

HOUSE BILL 1196

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1999 Regular Session
(9lr2580)

ENROLLED BILL

-- Ways and Means/Select Committee No. 8 and Economic and Environmental Affairs --

Introduced by ~~Charles County Delegation and St. Mary's County Delegation~~
Southern Maryland Delegation

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Community Colleges - College of Southern Maryland**

3 FOR the purpose of creating the College of Southern Maryland as a successor to the
4 Charles County Community College; creating a Board of Trustees for the
5 governance of the College of Southern Maryland; providing for membership on
6 the Board of Trustees; specifying the powers and duties of the Board of Trustees;
7 specifying the duties of the president of the College of Southern Maryland;
8 providing for a budget for the operation of the College of Southern Maryland;
9 repealing certain provisions of law relating to the Board of Community College
10 Trustees for Charles County; defining certain terms; providing for the transfer
11 of certain functions, powers, duties, equipment, assets, liabilities, and
12 employees to the College of Southern Maryland and the Board of Trustees of the
13 College; requiring the Board of Community College Trustees for Charles County
14 to take certain actions relating to the transition of the Charles County
15 Community College to the College of Southern Maryland; requiring Calvert
16 County and St. Mary's County to convey certain property; allocating financial

1 responsibility for the College among the participating counties; specifying the
2 terms of the initial members of the Board of Trustees of the College of Southern
3 Maryland; providing that the Charles County Community College and its
4 Calvert County and St. Mary's branch campus campuses shall be considered a
5 regional community college for certain purposes for a certain fiscal year;
6 providing for a delayed effective date for certain provisions of this Act; and
7 generally relating to the creation of the College of Southern Maryland.

8 BY renumbering
9 Article - Education
10 Section 16-405
11 to be Section 16-607
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 1998 Supplement)

14 BY repealing
15 Article - Education
16 Section 16-404
17 Annotated Code of Maryland
18 (1997 Replacement Volume and 1998 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Education
21 Section 11-105(i)(1) and (6)
22 Annotated Code of Maryland
23 (1997 Replacement Volume and 1998 Supplement)

24 BY adding to
25 Article - Education
26 Section 16-601 through 16-606 and 16-608 through 16-610 to be under the new
27 subtitle "Subtitle 6. College of Southern Maryland"
28 Annotated Code of Maryland
29 (1997 Replacement Volume and 1998 Supplement)

30 BY repealing and reenacting, with amendments,
31 Article - Education
32 Section 16-607
33 Annotated Code of Maryland
34 (1997 Replacement Volume and 1998 Supplement)
35 (As enacted by Section 1 of this Act)

36 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
37 MARYLAND, That Section(s) 16-405 of Article - Education of the Annotated Code of
38 Maryland be renumbered to be Section(s) 16-607.

1 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 16-404 of
2 Article - Education of the Annotated Code of Maryland be repealed.

3 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
4 read as follows:

5 **Article - Education**

6 11-105.

7 (i) (1) In this subsection "community college" includes the Carroll County
8 Community College and the Calvert County and St. Mary's County branch campuses
9 of [Charles County Community College] THE COLLEGE OF SOUTHERN MARYLAND
10 established under the authority granted by § 16-103(l) of this article, and does not
11 include the Baltimore City Community College.

12 (6) The amount of the grant shall be a percentage of total design and
13 construction costs, including site acquisition and development costs, as follows:

14 (i) For a regional community college established under § 16-202
15 OR TITLE 16, SUBTITLE 6 of this article, 75 percent; or

16 (ii) For a public junior or community college that is not a regional
17 community college, the greater of:

18 1. A percentage equal to that percentage of the expenditure
19 for basic current expenses that the State pays to the petitioning jurisdiction under §
20 5-202(b) of this article up to a maximum of 70 percent; or

21 2. 50 percent.

22 SUBTITLE 6. COLLEGE OF SOUTHERN MARYLAND.

23 16-601.

