

# SENATE BILL 54

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(PRE-FILED)

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

Requested: October 11, 2012

Introduced and read first time: January 9, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Higher Education Commission – Scholarship Funds – Technical**  
3 **Alterations**

4 FOR the purpose of amending provisions of the Educational Excellence Fund, the  
5 Edward T. Conroy Scholarship Fund, the Veterans of the Afghanistan and Iraq  
6 Conflicts Scholarship Fund, and the Workforce Shortage Student Assistance  
7 Grant Fund to require each of the funds to be special, nonlapsing funds that are  
8 administered by the Maryland Higher Education Commission, held by the State  
9 Treasurer, and accounted for by the Comptroller; repealing requirements for the  
10 funds to be held in nonbudgeted accounts; defining certain terms; making  
11 technical changes; and generally relating to technical alterations to certain  
12 scholarship fund provisions.

13 BY repealing and reenacting, with amendments,  
14 Article – Education  
15 Section 15–106.7(a), 18–310, 18–601(a) and (h), 18–604(k), and 18–708(a) and  
16 (o)  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2012 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Education  
21 Section 18–601(b) and (c), 18–604(b), and 18–708(b)  
22 Annotated Code of Maryland  
23 (2008 Replacement Volume and 2012 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article – Education**

1  
2 15–106.7.

3 (a) In this section, “State or local public safety employee” has the meaning  
4 stated in § [18–601(a)(4)] **18–601(A)(5)** of this article.

5 18–310.

6 (a) Funds for the Delegate Howard P. Rawlings Educational Excellence  
7 Award Program shall be as provided in the annual budget of the Commission by the  
8 Governor.

9 (b) **(1) IN THIS SECTION, “FUND” MEANS THE EDUCATIONAL**  
10 **EXCELLENCE FUND.**

11 **[(1)] (2)** There is an Educational Excellence Fund in the  
12 Commission.

13 **(3) THE COMMISSION SHALL ADMINISTER THE FUND.**

14 **(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
15 **SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

16 **(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY**  
17 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

18 **[(2)] (6)** The Commission:

19 (i) May accept any gift or grant from any person or corporation  
20 for the [Educational Excellence] Fund;

21 (ii) Shall use any gift or grant that it receives to support an  
22 early intervention program to identify students eligible for the Delegate Howard P.  
23 Rawlings Educational Excellence Award Program and prepare them for college; and

24 (iii) Shall deposit any gift or grant that it receives for the Fund  
25 with the State Treasurer [in a nonbudgeted account] for use only in the early  
26 intervention program.

27 **[(3)] (7)** (i) At the end of the fiscal year, the Commission shall  
28 prepare an annual report on the [Educational Excellence] Fund that includes an  
29 accounting of all financial receipts and expenditures to and from the Fund.

30 (ii) The Commission shall submit a copy of the report to the  
31 General Assembly as provided under § 2–1246 of the State Government Article.

1 18-601.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “Disabled public safety employee” means a State or local public  
4 safety employee who sustains an injury in the line of duty that:

5 (i) Precludes the individual from continuing to serve or be  
6 employed as a State or local public safety employee; and

7 (ii) In the case of a volunteer member of a fire department or  
8 ambulance or rescue company or squad, precludes the member from continuing to be  
9 employed in the nonpublic safety occupation in which the member is engaged at the  
10 time of the injury.

11 (3) **“FUND” MEANS THE EDWARD T. CONROY SCHOLARSHIP**  
12 **FUND.**

13 [(3)] (4) “Surviving spouse” means a person who has not remarried.

14 [(4)] (5) “State or local public safety employee” means a person who  
15 is:

16 (i) A career or volunteer member of a:

17 1. Fire department;

18 2. Ambulance company or squad; or

19 3. Rescue company or squad;

20 (ii) A law enforcement officer;

21 (iii) A correctional officer; or

22 (iv) A member of the Maryland National Guard who was a  
23 resident of this State at the time of death.

24 [(5)] (6) “Victim of the September 11, 2001, terrorist attacks” means  
25 a Maryland resident who was killed as a result of the attacks on the World Trade  
26 Center in New York City, the attack on the Pentagon in Virginia, or the crash of  
27 United Airlines Flight 93 in Pennsylvania.

28 (b) There is a program of scholarships that are awarded by eligible  
29 postsecondary institutions under this section.

30 (c) The Program is the Edward T. Conroy Memorial Scholarship Program.

