

SENATE BILL 751

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2002 Regular Session  
2lr2505

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By: **Senator Middleton**

Introduced and read first time: February 1, 2002

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Financing - Aid to Education**

3 FOR the purpose of modifying the Governor's Teacher Salary Challenge Program to  
4 require that certain funds be distributed to certain counties in a certain fiscal  
5 year; extending the termination date of a certain management oversight panel  
6 in Prince George's County; extending certain responsibilities of the management  
7 oversight panel for a certain period; extending certain duties of the coordination  
8 office for the management oversight panel for a certain period; requiring the  
9 Governor to include certain appropriations in certain State budgets for certain  
10 educational programs; providing for the distribution of certain appropriations;  
11 extending the termination date of certain educational funding programs;  
12 modifying certain educational programs to make them applicable in a certain  
13 fiscal year; altering the amounts of grants to county boards of education for  
14 transportation services; prohibiting a county board from receiving more than  
15 100% of the actual cost of providing student transportation services in that  
16 county; and generally relating to the funding of the State's public schools.

17 BY repealing and reenacting, with amendments,  
18 Article - Education  
19 Section 5-205, 5-206(g)(6) and (8), and 5-213  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume)

22 BY repealing and reenacting, without amendments,  
23 Article - Education  
24 Section 5-206(g)(7)  
25 Annotated Code of Maryland  
26 (2001 Replacement Volume)

27 BY repealing and reenacting, with amendments,  
28 Chapter 105 of the Acts of the General Assembly of 1997, as amended by  
29 Chapter 420 of the Acts of the General Assembly of 2001  
30 Section 7 and 29-2(a)

1 BY repealing and reenacting, without amendments,  
 2 Chapter 105 of the Acts of the General Assembly of 1997, as amended by  
 3 Chapter 420 of the Acts of the General Assembly of 2001  
 4 Section 24, 29-1, and 29-2(b)

5 BY repealing and reenacting, with amendments,  
 6 Chapter 565 of the Acts of the General Assembly of 1998, as amended by  
 7 Chapter 420 of the Acts of the General Assembly of 2001  
 8 Section 2 and 3

9 BY repealing and reenacting, with amendments,  
 10 Chapter 704 of the Acts of the General Assembly of 1998, as amended by  
 11 Chapter 420 of the Acts of the General Assembly of 2001  
 12 Section 2, 3, 4, and 5

13 BY repealing and reenacting, with amendments,  
 14 Chapter 464 of the Acts of the General Assembly of 1999, as amended by  
 15 Chapter 420 of the Acts of the General Assembly of 2001  
 16 Section 4

17 BY repealing and reenacting, with amendments,  
 18 Chapter 493 of the Acts of the General Assembly of 2000, as amended by  
 19 Chapter 420 of the Acts of the General Assembly of 2001  
 20 Section 4 and 10

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

23 **Article - Education**

24 5-205.

25 (a) For fiscal year [1993] 2003, grants in the following amounts shall be  
 26 distributed to the county boards to provide transportation services for public school  
 27 students and handicapped children for whom transportation is to be provided under §  
 28 8-410 of this article:

29	(1)	ALLEGANY .....	\$3,469,827;
30	(2)	ANNE ARUNDEL .....	\$15,293,428;
31	(3)	BALTIMORE CITY.....	\$12,596,967;
32	(4)	BALTIMORE.....	\$18,920,981;
33	(5)	CALVERT .....	\$2,907,878;
34	(6)	CAROLINE.....	\$1,798,633;

1	(7)	CARROLL.....	\$5,967,050;
2	(8)	CECIL.....	\$3,351,898;
3	(9)	CHARLES.....	\$6,443,910;
4	(10)	DORCHESTER.....	\$1,790,299;
5	(11)	FREDERICK.....	\$6,291,589;
6	(12)	GARRETT.....	\$2,308,605;
7	(13)	HARFORD.....	\$7,843,468;
8	(14)	HOWARD.....	\$7,807,617;
9	(15)	KENT.....	\$1,202,859;
10	(16)	MONTGOMERY.....	\$18,691,895;
11	(17)	PRINCE GEORGE'S.....	\$25,145,846;
12	(18)	QUEEN ANNE'S.....	\$2,103,813;
13	(19)	ST. MARY'S.....	\$4,178,786;
14	(20)	SOMERSET.....	\$1,393,339;
15	(21)	TALBOT.....	\$1,140,895;
16	(22)	WASHINGTON.....	\$4,587,516;
17	(23)	WICOMICO.....	\$3,365,941; AND
18	(24)	WORCESTER.....	\$2,063,619.

