

SENATE BILL 678

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2002 Regular Session  
2r1713  
CF 2r1924

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By: **Senators Neall, Hogan, McFadden, and Stoltzfus**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, 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 extending the Innovative Partnerships for Technology Program  
5 for State community colleges for an additional fiscal year; requiring the State to  
6 make certain payments to community colleges with respect to certain  
7 contributions made by eligible donors before a certain date; modifying the  
8 definition of a certain term; and generally relating to community colleges and  
9 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)

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

17 **Article - Education**

18 16-317.

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

20 (2) "Base year" means July 1, 1997 through June 30, 1998.

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

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

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

3 (5) "Eligible institution" refers to the following community college  
4 campuses:

- 5 (i) Allegany;
- 6 (ii) Anne Arundel;
- 7 (iii) Baltimore City;
- 8 (iv) Calvert;
- 9 (v) Carroll;
- 10 (vi) Catonsville;
- 11 (vii) Cecil;
- 12 (viii) Charles;
- 13 (ix) Chesapeake;
- 14 (x) Dundalk;
- 15 (xi) Essex;
- 16 (xii) Frederick;
- 17 (xiii) Garrett;
- 18 (xiv) Germantown;
- 19 (xv) Hagerstown;
- 20 (xvi) Harford;
- 21 (xvii) Howard;
- 22 (xviii) Prince George's;
- 23 (xix) Rockville;
- 24 (xx) St. Mary's;
- 25 (xxi) Takoma Park; and
- 26 (xxii) Wor-Wic.

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

4           (7)     "First eligible period" means fiscal years 1999 and 2000.

5           (8)     "Second eligible period" means fiscal years 2001 [and 2002], 2002,  
6 AND 2003.

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

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

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

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

18           (2)     If an eligible institution qualifies for the maximum State  
19 contribution of \$200,000 in the first eligible period, the eligible institution shall  
20 receive from the State, in the manner and subject to the limitations of this section,  
21 with respect to the contributions made by eligible donors as voluntary donations at  
22 any time during the second eligible period to the eligible institution for eligible  
23 programs, an amount equal to the first \$200,000 or any portion thereof from  
24 contributions by eligible donors.

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

26           (1)     In the first eligible period, only with respect to contributions which  
27 are paid by the eligible donors to the eligible institution before July 1, 2000;

28           (2)     In the second eligible period, only with respect to contributions which  
29 are paid by the eligible donors to the eligible institution before [July 1, 2002] JULY 1,  
30 2003; and

31           (3)     In the second fiscal year following the fiscal year during which the  
32 contributions are made.

33       (d)     Contributions made by the State under this section may not exceed  
34 \$200,000 during each eligible period to each eligible institution.

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

- 1 (i) Each contribution must be from a new donor; or
- 2 (ii) Each contribution must represent an increase over the amount  
3 contributed by the donor during the base year.
- 4 (2) A contribution received during the base year that fulfills a pledge  
5 made prior to the base year may not be included in the determination of the  
6 contribution made during the base year.
- 7 (3) Each contribution must be specifically designated for technology.
- 8 (f) Contributions made by the State under this section may be applied to any  
9 eligible technology expense at an eligible institution to which the payment is made.
- 10 (g) Contributions made by the State to any eligible institution under this  
11 section may not directly or indirectly reduce the State General Fund or capital fund  
12 support for the eligible institution.
- 13 (h) The Maryland Higher Education Commission shall:
- 14 (1) Adopt regulations necessary for the administration of this section;  
15 and
- 16 (2) Submit to the Governor and, in accordance with § 2-1246 of the State  
17 Government Article, to the General Assembly an annual report summarizing the total  
18 amount of funds pledged by eligible donors and total amount of funds raised.
- 19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2002.