

# HOUSE BILL 527

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3lr2075  
CF 3lr2102

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By: **Delegate Clagett**

Introduced and read first time: January 30, 2013

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick Regional Higher Education Advisory Board**

3 FOR the purpose of establishing the Frederick Regional Higher Education Advisory  
4 Board; providing for the composition, appointment, and terms of the Board  
5 members; providing for the election of a chair of the Board and the  
6 establishment of certain committees; prohibiting Board members from receiving  
7 certain compensation but entitling Board members to reimbursement for  
8 certain expenses; providing for the powers and duties of the Board; authorizing  
9 the Board to apply, accept, and expend certain gifts, appropriations, or grants;  
10 authorizing the Board to adopt a corporate seal; requiring the Board to keep  
11 certain records and be subject to certain audits; requiring the Frederick County  
12 Chamber of Commerce Major Employers Group to take a certain action on or  
13 before a certain date; requiring the Board to conduct a certain assessment;  
14 defining certain terms; and generally relating to the establishment of the  
15 Frederick Regional Higher Education Advisory Board.

16 BY adding to

17 Article – Education

18 Section 24–1001 through 24–1004 to be under the new subtitle “Subtitle 10.  
19 Frederick Regional Higher Education Advisory Board”

20 Annotated Code of Maryland

21 (2008 Replacement Volume and 2011 Supplement)

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

24 **Article – Education**

25 **SUBTITLE 10. FREDERICK REGIONAL HIGHER EDUCATION ADVISORY BOARD.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **24-1001.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) "BOARD" MEANS THE FREDERICK REGIONAL HIGHER EDUCATION  
5 ADVISORY BOARD.

6 (C) "CENTER" MEANS THE FREDERICK REGIONAL HIGHER EDUCATION  
7 CENTER.

8 (D) "COMMISSION" MEANS THE MARYLAND HIGHER EDUCATION  
9 COMMISSION.

10 (E) "SITE" MEANS A 4-YEAR INSTITUTION OF HIGHER EDUCATION THAT  
11 OFFERS COMMISSION-APPROVED UNDERGRADUATE AND GRADUATE  
12 PROGRAMS AT THE CENTER.

13 **24-1002.**

14 THERE IS A FREDERICK REGIONAL HIGHER EDUCATION ADVISORY  
15 BOARD.

16 **24-1003.**

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

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

22 (2) THE FOLLOWING TEN REPRESENTATIVES, APPOINTED IN  
23 ACCORDANCE WITH THE BYLAWS OF THE BOARD:

24 (I) FIVE MEMBERS OF THE FREDERICK COUNTY BUSINESS  
25 ROUNDTABLE FOR EDUCATION EXECUTIVE COMMITTEE WHO ARE APPOINTED  
26 AS REPRESENTATIVES FROM THE FOLLOWING GROUPS:

27 1. THE FREDERICK COUNTY CHAMBER OF  
28 COMMERCE;

29 2. FREDERICK COMMUNITY COLLEGE;

1                   **3.    FREDERICK COUNTY PUBLIC SCHOOLS;**

2                   **4.    FREDERICK COUNTY OFFICE OF ECONOMIC**  
3 **DEVELOPMENT; AND**

4                   **5.    FREDERICK NATIONAL LABORATORY FOR**  
5 **CANCER RESEARCH (OPERATING CONTRACTOR);**

6                           **(II)   TWO REPRESENTATIVES OF REGIONAL BUSINESSES,**  
7 **INDUSTRIES, OR CORPORATIONS; AND**

8                           **(III)   TWO REPRESENTATIVES CHOSEN FROM THE**  
9 **COMMUNITY AT-LARGE.**

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

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

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

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

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

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

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

26                           **(1)   THE SENIOR MISSION COMMANDER OF FORT DETRICK;**

27                           **(2)   THE REPRESENTATIVE FROM FORT DETRICK ON THE**  
28 **FREDERICK COUNTY BUSINESS ROUNDTABLE FOR EDUCATION EXECUTIVE**  
29 **COMMITTEE;**

1           **(3) THE NATIONAL CANCER INSTITUTE'S SENIOR MISSION**  
2 **LEADER FOR THE FREDERICK NATIONAL LABORATORY FOR CANCER**  
3 **RESEARCH, OR THE LEADER'S DESIGNEE; AND**

4           **(4) THE CENTER COORDINATOR.**

5           **(E) EACH MEMBER OF THE BOARD:**

6           **(1) SERVES WITHOUT COMPENSATION; AND**

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

9 **24-1004.**

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

14           **(B) THE BOARD SHALL:**

15           **(1) ASSIST AND SUPPORT THE DEVELOPMENT OF HIGHER**  
16 **EDUCATION IN THE FREDERICK REGION;**

17           **(2) ASSIST IN SETTING THE MISSIONS OF AND ACCOMPLISHING**  
18 **THE GOALS AND OBJECTIVES OF THE SITES IN FREDERICK COUNTY;**

19           **(3) ASSIST IN ESTABLISHING A FREDERICK REGIONAL HIGHER**  
20 **EDUCATION CENTER;**

21           **(4) PROVIDE GUIDANCE AND SUPPORT IN IDENTIFYING**  
22 **INSTITUTIONS AND PROGRAMS TO SERVE HIGHER EDUCATION AND WORKFORCE**  
23 **NEEDS IN FREDERICK COUNTY;**

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

26           **(6) FACILITATE INTERACTIONS AMONG THE BUSINESS,**  
27 **NONPROFIT, EDUCATION, MILITARY, AND FREDERICK NATIONAL LABORATORY**  
28 **COMMUNITIES;**

29           **(7) KEEP SEPARATE RECORDS AND MINUTES; AND**

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

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

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

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

12           **(F) THE BOARD MAY ADOPT A CORPORATE SEAL.**

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

15           **(1) KEEP RECORDS THAT ARE CONSISTENT WITH SOUND**  
16 **BUSINESS PRACTICES AND ACCOUNTING RECORDS THAT USE GENERALLY**  
17 **ACCEPTED ACCOUNTING PRINCIPLES;**

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

21           **(3) FOR ANY STATE MONEY, BE SUBJECT TO AN AUDIT BY THE**  
22 **OFFICE OF LEGISLATIVE AUDITS, IN ACCORDANCE WITH §§ 2-1220 THROUGH**  
23 **2-1227 OF THE STATE GOVERNMENT ARTICLE.**

24           SECTION 2. AND BE IT FURTHER ENACTED, That the Frederick County  
25 Chamber of Commerce Major Employers Group shall appoint the initial members of  
26 the Frederick Regional Higher Education Advisory Board established under the  
27 provisions of this Act on or before November 1, 2013.

28           SECTION 3. AND BE IT FURTHER ENACTED, That the Frederick Regional  
29 Higher Education Advisory Board shall conduct a quantitative assessment of unmet  
30 higher education needs within the Frederick region.

31           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2013.