

(D) (1) BEGINNING IN FISCAL YEAR ~~1995~~ 1996, A GRANT IN THE AMOUNT PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE DISTRIBUTED TO EACH BOARD IN ORDER TO PROVIDE INSTRUCTION AND SERVICES TO STUDENTS ENROLLED IN AN ENGLISH FOR SPEAKERS OF OTHER LANGUAGES ("ESOL") PROGRAM. TO QUALIFY FOR THE GRANT, STUDENTS SHOULD MEET THE FOLLOWING CRITERIA: THE STUDENT WAS BORN OUTSIDE OF THE UNITED STATES OR WHOSE NATIVE LANGUAGE IS NOT ENGLISH; THE STUDENT COMES FROM AN ENVIRONMENT WHERE A LANGUAGE OTHER THAN ENGLISH IS DOMINANT; OR THE STUDENT IS AN AMERICAN INDIAN OR ALASKAN NATIVE AND COMES FROM AN ENVIRONMENT WHERE A LANGUAGE OTHER THAN ENGLISH HAD A SIGNIFICANT IMPACT ON HIS/HER LEVEL OF ENGLISH LANGUAGE PROFICIENCY.

(2) (I) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE AMOUNT OF THE GRANT SHALL BE ~~\$\$\$~~ \$500 TIMES THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS WHO ARE ENROLLED IN A COUNTY ESOL PROGRAM AND AT THE COMMUNITY COLLEGE.

(II) THE TOTAL AMOUNT OF THE GRANTS UNDER THIS PARAGRAPH SHALL NOT, FOR ANY FISCAL YEAR, EXCEED \$1 MILLION. IF THE TOTAL AMOUNT OF THE GRANTS AS OTHERWISE CALCULATED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WOULD EXCEED \$1 MILLION, THEN THE GRANTS SHALL EACH BE PRORATED BY THE AMOUNT NECESSARY TO REDUCE THE TOTAL AMOUNT OF THE GRANTS TO \$1 MILLION.

(3) (I) IF THE AMOUNT THAT IS APPROPRIATED TO A BOARD UNDER THIS SUBSECTION IN A FISCAL YEAR IS MORE THAN THE ACTUAL COST OF PROVIDING ESOL PROGRAMS TO STUDENTS ENROLLED AT THE COMMUNITY COLLEGE IN THAT COUNTY, THE EXCESS FUNDS SHALL BE PAID BACK TO THE STATE AND CREDITED TO THE GENERAL FUND OF THE STATE.

(II) A BOARD MAY NOT TRANSFER STATE FUNDS RECEIVED UNDER THIS SUBSECTION TO ANY OTHER PROGRAM OR CATEGORY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

May 26, 1994

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 725.

Senate Bill 725 would change the State's liberal leave policy for employees in the State Personnel Management System. The bill would provide that when a liberal leave policy is in effect and a State facility subsequently closes, an employee who elects liberal leave