24 (A) THE ESTABLISHMENT OF THE COLLEGE OF SOUTHERN MARYLAND AS A
25 REGIONAL COLLEGE IS BASED ON THE FINDINGS AND POLICIES SET FORTH IN THIS
26 SECTION.

27 (B) (1) CHARLES COUNTY COMMUNITY COLLEGE HAS PROVIDED HIGHER
28 EDUCATION OPPORTUNITIES IN CALVERT COUNTY FOR MORE THAN 15 YEARS AND IN
29 ST. MARY'S COUNTY FOR MORE THAN 20 YEARS THROUGH A CONTRACTUAL
30 ARRANGEMENT WITH THE COUNTY.

31 (2) THE CONTINUING GROWTH OF CHARLES COUNTY COMMUNITY
32 COLLEGE AS A QUALITY INSTITUTION REQUIRES THAT A PARTNERSHIP BE
33 ESTABLISHED TO PROVIDE A NEW COLLEGE IDENTITY REFLECTIVE OF THE ~~TWO~~
34 THREE SOUTHERN MARYLAND COUNTIES, A GOVERNANCE STRUCTURE OF SHARED
35 OWNERSHIP, AND THE EQUITABLE DISTRIBUTION OF FISCAL SUPPORT.

1 16-602.

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "BOARD OF TRUSTEES" MEANS THE BOARD OF TRUSTEES OF THE
5 COLLEGE OF SOUTHERN MARYLAND.

6 (C) "COLLEGE" MEANS THE COLLEGE OF SOUTHERN MARYLAND, FORMERLY
7 KNOWN AS THE CHARLES COUNTY COMMUNITY COLLEGE.

8 (D) "COMMISSION" MEANS THE MARYLAND HIGHER EDUCATION
9 COMMISSION.

10 ~~(D)~~ (E) "COUNTY COMMISSIONERS" MEANS THE ELECTED COUNTY
11 COMMISSIONERS FROM ~~CHARLES~~ CALVERT, CHARLES, AND ST. MARY'S COUNTIES.

12 ~~(E)~~ (F) "OFFICER" MEANS THE PRESIDENT, VICE PRESIDENTS, DEANS, OR
13 OTHER OFFICERS OF THE COLLEGE AS SHALL BE APPOINTED BY THE BOARD OF
14 TRUSTEES.

15 ~~(F)~~ (G) "RESIDENT CAMPUS" MEANS A PRIMARY CAMPUS LOCATED IN
16 CALVERT COUNTY, CHARLES COUNTY, OR ST. MARY'S COUNTY.

17 ~~(G)~~ (H) "SOUTHERN MARYLAND" MEANS THE AREA THAT INCLUDES ALL OF
18 ~~CHARLES~~ CALVERT, CHARLES, AND ST. MARY'S COUNTIES.

19 16-603.

20 (A) (1) THERE IS A COLLEGE OF SOUTHERN MARYLAND, FORMERLY KNOWN
21 AS THE CHARLES COUNTY COMMUNITY COLLEGE, LOCATED IN ~~CHARLES~~ CALVERT,
22 CHARLES, AND ST. MARY'S COUNTIES, MARYLAND.

23 (2) WITH OTHER EDUCATIONAL INSTITUTIONS, THE COLLEGE SHALL
24 PROVIDE THE SERVICES AND PROGRAMS DESCRIBED IN § 10-210 OF THIS ARTICLE.

25 (B) THE COLLEGE IS AN INSTITUTION OF HIGHER EDUCATION OF THE STATE
26 OF MARYLAND.

27 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE
28 COLLEGE SHALL BE CLASSIFIED AS A "LOCAL EDUCATIONAL AGENCY (LEA)", AS
29 DEFINED IN FEDERAL LAW, FOR PURPOSES OF FEDERAL SUBSIDIES, GRANTS,
30 CONTRACTS, AND OTHER PROGRAMS OF SUPPORT FOR WHICH A COMMUNITY
31 COLLEGE IS ELIGIBLE.

