

SENATE BILL 773

Unofficial Copy
F3
SB 795/99 - B&T

2000 Regular Session
0lr1649
CF 0lr1648

By: **Senator McFadden**

Introduced and read first time: February 4, 2000

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Education - New Baltimore City Board of School Commissioners - Bonding**
3 **Authority**

4 FOR the purpose of authorizing the New Baltimore City Board of School
5 Commissioners to issue bonds for the acquisition, development, or improvement
6 of public school facilities in the Baltimore City Public School System;
7 establishing the rights and duties associated with the bonding authority;
8 providing for the construction and severability of a portion of this Act; and
9 generally relating to the Baltimore City Public School System.

10 BY repealing and reenacting, with amendments,

11 Article - Education
12 Section 4-301 and 4-313(a)
13 Annotated Code of Maryland
14 (1999 Replacement Volume)

15 BY adding to

16 Article - Education
17 Section 4-306.1 through 4-306.6
18 Annotated Code of Maryland
19 (1999 Replacement Volume)

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

22 **Article - Education**

23 4-301.

24 (a) In this subtitle the following words have the meanings indicated.

25 (b) "Board" means the New Baltimore City Board of School Commissioners of
26 the Baltimore City Public School System.

1 (C) "BONDS" MEANS REVENUE BONDS, REFUNDING BONDS, CERTIFICATES,
2 NOTES, DEMAND NOTES, COMMERCIAL PAPER, OTHER EVIDENCE OF INDEBTEDNESS,
3 AND, WHERE APPLICABLE, BOND ANTICIPATION NOTES.

4 [(c)] (D) "Chief Executive Officer" means the Chief Executive Officer of the
5 New Baltimore City Board of School Commissioners.

6 (E) "COSTS" AS APPLIED TO ANY PROJECT MEANS ALL COSTS OF THE
7 PROJECT, INCLUDING:

8 (1) THE COST OF ACQUISITION, CONSTRUCTION, RECONSTRUCTION,
9 EQUIPPING, MAINTENANCE, REPAIR, AND RENOVATION;

10 (2) THE COST OF ACQUISITION OF ALL LAND, RIGHTS-OF-WAY,
11 PROPERTY RIGHTS, EASEMENTS, AND INTERESTS ACQUIRED BY THE BOARD;

12 (3) FINANCE CHARGES AND INTEREST PRIOR TO AND DURING
13 CONSTRUCTION AND FOR 1 YEAR AFTER COMPLETION OF CONSTRUCTION;

14 (4) THE COST OF ARCHITECTURAL, ENGINEERING, AND LEGAL
15 EXPENSES, PLANS, SPECIFICATIONS, FEASIBILITY STUDIES, SURVEYS, ESTIMATES OF
16 COSTS AND REVENUE, AND OTHER EXPENSES NECESSARY OR DESIRABLE FOR
17 DETERMINING THE FEASIBILITY OR PRACTICABILITY OF CONSTRUCTION OF ANY
18 PROJECT;

19 (5) RESERVES FOR THE PAYMENT OF DEBT SERVICE, OPERATING
20 RESERVES, AND REPAIR AND REPLACEMENT FUNDS; AND

21 (6) ADMINISTRATIVE EXPENSES AND OTHER EXPENSES NECESSARY OR
22 ALLOCABLE TO ANY PROJECT, THE FINANCING OR REFINANCING OF ANY PROJECT,
23 THE ISSUANCE OF BONDS, AND THE PLACING OF ANY PROJECT IN OPERATION.

24 (F) "PROJECT" MEANS THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION,
25 EQUIPPING, MAINTENANCE, REPAIR, OR RENOVATION OF ANY PUBLIC SCHOOL
26 FACILITY.

