
By: Senators Amoss and Hoffman

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 4, 1997

Rule 32(a) suspended

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Higher Education Commission - Duties**

3 FOR the purpose of specifying which proposals for capital projects and improvements for
4 certain nonpublic institutions of higher education the Maryland Higher Education
5 Commission is required to review.

6 BY repealing and reenacting, with amendments,
7 Article - Education
8 Section 11-105(h)(1) through (4)
9 Annotated Code of Maryland
10 (1997 Replacement Volume)

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

13 **Article - Education**

14 11-105.

15 (h) (1) On or before a date set by the Commission, each of the following
16 governing boards and agencies shall submit to the Commission its annual operating
17 budget requests and proposals for capital projects, by constituent institutions for the next
18 fiscal year:

- 19 (i) The Board of Regents of the University of Maryland System;
- 20 (ii) The Board of Regents of Morgan State University;
- 21 (iii) The Board of Trustees of St. Mary's College of Maryland;
- 22 (iv) The Maryland Higher Education Loan Corporation;
- 23 (v) The State Advisory Council for Title I of the Higher Education Act
24 of 1965; and
- 25 (vi) The Board of Trustees of Baltimore City Community College.

1 (2) In consultation with the Department of Budget and Management, the
2 Commission shall present to the Governor, on or before a date set by the Governor, and
3 simultaneously submit a copy to the General Assembly, a consolidated operating and
4 capital budget for higher education that includes the operating and capital budget
5 requests of the governing boards and institutions listed in paragraph (1) of this
6 subsection, the operating budget request of the Commission, a report on the current
7 funding of the adopted sets of peer institutions, and recommendations regarding the
8 funding of higher education.

9 (3) In cooperation with the Department of Budget and Management, and
10 without affecting the authority or responsibility of the Department under the State
11 Finance and Procurement Article, the Commission shall:

12 (i) Review proposals for capital projects and improvements proposed
13 by the public institutions of higher education in this State, and by THE nonpublic
14 institutions of higher education THAT ARE MEMBERS OF THE MARYLAND
15 INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION AND THAT ARE seeking
16 State funds for capital projects and improvements; and

17 (ii) Develop and submit to the Governor and the General Assembly
18 recommendations as to these projects, which shall be consistent with the plan provided
19 for in this section.

20 (4) In submitting recommendations pursuant to paragraph (2) of this
21 subsection, the Commission shall comment on the overall level of funding for higher
22 education and may comment regarding funding priorities among segments of higher
23 education and, within public senior higher education, among institutions. In reviewing the
24 various budgets and submitting recommendations thereon, the Commission:

25 (i) May not require, of any segment or institution, a detailed budget
26 presentation that tends to duplicate other presentations required in the budget process;
27 and

28 (ii) As to the funding priority of any institution, may comment only on
29 the entity as a whole and not on any separate unit of the institution.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1997.