

HOUSE BILL 1194

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4lr1161

By: **Delegates Braveboy, Anderson, Barkley, Barnes, Branch, Burns, Carr, Carter, Conaway, Davis, Fraser-Hidalgo, Gaines, Gilchrist, Glass, Glenn, Gutierrez, Harper, Haynes, Holmes, Howard, Ivey, Mitchell, Mizeur, Nathan-Pulliam, Oaks, Pena-Melnyk, Proctor, B. Robinson, Stukes, Summers, Swain, Tarrant, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vaughn, Waldstreicher, Walker, A. Washington, and M. Washington**

Introduced and read first time: February 7, 2014

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Historically Black Colleges and Universities – Parity and Investment**

3 FOR the purpose of requiring the Governor, for certain fiscal years, to include in the
4 annual State operating and capital budgets certain funding requested in certain
5 10-year plans of certain historically black colleges and universities (HBCUs);
6 providing for the intent of certain funding; providing that certain funding shall
7 be in addition to certain base funding appropriated to certain HBCUs;
8 specifying the total amount of operating and capital funding that shall be
9 distributed to certain HBCUs during a certain period of time; requiring certain
10 HBCUs to submit certain requests for certain appropriations to the Board of
11 Regents of the University System of Maryland on or before a certain date in
12 certain years and providing for a certain review and comment period by the
13 Board of Regents; requiring certain HBCUs to submit certain requests for
14 certain appropriations to the Governor and the Maryland Higher Education
15 Commission on or before certain dates in certain years; providing for certain
16 exceptions to the authority of the Board of Regents; and generally relating to
17 parity and investment for historically black colleges and universities.

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 12-104(c) and 12-105(a)(1)
21 Annotated Code of Maryland
22 (2008 Replacement Volume and 2013 Supplement)

23 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 13–704 and 14–111
3 Annotated Code of Maryland
4 (2008 Replacement Volume and 2013 Supplement)

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

7 **Article – Education**

8 12–104.

9 (c) The Board of Regents:

10 (1) Is responsible for the management of the University System of
11 Maryland and has all the powers, rights, and privileges that go with that
12 responsibility, including the power to conduct or maintain any institutions, schools, or
13 departments in the University at the locations the Board determines;

14 (2) Shall consult with the presidents in developing policies, guidelines,
15 and plans for the University System of Maryland; and

16 (3) **[May] EXCEPT AS PROVIDED IN § 13–704 OF THIS ARTICLE,**
17 **MAY** not be superseded in its authority by any other State agency or office **OR**
18 **CONSTITUENT INSTITUTION** in managing the affairs of the University System of
19 Maryland or of any constituent institutions and centers under the Board’s jurisdiction.

20 12–105.

21 (a) (1) **[In] EXCEPT AS PROVIDED IN § 13–704 OF THIS ARTICLE, IN**
22 consultation with the institutions and the Chancellor, the Board shall:

23 (i) Establish standards for funding based on differences in the
24 size and mission of the constituent institutions;

25 (ii) Review, modify, as necessary, and approve consolidated
26 budget requests for appropriations for the University System of Maryland with respect
27 to:

28 1. The operating budget; and

29 2. The capital budget; and

30 (iii) Submit these requests for appropriations organized by
31 constituent institutions to the Commission, Governor, and General Assembly.

32 **13–704.**

1 **(A) THIS SECTION APPLIES ONLY TO THE FOLLOWING CONSTITUENT**
2 **INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND, WHICH ARE**
3 **HISTORICALLY BLACK COLLEGES AND UNIVERSITIES:**

4 **(1) BOWIE STATE UNIVERSITY;**

5 **(2) COPPIN STATE UNIVERSITY; AND**

6 **(3) UNIVERSITY OF MARYLAND EASTERN SHORE.**

7 **(B) (1) IN ACCORDANCE WITH THIS SECTION, FOR EACH OF FISCAL**
8 **YEARS 2016 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL**
9 **STATE OPERATING AND CAPITAL BUDGETS THE FUNDING REQUESTED IN THE**
10 **10-YEAR PLANS SUBMITTED TO THE COMMISSION IN SEPTEMBER 2013 BY**
11 **BOWIE STATE UNIVERSITY, COPPIN STATE UNIVERSITY, AND THE UNIVERSITY**
12 **OF MARYLAND EASTERN SHORE.**

13 **(2) FUNDING PROVIDED UNDER THIS SECTION IS INTENDED TO**
14 **BE ENHANCEMENT FUNDING FOR BOWIE STATE UNIVERSITY, COPPIN STATE**
15 **UNIVERSITY, AND THE UNIVERSITY OF MARYLAND EASTERN SHORE FOR THE**
16 **PURPOSE OF ENSURING THAT THESE UNIVERSITIES ARE COMPARABLE AND**
17 **COMPETITIVE WITH OTHER PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS**
18 **IN ALL FACETS OF THEIR OPERATIONS AND PROGRAMS AS MEASURED BY**
19 **GENERALLY RECOGNIZED INDICATORS OF DISPARITY.**

20 **(3) FUNDING PROVIDED UNDER THIS SECTION IN EACH FISCAL**
21 **YEAR SHALL BE IN ADDITION TO THE BASE FUNDS APPROPRIATED TO BOWIE**
22 **STATE UNIVERSITY, COPPIN STATE UNIVERSITY, AND THE UNIVERSITY OF**
23 **MARYLAND EASTERN SHORE IN THE STATE BUDGET IN THE PRIOR FISCAL**
24 **YEAR.**