32 ~~(D)~~ ~~CHARLES~~ CALVERT, CHARLES, AND ST. MARY'S COUNTIES MAY
33 APPROPRIATE MONEY TO PAY THE COST OF OPERATING THE COLLEGE ACCORDING
34 TO THE PROVISIONS OF THIS ARTICLE.

35 (E) (1) EACH SOUTHERN MARYLAND COUNTY MAY BORROW MONEY TO
36 PURCHASE LAND AND CONSTRUCT CAPITAL IMPROVEMENTS FOR THE COLLEGE.

1 (2) MONEY MAY BE BORROWED ON TERMS AND CONDITIONS THE
 2 COUNTY COMMISSIONERS CONSIDER PROPER, SUBJECT TO ANY REQUIREMENTS OF
 3 LOCAL LAW APPLICABLE TO THE CREATION OF PUBLIC DEBT.

4 (F) (1) UNLESS OTHERWISE AGREED TO BY THE COUNTY COMMISSIONERS,
 5 THE CAPITAL EXPENDITURES FOR EACH CAMPUS ARE THE RESPONSIBILITY OF THE
 6 COUNTY IN WHICH THE CAMPUS IS LOCATED.

7 (2) THE DISTRIBUTION OF SHARED COSTS WILL BE THAT OF A
 8 REGIONAL COMMUNITY COLLEGE AS DESIGNATED IN § 11-105(I)(6)(I) OF THIS
 9 ARTICLE.

10 16-604.

11 (A) THE GOVERNMENT OF THE COLLEGE IS VESTED IN THE BOARD OF
 12 TRUSTEES.

13 (B) (1) THE BOARD OF TRUSTEES CONSISTS OF ~~EIGHT~~ NINE MEMBERS
 14 APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

15 (2) OF THE MEMBERS:

16 (I) EACH SHALL BE A RESIDENT OF THE STATE;

17 ~~(II) EACH SHALL BE A RESIDENT OF CHARLES COUNTY OR ST.~~
 18 ~~MARY'S COUNTY;~~

19 ~~(III) EACH SHALL REPRESENT A SHARE OF COUNTY RESIDENTS~~
 20 ~~EQUAL TO AT LEAST 11% OF THE TOTAL NUMBER OF STATE SUPPORTED FULL TIME~~
 21 ~~EQUIVALENT STUDENTS ATTENDING THE COLLEGE DURING THE PRIOR FISCAL~~
 22 ~~YEAR;~~

23 ~~(IV)~~ (II) EACH SHALL HAVE COMPLETED AT LEAST 60 HOURS OF
 24 ACCREDITED COLLEGE WORK; AND

25 ~~(V)~~ (III) NONE MAY BE AN ELECTED OFFICIAL OF THE STATE, A
 26 COUNTY, A MUNICIPAL CORPORATION, OR A COUNTY BOARD.

27 (3) EACH OF THE SOUTHERN MARYLAND COUNTIES SHALL BE
 28 REPRESENTED BY AT LEAST ONE MEMBER WHO IS A RESIDENT OF THAT COUNTY.

29 (4) BY JULY 1, 2010, EACH OF THE SOUTHERN MARYLAND COUNTIES
 30 SHALL BE REPRESENTED BY AT LEAST THREE MEMBERS WHO ARE RESIDENTS OF
 31 THAT COUNTY.

32 (C) (1) THE TERM OF A MEMBER IS 5 YEARS.

33 ~~(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY~~
 34 ~~THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2000.~~

1 ~~(3)~~ (2) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED
2 TERM SERVES FOR THE REMAINDER OF THAT TERM.

3 ~~(4)~~ (3) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE
4 FULL TERMS.

5 (D) EACH MEMBER OF THE BOARD OF TRUSTEES IS ENTITLED TO RECEIVE UP
6 TO \$600 A YEAR FOR EXPENSES.

7 16-605.

