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HB 265/96 - W&M

1997 Regular Session
7lr2912

By: Ways and Means Committee

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Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: April 3, 1997

CHAPTER ____

1 AN ACT concerning

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

4 Higher Education Scholarship Programs - Task Force

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

8 ~~BY~~ repealing

9 ~~Article -- Education~~
10 ~~Section 18-401 through 18-409, inclusive, and the subtitle "Subtitle 4. Senatorial~~
11 ~~Scholarships"; and 18-501 through 18-507, inclusive, and the subtitle "Subtitle~~
12 ~~5. Delegate Scholarships"~~
13 ~~Annotated Code of Maryland~~
14 ~~(1997 Replacement Volume)~~

15 FOR the purpose of establishing a task force to study and make recommendations on
16 the State higher education scholarship programs; providing for the membership of
17 the task force; providing for the staffing of the task force; requiring a report by a
18 certain date; and generally relating to the Task Force on Higher Education
19 Scholarship Programs in Maryland.

20 **Preamble**

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

1 WHEREAS, It is the intent of the General Assembly to transfer funds appropriated
2 to the Senatorial Scholarship Program and the House of Delegates Scholarship Program
3 to the HOPE Scholarship Program; now, therefore,

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

6 **Article—Education**

7 {Subtitle 4. Senatorial Scholarships.}

8 {18-401.

9 There is a program of senatorial scholarships in this State that are awarded under
10 this subtitle.}

11 {18-402.

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

14 (i) ~~Take a competitive examination administered by the~~
15 ~~Administration; and~~

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

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

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

23 (ii) ~~Graduated from high school at least 5 years before application for~~
24 ~~a senatorial scholarship;~~

25 (iii) ~~Is accepted for admission to a private career institution, if the~~
26 ~~institution's curriculum is approved by the Commission, and the institution is accredited~~
27 ~~by a national accrediting association approved by the United States Department of~~
28 ~~Education; or~~

29 (iv) ~~Is planning to attend or is attending a Maryland community~~
30 ~~college.~~

31 (b) ~~Each applicant shall:~~

32 (1) ~~Be a resident of this State; and~~

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

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

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

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

5 ~~[18-403.~~

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

9 ~~[18-404.~~

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

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

15 ~~(2) If a recipient moves to the legislative district of another Senator, the~~
 16 ~~allocation to the recipient shall continue to be drawn on the account of the Senator who~~
 17 ~~originally awarded the scholarship.~~

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

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

22 ~~[18-405.~~

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

25 ~~(b) A senatorial scholarship may be used:~~

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

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

32 ~~(i) Tuition and mandatory fees; and~~

33 ~~(ii) Room and board.~~

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

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

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

5 ~~(2) Is a hearing impaired person who will be studying at an institution~~
 6 ~~outside the State that makes special provisions for hearing impaired students, and~~
 7 ~~comparable special provisions are not available to that student at an institution in the~~
 8 ~~State.]~~

9 ~~{18-406.~~

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

13 ~~(1) Is a full-time student;~~

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

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

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

20 ~~(1) Is a part-time student;~~

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

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

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

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

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

35 ~~(1) May hold the scholarship for the completion of 1 program if the student~~
 36 ~~otherwise meets the conditions of paragraphs (1) and (2) of subsection (a) of this section;~~
 37 ~~and~~

5

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

3 ~~[18-407.~~

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

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

9 ~~(1) Scored highest on the competitive examination; or~~

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

12 ~~(c) The Administration shall:~~

13 ~~(1) Notify each Senator of the applicants to whom it awards the Senator's~~
 14 ~~scholarships; and~~

15 ~~(2) Announce publicly the names of all recipients.~~

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

20 ~~[18-408.~~

21 ~~(a) If there is no qualified applicant in a legislative district, a qualified applicant~~
 22 ~~who resides in another legislative district may be appointed to receive the senatorial~~
 23 ~~scholarship.~~

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

27 ~~[18-409.~~

28 ~~At the request of the Administration, each eligible institution shall provide the~~
 29 ~~Administration with a complete list of all recipients of senatorial scholarships who attend~~
 30 ~~the institution.]~~

31 ~~[Subtitle 5. Delegate Scholarships.]~~

32 ~~[18-501.~~

33 ~~(a) There is a program of Delegate Scholarships in this State that are awarded~~
 34 ~~under this subtitle.~~

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

6

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

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

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

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

14 [18-502-

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

17 [18-503-

18 (a) During each term in office, each Delegate may award the equivalent of four
19 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year
20 periods.

