

# SENATE BILL 910

F1

(6lr2739)

## ENROLLED BILL

— *Budget and Taxation and Education, Health, and Environmental Affairs/Ways and Means* —  
Introduced by **Senators Ferguson, Feldman, Guzzone, Madaleno, McFadden,  
Miller, Ramirez, Rosapepe, Young, and Zucker**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Maryland Education Development Collaborative – Established**

3 FOR the purpose of establishing the Maryland Education Development Collaborative;  
4 providing that the Collaborative is ~~a body politic and corporate and is~~ an  
5 instrumentality of the State; providing for the purposes of the Collaborative;  
6 establishing a Governing Board ~~of Directors~~ of the Collaborative; providing for the  
7 composition, residency requirement, appointment considerations, removal, chair,  
8 and quorum requirements for the Governing Board; requiring the Collaborative to  
9 employ an executive director that meets certain qualifications; providing for the legal  
10 advisor for the Collaborative and the hiring of certain legal counsel; authorizing the  
11 Collaborative to retain certain professionals; exempting the Collaborative from  
12 certain provisions of law; providing that the Collaborative is subject to the Public  
13 Information Act; providing that the Governing Board and the officers and employees  
14 of the Collaborative are subject to the Public Ethics Law; providing that certain

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 officers and employees of the Collaborative are not subject to certain provisions of  
 2 law governing State personnel; providing that the Collaborative and its Governing  
 3 Board and employees are subject to certain procurement policies and procedures  
 4 governing certain exempt units of government; establishing the powers and duties  
 5 of the Collaborative; providing that certain debts, claims, obligations, or liabilities of  
 6 the Collaborative ~~or any subsidiary of the Collaborative~~ are not held against the  
 7 State or a pledge of credit of the State; authorizing certain institutions of higher  
 8 education to perform certain acts regarding the Collaborative; providing that the  
 9 Collaborative is exempt from State and local taxes; providing that the books and  
 10 records of the Collaborative are subject to a certain audit by certain entities at  
 11 certain times; requiring the Collaborative to report certain information to the  
 12 Governor, State Department of Education, and General Assembly on or before a  
 13 certain date each year; defining certain terms; providing for the termination of this  
 14 Act; and generally relating to the establishment of the Maryland Education  
 15 Development Collaborative.

16 BY adding to

17 Article – Education

18 Section 9.5–101 through ~~9.5–114~~ 9.5–113 to be under the new title “Title 9.5.  
 19 Maryland Education Development Collaborative”

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2015 Supplement)

## 22 Preamble

23 WHEREAS, Schools with freedom of curriculum and structure will innovate  
 24 Maryland’s education system and allow partnerships with outside businesses and social  
 25 organizations to educate all students for the modern workforce; and

26 WHEREAS, Increasing socioeconomic diversity in schools will prepare all students  
 27 to work with people from different social and cultural backgrounds; and

28 WHEREAS, Research demonstrates that children from low–income families who  
 29 attend economically diverse schools achieve significantly better academic outcomes  
 30 compared with their peers who attend majority low–income schools; and

31 WHEREAS, 86% of Maryland’s black students and 78% of Maryland’s Latino  
 32 students are enrolled in majority minority schools, and almost 25% of Maryland’s black  
 33 students attend a school that is 99% minority; and

34 WHEREAS, The benefits of a public school education should extend to all students’  
 35 needs and interests; now, therefore,

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

## 38 Article – Education

1           **TITLE 9.5. MARYLAND EDUCATION DEVELOPMENT COLLABORATIVE.**

2   **9.5-101.**

3           **(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
 4 **INDICATED.**

5           ~~**(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE COLLABORATIVE.**~~

6           ~~**(B)**~~ **“(B) “COLLABORATIVE” MEANS THE MARYLAND EDUCATION**  
 7 **DEVELOPMENT COLLABORATIVE.**

8           **(C) “GOVERNING BOARD” MEANS THE GOVERNING BOARD OF THE**  
 9 **COLLABORATIVE.**

10 **9.5-102.**

11           **(A) THERE IS A MARYLAND EDUCATION DEVELOPMENT COLLABORATIVE.**

12           **(B) THE COLLABORATIVE IS ~~A BODY POLITIC AND CORPORATE AND IS AN~~**  
 13 **INSTRUMENTALITY OF THE STATE.**

