
By: Senator Ruben

Introduced and read first time: January 23, 1996
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **University of Maryland System - Board of Regents**

3 FOR the purpose of altering the membership of the Board of Regents of the University
4 of Maryland System to include a certain number of faculty members; providing for
5 the qualifications, appointment, and terms of the members appointed under this
6 Act; granting a certain exemption to and clarifying a certain restriction on the
7 faculty members; making the appointments of faculty members to the Board of
8 Regents subject to the advice and consent of the Senate of Maryland; and generally
9 relating to the Board of Regents of the University of Maryland System.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 12-102
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

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

17 **Article - Education**

18 12-102.

19 (a) The government of the University of Maryland System is vested in the Board
20 of Regents of the University of Maryland System.

21 (b) The Board of Regents consists of [17] 19 members as follows:

22 (1) One member shall be a full-time student in good academic standing at
23 an institution under the jurisdiction of the Board;

24 (2) One member shall be the State Secretary of Agriculture ex officio;
25 [and]

26 (3) ONE MEMBER SHALL BE A FULL-TIME FACULTY MEMBER AT THE
27 UNIVERSITY OF MARYLAND COLLEGE PARK;

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1 (4) ONE MEMBER SHALL BE A FULL-TIME FACULTY MEMBER AT AN
2 INSTITUTION UNDER THE JURISDICTION OF THE BOARD OTHER THAN THE
3 UNIVERSITY OF MARYLAND COLLEGE PARK; AND

4 [(3)] (5) The remaining members of the Board shall be residents of the
5 State and shall be appointed from the general public.

6 (c) In making appointments to the Board, the Governor shall consider
7 representation from all parts of the State.

8 (d) Except for the Secretary of Agriculture, each member of the Board shall be
9 appointed by the Governor, with the advice and consent of the Senate.

10 (e) (1) Except for the student member AND THE FACULTY MEMBERS, each
11 appointed member serves for a term of 5 years from July 1 of the year of appointment and
12 until a successor is appointed and qualifies. These members may be reappointed.

13 (2) The student member shall be appointed for a term of 1 year, from July 1,
14 and may be reappointed if the student remains a student at any campus of the University
15 of Maryland System.

16 (3) A member appointed to fill a vacancy in an unexpired term serves only
17 for the remainder of that term and until a successor is appointed and qualifies.

18 (F) (1) ANY FULL-TIME FACULTY MEMBER OF AN INSTITUTION OF THE
19 UNIVERSITY OF MARYLAND SYSTEM MAY BE A CANDIDATE FOR APPOINTMENT TO
20 THE BOARD.

21 (2) (I) AT EACH INSTITUTION OF THE UNIVERSITY OF MARYLAND
22 SYSTEM, THE FACULTY MEMBERS SHALL DETERMINE A METHOD FOR ELECTION OF
23 A CANDIDATE FOR THE POSITION OF FACULTY MEMBER OF THE BOARD.

24 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
25 PARAGRAPH, THE FACULTY MEMBERS AT EACH INSTITUTION SHALL ELECT ONE
26 CANDIDATE.

27 (III) THE FACULTY MEMBERS AT THE UNIVERSITY OF MARYLAND
28 COLLEGE PARK SHALL ELECT TWO CANDIDATES.

29 (3) THE GOVERNOR SHALL APPOINT FROM THE POOL OF CANDIDATES,
30 AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, TWO FACULTY MEMBERS TO
31 THE BOARD, SELECTED TO REPRESENT THE DIVERSITY OF THE INSTITUTIONS
32 WITHIN THE UNIVERSITY OF MARYLAND SYSTEM.

33 (G) (1) EACH FACULTY MEMBER SHALL BE APPOINTED FOR A TERM OF 2
34 YEARS, FROM JULY 1, AS LONG AS THE FACULTY MEMBER REMAINS A FACULTY
35 MEMBER OF THE UNIVERSITY OF MARYLAND SYSTEM.

36 (2) ANY VACANCY CAUSED BY A FACULTY MEMBER'S LEAVING THE
37 FACULTY POSITION AT THE UNIVERSITY SHALL BE FILLED BY A FULL-TIME
38 FACULTY MEMBER APPOINTED BY THE GOVERNOR.

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1 (3) A FACULTY MEMBER MAY BE REAPPOINTED ONCE FOR AN
2 ADDITIONAL TERM OF 2 YEARS.

3 [(f)] (H) Except for the Secretary of Agriculture, a member may not serve more
4 than 2 consecutive full terms.

5 [(g)] (I) Each member of the Board:

6 (1) Serves without compensation; and

7 (2) Is entitled to reimbursement for expenses in accordance with the
8 Standard State Travel Regulations.

9 (J) EXCEPT FOR MATTERS OF FACULTY COMPENSATION, A FACULTY
10 MEMBER OF THE BOARD SHALL HAVE THE RIGHT TO VOTE ON ALL MATTERS.

11 (K) (1) A FACULTY MEMBER AT AN INSTITUTION OF THE UNIVERSITY OF
12 MARYLAND SYSTEM WHO IS A MEMBER OF THE BOARD OF REGENTS IS EXEMPT
13 FROM:

14 (I) THE EMPLOYMENT PROHIBITION UNDER § 15-501(A)(2)(II) OF
15 THE STATE GOVERNMENT ARTICLE, AS IT RELATES TO THE MEMBER ONLY; AND

16 (II) THE EMPLOYMENT RESTRICTIONS UNDER § 15-502(B) OF THE
17 STATE GOVERNMENT ARTICLE, SO LONG AS DISCLOSURE IS MADE IN ACCORDANCE
18 WITH § 15-502(C) OF THE STATE GOVERNMENT ARTICLE.

19 (2) THE FACULTY MEMBER IS SUBJECT TO ALL OTHER PROVISIONS OF
20 THE MARYLAND PUBLIC ETHICS LAW THAT USUALLY APPLY TO A MEMBER OF THE
21 BOARD OF REGENTS.

22 (L) A FACULTY MEMBER SHALL BE APPOINTED TO THE BOARD OF REGENTS
23 SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE OF MARYLAND.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
25 faculty members appointed under this Act shall expire as follows:

26 (1) One member in 1997; and

27 (2) One member in 1998.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.