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By: **Delegates Madaleno, Frush, Jones, Menes, Moe, Proctor, and F. Turner**  
Introduced and read first time: February 11, 2005  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Amendment - Higher Education - System and Funding**

3 FOR the purpose of adding a new section to the Maryland Constitution to require the  
4 funding necessary to support and maintain the public institutions of higher  
5 education in the State in a certain manner; and submitting this amendment to  
6 the qualified voters of the State of Maryland for their adoption or rejection.

7 BY proposing an addition to the Maryland Constitution  
8 Article VIII - Education  
9 Section 4

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
12 concurring), That it be proposed that the Maryland Constitution read as follows:

13 **Article VIII - Education**

14 4.

15 AS WISDOM AND KNOWLEDGE, GENERALLY DIFFUSED AMONG THE PEOPLE,  
16 ARE NECESSARY FOR THE PRESERVATION OF THE RIGHTS, LIBERTIES, AND  
17 PROSPERITY OF THE PEOPLE, THE STATE SHALL MAINTAIN A SYSTEM OF HIGHER  
18 EDUCATION, INCLUDING THE UNIVERSITY SYSTEM OF MARYLAND AND ITS  
19 CONSTITUENT INSTITUTIONS, MORGAN STATE UNIVERSITY, ST. MARY'S COLLEGE OF  
20 MARYLAND, THE COMMUNITY COLLEGES OF THE STATE, AND ANY OTHER PUBLIC  
21 INSTITUTION OF HIGHER EDUCATION PROVIDED FOR BY LAW. THE SYSTEM OF  
22 HIGHER EDUCATION SHALL BE BROADLY ACCESSIBLE TO THE PEOPLE AND SHALL  
23 BE DEDICATED TO EXCELLENCE IN HIGHER EDUCATION. IN ORDER THAT THE  
24 INSTRUCTION FURNISHED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION MAY  
25 BE AS NEARLY FREE AS POSSIBLE TO THE RESIDENTS OF THIS STATE, ANY AMOUNT  
26 NECESSARY FOR THE SUPPORT AND MAINTENANCE OF PUBLIC INSTITUTIONS OF  
27 HIGHER EDUCATION IN A CONDITION OF FULL EFFICIENCY SHALL BE DRAWN FROM  
28 THE TREASURY OF THE STATE IN ACCORDANCE WITH AN APPROPRIATION BY LAW.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
30 determines that the amendment to the Maryland Constitution proposed by this Act

1 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
2 Maryland Constitution concerning the local approval of constitutional amendments  
3 do not apply.

4 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
5 proposed as an amendment to the Maryland Constitution shall be submitted to the  
6 legal and qualified voters of this State at the next general election to be held in  
7 November, 2006 for their adoption or rejection in pursuance of directions contained in  
8 Article XIV of the Maryland Constitution. At that general election, the vote on this  
9 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
10 there shall be printed the words "For the Constitutional Amendment" and "Against  
11 the Constitutional Amendment," as now provided by law. Immediately after the  
12 election, all returns shall be made to the Governor of the vote for and against the  
13 proposed amendment, as directed by Article XIV of the Maryland Constitution, and  
14 further proceedings had in accordance with Article XIV.