
By: **Delegates Heller, Hixson, Busch, Anderson, Aumann, Barkley, Bartlett, Barve, Benson, Bobo, Bohanan, Boschert, Boteler, Bozman, Bronrott, Brown, Cadden, Cane, Cardin, G. Clagett, V. Clagett, Cluster, Conroy, Conway, Cryor, C. Davis, D. Davis, Donoghue, Doory, Dumais, Edwards, Elliott, Elmore, Feldman, Franchot, Frush, Gilleland, Glassman, Goldwater, Goodwin, Gordon, Griffith, Gutierrez, Harrison, Healey, Hogan, Howard, Hubbard, James, Jennings, Jones, Kaiser, King, Kohl, Lawton, Lee, Levy, Love, Madaleno, Mandel, Marriott, McDonough, McHale, McKee, Menes, Moe, Montgomery, Murray, Myers, O'Donnell, Parker, Parrott, Patterson, Pendergrass, Petzold, Proctor, Pugh, Ramirez, Ross, Rudolph, Shewell, Simmons, Sophocleus, Sossi, Stern, Stocksdale, Stull, Taylor, Trueschler, F. Turner, Vaughn, and Wood Wood, Costa, Kullen, and Leopold**

Introduced and read first time: February 2, 2006
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2006

CHAPTER_____

1 AN ACT concerning

2 **Community Colleges - Funding Formulas - Adjustment**

3 FOR the purpose of altering certain formulas for the computation of certain State aid
4 to certain community colleges and the Baltimore City Community College for
5 certain fiscal years; and generally relating to State funding for community
6 colleges.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 16-305(c) and 16-512(a)
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

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

1

Article - Education

2 16-305.

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

5 1. In [each of] fiscal [years 2003 and 2004] YEAR 2007, not
6 less than an amount equal to [23.1%] 25% of the State's General Fund appropriation
7 per full-time equivalent student to the 4-year public institutions of higher education
8 in the State as designated by the Commission for the purpose of administering the
9 Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

10 2. In fiscal year [2005] 2008, not less than an amount equal
11 to [24%] 26% of the State's General Fund appropriation per full-time equivalent
12 student to the 4-year public institutions of higher education in the State as
13 designated by the Commission for the purpose of administering the Joseph A.
14 Sellinger Program under Title 17 of this article in the previous fiscal year; [and]

15 3. In fiscal year [2006] 2009, [and each fiscal year
16 thereafter,] not less than an amount equal to [25%] 27% of the State's General Fund
17 appropriation per full-time equivalent student to the 4-year public institutions of
18 higher education in the State[,] as designated by the Commission for the purpose of
19 administering the Joseph A. Sellinger Program under Title 17 of this article in the
20 previous fiscal year;

21 4. IN FISCAL YEAR 2010, NOT LESS THAN AN AMOUNT EQUAL
22 TO 28% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME
23 EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER
24 EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE
25 OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS
26 ARTICLE IN THE PREVIOUS FISCAL YEAR;

27 5. IN FISCAL YEAR 2011, NOT LESS THAN AN AMOUNT EQUAL
28 TO 29% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME
29 EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER
30 EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE
31 OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS
32 ARTICLE IN THE PREVIOUS FISCAL YEAR; AND

33 6. IN FISCAL YEAR 2012 AND IN EACH FISCAL YEAR
34 THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 30% OF THE STATE'S GENERAL
35 FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR
36 PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY
37 THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER
38 PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE PREVIOUS FISCAL YEAR.

39 (ii) For purposes of this subsection, the State's General Fund
40 appropriation per full-time equivalent student to the 4-year public institutions of

1 higher education in the State for the previous fiscal year shall reflect any
2 amendments or reductions to the appropriation for the previous fiscal year.

3 (2) The State share shall be distributed to each board and shall be
4 limited by the provisions of subsection (d) of this section.

5 (3) Subject to subsection (d) of this section, the total State share for each
6 board shall be the sum of:

7 (i) The fixed costs component;

8 (ii) The marginal costs component;

9 (iii) The size factor component; and

10 (iv) A hold harmless component.

11 (4) (i) The funds available for the fixed costs component shall be a set
12 percentage of the year's total State operating fund as follows:

13 1. For fiscal year 1998, 36% of total funding;

14 2. For fiscal year 1999, 37% of total funding; and

15 3. For fiscal year 2000 and each fiscal year thereafter, 38% of
16 total funding.

17 (ii) The funds available for the fixed costs component shall be
18 divided and distributed to the community colleges in the same proportion in which
19 the direct grants were distributed in the prior fiscal year.

20 (5) (i) For each board, the marginal costs component shall be the
21 product of the dollar amount per full-time equivalent student multiplied by the
22 number of full-time equivalent students at the board's community college or colleges.

23 (ii) The dollar amount per full-time equivalent student shall be
24 calculated by dividing 60% of the total State operating fund for the fiscal year by the
25 total number of full-time equivalent students at community colleges statewide.

26 (iii) In determining the marginal costs component for a board, the
27 number of full-time equivalent students at all campuses and colleges operated by the
28 board shall be added together.

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

31 1. For fiscal year 1998, 4% of total funding;

32 2. For fiscal year 1999, 3% of total funding; and

1 in the State as designated by the Commission for the purpose of administering the
2 Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

3 (IV) IN FISCAL YEAR 2010, NOT LESS THAN AN AMOUNT EQUAL TO
4 69% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT
5 STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE
6 STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING
7 THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE
8 PREVIOUS FISCAL YEAR;

9 (V) IN FISCAL YEAR 2011, NOT LESS THAN AN AMOUNT EQUAL TO
10 70% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT
11 STUDENT TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE
12 STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING
13 THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE
14 PREVIOUS FISCAL YEAR; AND

15 (VI) IN FISCAL YEAR 2012 AND EACH FISCAL YEAR THEREAFTER,
16 NOT LESS THAN AN AMOUNT EQUAL TO 71% OF THE STATE'S GENERAL FUND
17 APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC
18 INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE
19 COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER
20 PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE PREVIOUS FISCAL YEAR.

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2006.