14           **(C) THE PURPOSES OF THE COLLABORATIVE ARE TO:**

15           **(1) ADVISE AND MAKE RECOMMENDATIONS TO THE STATE ~~BOARD~~**  
 16 **~~AND BOARD,~~ THE GENERAL ASSEMBLY, AND LOCAL SCHOOL SYSTEMS REGARDING**  
 17 **STATUTORY AND REGULATORY POLICIES NECESSARY TO PROMOTE 21ST CENTURY**  
 18 **LEARNING THAT ~~ENHANCES:~~**

19                           **(I) ENHANCES SOCIOECONOMIC AND DEMOGRAPHIC**  
 20 **DIVERSITY ACROSS THE STATE STATE’S PUBLIC SCHOOLS; AND**

21                           **(II) REDUCES THE ACHIEVEMENT GAP BETWEEN**  
 22 **SOCIOECONOMIC AND DEMOGRAPHIC GROUPS ACROSS THE STATE’S PUBLIC**  
 23 **SCHOOLS;**

24           **(2) STUDY AND PROMOTE POLICIES OR PROGRAMS THAT INCREASE**  
 25 **THE OPPORTUNITY FOR ENHANCING SOCIOECONOMIC AND DEMOGRAPHIC**  
 26 **DIVERSITY OF STUDENT ENROLLMENT THROUGH 21ST CENTURY LEARNING**  
 27 **OPPORTUNITIES ACROSS ALL PUBLIC SCHOOLS AND BETWEEN LOCAL SCHOOL**  
 28 **SYSTEMS IN THE STATE;**

1           **(3) SUPPORT THE PACKAGING AND TRANSMITTING OF KNOWLEDGE**  
2 **ACROSS LOCAL SCHOOL SYSTEMS, THE STATE BOARD, AND LOCAL AND STATE**  
3 **POLICYMAKERS OF EVIDENCE-BASED BEST PRACTICES AND ~~SCHOOL~~ PUBLIC**  
4 **SCHOOL PROGRAMS AND DESIGNS THAT SUPPORT THE:**

5           **(I) READINESS OF ALL CHILDREN TO BE PRODUCTIVE**  
6 **MEMBERS WITHIN AN INCREASINGLY DIVERSE STATE, NATIONAL, AND**  
7 **INTERNATIONAL COMMUNITY AND KNOWLEDGE-BASED, HIGH-SKILL,**  
8 **LABOR-DRIVEN ECONOMY; AND**

9           **(II) REDUCTION OF THE ACHIEVEMENT GAP BETWEEN**  
10 **CHILDREN FROM LOW-INCOME FAMILIES AND CHILDREN FROM MIDDLE- AND**  
11 **HIGH-INCOME FAMILIES;**

12           **(4) FOSTER PARTNERSHIPS AMONG PUBLIC SCHOOLS WITH PRIVATE**  
13 **BUSINESS, UNIVERSITIES, GOVERNMENT, AND NONPROFIT ENTITIES TO DEVELOP**  
14 **AND SUPPORT THE IMPLEMENTATION OF MODERN PUBLIC SCHOOL DESIGNS, 21ST**  
15 **CENTURY CURRICULA, POSITIVE SCHOOL CULTURE, AND RESTORATIVE DISCIPLINE**  
16 **TO PROMOTE SOCIOECONOMIC AND DEMOGRAPHIC DIVERSITY AND 21ST CENTURY**  
17 **LEARNING IN PUBLIC SCHOOLS IN THE STATE;**

18           **(5) ASSIST IN COMPILING AND TRANSMITTING KNOWLEDGE AND**  
19 **TECHNOLOGY TO PUBLIC SCHOOLS THAT SUPPORT MODERN ~~SCHOOL~~ PUBLIC**  
20 **SCHOOL PROGRAMS AND DESIGNS AND 21ST CENTURY LEARNING; AND**

