

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2004 Legislative Session**

Resolution No. CR-50-2004  
Proposed by Council Member Peters  
Introduced by Council Members Peters, Dean, Exum, Bland, Dernoga and Harrington  
Co-Sponsors \_\_\_\_\_  
Date of Introduction July 6, 2004

**RESOLUTION**

1 A RESOLUTION concerning

2 Transfers of Appropriations Between and Within Major Categories of the  
3 Board of Education Budget

4 For the purpose of delineating the Prince George's County Council's policy that the Board of  
5 Education must follow State law requirements concerning adjustments to the approved budget.

6 WHEREAS, Section 803 of the Charter of Prince George's County provides that the  
7 County budget shall represent a complete financial plan for the County including all estimated  
8 revenues and all planned expenditures and shall be presented in such format as the Council may  
9 prescribe by resolution; and

10 WHEREAS, the Prince George's County Council received, reviewed, held public hearings,  
11 and adopted the Capital and Operating Budget for the Fiscal Year 2005 beginning July 1, 2004,  
12 which includes the Board of Education; and

13 WHEREAS, Section 815 of the County Charter provides for supplementary appropriations  
14 upon the recommendation of the County Executive and approval of the County Council; and

15 WHEREAS, Section 5-105(b)(2) of the Education Article of the Annotated Code of  
16 Maryland requires the Prince George's County Board of Education to request and receive the  
17 approval of the County Council for any transfer of appropriation authority between major  
18 categories; and

19 WHEREAS, Section 5-105(b)(1) of the Education Article of the Annotated Code of  
20 Maryland requires that transfers within major categories in any one month, must be reported to  
21 the County Council within 15 days after the end of the month. These requests shall include a

1 narrative summary that clearly indicates each transfer and shall include a narrative explanation of  
2 the action taken; and

3 WHEREAS, Sections 5-105(b)(4) and 5-105(b)(5) of the Education Article of the  
4 Annotated Code of Maryland require the Prince George's County Board of Education to submit  
5 to the county governing body a report within 15 days after the end of each month if during that  
6 month the Board of Education takes any action that would commit the Board of Education to  
7 spend more for the current fiscal year in any major category than the amount approved in the  
8 annual budget for that category. These reports shall include a narrative explanation of the action  
9 taken, indicating any request for transfer between categories that may become necessary for the  
10 fiscal year as a result of the action.

11 WHEREAS, the Board of Education Annual Financial Report for both Fiscal Years 2002  
12 and 2003 indicated that the Board of Education had failed to comply with Section 5-105 of the  
13 Education Article of the Maryland Annotated Code; and

14 WHEREAS, the Board of Education subsequently complied, albeit months after the 15-day  
15 reporting deadline had passed; and

16 WHEREAS, the County Executive has submitted a supplementary appropriation request for  
17 Fiscal Year 2004, including a \$7,086,070 supplementary appropriation for the Board of  
18 Education; and

19 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
20 County, Maryland, that pursuant to Section 5-114(c) of the Education Article of the Annotated  
21 Code of Maryland the Board of Education shall file a biannual report on the financial status of  
22 the local school system with the county governing body on or before April 30 and December 31  
23 of each fiscal year and attest to the accuracy of each biannual report when the report is submitted  
24 to the county governing body.

25 BE IT FURTHER RESOLVED that the Board of Education, shall submit a written report  
26 on any transfer occurring within the major categories. The report shall be provided to the  
27 County Council within 15 days of the end of the month in which the transfer occurred.

28 BE IT FURTHER RESOLVED that the County Council shall also receive reports as  
29 required by Section 12 of CB-33-2004.

Adopted this 21st day of July, 2004.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Tony Knotts  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council