
By: **Senator Lawlah (Chairman, Health, Education and Human Resources Subcommittee) and Senators Hoffman, Hogan, Kasemeyer, Neall, and ~~Van Hollen~~ Van Hollen, Blount, Collins, Conway, Craig, Dyson, Frosh, Hollinger, McCabe, Pinsky, Sfikas, and Stoltzfus**

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

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 17, 1998

CHAPTER _____

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

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

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

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

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

14 **Article - Education**

15 16-317.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 17 INDICATED.

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

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

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

25 (II) "ELIGIBLE DONOR" DOES NOT INCLUDE A LOCAL
 26 GOVERNMENT, THE STATE, THE FEDERAL GOVERNMENT, OR ANY FOREIGN
 27 GOVERNMENT.

28 (5) "ELIGIBLE INSTITUTION" REFERS TO THE FOLLOWING COMMUNITY
 29 COLLEGE CAMPUSES:

30 (I) ALLEGANY;

31 (II) ANNE ARUNDEL;

32 (III) BALTIMORE CITY;

33 (IV) CALVERT;

34 ~~(IV)~~ (V) CARROLL;

- 1 ~~(V)~~ (VI) CATONSVILLE;
- 2 ~~(VI)~~ (VII) CECIL;
- 3 ~~(VII)~~ (VIII) CHARLES;
- 4 ~~(VIII)~~ (IX) CHESAPEAKE;
- 5 ~~(IX)~~ (X) DUNDALK;
- 6 ~~(X)~~ (XI) ESSEX;
- 7 ~~(XI)~~ (XII) FREDERICK;
- 8 ~~(XII)~~ (XIII) GARRETT;
- 9 ~~(XIII)~~ (XIV) GERMANTOWN;
- 10 ~~(XIV)~~ (XV) HAGERSTOWN;
- 11 ~~(XV)~~ (XVI) HARFORD;
- 12 ~~(XVI)~~ (XVII) HOWARD;
- 13 ~~(XVII)~~ (XVIII) PRINCE GEORGE'S;
- 14 ~~(XVIII)~~ (XIX) ROCKVILLE;
- 15 (XX) ST. MARY'S;
- 16 ~~(XIX)~~ (XXI) TAKOMA PARK; AND
- 17 ~~(XX)~~ (XXII) WOR-WIC.

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

21 (7) (I) "TECHNOLOGY" MEANS THE HARDWARE, SOFTWARE,
 22 COMMUNICATIONS INFRASTRUCTURE, AND ASSOCIATED TRAINING AND
 23 CONTRACTED SERVICES THAT ENABLE LOCAL OR GLOBAL PRESENTATION,
 24 EXCHANGE, AND TRANSMISSION OF INFORMATION IN DIGITAL OR ANALOG FORM
 25 FOR TEACHING, LEARNING, STUDENT SUPPORT SERVICES, AND ADMINISTRATION.

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

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

28 (B) EACH COMMUNITY COLLEGE SHALL RECEIVE FROM THE STATE, IN THE
 29 MANNER AND SUBJECT TO THE LIMITATIONS OF THIS SECTION, WITH RESPECT TO
 30 THE CONTRIBUTIONS MADE BY ELIGIBLE DONORS AS VOLUNTARY DONATIONS AT

1 ANY TIME DURING FISCAL YEARS ~~1999, 2000, AND 2001~~ 1999 AND 2000 TO THE ELIGIBLE
2 INSTITUTION FOR ELIGIBLE PROGRAMS, AN AMOUNT EQUAL TO THE FIRST ~~\$500,000~~
3 \$200,000 OR ANY PORTION THEREOF FROM CONTRIBUTIONS BY ELIGIBLE DONORS.

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

5 (1) ONLY WITH RESPECT TO CONTRIBUTIONS WHICH ARE PAID BY THE
6 ELIGIBLE DONORS TO THE ELIGIBLE INSTITUTION BEFORE JULY 1, ~~2001~~ 2000; AND

7 (2) IN THE FISCAL YEAR FOLLOWING THE FISCAL YEAR DURING WHICH
8 THE CONTRIBUTIONS ARE MADE.

9 (D) CONTRIBUTIONS MADE BY THE STATE UNDER THIS SECTION MAY NOT
10 EXCEED ~~\$500,000~~ \$200,000 TO EACH ELIGIBLE INSTITUTION.

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

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

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

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

20 (3) EACH CONTRIBUTION MUST BE SPECIFICALLY DESIGNATED FOR
21 TECHNOLOGY.

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

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

28 (H) THE MARYLAND HIGHER EDUCATION COMMISSION SHALL:

29 (1) ADOPT REGULATIONS NECESSARY FOR THE ADMINISTRATION OF
30 THIS SECTION; AND

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

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

