

SB0743/399739/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 743
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Authority” and substitute “and Revitalization Act of 2013”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 22 on page 2, inclusive, and substitute:

“FOR the purpose of authorizing the Maryland Stadium Authority to issue bonds to finance the construction of or improvements to certain Baltimore City public school facilities in accordance with a certain 10-year plan for Baltimore City Public Schools and subject to certain limitations; specifying that the Authority and the Baltimore City Board of School Commissioners shall be responsible for certain public school facilities construction and improvement projects; prohibiting the interference with or limitation of the powers of the Authority and the Baltimore City Board of School Commissioners except under certain circumstances; specifying that certain expenses incurred by the Authority are payable only from certain funds; specifying that certain bonds issued under this Act are a limited obligation of the Authority payable solely from certain pledged money and are not a debt, liability, moral obligation, or a pledge of the faith and credit or taxing power of the State, the Authority, or any other governmental unit; requiring the Authority to obtain approval from the Board of Public Works before each issuance of bonds to finance improvements to Baltimore City public school facilities; requiring Baltimore City to deposit a certain amount of money into a certain fund by certain dates; requiring the Authority to transfer certain funds under certain circumstances; requiring the State Comptroller to withhold the distribution of certain income tax revenues to Baltimore City under certain circumstances; requiring the Authority to direct the State Comptroller to

(Over)

withhold certain payments to the Baltimore City Board of School Commissioners and instead deposit that money into a certain fund under certain circumstances; requiring a certain joint report on or before a certain date year; providing for certain requirements for the Baltimore City Board of School Commissioners regarding certain buildable sites and certain operational responsibilities; requiring the Baltimore City Board of School Commissioners to obtain approval from the State Superintendent of Schools and the Board of Public Works prior to the disposal of certain facilities except in certain circumstances; providing for the payment of certain costs; requiring the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to agree to a certain memorandum of understanding on or before a certain date; prohibiting the issuance of bonds to finance improvements to Baltimore City public school facilities unless the memorandum of understanding is signed by certain parties and the Baltimore City Board of School Commissioners has submitted a certain plan to certain committees of the General Assembly; specifying the requirements of the memorandum of understanding; requiring the State Superintendent of Schools to facilitate resolution in the event of a dispute of certain provisions in the memorandum of understanding; prohibiting the memorandum of understanding from taking effect until it is approved by the Board of Public Works; establishing the Baltimore City Public School Construction Financing Fund and the Baltimore City Public School Construction Facilities Fund as continuing, nonlapsing funds; specifying the contents of the funds and providing for the uses of the funds; exempting the funds from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; expanding the authority of the Authority to include acquiring property necessary to make improvements to certain facilities; requiring the Authority to perform certain actions related to Baltimore City public school facilities; limiting the amount of debt that may be issued by the Authority to finance certain public school construction projects in Baltimore City; including nontax supported debt in a certain debt limit; providing that money deposited in a certain fund may be

used as security for a bond issue; altering certain provisions of law relating to closing on certain bond sales; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through the Authority acting as its agent and enter into certain related contracts; increasing the amount of bonds that the Baltimore City Board of School Commissioners may have outstanding; specifying that the amount of outstanding debt of the Baltimore City Board of School Commissioners does not include bonds issued by the Authority; specifying that a transfer of a certain interest in a public school building in connection with financing the cost of improvements to that building is not a sale, lease, or disposal of that building; altering the distribution of certain State lottery revenues and requiring the State Comptroller to distribute certain State lottery revenues into a certain fund; repealing the requirement for certain lotteries to be conducted for the benefit of the Authority; repealing certain advertising and ticket requirements related to certain lotteries conducted for the benefit of the Authority; altering the calculation of a certain highest local appropriation for education under certain circumstances; requiring certain reports and notifications; declaring the intent of the General Assembly; defining certain terms; providing for the effective dates of this Act; and generally relating to public school construction and renovation projects in Baltimore City.”.

On page 2, in line 25, strike “10-301” and substitute “10-601, 10-620, 10-628, 10-634, and 10-639”; after line 27, insert:

“BY repealing and reenacting, without amendments,

Article - Economic Development

Section 10-629 through 10-633, 10-635, and 10-636

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY adding to

(Over)

Article - Economic Development
Section 10-645, 10-646, 10-656, and 10-657
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)”;

in line 30, strike “4-114,”; in the same line, strike “4-119, 4-126,”; in the same line, strike “(a) and”; strike in their entirety lines 33 through 38, inclusive; and after line 38, insert:

“BY repealing and reenacting, without amendments,
Article - Education
Section 4-306.2(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article - State Finance and Procurement
Section 6-226(a)(2)(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article - State Finance and Procurement
Section 6-226(a)(2)(ii)69. and 70.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article - State Finance and Procurement
Section 6-226(a)(2)(ii)71. and 72.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article - State Government

Section 9-120

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article - Education

Section 5-202(d)(1) through (5)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,

Article - Education

Section 5-202(d)(6)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing

Article - State Government

Section 9-120.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 8, strike in their entirety the lines beginning with line 1 on page 3 through line 19 on page 8, inclusive, and substitute:

“10-601.

(Over)

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Authority” means the Maryland Stadium Authority.
- (c) “Authority affiliate” means a for-profit or not-for-profit entity in which the Authority directly or indirectly owns any membership interest or equity interest.
- (D) “BALTIMORE CITY” MEANS, AS THE CONTEXT REQUIRES:**
- (1) THE GEOGRAPHIC AREA OF THE CITY OF BALTIMORE; OR**
- (2) THE MAYOR AND CITY COUNCIL OF BALTIMORE.**
- (E) “BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS” MEANS THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM ESTABLISHED UNDER § 3-108.1 OF THE EDUCATION ARTICLE.**
- (F) “BALTIMORE CITY PUBLIC SCHOOL FACILITY” MEANS A PROPERTY PRIMARILY USED FOR EDUCATIONAL INSTRUCTION THAT:**
- (1) IS HELD IN TRUST BY BALTIMORE CITY OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FOR THE BENEFIT OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM; AND**
- (2) IS DESIGNATED FOR IMPROVEMENT UNDER THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE**

INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION ENTERED INTO IN ACCORDANCE WITH § 10-646 OF THIS SUBTITLE.

