

HOUSE BILL 357

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HB 1180/97 - W&M

1998 Regular Session
8r1628

By: **Delegates Schade, Bissett, Ports, Kittleman, Stocksdale, Kach, Jacobs,
Elliott, Beck, O'Donnell, D. Murphy, M. Burns, McKee, and Flanagan**

Introduced and read first time: January 30, 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

26 WHEREAS, It is the intent of the General Assembly that the student
27 populations currently served by the House of Delegates Scholarship Program will
28 continue to be served by the Educational Excellence Award Program; now, therefore,

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

3 **Article - Education**

4 [Subtitle 5. Delegate Scholarships.]

5 [18-501.

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

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

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

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

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

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

22 [18-502.

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

25 [18-503.

26 (a) During each term in office, each Delegate may award the equivalent of four
27 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year
28 periods.

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

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

1 [18-504.

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

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

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

8 [18-505.

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

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

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

15 [18-506.

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

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

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

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

26 (3) May be used by:

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

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

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

1 [18-507.

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

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

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

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

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

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

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