21           **(6) CULTIVATE, DESIGN, AND AUTHORIZE FUNDS AND INNOVATION**  
22 **GRANTS THROUGH PILOT PROGRAMS AND INITIATIVES TO SUPPORT AND DEVELOP**  
23 **21ST CENTURY ~~SCHOOL DESIGNS, MODERN~~ PUBLIC SCHOOL PROGRAMS, MODERN**  
24 **PUBLIC SCHOOL DESIGNS, AND 21ST CENTURY CURRICULA, TECHNOLOGIES, AND**  
25 **PRACTICES IN THE STATE.**

26           **(D) THE COLLABORATIVE SHALL PERFORM THE FOLLOWING FUNCTIONS**  
27 **AND DUTIES:**

28           **(1) COLLABORATE WITH LOCAL SCHOOL SYSTEMS IN THE STATE,**  
29 **STATE AND LOCAL GOVERNMENT, COMMUNITY ORGANIZATIONS, PARENTS, AND**  
30 **OTHER STAKEHOLDERS TO PROVIDE A RESEARCH AND DEVELOPMENT APPROACH**  
31 **TO 21ST CENTURY LEARNING OPPORTUNITIES THAT ENHANCE SOCIOECONOMIC**  
32 **DIVERSITY IN THE STATE'S PUBLIC SCHOOLS;**

33           **(2) IN PARTNERSHIP WITH STAKEHOLDERS:**

34           **(I) DISSEMINATE INFORMATION ON BEST PRACTICES,**  
35 **PROGRAMS, AND RESOURCES;**

1           **(II) PROVIDE TECHNICAL ASSISTANCE AND TRAINING;**

2           **(III) COLLABORATE ON COLLECTION, ANALYSIS, AND**  
3 **INTEGRATION OF STATEWIDE, LOCAL SCHOOL SYSTEM, OR SCHOOL LEVEL DATA**  
4 **REGARDING 21ST CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY; AND**

5           **(IV) PROMOTE INTERAGENCY EFFORTS THAT SUPPORT 21ST**  
6 **CENTURY LEARNING OR ENHANCE SOCIOECONOMIC DIVERSITY;**

7           **(3) ASSIST LOCAL SCHOOL SYSTEMS OR COHORTS OF PUBLIC**  
8 **SCHOOLS TO ASSESS OPPORTUNITIES TO ENHANCE 21ST CENTURY LEARNING THAT**  
9 **ENHANCES SOCIOECONOMIC DIVERSITY; AND**

10           **(4) DEVELOP A DATABASE OF EVIDENCE-BASED PROGRAMS AND**  
11 **INITIATIVES EXISTING IN THE STATE'S PUBLIC SCHOOLS THAT ENHANCE 21ST**  
12 **CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY.**

13 **9.5-103.**

14           **(A) A ~~BOARD OF DIRECTORS~~ GOVERNING BOARD SHALL MANAGE THE**  
15 **COLLABORATIVE AND EXERCISE ITS ~~CORPORATE~~ ORGANIZATIONAL POWERS.**

16           **(B) THE GOVERNING BOARD CONSISTS OF THE FOLLOWING ~~15 17 18~~**  
17 **MEMBERS:**

18           **(1) THE STATE SUPERINTENDENT, OR THE STATE**  
19 **SUPERINTENDENT'S DESIGNEE;**

20           **(2) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S**  
21 **DESIGNEE;**

22           **(3) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE**  
23 **PRESIDENT OF THE SENATE;**

24           **(4) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE**  
25 **SPEAKER OF THE HOUSE; AND**

26           **(5) A REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF**  
27 **BOARDS OF EDUCATION, APPOINTED BY THE ASSOCIATION;**

28           **(6) A REPRESENTATIVE OF THE BALTIMORE TEACHERS UNION,**  
29 **APPOINTED BY THE UNION;**

1           **(7) A REPRESENTATIVE OF THE MARYLAND STATE EDUCATION**  
 2 **ASSOCIATION, APPOINTED BY THE ASSOCIATION;**

3           **(8) A REPRESENTATIVE OF THE MARYLAND PARENT TEACHER**  
 4 **ASSOCIATION, APPOINTED BY THE ASSOCIATION;**

5           **(9) A REPRESENTATIVE WITH EXPERIENCE IN EDUCATION**  
 6 **TECHNOLOGY, APPOINTED BY THE MARYLAND TECH COUNCIL;**

7           **(10) A MARYLAND PUBLIC SCHOOL EDUCATOR, APPOINTED BY THE**  
 8 **STATE SUPERINTENDENT OR THE STATE BOARD OF EDUCATION; AND**