19 (B) Appropriations for student transportation shall be budgeted in a separate  
20 budget category as provided in § 5-101 of this article.

21 (C) [If the amount that is appropriated to a county under this section in a  
22 fiscal year is more than the actual cost of providing student transportation services in  
23 that county, a county board or the Board of School Commissioners of Baltimore City  
24 may apply any excess funds to costs of pupil transportation in subsequent years. None  
25 of these funds may be paid to or claimed by any subdivision, nor may any of these  
26 funds be reverted to any subdivision.] A COUNTY MAY NOT RECEIVE MORE THAN 100%  
27 OF THE ACTUAL COST OF PROVIDING STUDENT TRANSPORTATION SERVICES IN THAT  
28 COUNTY.

29 (D) A county board [or the Board of School Commissioners of Baltimore City]  
30 may not transfer State revenues from the student transportation category to any  
31 other category [as a result of this section].

1	[(1)	Allegany.....	\$ 1,980,822
2	(2)	Anne Arundel.....	8,425,949
3	(3)	Baltimore City.....	7,190,970
4	(4)	Baltimore.....	10,367,659
5	(5)	Calvert.....	1,416,467
6	(6)	Caroline.....	1,006,102
7	(7)	Carroll.....	3,187,617
8	(8)	Cecil.....	1,804,270
9	(9)	Charles.....	3,451,989
10	(10)	Dorchester.....	1,019,763
11	(11)	Frederick.....	3,190,417
12	(12)	Garrett.....	1,316,631
13	(13)	Harford.....	4,243,590
14	(14)	Howard.....	3,771,266
15	(15)	Kent.....	682,517
16	(16)	Montgomery.....	9,288,324
17	(17)	Prince George's.....	13,405,820
18	(18)	Queen Anne's.....	1,124,034
19	(19)	St. Mary's.....	2,281,410
20	(20)	Somerset.....	793,869
21	(21)	Talbot.....	639,498
22	(22)	Washington.....	2,592,124
23	(23)	Wicomico.....	1,905,063
24	(24)	Worcester.....	1,159,874]

25 [(b)] (E) (1) In this subsection, "full-time equivalent enrollment" means the  
 26 full-time equivalent enrollment used to calculate the State share of basic current  
 27 expenses for a fiscal year under § 5-202 of this subtitle.

1           (2)       Subject to the limitations under paragraph (3) of this subsection, for  
2 fiscal year [2001] 2004 and every year thereafter the amount of the grant shall be  
3 equal to the amount of the grant for the previous year increased by the same  
4 percentage as the increase in the private transportation category of the Consumer  
5 Price Index for all urban consumers, for the Washington-Baltimore metropolitan  
6 area, as of July of the fiscal year preceding the year for which the amount is being  
7 calculated, plus an additional amount equal to the product of:

8                   (i)       The total State grant for school transportation for the previous  
9 fiscal year divided by the full-time equivalent enrollment for the previous fiscal year;  
10 and

11                   (ii)       [For fiscal year 1999 and each fiscal year thereafter, the] THE  
12 difference between the full-time equivalent enrollment in a county for the current  
13 fiscal year and EITHER:

14                           1.       [the] THE full-time equivalent enrollment in the county  
15 for the previous fiscal year[, or,]; OR

16                           2.       [if ] IF the full-time equivalent enrollment in a county for  
17 the current fiscal year is less than the full-time equivalent enrollment in the county  
18 for the previous fiscal year, zero.

19           (3)       The increase in the amount of the grant that is based on the increase  
20 in the private transportation category of the Consumer Price Index may not be less  
21 than [3 percent] 3% nor more than [8 percent] 8% of the amount of the grant for the  
22 previous year.

23   [(c)]   (F)       For each fiscal year, in addition to the grant provided under  
24 subsections (a) and (b) of this section, a handicapped student transportation grant  
25 shall be distributed to each county board. The amount of the grant to each board shall  
26 be \$500 times the number of handicapped students requiring special transportation  
27 services who are transported by the county board in excess of the number transported  
28 during the 1980-1981 school year.