27 (G) "PUBLIC SCHOOL FACILITY" MEANS A BUILDING, PARKING FACILITY,
28 ATHLETIC FACILITY, TESTING FACILITY, OR OTHER FACILITY IN THE CITY OF
29 BALTIMORE, NOW EXISTING OR HEREAFTER ACQUIRED, THAT IS USED BY THE
30 BOARD IN RELATION TO THE EDUCATION OF STUDENTS IN THE BALTIMORE CITY
31 PUBLIC SCHOOL SYSTEM.

32 4-306.1.

33 (A) IN ORDER TO PROVIDE PUBLIC SCHOOL FACILITIES, THE BOARD MAY:

34 (1) ACQUIRE, CONSTRUCT, RECONSTRUCT, EQUIP, MAINTAIN, REPAIR,
35 OR RENOVATE FACILITIES AT ANY LOCATION IN THE CITY OF BALTIMORE, NOW
36 EXISTING OR HEREAFTER ACQUIRED;

1 (2) ISSUE BONDS IN ACCORDANCE WITH § 4-306.2 OF THIS SUBTITLE;

2 (3) ACQUIRE, HOLD, AND DISPOSE OF REAL AND PERSONAL PROPERTY
3 IN THE EXERCISE OF ITS POWERS AND THE PERFORMANCE OF ITS DUTIES UNDER
4 THIS SUBTITLE;

5 (4) ENTER INTO ALL CONTRACTS AND AGREEMENTS NECESSARY OR
6 INCIDENTAL TO THE PERFORMANCE OF ITS DUTIES AND THE EXECUTION OF ITS
7 POWERS UNDER THIS SUBTITLE, EMPLOY CONSULTING ENGINEERS, ARCHITECTS,
8 ATTORNEYS, CONSTRUCTION AND FINANCIAL EXPERTS, AND OTHER EMPLOYEES
9 AND AGENTS, AND DETERMINE THEIR COMPENSATION;

10 (5) RECEIVE AND ACCEPT FROM THE UNITED STATES OF AMERICA OR
11 ANY AGENCY OF THE FEDERAL GOVERNMENT GRANTS AND LOANS FOR THE
12 PURPOSE OF FINANCING OR REFINANCING ALL OR ANY PART OF THE COSTS OF ANY
13 PROJECT;

14 (6) RECEIVE AND ACCEPT AID OR CONTRIBUTIONS FROM ANY SOURCES
15 OF MONEY, PROPERTY, LABOR, OR OTHER THINGS OF VALUE, TO BE HELD, USED, AND
16 APPLIED FOR THE PURPOSES FOR WHICH THE GRANTS AND CONTRIBUTIONS WERE
17 MADE; AND

18 (7) PERFORM ALL ACTS AND THINGS NECESSARY TO CARRY OUT THE
19 POWERS EXPRESSLY GRANTED BY THE PROVISIONS OF THIS SUBTITLE.

20 (B) THE BOARD SHALL MAINTAIN RECORDS IDENTIFYING THE SOURCES AND
21 AMOUNTS OF PAYMENTS USED TO SUPPORT THE COSTS OF ANY PROJECT
22 AUTHORIZED UNDER THE PROVISIONS OF THIS SUBTITLE.

23 4-306.2.

24 (A) THE BOARD MAY ISSUE BONDS FOR THE PURPOSE OF FINANCING OR
25 REFINANCING ALL OR ANY PART OF THE COSTS OF ANY PROJECT.

26 (B) THE AGGREGATE PRINCIPAL AMOUNT OF BONDS OUTSTANDING, LESS
27 THE AMOUNT OF ANY RESERVE FUND REQUIREMENT ESTABLISHED FOR THE BONDS,
28 MAY NOT EXCEED, AS OF THE DATE THAT THE BONDS ARE ISSUED, \$25,000,000.

29 (C) BONDS SHALL BE AUTHORIZED BY A RESOLUTION OF THE BOARD AND
30 MAY BE SECURED BY A TRUST AGREEMENT BY AND BETWEEN THE BOARD AND A
31 CORPORATE TRUSTEE OR TRUSTEES WHICH MAY BE ANY TRUST COMPANY OR BANK
32 HAVING THE POWERS OF A TRUST COMPANY WITHIN OR OUTSIDE OF THE STATE.

