
By: Senator Ruben

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

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 14, 1996

CHAPTER _____

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~~ faculty
5 member; providing for the qualifications, appointment, and ~~terms~~ term of the
6 ~~members~~ member appointed under this Act; granting a certain exemption to and
7 clarifying a certain restriction on the faculty ~~members~~ member; making the
8 ~~appointments of~~ appointment of the faculty ~~members~~ member to the Board of
9 Regents subject to the advice and consent of the Senate of Maryland; and generally
10 relating to the Board of Regents of the University of Maryland System.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 12-102
14 Annotated Code of Maryland
15 (1992 Replacement Volume and 1995 Supplement)

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

18 **Article - Education**

19 12-102.

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

22 (b) The Board of Regents consists of ~~{17}~~ ~~19~~ members as follows:

2

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

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

5 (3) ONE MEMBER SHALL BE A FULL-TIME FACULTY MEMBER ~~AT~~ OF THE
6 UNIVERSITY OF MARYLAND ~~COLLEGE PARK;~~ SYSTEM; AND

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

10 [(3)] ~~(4)~~ (4) The remaining members of the Board shall be residents of
11 the State and shall be appointed from the general public.

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

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

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

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

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

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

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

31 (II) ~~EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS~~
32 ~~PARAGRAPH,~~ THE FACULTY MEMBERS AT EACH INSTITUTION SHALL ELECT ONE
33 CANDIDATE.

34 ~~(III) THE FACULTY MEMBERS AT THE UNIVERSITY OF MARYLAND~~
35 ~~COLLEGE PARK SHALL ELECT TWO CANDIDATES.~~

36 (3) THE GOVERNOR SHALL APPOINT FROM THE POOL OF CANDIDATES,
37 AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ~~TWO FACULTY MEMBERS~~
38 ONE FACULTY MEMBER TO THE BOARD, ~~SELECTED TO REPRESENT THE DIVERSITY~~
39 ~~OF THE INSTITUTIONS WITHIN THE UNIVERSITY OF MARYLAND SYSTEM.~~

3

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

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

7 (3) ~~A THE~~ FACULTY MEMBER MAY BE REAPPOINTED ONCE FOR AN
8 ADDITIONAL TERM OF 2 YEARS.

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

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

12 (1) Serves without compensation; and

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

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

17 (K) (1) A FACULTY MEMBER AT AN INSTITUTION OF THE UNIVERSITY OF
18 MARYLAND SYSTEM WHO IS A MEMBER OF THE BOARD OF REGENTS IS EXEMPT
19 FROM:

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

22 ~~(II) THE EMPLOYMENT RESTRICTIONS UNDER § 15-502(B) OF THE~~
23 ~~STATE GOVERNMENT ARTICLE, SO LONG AS DISCLOSURE IS MADE IN ACCORDANCE~~
24 ~~WITH § 15-502(C) OF THE STATE GOVERNMENT ARTICLE FROM THE PROVISIONS OF~~
25 ~~THE MARYLAND PUBLIC ETHICS LAW TO THE EXTENT THAT THERE IS A CONFLICT~~
26 ~~WHICH RESULTS SOLELY FROM BEING BOTH A FACULTY MEMBER AND A MEMBER~~
27 ~~OF THE BOARD.~~

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

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

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

35 ~~(1) One member in 1997; and~~

36 ~~(2) One member in 1998.~~

37 SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 1996.