8 (A) EACH YEAR PRIOR TO JUNE 30 THE BOARD OF TRUSTEES:

9 (1) SHALL ELECT A CHAIRMAN AND VICE CHAIRMAN FROM AMONG ITS
10 MEMBERS; AND

11 (2) MAY ELECT ANY OTHER OFFICERS IT REQUIRES.

12 (B) (1) THE BOARD OF TRUSTEES SHALL DETERMINE THE TIME AND PLACE
13 OF ITS MEETINGS.

14 (2) THE BOARD OF TRUSTEES MAY ADOPT RULES FOR THE CONDUCT OF
15 ITS MEETINGS AND THE TRANSACTION OF BUSINESS.

16 (C) A MAJORITY OF THE MEMBERS THEN SERVING ON THE BOARD OF
17 TRUSTEES IS A QUORUM FOR THE TRANSACTION OF BUSINESS.

18 16-606.

19 (A) IN ADDITION TO THE OTHER POWERS GRANTED AND DUTIES IMPOSED BY
20 THIS TITLE, AND SUBJECT TO THE AUTHORITY OF THE COMMISSION, THE BOARD OF
21 TRUSTEES HAS THE POWERS AND DUTIES SET FORTH IN THIS SECTION.

22 (B) THE BOARD OF TRUSTEES SHALL EXERCISE GENERAL CONTROL OVER
23 THE COLLEGE, KEEP SEPARATE RECORDS AND MINUTES, AND ADOPT REASONABLE
24 RULES, REGULATIONS, AND BYLAWS TO CARRY OUT THE PROVISIONS OF THIS TITLE.

25 (C) THE BOARD OF TRUSTEES MAY FIX THE SALARIES AND TENURE OF THE
26 PRESIDENT, FACULTY, AND OTHER EMPLOYEES OF THE COLLEGE.

27 (D) THE BOARD OF TRUSTEES MAY PURCHASE, LEASE, CONDEMN, OR
28 OTHERWISE ACQUIRE ANY PROPERTY IT CONSIDERS NECESSARY FOR THE
29 OPERATION OF THE COLLEGE.

30 (E) (1) THE BOARD OF TRUSTEES MAY SELL, LEASE, OR OTHERWISE
31 DISPOSE OF ASSETS OR PROPERTY OF THE COLLEGE.

32 (2) THE PRESIDENT OF THE COLLEGE AND THE CHAIRMAN OF THE
33 BOARD OF TRUSTEES MAY EXECUTE A CONVEYANCE OR OTHER LEGAL DOCUMENT
34 UNDER AN APPROPRIATE RESOLUTION OF THE BOARD OF TRUSTEES.

1 (F) THE BOARD OF TRUSTEES MAY APPLY FOR AND ACCEPT ANY GIFT OR
2 GRANT FROM THE FEDERAL GOVERNMENT OR ANY OTHER PERSON.

3 (G) SUBJECT TO THE MINIMUM STANDARDS OF THE COMMISSION, THE BOARD
4 OF TRUSTEES MAY DETERMINE ENTRANCE REQUIREMENTS AND APPROVE
5 OFFERINGS THAT CONSIST OF:

6 (1) TRANSFER PROGRAMS OFFERING THE EQUIVALENT OF THE FIRST 2
7 YEARS OF A BACHELOR'S DEGREE PROGRAM;

8 (2) CAREER PROGRAMS OFFERING TECHNICAL, VOCATIONAL, AND
9 SEMIPROFESSIONAL EDUCATION; AND

10 (3) CONTINUING EDUCATION AND CONTRACT-TRAINING PROGRAMS.

11 (H) EXCEPT AS PROVIDED IN § 16-310 OF THIS TITLE, THE BOARD OF
12 TRUSTEES MAY CHARGE STUDENTS REASONABLE TUITION AND FEES SET BY IT WITH
13 A VIEW TO MAKING COLLEGE EDUCATION AVAILABLE TO ALL QUALIFIED STUDENTS
14 AT LOW COST.

