

---

By: **Delegates F. Turner, Aumann, Barkley, Bohanan, Cadden, G. Clagett, Conway, Cryor, DeBoy, Dumais, Feldman, Franchot, Gaines, Gilleland, Goldwater, Goodwin, Haynes, James, Jones, Kelley, King, Levy, Madaleno, Mandel, McIntosh, Montgomery, Murray, Oaks, Paige, Parker, Pendergrass, Proctor, Pugh, Quinter, Ramirez, Rudolph, Stern, V. Turner, and Vallario**

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

---

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; altering the amount of the payment that the State  
6 is required to make to certain community colleges with respect to certain  
7 contributions made by eligible donors before a certain date; repealing certain  
8 provisions relating to the determination of eligibility for certain State payment;  
9 altering the maximum amount of a State contribution to an eligible institution  
10 during an eligible period; and generally relating to donations and State grants  
11 for technology for community colleges.

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 16-317  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2005 Supplement)

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

19 **Article - Education**

20 16-317.

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

22 (2) ["Base year" means July 1, 2001 through June 30, 2002.

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

- 11                   (i)     Allegany;
- 12                   (ii)    Anne Arundel;
- 13                   (iii)   Baltimore City;
- 14                   (iv)    Carroll;
- 15                   (v)     Catonsville;
- 16                   (vi)    Cecil;
- 17                   (vii)   Chesapeake;
- 18                   (viii)  Dundalk;
- 19                   (ix)    Essex;
- 20                   (x)     Frederick;
- 21                   (xi)    Garrett;
- 22                   (xii)   Germantown;
- 23                   (xiii)  Hagerstown;
- 24                   (xiv)   Harford;
- 25                   (xv)    Howard;
- 26                   (xvi)   La Plata;
- 27                   (xvii)  Leonardtown;
- 28                   (xviii) Prince Frederick;
- 29                   (xix)   Prince George's;

1 (xx) Rockville;

2 (xxi) Takoma Park; and

3 (xxii) Wor-Wic.

4 [(6)] (5) "Eligible program" means any contribution for technology which  
5 does not contain unreasonable restrictions as to use as further defined by the  
6 Maryland Higher Education Commission.

7 [(7)] (6) "First eligible period" means fiscal years [2003] 2007 and  
8 [2004] 2008.

9 [(8)] (7) "Second eligible period" means fiscal years [2005] 2009 and  
10 [2006] 2010.

11 [(9)] (8) (i) "Technology" means the hardware, software,  
12 communications infrastructure, and associated training and contracted services that  
13 enable local or global presentation, exchange, and transmission of information in  
14 digital or analog form for teaching, learning, student support services, and  
15 administration.

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

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

18 (b) [(1)] Each eligible institution shall receive from the State, in the manner  
19 and subject to the limitations of this section, with respect to the contributions made  
20 by eligible donors as voluntary donations at any time during [the first] AN eligible  
21 period to the eligible institution for eligible programs, an amount equal to the first  
22 [\$150,000] \$250,000 or any portion thereof from contributions by eligible donors.

23 [(2)] If an eligible institution qualifies for the maximum State  
24 contribution of \$150,000 in the first eligible period, the eligible institution shall  
25 receive from the State, in the manner and subject to the limitations of this section,  
26 with respect to the contributions made by eligible donors as voluntary donations at  
27 any time during the second eligible period to the eligible institution for eligible  
28 programs, an amount equal to the first \$150,000 or any portion thereof from  
29 contributions by eligible donors.]

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

31 (1) In the first eligible period, only with respect to contributions which  
32 are paid by the eligible donors to the eligible institution before July 1, [2004] 2008;

33 (2) In the second eligible period, only with respect to contributions which  
34 are paid by the eligible donors to the eligible institution before July 1, [2006] 2010;  
35 and

1 (3) In the [third] SECOND fiscal year following the fiscal year during  
2 which the contributions are made.

3 (d) Contributions made by the State under this section may not exceed  
4 [\$150,000] \$250,000 during each eligible period to each eligible institution.

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

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

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

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

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

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

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

20 (h) The Maryland Higher Education Commission shall:

21 (1) Adopt regulations necessary for the administration of this section;  
22 and

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

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