

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates Hixson, Bozman, Healey, Heller, and Madaleno**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Higher Education - Public Senior Higher Education Institutions -**
3 **~~Restrictions on Tuition~~ Tuition Affordability Act of 2006**

4 FOR the purpose of prohibiting, for a certain academic year, an increase in the tuition
5 that may be charged to a resident undergraduate student at certain public
6 senior higher education institutions in Maryland; ~~making this Act subject to a~~
7 ~~certain contingency~~; limiting, for a certain academic year, an increase in the
8 tuition that may be charged to a resident undergraduate student at a certain
9 public senior higher education institution; establishing a Commission to
10 Develop the Maryland Model for Funding Higher Education; providing for the
11 composition of the Commission; providing for the appointment of the chairman
12 of the Commission; requiring the Commission to review certain reports and
13 options and make certain recommendations relating to the establishment of a
14 consistent and stable funding mechanism to ensure accessibility and
15 affordability at certain public institutions of higher education in Maryland;
16 requiring the Commission to review options and make certain recommendations
17 relating to the appropriate level of funding for the State's Historically Black

1 Institutions to ensure they are comparable and competitive with certain other
2 public institutions of higher education; requiring the Commission to submit a
3 certain report to the Governor and General Assembly on or before a certain date;
4 providing for the staffing of the Commission; providing for the termination of a
5 certain provision of this Act; and generally relating to tuition restrictions at
6 certain public senior higher education institutions in the State.

7 BY adding to
8 Article - Education
9 Section 15-106.5
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:

14 **Article - Education**

15 15-106.5.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) "ACADEMIC YEAR" MEANS THE PERIOD COMMENCING WITH THE
19 FALL SEMESTER AND CONTINUING THROUGH THE IMMEDIATELY FOLLOWING
20 SUMMER SESSION AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION.

21 (3) "GOVERNING BOARD" MEANS:

22 (I) THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF
23 MARYLAND; AND

24 (II) THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY.

25 (4) "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION" HAS THE
26 MEANING STATED IN § 10-101(J)(1) AND (2) OF THIS ARTICLE.

27 (5) (I) "TUITION" MEANS THE CHARGES APPROVED BY THE
28 GOVERNING BOARD OF A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION THAT
29 ARE REQUIRED OF ALL UNDERGRADUATE RESIDENT STUDENTS BY THE
30 INSTITUTION AS A CONDITION OF ENROLLMENT REGARDLESS OF THE STUDENT'S
31 DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED COURSES.

32 (II) "TUITION" DOES NOT INCLUDE:

33 1. FEES THAT ARE REQUIRED OF ALL UNDERGRADUATE
34 RESIDENT STUDENTS BY THE INSTITUTION AS A CONDITION OF ENROLLMENT
35 REGARDLESS OF THE STUDENT'S DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED
36 COURSES;

1 (5) The President of the University of Maryland, College Park, or a
2 designee of that President;

3 (6) The President of the University of Maryland University College or a
4 designee of that President;

5 (7) The President of the University of Maryland, Baltimore, or a
6 designee of that President;

7 (8) The President of Morgan State University or a designee of that
8 President;

9 (9) The President of Towson University or a designee of that President;

10 (10) The President of The Johns Hopkins University or a designee of that
11 President;

12 (11) The President of the Maryland Independent College and University
13 Association;

14 (12) The Chancellor of the University System of Maryland or a designee of
15 the Chancellor;

16 (13) One community college president, appointed jointly by the President
17 of the Senate and the Speaker of the House;

18 (14) The Executive Director of the Maryland Association of Community
19 Colleges;

20 (15) Four members of the business community, appointed jointly by the
21 President of the Senate and the Speaker of the House, from among the following
22 organizations:

23 (i) The Technology Council of Maryland;

24 (ii) The Maryland Business Roundtable for Education;

25 (iii) The Maryland Chamber of Commerce;

26 (iv) The Greater Washington Board of Trades;

27 (v) The Greater Baltimore Committee; and

28 (vi) The President's Roundtable, Inc.; and

29 (16) Three members of the public, appointed jointly by the President of
30 the Senate and the Speaker of the House, one of whom must have experience in
31 business, finance, or management.

32 (c) The chairman of the Commission shall be appointed jointly by the
33 President of the Senate and the Speaker of the House.

1 (d) The Commission shall review the report issued by Van de Water
2 Consulting, Inc., hired by the Maryland Higher Education Commission to develop an
3 effective statewide framework for higher education funding as recommended in the
4 2004 Maryland State Plan for Postsecondary Education.

5 (e) The Commission shall review options and make recommendations relating
6 to the establishment of a consistent and stable funding mechanism to ensure
7 accessibility and affordability while at the same time promoting policies to achieve
8 national eminence at all of Maryland's public institutions of higher education.

9 (f) The Commission shall review options and make recommendations relating
10 to the appropriate level of funding for the State's Historically Black Institutions to
11 ensure that they are comparable and competitive with other public institutions of
12 higher education.

13 ~~(f)~~ (g) The Commission shall report its findings and recommendations to
14 the Governor and, in accordance with § 2-1246 of the State Government Article, to
15 the General Assembly on or before December 31, 2007.

16 ~~(g)~~ (h) The staff for the Commission shall be provided and coordinated by
17 the Department of Legislative Services. The Department of Budget and Management,
18 the Maryland Higher Education Commission, and the University System of Maryland
19 shall also assign staff to assist the Commission.

20 SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
21 take effect July 1, 2006, and shall remain effective for a period of 1 year and 10
22 months and, at the end of May 1, 2008, with no further action required by the General
23 Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.

24 ~~SECTION 3.~~ SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 2 4
25 of this Act, this Act shall take effect ~~July~~ June 1, 2006.