(G) “BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND” MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND ESTABLISHED UNDER § 10-657 OF THIS SUBTITLE.

(H) “BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND” MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10-656 OF THIS SUBTITLE.

(I) “BALTIMORE CITY PUBLIC SCHOOL SITE” MEANS THE SITE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY.

[(d)](J) (1) “Baltimore Convention facility” means:

(i) a convention center, trade show facility, meeting hall, or other structure in Baltimore City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, hotels, restaurants, railroad sidings, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) “Baltimore Convention facility” includes the following, if used, useful, or usable in the future as, or in connection with, a Baltimore Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights-of-way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to a Baltimore Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate a Baltimore Convention facility.

[(e)](K) “Baltimore Convention Fund” means the Baltimore Convention Financing Fund established under § 10–651 of this subtitle.

[(f)](L) “Baltimore Convention site” means the site of the Baltimore Convention Center located in Baltimore City at the address generally known as 1 West Pratt Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 22, Section 01, Block 0682, Lots 001 and 001A.

[(g)](M) “Bond” includes a note, an interim certificate, refunding bond, and any other evidence of obligation issued under this subtitle.

[(h)](N) “Camden Yards” means the area comprising approximately 85 acres in Baltimore City bounded by Camden Street on the north, Russell Street on the west, Ostend Street on the south, and Howard Street and Interstate 395 on the east.

[(i)](O) “Camden Yards Fund” means the Camden Yards Financing Fund established under § 10–652 of this subtitle.

[(j)](P) “Convention facility” means the Baltimore Convention facility, the Montgomery County Conference facility, and the Ocean City Convention facility.

~~[(k)]~~ (Q) “Facility” means:

- (1) a structure or other improvement developed at Camden Yards;
- (2) a convention facility;
- (3) the Hippodrome Performing Arts facility; [or]
- (4) a sports facility; OR
- (5) A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

~~(R)~~ “GOVERNMENTAL UNIT” MEANS A COUNTY, A MUNICIPAL CORPORATION, A UNIT OF STATE OR LOCAL GOVERNMENT, OR ANY OTHER PUBLIC BODY CREATED UNDER STATE OR LOCAL LAW.

~~[(l)]~~ (S) (1) “Hippodrome Performing Arts facility” means the performing arts center facility located at the Hippodrome Performing Arts site.

(2) “Hippodrome Performing Arts facility” includes, at the Hippodrome Performing Arts site:

- (i) the Hippodrome theater and offices;
- (ii) food service facilities; and
- (iii) any other functionally related property, structures, improvements, furnishings, or equipment.

[(m)](T) “Hippodrome Performing Arts Fund” means the Hippodrome Performing Arts Financing Fund established under § 10–653 of this subtitle.

[(n)](U) “Hippodrome Performing Arts site” means the site of the France–Merrick Performing Arts Center located in Baltimore City at the address generally known as:

(1) 12 North Eutaw Street Building, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 001; and

(2) 401 West Fayette Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 013.

[(o)](V) “Improve” means to add, alter, construct, equip, expand, extend, improve, install, reconstruct, rehabilitate, remodel, or repair.

[(p)](W) “Improvement” means addition, alteration, construction, equipping, expansion, extension, improvement, installation, reconstruction, rehabilitation, remodeling, or repair.

[(q)](X) “Montgomery County” includes the Montgomery County Revenue Authority.

[(r)](Y) (1) “Montgomery County Conference facility” means the Conference Center facility located at the Montgomery County Conference site used for conferences, trade shows, meetings, displays, or similar events.

(2) “Montgomery County Conference facility” includes, at the Montgomery County Conference site, offices, parking lots and garages, access roads,

food service facilities, and other functionally related property, structures, improvements, furnishings, or equipment.

(3) “Montgomery County Conference facility” does not include the privately owned hotel adjacent to the Montgomery County Conference Center.

[(s)] (Z) “Montgomery County Conference Fund” means the Montgomery County Conference Financing Fund established under § 10–654 of this subtitle.

[(t)] (AA) “Montgomery County Conference site” means the site of the Montgomery County Conference Center located in Rockville at the address generally known as 5701 Marinelli Road, identified in the State Department of Assessments and Taxation Real Property database as tax identification number District 04, Account Number 03392987.

[(u)] (BB) (1) “Ocean City Convention facility” means:

(i) a convention center, trade show facility, meeting hall, or other structure in Ocean City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, food service facilities, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) “Ocean City Convention facility” includes the following, if used, useful, or usable in the future as, or in connection with, an Ocean City Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights-of-way, franchises, easements, and other interests in land;

(Over)

(ii) land and facilities that are functionally related to an Ocean City Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate an Ocean City Convention facility.

[(v)] (CC) “Ocean City Convention Fund” means the Ocean City Convention Financing Fund established under § 10–655 of this subtitle.

[(w)] (DD) “Ocean City Convention site” means the site of the Ocean City Convention Center located in Ocean City at the address generally known as 4001 Coastal Highway, identified in the State Department of Assessments and Taxation Real Property database as tax identification numbers District 10, Account Number 055237; District 10, Account Number 066301; District 10, Account Number 247942; and District 10, Account Number 280346.

[(x)] (EE) (1) “Sports facility” means:

(i) a stadium primarily for professional football, major league professional baseball, or both, in the Baltimore metropolitan region, as defined in § 13–301 of this article;

(ii) practice fields or other areas where professional football or major league professional baseball teams practice or perform; and

(iii) offices for professional football and major league professional baseball teams or franchises.

(2) “Sports facility” includes parking lots, garages, and any other property adjacent and directly related to an item listed in paragraph (1) of this subsection.

[(y)] (FF) “Tax supported debt” has the meaning stated in § 8–104 of the State Finance and Procurement Article.