29   [(d)]   (G)       For the purposes of determining the amount of the grant provided  
30 under subsection (c) of this section, the State Board shall develop a procedure and  
31 adopt regulations for determining the number of handicapped students transported in  
32 each jurisdiction in excess of the number transported in the 1980-1981 school year.

33   [(e)]   (H)       The State Board shall adopt rules and regulations that provide for  
34 the safe operation of the student transportation system of each county board of  
35 education.

36 5-206.

37   (g)   (6)   (i)       There shall be a Management Oversight Panel which shall  
38 assist in developing the scope of the performance audit, meet periodically with the  
39 auditors to monitor the progress of the performance audit and of the financial audit,

1 review the findings and recommendations of both audits, and monitor  
2 implementation of the audits' recommendations for a [five-year] SIX-YEAR period.

3 (ii) The Management Oversight Panel shall consist of nine  
4 members jointly appointed by the Governor, the Prince George's County Executive,  
5 and the Chairperson of the Prince George's County Board of Education from a list of  
6 nominations submitted by the State Board of Education.

7 (iii) The Management Oversight Panel shall be comprised of:

8 1. Four individuals who have extensive expertise in  
9 management or business enterprises;

10 2. Three individuals who have extensive expertise in the  
11 education field; and

12 3. Two individuals who are parents of students in the Prince  
13 George's County public schools, at least one of whom has a child in special education.

14 (iv) A majority of the members of the Management Oversight Panel  
15 shall be residents of Prince George's County.

16 (v) The Governor, the Prince George's County Executive, and the  
17 Chairman of the Prince George's County Board of Education jointly shall designate a  
18 Chairman of the Management Oversight Panel.

19 (vi) The Management Oversight Panel shall assist in developing the  
20 scope of a performance audit and shall meet periodically with the Board Chairperson,  
21 the County Executive, and the County Council Chairperson to monitor the progress of  
22 the audit.

23 (vii) At the conclusion of the performance audit and the financial  
24 audit, the Management Oversight Panel shall review the findings and  
25 recommendations of the audits and report to the Governor, General Assembly, Prince  
26 George's County Council, Prince George's County Executive, and Prince George's  
27 County Board of Education:

28 1. On the audits' findings and recommendations; and

29 2. Annually on implementation of the audits'  
30 recommendations.

31 (viii) The Management Oversight Panel and the county board shall  
32 promulgate and publish a protocol for joint communications with, and requests for,  
33 information to the County Board and the County Superintendent and shall notify the  
34 Prince George's County Senators and the Prince George's County Delegation, the  
35 County Executive, the County Council and the State Superintendent of any breaches  
36 of that protocol by the Management Oversight Panel, the County Board, or the  
37 County Superintendent.

1 (ix) The Management Oversight Panel may meet and deliberate in  
2 executive session with the County Board, the County Superintendent, and employees  
3 of the County Board to discuss any matter which the Management Oversight Panel  
4 and the County Board may separately discuss in executive session.

5 (x) The affirmative vote of the members of the Management  
6 Oversight Panel for the passage of a motion by the Management Oversight Panel  
7 shall be a majority of the members presently authorized to serve.

8 (7) The State shall provide one-third of the total cost of the performance  
9 audit up to \$200,000, with release of the funds contingent on appointment of the  
10 Management Oversight Panel.

11 (8) (i) There shall be a coordination office with staff appointed by the  
12 Management Oversight Panel.

13 (ii) The coordination office shall provide support to the  
14 Management Oversight Panel and serve as liaison between the State, Prince George's  
15 County, and the Management Oversight Panel for the duration of the [five-year]  
16 SIX-YEAR period.

17 (iii) The State shall fund the total operating costs of the  
18 coordination office.

19 5-213.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) (i) "Cost of living adjustment" means a percentage increase in  
22 salaries that applies among all grades and steps.

23 (ii) "Cost of living adjustment" does not include salary increases for  
24 promotions, increments, or step increases, or similar salary increases received by  
25 employees as a regular part of the operation of a personnel system.

26 (3) "Full-time equivalent enrollment" has the meaning indicated in §  
27 5-202 of this subtitle.

28 (4) "State share" means the State share of basic current expenses  
29 provided under § 5-202 of this subtitle divided by the amount of the basic current  
30 expenses to be shared for that county.