33 (D) (1) THE RESOLUTION:

34 (I) SHALL DESCRIBE THE PROJECT WHICH IS TO BE FINANCED OR
35 REFINANCED BY THE BOND;

36 (II) SHALL STATE THE MAXIMUM PRINCIPAL AMOUNT OF THE
37 BOND;

1 (III) SHALL DESCRIBE THE SOURCES OF PAYMENT OF THE BONDS;
2 AND

3 (IV) MAY PROVIDE THAT THE BONDS ARE REDEEMABLE BEFORE
4 MATURITY AT A PRICE OR PRICES AND UNDER TERMS AND CONDITIONS OR IN
5 ACCORDANCE WITH A METHOD DETERMINED BY THE BOARD; AND

6 (2) THE BOARD SHALL MAINTAIN SEPARATE ACCOUNTS TO IDENTIFY
7 THE SOURCES OF PAYMENT OF THE BONDS FOR THE ACQUISITION, DEVELOPMENT,
8 OR IMPROVEMENT OF PUBLIC SCHOOL FACILITIES.

9 (E) THE RESOLUTION OF THE BOARD OR THE TRUST AGREEMENT RELATING
10 TO THE BONDS MAY CONTAIN PROVISIONS THAT:

11 (1) LIMIT THE PURPOSE TO WHICH THE PROCEEDS OF ANY ISSUE OF
12 BONDS MAY BE APPLIED AND RESTRICT THE INVESTMENT OF REVENUES OR BOND
13 PROCEEDS IN GOVERNMENT OBLIGATIONS FOR WHICH PRINCIPAL AND INTEREST
14 ARE UNCONDITIONALLY GUARANTEED BY THE UNITED STATES OF AMERICA;

15 (2) PROVIDE FOR THE ISSUANCE OF ADDITIONAL BONDS TO FINANCE
16 OR REFINANCE ANY PROJECTS;

17 (3) ASSIGN ALL OR ANY PART OF THE BOARD'S FUNDS OR ASSETS; AND

18 (4) PROTECT AND ENFORCE THE RIGHTS AND REMEDIES OF THE
19 BONDHOLDERS THAT ARE REASONABLE AND PROPER AND NOT IN VIOLATION OF
20 THE LAW, INCLUDING COVENANTS THAT SHALL INCLUDE:

21 (I) THE DUTIES OF THE BOARD IN RELATION TO THE PROJECT;

22 (II) THE DUTIES OF THE BOARD IN RELATION TO ITS FUNDS;

23 (III) THE CUSTODY, SAFEGUARDING, AND APPLICATION OF ALL
24 MONEYS;

25 (IV) PROVISIONS FOR CONSULTATION WITH THE INTERAGENCY
26 COMMITTEE ON SCHOOL CONSTRUCTION IN CONNECTION WITH THE
27 CONSTRUCTION OR OPERATION OF PUBLIC SCHOOL FACILITIES FOR THE
28 BALTIMORE CITY PUBLIC SCHOOL SYSTEM; AND

29 (V) THE RIGHTS AND REMEDIES OF BONDHOLDERS AND
30 TRUSTEES, AND MAY RESTRICT THE INDIVIDUAL RIGHT OF ACTION BY
31 BONDHOLDERS; AND

32 (5) THE BOARD DEEMS REASONABLE AND PROPER FOR THE SECURITY
33 OF THE BONDHOLDERS, INCLUDING COVENANTS PERTAINING TO THE ISSUANCE OF
34 ADDITIONAL PARITY BONDS UPON STATED CONDITIONS.

1 (F) UNLESS OTHERWISE PROVIDED IN THE RESOLUTION OR TRUST
2 AGREEMENT, THE ADDITIONAL BONDS SHALL BE DEEMED TO BE ON A PARITY WITH
3 OTHER BONDS ISSUED BY THE BOARD.

