

REQUIRE THE STATE TO PROVIDE A LARGER PERCENTAGE, for funding above \$35 million, the State shall provide 60 percent of the eligible costs. For fiscal years 2004 through 2007, UNLESS REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS REQUIRE THE STATE TO PROVIDE A LARGER PERCENTAGE, for funding above \$35 million, the State shall provide 65 percent of the eligible costs. Neighborhood school projects shall be identified by the Interagency Committee on Public School Construction and shall include new public schools and additions or improvements to existing public schools which serve students reassigned to their local communities based upon the Community Schools Education Plan developed by the Prince George's County Board of Education.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 280 of the Acts of 2001, as amended by Chapter 288 of the Acts of 2002 and Chapter 388 of the Acts of 2003

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That, notwithstanding any other provision of law, UNLESS REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS REQUIRE THE STATE TO PROVIDE A LARGER PERCENTAGE, for fiscal years 2002 through 2005, in each year, the State shall provide 90 percent of the eligible costs for up to and including \$20 million in public school construction projects in Baltimore City, and for funding above \$20 million, the State shall provide 75 percent of the eligible costs.

SECTION 7. AND BE IT FURTHER ENACTED, That, on or before July 1, 2005, at the request of the Interagency Committee on School Construction, the Board of Public Works shall adopt regulations, in accordance with Title 10, Subtitle 1 of the State Government Article, to implement the provisions of this Act and that:

(1) reduce the State rated classroom capacity for elementary grades 1 to 5 to 23 students per classroom;

(2) establish a planning priority process to evaluate requests for State planning approval in the annual Capital Improvement Programs of local education agencies;

(3) develop design guidelines and provide financial incentives, such as supplemental design funds or additional construction funding, for school construction projects that use innovative building techniques or include energy conservation, sustainable building, or green architecture design features; and

(4) establish a new State and local cost-share formula for each county for use beginning in fiscal year 2006, consistent with the recommendations contained in the Report of the Task Force to Study Public School Facilities, issued in February 2004 provided that:

(i) pay-as-you-go funding provided by a county shall be included in the local debt calculation used to determine the State share; and