31 (5) "Teacher salary base" means the total salaries and wages of teachers  
32 employed by a county board for the fiscal year preceding the fiscal year for which the  
33 Governor's Challenge Grant is calculated, as determined by the Department of  
34 Budget and Management and the State Superintendent.

35 (6) "Teacher" means any certificated professional public school employee  
36 who is not an administrator.

1 (7) "Wealth" has the meaning stated in § 5-202 of this subtitle.

2 (8) "Wealth per pupil" means wealth divided by full-time equivalent  
3 enrollment.

4 (b) There is a Governor's Teacher Salary Challenge Program.

5 (c) The Governor's Teacher Salary Challenge Program shall provide grants to  
6 county boards for the purpose of increasing teacher salaries in order to improve  
7 recruitment and retention of well qualified teachers.

8 (d) (1) Each grant made to a county board shall be calculated based on:

9 (i) A percentage component;

10 (ii) A wealth adjusted component;

11 (iii) A hold harmless component;

12 (iv) A targeted component; and

13 (v) A transitional component.

14 (2) The percentage component shall be calculated as follows:

15 (i) For fiscal year 2001, multiply the teacher salary base for the  
16 county board by 0.01;

17 (ii) For fiscal year 2002:

18 1. If the county board meets the local match requirement  
19 established under subsection (f)(2) of this section in fiscal year 2001 and meets the  
20 local match requirement for fiscal year 2002, multiply the teacher salary base for the  
21 county board by 0.02;

22 2. If the county board does not meet the local match  
23 requirement established under subsection (f)(2) of this section in fiscal year 2001 and  
24 meets the local match requirement in fiscal year 2002, multiply the teacher salary  
25 base for the county board by 0.01; and

26 3. If the county board meets the local match requirement  
27 established under subsection (f)(2) of this section in fiscal year 2001 and does not  
28 meet the local match requirement in fiscal year 2002, multiply the teacher salary  
29 base for the county board by 0.01; and

30 (iii) For fiscal [year] YEARS 2003 AND 2004, the county board shall  
31 receive an amount that is equal to the percentage component received by the county  
32 board in fiscal year 2002.

33 (3) (i) For fiscal years 2001 and 2002, the wealth adjusted component  
34 shall be calculated as follows:



1 (vi) For fiscal [year] YEARS 2003 AND 2004, the county board shall  
2 receive an amount that is equal to the targeted component received by the county  
3 board in fiscal year 2002.

4 (6) (i) The Governor's Teacher Salary Challenge Grant shall contain a  
5 transitional component as provided in subparagraphs (ii) and (iii) of this paragraph.

6 (ii) For fiscal year [2001] 2004, the Governor shall include in the  
7 State budget an appropriation of at least [\$9 million] \$9,000,000 for the transitional  
8 component.

9 (iii) A county board shall receive a proportionate share of the  
10 transitional component that is equal to the county board's proportionate share of all  
11 reimbursements received by the State from the county board that:

12 1. Are for retirement contributions received after June 30,  
13 1999 but before July 1, 2000; and

14 2. Are sought by the State Retirement Agency on the basis  
15 that the salary of an eligible member of the Teachers' Retirement System or Teachers'  
16 Pension System is paid in whole or in part from:

17 A. State aid, whether general or categorical in nature; or

18 B. Federal funds, whether the funds are paid directly to a  
19 county board or are passed through from a unit of State government.

20 (iv) A county board shall receive its proportionate share of the  
21 transitional component regardless of whether it meets the local match requirement  
22 established under subsection (f)(2) of this section.

23 (e) (1) On or before June 1, 2000, and on or before June 1, 2001, each county  
24 board may submit a Governor's Teacher Salary Challenge Grant application to the  
25 Department of Budget and Management and the State Superintendent for the  
26 percentage component and the wealth adjusted component of the Governor's Teacher  
27 Salary Challenge Program.

28 (2) The application shall include:

29 (i) The estimated teacher salary base for the county board for the  
30 current fiscal year;

31 (ii) For the next fiscal year, the negotiated and funded cost of living  
32 adjustment for teachers and the aggregate cost of negotiated and funded changes to  
33 the teacher salary schedules, to be funded from sources other than the percentage  
34 component of the Governor's Teacher Salary Challenge Grant, expressed in total  
35 dollars and as a percentage; and

36 (iii) Any other information necessary to determine eligibility for the  
37 Governor's Teacher Salary Challenge Grant.

