

# SENATE BILL 636

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71r1207

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By: **Senator Raskin**

Introduced and read first time: February 2, 2007

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – School Construction – Green School**  
3 **Buildings Fund**

4 FOR the purpose of establishing the Green School Buildings Fund; providing for the  
5 purpose of the Fund; requiring the State Treasurer to hold the Fund and the  
6 Comptroller to account for the Fund; requiring the Governor to include a certain  
7 amount of funding in the operating budget or capital budget submission  
8 beginning in a certain fiscal year for the Fund; requiring the Board of Public  
9 Works to administer the Fund and to adopt certain regulations; and generally  
10 relating to the establishment of the Green School Buildings Fund.

11 BY adding to  
12 Article – Education  
13 Section 5–312  
14 Annotated Code of Maryland  
15 (2006 Replacement Volume)

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

18 **Article – Education**

19 **5–312.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A)    **IN THIS SECTION, "FUND" MEANS THE GREEN SCHOOL BUILDINGS**  
2 **FUND.**

3           (B)    **THERE IS A GREEN SCHOOL BUILDINGS FUND.**

4           (C)    (1)   **THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO**  
5 **LOCAL EDUCATION AGENCIES TO FINANCE EXTRA COSTS INCURRED IN**  
6 **INNOVATIVE PUBLIC SCHOOL CONSTRUCTION OR RENOVATION PROJECTS THAT**  
7 **ARE INTENDED TO IMPROVE SCHOOL DESIGN AND WOULD RESULT IN**  
8 **LIFE-CYCLE SAVINGS.**

9                   (2)   **THE FUND SHALL BE FUNDED AS PROVIDED IN SUBSECTION**  
10 **(D) OF THIS SECTION.**

11                   (3)   **THE STATE TREASURER SHALL HOLD THE FUND AND THE**  
12 **COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

13           (D)    (1)   **FOR FISCAL YEAR 2009 AND EACH FISCAL YEAR THEREAFTER,**  
14 **THE GOVERNOR SHALL INCLUDE \$1,000,000 IN THE ANNUAL OPERATING**  
15 **BUDGET OR CAPITAL BUDGET SUBMISSION FOR THE FUND.**

16                   (2)   **THE FUNDING REQUIREMENT IN PARAGRAPH (1) OF THIS**  
17 **SUBSECTION REPRESENTS A MINIMUM LEVEL OF STATE SUPPORT FOR THE**  
18 **FUND THAT THE GOVERNOR MAY EXCEED AS STATE RESOURCES PERMIT.**

19           (E)    **THE BOARD OF PUBLIC WORKS SHALL:**

20                   (1)   **ADMINISTER THE FUND; AND**

21                   (2)   **ADOPT REGULATIONS TO IMPLEMENT THIS SECTION,**  
22 **INCLUDING:**

23                           (I)   **ESTABLISHING THE APPLICATION PROCESS FOR**  
24 **GRANTS FROM THE FUND;**

25                           (II)   **ESTABLISHING ELIGIBILITY CRITERIA FOR GRANTS**  
26 **FROM THE FUND;**

1                   **(III) DETERMINING WHETHER THE STATE AND LOCAL**  
2 **COST-SHARE FORMULA SHALL BE USED FOR PROJECTS THAT RECEIVED A**  
3 **GRANT FROM THE FUND; AND**

4                   **(IV) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS**  
5 **SECTION.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 July 1, 2007.