

**ENROLLED BILL**  
-- Appropriations/Budget and Taxation --

Introduced by **Delegate Marriott**

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 **Baltimore City Public School System –~~Debt Authorization~~**

3 FOR the purpose of *prohibiting the State Board of Education and the State*  
4 *Superintendent of Schools from imposing a certain restructuring of a governance*  
5 *arrangement of certain schools in Baltimore City or removing a public school*  
6 *from the direct control of the Baltimore City Board of School Commissioners;*  
7 increasing the maximum aggregate principal amount of bonds issued by the  
8 Baltimore City Board of School Commissioners of the Baltimore City Public  
9 School System which may be outstanding on certain dates; *providing for the*  
10 *interpretation and application of certain provisions of this Act; providing for the*  
11 *termination of certain provisions of this Act;* and generally relating to the ~~debt~~  
12 ~~authorization for the~~ Baltimore City Public School System.

13 *BY repealing and reenacting, without amendments,*

14 *Article - Education*

15 *Section 2-205(a) and (c)*

16 *Annotated Code of Maryland*

1 (2004 Replacement Volume and 2005 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article - Education  
4 Section 2-205(b) and 4-306.2(b)  
5 Annotated Code of Maryland  
6 (2004 Replacement Volume and 2005 Supplement)

7 BY adding to  
8 Article - Education  
9 Section 4-309(d)  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2005 Supplement)

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

14 **Article - Education**

15 2-205.

16 (a) In addition to the other powers granted and duties imposed under this  
17 article, the State Board has the powers and duties set forth in this section.

18 (b) [The] EXCEPT AS PROVIDED IN § 4-309 OF THIS ARTICLE, THE State Board  
19 shall:

20 (1) Determine the elementary and secondary educational policies of this  
21 State; and

22 (2) Cause to be carried out those provisions of this article that are within  
23 its jurisdiction.

24 (c) (1) The State Board shall adopt bylaws, rules, and regulations for the  
25 administration of the public schools.

26 (2) These bylaws, rules, and regulations have the force of law when  
27 adopted and published.

28 (3) The bylaws, rules, and regulations apply to each county. However, they  
29 do not apply to Baltimore City to the extent that they relate to matters that are the  
30 subject of other provisions of this article that do not apply to Baltimore City.

31 4-309.

32 (D) THE STATE BOARD AND THE STATE SUPERINTENDENT MAY NOT IMPOSE  
33 A MAJOR RESTRUCTURING OF A GOVERNANCE ARRANGEMENT OF A PUBLIC SCHOOL

1 IN THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM OR REMOVE A PUBLIC SCHOOL  
2 FROM THE DIRECT CONTROL OF THE BOARD.

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

5 Article - Education

6 4-306.2.

7 (b) The aggregate principal amount of bonds outstanding, including the  
8 amount of any reserve fund requirement established for the bonds, may not exceed, as  
9 of the date that the bonds are issued, [\$75,000,000] \$100,000,000.

10 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall  
11 be construed to apply retroactively and shall be applied to and interpreted to ~~affect~~  
12 prohibit any action of the State Board of Education and the State Superintendent of  
13 Schools taken on or after March 28, 2006 in furtherance of any major restructuring.

14 SECTION ~~2. 4.~~ AND BE IT FURTHER ENACTED, That this Act shall take  
15 effect ~~October~~ June 1, 2006. Section 1 of this Act shall remain effective for a period of  
16 1 year and, at the end of May 30, 2007, with no further action required by the General  
17 Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.