10–620.

(a) (1) Subject to annual appropriations and this subtitle, the Authority may acquire in its own name, by gift, purchase, or condemnation, any property or interest in property necessary or convenient to construct, IMPROVE, or operate a facility.

(2) When acquiring in its own name any property under paragraph (1) of this subsection, the Authority shall first attempt to acquire the property by negotiation and purchase.

(3) If the Authority is not able to acquire property by negotiation, the Authority may condemn private property under subsection (b) of this section.

(4) If the Authority determines that acting under paragraphs (2) and (3) of this subsection would be inappropriate, the Authority may condemn private property under subsection (c) of this section.

(b) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may condemn any private property for any purpose of the Authority:

(i) in accordance with Title 12 of the Real Property Article; and

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(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(c) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may exercise quick take condemnation under Article III, § 40A of the State Constitution to acquire in Baltimore City for the State private property for any purpose of the Authority:

(i) in accordance with §§ 8-334 through 8-339 of the Transportation Article and Title 12 of the Real Property Article; and

(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(d) (1) The exercise of authority under this subsection is subject to the prior approval of the Board of Public Works.

(2) On request of the Authority, the State, a unit of the State, or a political subdivision may lease, lend, grant, or otherwise convey to the Authority, property, including property devoted to public use, as necessary or convenient for the purposes of this subtitle.

(3) The State may lease or sublease a facility, or an interest in a facility, from or to the Authority, whether or not constructed or usable.

(4) Lease payments to the Authority appropriated by the State shall be transferred to:

(i) the Baltimore Convention Fund if appropriated for a Baltimore Convention facility;

(ii) the Camden Yards Fund if appropriated for a sports facility or other facility at Camden Yards;

(iii) the Hippodrome Performing Arts Fund if appropriated for a Hippodrome Performing Arts facility;

(iv) the Montgomery County Conference Fund if appropriated for a Montgomery County Conference facility; or

(v) the Ocean City Convention Fund if appropriated for an Ocean City Convention facility.

(e) (1) This subsection does not apply to the Camden Yards site, Baltimore Convention site, Ocean City Convention site, [or] Hippodrome Performing Arts site, OR ANY BALTIMORE CITY PUBLIC SCHOOL SITE.

(2) The Authority and any [authority] AUTHORITY affiliate is subject to applicable planning, zoning, and development regulations to the same extent as a private commercial or industrial enterprise.

(f) The Authority shall:

(1) in cooperation with Baltimore City, appoint a task force that includes residents and business and institutional representatives from the area adjacent to Camden Yards to review the schematic, preliminary, and final plans for facilities at Camden Yards;

(2) submit schematic plans for development of Camden Yards and the Baltimore Convention site to Baltimore City for review and comment before acquiring any property;

(3) WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY, submit preliminary and final plans [for Baltimore facilities] to Baltimore City for review and comment; [and]

(4) WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY, participate in the design review processes of Baltimore City; AND

(5) WITH RESPECT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, PERFORM THE ACTIONS REQUIRED UNDER §§ 10-645, 10-646, 10-656, AND 10-657 OF THIS SUBTITLE.

(g) This section does not affect the right of the Authority to acquire an option or institute a condemnation proceeding for later acquisition of the property once the approval required by this section is obtained.

10-628.

(a) Except as provided in subsections (b) and (c) of this section and subject to the prior approval of the Board of Public Works, the Authority may issue bonds at any time for any corporate purpose of the Authority, including the establishment of reserves and the payment of interest.

(b) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds for sports facilities at Camden Yards, whether taxable or tax exempt, that constitute tax supported debt if,

after the issuance, there would be outstanding and unpaid \$235,000,000 face amount of bonds for the purpose of financing the site acquisition and preparation, relocation, demolition and removal, construction and related expenses for construction management, professional fees, and contingencies of baseball and football stadiums or a multiuse stadium.

(2) (i) Subject to subparagraph (ii) of this paragraph, the limits on the issuance of bonds of the Authority, whether taxable or tax exempt, that constitute tax supported debt for the following purposes with respect to sports facilities at Camden Yards are:

1. \$85,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies for Camden Yards;

2. \$70,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a baseball stadium;

3. \$80,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a football stadium; and

4. \$195,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies of a multiuse stadium.

(ii) The Authority may exceed the monetary limits on bond issuances provided for in subparagraph (i) of this paragraph if the Authority:

1. obtains the authorization of the Board of Public Works; and

(Over)

2. notifies the Legislative Policy Committee with accompanying justification.

(c) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds, whether taxable or tax exempt, that constitute tax supported debt OR NONTAX SUPPORTED DEBT if, after issuance, there would be outstanding and unpaid more than the following face amounts of the bonds for the purpose of financing acquisition, construction, renovation, and related expenses for construction management, professional fees, and contingencies in connection with:

(i) the Baltimore Convention facility – \$55,000,000;

(ii) the Hippodrome Performing Arts facility – \$20,250,000;

(iii) the Montgomery County Conference facility – \$23,185,000;

[and]

(iv) the Ocean City Convention facility – \$17,340,000; AND

(v) BALTIMORE CITY PUBLIC SCHOOL FACILITIES – \$1,100,000,000.

(2) (i) The limitation under paragraph (1)(i) of this subsection applies to the aggregate principal amount of bonds outstanding as of June 30 of any year.

(ii) Refunded bonds may not be included in the determination of an outstanding aggregate amount under this paragraph.

10-629.

(a) The Authority shall pay the bonds issued in accordance with this part only from the property or receipts of the Authority.

(b) Property and receipts of the Authority include:

(1) taxes, fees, charges, or other revenues payable to the Authority;

(2) payments in accordance with letters of credit, lines of credit, insurance policies, or purchase agreements;

(3) investment earnings from funds or accounts maintained in accordance with a bond resolution or trust agreement;

(4) the proceeds of refunding bonds; and

(5) any other source authorized by law.

10-630.

(a) The Authority shall authorize the issuance of bonds by resolution.

