

HOUSE BILL 57

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HB 1180/97 - W&M

1998 Regular Session
8r0565

(PRE-FILED)

By: **Delegates Hixson, Beck, Bonsack, Bozman, Campbell, Cryor, C. Davis,
Finifter, Greenip, Healey, Howard, Hurson, Leopold, Marriott, McKee,
C. Mitchell, Muse, Ports, Rzepkowski, Shriver, and Workman**

Requested: October 21, 1997

Introduced and read first time: January 14, 1998

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **House of Delegates Scholarship Program - Abolition**

3 FOR the purpose of abolishing the House of Delegates Scholarship Program;
4 transferring certain appropriated scholarship funds in the House of Delegates
5 program, after a certain date, to the Educational Excellence Award Program;
6 permitting the recipients of certain scholarships to continue to receive those
7 awards under certain conditions; directing the Governor to include certain funds
8 in the State budget for the Educational Excellence Award Program commencing
9 with the Fiscal Year 1999 budget, subject to certain conditions; requiring that
10 certain additional funds appropriated in the State budget be distributed under
11 the Educational Excellence Award Program in a certain manner; and generally
12 relating to the abolition of the House of Delegates Scholarship Program.

13 BY repealing

14 Article - Education

15 Section 18-501 through 18-507, inclusive, and the subtitle "Subtitle 5. Delegate
16 Scholarships"

17 Annotated Code of Maryland

18 (1997 Replacement Volume and 1997 Supplement)

19 Preamble

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

22 WHEREAS, It is necessary to achieve an orderly phaseout of this legislative
23 scholarship program in order to ensure that students served by the program who are
24 in need of financial assistance to attend higher education institutions are not harmed
25 by the termination of the program on October 1, 1998; and

1 WHEREAS, It is the intent of the General Assembly that the student
2 populations currently served by the House of Delegates Scholarship Program will
3 continue to be served by the Educational Excellence Award 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 5. Delegate Scholarships.]

8 [18-501.

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

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

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

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

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

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

25 [18-502.

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

28 [18-503.

29 (a) During each term in office, each Delegate may award the equivalent of four
30 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year
31 periods.

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

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

4 [18-504.

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

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

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

11 [18-505.

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

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

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

18 [18-506.

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

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

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

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

29 (3) May be used by:

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

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

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

4 [18-507.

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
15 provisions of this Act, a recipient of a House of Delegates Scholarship Program award
16 that is made prior to October 1, 1998, shall continue to be eligible to receive the full
17 amount of that scholarship award for the duration of the eligibility period applicable
18 to that recipient.

19 SECTION 3. AND BE IT FURTHER ENACTED, That any unexpended
20 appropriation under the House of Delegates Scholarship Program after October 1,
21 1998 that is not needed to meet scholarship award commitments that are made to
22 eligible recipients in accordance with the provisions of this Act shall be transferred to
23 and awarded under the Educational Excellence Award Program under Title 18,
24 Subtitle 3 of the Education Article.

25 SECTION 4. AND BE IT FURTHER ENACTED, That commencing with the
26 fiscal year that begins on July 1, 1999 and each fiscal year thereafter, the Governor
27 shall include an appropriation in the State budget for the Educational Excellence
28 Award Program in an amount equal to the Fiscal Year 1998 appropriation for the
29 House of Delegates Scholarship Program. These moneys may not be used to supplant
30 moneys that would be appropriated to the Educational Excellence Award Program
31 under the normal budgetary process.

32 SECTION 5. AND BE IT FURTHER ENACTED, That the State Scholarship
33 Administration shall ensure that the funds that would have been appropriated under
34 the House of Delegates Scholarship Program each fiscal year continue to be equally
35 distributed by legislative district and that the student populations currently served
36 by the House of Delegates Scholarship Program in each legislative district, including
37 part-time students and adults returning to school, continue to be served by the
38 additional funds appropriated under the Educational Excellence Award Program.

39 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
40 October 1, 1998.