1 (3) The application shall be in a form and format specified by the  
2 Department of Budget and Management and the State Superintendent.

3 (f) (1) For fiscal years 2001 and 2002, the percentage component and the  
4 wealth adjusted component of a Governor's Teacher Salary Challenge Grant shall be  
5 awarded to each county board that submits an application and that meets the  
6 requirements of this section, as determined by the Department of Budget and  
7 Management and the State Superintendent.

8 (2) (i) Subject to subparagraph (ii) of this paragraph and paragraph  
9 (3) of this subsection, a county board that provides a negotiated and funded cost of  
10 living adjustment for teachers of at least 4% or a negotiated and funded adjustment to  
11 the teacher salary schedules that has an aggregate cost that is at least equivalent to  
12 the cost of providing a 4% cost of living adjustment for teachers shall qualify for the  
13 percentage component and the wealth adjusted component of the Governor's Teacher  
14 Salary Challenge Program.

15 (ii) The funds provided by a county board for the purpose of  
16 meeting the local match requirement established under subparagraph (i) of this  
17 paragraph shall be:

18 1. In addition to any previously negotiated and funded step  
19 increases and stipends; and

20 2. Obtained from sources other than the percentage  
21 component of the Governor's Teacher Salary Challenge Program.

22 (3) If a county board meets the local match requirement established  
23 under paragraph (2) of this subsection in fiscal year 2001 and does not meet the local  
24 match requirement in fiscal year 2002, the county board shall receive:

25 (i) A percentage component in fiscal year 2002 as provided under  
26 subsection (d)(2)(i)3 of this section; and

27 (ii) A wealth adjusted component in fiscal year 2002 as provided  
28 under subsection (d)(3) of this section.

29 (4) In fiscal years 2001 and 2002, the percentage component of the  
30 Governor's Teacher Salary Challenge Grant shall be used to provide an additional 1%  
31 cost of living adjustment for teachers.

32 (g) The Governor shall include funds in the State budget to accomplish the  
33 purposes of this section.

34 (h) The Department of Budget and Management and the State  
35 Superintendent may establish guidelines or regulations to implement the Governor's  
36 Teacher Salary Challenge Program.

37 (i) (1) There is a Transitional Education Fund.

1           (2)     The Fund consists of \$16,500,000 of reimbursements for fiscal year  
2 2000 and all reimbursements for fiscal years 2001, 2002, [and] 2003, AND 2004  
3 received by the State from the county boards that:

4           (i)     Are for retirement contributions made after June 30, 1999 but  
5 before [July 1, 2003] JULY 1, 2004; and

6           (ii)    Are sought by the State on the basis that the salary of an  
7 eligible member of the Teachers' Retirement System or Teachers' Pension System is  
8 paid in part or in whole from:

9                   1.     State aid, whether general or categorical in nature; or

10                   2.    Federal funds, whether the funds are paid directly to a  
11 local school system or are passed through from a unit of State government.

12           (3)     Notwithstanding § 5-203(d) of this subtitle, all reimbursements  
13 described in paragraph (2) of this subsection shall be credited to the Fund.

14           (4)     (i)     The State Treasurer shall hold the Fund and shall invest the  
15 money in the Fund in the same manner as other State money may be invested.

16                   (ii)    All interest earned on the Fund shall accrue to the General  
17 Fund.

18                   (iii)   The State Comptroller shall account for the Fund.

19           (5)     The Fund shall be used to implement the Governor's Teacher Salary  
20 Challenge Program established under this section.

21           (6)     Expenditures from the Fund may only be made pursuant to an  
22 appropriation approved by the General Assembly in the annual State budget or by  
23 approved budget amendment.

24           (7)     Except as provided in paragraph (8) of this subsection, any Fund  
25 balance at the end of each fiscal year shall remain in the Fund and may not revert to  
26 the General Fund.

27           (8)     The Fund shall terminate at the end of [June 30, 2003] JUNE 30, 2004  
28 and any Fund balance that remains at the end of [June 30, 2003] JUNE 30, 2004 shall  
29 revert to the General Fund.