(b) (1) The bonds may be secured by a trust agreement by and between the Authority and a corporate trustee.

(2) A corporate trustee may be any trust company or bank that has the powers of a trust company in or outside the State.

(c) The bonds shall:

(Over)

- (1) be issued at, above, or below par value, and for cash or other valuable consideration;
- (2) mature on a date or dates not exceeding 40 years from their respective dates of issue, whether or not the bonds are serial or term bonds;
- (3) bear interest at the fixed rate or the variable rate provided in the resolution or trust agreement;
- (4) be payable at a time or times and be in the denominations and form, either coupon or registered, as provided in the resolution or trust agreement;
- (5) be subject to the registration provisions, have the privileges as to conversion, and be subject to the provisions for the replacement of mutilated, lost, or destroyed bonds as provided in the resolution or trust agreement;
- (6) be a “security” within the meaning of § 8–102 of the Commercial Law Article, whether or not each bond is one of a class or series or is divisible by its terms into a class or series of instruments;
- (7) be negotiable for all purposes although payable from a limited source, notwithstanding any other law;
- (8) be payable in lawful money of the United States at a designated place;
- (9) be subject to the terms of purchase, payment, redemption, refunding, or refinancing as provided in the resolution or trust agreement;
- (10) subject to subsection (d) of this section, be executed by the manual or facsimile signatures of the officers of the Authority designated by the Authority;

(11) be sold in the manner and on the terms determined by the Authority, including competitive or negotiated sale; and

(12) are exempt from §§ 8-206 and 8-208 of the State Finance and Procurement Article.

(d) An officer's signature or facsimile signature on a bond of the Authority remains valid at delivery even if the officer leaves office before the bond is delivered.

10-631.

A resolution of the Authority or a trust agreement between the Authority and a corporate trustee may contain provisions that shall be part of the contract between the Authority and the holders of the bonds as to:

(1) (i) the pledging, assigning, or directing the use, investment, or disposition of receipts of the Authority or proceeds or benefits of any contract; and

(ii) the conveying or otherwise securing of any property or property rights;

(2) debt service reserves, capitalized interest accounts, cost of issuance accounts, sinking funds, and the setting aside of deposits, and the regulation, investment, and disposition of the funds specified in this item;

(3) limitations on the use and investment of bond proceeds;

(4) restrictions on the investment of revenues or bond proceeds to government obligations the principal and interest of which are unconditionally guaranteed by the United States of America;

(Over)

(5) limitations and conditions relating to the issuance of additional bonds, which may rank on a parity with, or be subordinate or superior to, other bonds;

(6) the refunding or refinancing of outstanding bonds;

(7) (i) the procedures by which the terms of a contract with bondholders may be amended; and

(ii) the amount of bonds the holders of which are needed to consent to an amendment under item (i) of this item and the manner of that consent;

(8) describing Authority defaults and the rights and remedies of bondholders;

(9) providing for guarantees, pledges of property, letters of credit, or other security, or insurance for the benefit of bondholders; and

(10) any other matter relating to the bonds that the Authority determines appropriate.

10-632.

Neither a member of the Authority nor any other person executing the bonds is subject to any personal liability because of the issuance of the bonds.

10-633.

The Authority may enter into agreements for the purpose of enhancing the marketability of, or to provide security for, its bonds.

10-634.

(a) A pledge by the Authority of revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND as security for an issue of bonds is valid and binding from when the pledge is made.

(b) (1) The revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE pledged are immediately subject to the lien of the pledge without any physical delivery or further act.

(2) The lien of any pledge is valid and binding against any person having a claim against the Authority in tort, contract, or otherwise, regardless of whether the person has notice of the lien.

(c) Notwithstanding any other provision of law, in order to perfect a lien on pledged revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND against a third person, it is not necessary to file or record any document adopted or entered into by the Authority in any public record other than in the records of the Authority.

10-635.

Except to the extent restricted by an applicable resolution or trust agreement, a bondholder or a trustee acting under a trust agreement entered into under this subtitle, may, by any suitable form of legal proceedings, protect and enforce any rights granted under the laws of the State or by any applicable resolution or trust agreement.

10-636.

(a) Subject to the prior approval of the Board of Public Works, the Authority may issue bonds to refund any of its outstanding bonds, including the payment of:

(Over)

(1) any redemption premium; and

(2) any interest accrued or that will accrue to the earliest or any subsequent date of redemption, purchase, or maturity of the bonds.

(b) (1) For the public purpose of achieving a savings in the effective costs of debt service or alleviating impending or actual default, the Authority may issue refunding bonds directly or through a debt restructuring.

(2) The bonds authorized by this subsection may be issued in one or more series and in an amount in excess of that of the bonds to be refunded.

10-639.

[The] THIS PART GOVERNS THE closing on the sale of bonds [that constitute tax supported debt,] and other borrowing of money BY THE AUTHORITY in amounts exceeding \$35,000 a year[,] to finance any segment of a facility [by the Authority is governed by this part].

10-645.

(A) (1) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE, THE AUTHORITY SHALL COMPLY WITH THIS SECTION AND § 5-301 OF THE EDUCATION ARTICLE TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE AND SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, SHALL BE RESPONSIBLE FOR SCHOOL FACILITIES CONSTRUCTION AND IMPROVEMENTS FINANCED WITH THE

PROCEEDS OF BONDS ISSUED UNDER THIS SUBTITLE IN ACCORDANCE WITH THE BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN APPROVED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS ON JANUARY 8, 2013, WHICH MAY BE AMENDED FROM TIME TO TIME IN ACCORDANCE WITH PARAMETERS ESTABLISHED FOR REVIEW AND COMMENT IN THE MEMORANDUM OF UNDERSTANDING ESTABLISHED UNDER § 10-646 OF THIS SUBTITLE.

(3) (I) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A POWER GRANTED TO THE AUTHORITY UNDER THIS SUBTITLE MAY NOT IN ANY WAY INTERFERE WITH THE ENUMERATED POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS UNDER TITLE 4, SUBTITLE 3 OF THE EDUCATION ARTICLE.

