

SENATE BILL 678

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2002 Regular Session
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CF 2r1924

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

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 19, 2002

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 ~~an~~ additional fiscal ~~year~~ 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 a certain date; 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)

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.

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

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

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

9 (5) "Eligible institution" refers to the following community college
10 campuses:

- 11 (i) Allegany;
- 12 (ii) Anne Arundel;
- 13 (iii) Baltimore City;
- 14 (iv) ~~Calvert~~;
- 15 (v) Carroll;
- 16 (vi) ~~(V)~~ Catonsville;
- 17 (vii) ~~(VI)~~ Cecil;
- 18 (viii) ~~Charles~~;
- 19 (ix) ~~(VII)~~ Chesapeake;
- 20 (x) ~~(VIII)~~ Dundalk;
- 21 (xi) ~~(IX)~~ Essex;
- 22 (xii) ~~(X)~~ Frederick;
- 23 (xiii) ~~(XI)~~ Garrett;
- 24 (xiv) ~~(XII)~~ Germantown;
- 25 (xv) ~~(XIII)~~ Hagerstown;
- 26 (xvi) ~~(XIV)~~ Harford;
- 27 (xvii) ~~(XV)~~ Howard;
- 28 (XVI) LA PLATA;
- 29 (XVII) LEONARDTOWN;

1 (XVIII) PRINCE FREDERICK;

2 ~~(xviii)~~ (XIX) Prince George's;

3 ~~(xix)~~ (XX) Rockville;

4 ~~(xx)~~ St. Mary's;

5 (xxi) Takoma Park; and

6 (xxii) Wor-Wic.

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

10 (7) "First eligible period" means fiscal years ~~1999~~ 2003 and ~~2000~~ 2004.

11 (8) "Second eligible period" means fiscal years ~~2001 [and 2002], 2002,~~
12 2005 AND 2003 2006.

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

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

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

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

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

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

32 (1) In the first eligible period, only with respect to contributions which
33 are paid by the eligible donors to the eligible institution before July 1, ~~2000~~ 2004;

1 (2) In the second eligible period, only with respect to contributions which
2 are paid by the eligible donors to the eligible institution before [July 1, 2002] JULY 1,
3 ~~2003~~ 2006; and

4 (3) In the second fiscal year following the fiscal year during which the
5 contributions are made.

6 (d) Contributions made by the State under this section may not exceed
7 \$200,000 during each eligible period to each eligible institution.

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

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

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

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

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

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

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

23 (h) The Maryland Higher Education Commission shall:

24 (1) Adopt regulations necessary for the administration of this section;
25 and

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

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

