# 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

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### Higher Education - <del>Public Senior Higher Education Institutions -</del> Restrictions on Tuition <u>Tuition Affordability Act of 2006</u>

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 <u>tuition that may be charged to a resident undergraduate student at a certain</u>

9 <u>public senior higher education institution; establishing a Commission to</u>

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 <u>affordability at certain public institutions of higher education in Maryland;</u>

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* 

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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 <u>certain provision of this Act</u>; 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.

(2) "ACADEMIC YEAR" MEANS THE PERIOD COMMENCING WITH THE
 FALL SEMESTER AND CONTINUING THROUGH THE IMMEDIATELY FOLLOWING
 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 THE26MEANING STATED IN § 10-101(J)(1) AND (2) OF THIS ARTICLE.

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

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(II) "TUITION" DOES NOT INCLUDE:

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

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2. FEES DEDICATED TO SUPPORT AUXILIARY ENTERPRISES
 AND OTHER SELF-FUNDED ACTIVITIES OF A PUBLIC SENIOR HIGHER EDUCATION
 INSTITUTION; OR

A FEE REQUIRED ONLY FOR ENROLLMENT IN A SPECIFIC
 DEGREE PROGRAM, FIELD OF STUDY, OR COURSE WHEN THAT FEE IS NOT REQUIRED
 OF UNDERGRADUATE RESIDENT STUDENTS AT THE PUBLIC SENIOR HIGHER
 EDUCATION INSTITUTION FOR ENROLLMENT IN OTHER DEGREE PROGRAMS, FIELDS
 OF STUDY, OR COURSES.

9 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE ACADEMIC
10 YEAR BEGINNING IN THE FALL OF 2006 ONLY, A GOVERNING BOARD MAY NOT
11 APPROVE, AND A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY NOT
12 IMPOSE, AN INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A
13 RESIDENT UNDERGRADUATE STUDENT AT THE INSTITUTION OVER THE AMOUNT
14 CHARGED FOR TUITION AT THE INSTITUTION IN THE PRECEDING ACADEMIC YEAR.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

16 contingent on the taking effect of legislation providing for the following

17 supplementary appropriations in fiscal year 2007:

18 (1) \$18,898,865 to the University System of Maryland; and

19 (2) \$823,257 to Morgan State University.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any

21 other provision of law, for the academic year beginning in the fall of 2006 only, the St.

22 Mary's College of Maryland Board of Trustees may not approve, and St. Mary's

23 College of Maryland may not impose, an increase in the tuition charged for the

24 academic year to a resident undergraduate student more than 4.8% over the amount

25 charged for tuition at St. Mary's College of Maryland in the preceding 2005-2006

26 academic year.

## 27 SECTION 3. AND BE IT FURTHER ENACTED, That:

28 (a) There is a Commission to Develop the Maryland Model for Funding Higher
 29 Education.

30	(b)	The Commission consists of the following members:
50	$(\mathbf{U})$	The Commission consists of the following members.

31	<u>(1)</u>	Four members of the Senate of Maryland, appointed by the Pr	resident
32	of the Senate;		

- 33 (2) Four members of the House of Delegates, appointed by the Speaker of 34 the House;
- 35 (3) <u>The Secretary of Higher Education;</u>
- 36 (4) The Secretary of Budget and Management;

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4		UNOFFICIAL COPY OF HOUSE BILL 1381	
1 2 <u>designee of t</u>	(5) that Pres	The President of the University of Maryland, College Park, or a ent;	
3 4 <u>designee of t</u>	(6) that Pres	The President of the University of Maryland University College or ent;	<u>a</u>
5 6 <u>designee of t</u>	(7) that Pres	The President of the University of Maryland, Baltimore, or a ent;	
7 8 <u>President;</u>	<u>(8)</u>	The President of Morgan State University or a designee of that	
9	<u>(9)</u>	The President of Towson University or a designee of that President	
10 11 <u>President;</u>	<u>(10)</u>	The President of The Johns Hopkins University or a designee of that	<u>ıt</u>
12 13 <u>Association</u>	<u>(11)</u>	The President of the Maryland Independent College and University	
14 15 <u>the Chancel</u>	<u>(12)</u> lor;	The Chancellor of the University System of Maryland or a designee	<u>e of</u>
16 17 <u>of the Senat</u>	(13)	One community college president, appointed jointly by the Presider Speaker of the House;	<u>1t</u>
18 19 <u>Colleges;</u>	<u>(14)</u>	The Executive Director of the Maryland Association of Community	<u>/</u>
20 21 <u>President of</u> 22 <u>organization</u>		Four members of the business community, appointed jointly by the e and the Speaker of the House, from among the following	
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 30 <u>the Senate a</u> 31 <u>business, fin</u>		Three members of the public, appointed jointly by the President of eaker of the House, one of whom must have experience in nanagement.	
32 <u>(c)</u>	The cha	rman of the Commission shall be appointed jointly by the	

32(c)The chairman of the Commission shall be appointed jointly by the33President 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) <u>The Commission shall review options and make recommendations relating</u>

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) <u>The Commission shall review options and make recommendations relating</u>

10 to the appropriate level of funding for the State's Historically Black Institutions to

11 <u>ensure that they are comparable and competitive with other public institutions of</u> 12 <u>higher education.</u>

13(f)(g)The Commission shall report its findings and recommendations to14the 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.

25 Assembly, section 5 of this feet shall be abrogated and of no further force and effect.

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

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