9           **(11) A REPRESENTATIVE OF THE PUBLIC SCHOOL SUPERINTENDENTS**  
 10 **ASSOCIATION OF MARYLAND, APPOINTED BY THE ASSOCIATION;**

11           **(12) A REPRESENTATIVE OF A PUBLIC INSTITUTION OF HIGHER**  
 12 **EDUCATION IN THE STATE, APPOINTED BY THE CHANCELLOR OF THE UNIVERSITY**  
 13 **SYSTEM OF MARYLAND; AND**

14           **~~(5) (11) (13)~~ THE FOLLOWING ~~11~~ 7 6 MEMBERS, APPOINTED BY**  
 15 **THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:**

16           **(I) ONE REPRESENTING A PUBLIC INSTITUTION OF HIGHER**  
 17 **EDUCATION IN THE STATE;**

18           **~~(II) ONE REPRESENTING A LOCAL BOARD OF EDUCATION;~~**

19           **~~(III) ONE REPRESENTING A PUBLIC SCHOOL IN THE STATE;~~**

20           **~~(IV) (II)~~ ONE REPRESENTING AN INNOVATIVE PUBLIC SCHOOL**  
 21 **IN THE STATE;**

22           **~~(V) (III) ONE REPRESENTING A PRIVATE SCHOOL THAT HAS~~**  
 23 **~~SUCCESSFULLY ENHANCED 21ST CENTURY LEARNING AND SOCIOECONOMIC~~**  
 24 **~~DIVERSITY;~~**

25           **~~(VI) (IV)~~ ONE REPRESENTING A BUSINESS INVOLVED IN**  
 26 **INTERNATIONAL COMMERCE;**

27           **~~(VII) (V) (IV)~~ ONE REPRESENTING A PHILANTHROPIC**  
 28 **ORGANIZATION WITH A FOCUS IN EDUCATION POLICY;**

1           ~~(VIII)~~ ~~(VI)~~ (V)     ONE REPRESENTING AN INSTITUTION OF  
2 HIGHER EDUCATION IN THE STATE WHO HAS A BACKGROUND IN PROGRAM  
3 EVALUATION AND DESIGN; AND

4           ~~(IX)~~   ~~ONE REPRESENTING A LABOR ORGANIZATION THAT~~  
5 ~~REPRESENTS PUBLIC EDUCATION EMPLOYEES;~~

6           ~~(X)~~     ~~ONE REPRESENTATIVE WITH EXPERIENCE IN EDUCATION~~  
7 ~~TECHNOLOGY; AND~~

8           ~~(XI)~~ ~~(VII)~~ (VI)    ONE REPRESENTATIVE FROM A BUSINESS WITH  
9 EXPERIENCE IN ARCHITECTURE, DESIGN, ENGINEERING, OR THE SCIENCES.

10           (C)    THE GOVERNOR SHALL APPOINT A REPRESENTATIVE OF A PRIVATE  
11 SCHOOL THAT HAS SUCCESSFULLY ENHANCED 21ST CENTURY LEARNING AND  
12 SOCIOECONOMIC DIVERSITY TO SERVE AS A NONVOTING, ADVISORY MEMBER TO THE  
13 GOVERNING BOARD.

14           ~~(C)~~ (D)     A MEMBER OF THE GOVERNING BOARD SHALL RESIDE IN THE  
15 STATE.

16           ~~(D)~~ (E)     IN MAKING APPOINTMENTS TO THE GOVERNING BOARD, THE  
17 GOVERNOR SHALL CONSIDER:

18           (1)    DIVERSITY BASED ON SEX, GENDER IDENTITY, SEXUAL  
19 ORIENTATION, RACE, ETHNICITY, AND ECONOMIC STATUS; AND

20           (2)    ALL GEOGRAPHIC REGIONS OF THE STATE.

21           ~~(E)~~ (F)     A MEMBER OF THE GOVERNING BOARD:

22           (1)    MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
23 GOVERNING BOARD; BUT

24           (2)    IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
25 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

26           ~~(F)~~ (G)     (1)    THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.

27           (2)    AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO  
28 SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

1           **(3)** A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
2 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
3 QUALIFIES.

