

unless the court finds that such contract or purchase is in the public interest; and the burden of proof shall be upon the party seeking to uphold such contract or purchase to show that such contract or purchase is in the public interest, and except as herein provided, no contract or purchase of such board shall be set aside on the ground of conflict of interest.

(e) Penalty.—Any person who violates any of the provisions of this section is guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than \$1,000, or imprisonment for not more than one year, and in addition, it shall be obligatory upon the State Superintendent of Schools of the State of Maryland forthwith to cause such convicted person to be removed from his office.

123. *When sealed bids to be received.*

Where the cost of any school building, improvement, supplies, or equipment of any sort exceeds the sum of five thousand dollars, the board of education in each county shall advertise for bids in one or more newspapers published in their respective counties, publication of such advertisement to appear at least two weeks prior to the date on which bids are to be filed, and the contract for any such school building, improvements, supplies, or other equipment shall be awarded to the lowest responsible bidder, conforming to specifications, with consideration being given to quantities involved, time required for delivery, purpose for which required, competency and responsibility of bidder, and his ability to render satisfactory service, but the board of education in the respective counties shall have the right to reject any and all bids and to readvertise for other bids, and any contract entered into or purchase made in violation of the provisions of this section shall be null and void; provided, however, that the provisions of this section shall not apply to contracts for the purchase of books and/or other materials of instruction, and provided further that the board of education in any county shall be permitted to name in the specifications and advertisements for bids under this section the particular make, kind, or brand of article or articles to be purchased or contracted for, and provided further that nothing in this section shall apply to the emergency repairs during the period of the regular school year.

124. *General State School Fund.*

(a) General State school fund established.—All money appropriated subsequent to the enactment of this section, by the General Assembly of the State of Maryland to aid in support of public schools, shall constitute what shall be known as the General State School Fund.

(b) The Comptroller shall charge against and pay as hereinbefore or hereinafter provided from the General State School Fund, the annual appropriation made by the General Assembly for the support of the State Department of Education, including the expenses of the State Board of Education, and the support and expenses of the office of the State Superintendent of Schools; the annual appropriation for the Maryland Teachers' Retirement System; the annual appropriation for the education of handicapped children; the annual appropriation for administration and supervision of vocational education in public high and vocational schools, for physical education