

HOUSE BILL 937

Unofficial Copy
F1

2002 Regular Session
(21r0883)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by ~~Delegate Busch~~ **Delegates Busch and Rudolph**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Education - ~~Public School Construction - State Share for Schools with~~**
3 **Low-Income Students ~~Task Force to Study Public School Facilities~~ *Public***
4 **School Facilities**

5 FOR the purpose of establishing a new allocation method for certain grants
6 distributed to county boards of education under the Aging Schools program;
7 ~~requiring the State to provide, in certain counties, a certain percentage of the~~
8 ~~eligible costs for public school construction projects for schools in which a certain~~
9 ~~percentage of the students are eligible for free and reduced price meals;~~
10 ~~providing for the prospective application of this Act; and generally relating to~~
11 ~~public school construction in schools with low-income students~~ establishing a
12 Task Force to Study Public School Facilities; requiring the task force to submit
13 findings and recommendations to the Governor and General Assembly on or
14 before a certain date; providing for the termination of the task force on a certain
15 date; ~~providing for the abrogation of this Act; providing that, if there is any~~
16 conflict between this Act and a certain other Act, the provisions of this Act shall
17 govern; and generally relating to public school facilities.

1 BY repealing and reenacting, with amendments,
 2 Article - Education
 3 Section 5-206(k)
 4 Annotated Code of Maryland
 5 (2001 Replacement Volume)

6 BY repealing
 7 Chapter 105 of the Acts of the General Assembly of 1997
 8 Section 29-3(c)

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

11 Article - Education

12 5-206.

13 (k) [Beginning with the fiscal year 1999 State budget, the Governor shall
 14 include not less than the amount appropriated in fiscal year 1998 for the Aging School
 15 Program, which shall be administered by the Interagency Committee on Public School
 16 Construction. In addition to that amount, the following additional funds shall be
 17 provided annually to county boards as follows:

18	(1)	<u>Allegany County</u>	<u>\$ 205,000</u>
19	(2)	<u>Anne Arundel County.....</u>	<u>330,000</u>
20	(3)	<u>Baltimore City</u>	<u>1,515,000</u>
21	(4)	<u>Baltimore County.....</u>	<u>1,190,000</u>
22	(5)	<u>Calvert County.....</u>	<u>40,000</u>
23	(6)	<u>Caroline County</u>	<u>50,000</u>
24	(7)	<u>Carroll County.....</u>	<u>205,000</u>
25	(8)	<u>Cecil County.....</u>	<u>205,000</u>
26	(9)	<u>Charles County.....</u>	<u>40,000</u>
27	(10)	<u>Dorchester County.....</u>	<u>40,000</u>
28	(11)	<u>Frederick County.....</u>	<u>50,000</u>
29	(12)	<u>Garrett County.....</u>	<u>50,000</u>
30	(13)	<u>Harford County.....</u>	<u>220,000</u>
31	(14)	<u>Howard County.....</u>	<u>40,000</u>

.....

1	(15)	<u>Kent County.....</u>	<u>40,000</u>
2	(16)	<u>Montgomery County.....</u>	<u>660,000</u>
3	(17)	<u>Prince George's County.....</u>	<u>550,000</u>
4	(18)	<u>Queen Anne's County.....</u>	<u>50,000</u>
5	(19)	<u>St. Mary's County.....</u>	<u>50,000</u>
6	(20)	<u>Somerset County.....</u>	<u>40,000</u>
7	(21)	<u>Talbot County.....</u>	<u>95,000</u>
8	(22)	<u>Washington County.....</u>	<u>110,000</u>
9	(23)	<u>Wicomico County.....</u>	<u>205,000</u>
10	(24)	<u>Worcester County.....</u>	<u>40,000]</u>

11 (1) (I) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
12 MEANINGS INDICATED.

13 (II) "LOCAL SQUARE FOOTAGE" MEANS THE TOTAL SQUARE
14 FOOTAGE FOR SCHOOL FACILITIES IN THE COUNTY THAT WERE CONSTRUCTED
15 BEFORE 1960 AND THAT HAVE NOT BEEN RENOVATED SINCE 1960.