4           ~~(G)~~ **(H)** THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER FOR  
5 INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE  
6 POSITION.

7           ~~(H)~~ **(I)** THE GOVERNING BOARD SHALL ELECT A CHAIR FROM AMONG ITS  
8 MEMBERS.

9           ~~(I)~~ **(J)** THE GOVERNING BOARD MAY ACT WITH AN AFFIRMATIVE VOTE  
10 OF ~~EIGHT NINE~~ TEN GOVERNING BOARD MEMBERS.

11 **9.5-104.**

12           **(A)** THE COLLABORATIVE SHALL EMPLOY AN EXECUTIVE DIRECTOR.

13           **(B)** THE EXECUTIVE DIRECTOR SHALL HAVE EXPERIENCE WITH AND  
14 POSSESS QUALIFICATIONS RELEVANT TO THE ACTIVITIES AND PURPOSES OF THE  
15 COLLABORATIVE.

16 **9.5-105.**

17           **(A)** THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE  
18 COLLABORATIVE.

19           **(B)** WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE  
20 COLLABORATIVE MAY RETAIN ANY NECESSARY LAWYERS.

21 **9.5-106.**

22           THE COLLABORATIVE MAY RETAIN ANY NECESSARY ACCOUNTANTS,  
23 FINANCIAL ADVISORS, OR OTHER CONSULTANTS.

24 **9.5-107.**

25           **(A)** EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (E) OF THIS  
26 SECTION, THE COLLABORATIVE IS EXEMPT FROM:

27           **(1)** TITLE 10 AND DIVISION II OF THE STATE FINANCE AND  
28 PROCUREMENT ARTICLE; AND

29           **(2)** §§ 3-301 AND 3-303 OF THE GENERAL PROVISIONS ARTICLE.



1 (B) THE COLLABORATIVE IS SUBJECT TO THE PUBLIC INFORMATION ACT.

2 (C) THE BOARD AND THE OFFICERS AND EMPLOYEES OF THE  
3 COLLABORATIVE ARE SUBJECT TO THE PUBLIC ETHICS LAW.

4 (D) THE OFFICERS AND EMPLOYEES OF THE COLLABORATIVE ARE NOT  
5 SUBJECT TO THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL AND  
6 PENSIONS ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT SYSTEM.

7 (E) THE COLLABORATIVE AND ITS GOVERNING BOARD AND EMPLOYEES  
8 ARE SUBJECT TO TITLE 12, SUBTITLE 4 OF THE STATE FINANCE AND  
9 PROCUREMENT ARTICLE.

10 9.5-108.

11 THE COLLABORATIVE MAY:

12 (1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;

13 (2) ADOPT A SEAL;

14 (3) MAINTAIN OFFICES AT A PLACE THE COLLABORATIVE  
15 DESIGNATES IN THE STATE;

16 (4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE  
17 FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR  
18 UNIVERSITY, OR A PRIVATE SOURCE IF THE COLLABORATIVE GIVES PRIOR NOTICE  
19 TO THE STATE BOARD AND EACH LOCAL SCHOOL SYSTEM;

20 (5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;

21 (6) SUE OR BE SUED; AND

22 ~~(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:~~

23 ~~(I) A FRANCHISE, PATENT, OR LICENSE;~~

24 ~~(II) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE~~  
25 ~~PROPERTY; OR~~

26 ~~(III) AN INTEREST IN THE PROPERTY LISTED IN THIS ITEM;~~

1 ~~(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR~~  
2 ~~DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT THE COLLABORATIVE~~  
3 ~~ACQUIRES;~~

4 ~~(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND~~  
5 ~~CHARGES FOR SERVICES AND RESOURCES THE COLLABORATIVE PROVIDES OR~~  
6 ~~MAKES AVAILABLE;~~

7 ~~(10) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION, A~~  
8 ~~LIMITED LIABILITY COMPANY, A PARTNERSHIP, OR ANY OTHER ENTITY, WHETHER~~  
9 ~~OPERATED FOR PROFIT OR NOT FOR PROFIT;~~

10 ~~(11) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE~~  
11 ~~CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD~~  
12 ~~CONFLICT WITH STATE LAW; AND~~

13 ~~(12)~~ (7) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY  
14 OUT THE POWERS GRANTED BY THIS TITLE.

