
By: Delegates Frank, Barve, Goldwater, Crumlin, Krysiak, Walkup, Kach, and Love

Introduced and read first time: January 21, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **High-Tech High School Partnership Program and Fund**

3 FOR the purpose of creating the High-Tech High School Partnership Program in the
4 Department of Business and Economic Development; delineating the purpose of
5 the High-Tech High School Partnership Program; requiring the Secretary of the
6 Department of Business and Economic Development to adopt regulations to carry
7 out the High-Tech High School Partnership Program; creating a High-Tech High
8 School Partnership Fund that may be used for certain loans and grants; establishing
9 certain eligibility criteria for obtaining a loan or a grant from the High-Tech High
10 School Partnership Fund; specifying a certain procedure for a loan or grant
11 application; requiring the Secretary or the designee of the Secretary of the
12 Department of Business and Economic Development to consider certain factors
13 when awarding grants and loans; allowing the Department of Business and
14 Economic Development to take certain actions against a loan or grant recipient that
15 violates certain documents or fails to meet certain requirements; authorizing the
16 Department of Business and Economic Development to set the terms and
17 conditions of grants and loans made from the High-Tech High School Partnership
18 Fund; prohibiting certain persons from making or causing false statements under
19 certain circumstances; authorizing a county board of education to permit the use of
20 a public secondary school facility for the purposes of the High-Tech High School
21 Partnership Program; defining certain terms; making a stylistic change; and
22 generally relating to the High-Tech High School Partnership Program and the
23 High-Tech High School Partnership Fund.

24 BY adding to

25 Article 83A - Department of Business and Economic Development
26 Section 6-801 through 6-807, inclusive, to be under the new subtitle "Subtitle 8.
27 High-Tech High School Partnership Program and Fund"
28 Annotated Code of Maryland
29 (1995 Replacement Volume and 1996 Supplement)

30 BY repealing and reenacting, with amendments,

31 Article - Education
32 Section 7-108
33 Annotated Code of Maryland

2

1 (1997 Replacement Volume)

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

4 **%Article 83A - Department of Business and Economic Development**

5 SUBTITLE 8. HIGH-TECH HIGH SCHOOL PARTNERSHIP PROGRAM AND FUND.

6 6-801.

7 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

9 (B) "COUNTY BOARD" MEANS THE BOARD OF EDUCATION OF A COUNTY AND
10 INCLUDES THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY.

11 (C) "ELIGIBLE BUSINESS" MEANS A HIGH-TECHNOLOGY OR SCIENCE BASED
12 BUSINESS.

13 (D) "FUND" MEANS THE HIGH-TECH HIGH SCHOOL PARTNERSHIP FUND.

14 (E) (1) "HIGH-TECHNOLOGY" MEANS TECHNOLOGY INVOLVING HIGHLY
15 ADVANCED OR COMPLEX SYSTEMS OR DEVICES.

16 (2) "HIGH-TECHNOLOGY" INCLUDES BIOTECHNOLOGY AND COMPUTER
17 TECHNOLOGY.

18 (F) "INTERNSHIP" MEANS AN UNPAID, EDUCATIONAL INTERNSHIP.

19 (G) "MANUFACTURING" DOES NOT INCLUDE HEAVY MANUFACTURING.

20 (H) "PROGRAM" MEANS THE HIGH-TECH HIGH SCHOOL PARTNERSHIP
21 PROGRAM.

22 6-802.

23 (A) THERE IS A HIGH-TECH HIGH SCHOOL PARTNERSHIP PROGRAM IN THE
24 DEPARTMENT.

25 (B) THE PURPOSE OF THE PROGRAM IS TO STIMULATE THE GROWTH OF
26 HIGH-TECHNOLOGY AND SCIENCE BASED BUSINESSES IN THE STATE AND STUDENT
27 INTEREST IN HIGH-TECHNOLOGY AND SCIENCE CAREERS BY:

28 (1) ASSISTING ELIGIBLE BUSINESSES TO ESTABLISH
29 HIGH-TECHNOLOGY MANUFACTURING OR SCIENTIFIC RESEARCH AND
30 DEVELOPMENT FACILITIES ON OR NEAR PUBLIC SECONDARY SCHOOL PROPERTY
31 THAT WILL PROVIDE INTERNSHIPS OR AFTER-SCHOOL JOBS; AND

32 (2) FACILITATING PARTNERSHIPS BETWEEN PUBLIC SECONDARY
33 SCHOOLS AND ELIGIBLE BUSINESSES TO CREATE INTERNSHIP OR AFTER-SCHOOL
34 JOB PROGRAMS AT HIGH-TECHNOLOGY MANUFACTURING OR SCIENTIFIC
35 RESEARCH AND DEVELOPMENT FACILITIES.