30     SECTION 2. AND BE IT FURTHER ENACTED, That, in addition to the  
31 appropriation required by § 8-414 of the Education Article, the Governor shall  
32 include in the State budget for fiscal year 2004 an appropriation of at least  
33 \$11,250,000 for public special education that shall be distributed in accordance with  
34 the recommendations set forth in the November 1986 report of the Task Force to  
35 Study the Funding of Special Education.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall  
2 include in the State budget for fiscal year 2004 an appropriation of at least  
3 \$19,500,000 to fund the Maryland Academic Intervention and Support Program  
4 established under § 7-208 of the Education Article.

5 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall  
6 include in the State budget for fiscal year 2004 an appropriation of at least  
7 \$15,900,000 for teacher mentoring programs.

8 SECTION 5. AND BE IT FURTHER ENACTED, That the Governor shall  
9 include in the State budget for fiscal year 2004 an appropriation of at least  
10 \$19,000,000 to fund programs that improve the academic achievement of students in  
11 pre-kindergarten through third grade that shall be distributed in accordance with  
12 the recommendations set forth in the November 1986 report of the Task Force to  
13 Study the Funding of Special Education.

14 SECTION 6. AND BE IT FURTHER ENACTED, That the Governor shall  
15 include in the State budget for fiscal year 2004 an appropriation of at least  
16 \$11,625,000 for the Judith P. Hoyer Early Child Care and Education Enhancement  
17 Program established under § 5-215 of the Education Article.

18 SECTION 7. AND BE IT FURTHER ENACTED, That the Governor shall  
19 include in the State budget for fiscal year 2004 an appropriation of at least \$9,800,000  
20 to fund the program for reconstitution-eligible schools established under Title 3A,  
21 Subtitle 01, Chapter 04 of the Code of Maryland Regulations.

22 SECTION 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
23 read as follows:

24 **Chapter 105 of the Acts of 1997, as amended by Chapter 420 of the Acts of**  
25 **2001**

26 SECTION 7. AND BE IT FURTHER ENACTED, That the provisions of this  
27 Act reflect the terms of the consent decrees entered in the cases "Bradford, et al v.  
28 Maryland State Board of Education, et al", case no. 94340058/CE189672; "Board of  
29 School Commissioners, et al v. Maryland State Board of Education, et al", case no.  
30 9528055/CL2002151, Baltimore City Circuit Court; and "Vaughn G., et al v. Mayor  
31 and City Council, et al", case no. MJG-84-1911, United States District Court for the  
32 District of Maryland and reflect a commitment to appropriate additional funds for the  
33 Baltimore City public schools in the following amounts: \$30 million in Fiscal Year  
34 1998 and \$50 million in each of Fiscal Years 1999 through 2002, inclusive. For fiscal  
35 [year] YEARS 2003 AND 2004, the Governor shall continue the commitment to  
36 appropriate \$50 million in additional funds for the Baltimore City Public Schools.

37 SECTION 24. AND BE IT FURTHER ENACTED, That, if the General  
38 Assembly fails to appropriate the funds for any of the fiscal years described in Section  
39 7 of this Act, this Act shall be abrogated effective on the last day of the last fiscal year  
40 for which funds were appropriated.

1 SECTION 29. AND BE IT FURTHER ENACTED, That:

2 29-1. Grants Contingent Upon Funding.

3 In each year in which funds are provided to Baltimore City pursuant to Section  
4 7 of this Act, subject to approval of the General Assembly, the Governor shall provide  
5 in the State budget the amounts provided in this section for the jurisdictions  
6 indicated.

7 29-2. Abrogation Provision.

8 (a) (1) Subsection (e) of this section shall remain in effect until June 30,  
9 2002, after which it shall be abrogated and of no further force and effect without  
10 further action by the General Assembly.

11 (2) Except as provided in paragraph (1) of this subsection, this section  
12 shall remain in effect until [June 30, 2003] JUNE 30, 2004 after which it shall be  
13 abrogated and of no further force and effect with no further action required by the  
14 General Assembly.

15 (b) If the General Assembly fails to appropriate the funds described in this  
16 section for any of the fiscal years, this Act shall be abrogated effective on the last day  
17 of the last fiscal year for which funds were appropriated.

