and 30

16 BY adding to
17 Chapter 105 of the Acts of the General Assembly of 1997
18 Section 30

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

21 **Chapter 105 of the Acts of 1997**

22 SECTION 9. AND BE IT FURTHER ENACTED, That the financial
23 commitment enumerated in Section 7 of this Act shall be separate from established
24 State funding pursuant to APEX and other current or additional State funds provided
25 to the Baltimore City public schools. If any new [source of] revenue becomes
26 available to the State during Fiscal Year [1998] 2000 through Fiscal Year 2002, and
27 such revenue is dedicated in whole or in part to education generally, the Baltimore
28 City public schools shall receive its designated share of those revenues without
29 reduction of the additional funds detailed in the consent decrees referenced in Section
30 7 of this Act. Furthermore, the additional State funds described in Section 7 of this

1 Act and the consent decrees may not be provided by reducing any other State funds
2 provided to Baltimore City. Nothing in this Act, however, shall prevent the Governor
3 or the General Assembly from reducing local aid to Baltimore City as part of any
4 general statewide reduction in local aid for a special project or purpose. Baltimore
5 City may not use any of this additional funding to meet any statutory obligation to
6 maintain levels of local funding for education.

7 SECTION 30. AND BE IT FURTHER ENACTED, THAT THIS ACT SHALL REMAIN
8 EFFECTIVE UNTIL JULY 1, 2002, AND AT THE END OF JUNE 30, 2002, WITH NO
9 FURTHER ACTION REQUIRED BY THE GENERAL ASSEMBLY, THIS ACT SHALL BE
10 ABROGATED AND OF NO FURTHER FORCE AND EFFECT. DURING THE REGULAR
11 LEGISLATIVE SESSION IN 2002, THE GENERAL ASSEMBLY SHALL DELIBERATE AND
12 DETERMINE WHETHER THE PROVISIONS OF THIS ACT SHOULD BE TERMINATED,
13 MODIFIED, OR EXTENDED. THE NEW BALTIMORE CITY BOARD OF SCHOOL
14 COMMISSIONERS AND THE STATE BOARD OF EDUCATION SHALL REVIEW THE
15 FINDINGS OF THE FINAL COMPREHENSIVE REVIEW SET FORTH IN SECTION 6 OF
16 THIS ACT. ON OR BEFORE JANUARY 15, 2002, THE BOARD AND THE STATE BOARD OF
17 EDUCATION SHALL REPORT THE RESULTS OF THE PUBLIC HEARINGS AND PROPOSE
18 TO THE GENERAL ASSEMBLY ANY CHANGES APPROPRIATE IN THE MANAGEMENT
19 STRUCTURE AND LEVELS OF FUNDING OF THE BALTIMORE CITY PUBLIC SCHOOLS.

20 SECTION [30] 31. AND BE IT FURTHER ENACTED, That this Act is an
21 emergency measure, is necessary for the immediate preservation of the public health
22 and safety, has been passed by a yea and nay vote supported by three-fifths of all the
23 members elected to each of the two Houses of the General Assembly, and shall take
24 effect from the date it is enacted.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 1999.