1           (h)   **(1)   THERE IS AN EDWARD T. CONROY SCHOLARSHIP FUND.**

2                   **(2)   THE COMMISSION SHALL ADMINISTER THE FUND.**

3                   **(3)   THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
4 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

5                   **(4)   THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY**  
6 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

7                   **(5)   The Commission:**

8                   **[(1)] (I)   May accept any gift or grant from any person for the**  
9 **[Edward T. Conroy Scholarship] Fund;**

10                   **[(2)] (II)   Shall use any gift or grant that it receives for a scholarship**  
11 **from the Program; and**

12                   **[(3)] (III)   Shall deposit any gift or grant that it receives for the**  
13 **Program with the State Treasurer [in a nonbudgeted account].**

14                   18-604.

15           (b)   There is a Veterans of the Afghanistan and Iraq Conflicts Scholarship.

16           (k)   (1)   Funds for the Veterans of the Afghanistan and Iraq Conflicts  
17 Scholarship shall be as provided in the annual budget of the Commission by the  
18 Governor.

19                   **(2)   (I)   IN THIS SUBSECTION, “FUND” MEANS THE VETERANS**  
20 **OF THE AFGHANISTAN AND IRAQ CONFLICTS SCHOLARSHIP FUND.**

21                   **[(i)] (II)   There is a Veterans of the Afghanistan and Iraq**  
22 **Conflicts Scholarship Fund in the Commission.**

23                   **(III)   THE COMMISSION SHALL ADMINISTER THE FUND.**

24                   **(IV)   THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS**  
25 **NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT**  
26 **ARTICLE.**

27                   **(V)   THE STATE TREASURER SHALL HOLD THE FUND**  
28 **SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

1                            [(ii)] (VI)    The Commission:

2                            1.    May accept any gift or grant from any person or  
3 corporation for the [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund;

4                            2.    Shall use any gift or grant that it receives for a  
5 scholarship from the [Veterans of the Afghanistan and Iraq Conflicts Scholarship]  
6 Fund; and

7                            3.    Shall deposit any gift or grant that it receives for the  
8 [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund with the State  
9 Treasurer [in a nonbudgeted account].

10                            (3)    (i)    At the end of the fiscal year, the Commission shall prepare  
11 an annual report on the [Veterans of the Afghanistan and Iraq Conflicts Scholarship]  
12 Fund that includes an accounting of all financial receipts and expenditures to and  
13 from the Fund.

14                            (ii)    The Commission shall submit a copy of the report to the  
15 General Assembly as provided under § 2–1246 of the State Government Article.

16 18–708.

17                            (a)    (1)    In this section the following words have the meanings indicated.

18                            (2)    “Advisory Council” means the Advisory Council on Workforce  
19 Shortage.

20                            (3)    “Eligible institution” means a public or private nonprofit  
21 institution of higher education in this State that possesses a certificate of approval  
22 from the Commission.

23                            (4)    **“FUND” MEANS THE WORKFORCE SHORTAGE STUDENT**  
24 **ASSISTANCE GRANT FUND.**

25                            [(4)] (5)    “Grant” means the Workforce Shortage Student Assistance  
26 grant.

27                            [(5)] (6)    “Public good or benefit” means service to low-income or  
28 underserved residents or areas of the State in an occupation in the public sector or in  
29 an organization, institution, association, society, or corporation that is exempt from  
30 taxation under § 501(c)(3) or (4) of the Internal Revenue Code of 1986.

31                            (b)    There is a program of Workforce Shortage Student Assistance grants  
32 under this section for students who pledge to work in fields of critical shortage in the  
33 State on completion of their studies.

1           (o)   (1)    There is a Workforce Shortage Student Assistance Grant Fund in  
2 the Commission.

3                   **(2)    THE COMMISSION SHALL ADMINISTER THE FUND.**

4                   **(3)    THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
5 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

6                   **(4)    THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY**  
7 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

8                   **[(2)] (5)**    The Commission:

9                           (i)    May accept any gift or grant from any person or corporation  
10 for the **[Workforce Shortage Student Assistance Grant] Fund**;

11                           (ii)   Shall use any gift or grant that it receives for a grant award  
12 from the Fund; and

13                           (iii)   Shall deposit any gift or grant that it receives for the Fund  
14 with the State Treasurer **[in a nonbudgeted account]**.

15                   (3)   (i)    At the end of the fiscal year, the Commission shall prepare  
16 an annual report on the **[Workforce Shortage Student Assistance Grant] Fund** that  
17 includes an accounting of all financial receipts and expenditures to and from the Fund.

18                           (ii)   The Commission shall submit a copy of the report to the  
19 General Assembly as provided under § 2-1246 of the State Government Article.

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 July 1, 2013.