(II) THE POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS MAY NOT LIMIT THE ABILITY OF THE AUTHORITY TO CARRY OUT ITS OBLIGATIONS UNDER THIS SUBTITLE WITH RESPECT TO THE IMPROVEMENT OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES AND THE FINANCING RELATED TO THE IMPROVEMENTS.

(B) (1) THE AUTHORITY MAY NOT USE ANY OF ITS OWN MONEY, WHETHER APPROPRIATED OR NONBUDGETED, TO PAY FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE SOLE SOURCE OF PAYMENT FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES SHALL BE THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE

(Over)

BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND BOND PROCEEDS HELD UNDER A TRUST AGREEMENT.

(C) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF PUBLIC WORKS FOR EACH BALTIMORE CITY PUBLIC SCHOOL FACILITIES BOND ISSUE, THE AUTHORITY SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY WRITTEN NOTICE OF:

(1) THE AGGREGATE AMOUNT OF FUNDS NEEDED FOR THE RELEVANT BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING A LIST OF THE FACILITIES TO BE IMPROVED;

(2) THE ANTICIPATED TOTAL DEBT SERVICE FOR THE PROPOSED BOND ISSUE; AND

(3) THE ANTICIPATED TOTAL DEBT SERVICE WHEN COMBINED WITH THE DEBT SERVICE FOR ALL PRIOR OUTSTANDING BOND ISSUES FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(D) (1) A BOND ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(I) IS A LIMITED OBLIGATION OF THE AUTHORITY PAYABLE SOLELY FROM MONEY PLEDGED BY THE AUTHORITY TO THE PAYMENT OF THE PRINCIPAL OF AND THE PREMIUM AND INTEREST ON THE BOND OR MONEY MADE AVAILABLE TO THE AUTHORITY FOR THAT PURPOSE;

(II) IS NOT A DEBT, LIABILITY, OR A PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT; AND

(III) MAY NOT GIVE RISE TO ANY PECUNIARY LIABILITY OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT.

(2) THE ISSUANCE OF A BOND TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY IS NOT DIRECTLY, INDIRECTLY, OR CONTINGENTLY A MORAL OR OTHER OBLIGATION OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT TO LEVY OR PLEDGE ANY TAX OR TO MAKE AN APPROPRIATION TO PAY THE BOND.

(3) EACH BOND SHALL STATE ON ITS FACE THE PROVISIONS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(E) BEFORE EACH ISSUANCE OF BONDS TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE PROPOSED BOND ISSUE.

(F) THE TOTAL DEBT SERVICE FOR ANY BOND ISSUE, WHEN ADDED TO ALL PRIOR OUTSTANDING BOND ISSUES RELATED TO IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, MAY NOT EXCEED THE TOTAL AMOUNT OF THE FUNDS PROVIDED UNDER § 9-120(B)(1)(III) OF THE STATE GOVERNMENT ARTICLE AND THE FUNDS PROVIDED UNDER SUBSECTIONS (G) AND (H) OF THIS SECTION.

(G) (1) BEGINNING ON JULY 1, 2013 AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, BALTIMORE CITY SHALL DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(I) SUBJECT TO ANNUAL APPROPRIATION, ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE NO. 12-45, ENACTED JUNE 26, 2012;

(II) THE AMOUNTS PAID BY THE STATE COMPTROLLER TO BALTIMORE CITY FROM THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY THAT ARE DEDICATED TO SCHOOL CONSTRUCTION IN ACCORDANCE WITH § 9-1A-27(D)(2)(I)1 OF THE STATE GOVERNMENT ARTICLE;

(III) SUBJECT TO ANNUAL APPROPRIATION, 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY; AND

(IV) ANY OTHER REVENUES DEDICATED TO OR APPROPRIATED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND BY BALTIMORE CITY.

(2) THE MONEY DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH THIS SUBSECTION SHALL BE AT LEAST:

(I) \$4,000,000 BY NOVEMBER 1, 2014;

(II) AN ADDITIONAL \$4,000,000 BY MAY 1, 2015;

(III) AN ADDITIONAL \$4,000,000 BY NOVEMBER 1, 2015;

(IV) AN ADDITIONAL \$4,000,000 BY MAY 1, 2016; AND

(V) UNTIL THE BONDS ARE NO LONGER OUTSTANDING AND

UNPAID:

1. AN ADDITIONAL \$5,000,000 BY EACH NOVEMBER 1; AND

2. AN ADDITIONAL \$5,000,000 BY EACH MAY 1.

(3) IF THE FUNDS DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ARE LESS THAN THE AMOUNTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION:

(I) THE AUTHORITY SHALL TRANSFER MONEY HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN AN AMOUNT EQUAL TO THE LESSER OF:

1. THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY; OR

(Over)

2. THE AMOUNT HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND

(II) IF THE AMOUNT TRANSFERRED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS LESS THAN THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY:

1. THE AUTHORITY SHALL DIRECT THE STATE COMPTROLLER TO WITHHOLD, UNDER § 2-608 OF THE TAX – GENERAL ARTICLE, INCOME TAX REVENUE FROM BALTIMORE CITY IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AND THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. THE STATE COMPTROLLER SHALL CREDIT THE WITHHELD AMOUNT TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ON BEHALF OF BALTIMORE CITY ON OR BEFORE THE 15TH DAY OF THE FOLLOWING DECEMBER OR JUNE, AS APPLICABLE.

(4) ANY MONEY DEPOSITED BY BALTIMORE CITY OR ON BEHALF OF BALTIMORE CITY IN ACCORDANCE WITH THIS SECTION IN EXCESS OF THE AMOUNT REQUIRED IN ANY SEMIANNUAL PERIOD SHALL BE TRANSFERRED BY THE AUTHORITY TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND HELD IN RESERVE IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION AND § 10-657 OF THIS SUBTITLE.

