
By: Senators Amoss and Hoffman

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 4, 1997

Rule 32(a) suspended

Assigned to: Rules

Re-referred to: Budget and Taxation, March 10, 1997

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 1997

CHAPTER ____

1 AN ACT concerning

2 **Maryland Higher Education Commission - Duties**

3 FOR the purpose of specifying which proposals for capital projects and improvements for
4 certain nonpublic institutions of higher education the Maryland Higher Education
5 Commission is required to review.

6 BY repealing and reenacting, with amendments,
7 Article - Education
8 Section 11-105(h)(1) through (4)
9 Annotated Code of Maryland
10 (1997 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Education**

14 11-105.

15 (h) (1) On or before a date set by the Commission, each of the following
16 governing boards and agencies shall submit to the Commission its annual operating
17 budget requests and proposals for capital projects, by constituent institutions for the next
18 fiscal year:

19 (i) The Board of Regents of the University of Maryland System;

2

- 1 (ii) The Board of Regents of Morgan State University;
- 2 (iii) The Board of Trustees of St. Mary's College of Maryland;
- 3 (iv) The Maryland Higher Education Loan Corporation;
- 4 (v) The State Advisory Council for Title I of the Higher Education Act
- 5 of 1965; and
- 6 (vi) The Board of Trustees of Baltimore City Community College.

7 (2) In consultation with the Department of Budget and Management, the
8 Commission shall present to the Governor, on or before a date set by the Governor, and
9 simultaneously submit a copy to the General Assembly, a consolidated operating and
10 capital budget for higher education that includes the operating and capital budget
11 requests of the governing boards and institutions listed in paragraph (1) of this
12 subsection, the operating budget request of the Commission, a report on the current
13 funding of the adopted sets of peer institutions, and recommendations regarding the
14 funding of higher education.

15 (3) In cooperation with the Department of Budget and Management, and
16 without affecting the authority or responsibility of the Department under the State
17 Finance and Procurement Article, the Commission shall:

18 (i) Review proposals for capital projects and improvements proposed
19 by the public institutions of higher education in this State, and by ~~THE nonpublic~~
20 ~~institutions of higher education THAT ARE MEMBERS OF THE MARYLAND~~
21 ~~INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION AND THAT ARE seeking~~
22 ~~State funds for capital projects and improvements~~ MARYLAND INDEPENDENT COLLEGE
23 AND UNIVERSITY ASSOCIATION; and

24 (ii) Develop and submit to the Governor and the General Assembly
25 recommendations as to these projects, which shall be consistent with the plan provided
26 for in this section.

27 (4) In submitting recommendations pursuant to paragraph (2) of this
28 subsection, the Commission shall comment on the overall level of funding for higher
29 education and may comment regarding funding priorities among segments of higher
30 education and, within public senior higher education, among institutions. In reviewing the
31 various budgets and submitting recommendations thereon, the Commission:

32 (i) May not require, of any segment or institution, a detailed budget
33 presentation that tends to duplicate other presentations required in the budget process;
34 and

35 (ii) As to the funding priority of any institution, may comment only on
36 the entity as a whole and not on any separate unit of the institution.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 1997.

