

(3) THE DEPARTMENT THAT LICENSES THE GROUP HOME SHALL NOTIFY ANY GROUP HOME UTILIZED UNDER THE PROVISIONS OF THIS SECTION OF THE REQUIREMENTS OF § 7-309 OF THE EDUCATION ARTICLE.

(b) (1) The Department shall reimburse these corporations for the cost of these services at appropriate monthly rates that the Department determines, as provided in the State budget.

(2) The reimbursement rate may differ between homes and institutions that provide intermediate services, as defined by the Department, and homes and institutions that provide full services.

(c) The Department, or the Department's designee, may not place a child in a residential group home or other facility that is not operating in compliance with applicable State licensing laws.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

May 21, 2003

The Honorable Michael E. Busch  
Speaker of the House  
State House  
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 253 – Higher Education – Resident Tuition Charges – Immigrant Students and United States Military Personnel and Dependents.

Given my own upbringing, I am very sympathetic to the goal of providing educational opportunities as a means to open doors of opportunity. This bill, however, presents a difficult issue regarding people who are in this country without legal documentation. As you know, the first part of House Bill 253 exempts an individual other than a "nonimmigrant alien" – a term defined in Title 8, Section 1101 of the United States Code – from paying nonresident tuition at a public institution of higher education in the State under certain circumstances. An institution may not award a degree to a student who qualifies for resident tuition charges under the bill until the student files the required affidavit saying that he or she will file for permanent residency, or pays the difference between nonresident and resident tuition charges.

The second part of the bill deals with United States military personnel and dependents, and is largely duplicative of existing policy at Maryland's institutions of higher education. Those that currently do not receive the benefit of resident tuition in this part of the bill are veterans who have received an honorable discharge, who do not meet the ordinary residency requirement but attended and graduated from a Maryland high school. In light of recent world events, it is appropriate to reward the men and women who put their lives on the line to protect our freedoms and our way of life. The addition of this admirable part of the bill late in the legislative session on