3

1 (C) A PUBLIC SECONDARY SCHOOL SHALL ALLOW A STUDENT WHO
2 PARTICIPATES IN AN INTERNSHIP UNDER THIS SUBTITLE TO CREDIT THE
3 INTERNSHIP HOURS TO ANY COMMUNITY SERVICE REQUIREMENT THAT IS
4 PREREQUISITE FOR THE STUDENT TO GRADUATE FROM SECONDARY SCHOOL.

5 (D) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THE
6 PROGRAM.

7 6-803.

8 (A) THERE IS A HIGH-TECH HIGH SCHOOL PARTNERSHIP FUND,
9 ADMINISTERED BY THE DEPARTMENT, THAT CONSISTS OF:

10 (1) MONEYS APPROPRIATED BY THE STATE TO THE FUND;

11 (2) ANY REPAYMENT OF PRINCIPAL OR INTEREST ON A LOAN MADE
12 FROM THE FUND; AND

13 (3) ANY OTHER MONEYS MADE AVAILABLE TO THE FUND.

14 (B) THE FUND IS A NONLAPSING REVOLVING FUND THAT SHALL BE USED TO:

15 (1) PAY ALL EXPENSES AND DISBURSEMENTS AUTHORIZED BY THE
16 DEPARTMENT FOR ADMINISTERING THE FUND; AND

17 (2) PROVIDE LOANS OR GRANTS TO ELIGIBLE BUSINESSES FOR THE
18 PURPOSE OF:

19 (I) DEVELOPING HIGH-TECHNOLOGY MANUFACTURING OR
20 SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITIES ON OR NEAR PUBLIC
21 SECONDARY SCHOOL PROPERTY IN THE STATE; AND

22 (II) CREATING INTERNSHIP OR AFTER-SCHOOL JOB PROGRAMS
23 FOR PUBLIC SECONDARY SCHOOL STUDENTS IN HIGH-TECHNOLOGY
24 MANUFACTURING AND SCIENTIFIC RESEARCH AND DEVELOPMENT AT THE
25 FACILITIES.

26 (C) LOANS AND GRANTS AWARDED UNDER THIS SUBTITLE MAY BE USED
27 FOR:

28 (1) SITE DEVELOPMENT, INCLUDING PLANNING, ARCHITECTURAL AND
29 ENGINEERING STUDIES, SITE PREPARATION, CONSTRUCTION COSTS, AND
30 ACQUISITION OF EQUIPMENT; AND

31 (2) PROGRAM DEVELOPMENT FOR INTERNSHIPS AND AFTER-SCHOOL
32 JOBS.

33 6-804.

34 (A) AN ELIGIBLE BUSINESS MAY APPLY TO THE SECRETARY FOR A LOAN OR
35 GRANT UNDER THIS SUBTITLE IF:

36 (1) THE BUSINESS HAS ENTERED INTO A PARTNERSHIP AGREEMENT
37 WITH A PUBLIC SECONDARY SCHOOL FOR THE PURPOSE OF:

4

1 (I) DEVELOPING A HIGH-TECHNOLOGY MANUFACTURING OR
2 SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITY ON THE SCHOOL'S PROPERTY
3 BY ENTERING INTO A LONG-TERM LEASE WITH THE PUBLIC SECONDARY SCHOOL
4 FOR THE USE OF THE SCHOOL PROPERTY; AND

5 (II) CREATING INTERNSHIP OR AFTER-SCHOOL JOB PROGRAMS
6 FOR THE SECONDARY SCHOOL STUDENTS AT THE FACILITY;

7 (2) THE BUSINESS:

8 (I) OPERATES A HIGH-TECHNOLOGY MANUFACTURING OR
9 SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITY IN CLOSE PROXIMITY TO A
10 PUBLIC SECONDARY SCHOOL; AND

11 (II) HAS ENTERED INTO A PARTNERSHIP AGREEMENT WITH THE
12 PUBLIC SECONDARY SCHOOL FOR THE PURPOSE OF CREATING INTERNSHIP OR
13 AFTER-SCHOOL JOB PROGRAMS FOR THE SECONDARY SCHOOL STUDENTS AT THE
14 FACILITY; OR

15 (3) THE BUSINESS:

16 (I) HAS IDENTIFIED A SITE FOR A HIGH-TECHNOLOGY
17 MANUFACTURING OR SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITY IN
18 CLOSE PROXIMITY TO A PUBLIC SECONDARY SCHOOL; AND

19 (II) HAS ENTERED INTO A PARTNERSHIP AGREEMENT WITH THE
20 PUBLIC SECONDARY SCHOOL FOR THE PURPOSE OF CREATING INTERNSHIP OR
21 AFTER-SCHOOL JOB PROGRAMS FOR THE SECONDARY SCHOOL STUDENTS AT THE
22 IDENTIFIED SITE.

