

SB0581/313127/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 581
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**School Construction Revolving Loan Fund**” and substitute “**Public School Construction Program**”; in line 3, strike “**Eligibility**” and substitute “**State and Local Cost–Share**”; strike beginning with “eligibility” in line 4 down through “Fund” in line 7 and substitute “State and local cost–share formula for the Public School Construction Program for the Maryland School for the Blind; and generally relating to the Public School Construction Program and the Maryland School for the Blind”; and in line 10, strike “5–315” and substitute “5–303(d)”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“5–303.

(d) (1) The Interagency Commission may adopt regulations for the administration of the programs provided for in this section.

(2) The regulations adopted by the Interagency Commission may contain requirements for:

(i) The submission of other data or information that is relevant to school construction or capital improvement;

(ii) The approval of sites, plans, and specifications for the construction of new school buildings or the improvement of existing buildings;

(iii) Site improvements;

(iv) Competitive bidding;

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(v) The hiring of personnel in connection with school construction or capital improvements;

(vi) The actual construction of school buildings or their improvements;

(vii) The relative roles of different State and local governmental agencies in the planning and construction of school buildings or school capital improvements;

(viii) School construction and capital improvements necessary or appropriate for the proper implementation of this section;

(ix) The establishment of priority public school construction programs;

(x) Development of cooperative arrangements that permit the sharing of facilities among two or more school systems;

(xi) The selection of architects and engineers by school systems;

(xii) The award of contracts by school systems;

(xiii) Methods of payments made by the State under the Public School Construction Program; and

(xiv) The use of a standard statewide computerized maintenance management system for school facilities maintenance work order tracking and reporting.

(3) The regulations adopted by the Interagency Commission shall contain provisions:

(i) Subject to PARAGRAPH (6) OF THIS SUBSECTION AND subsection (k) of this section, establishing a State and local cost-share formula for each county that identifies the factors used in establishing the formulas and the actual State and local cost-share percentages by the formula for each county;

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(ii) Requiring local education agencies to adopt educational facilities master plans and annual capital improvement programs;

(iii) Subject to subsection (l) of this section, providing a method for establishing a maximum State construction allocation for each project approved for State funding;

(iv) Referencing the policies stated in § 5-7B-07 of the State Finance and Procurement Article;

(v) Requiring local school systems to adopt procedures consistent with the minority business enterprise policies of the State as required under the Code of Maryland Regulations;

(vi) Establishing a process for appeal of Interagency Commission decisions, including an appeal process specifically for approved enrollment projections for individual projects to the full Interagency Commission;

(vii) Requiring local education agencies to adopt, implement, and periodically update comprehensive maintenance plans and preventative maintenance plans;

(viii) Authorizing the Interagency Commission to withhold State public school construction funds from a local education agency that fails to comply with the requirements of item (vii) of this paragraph;

(ix) Requiring the development and submission of long-range plans, including a requirement for the annual submission of a 10-Year Educational Facilities Master Plan; and

(x) Requiring the submission of an annual Capital Improvement Program, which may only be required to include plans for specific projects and requests for planning and construction projects for the upcoming fiscal year.

(4) In adopting any of these requirements, the State Board and the Interagency Commission shall provide for the maximum exercise of initiative by school personnel in each county to ensure that the school buildings and improvements meet

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both the needs of the local communities and the rules and regulations necessary to ensure the proper operation of this section and the prudent expenditure of State funds.

(5) The Interagency Commission shall:

(i) Update the regulations required under paragraph (3)(i) of this subsection every 2 years; and

(ii) When updating the regulations in accordance with item (i) of this paragraph, limit the percentage decrease in the State share of school construction costs to not more than 5% for each county.

(6) WHEN ADOPTING THE STATE AND LOCAL COST-SHARE FORMULA UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION, THE INTERAGENCY COMMISSION SHALL SET THE STATE SHARE AT 100% FOR THE MARYLAND SCHOOL FOR THE BLIND.”.

On pages 1 through 3, strike in their entirety the lines beginning with line 16 on page 1 through line 25 on page 3, inclusive.