

SENATE BILL 728

F2
HB 1222/06 – APP

CONSTITUTIONAL AMENDMENT

9lr2065

By: **Senator Madaleno**

Introduced and read first time: February 6, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **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**
16 **PEOPLE, ARE NECESSARY FOR THE PRESERVATION OF THE RIGHTS, LIBERTIES,**
17 **AND PROSPERITY OF THE PEOPLE, THE STATE SHALL MAINTAIN A SYSTEM OF**
18 **HIGHER EDUCATION, INCLUDING THE UNIVERSITY SYSTEM OF MARYLAND AND**
19 **ITS CONSTITUENT INSTITUTIONS, MORGAN STATE UNIVERSITY, ST. MARY’S**
20 **COLLEGE OF MARYLAND, THE COMMUNITY COLLEGES OF THE STATE, AND ANY**
21 **OTHER PUBLIC INSTITUTION OF HIGHER EDUCATION PROVIDED FOR BY LAW.**
22 **THE SYSTEM OF HIGHER EDUCATION SHALL BE BROADLY ACCESSIBLE TO THE**
23 **PEOPLE AND SHALL BE DEDICATED TO EXCELLENCE IN HIGHER EDUCATION. IN**
24 **ORDER THAT THE INSTRUCTION FURNISHED BY PUBLIC INSTITUTIONS OF**
25 **HIGHER EDUCATION MAY BE AS NEARLY FREE AS POSSIBLE TO THE RESIDENTS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **OF THIS STATE, ANY AMOUNT NECESSARY FOR THE SUPPORT AND**
2 **MAINTENANCE OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN A**
3 **CONDITION OF FULL EFFICIENCY SHALL BE DRAWN FROM THE TREASURY OF**
4 **THE STATE IN ACCORDANCE WITH AN APPROPRIATION BY LAW.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
6 determines that the amendment to the Maryland Constitution proposed by this Act
7 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
8 Maryland Constitution concerning local approval of constitutional amendments do not
9 apply.

10 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
11 proposed as an amendment to the Maryland Constitution shall be submitted to the
12 legal and qualified voters of this State at the next general election to be held in
13 November, 2010 for their adoption or rejection pursuant to Article XIV of the
14 Maryland Constitution. At that general election, the vote on this proposed amendment
15 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
16 words "For the Constitutional Amendment" and "Against the Constitutional
17 Amendment," as now provided by law. Immediately after the election, all returns shall
18 be made to the Governor of the vote for and against the proposed amendment, as
19 directed by Article XIV of the Maryland Constitution, and further proceedings had in
20 accordance with Article XIV.