

HOUSE BILL 1237

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F2

2002 Regular Session  
(2r1924)

**ENROLLED BILL**

-- Appropriations/Education, Health, and Environmental Affairs and Budget and Taxation --

Introduced by ~~Delegate Turner~~ **Delegates Turner, Proctor, D'Amato, V. Jones, Hubers, Stocksdale, and Kagan**

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

4 FOR the purpose of extending the Innovative Partnerships for Technology Program  
5 for State community colleges for a certain number of years; *altering the*  
6 *institutions eligible under the program*; requiring the State to make certain  
7 payments to community colleges with respect to certain contributions made by  
8 eligible donors before certain dates; modifying the definition of a certain term;  
9 and generally relating to community colleges and higher education.

10 BY repealing and reenacting, with amendments,  
11 Article - Education  
12 Section 16-317  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume)

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 16-317.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Base year" means [July 1, 1997] JULY 1, 2001 through [June 30,  
7 1998] ~~JULY 1~~ JUNE 30, 2002.

8 (3) "Contribution" means monetary and equipment donations that have  
9 been assessed a monetary value amount for the purposes of determining the State  
10 payment.

11 (4) (i) "Eligible donor" means any individual, corporation,  
12 partnership, or other form of business organization, public or private foundation, or  
13 other nonprofit organization.

14 (ii) "Eligible donor" does not include a local government, the State,  
15 the federal government, or any foreign government.

16 (5) "Eligible institution" refers to the following community college  
17 campuses:

- 18 (i) Allegany;
- 19 (ii) Anne Arundel;
- 20 (iii) Baltimore City;
- 21 (iv) ~~Calvert~~;
- 22 ~~(v)~~ Carroll;
- 23 ~~(vi)~~ (V) Catonsville;
- 24 ~~(vii)~~ (VI) Cecil;
- 25 ~~(viii)~~ ~~Charles~~;
- 26 ~~(ix)~~ (VII) Chesapeake;
- 27 ~~(x)~~ (VIII) Dundalk;
- 28 ~~(xi)~~ (IX) Essex;
- 29 ~~(xii)~~ (X) Frederick;
- 30 ~~(xiii)~~ (XI) Garrett;

- 1                    (~~xiv~~)    (XII)     Germantown;
- 2                    (~~xv~~)     (XIII)    Hagerstown;
- 3                    (~~xvi~~)    (XIV)    Harford;
- 4                    (~~xvii~~)   (XV)     Howard;
- 5                    (XVI)    LA PLATA;
- 6                    (XVII)   LEONARDTOWN;
- 7                    (XVIII)  PRINCE FREDERICK;
- 8                    (~~xviii~~)  (XIX)    Prince George's;
- 9                    (~~xix~~)    (XX)     Rockville;
- 10                   (~~xx~~)     ~~St. Mary's~~;
- 11                    (xxi)     Takoma Park; and
- 12                    (xxii)    Wor-Wic.

13                   (6)        "Eligible program" means any contribution for technology which does  
14 not contain unreasonable restrictions as to use as further defined by the Maryland  
15 Higher Education Commission.

16                   (7)        "First eligible period" means fiscal years [1999] 2003 and [2000]  
17 2004.

18                   (8)        "Second eligible period" means fiscal years [2001] 2005 and [2002]  
19 2006.

20                   (9)        (i)        "Technology" means the hardware, software, communications  
21 infrastructure, and associated training and contracted services that enable local or  
22 global presentation, exchange, and transmission of information in digital or analog  
23 form for teaching, learning, student support services, and administration.

24                   (ii)        "Technology" may include capital expenditures.

25                   (iii)       "Technology" does not include staff.

26       (b)       (1)        Each eligible institution shall receive from the State, in the manner  
27 and subject to the limitations of this section, with respect to the contributions made  
28 by eligible donors as voluntary donations at any time during the first eligible period  
29 to the eligible institution for eligible programs, an amount equal to the first \$200,000  
30 or any portion thereof from contributions by eligible donors.

31                   (2)        If an eligible institution qualifies for the maximum State  
32 contribution of ~~\$200,000~~ \$100,000 \$150,000 in the first eligible period, the eligible

1 institution shall receive from the State, in the manner and subject to the limitations  
2 of this section, with respect to the contributions made by eligible donors as voluntary  
3 donations at any time during the second eligible period to the eligible institution for  
4 eligible programs, an amount equal to the first ~~\$200,000~~ ~~\$100,000~~ \$150,000 or any  
5 portion thereof from contributions by eligible donors.

6 (c) Payments shall be made by the State:

7 (1) In the first eligible period, only with respect to contributions which  
8 are paid by the eligible donors to the eligible institution before [July 1, 2000] JULY 1,  
9 2004;

10 (2) In the second eligible period, only with respect to contributions which  
11 are paid by the eligible donors to the eligible institution before [July 1, 2002] JULY 1,  
12 2006; and

13 (3) In the second fiscal year following the fiscal year during which the  
14 contributions are made.

15 (d) Contributions made by the State under this section may not exceed  
16 ~~\$200,000~~ ~~\$100,000~~ \$150,000 during each eligible period to each eligible institution.

17 (e) (1) To determine eligibility for State payments, each contribution shall  
18 be compared to the amount contributed during the base year. The following criteria  
19 shall be the basis for comparison:

20 (i) Each contribution must be from a new donor; or

21 (ii) Each contribution must represent an increase over the amount  
22 contributed by the donor during the base year.

23 (2) A contribution received during the base year that fulfills a pledge  
24 made prior to the base year may not be included in the determination of the  
25 contribution made during the base year.

26 (3) Each contribution must be specifically designated for technology.

27 (f) Contributions made by the State under this section may be applied to any  
28 eligible technology expense at an eligible institution to which the payment is made.

29 (g) Contributions made by the State to any eligible institution under this  
30 section may not directly or indirectly reduce the State General Fund or capital fund  
31 support for the eligible institution.

32 (h) The Maryland Higher Education Commission shall:

33 (1) Adopt regulations necessary for the administration of this section;  
34 and

1           (2)       Submit to the Governor and, in accordance with § 2-1246 of the State  
2 Government Article, to the General Assembly an annual report summarizing the total  
3 amount of funds pledged by eligible donors and total amount of funds raised.

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2002.