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

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

26 [18-504-

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

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

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

33 [18-505-

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

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

7

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

3 ~~[18-506.~~

4 (a) ~~As an alternative to the scholarship awards authorized by §§ 18-503 through~~
5 ~~18-505 of this subtitle, and subject to the provisions of subsection (b) of this section,~~
6 ~~during each year in office each Delegate may award scholarships in a total amount equal~~
7 ~~to four times the tuition and mandatory fees for a full-time undergraduate student~~
8 ~~enrolled at the University of Maryland at College Park for the academic year commencing~~
9 ~~in that year.~~

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

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

13 (2) ~~Shall be used at an eligible institution;~~

14 (3) ~~May be used by:~~

15 (i) ~~A graduate, undergraduate, or professional student; or~~

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

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

23 ~~[18-507.~~

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

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

33 SECTION 2. ~~AND BE IT FURTHER ENACTED, That the Governor shall,~~
34 ~~beginning with the fiscal year that begins on July 1, 1998 and each fiscal year thereafter,~~
35 ~~include an appropriation in the budget for the HOPE Scholarship Program established by~~
36 ~~§§ 18-1901 through 18-1908 of the Education Article of the Annotated Code, as enacted~~
37 ~~by Chapter _____ (Senate Bill 231/House Bill 493) of 1997, in an amount equal to the~~
38 ~~Governor's Fiscal Year 1998 allowance for the Senatorial Scholarship and House of~~
39 ~~Delegates Scholarship programs.~~

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

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

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That:

7 (a) There is a Task Force on Higher Education Scholarship Programs in
8 Maryland.

9 (b) The Task Force shall review current policies, procedures, and practices for
10 providing scholarships. The Task Force shall also review the distribution of funds under
11 existing State scholarship programs and comment on whether those scholarship programs
12 are meeting the needs of students. The Task Force shall make recommendations on:

13 (1) Efficient and practicable options to address student scholarship needs;

14 (2) Eligibility criteria used to award State scholarships; and

15 (3) Other matters that the Task Force considers significant.

16 (c) The Task Force shall be composed of 14 members as follows:

17 (1) Three members of the House of Delegates of Maryland, appointed by
18 the Speaker of the House;

19 (2) Three members of the Senate of Maryland, appointed by the President
20 of the Senate;

21 (3) Two representatives of the Maryland Higher Education Commission, to
22 be appointed by the Governor;

23 (4) A representative of the Governor's Executive Staff, to be appointed by
24 the Governor;

25 (5) A representative of the Board of Regents of the University of Maryland
26 System, to be appointed by the Governor;

27 (6) A representative of the Maryland Independent Colleges and
28 Universities Association, to be appointed by the Governor; and

29 (7) Three members of the public who have significant experience in areas
30 relevant to the Task Force, to be appointed by the Governor.

31 (d) The Speaker of the House and President of the Senate shall designate
32 Cochairmen of the Task Force;

33 (e) The Maryland Higher Education Commission shall provide staff for the Task
34 Force.

35 (f) A member of the Task Force may not receive compensation for serving on the
36 Task Force.

1 (g) The Task Force shall make its final report on or before December 1, 1997 to
2 the Governor and, in accordance with § 2-1312 of the State Government Article, to the
3 Senate Budget and Taxation Committee, the Senate Economic and Environmental
4 Affairs Committee, the House Appropriations Committee, and the House Ways and
5 Means Committee of the General Assembly.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 1997.