18 **Chapter 565 of the Acts of 1998, as amended by Chapter 420 of the Acts of**  
19 **2001**

20 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
21 General Assembly that the Governor provide a maximum of \$310,000 annually in  
22 Fiscal Years 1999 through [2003] 2004 for the operating expenses of the Coordination  
23 Office established by this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect July 1, 1998. It shall remain effective for a period of [5] 6 years and, at the end  
26 of [June 30, 2003] JUNE 30, 2004, with no further action required by the General  
27 Assembly, this Act shall be abrogated and of no further force and effect.

28 **Chapter 704 of the Acts of 1998, as amended by Chapter 420 of the Acts of**  
29 **2001**

30 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999  
31 through [2003] 2004, in each year, the State shall provide \$35 million for public  
32 school construction projects in Prince George's County and the Prince George's  
33 County government shall provide a minimum of \$32 million for public school  
34 construction projects, and such additional funds as may be necessary to match the  
35 annual State appropriation for public school construction projects in Prince George's  
36 County. For fiscal years 2000 through [2003] 2004, the full level of State funding shall  
37 be contingent on future economic conditions and review and approval by the State  
38 Superintendent of Schools of the Prince George's County Board of Education's  
39 Comprehensive Plan described in the 1998 Memorandum of Understanding signed by

1 the parties to Vaughns, et al. v. Board of Education of Prince George's County, et al.  
2 and submitted to the United States District Court.

3 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999  
4 through [2003] 2004, in each year, the State shall provide 75 percent of the eligible  
5 costs for up to \$35 million in public school construction costs in Prince George's  
6 County. At least \$20 million of the State funds must be spent each year on  
7 neighborhood school projects. For funding above \$35 million, the State shall provide  
8 60 percent of the eligible costs. Neighborhood school projects shall be identified by the  
9 Interagency Committee on Public School Construction and shall include new public  
10 schools and additions or improvements to existing public schools which serve students  
11 reassigned to their local communities based upon the Community Schools Education  
12 Plan developed by the Prince George's County Board of Education.

13 SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school  
14 construction projects being released for bidding as a result of State funding in fiscal  
15 years 1999 through [2003] 2004, the Prince George's County Board of Education, the  
16 County Executive, and the County Council shall submit to the Interagency  
17 Committee on School Construction the most recent Community Schools Education  
18 Plan and the Prince George's County Board of Education Capital Improvement  
19 Program and a letter of endorsement of the plan and program. The Interagency  
20 Committee shall review the information submitted and determine which projects or  
21 portions thereof are justified and which qualify as neighborhood school projects. Prior  
22 to any approval from the Interagency Committee to release any projects for bidding,  
23 the educational programs and services proposed for each project shall be reviewed  
24 and approved by the State Superintendent of Schools for consistency with practices  
25 and strategies that result in improved student achievement and academic and social  
26 success.

27 SECTION 5. AND BE IT FURTHER ENACTED, That:

28 (a) Except as provided in subsection (b) of this section and Section 6 of this  
29 Act, this Act shall remain effective until [June 30, 2003] JUNE 30, 2004, and, at the  
30 end of [June 30, 2003] JUNE 30, 2004, with no further action required by the General  
31 Assembly, this Act shall be abrogated and of no further force and effect.

32 (b) Notwithstanding any other provision of this Act, § 5-307(d) of the  
33 Education Article as enacted by this Act shall remain in effect and shall not terminate  
34 without further action by the General Assembly.

35 **Chapter 464 of the Acts of 1999, as amended by Chapter 420 of the Acts of**  
36 **2001**

37 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall remain  
38 effective until [June 30, 2003] JUNE 30, 2004, and, at the end of [June 30, 2003]  
39 JUNE 30, 2004, with no further action required by the General Assembly, this Act shall  
40 be abrogated and of no further force and effect.

1                   **Chapter 493 of the Acts of 2000, as amended by Chapter 420 of the Acts of**  
2                   **2001**

3           SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall  
4 include in the State budget for each of fiscal years 2001, 2002, [and] 2003, AND 2004  
5 an appropriation of at least \$20,465,079 to meet the State's existing legal obligations  
6 for educational funding and avoid future litigation.

7           SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take  
8 effect June 1, 2000. Section 1 of this Act shall remain effective for a period of [3] 4  
9 years and 1 month and, at the end of [June 30, 2003] JUNE 30, 2004, with no further  
10 action required by the General Assembly, Section 1 of this Act shall be abrogated and  
11 of no further force and effect.

12           SECTION 9. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 June 1, 2002.