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**By: Chairman, Economic and Environmental Affairs Committee (Departmental - University of Maryland System)**

Requested: October 10, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education - Renaming**

3 FOR the purpose of altering the names of the University of Maryland System and certain  
4 constituent institutions and centers under the jurisdiction of the Board of Regents.

5 BY repealing and reenacting, with amendments,

6 Article - Education

7 Section 12-101 to be under the amended title "Title 12. University System of

8 Maryland"

9 Annotated Code of Maryland

10 (1997 Replacement Volume)

11 BY repealing and reenacting, with amendments,

12 Article 1 - Rules of Interpretation

13 Section 31

14 Annotated Code of Maryland

15 (1996 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article 2B - Alcoholic Beverages

18 Section 6-201(r)(12)(iv)1. and (ix)4.

19 Annotated Code of Maryland

20 (1996 Replacement Volume)

21 BY repealing and reenacting, with amendments,

22 Article 27 - Crimes and Punishments

23 Section 681A(b)(1)(vi)

24 Annotated Code of Maryland

25 (1996 Replacement Volume)

26 BY repealing and reenacting, with amendments,

27 Article 41 - Governor - Executive and Administrative Departments

2

1 Section 4-201(b)(1) and 18-307(b)(6)  
 2 Annotated Code of Maryland  
 3 (1993 Replacement Volume and 1996 Supplement)

4 BY repealing and reenacting, with amendments,  
 5 Article 43C - Maryland Health and Higher Educational Facilities Authority  
 6 Section 3(h)(2)(i)  
 7 Annotated Code of Maryland  
 8 (1994 Replacement Volume and 1996 Supplement)

9 BY repealing and reenacting, with amendments,  
 10 Article 65 - Militia  
 11 Section 12A(a)(2)  
 12 Annotated Code of Maryland  
 13 (1995 Replacement Volume and 1996 Supplement)

14 BY repealing and reenacting, with amendments,  
 15 Article 83A - Department of Business and Economic Development  
 16 Section 3-301(b)(3)  
 17 Annotated Code of Maryland  
 18 (1995 Replacement Volume and 1996 Supplement)

19 BY repealing and reenacting, with amendments,  
 20 Article - Agriculture  
 21 Section 2-203(a), 3-203(b), 7-206(c), 8-201(a)(4), and 10-1302(b)(6)  
 22 Annotated Code of Maryland  
 23 (1985 Replacement Volume and 1996 Supplement)

24 BY repealing and reenacting, with amendments,  
 25 Article - Education  
 26 Section 10-101(d)(1) and (j)(1), 10-209, 10-212(b)(1), 11-105(b)(5)(ii), (h)(1)(i)  
 27 and (5)(i) and (l)(2)(iv)1., 11-302(b)(2)(i), 11-304(b)(2), 12-102(a) and  
 28 (e)(2), 12-104(b)(1) and (2), (g)(3) and (5), and (h)(1), 12-105(a)(2), (b)(2),  
 29 (c)(1), and (f), 12-106(a)(1)(ii) and (iii) and (c)(5)(ii), 12-108(a),  
 30 12-109(f)(1)(ii) and (3), 12-110(a)(1), 12-111(a), 13-103(b)(2)(i), 13-207(a),  
 31 13-301(r), 13-304(c)(8), 13-401(d)(3), (e)(3), and (g), 13-404(f), 13-501(d)  
 32 and (j), 13-503(b), 13-505(a)(2)(ii), 13-513(f), (g), and (h), 13-701(a)(3),  
 33 13-702(a) and (c), 17-302(c)(2), 18-304(b)(2)(ii), 18-506(a), 18-601(e)(2),  
 34 18-603(b), 18-702(a)(1), 18-703(e), 18-901(a), 18-1004(c)(2),  
 35 18-1703(b)(2)(ii), 19-101(e), (k), and (m), 19-102(c)(1)(i), and 24-401(b)  
 36 Annotated Code of Maryland  
 37 (1997 Replacement Volume)

38 BY repealing and reenacting, with amendments,  
 39 Article - Environment

3

1 Section 2-202(a)(2)(vii)4., 3-202(a)(2)(iii), and 9-306(a)(2)(i)  
 2 Annotated Code of Maryland  
 3 (1996 Replacement Volume and 1996 Supplement)

4 BY repealing and reenacting, with amendments,  
 5 Article - Health - General  
 6 Section 18-213(a)(3)(vi) and 18-213.2(a)(8)(vi)  
 7 Annotated Code of Maryland  
 8 (1994 Replacement Volume and 1996 Supplement)

9 BY repealing and reenacting, with amendments,  
 10 Article - Labor and Employment  
 11 Section 11-506(8)  
 12 Annotated Code of Maryland  
 13 (1991 Volume and 1996 Supplement)

14 BY repealing and reenacting, with amendments,  
 15 Article - Natural Resources  
 16 Section 3-401, 3-402, and 3-403 to be under the amended subtitle "Subtitle 4.  
 17 Institute for Environmental Studies"; and 4-306 Article III Section 7  
 18 Annotated Code of Maryland  
 19 (1989 Replacement Volume and 1996 Supplement)