4 (G) THE BONDS SHALL:

5 (1) BE DATED AND BEAR INTEREST AT THE FIXED OR VARIABLE RATE
6 OR RATES DETERMINED BY THE METHOD PROVIDED IN THE RESOLUTION OF THE
7 BOARD AUTHORIZING THE ISSUANCE OF THE BONDS;

8 (2) MATURE AT A TIME OR TIMES NOT EXCEEDING THE USEFUL LIFE OF
9 THE PROJECT FOR WHICH THE BONDS ARE ISSUED, BUT IN NO EVENT SHALL
10 EXCEED 15 YEARS FROM THEIR DATE OR DATES OF ISSUE, AS MAY BE DETERMINED
11 BY THE BOARD;

12 (3) BE ISSUED AT, ABOVE, OR BELOW PAR VALUE, FOR CASH OR OTHER
13 VALUABLE CONSIDERATION;

14 (4) BE PAYABLE AT A TIME OR TIMES, IN THE DENOMINATIONS AND
15 FORM, EITHER COUPON OR REGISTERED OR BOTH, AND CARRY THE REGISTRATION
16 AND PRIVILEGES AS TO CONVERSION AND FOR THE REPLACEMENT OF MUTILATED,
17 LOST, OR DESTROYED BONDS AS THE RESOLUTION OF THE BOARD MAY PROVIDE;

18 (5) BEAR THE MANUAL OR FACSIMILE SIGNATURE OF THE CHIEF
19 EXECUTIVE OFFICER OR ONE OF THE OTHER MEMBERS OF THE BOARD IN CASE ANY
20 OFFICER WHOSE MANUAL OR FACSIMILE SIGNATURE APPEARS ON ANY BONDS OR
21 COUPONS CEASES TO BE AN OFFICER BEFORE THE DELIVERY OF THE BONDS, THE
22 SIGNATURE OR FACSIMILE OF THE FORMER OFFICER IS VALID AND SUFFICIENT FOR
23 ALL PURPOSES AS IF THE OFFICER HAD REMAINED IN OFFICE UNTIL DELIVERY;

24 (6) BEAR THE OFFICIAL SEAL OF THE BOARD OR A FACSIMILE OF THE
25 SEAL AFFIXED TO THE BONDS AND ATTESTED BY THE MANUAL OR FACSIMILE
26 SIGNATURE OF THE SECRETARY OF THE BOARD;

27 (7) BE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES OF
28 AMERICA AT A DESIGNATED PLACE;

29 (8) BE SUBJECT TO THE TERMS OF PURCHASE, PAYMENT, REDEMPTION,
30 REFUNDING, OR REFINANCING THAT THE RESOLUTION OF THE BOARD PROVIDES;
31 AND

32 (9) BE SOLD IN THE MANNER AND UPON THE TERMS DETERMINED BY
33 THE BOARD INCLUDING PRIVATE OR NEGOTIATED SALE.

34 (H) ALL BONDS ISSUED UNDER THE PROVISIONS OF THIS SUBTITLE SHALL
35 HAVE ALL THE QUALITIES AND INCIDENTS OF NEGOTIABLE INSTRUMENTS UNDER
36 THE LAWS OF THE STATE RELATING TO NEGOTIABLE INSTRUMENTS.

37 (I) PRIOR TO THE PREPARATION OF DEFINITIVE BONDS, THE BOARD, UNDER
38 LIKE RESTRICTIONS, MAY ISSUE INTERIM RECEIPTS OR TEMPORARY BONDS, WITH

1 OR WITHOUT COUPONS, EXCHANGEABLE FOR DEFINITIVE BONDS WHEN THE BONDS
2 ARE EXECUTED AND AVAILABLE FOR DELIVERY.

3 (J) (1) BONDS MAY BE ISSUED UNDER THE PROVISIONS OF THIS SUBTITLE:

4 (I) WITHOUT OBTAINING THE CONSENT OF ANY DEPARTMENT,
5 DIVISION, COMMISSION, BOARD, BUREAU, OR AGENCY OF THE STATE; OR

6 (II) WITHOUT ANY OTHER PROCEEDINGS OR THE OCCURRENCE OF
7 ANY OTHER CONDITIONS OTHER THAN THOSE PROCEEDINGS OR CONDITIONS THAT
8 ARE REQUIRED SPECIFICALLY BY PROVISIONS OF THIS SUBTITLE.