15 (I) THE BOARD OF TRUSTEES MAY SUE AND BE SUED.

16 (J) THE BOARD OF TRUSTEES MAY MAKE AGREEMENTS WITH THE FEDERAL
17 GOVERNMENT OR ANY OTHER PERSON, INCLUDING AGREEMENTS BETWEEN
18 COUNTIES, IF THE BOARD OF TRUSTEES CONSIDERS THE AGREEMENT ADVISABLE
19 FOR THE ESTABLISHMENT OR OPERATION OF THE COLLEGE.

20 (K) THE BOARD OF TRUSTEES MAY ADOPT A CORPORATE SEAL.

21 (L) THE BOARD OF TRUSTEES SHALL APPOINT A PRESIDENT OF THE COLLEGE
22 WHO SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE COLLEGE AND THE
23 SECRETARY/TREASURER OF THE BOARD OF TRUSTEES.

24 ~~(M) THE BOARD OF TRUSTEES MAY CREATE A RESERVE FUND TO INSURE~~
25 ~~AGAINST UNFORSEEN CONTINGENCIES.~~

26 16-607.

27 (a) [The Board of Community College Trustees for Charles County] THE
28 BOARD OF TRUSTEES may:

29 (1) Appoint an individual, other than the attorney to the Board OF
30 TRUSTEES, as hearing examiner; and

31 (2) Adopt rules governing proceedings before the hearing examiner.

32 (b) The hearing examiner:

33 (1) May hold an initial hearing on any matter brought before the Board
34 of Trustees; and

1 (2) Shall submit to the Board OF TRUSTEES and to the parties findings of
2 fact and conclusions of law, a transcript of the proceedings, and exhibits.

3 (c) The Board of Trustees shall:

4 (1) Hear arguments, if requested by a party; and

5 (2) After considering the arguments and the record, decide the matter.

6 (d) The decision of the Board of Trustees may not be appealed.

7 16-608.

8 THE PRESIDENT OF THE COLLEGE SHALL:

9 (1) REPORT DIRECTLY TO THE BOARD OF TRUSTEES;

10 (2) RECOMMEND THE APPOINTMENT BY THE BOARD OF TRUSTEES OF
11 QUALIFIED FACULTY MEMBERS AND OTHER EMPLOYEES NECESSARY FOR THE
12 EFFICIENT ADMINISTRATION OF THE COLLEGE;

13 (3) RECOMMEND THE DISCHARGE OF EMPLOYEES FOR GOOD CAUSE,
14 PROVIDED THAT ANY EMPLOYEE WITH TENURE SHALL BE GIVEN REASONABLE
15 NOTICE OF THE GROUNDS FOR DISMISSAL AND AN OPPORTUNITY TO BE HEARD;

16 (4) BE RESPONSIBLE FOR THE CONDUCT OF THE COLLEGE AND FOR THE
17 ADMINISTRATION AND SUPERVISION OF ITS DEPARTMENTS; AND

18 (5) ATTEND ALL MEETINGS OF THE BOARD OF TRUSTEES, EXCEPT
19 THOSE INVOLVING THE POSITION OF PRESIDENT.

20 16-609.

21 EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE PROVISIONS OF §§
22 16-106 AND 16-107 OF THIS TITLE APPLY TO THE COLLEGE.

23 16-610.

24 (A) EACH YEAR THE BOARD OF TRUSTEES AND THE PRESIDENT OF THE
25 COLLEGE SHALL PREPARE AND SUBMIT TO THE COUNTY COMMISSIONERS:

26 (1) AN ANNUAL REPORT;

27 (2) AN OPERATING BUDGET;

28 (3) A CAPITAL BUDGET; AND

29 (4) IF REQUIRED, A LONG-TERM CAPITAL IMPROVEMENT PROGRAM.

