

Unofficial Copy
F2
HB 265/96 - W&M

1997 Regular Session
7lr2912

By: Ways and Means Committee

Introduced and read first time: February 19, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Senatorial and House of Delegates Scholarship Programs - Abolition and Transfer of**
3 **Funds**

4 FOR the purpose of abolishing the Senatorial Scholarship and House of Delegates
5 Scholarship Programs; transferring certain appropriated scholarship funds in the
6 Programs, after a certain date, to the HOPE Scholarship Program.

7 BY repealing

8 Article - Education

9 Section 18-401 through 18-409, inclusive, and the subtitle "Subtitle 4. Senatorial

10 Scholarships"; and 18-501 through 18-507, inclusive, and the subtitle "Subtitle

11 5. Delegate Scholarships"

12 Annotated Code of Maryland

13 (1997 Replacement Volume)

14 Preamble

15 WHEREAS, The General Assembly desires to terminate the Senatorial Scholarship
16 Program and the House of Delegates Scholarship Program; and

17 WHEREAS, It is the intent of the General Assembly to transfer funds appropriated
18 to the Senatorial Scholarship Program and the House of Delegates Scholarship Program
19 to the HOPE Scholarship Program; now, therefore,

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Education**

23 [Subtitle 4. Senatorial Scholarships.]

24 [18-401.

25 There is a program of senatorial scholarships in this State that are awarded under
26 this subtitle.]

2

1 [18-402.

2 (a) (1) Except as provided in paragraph (2) of this subsection, each applicant
3 for a senatorial scholarship shall:

4 (i) Take a competitive examination administered by the
5 Administration; and

6 (ii) Be accepted for admission in the regular undergraduate, graduate,
7 or professional program at an eligible institution; or be enrolled in a 2-year terminal
8 certificate program in which the course work is acceptable for transfer credit for an
9 accredited baccalaureate program in an eligible institution.

10 (2) An applicant is exempt from the examination if the applicant:

11 (i) Is attending an eligible institution and has completed at least 1
12 year in good academic standing at the institution;

13 (ii) Graduated from high school at least 5 years before application for
14 a senatorial scholarship;

15 (iii) Is accepted for admission to a private career institution, if the
16 institution's curriculum is approved by the Commission, and the institution is accredited
17 by a national accrediting association approved by the United States Department of
18 Education; or

19 (iv) Is planning to attend or is attending a Maryland community
20 college.

21 (b) Each applicant shall:

22 (1) Be a resident of this State; and

23 (2) At the time of his initial application, be a resident of the legislative
24 district from which he seeks an appointment.

25 (c) (1) Each applicant shall demonstrate to the Administration a definite
26 financial need, and each Senator shall consider the financial need of each applicant.

27 (2) Each Senator is the final judge of the financial need of each applicant to
28 whom he awards a scholarship, and the Administration may not negate this judgment or
29 impose requirements of time or procedure.

30 (d) Each applicant shall accept any other conditions attached to the award.]

31 [18-403.

32 If a Senator serves from a legislative district comprised of more than one county the
33 number of scholarship units shall be divided as equally as possible among qualified
34 applicants from each county in the legislative district.]

35 [18-404.

36 (a) Each Senator may award \$34,500 of senatorial scholarships each year.

3

1 (b) (1) The annual allocation under subsection (a) of this section applies to
2 initial-year awards. After 4 years of operation, the annual allocation to each Senator for
3 initial-year and continuing awards may not exceed four times the amount of his allocation
4 under subsection (a) of this section.

5 (2) If a recipient moves to the legislative district of another Senator, the
6 allocation to the recipient shall continue to be drawn on the account of the Senator who
7 originally awarded the scholarship.

8 (c) (1) A senatorial scholarship may be awarded in \$100 increments. However,
9 an award for a single year may not be less than \$400 or more than \$2,000.

10 (2) A recipient may not be awarded more than \$8,000 for undergraduate,
11 graduate, or professional study.]

12 [18-405.

13 (a) Except as provided in subsection (d) of this section, a senatorial scholarship
14 may be used only at any undergraduate, graduate, or professional school in the State.

15 (b) A senatorial scholarship may be used:

16 (1) If the curriculum is approved by the Commission, at a degree granting
17 institution of higher education, a hospital diploma school for training registered nurses,
18 or to attend a private postsecondary proprietary institution that is accredited by a
19 national accrediting association approved by the United States Department of Education
20 as a full-time student; and

21 (2) For educational expenses as defined by the Administration, including:

22 (i) Tuition and mandatory fees; and

23 (ii) Room and board.

24 (c) If on-campus housing is available, a senatorial scholarship may not be used to
25 pay for off-campus housing.

26 (d) Each Senator may award not more than 10 percent of the funds available
27 under this subtitle to applicants planning to attend accredited undergraduate, graduate,
28 or professional institutions outside the State, provided the applicant:

29 (1) Will be studying in an academic area that is not available in the State; or

30 (2) Is a hearing impaired person who will be studying at an institution
31 outside the State that makes special provisions for hearing impaired students, and
32 comparable special provisions are not available to that student at an institution in the
33 State.]