(H) (1) BEGINNING ON JULY 1, 2013, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND MONEY REPRESENTING ADDITIONAL STATE FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED FROM BALTIMORE CITY TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND \$10,000,000 FOR FISCAL YEAR 2014 AND EACH FISCAL YEAR THEREAFTER, TO BE PAID IN EQUAL BI-MONTHLY PAYMENTS.

(2) BEGINNING ON JULY 1, 2015, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, IN ADDITION TO THE AMOUNT WITHHELD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THE FOLLOWING AMOUNTS, TO BE PAID IN EQUAL BI-MONTHLY PAYMENTS:

(I) \$10,000,000 FOR FISCAL YEAR 2016; AND

(II) \$20,000,000 FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER.

(Over)

(I) (1) IF THE MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH SUBSECTIONS (G) AND (H) OF THIS SECTION IS NOT NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER THOSE FUNDS TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(2) IF FUNDS ARE NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER MONEY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(J) IN CONNECTION WITH IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL:

(1) DELIVER TO THE AUTHORITY BUILDABLE SITES, READY FOR IMPROVEMENT AND FREE FROM ANY RESTRICTIONS, EASEMENTS, IMPEDIMENTS, HAZARDS OR CONDITIONS THAT WOULD AFFECT THE AUTHORITY'S SCHEDULE OR BUDGET FOR THE IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) ASSUME RESPONSIBILITY FOR THE OPERATION, MAINTENANCE, AND REPAIRS OF EACH BALTIMORE CITY PUBLIC SCHOOL FACILITY IMMEDIATELY BEFORE THE OCCUPANCY OF THE BALTIMORE CITY PUBLIC SCHOOL FACILITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE; AND

(3) EXCEPT FOR A TRANSFER OR ASSIGNMENT TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, OBTAIN THE APPROVAL

OF THE STATE SUPERINTENDENT OF SCHOOLS AND THE BOARD OF PUBLIC WORKS BEFORE THE SALE, ASSIGNMENT, MORTGAGE, PLEDGE, OR ENCUMBRANCE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY, OR ANY INTEREST IN THE FACILITY.

(K) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY MAY PAY FOR ANY COSTS OF START-UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS OF THE AUTHORITY OR COSTS OF ENGINEERING, ARCHITECTURAL, AND OTHER DESIGN PROFESSIONALS.

(2) (I) ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS INCURRED IN CONNECTION WITH AN IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY SHALL BE PAYABLE SOLELY FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(II) IF ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS OCCUR AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AUTHORITY SHALL PROVIDE A DETAILED REPORT EXPLAINING THE REASONS FOR THE COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS AND A DESCRIPTION OF THE ACTIONS TAKEN BY THE AUTHORITY TO CONTROL COSTS WITHIN THE BUDGET ESTABLISHED FOR EACH IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(L) ON OCTOBER 1, 2013, AND EACH OCTOBER 1 THEREAFTER, THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION JOINTLY SHALL REPORT TO THE GOVERNOR, THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL

(Over)

ASSEMBLY, ON THE PROGRESS OF REPLACEMENTS, RENOVATIONS, AND MAINTENANCE OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING ACTIONS:

- (1) TAKEN DURING THE PREVIOUS FISCAL YEAR; AND
- (2) PLANNED FOR THE CURRENT FISCAL YEAR.

10-646.

(A) BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(1) A FOUR-PARTY MEMORANDUM OF UNDERSTANDING THAT MEETS THE REQUIREMENTS OF THIS SECTION SHALL BE ENTERED INTO AND SIGNED BY THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION; AND

(2) THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL SUBMIT A LONG-TERM EDUCATIONAL FACILITIES MASTER PLAN TO THE JOINT AUDIT COMMITTEE AND THE BUDGET COMMITTEES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(B) IN THE CASE OF A DISPUTE BETWEEN THE PARTIES RELATING TO THE PROVISIONS TO BE INCLUDED IN THE MEMORANDUM OF UNDERSTANDING, THE STATE SUPERINTENDENT OF SCHOOLS SHALL FACILITATE RESOLUTION OF THE ITEMS IN DISPUTE.

(C) THE MEMORANDUM OF UNDERSTANDING SHALL BE AGREED TO BY THE PARTIES ON OR BEFORE OCTOBER 1, 2013, AND MAY NOT GO INTO EFFECT UNTIL IT IS APPROVED BY THE BOARD OF PUBLIC WORKS.

(D) (1) THE MEMORANDUM OF UNDERSTANDING SHALL AUTHORIZE THE AUTHORITY TO DESIGN AND IMPROVE, OR CONTRACT FOR THE DESIGN AND IMPROVEMENT OF, A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY GRANTED TO THE AUTHORITY UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE RIGHTS AND RESPONSIBILITIES OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(E) THE MEMORANDUM OF UNDERSTANDING SHALL REQUIRE:

(1) SPECIFIC PARAMETERS REGARDING THE ROLES, RIGHTS, AND RESPONSIBILITIES OF EACH PARTY WITH RESPECT TO THE PROCESS FOR AND MANAGEMENT OF PROGRAM DEVELOPMENT, SCHEDULING, BUDGETING, PROCUREMENT, DESIGN, CONSTRUCTION ADMINISTRATION, CAPITAL EQUIPPING, AND MAINTENANCE OF IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) SPECIFIC PARAMETERS REGARDING THE AUTHORITY OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OVER EDUCATIONAL PROGRAMS AND ISSUES RELATING TO BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN, INCLUDING EDUCATIONAL SPECIFICATIONS, FEASIBILITY STUDIES, AND DESIGN ELEMENTS OF EDUCATIONAL BUILDINGS, WHICH SHALL PROVIDE THAT AT THE COMPLETION OF SCHEMATIC DESIGN, ALL PARTIES SHALL AGREE TO PROJECT SCOPE, SCHEDULE, AND BUDGET;

(Over)

