

Chapter 661

(House Bill 362)

AN ACT concerning

Northeast Maryland Higher Education Advisory Board

FOR the purpose of establishing the Northeast Maryland Higher Education Advisory Board; providing for the composition, appointment, and terms of the Board members; providing for a chair of the Board and the establishment of certain committees; prohibiting Board members from receiving certain compensation but entitling Board members to reimbursement for certain expenses; providing for the powers and duties of the Board; authorizing the Board to apply, accept, and expend certain gifts, appropriations, or grants; authorizing the Board to adopt a corporate seal; requiring the Board to keep certain records and be subject to certain audits; requiring the Advisory Board to the Higher Education and Conference Center at HEAT to take a certain action on or before a certain date; declaring the intent of the General Assembly; defining certain terms; and generally relating to the establishment of the Northeast Maryland Higher Education Advisory Board.

BY adding to

Article – Education

Section 24–901 through 24–904 to be under the new subtitle “Subtitle 9. Northeast Maryland Higher Education Advisory Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

SUBTITLE 9. NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY BOARD.

24–901.

(A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) “BOARD” MEANS THE NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY BOARD.

(C) “CENTER” MEANS THE HIGHER EDUCATION AND CONFERENCE CENTER AT HEAT.

(D) “COMMISSION” MEANS THE MARYLAND HIGHER EDUCATION COMMISSION.

(E) “SITE” MEANS A 4-YEAR INSTITUTION OF HIGHER EDUCATION THAT OFFERS COMMISSION-APPROVED UNDERGRADUATE AND GRADUATE PROGRAMS IN CECIL COUNTY AND HARFORD COUNTY AND IS AFFILIATED WITH THE CENTER.

24-902.

THERE IS A NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY BOARD.

24-903.

(A) THE BOARD CONSISTS OF THE FOLLOWING VOTING MEMBERS:

(1) ONE REPRESENTATIVE OF EACH OF THE 4-YEAR INSTITUTIONS OF HIGHER EDUCATION OFFERING A COMMISSION-APPROVED PROGRAM AT THE CENTER AND AT A SITE, APPOINTED BY THE INSTITUTION; AND

(2) THE FOLLOWING ~~NINE~~ 10 REPRESENTATIVES, APPOINTED IN ACCORDANCE WITH THE BYLAWS OF THE BOARD:

(I) THREE REPRESENTATIVES OF REGIONAL BUSINESSES, INDUSTRIES, OR CORPORATIONS;

(II) ONE REPRESENTATIVE OF THE CECIL COUNTY OFFICE OF ECONOMIC DEVELOPMENT;

(III) ONE REPRESENTATIVE OF THE HARFORD COUNTY OFFICE OF ECONOMIC DEVELOPMENT;

(IV) ONE REPRESENTATIVE OF CECIL COLLEGE;

(V) ONE REPRESENTATIVE OF HARFORD COMMUNITY COLLEGE; ~~AND~~

(VI) ONE REPRESENTATIVE OF THE NORTHEAST MARYLAND UNIVERSITY RESEARCH PARK; AND

~~(VI)~~ **(VII) TWO REPRESENTATIVES CHOSEN FROM THE COMMUNITY AT LARGE.**

(B) (1) EACH MEMBER SERVES FOR A TERM OF 3 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(2) A MEMBER MAY NOT SERVE MORE THAN TWO FULL CONSECUTIVE TERMS.

(3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(C) (1) (I) THE SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE CHAIR OF THE BOARD SHALL BE ELECTED BY THE BOARD FROM AMONG ITS MEMBERS.

(II) A MEMBER WHO IS A REPRESENTATIVE OF AN OUT-OF-STATE INSTITUTION MAY NOT SERVE AS CHAIR.

(2) THE VOTING MEMBERS MAY ELECT OTHER OFFICERS AND ESTABLISH COMMITTEES, INCLUDING ADVISORY COMMITTEES, AS NEEDED.

