

SENATE BILL 245
EMERGENCY BILL

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2004 Regular Session
4r1718
CF 4r1241

By: **Senators Currie, Britt, Brochin, Conway, DeGrange, Della, Exum, Forehand, Frosh, Garagiola, Giannetti, Gladden, Green, Grosfeld, Hogan, Hughes, Jimeno, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lawlah, McFadden, Middleton, Miller, Ruben, and Teitelbaum**

Introduced and read first time: January 29, 2004

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Bridge to Excellence in Public Schools Act - Trigger Provision - Repeal**

3 FOR the purpose of repealing the provision in the Bridge to Excellence in Public
4 Schools Act, commonly referred to as the "trigger provision", that makes certain
5 State aid for education contingent on the adoption of a joint resolution by the
6 General Assembly by a certain date; repealing the provision of the Act
7 establishing an alternative funding level of State aid for education if the joint
8 resolution is not adopted by a certain date; making this Act an emergency
9 measure; and generally relating to the repeal of the trigger provision in the
10 Bridge to Excellence in Public Schools Act.

11 BY repealing and reenacting, with amendments,
12 Chapter 288 of the Acts of the General Assembly of 2002
13 Section 20

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

16 **Chapter 288 of the Acts of 2002**

17 SECTION 20. AND BE IT FURTHER ENACTED, That:

18 (a) Except as otherwise provided in this section, Sections 1 and 2 of this Act
19 shall take effect July 1, 2003.

20 (b) On or before September 30, 2002, the Prince George's County Board of
21 Education shall develop and submit to the State Department of Education a
22 comprehensive master plan that meets the requirements of § 5-401 of the Education
23 Article as enacted under Section 2 of this Act.

24 (c) On or before September 30, 2002, the State Department of Education shall
25 contract with a private entity to conduct the study required under § 5-202(f)(2) of the
26 Education Article as enacted under Section 2 of this Act.

1 [(d) (1) For the additional State aid for education as enacted by Section 2 of
2 this Act to be implemented in fiscal 2005, the General Assembly at the 2004 regular
3 session shall affirm by joint resolution adopted no later than the fiftieth day of the
4 session that the additional State aid for education is within the State's fiscal
5 resources for fiscal 2005.

6 (2) If a joint resolution pursuant to paragraph (1) of this subsection is
7 not adopted by the fiftieth day, then the additional State aid for education contained
8 in Section 2 of this Act shall be funded in fiscal 2005 at 105 percent of the fiscal 2004
9 level as enacted by Section 2 of this Act for each county from the appropriations
10 proposed by the Governor for the additional State aid enacted by Section 2 of this Act.
11 The balance of the appropriations proposed by the Governor for additional State aid
12 for education shall revert to the General Fund.

13 (e) If subsection (d)(2) of this section is implemented, then the additional
14 State aid for education contained in Section 2 of this Act shall be funded at the
15 following percentage of the fiscal 2004 level as enacted by Section 2 of this Act for
16 each county:

17 (1) 110.25 percent in fiscal 2006;

18 (2) 115.75 percent in fiscal 2007; and

19 (3) 121.50 percent in fiscal 2008.]

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
21 measure, is necessary for the immediate preservation of the public health or safety,
22 has been passed by a ye and nay vote supported by three-fifths of all the members
23 elected to each of the two Houses of the General Assembly, and shall take effect from
24 the date it is enacted.