23 (B) IN A MANNER AND FORM THAT THE SECRETARY REQUIRES, THE
24 APPLICATION SHALL PROVIDE:

25 (1) A DESCRIPTION OF THE SCHOOL SITE;

26 (2) A DESCRIPTION OF THE PROPOSED OR EXISTING
27 HIGH-TECHNOLOGY OR SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITY;

28 (3) THE FUNDS AVAILABLE TO THE APPLICANT WITHOUT THE
29 FINANCIAL ASSISTANCE FROM THE FUND;

30 (4) THE AMOUNT OF FINANCIAL ASSISTANCE SOUGHT FROM THE FUND;

31 (5) IF APPLICABLE, THE TOTAL AMOUNT OF INVESTMENT REQUIRED
32 TO DEVELOP AN ON-SITE OR NEAR SCHOOL FACILITY;

33 (6) THE TOTAL AMOUNT OF INVESTMENT REQUIRED TO ESTABLISH AN
34 INTERNSHIP OR AFTER-SCHOOL JOB PROGRAM;

35 (7) INFORMATION THAT RELATES THE CURRENT FINANCIAL STATUS OF
36 THE APPLICANT, INCLUDING, IF APPLICABLE, A CURRENT BALANCE SHEET, A
37 PROFIT AND LOSS STATEMENT, AND CREDIT REFERENCES;

5

1 (8) THE CONSENT OF THE COUNTY BOARD IN WHICH THE PUBLIC
2 SECONDARY SCHOOL IS LOCATED;

3 (9) THE APPROVAL OF ANY UNIT OF GOVERNMENT NECESSARY TO THE
4 OPERATION OF THE HIGH-TECHNOLOGY MANUFACTURING OR SCIENTIFIC
5 RESEARCH AND DEVELOPMENT FACILITY;

6 (10) A DESCRIPTION OF PROJECT COSTS, INCLUDING PLANNING AND
7 ENGINEERING STUDIES, SITE PREPARATION, CONSTRUCTION COSTS, AND
8 EQUIPMENT ACQUISITION;

9 (11) A PLAN, SIGNED BY BOTH THE APPLICANT BUSINESS AND THE
10 PUBLIC SECONDARY SCHOOL PARTNER, TO CREATE AFTER-SCHOOL JOBS AND
11 INTERNSHIP PROGRAMS; AND

12 (12) ANY OTHER RELEVANT INFORMATION THAT THE DEPARTMENT
13 REQUESTS.

14 (C) THE SECRETARY OR DESIGNEE OF THE SECRETARY MAY AWARD A
15 GRANT OR A LOAN TO AN APPLICANT THAT SATISFIES THE REQUIREMENTS OF THIS
16 SUBTITLE.

17 (D) IN AWARDING GRANTS AND LOANS, THE SECRETARY OR THE DESIGNEE
18 OF THE SECRETARY SHALL CONSIDER:

19 (1) IN CONSULTATION WITH THE SECRETARY OF EDUCATION OR THE
20 DESIGNEE OF THE SECRETARY OF EDUCATION:

21 (I) THE QUALITY OF THE PROPOSED INTERNSHIP OR
22 AFTER-SCHOOL JOB PROGRAM FOR CAREER EXPLORATION AND LEARNING; AND

23 (II) THE ACCESSIBILITY AND PROXIMITY OF ANY PROPOSED
24 OFF-SITE FACILITY TO THE PARTNER PUBLIC SECONDARY SCHOOL;

25 (2) THE SUITABILITY OF THE PROPOSED OR EXISTING SITE FOR A
26 HIGH-TECHNOLOGY MANUFACTURING OR SCIENTIFIC RESEARCH AND
27 DEVELOPMENT FACILITY; OR

28 (3) THE COMMITMENT OF THE APPLICANT BUSINESS TO PROVIDE
29 MENTORS TO THE STUDENT EMPLOYEES AND INTERNS.

30 6-805.

31 IF A LOAN OR GRANT RECIPIENT VIOLATES ANY PROVISION OF THE LOAN
32 DOCUMENTS OR FAILS TO MEET THE REQUIREMENTS OF THIS SUBTITLE, ON
33 REASONABLE NOTICE TO THE LOAN OR GRANT RECIPIENT, THE DEPARTMENT MAY:

34 (1) WITHHOLD FROM THE RECIPIENT FURTHER ADVANCES OF LOAN
35 OR GRANT PROCEEDS UNTIL THE APPLICANT COMPLIES WITH THE AGREEMENT OR
36 REQUIREMENTS; OR

37 (2) EXERCISE ANY OTHER REMEDY FOR WHICH THE LOAN DOCUMENTS
38 PROVIDE.

