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**By: Chairman, Budget and Taxation Committee (Departmental - Baltimore City Community College) and Senator Blount**

Requested: September 24, 1996

Introduced and read first time: January 8, 1997

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Community College - Creation of Positions**

3 FOR the purpose of authorizing the Board of Trustees of Baltimore City Community  
4 College to create positions subject to certain conditions; requiring the Board to  
5 submit a certain annual report to the Department of Budget and Management, the  
6 Department of Fiscal Services, and the Maryland Higher Education Commission;  
7 requiring that certain positions authorized under certain provisions be limited as  
8 specified annually in the State budget bill; providing a certain effective date for  
9 certain authority to create positions under this Act; requiring the Board of Trustees  
10 to provide a certain report to the Legislative Policy Committee by a certain date;  
11 providing for the application of this Act; and generally relating to the Board's  
12 authority to create positions.

13 BY adding to

14 Article - Education  
15 Section 16-505(h)(3)  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume)

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

20 **Article - Education**

21 16-505.

22 (h) (3) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
23 BOARD OF TRUSTEES MAY CREATE ANY POSITION TO THE EXTENT THAT THE COST  
24 OF THE POSITION, INCLUDING ANY FRINGE BENEFIT COSTS, IS FUNDED FROM  
25 GRANT OR SPECIAL PROJECT FUNDS.

26 (II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO REQUIRE ANY  
27 ADDITIONAL STATE GENERAL FUND SUPPORT.

28 (III) BY SEPTEMBER 1 OF EACH YEAR, THE BOARD SHALL SUBMIT  
29 AN ANNUAL POSITION ACCOUNTABILITY REPORT TO THE DEPARTMENT OF BUDGET

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1 AND MANAGEMENT, THE DEPARTMENT OF FISCAL SERVICES, AND THE MARYLAND  
2 HIGHER EDUCATION COMMISSION REPORTING THE TOTAL POSITIONS CREATED  
3 AND THE COST AND THE FUNDING SOURCE FOR ANY POSITIONS CREATED BY  
4 BALTIMORE CITY COMMUNITY COLLEGE IN THE PREVIOUS FISCAL YEAR.

5 (IV) THE TOTAL NUMBER OF POSITIONS AUTHORIZED UNDER THIS  
6 PARAGRAPH SHALL BE LIMITED AS SPECIFIED ANNUALLY IN THE STATE BUDGET  
7 BILL.

8 SECTION 2. AND BE IT FURTHER ENACTED, That, in addition to the  
9 reporting requirements specified in § 16-505(h)(3) of the Education Article, the Board of  
10 Trustees shall provide a report by September 1, 1999, in accordance with § 2-1312 of the  
11 State Government Article, to the Legislative Policy Committee on the financing of the  
12 created positions, including the manner in which wages and fringe benefits costs are  
13 supported by general and nongeneral funds.

14 SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this  
15 Act granting authority to create positions shall be effective beginning with Fiscal Year  
16 1998.

17 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 1997.