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By: **Senator Lawlah (Chairman, Health, Education and Human Resources  
Subcommittee) and Senators Hoffman, Hogan, Kasemeyer, Neall, and  
Van Hollen**

Introduced and read first time: February 5, 1998  
Assigned to: Economic and Environmental Affairs and Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Community Colleges - Innovative Partnerships for**  
3 **Technology Program**

4 FOR the purpose of establishing an Innovative Partnerships for Technology Program  
5 for State community colleges; defining certain terms; setting forth how a certain  
6 match will be determined and how certain payments will be made; requiring  
7 that the payments made to certain institutions not exceed a certain amount;  
8 establishing certain eligibility criteria; providing for the application of certain  
9 funds; prohibiting certain funds from being included in the computation of a  
10 certain type of aid; providing for the administration of the Program; and  
11 generally relating to an Innovative Partnerships for Technology Program for  
12 State community colleges.

13 BY adding to  
14 Article - Education  
15 Section 16-317  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume and 1997 Supplement)

18 Preamble

19 WHEREAS, Public-private partnerships are becoming increasingly important  
20 to the success of Maryland's community colleges; and

21 WHEREAS, A good example of such a partnership is the Advanced Technology  
22 Center Initiative, which has led to regional cooperative training efforts in the area of  
23 technology amongst community colleges, local businesses, and county governments;  
24 and

25 WHEREAS, While public-private partnerships have grown dramatically over  
26 the last decade, community colleges continue to face fiscal constraints in providing  
27 the most up-to-date technology required by today's businesses and students; and

1 WHEREAS, The creation of an Innovative Partnerships for Technology Program  
2 would provide a means of acquiring technology through a public-private effort,  
3 whereby State funds can be used to leverage private and local support for community  
4 colleges; now, therefore,

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

7 **Article - Education**

8 16-317.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
10 INDICATED.

11 (2) "BASE YEAR" MEANS JULY 1, 1997 THROUGH JUNE 30, 1998.

12 (3) "CONTRIBUTION" MEANS MONETARY AND EQUIPMENT DONATIONS  
13 THAT HAVE BEEN ASSESSED A MONETARY VALUE AMOUNT FOR THE PURPOSES OF  
14 DETERMINING THE STATE PAYMENT.

15 (4) (I) "ELIGIBLE DONOR" MEANS ANY INDIVIDUAL, CORPORATION,  
16 PARTNERSHIP, OR OTHER FORM OF BUSINESS ORGANIZATION, PUBLIC OR PRIVATE  
17 FOUNDATION, OR OTHER NONPROFIT ORGANIZATION.

18 (II) "ELIGIBLE DONOR" DOES NOT INCLUDE THE STATE, THE  
19 FEDERAL GOVERNMENT, OR ANY FOREIGN GOVERNMENT.

20 (5) "ELIGIBLE INSTITUTION" REFERS TO THE FOLLOWING COMMUNITY  
21 COLLEGE CAMPUSES:

22 (I) ALLEGANY;

23 (II) ANNE ARUNDEL;

24 (III) BALTIMORE CITY;

25 (IV) CARROLL;

26 (V) CATONSVILLE;

27 (VI) CECIL;

28 (VII) CHARLES;

29 (VIII) CHESAPEAKE;

30 (IX) DUNDALK;

31 (X) ESSEX;

- 1 (XI) FREDERICK;  
2 (XII) GARRETT;  
3 (XIII) GERMANTOWN;  
4 (XIV) HAGERSTOWN;  
5 (XV) HARFORD;  
6 (XVI) HOWARD;  
7 (XVII) PRINCE GEORGE'S;  
8 (XVIII) ROCKVILLE;  
9 (XIX) TAKOMA PARK; AND  
10 (XX) WOR-WIC.

11 (6) "ELIGIBLE PROGRAM" MEANS ANY CONTRIBUTION FOR  
12 TECHNOLOGY WHICH DOES NOT CONTAIN UNREASONABLE RESTRICTIONS AS TO  
13 USE AS FURTHER DEFINED BY THE MARYLAND HIGHER EDUCATION COMMISSION.