9 (2) THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF THE STATE FINANCE
10 AND PROCUREMENT ARTICLE DO NOT APPLY TO BONDS ISSUED UNDER THE
11 PROVISIONS OF THIS SUBTITLE.

12 (K) (1) ANY BONDS ISSUED UNDER THIS SUBTITLE DO NOT CREATE OR
13 CONSTITUTE ANY INDEBTEDNESS OR OBLIGATION OF THE STATE OR OF ANY
14 POLITICAL SUBDIVISION OF THE STATE EXCEPT THE NEW BALTIMORE CITY BOARD
15 OF SCHOOL COMMISSIONERS, AND THE BONDS SHALL SO STATE ON THEIR FACE.

16 (2) THE BONDS DO NOT CONSTITUTE A DEBT OR OBLIGATION
17 CONTRACTED BY THE GENERAL ASSEMBLY OR PLEDGE THE FAITH AND CREDIT OF
18 THE STATE WITHIN THE MEANING OF ARTICLE III, § 34 OF THE MARYLAND
19 CONSTITUTION.

20 (L) THE BONDS OF ANY ISSUE SHALL BE PAYABLE FROM AND SECURED
21 SOLELY BY:

22 (1) ALL OR ANY PART OF THE FEES OR REVENUES GENERATED BY AN
23 ACTIVITY OF THE BOARD TO THE EXTENT LAWFULLY AVAILABLE FOR SUCH
24 PURPOSE;

25 (2) THE PROCEEDS OF THE BONDS AND INVESTMENT EARNINGS
26 THEREON;

27 (3) ANY GRANT OR GIFT RECEIVED BY THE BOARD TO THE EXTENT
28 LAWFULLY AVAILABLE FOR SUCH PURPOSE;

29 (4) RESERVES OR OTHER FUNDS ESTABLISHED FOR THE BONDS UNDER
30 THE RESOLUTION OR TRUST AGREEMENT;

31 (5) ANY MONEYS WHICH MAY LAWFULLY BE APPLIED TO THE PAYMENT
32 OF THE BONDS, INCLUDING WITHOUT LIMITATION ANY APPROPRIATION BY THE
33 STATE OR BALTIMORE CITY MADE LAWFULLY AVAILABLE FOR SUCH PURPOSE; OR

34 (6) ANY SOURCE OF FUNDS TO WHICH THE BOARD HAS ACCESS TO THE
35 EXTENT LAWFULLY AVAILABLE FOR SUCH PURPOSE.

1 (M) PRIOR TO AND DURING CONSTRUCTION AND FOR 1 YEAR AFTER
2 COMPLETION OF CONSTRUCTION OF ANY PUBLIC SCHOOL FACILITY FOR WHICH
3 BONDS HAVE BEEN ISSUED, THE INTEREST ON THE BONDS MAY BE PAID OUT OF THE
4 PROCEEDS OF THE BONDS OR OUT OF OTHER MONEYS ALLOCATED FOR THAT
5 PURPOSE.

6 (N) (1) THE BOARD MAY PROVIDE, FROM TIME TO TIME, FOR THE ISSUANCE
7 AND SALE OF REVENUE ANTICIPATION NOTES IN ACCORDANCE WITH THE
8 PROCEDURES SET FORTH IN ARTICLE 31, § 12 OF THE CODE FOR THE ISSUANCE OF
9 BONDS.