(D) IN ADDITION TO THE VOTING MEMBERS, THE FOLLOWING INDIVIDUALS SHALL SERVE AS EX OFFICIO, NONVOTING MEMBERS:

(1) THE SENIOR MISSION COMMANDER OF THE ABERDEEN PROVING GROUND, OR THE COMMANDER'S DESIGNEE;

(2) THE GARRISON COMMANDER OF THE ABERDEEN PROVING GROUND, OR THE COMMANDER'S DESIGNEE; AND

(3) THE CENTER COORDINATOR.

(E) EACH MEMBER OF THE BOARD:

(1) SERVES WITHOUT COMPENSATION; AND

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.

24-904.

(A) IN ADDITION TO THE OTHER POWERS EXPRESSLY GRANTED AND DUTIES IMPOSED BY THIS TITLE, AND SUBJECT TO THE AUTHORITY OF THE COMMISSION, THE BOARD HAS ONLY THE POWERS AND DUTIES SET FORTH IN THIS SECTION.

(B) THE BOARD SHALL:

(1) ASSIST AND SUPPORT THE DEVELOPMENT OF HIGHER EDUCATION IN CECIL COUNTY AND HARFORD COUNTY;

(2) ASSIST IN SETTING THE MISSIONS OF AND ACCOMPLISHING THE GOALS AND OBJECTIVES OF THE SITES IN CECIL COUNTY AND HARFORD COUNTY;

(3) ADVISE THE CENTER, SITE COORDINATORS, AND THE SUPERVISORY STAFF TO WHOM THE COORDINATORS REPORT ON PROGRAMS OFFERED AND FACILITY UTILIZATION;

(4) PROVIDE GUIDANCE AND SUPPORT IN IDENTIFYING INSTITUTIONS AND PROGRAMS TO SERVE HIGHER EDUCATION AND WORKFORCE NEEDS IN CECIL COUNTY AND HARFORD COUNTY;

(5) ASSIST WITH THE MARKETING AND PROMOTION OF PROGRAMS OFFERED AT THE CENTER AND SITES;

(6) FACILITATE INTERACTIONS AMONG THE BUSINESS, NONPROFIT, EDUCATION, AND MILITARY COMMUNITIES;

(7) KEEP SEPARATE RECORDS AND MINUTES; AND

(8) ADOPT REASONABLE RULES, REGULATIONS, OR BYLAWS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

(C) THE BOARD SHALL ENSURE THAT ALL ACADEMIC PROGRAMS AND POLICIES OF THE CENTER AND SITES ARE IN COMPLIANCE WITH THE POLICIES OF AND APPROVED BY THE COMMISSION.

(D) THE BOARD MAY APPLY, ACCEPT, AND EXPEND ANY GIFT, APPROPRIATION, OR GRANT FROM THE STATE, COUNTY, OR FEDERAL GOVERNMENT OR ANY OTHER PERSON.

(E) THE BOARD MAY MAKE AGREEMENTS WITH THE FEDERAL, STATE, OR A COUNTY GOVERNMENT OR ANY OTHER PERSON, IF IT CONSIDERS THE AGREEMENT ADVISABLE FOR THE OPERATION OF THE CENTER.

(F) THE BOARD MAY ADOPT A CORPORATE SEAL.

(G) IN ADDITION TO OTHER REPORTS THAT MAY BE REQUIRED BY THE COMMISSION, THE BOARD SHALL:

(1) KEEP RECORDS THAT ARE CONSISTENT WITH SOUND BUSINESS PRACTICES AND ACCOUNTING RECORDS USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES;

(2) CAUSE AN AUDIT BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT TO BE MADE OF THE ACCOUNTS AND TRANSACTIONS OF THE CENTER AT THE CONCLUSION OF EACH FISCAL YEAR; AND

(3) FOR ANY STATE MONEY, BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS, IN ACCORDANCE WITH §§ 2-1220 THROUGH 2-1227 OF THE STATE GOVERNMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Advisory Board to the Higher Education and Conference Center at HEAT shall appoint the initial members of the Northeast Maryland Higher Education Advisory Board established under the provisions of this Act on or before November 1, 2012.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Higher Education and Conference Center at HEAT located in Aberdeen, Maryland change its name to the Northeast Maryland Higher Education Center.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 22, 2012.