

THIS SECTION DOES NOT PREVENT ANY BOARD OF TRUSTEES, ON ITS OWN BEHALF, FROM RAISING THE DEFENSE OF SOVEREIGN IMMUNITY TO ANY AMOUNT OF A CLAIM IN EXCESS OF THE LIMIT OF AN INSURANCE POLICY OR IN EXCESS OF \$100,000 IN THE CASE OF SELF-INSURANCE.

REVISOR'S NOTE: This section presently appears as Art. 77A, §10A.

The present mandatory language of Art. 77A, §10A is made permissive to conform with other similar provisions. In this regard, see Art. 77A, §§ 11A and 15A.

It should be noted that this section presently is dormant. Due to the state of the insurance market, the boards are unable to obtain coverage at a reasonable price. Nevertheless, the boards and the State Treasurer's office feel that the market will change in the future and the boards will be able to comply with the section. For this reason, this section is retained.

GENERAL REVISOR'S NOTE:

Article 77A, §10, which provides that when a board of trustees is appointed, title to college property vests in the board is deleted as obsolete. Under the procedures set forth in this subtitle, there must be a board of trustees before there can be a community college. As to the general power of a board of trustees to hold property, see §16-203(e) of this subtitle.

Article 77A, §1(m), which provides procedures for the establishment of a community college in Garrett County and authorizes a local referendum on the question of whether or not to establish a community college is deleted as obsolete. Garrett Community College has already been established.

SUBTITLE 3. REGIONAL COMMUNITY COLLEGES.

16-301. APPLICABILITY OF TITLE TO REGIONAL COMMUNITY COLLEGES.

THE PROVISIONS OF THIS TITLE APPLY TO ANY REGIONAL COMMUNITY COLLEGE, UNLESS THE CONTEXT REQUIRES OTHERWISE.

REVISOR'S NOTE: This section is new language that combines without substantive change Art. 77A, §§ 2(e) and the last sentence of 4(b).

The first sentence of Art. 77A, §4(b) is deleted as unnecessary in light of the similar provisions of §16-302(a) of this subtitle.

The only other changes are in style.