10 (2) EXCEPT WHERE THE PROVISIONS OF THIS SUBTITLE WOULD BE
11 INAPPLICABLE TO BOND ANTICIPATION NOTES, THE TERM "BONDS" USED IN THIS
12 SUBTITLE SHALL INCLUDE BOND ANTICIPATION NOTES, INCLUDING THE
13 PROVISIONS PERTAINING TO THE EXEMPTION FROM TAXATION BY THE STATE AND
14 ITS POLITICAL SUBDIVISIONS.

15 (O) IN CONNECTION WITH THE ISSUANCE OF ANY BONDS, THE BOARD MAY:

16 (1) OBTAIN OR ENTER INTO AGREEMENTS AND CONTRACTS FOR BOND
17 INSURANCE, RESERVE FUND INSURANCE, A LETTER OF CREDIT, A LINE OF CREDIT,
18 OR ANY FORM OF ADDITIONAL, SUBSTITUTE, OR REPLACEMENT SECURITY FOR ANY
19 BONDS; AND

20 (2) PLEDGE OR ASSIGN ALL OR ANY PART OF THE FUNDS OF THE BOARD
21 TO THE REPAYMENT OR REIMBURSEMENT OF THE PROVIDER OF THE BOND
22 INSURANCE, RESERVE FUND INSURANCE, LETTER OF CREDIT, LINE OF CREDIT, OR
23 OTHER FORM OF ADDITIONAL, SUBSTITUTE, OR REPLACEMENT SECURITY.

24 (P) ANY OF THE AGREEMENTS AND CONTRACTS MAY CONTAIN THE
25 COVENANTS, TERMS, AND CONDITIONS AS MAY BE CONTAINED IN ANY TRUST
26 AGREEMENT FOR ANY BONDS.

27 (Q) ANY BANK OR TRUST COMPANY INCORPORATED UNDER THE LAWS OF THE
28 STATE THAT ACTS AS A DEPOSITORY OF THE PROCEEDS OF THE BONDS MAY
29 FURNISH INDEMNIFYING BONDS OR PLEDGE SECURITIES AS REQUIRED BY THE
30 BOARD.

31 (R) THE RESOLUTION PROVIDING FOR THE ISSUANCE OF BONDS IS A TRUST
32 AGREEMENT IF IT SO STIPULATES.

33 (S) ALL EXPENSES INCURRED IN CARRYING OUT THE PROVISIONS OF ANY
34 TRUST AGREEMENT OR ANY RESOLUTION MAY BE TREATED AS A PART OF THE COST
35 OF THE OPERATIONS OF THE BOARD.

36 (T) UPON THE ISSUANCE OF BONDS, THE STATE COMPTROLLER SHALL
37 WITHHOLD FROM ANY INSTALLMENT DUE THE BOARD FROM THE GENERAL STATE
38 SCHOOL FUND AND THE DIRECTOR OF FINANCE OF BALTIMORE CITY SHALL
39 WITHHOLD FROM ANY FUNDS APPROPRIATED TO THE BOARD MONEYS FOR DEPOSIT
40 TO THE CREDIT OF A SINKING FUND MAINTAINED TO PAY THE PRINCIPAL AND

1 INTEREST ON THE BONDS. SUCH MONEYS SHALL BE WITHHELD UNTIL THE BONDS
2 ARE NO LONGER OUTSTANDING AND UNPAID AND SHALL BE WITHHELD IN
3 INSTALLMENTS. THE AMOUNT OF EACH INSTALLMENT SHALL BE DETERMINED AT
4 THE TIME THE BONDS ARE ISSUED AND SHALL BE PROVIDED IN WRITING BY THE
5 BOARD TO THE STATE COMPTROLLER AND TO THE DIRECTOR OF FINANCE OF
6 BALTIMORE CITY, PROVIDED THAT THE FREQUENCY AND AMOUNT OF SUCH
7 INSTALLMENTS SHALL ALLOW FOR THE TIMELY PAYMENT OF THE PRINCIPAL AND
8 INTEREST ON THE BONDS.

9 4-306.3.