6

1 6-806.

2 (A) THE DEPARTMENT MAY SET THE TERMS AND CONDITIONS FOR THE
3 LOANS AND GRANTS.

4 (B) IF THE DEPARTMENT DECIDES TO LEND OR GRANT MONEY TO AN
5 APPLICANT, THE DEPARTMENT SHALL PREPARE LOAN OR GRANT DOCUMENTS.

6 (C) THE LOAN DOCUMENTS SHALL INCLUDE:

7 (1) THE RATE OF INTEREST ON THE LOAN;

8 (2) THE AMOUNT OF THE LOAN;

9 (3) PROVISIONS FOR REPAYMENT OF THE LOAN; AND

10 (4) ANY OTHER PROVISIONS THAT THE DEPARTMENT DETERMINES
11 ARE NECESSARY TO SECURE THE LOAN, INCLUDING THE TAKING OF LIENS AND
12 SECURITY INTERESTS IN REAL AND PERSONAL PROPERTY.

13 6-807.

14 (A) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE ANY FALSE
15 STATEMENT OR REPORT TO BE MADE IN ANY APPLICATION OR IN ANY DOCUMENT
16 FURNISHED TO THE DEPARTMENT.

17 (B) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE ANY FALSE
18 STATEMENT OR REPORT TO BE MADE FOR THE PURPOSE OF INFLUENCING THE
19 ACTION OF THE DEPARTMENT ON AN APPLICATION FOR A GRANT OR A LOAN OR
20 FOR THE PURPOSE OF INFLUENCING ANY ACTION OF THE DEPARTMENT AFFECTING
21 FINANCIAL ASSISTANCE ALREADY PROVIDED.

22 (C) ANY PERSON WHO VIOLATES A PROVISION OF THIS SUBTITLE IS GUILTY
23 OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING
24 \$50,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

25 **Article - Education**

26 7-108.

27 (a) Each county board shall encourage the use of public school facilities for
28 community purposes.

29 (b) (1) If written application is made to the county superintendent, the county
30 board shall provide for the use of a public school facility for:

31 (i) The presentation and discussion of public questions;

32 (ii) Public speaking;

33 (iii) Lectures; or

34 (iv) Other civic, educational, social, or recreational purposes or church
35 affiliated civic purposes.

36 (2) These meetings shall be open to the public.

7

1 (3) The county board may refuse the use of any school facility for these
2 purposes if it appears that the use is likely to:

3 (i) Provoke or add to a public riot or breach of the peace; or

4 (ii) Create a clear and present danger to the peace and welfare of the
5 county or State.

6 (c) Each county board may permit a partisan political organization that has polled
7 10 percent or more of the entire vote cast in this State in the last general election to use
8 public school facilities for programs and meetings that relate to a political campaign for
9 nomination or election of a candidate to public office.

10 (d) Each county board may permit the use of public school facilities for religious
11 or other lawful purposes.

12 (E) EACH COUNTY BOARD MAY PERMIT THE USE OF A PUBLIC SECONDARY
13 SCHOOL FACILITY FOR HIGH-TECHNOLOGY OR SCIENCE-BASED BUSINESSES TO
14 ESTABLISH HIGH-TECHNOLOGY MANUFACTURING OR SCIENTIFIC RESEARCH AND
15 DEVELOPMENT FACILITIES THAT PROVIDE AFTER-SCHOOL JOBS OR UNPAID,
16 EDUCATIONAL INTERNSHIPS TO PUBLIC SECONDARY SCHOOL STUDENTS IN
17 ACCORDANCE WITH ARTICLE 83A, §§ 6-801 THROUGH 6-807 OF THE CODE.

18 [(e)] (F) Subject to § 7-109 of this subtitle, school facilities may be used only at
19 times that will not interfere with regular school sessions or other bona fide school
20 activities.

21 [(f)] (G) In Montgomery County, nonschool use of school facilities for public and
22 community purposes and the manner by which costs associated with such use are
23 apportioned may be regulated by local law consistent with the use criteria set forth in §
24 7-110 OF THIS SUBTITLE and not inconsistent with any other provisions of this article.
25 The local law authorized by this subsection may provide for an interagency coordinating
26 board and for the appointment of its members by Montgomery County. Membership may
27 include the Superintendent of Schools, the President of Montgomery College, the
28 members of the Montgomery County Planning Board, and such other members as may be
29 provided by the local law.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1997.