(3) SPECIFIC PARAMETERS FOR A REVIEW AND COMMENT PERIOD FOR ANY PROPOSED AMENDMENTS TO BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN, AS REFERENCED IN § 10-645(A) OF THIS SUBTITLE;

(4) SPECIFIC PROCEDURES RELATED TO THE ROLE OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION RELATED TO IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY FINANCED UNDER THIS SUBTITLE, WHICH SHALL PROVIDE FOR EFFICIENCIES IN COST, SCHEDULES, AND PROCESSES;

(5) A PROCESS FOR DETERMINING WHICH PLANNED PROJECTS FOR IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES WILL PROCEED AS PLANNED OR WILL BE POSTPONED OR CANCELED;

(6) A PLEDGE BY BALTIMORE CITY, SUBJECT TO ANNUAL APPROPRIATION, TO DEPOSIT THE FOLLOWING INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(i) ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE No. 12-45, ENACTED JUNE 26, 2012; AND

(ii) 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY;

(7) A PARTNERSHIP BETWEEN THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, THE BALTIMORE CITY DEPARTMENT OF PLANNING,

HOUSING, RECREATION, AND PARKS, AND THE MAYOR OF BALTIMORE CITY TO COORDINATE NEW INVESTMENT IN BALTIMORE CITY PUBLIC SCHOOL FACILITIES WITH THE COMMUNITY DEVELOPMENT GOALS OF BALTIMORE CITY;

(8) A PLAN FOR ANY NEW OR SUBSTANTIALLY RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES TO BE AVAILABLE FOR RECREATIONAL OPPORTUNITIES FOR THE COMMUNITY;

(9) A PLAN TO PRESENT ALL ARCHITECTURAL PLANS FOR ALL MAJOR RENOVATION AND NEW PUBLIC SCHOOL CONSTRUCTION BUILDINGS AND SITES TO THE BALTIMORE CITY PLANNING DEPARTMENT'S URBAN DESIGN AND ARCHITECTURAL REVIEW PANEL FOR SCHEMATIC AND FINAL DESIGN REVIEW;

(10) A PROCESS DEVELOPED AND AGREED TO BY BALTIMORE CITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS TO EXPEDITE THE CLOSURE OF PUBLIC SCHOOL BUILDINGS AS PROVIDED IN THE BALTIMORE CITY PUBLIC SCHOOL'S 10-YEAR PLAN APPROVED ON JANUARY 8, 2013, AND TO ARRANGE FOR THE PRODUCTIVE USE OF THE CLOSED BUILDINGS THROUGH THE SURPLUS PROCESS;

(11) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR PREVENTATIVE AND ONGOING MAINTENANCE FOR EXISTING, NEW, AND RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING FUNDING SUFFICIENT TO IMPLEMENT THE PLAN;

(12) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE

(Over)

ON SCHOOL CONSTRUCTION PROVIDING FOR MINIMUM SCHOOL UTILIZATION STANDARDS;

(13) THE CREATION OF A “STAT” PROGRAM FOR THE BALTIMORE CITY PUBLIC SCHOOLS’ 10-YEAR PLAN;

(14) SPECIFIC PARAMETERS FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES FINANCED UNDER THIS SUBTITLE REGARDING:

(I) PROPERTY MANAGEMENT, MAINTENANCE PLANS AND STANDARDS, ANNUAL INSPECTIONS, AND PROPERTY INSURANCE; AND

(II) ANY CLAIMS, LOSSES, OR DAMAGES ARISING FROM THE AUTHORITY’S IMPROVEMENT OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(15) A PROCESS TO RESOLVE DISPUTES AND REVISE THE MEMORANDUM OF UNDERSTANDING, IF NECESSARY; AND

(16) AN ALLOCATION OF THE PUBLIC SCHOOL IMPROVEMENTS TO BE UNDERTAKEN BY THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, RESPECTIVELY.

10-656.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE

AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING
BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL
CONSTRUCTION FINANCING FUND AS A REVOLVING FUND FOR CARRYING OUT
THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES;
AND

(II) PAY ANY AND ALL EXPENSES FROM THE BALTIMORE
CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE INCURRED
BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL
FACILITIES.

(C) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE
AUTHORITY, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC
SCHOOL CONSTRUCTION FINANCING FUND SHALL BE PLEDGED TO AND USED
TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL
FACILITIES:

(I) DEBT SERVICE ON AUTHORITY BONDS;

(II) DEBT SERVICE RESERVES UNDER A TRUST AGREEMENT;

(III) ALL REASONABLE CHARGES AND EXPENSES RELATED
TO AUTHORITY BORROWING; AND

(IV) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10-634 OF THIS SUBTITLE AND ANY APPLICABLE AUTHORITY RESOLUTION.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND CONSISTS OF:

(1) MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND;

(2) TO THE EXTENT THAT THE PROCEEDS ARE NOT UNDER A TRUST AGREEMENT, PROCEEDS FROM THE SALE OF BONDS CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER THIS SUBTITLE RELATED TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING REVENUES COLLECTED OR RECEIVED IN ACCORDANCE WITH § 9-120 OF THE STATE GOVERNMENT ARTICLE;

(4) FUNDS TO BE DEPOSITED IN ACCORDANCE WITH § 10-645 OF THIS SUBTITLE; AND

(5) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.

10-657.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES; AND

(Over)

(II) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, PAY ANY AND ALL EXPENSES FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(C) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND SHALL BE USED TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES:

(1) DEBT SERVICE ON AUTHORITY BONDS;

(2) DESIGN AND CONSTRUCTION COSTS RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, COSTS OF START-UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS RELATED TO THE MANAGEMENT OF IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES AUTHORIZED UNDER THIS SUBTITLE AND UNDERTAKEN BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS; AND

(4) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND CONSISTS OF:

(1) FUNDS TRANSFERRED FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN ACCORDANCE WITH § 10-645(I) OF THIS SUBTITLE; AND

(2) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On page 8, after line 19, insert:

“Article – Education”.

On pages 10 through 13, strike in their entirety the lines beginning with line 9 on page 10 through line 15 on page 13, inclusive.

