
By: **Delegates Madaleno, Barkley, Franchot, Gutierrez, Heller, Hurson,
Kaiser, King, Montgomery, Taylor, and F. Turner**

Introduced and read first time: February 13, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Community Colleges - Funding**

3 FOR the purpose of declaring the intent of the General Assembly to restore full
4 funding in a certain fiscal year for the formula that determines the State
5 appropriation for Baltimore City Community College and the Senator John A.
6 Cade Funding Formula under certain circumstances.

7 BY repealing and reenacting, without amendments,
8 Article - Education
9 Section 16-305(c) and 16-512(a)
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2003 Supplement)

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 16-305.

16 (c) (1) (i) The total State operating fund per full-time equivalent student
17 to the community colleges for each fiscal year as requested by the Governor shall be:

18 1. In each of fiscal years 2003 and 2004, not less than an
19 amount equal to 23.1% of the State's General Fund appropriation per full-time
20 equivalent student to the 4-year public institutions of higher education in the State
21 as designated by the Commission for the purpose of administering the Joseph A.
22 Sellinger Program under Title 17 of this article in the previous fiscal year;

23 2. In fiscal year 2005, not less than an amount equal to 24%
24 of the State's General Fund appropriation per full-time equivalent student to the
25 4-year public institutions of higher education in the State as designated by the
26 Commission for the purpose of administering the Joseph A. Sellinger Program under
27 Title 17 of this article in the previous fiscal year; and

1 (6) (i) The size factor component shall be a set percentage of the year's
2 total State operating fund as follows:

- 3 1. For fiscal year 1998, 4% of total funding;
4 2. For fiscal year 1999, 3% of total funding; and
5 3. For fiscal year 2000 and each fiscal year thereafter, 2% of
6 total funding.

7 (ii) The funds available for the size factor component shall be
8 divided and distributed equally to each board that operates a community college or
9 colleges at which the total number of full-time equivalent students is less than or
10 equal to 80% of the statewide median.

11 (iii) In determining the eligibility of a board for a size factor
12 component, the number of full-time equivalent students at all campuses and colleges
13 operated by the board shall be added together.

14 (7) (i) A board shall be eligible for a hold harmless component
15 beginning in fiscal year 1998 if the sum of the board's fixed costs, marginal costs, and
16 size factor components for the fiscal year is less than the board's total State share in
17 the prior fiscal year.

18 (ii) The hold harmless component amount shall be determined by
19 subtracting the sum of an eligible board's fixed costs, marginal costs, and size factor
20 components for the fiscal year from the board's total State share for the prior fiscal
21 year.

22 (8) Any employer Social Security contributions required by federal law
23 for any employee of a board of community college trustees shall remain the obligation
24 of the employer.

25 (9) The State contribution to retirement and fringe benefit costs is not
26 included in the calculations of amounts under this subsection.

27 16-512.

28 (a) (1) The total State operating fund per full-time equivalent student
29 appropriated to Baltimore City Community College for each fiscal year as requested
30 by the Governor shall be:

31 (i) In each of fiscal years 2003 and 2004, not less than an amount
32 equal to 60.9% of the State's General Fund appropriation per full-time equivalent
33 student to the 4-year public institutions of higher education in the State as
34 designated by the Commission for the purpose of administering the Joseph A.
35 Sellinger Program under Title 17 of this article in the previous fiscal year;

36 (ii) In fiscal year 2005, not less than an amount equal to 63.4% of
37 the State's General Fund appropriation per full-time equivalent student to the

1 4-year public institutions of higher education in the State as designated by the
2 Commission for the purpose of administering the Joseph A. Sellinger Program under
3 Title 17 of this article in the previous fiscal year; and

4 (iii) In fiscal year 2006 and each fiscal year thereafter, not less than
5 an amount equal to 66% of the State's General Fund appropriation per full-time
6 equivalent student to the 4-year public institutions of higher education in the State
7 as designated by the Commission for the purpose of administering the Joseph A.
8 Sellinger Program under Title 17 of this article in the previous fiscal year.

9 (2) For purposes of this subsection, the State's General Fund
10 appropriation per full-time equivalent student to the 4-year public institutions of
11 higher education in the State for the previous fiscal year shall reflect any
12 amendments or reductions to the appropriation for the previous fiscal year.

13 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
14 General Assembly that, in addition to the appropriations required in §§ 16-305(c) and
15 16-512(a) of the Education Article, the Governor shall include in the State budget for
16 fiscal year 2005 an appropriation of \$1,391,989 for the Baltimore City Community
17 College and \$6,106,660 for the Senator John A. Cade Funding Formula in order to
18 restore full funding for the formula that determines the State appropriation for
19 community colleges.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2004.