15 ~~9.5-109.~~

16 ~~THE COLLABORATIVE MAY:~~

17 ~~(1) ACQUIRE, DEVELOP, IMPROVE, MANAGE, MARKET, LICENSE,~~  
18 ~~SUBLICENSE, MAINTAIN, LEASE AS LESSOR OR LESSEE, OR OPERATE A PROJECT IN~~  
19 ~~THE STATE TO CARRY OUT THE PURPOSES OF THE COLLABORATIVE;~~

20 ~~(2) ACQUIRE, DIRECTLY OR INDIRECTLY, FROM A PERSON OR~~  
21 ~~POLITICAL SUBDIVISION, BY PURCHASE, GIFT, OR DEVISE ANY PROPERTY,~~  
22 ~~RIGHTS OF WAY, FRANCHISES, EASEMENTS, OR OTHER INTERESTS IN LAND,~~  
23 ~~INCLUDING SUBMERGED LAND AND RIPARIAN RIGHTS;~~

24 ~~(i) AS NECESSARY OR CONVENIENT TO IMPROVE OR OPERATE~~  
25 ~~A PROJECT TO CARRY OUT ITS PURPOSES; AND~~

26 ~~(ii) ON THE TERMS AND AT THE PRICES THAT THE~~  
27 ~~COLLABORATIVE CONSIDERS REASONABLE; AND~~

28 ~~(3) ENTER INTO A PROJECT WITH A MANUFACTURER TO CARRY OUT~~  
29 ~~THE PURPOSES OF THE COLLABORATIVE.~~

30 ~~9.5-110. 9.5-109.~~

1 A DEBT, A CLAIM, AN OBLIGATION, OR A LIABILITY OF THE COLLABORATIVE  
2 ~~OR ANY SUBSIDIARY OF THE COLLABORATIVE~~ IS NOT:

3 (1) A DEBT, A CLAIM, AN OBLIGATION, OR A LIABILITY OF THE STATE,  
4 A UNIT OR AN INSTRUMENTALITY OF THE STATE, OR A STATE OFFICER OR STATE  
5 EMPLOYEE; OR

6 (2) A PLEDGE OF THE CREDIT OF THE STATE.

7 ~~9.5-111. 9.5-110.~~

8 INSTITUTIONS OF HIGHER EDUCATION MAY:

9 (1) CONTRACT WITH THE COLLABORATIVE ~~OR SUBSIDIARIES OF THE~~  
10 ~~COLLABORATIVE~~;

11 (2) ASSIGN TO THE COLLABORATIVE ~~OR SUBSIDIARIES OF THE~~  
12 ~~COLLABORATIVE~~ INTELLECTUAL PROPERTY AND OTHER RESOURCES TO ASSIST IN  
13 RESEARCH AND DEVELOPMENT AND ACTIVITIES; AND

14 (3) ASSIGN FACULTY AND STAFF TO THE COLLABORATIVE.

15 ~~9.5-112. 9.5-111.~~

16 THE COLLABORATIVE IS EXEMPT FROM STATE AND LOCAL TAXES.

17 ~~9.5-113. 9.5-112.~~

18 THE BOOKS AND RECORDS OF THE COLLABORATIVE ARE SUBJECT TO AUDIT:

19 (1) AT ANY TIME BY THE STATE; AND

20 (2) EACH YEAR BY AN INDEPENDENT AUDITOR ~~THAT THE OFFICE OF~~  
21 ~~LEGISLATIVE AUDITS APPROVES~~.

22 ~~9.5-114. 9.5-113.~~

23 (A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE COLLABORATIVE SHALL  
24 REPORT TO THE GOVERNOR, THE DEPARTMENT, AND, IN ACCORDANCE WITH §  
25 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

26 (B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL  
27 STATEMENT COVERING THE OPERATIONS OF THE COLLABORATIVE AND A SUMMARY  
28 OF THE COLLABORATIVE'S ACTIVITIES DURING THE PRECEDING FISCAL YEAR.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2016. It shall remain effective for a period of 3 years and, at the end of June 30, 2019,  
3 with no further action required by the General Assembly, this Act shall be abrogated and  
4 of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.