10 (A) THE EXERCISE OF THE POWERS GRANTED BY THE PROVISIONS OF THIS
11 SUBTITLE SHALL BE FOR THE BENEFIT OF THE STUDENTS WHO ATTEND THE PUBLIC
12 SCHOOLS UNDER THE BOARD AND FOR THE IMPROVEMENT OF THEIR EDUCATION,
13 PROSPERITY, HEALTH, LIVING CONDITIONS, AND GENERAL WELFARE.

14 (B) THE BOARD SHALL NOT BE REQUIRED TO PAY ANY TAXES OR
15 ASSESSMENTS OF ANY KIND WHATSOEVER AND ITS BONDS, THEIR TRANSFER, THE
16 INTEREST PAYABLE ON THEM, AND ANY INCOME DERIVED FROM THEM, INCLUDING
17 ANY PROFIT REALIZED IN THEIR SALE OR EXCHANGE, SHALL BE EXEMPT AT ALL
18 TIMES FROM EVERY KIND AND NATURE OF TAXATION BY THE STATE OR BY ANY OF
19 ITS POLITICAL SUBDIVISIONS, MUNICIPAL CORPORATIONS, OR PUBLIC AGENCIES OF
20 ANY KIND.

21 4-306.4.

22 THE BONDS ARE INVESTMENT SECURITIES.

23 4-306.5.

24 (A) THE TITLE TO ANY PROPERTY ACQUIRED OR CONSTRUCTED UNDER THE
25 PROVISIONS OF THIS SUBTITLE SHALL BE IN THE NAME OF THE BOARD.

26 (B) (1) THE STATE CONSENTS TO THE USE OF ANY LANDS OWNED BY IT FOR
27 THE USE OF THE BOARD THAT MAY BE SUITABLE AND NECESSARY FOR THE
28 CONSTRUCTION OR OPERATION OF ANY OF THE PUBLIC SCHOOL FACILITIES
29 AUTHORIZED BY THE PROVISIONS OF THIS SUBTITLE.

30 (2) THE STATE COVENANTS THAT IT WILL NOT REVOKE THIS CONSENT
31 DURING THE TERM OF BONDS ISSUED UNDER THIS SUBTITLE.

32 4-306.6.

33 (A) THE PROVISIONS OF THIS SUBTITLE, BEING NECESSARY FOR THE
34 WELFARE OF THE CITY OF BALTIMORE AND ITS INHABITANTS, SHALL BE LIBERALLY
35 CONSTRUED TO EFFECT THE PURPOSES OF THE PROVISIONS.

36 (B) THE PROVISIONS OF THIS SUBTITLE ARE SEVERABLE, AND IF ANY OF THE
37 PROVISIONS SHALL BE HELD UNCONSTITUTIONAL BY ANY COURT OF COMPETENT

1 JURISDICTION, THE DECISION OF THE COURT MAY NOT AFFECT OR IMPAIR ANY OF
2 THE REMAINING PROVISIONS.

3 4-313.

4 (a) By December 31 of each year and on June 30, 2002, the Chief Executive
5 Officer and the Board shall issue an annual report that includes:

6 (1) A financial statement;

7 (2) A comprehensive accounting of progress in the implementation of the
8 transition plan or master plan including:

9 (i) Assessment of student performance by the categories required
10 by the Maryland School Performance Program standards; and

11 (ii) Specific assessment of the extent of implementation of each
12 item included in § 4-309 of this subtitle, and any changes necessary in previously
13 established timelines; [and]

14 (3) SOURCES OF INCOME AND PAYMENTS OF DEBT SERVICE ON ANY
15 BONDS ISSUED BY THE BOARD IN ACCORDANCE WITH § 4-306.2 OF THIS SUBTITLE;

16 (4) ANTICIPATED SOURCES AND AMOUNTS OF PAYMENTS OF DEBT
17 SERVICE ON ANY BONDS ISSUED BY THE BOARD IN ACCORDANCE WITH § 4-306.2 OF
18 THIS SUBTITLE; AND

19 [(3)] (5) Any other information as required by State law.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2000.