25 **(C) (1) THE TOTAL AMOUNT OF OPERATING AND CAPITAL FUNDING**
26 **DISTRIBUTED TO EACH INSTITUTION TO IMPLEMENT ITS 10-YEAR PLAN DURING**
27 **THE 10-YEAR PERIOD FROM FISCAL 2016 THROUGH FISCAL 2025 SHALL BE AS**
28 **PROVIDED IN THIS SUBSECTION.**

29 **(2) THE TOTAL AMOUNT OF OPERATING AND CAPITAL FUNDING**
30 **DISTRIBUTED TO BOWIE STATE UNIVERSITY TO IMPLEMENT ITS 10-YEAR PLAN**
31 **SHALL BE \$798,250,000.**

1 **(3) THE TOTAL AMOUNT OF OPERATING AND CAPITAL FUNDING**
2 **DISTRIBUTED TO COPPIN STATE UNIVERSITY TO IMPLEMENT ITS 10-YEAR**
3 **PLAN SHALL BE \$870,310,000.**

4 **(4) THE TOTAL AMOUNT OF OPERATING AND CAPITAL FUNDING**
5 **DISTRIBUTED TO THE UNIVERSITY OF MARYLAND EASTERN SHORE TO**
6 **IMPLEMENT ITS 10-YEAR PLAN SHALL BE \$657,009,819.**

7 **(D) (1) (I) ON OR BEFORE JULY 1, 2014, AND EACH YEAR**
8 **THROUGH JULY 1, 2023, THE BOARD OF VISITORS FOR BOWIE STATE**
9 **UNIVERSITY, COPPIN STATE UNIVERSITY, AND THE UNIVERSITY OF MARYLAND**
10 **EASTERN SHORE SHALL SUBMIT TO THE BOARD OF REGENTS REQUESTS FOR**
11 **APPROPRIATIONS NECESSARY TO IMPLEMENT THE INSTITUTION'S 10-YEAR**
12 **PLAN FOR THE NEXT FISCAL YEAR.**

13 **(II) THE BOARD OF REGENTS SHALL HAVE 30 DAYS TO**
14 **REVIEW AND COMMENT ON THE REQUESTS FOR APPROPRIATIONS SUBMITTED**
15 **BY AN INSTITUTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

16 **(2) ON OR BEFORE AUGUST 31, 2014, AND EACH YEAR THROUGH**
17 **AUGUST 31, 2023, THE BOARD OF VISITORS FOR BOWIE STATE UNIVERSITY,**
18 **COPPIN STATE UNIVERSITY, AND THE UNIVERSITY OF MARYLAND EASTERN**
19 **SHORE SHALL SUBMIT TO THE GOVERNOR AND THE COMMISSION REQUESTS**
20 **FOR APPROPRIATIONS NECESSARY TO IMPLEMENT THE INSTITUTION'S**
21 **10-YEAR PLAN FOR THE NEXT FISCAL YEAR.**

22 14-111.

23 **(A) (1) IN ACCORDANCE WITH THIS SECTION, FOR EACH OF FISCAL**
24 **YEARS 2016 THROUGH 2025, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL**
25 **STATE OPERATING AND CAPITAL BUDGETS THE FUNDING REQUESTED IN THE**
26 **10-YEAR PLAN SUBMITTED TO THE COMMISSION IN SEPTEMBER 2013 BY**
27 **MORGAN STATE UNIVERSITY.**

28 **(2) FUNDING PROVIDED UNDER THIS SECTION IS INTENDED TO**
29 **BE ENHANCEMENT FUNDING FOR MORGAN STATE UNIVERSITY FOR THE**
30 **PURPOSE OF ENSURING THAT THE UNIVERSITY IS COMPARABLE AND**
31 **COMPETITIVE WITH OTHER PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS**
32 **IN ALL FACETS OF THEIR OPERATIONS AND PROGRAMS AS MEASURED BY**
33 **GENERALLY RECOGNIZED INDICATORS OF DISPARITY.**

1 **(3) FUNDING PROVIDED UNDER THIS SECTION IN EACH FISCAL**
2 **YEAR SHALL BE IN ADDITION TO THE BASE FUNDS APPROPRIATED TO MORGAN**
3 **STATE UNIVERSITY IN THE STATE BUDGET IN THE PRIOR FISCAL YEAR.**

4 **(B) THE TOTAL AMOUNT OF OPERATING AND CAPITAL FUNDING**
5 **DISTRIBUTED TO MORGAN STATE UNIVERSITY TO IMPLEMENT ITS 10-YEAR**
6 **PLAN DURING THE 10-YEAR PERIOD FROM FISCAL 2016 THROUGH FISCAL 2025**
7 **SHALL BE \$1,111,977,588.**

8 **(C) ON OR BEFORE AUGUST 31, 2014, AND EACH YEAR THROUGH**
9 **AUGUST 31, 2023, THE BOARD OF REGENTS SHALL SUBMIT TO THE GOVERNOR**
10 **AND THE COMMISSION REQUESTS FOR APPROPRIATIONS NECESSARY TO**
11 **IMPLEMENT THE UNIVERSITY'S 10-YEAR PLAN FOR THE NEXT FISCAL YEAR.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2014.