(Over)

On page 13, in line 18, strike “ANOTHER ENTITY” and substitute “THE MARYLAND STADIUM AUTHORITY”.

On page 14, strike beginning with “BALTIMORE” in line 22 down through “BONDS” in line 23 and substitute “MARYLAND STADIUM AUTHORITY”; and in line 24, strike “ACQUISITION” and substitute “RENOVATION”.

AMENDMENT NO. 4

On pages 14 through 34, strike in their entirety the lines beginning with line 25 on page 14 through line 9 on page 34, inclusive.

On page 34, before line 10, insert:

“5-301.”

AMENDMENT NO. 5

On page 34, after line 28, insert:

“Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

69. the Maryland Legal Services Corporation Fund; [and]

70. Mortgage Loan Servicing Practices Settlement Fund;

**71. THE BALTIMORE CITY PUBLIC SCHOOL
CONSTRUCTION FACILITIES FUND; AND**

**72. THE BALTIMORE CITY PUBLIC SCHOOL
CONSTRUCTION FINANCING FUND.**

Article – State Government

9–120.

(a) The Comptroller shall distribute, OR CAUSE TO BE DISTRIBUTED, the
State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games,
the expenses of administering and operating the State lottery, as authorized under
this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article
and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or
share.

(b) (1) [Promptly after the 1st day of each month] BY THE END OF THE
MONTH FOLLOWING COLLECTION, the Comptroller shall [pay] DEPOSIT OR
CAUSE TO BE DEPOSITED:

(i) into the Maryland Stadium Facilities Fund ESTABLISHED
UNDER § 7-312 OF THE STATE FINANCE AND PROCUREMENT ARTICLE FROM

(Over)

the money that remains in the State Lottery Fund [from the proceeds of the lotteries conducted for the benefit of the Maryland Stadium Authority], after the distribution under subsection (a) of this section, AN AMOUNT NOT TO EXCEED \$20,000,000 IN ANY FISCAL YEAR;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9-112(d) of this subtitle, after the distribution under subsection (a) of this section; [and]

(III) AFTER JUNE 30, 2014, INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10-656 OF THE ECONOMIC DEVELOPMENT ARTICLE THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF ALL LOTTERIES AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$20,000,000 IN EACH FISCAL YEAR THAT BONDS ARE OUTSTANDING AND UNPAID, TO BE PAID IN TWO INSTALLMENTS WITH AT LEAST \$10,000,000 PAID NO LATER THAN DECEMBER 1 OF EACH FISCAL YEAR; AND

[(iii)] (IV) into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all [other] lotteries after the [distribution] DISTRIBUTIONS under subsection (a) of this section AND SUBPARAGRAPHS (I), (II), AND (III) OF THIS PARAGRAPH.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

(c) The regulations of the Agency shall apportion the money in the State Lottery Fund IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

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

Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county’s full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. [In] EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) OF THIS SUBSECTION, IN each fiscal year if a county’s education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- A. A county’s increase in the local wealth per pupil;
- B. The statewide average increase in local wealth per pupil; or
- C. 2.5%.

(Over)

(2) Except as provided in paragraph (3)(I) of this subsection, for purposes of this subsection, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the county's full-time equivalent enrollment for the prior fiscal year. For example, the calculation of the foundation aid for fiscal year 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

(3) (I) For purposes of this subsection, for fiscal year 1997 and each subsequent fiscal year, the calculation of the county's highest local appropriation to its school operating budget for the prior fiscal year shall exclude:

[(i)] 1. A nonrecurring cost that is supplemental to the regular school operating budget, if the exclusion qualifies under regulations adopted by the State Board;

[(ii)] 2. A cost of a program that has been shifted from the county school operating budget to the county operating budget; [and]

[(iii)] 3. The cost of debt service incurred for school construction projects; AND

4. FOR A COUNTY THAT SHIFTS THE RECURRING COSTS ASSOCIATED WITH PROVIDING RETIREE HEALTH BENEFITS FOR CURRENT RETIREES TO THE COUNTY BOARD, ANY REDUCTION IN THOSE RETIREE HEALTH COSTS FROM THE AMOUNT THE COUNTY WAS REQUIRED TO APPROPRIATE IN THE PREVIOUS YEAR.

(II) FOR PURPOSES OF THE ADJUSTMENT REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS SUBSECTION, A COUNTY THAT DEDICATES TO PUBLIC SCHOOL CONSTRUCTION ANY ADDITIONAL STATE FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED TO THE COUNTY BOARD MAY EXCLUDE THOSE RETIREE HEALTH COSTS FROM THE HIGHEST LOCAL APPROPRIATION ON A PER PUPIL BASIS.

(4) The county board must present satisfactory evidence to the county government that any appropriation under paragraph [(3)(i)] (3)(I)1 of this subsection is used only for the purpose designated by the county government in its request for approval.

(5) Any appropriation that is not excluded under paragraph [(3)(i)] (3)(I)1 of this subsection as a qualifying nonrecurring cost shall be included in calculating the county's highest local appropriation to its school operating budget.

(6) Qualifying nonrecurring costs, as defined in regulations adopted by the State Board, shall include but are not limited to:

- (i) Computer laboratories;
- (ii) Technology enhancement;
- (iii) New instructional program start-up costs; and
- (iv) Books other than classroom textbooks.”

AMENDMENT NO. 6

On page 34, before line 29, insert:

(Over)

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 9-120.1 of the Article – State Government of the Annotated Code of Maryland be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, as a part of the normal Public School Construction Program (PSCP) allocation, the Interagency Committee on School Construction consider the projects funded under this Act along with the ongoing capital needs in making annual PSCP allocations for the Baltimore City Public School System.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2014, the effective date of Chapter 6, § 3 of the Acts of the General Assembly of 2012. If the effective date of Chapter 6, § 3 is amended, Section 2 of this Act shall take effect on the taking effect of Chapter 6, § 3.”;

in line 29, strike “2.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 5 of this Act.”.