

HB 427/96 - APP

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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 5, 1997

CHAPTER ____

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

14 BY adding to

15 Article - Education

16 Section 16-505(h)(3)

17 Annotated Code of Maryland

18 (1997 Replacement Volume)

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

2

1 **Article - Education**

2 16-505.

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

7 (II) THE BOARD OF TRUSTEES SHALL ABOLISH A POSITION
8 CREATED UNDER THIS PARAGRAPH WHEN THE GRANT OR SPECIAL PROJECT FUNDS
9 ARE INSUFFICIENT TO FUND THE COST OF THE POSITION, INCLUDING ANY FRINGE
10 BENEFIT COSTS.

11 ~~(III)~~ (III) THIS PARAGRAPH MAY NOT BE CONSTRUED TO REQUIRE
12 ANY ADDITIONAL STATE GENERAL FUND SUPPORT.

13 ~~(IV)~~ (IV) BY SEPTEMBER 1 OF EACH YEAR, THE BOARD SHALL
14 SUBMIT AN ANNUAL POSITION ACCOUNTABILITY REPORT TO THE DEPARTMENT OF
15 BUDGET AND MANAGEMENT, THE DEPARTMENT OF FISCAL SERVICES, AND THE
16 MARYLAND HIGHER EDUCATION COMMISSION REPORTING THE TOTAL POSITIONS
17 CREATED AND THE COST AND THE FUNDING SOURCE FOR ANY POSITIONS CREATED
18 BY BALTIMORE CITY COMMUNITY COLLEGE IN THE PREVIOUS FISCAL YEAR.

19 ~~(V)~~ (V) THE TOTAL NUMBER OF POSITIONS AUTHORIZED UNDER
20 THIS PARAGRAPH SHALL BE LIMITED AS SPECIFIED ANNUALLY IN THE STATE
21 BUDGET BILL.

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

28 SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this
29 Act granting authority to create positions shall be effective beginning with Fiscal Year
30 1998.

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