16 (III) "STATEWIDE SQUARE FOOTAGE" MEANS THE TOTAL SQUARE
17 FOOTAGE FOR SCHOOL FACILITIES IN THE STATE THAT WERE CONSTRUCTED
18 BEFORE 1960 AND THAT HAVE NOT BEEN RENOVATED SINCE 1960.

19 (2) BEGINNING IN FISCAL YEAR 2003, THE STATE SHALL DISTRIBUTE A
20 TOTAL OF \$10,370,000 IN GRANTS TO COUNTY BOARDS UNDER THE AGING SCHOOLS
21 PROGRAM ADMINISTERED BY THE INTERAGENCY COMMITTEE ON SCHOOL
22 CONSTRUCTION AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION.

23 (3) EACH COUNTY SHALL RECEIVE A GRANT UNDER THIS SUBSECTION
24 THAT IS EQUAL TO THE PRODUCT OF \$10,370,000 AND THE RATIO OF THE LOCAL
25 SQUARE FOOTAGE TO THE STATEWIDE SQUARE FOOTAGE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as
27 follows:

28 Chapter 105 of the Acts of 1997

29 [(c) Aging School Program.

30 The following funds shall be provided for the Aging School Program, which shall
31 be administered by the Interagency Committee on Public School Construction,
32 beginning with the Fiscal Year 1998 State budget:

1	<u>(1)</u>	<u>Allegany County</u>	<u>\$150,000;</u>
2	<u>(2)</u>	<u>Anne Arundel County.....</u>	<u>240,000;</u>
3	<u>(3)</u>	<u>Baltimore City</u>	<u>120,000;</u>
4	<u>(4)</u>	<u>Baltimore County.....</u>	<u>1,750,000;</u>
5	<u>(5)</u>	<u>Calvert County.....</u>	<u>25,000;</u>
6	<u>(6)</u>	<u>Caroline County</u>	<u>35,000;</u>
7	<u>(7)</u>	<u>Carroll County.....</u>	<u>180,000;</u>
8	<u>(8)</u>	<u>Cecil County.....</u>	<u>150,000;</u>
9	<u>(9)</u>	<u>Charles County.....</u>	<u>25,000;</u>
10	<u>(10)</u>	<u>Dorchester County.....</u>	<u>25,000;</u>
11	<u>(11)</u>	<u>Frederick County.....</u>	<u>35,000;</u>
12	<u>(12)</u>	<u>Garrett County.....</u>	<u>35,000;</u>
13	<u>(13)</u>	<u>Harford County.....</u>	<u>180,000;</u>
14	<u>(14)</u>	<u>Howard County.....</u>	<u>25,000;</u>
15	<u>(15)</u>	<u>Kent County.....</u>	<u>25,000;</u>
16	<u>(16)</u>	<u>Montgomery County.....</u>	<u>510,000;</u>
17	<u>(17)</u>	<u>Prince George's County</u>	<u>420,000;</u>
18	<u>(18)</u>	<u>Queen Anne's County.....</u>	<u>35,000;</u>
19	<u>(19)</u>	<u>St. Mary's County.....</u>	<u>35,000;</u>
20	<u>(20)</u>	<u>Somerset County.....</u>	<u>25,000;</u>
21	<u>(21)</u>	<u>Talbot County.....</u>	<u>60,000;</u>
22	<u>(22)</u>	<u>Washington County.....</u>	<u>90,000;</u>
23	<u>(23)</u>	<u>Wicomico County.....</u>	<u>150,000;</u>
24	<u>(24)</u>	<u>Worcester County</u>	<u>25,000.</u>

25 The total grant under this subsection is \$4,350,000.]

26 SECTION 3. AND BE IT FURTHER ENACTED, That:

1 (a) Notwithstanding any other provision of law, in counties for which the State
2 share of eligible costs for public school construction projects is less than 75%, the
3 State shall provide 75% of the eligible costs for public school construction projects for
4 any school in which 50% or more of the students in the school are eligible for free and
5 reduced price meals under the Richard B. Russell National School Lunch Act, 42
6 U.S.C. 1751, et seq.