34 [18-406.

35 (a) Except as otherwise provided in this section, each recipient of a senatorial
36 scholarship may hold the scholarship for 4 undergraduate academic years and 4 graduate
37 academic years if he:

38 (1) Is a full-time student;

4

1 (2) Continues to be a resident of this State; and

2 (3) Continues to be a student at the institution and takes at least 12
3 semester hours of courses as an undergraduate or 9 semester hours of courses as a
4 graduate student each semester leading to a degree.

5 (b) A recipient of an undergraduate or graduate senatorial scholarship may hold
6 the scholarship, appropriately prorated, for 8 academic years if he:

7 (1) Is a part-time student;

8 (2) Continues to be a resident of this State; and

9 (3) Continues to be a student at the institution and takes at least 6 semester
10 hours of courses each semester leading to a degree.

11 (c) Any recipient of a senatorial scholarship may use up to one-half of the yearly
12 award for summer school if the recipient is scheduled to graduate immediately after the
13 fall academic semester following summer school.

14 (d) A recipient of a senatorial scholarship who is enrolled in a terminal certificate
15 program as provided in § 18-402(a) may hold the scholarship for 2 years if he is a
16 full-time student and otherwise meets the conditions of subsection (a) of this section, or
17 may hold the scholarship for 4 years if he is a part-time student and otherwise meets the
18 conditions of subsection (b) of this section.

19 (e) Each recipient of a senatorial scholarship who is enrolled in a private
20 postsecondary proprietary institution that is accredited by a national accrediting
21 association approved by the United States Department of Education:

22 (1) May hold the scholarship for the completion of 1 program if the student
23 otherwise meets the conditions of paragraphs (1) and (2) of subsection (a) of this section;
24 and

25 (2) Shall complete the program within the length of time prescribed by the
26 institution for the completion of the program.]

27 [18-407.

28 (a) Each Senator shall award all of his senatorial scholarships on or before
29 September 1 of each year.

30 (b) If any Senator fails to award all of his scholarships on or before September 1
31 of each year, the Commission shall make the remaining awards to applicants from the
32 Senator's legislative district who:

33 (1) Scored highest on the competitive examination; or

34 (2) Are attending an eligible institution and have completed at least 1 year
35 in good academic standing.

36 (c) The Administration shall:

37 (1) Notify each Senator of the applicants to whom it awards the Senator's
38 scholarships; and

5

1 (2) Announce publicly the names of all recipients.

2 (d) To the extent a scholarship awarded under § 18-404 of this subtitle is not used
3 by a student, moneys appropriated to the Commission for that award not used by the end
4 of the fiscal year shall be retained by the Commission for use by the awarding Senator in
5 the Senatorial Scholarship Program during subsequent fiscal years.]

6 [18-408.

7 (a) If there is no qualified applicant in a legislative district, a qualified applicant
8 who resides in another legislative district may be appointed to receive the senatorial
9 scholarship.

10 (b) A senatorial scholarship awarded under this section is for 1 year. However, a
11 student who receives an appointment under this section is eligible to receive a subsequent
12 appointment for not longer than 3 years.]

13 [18-409.

14 At the request of the Administration, each eligible institution shall provide the
15 Administration with a complete list of all recipients of senatorial scholarships who attend
16 the institution.]

17 [Subtitle 5. Delegate Scholarships.]

18 [18-501.

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

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

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

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

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

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

35 [18-502.

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

6

1 [18-503.

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

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

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

10 [18-504.

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

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

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

17 [18-505.

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

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

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

24 [18-506.

25 (a) As an alternative to the scholarship awards authorized by §§ 18-503 through
26 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section,
27 during each year in office each Delegate may award scholarships in a total amount equal
28 to four times the tuition and mandatory fees for a full-time undergraduate student
29 enrolled at the University of Maryland at College Park for the academic year commencing
30 in that year.

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

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

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

35 (3) May be used by:

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

7

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

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

8 [18-507.

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

13 (b) In the event that the total number of eligible recipients of an Educational
14 Excellence Award who reside in the Delegate's legislative district is insufficient to utilize
15 the total amount of funds available to the Delegate for any fiscal year, the State
16 Scholarship Administration may, with the consent of the Delegate, award the unused
17 funds to other eligible recipients throughout the State.]

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall,
19 beginning with the fiscal year that begins on July 1, 1998 and each fiscal year thereafter,
20 include an appropriation in the budget for the HOPE Scholarship Program established by
21 §§ 18-1901 through 18-1908 of the Education Article of the Annotated Code, as enacted
22 by Chapter _____ (Senate Bill 231/House Bill 493) of 1997, in an amount equal to the
23 Governor's Fiscal Year 1998 allowance for the Senatorial Scholarship and House of
24 Delegates Scholarship programs.

25 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act
26 shall take effect June 1, 1997.

27 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
28 take effect October 1, 1997.