30 (B) THE OPERATING BUDGET SHALL SHOW:

1 (1) ALL REVENUES ESTIMATED FOR THE NEXT FISCAL YEAR
2 CLASSIFIED BY FUNDS AND SOURCES OF INCOME FOR EACH CAMPUS;

3 (2) ALL EXPENDITURES REQUESTED, INCLUDING THE MAJOR
4 FUNCTIONS LISTED UNDER § 16-304(B) OF THIS TITLE AND SPECIFICATION FOR THE
5 DIRECT EXPENDITURES FOR EACH CAMPUS BY MAJOR FUNCTION ESTABLISHED BY
6 THE COMMISSION;

7 (3) ALL INDIRECT EXPENDITURES FOR INSTITUTIONAL SUPPORT;
8 ~~ONE-THIRD OF WHICH SHALL BE FUNDED BY ST. MARY'S COUNTY;~~

9 (4) ALL OTHER INDIRECT EXPENDITURES ~~DISTRIBUTED BY THE~~
10 ~~PERCENTAGE OF FULL TIME EQUIVALENT STUDENTS BY COUNTY OF RESIDENCE;~~
11 AND

12 (5) ANY OTHER INFORMATION OR SUPPORTING DATA REQUIRED BY THE
13 COUNTY COMMISSIONERS.

14 (C) (1) THE COUNTY COMMISSIONERS IN EACH COUNTY SHALL REVIEW
15 AND APPROVE THE BUDGET OF THE RESIDENT CAMPUS IN THAT COUNTY AND MAY
16 REDUCE IT.

17 (2) THE BOARD OF TRUSTEES OF THE COLLEGE MAY APPROVE
18 TRANSFERS OF APPROPRIATIONS FOR DIRECT OR INDIRECT COSTS IN ORDER TO
19 INSURE THE MISSION OF THE COLLEGE.

20 (D) THE OPERATING BUDGET OF THE COLLEGE AS OUTLINED IN THIS
21 SECTION SHALL BE SUBMITTED TO THE COMMISSION FOR INFORMATIONAL
22 PURPOSES.

23 SECTION 4. AND BE IT FURTHER ENACTED, That, on July 1, 2000, all the
24 functions, powers, duties, equipment, assets, liabilities, and employees of the Charles
25 County Community College shall be transferred to the College of Southern Maryland.

26 SECTION 5. AND BE IT FURTHER ENACTED, That all assets, land, and
27 equipment under permanent use by the Charles County Community College in ~~St.~~
28 ~~Mary's County~~ Calvert and St. Mary's Counties shall be transferred by St. Mary's
29 County and Calvert County to the Board of Trustees of the College of Southern
30 Maryland.

31 SECTION 6. AND BE IT FURTHER ENACTED, That:

32 (a) The Board of County Commissioners of Calvert County shall convey to the
33 Board of Trustees of the College of Southern Maryland the interest of the Board of
34 County Commissioners in the real property on Route 231 in Calvert County that the
35 Board of County Commissioners holds jointly with the State of Maryland for
36 community college purposes.

37 (b) All construction projects for the College of Southern Maryland shall be
38 eligible for an increase to 75% in State funding.

1 (c) The College of Southern Maryland shall return to the Board of County
 2 Commissioners of Calvert County the current community college site on Broomes
 3 Island Road in Calvert County when the operation of the Calvert County campus of the
 4 College of Southern Maryland is transferred to the site on Route 231 in Calvert County.

5 SECTION ~~6~~ 7. AND BE IT FURTHER ENACTED, That the Board of
 6 Community College Trustees for Charles County shall endeavor to secure a stable
 7 transition of the Charles County Community College to the College of Southern
 8 Maryland prior to July 1, 2000, through advertising, changing of College letterhead
 9 and signs, preparation of materials, processes, and activities as stated and implied by
 10 this Act.

