
By: Delegates Schade, M. Burns, Ports, Redmer, Kittleman, La Vay, Kach, Beck, Snodgrass, McKee, Stup, Rzepkowski, D. Murphy, O'Donnell, Brinkley, Klima, Leopold, Flanagan, and Elliott

Introduced and read first time: February 10, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **House of Delegates Scholarship Programs - Abolition**

3 FOR the purpose of abolishing the House of Delegates Scholarship Program; transferring
4 certain appropriated scholarship funds in the House of Delegates program, after a
5 certain date, to the Educational Excellence Award Program; permitting the
6 recipients of certain scholarships to continue to receive those awards under certain
7 conditions; directing the Governor to include certain funds in the State budget for
8 the Educational Excellence Award Program commencing with the Fiscal Year 1998
9 budget, subject to certain conditions; requiring that certain additional funds
10 appropriated in the State budget be distributed under the Educational Excellence
11 Award Program in a certain manner; and generally relating to the abolition of the
12 House of Delegates Scholarship Program.

13 BY repealing

14 Article - Education
15 Section 18-501 through 18-507, inclusive, and the subtitle "Subtitle 5. Delegate
16 Scholarships"
17 Annotated Code of Maryland
18 (1997 Replacement Volume)

19 Preamble

20 WHEREAS, The General Assembly desires to terminate the House of Delegates
21 Scholarship Program; and

22 WHEREAS, It is necessary to achieve an orderly phaseout of this legislative
23 scholarship program in order to ensure that students served by the program who are in
24 need of financial assistance to attend higher education institutions are not harmed by the
25 termination of the program on October 1, 1997; and

26 WHEREAS, It is the intent of the General Assembly that the student populations
27 currently served by the House of Delegates Scholarship Program will continue to be
28 served by the Educational Excellence Award Program; now, therefore,

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

3 **Article - Education**

4 [Subtitle 5. Delegate Scholarships.]

5 [18-501.

6 (a) There is a program of Delegate Scholarships in this State that are awarded
7 under this subtitle.

8 (b) A scholarship awarded under this subtitle may be used at:

9 (1) An eligible institution for a program of undergraduate, graduate, or
10 professional studies;

11 (2) An accredited undergraduate, graduate, or professional institution
12 outside the State, if the applicant will be studying in an academic area that is not available
13 in this State; and

14 (3) A private career school within the State that is approved by the
15 Maryland Higher Education Commission under § 11-202 of this article and that is
16 accredited by a national accrediting association that is approved by the United States
17 Department of Education.

18 (c) Moneys appropriated to the Commission for scholarships awarded under this
19 section that are not used by the end of the fiscal year shall be retained by the Commission
20 for use by the awarding Delegate in the Delegate Scholarship Program during subsequent
21 fiscal years.]

22 [18-502.

23 Each member of the House of Delegates may select the recipients of the
24 scholarships on any basis that the Delegate considers appropriate.]

25 [18-503.

26 (a) During each term in office, each Delegate may award the equivalent of four
27 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year
28 periods.

29 (b) (1) Each scholarship pays the tuition and mandatory fees at any eligible
30 institution.

31 (2) The annual amount of a scholarship at a private institution or any
32 graduate or professional program may not exceed the equivalent annual tuition and
33 mandatory fees of an undergraduate program at the University of Maryland.]

34 [18-504.

35 (a) A Delegate may award 2 part-time scholarships for each full-time scholarship
36 available.

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1 (b) A part-time scholarship may not be for more than twice as many years as a
2 full-time scholarship.

3 (c) Each recipient of a part-time scholarship shall carry at least 6 semester hours
4 of courses each semester in a program leading to a degree.]

5 [18-505.

6 (a) Each recipient of a full-time Delegate Scholarship may use the scholarship to
7 attend summer school.

8 (b) The term of a full-time Delegate Scholarship shall be shortened by one-half
9 year for each summer of use.

10 (c) The amount used for summer school may not exceed one half of the value of
11 the award for the next academic year.]

12 [18-506.

13 (a) As an alternative to the scholarship awards authorized by §§ 18-503 through
14 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section,
15 during each year in office each Delegate may award scholarships in a total amount equal
16 to four times the tuition and mandatory fees for a full-time undergraduate student
17 enrolled at the University of Maryland at College Park for the academic year commencing
18 in that year.

19 (b) A scholarship award under subsection (a) of this section:

20 (1) May not be for an amount less than \$200 or more than one-half of the
21 total amount of scholarships authorized by subsection (a) for that year;

22 (2) Shall be used at an eligible institution;

23 (3) May be used by:

24 (i) A graduate, undergraduate, or professional student; or

25 (ii) A student at a private career school within the State that is
26 approved by the Maryland Higher Education Commission under § 11-202 of this article
27 and that is accredited by a national accrediting association that is approved by the United
28 States Department of Education; and

29 (4) To the extent it is not used by the student, shall be recredited to the
30 Delegate's scholarship account and may be awarded in the next 12 months by that
31 Delegate to another student pursuant to this section.]

32 [18-507.

33 (a) Beginning in Fiscal Year 1996, each Delegate may authorize the State
34 Scholarship Administration to award all or a portion of the funds authorized under this
35 subtitle to eligible recipients of an Educational Excellence Award who reside in the
36 Delegate's legislative district.

37 (b) In the event that the total number of eligible recipients of an Educational
38 Excellence Award who reside in the Delegate's legislative district is insufficient to utilize

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1 the total amount of funds available to the Delegate for any fiscal year, the State
2 Scholarship Administration may, with the consent of the Delegate, award the unused
3 funds to other eligible recipients throughout the State.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
5 provisions of this Act, a recipient of a House of Delegates Scholarship Program award
6 that is made prior to October 1, 1997, shall continue to be eligible to receive the full
7 amount of that scholarship award for the duration of the eligibility period applicable to
8 that recipient.

9 SECTION 3. AND BE IT FURTHER ENACTED, That any unexpended
10 appropriation under the House of Delegates Scholarship Program after October 1, 1997
11 that is not needed to meet scholarship award commitments that are made to eligible
12 recipients in accordance with the provisions of this Act shall be transferred to and
13 awarded under the Educational Excellence Award Program under Title 18, Subtitle 3 of
14 the Education Article.

15 SECTION 4. AND BE IT FURTHER ENACTED, That commencing with the
16 fiscal year that begins on July 1, 1998 and each fiscal year thereafter, the Governor shall
17 include an appropriation in the State budget for the Educational Excellence Award
18 Program in an amount equal to the Fiscal Year 1997 appropriation for the House of
19 Delegates Scholarship Program. These moneys may not be used to supplant moneys that
20 would be appropriated to the Educational Excellence Award Program under the normal
21 budgetary process.

22 SECTION 5. AND BE IT FURTHER ENACTED, That the State Scholarship
23 Administration shall ensure that the funds that would have been appropriated under the
24 House of Delegates Scholarship Program each fiscal year continue to be equally
25 distributed by legislative district and that the student populations currently served by the
26 House of Delegates Scholarship Program in each legislative district, including part-time
27 students and adults returning to school, continue to be served by the additional funds
28 appropriated under the Educational Excellence Award Program.

29 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1997.