7 (b) ~~The provisions of this Act shall be construed to apply only prospectively
8 and may not be applied or interpreted to have any effect on or application to any
9 project initiated before the effective date of this Act.~~

10 SECTION 2. ~~AND BE IT FURTHER ENACTED, That this Act shall take effect~~
11 ~~July 1, 2002.~~

12 (a) There is a Task Force to Study Public School Facilities.

13 (b) The task force shall review, evaluate, and make findings and
14 recommendations regarding the following issues relating to the State's public school
15 construction program:

16 (1) whether public school facilities are adequate to support programs
17 funded through an adequate operating budget as proposed by the Commission on
18 Education Finance, Equity, and Excellence in its January 2002 Final Report;

19 (2) the equity of the State's public school construction program,
20 particularly the equity of the State and local cost shares for school construction
21 projects;

22 (3) whether the Aging Schools Program should be continued as a
23 permanent program;

24 (4) whether the State should provide a greater share of eligible costs for:

25 (i) schools with 50% or more of the students eligible for free and
26 reduced price meals;

27 (ii) small schools constructed or renovated in a priority funding
28 area; and

29 (iii) schools in qualified distressed counties as defined in Article
30 83A, § 5-701 of the Code; and

31 (5) any other matter that the task force determines to be relevant to an
32 evaluation of the adequacy and equity of the State's public school construction
33 program.

34 (c) The task force shall be composed of 21 members as follows:

35 (1) a chairman, appointed by the Governor;

- 1 (2) two members of the Senate of Maryland, appointed by the President
2 of the Senate;
- 3 (3) two members of the House of Delegates of Maryland, appointed by
4 the Speaker of the House;
- 5 (4) ~~the Executive Director of the Interagency Committee on School~~
6 ~~Construction~~ the Secretary of the Department of Planning;
- 7 (5) the State Superintendent of Schools, or the State Superintendent's
8 designee;
- 9 (6) the Secretary of the Department of Budget and Management, or the
10 Secretary's designee;
- 11 (7) the Secretary of the Department of General Services, or the
12 Secretary's designee;
- 13 (8) a member of the State Board of Education, appointed by the
14 Governor;
- 15 (9) three representatives of county governments, appointed by the
16 Governor;
- 17 (10) three representatives of local boards of education, appointed by the
18 Governor;
- 19 (11) three educators who work in public schools in the State, appointed by
20 the Governor; and
- 21 (12) two members of the public, appointed by the Governor.
- 22 (d) To the extent practicable, the Governor shall attempt to ensure regional,
23 ethnic, economic, and gender diversity on the task force.
- 24 (e) The Interagency Committee on School Construction, the Maryland State
25 Department of Education, the Department of Budget and Management, and the
26 Department of Legislative Services, jointly, shall provide staff support to the task
27 force.
- 28 (f) The task force shall:
- 29 (1) be appointed and begin its deliberations no later than June 1, 2002;
30 and
- 31 (2) submit a report of its findings and recommendations to the Governor
32 and, in accordance with § 2-1246 of the State Government Article, the General
33 Assembly on or before December 31, 2002.
- 34 (g) The task force shall terminate on December 31, 2002.

1 SECTION 4. AND BE IT FURTHER ENACTED, That, if there is any conflict
2 between the provisions of this Act and the provisions of Chapter _____ (S.B. 856) of the
3 Acts of the General Assembly of 2002 regarding the Task Force on Public School
4 Facilities or the Aging Schools Program, the provisions of this Act shall govern the
5 work of the Task Force on Public School Facilities or the administration of the Aging
6 Schools Program.

7 SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect June 1, 2002. ~~It shall remain in effect for a period of 7 months, and at the end~~
9 of December 31, 2002, with no further action required by the General Assembly, this
10 Act shall be abrogated and of no further force and effect.