11 SECTION ~~7~~. AND BE IT FURTHER ENACTED, That any current member of
 12 ~~the Board of Trustees may continue to serve the remainder of their term. The initial~~
 13 ~~Board of Trustees of the College of Southern Maryland shall consist of six members~~
 14 ~~from Charles County and two members from St. Mary's County. The terms of initial~~
 15 ~~members of the Board of Trustees of the College of Southern Maryland shall expire as~~
 16 ~~follows:~~

- 17 (1) ~~Two members in 2002;~~
 18 (2) ~~Two members in 2003;~~
 19 (3) ~~Two members in 2004; and~~
 20 (4) ~~Two members in 2005.~~

21 SECTION 8. AND BE IT FURTHER ENACTED, That, at the College of
 22 Southern Maryland:

23 (1) Direct costs shall be considered the direct charges associated with a
 24 specific campus that are paid from the operating budget of that campus.

25 (2) Indirect costs (Overhead expenses) shall be considered the costs of
 26 functions of the college that serve all campuses but are borne by the main campus.

27 (3) Indirect costs (Overhead expenses) include:

28 (i) Institutional (Administrative) costs; and

29 (ii) Instructional and Student Services costs.

30 (4) The Institutional (Administrative) costs of the College of Southern
 31 Maryland include personnel and associated operating costs.

32 (5) The Instructional and Student Services costs of the College of
 33 Southern Maryland include personnel and associated operating costs.

34 (6) Until July 1, 2004, the Institutional (Administrative) costs of the
 35 College of Southern Maryland shall be shared as follows:

- 1 (i) Charles County.....35%;
- 2 (ii) St. Mary's County..... 35%; and
- 3 (iii) Calvert County..... 30%

4 (7) On and after July 1, 2004, the Institutional (Administrative) costs of
 5 the College of Southern Maryland shall be shared equally by the three counties.

6 (8) The Instructional and Student Services costs of the College of
 7 Southern Maryland shall be shared in proportion to the membership of the Board of
 8 Trustees of the College from each of the three counties, which membership shall be
 9 nine, of which initially five shall be residents of Charles County, two shall be residents
 10 of St. Mary's County, and two shall be residents of Calvert County.

11 (9) By July 1, 2010, the Instructional and Student Services costs of the
 12 College of Southern Maryland shall be shared equally by the three counties, as the
 13 membership of the Board of Trustees of the College by that time shall consist of three
 14 residents of Charles County, three residents of St. Mary's County, and three residents of
 15 Calvert County.

16 SECTION 9. AND BE IT FURTHER ENACTED, That:

17 (a) The current members of the Board of Community College Trustees for
 18 Charles County whose terms are scheduled to expire between July 1, 2001 and July 1,
 19 2004 may continue to serve the remainder of the terms or consecutive terms that they
 20 would have been eligible to serve as members of the Board of College Trustees for
 21 Charles County as members of the Board of Trustees for the College of Southern
 22 Maryland.

23 (b) The initial membership of the Board of Trustees of the College of Southern
 24 Maryland shall consist of five residents of Charles County, two residents of Calvert
 25 County, and two residents of St. Mary's County. The terms of the Calvert County and
 26 St. Mary's County members shall expire on July 1, 2005, and these members are
 27 eligible for reappointment.

28 (c) By July 1, 2010, the membership of the Board of Trustees shall consist of
 29 three residents of Calvert County, three residents of Charles County, and three
 30 residents of St. Mary's County.

31 ~~SECTION 8: 10.~~ AND BE IT FURTHER ENACTED, That notwithstanding any
 32 other provision of law, for fiscal year 2000, the Charles County Community College
 33 and its ~~St. Mary's branch campus~~ Calvert County and St. Mary's County branch
 34 campuses shall be considered a regional community college for purposes of §
 35 11-105(i)(6)(i) of the Education Article.

36 ~~SECTION 9: 11.~~ AND BE IT FURTHER ENACTED, That ~~Sections 6 and 8~~
 37 Sections 7 and 10 of this Act shall take effect July 1, 1999.

1 SECTION ~~10~~ 12, AND BE IT FURTHER ENACTED, That, except as provided
2 in Section 9 11 of this Act, this Act shall take effect July 1, 2000.