14 (7) (I) "TECHNOLOGY" MEANS THE HARDWARE, SOFTWARE,  
15 COMMUNICATIONS INFRASTRUCTURE, AND ASSOCIATED TRAINING AND  
16 CONTRACTED SERVICES THAT ENABLE LOCAL OR GLOBAL PRESENTATION,  
17 EXCHANGE, AND TRANSMISSION OF INFORMATION IN DIGITAL OR ANALOG FORM  
18 FOR TEACHING, LEARNING, STUDENT SUPPORT SERVICES, AND ADMINISTRATION.

19 (II) "TECHNOLOGY" MAY INCLUDE CAPITAL EXPENDITURES.

20 (III) "TECHNOLOGY" DOES NOT INCLUDE STAFF.

21 (B) EACH COMMUNITY COLLEGE SHALL RECEIVE FROM THE STATE, IN THE  
22 MANNER AND SUBJECT TO THE LIMITATIONS OF THIS SECTION, WITH RESPECT TO  
23 THE CONTRIBUTIONS MADE BY ELIGIBLE DONORS AS VOLUNTARY DONATIONS AT  
24 ANY TIME DURING FISCAL YEARS 1999, 2000, AND 2001 TO THE ELIGIBLE INSTITUTION  
25 FOR ELIGIBLE PROGRAMS, AN AMOUNT EQUAL TO THE FIRST \$500,000 OR ANY  
26 PORTION THEREOF FROM CONTRIBUTIONS BY ELIGIBLE DONORS.

27 (C) PAYMENTS SHALL BE MADE BY THE STATE:

28 (1) ONLY WITH RESPECT TO CONTRIBUTIONS WHICH ARE PAID BY THE  
29 ELIGIBLE DONORS TO THE ELIGIBLE INSTITUTION BEFORE JULY 1, 2001; AND

30 (2) IN THE FISCAL YEAR FOLLOWING THE FISCAL YEAR DURING WHICH  
31 THE CONTRIBUTIONS ARE MADE.

32 (D) CONTRIBUTIONS MADE BY THE STATE UNDER THIS SECTION MAY NOT  
33 EXCEED \$500,000 TO EACH ELIGIBLE INSTITUTION.

1 (E) (1) TO DETERMINE ELIGIBILITY FOR STATE PAYMENTS, EACH  
2 CONTRIBUTION SHALL BE COMPARED TO THE AMOUNT CONTRIBUTED DURING THE  
3 BASE YEAR. THE FOLLOWING CRITERIA SHALL BE THE BASIS FOR COMPARISON:

4 (I) EACH CONTRIBUTION MUST BE FROM A NEW DONOR; OR

5 (II) EACH CONTRIBUTION MUST REPRESENT AN INCREASE OVER  
6 THE AMOUNT CONTRIBUTED BY THE DONOR DURING THE BASE YEAR.

7 (2) A CONTRIBUTION RECEIVED DURING THE BASE YEAR THAT  
8 FULFILLS A PLEDGE MADE PRIOR TO THE BASE YEAR MAY NOT BE INCLUDED IN THE  
9 DETERMINATION OF THE CONTRIBUTION MADE DURING THE BASE YEAR.

10 (3) EACH CONTRIBUTION MUST BE SPECIFICALLY DESIGNATED FOR  
11 TECHNOLOGY.

12 (F) CONTRIBUTIONS MADE BY THE STATE UNDER THIS SECTION MAY BE  
13 APPLIED TO ANY ELIGIBLE TECHNOLOGY EXPENSE AT AN ELIGIBLE INSTITUTION TO  
14 WHICH THE PAYMENT IS MADE.

15 (G) CONTRIBUTIONS MADE BY THE STATE TO ANY ELIGIBLE INSTITUTION  
16 UNDER THIS SECTION MAY NOT DIRECTLY OR INDIRECTLY REDUCE THE STATE  
17 GENERAL FUND OR CAPITAL FUND SUPPORT FOR THE ELIGIBLE INSTITUTION.

18 (H) THE MARYLAND HIGHER EDUCATION COMMISSION SHALL:

19 (1) ADOPT REGULATIONS NECESSARY FOR THE ADMINISTRATION OF  
20 THIS SECTION; AND

21 (2) SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF  
22 THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN ANNUAL  
23 REPORT SUMMARIZING THE TOTAL AMOUNT OF FUNDS PLEDGED BY ELIGIBLE  
24 DONORS AND TOTAL AMOUNT OF FUNDS RAISED.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 1998.