20 BY repealing and reenacting, with amendments,  
 21 Article - State Finance and Procurement  
 22 Section 2-105, 3-401, 3-407(a)(2)(i)5., 3-602(c), 3-703(b), 3-704, 4-209,  
 23 4-401(d)(1), 4-402(a)(2), 4-406(a)(4), 4-410(a), (b), and (c), 7-212(a)(2),  
 24 8-112(a), (c)(8), and (e)(1) and (3), 11-101(l)(5), 12-105(c)(1)(ii),  
 25 12-107(b)(5), 12-202(b) and (d), 13-103(a)(2)(iv), 14-202(a)(3), 14-203(a),  
 26 14-204, 14-205, 14-206(b), 14-207(a) and (c), 14-208(a), and 14-405(b)  
 27 Annotated Code of Maryland  
 28 (1995 Replacement Volume and 1996 Supplement)

29 BY repealing and reenacting, with amendments,  
 30 Article - State Government  
 31 Section 9-603(b)(7), 9-1003(10), 12-101(a)(2)(v), and 15-523(a)(4)(ii) and (iii)  
 32 Annotated Code of Maryland  
 33 (1995 Replacement Volume and 1996 Supplement)

34 BY repealing and reenacting, with amendments,  
 35 Article - State Personnel and Pensions  
 36 Section 2-305(a), 2-402(a)(2)(i), 2-505(b)(2)(iii), 5-205(b), 8-102(b)(2),  
 37 9-101(a)(2), 14-103(2), 14-201(2), 30-101(e)(1), and 30-301(3)  
 38 Annotated Code of Maryland  
 39 (1994 Volume and 1996 Supplement)

4

1 BY repealing and reenacting, with amendments,  
2 Article - Transportation  
3 Section 21-803.2  
4 Annotated Code of Maryland  
5 (1992 Replacement Volume and 1996 Supplement)

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

8 **Article - Education**

9 Title 12. University [of Maryland] System OF MARYLAND.

10 12-101.

11 (a) In order to foster the development of a consolidated system of public higher  
12 education, to improve the quality of education, to extend its benefits and to encourage the  
13 economical use of the State's resources, the University [of Maryland] System OF  
14 MARYLAND is established in accordance with the provisions of this title.

15 (b) In this title the following words have the meanings indicated.

16 (1) "Board" or "Board of Regents" means the Board of Regents of the  
17 University [of Maryland] System OF MARYLAND.

18 (2) "Chancellor" means the Chief Executive Officer of the University [of  
19 Maryland] System OF MARYLAND and the Chief of Staff for the Board of Regents.

20 (3) "President" means the Chief Executive Officer of a constituent  
21 institution of the University [of Maryland] System OF MARYLAND.

22 (4) "Constituent institutions", "institutions", or "campuses" means the  
23 following public senior higher education institutions under the jurisdiction of the Board  
24 of Regents:

25 (i) [University of Maryland at Baltimore] UNIVERSITY OF  
26 MARYLAND, BALTIMORE;

27 (ii) University of Maryland Baltimore County;

28 (iii) [University of Maryland College Park] UNIVERSITY OF  
29 MARYLAND, COLLEGE PARK;

30 (iv) University of Maryland Eastern Shore;

31 (v) University of Maryland University College;

32 (vi) Bowie State University;

33 (vii) Coppin State College;

34 (viii) Frostburg State University;

35 (ix) Salisbury State University;

5

1 (x) Towson [State] University; and

2 (xi) University of Baltimore.

3 (5) "Centers" or "Institutes" means the following components of the  
4 [University] SYSTEM under the jurisdiction of the Board of Regents:

5 (i) [Center for Environmental and Estuarine Studies] UNIVERSITY  
6 OF MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES;

7 (ii) Cooperative Extension Service and the Agricultural Experiment  
8 Station;

9 (iii) Statewide Medical Education and Training System;

10 (iv) Fire and Rescue Institute; and

11 (v) Any other center, component, or institute established and  
12 operated by the [University] SYSTEM in accordance with its mission.

13 (6) "University" or "University of Maryland" OR "UNIVERSITY OF  
14 MARYLAND SYSTEM" means the University [of Maryland] System OF MARYLAND.

15 **Article 1 - Rules of Interpretation**

16 31.

17 In this Code, unless the context requires otherwise, all references to the "University  
18 of Maryland" mean the University [of Maryland] System OF MARYLAND established  
19 under Title 12 of the Education Article.

20 **Article 2B - Alcoholic Beverages**

21 6-201.

22 (r) (12) (iv) A Class B-ECF/DS license may only be issued to an individual who  
23 is:

24 1. Authorized by the University of Maryland [at College Park],  
25 COLLEGE PARK to act on its behalf under this license and be subject to the conditions,  
26 restrictions, and penalties under this article; and

27 (ix) The Board:

28 4. Shall require the Department of Dining Services of the  
29 University of Maryland [at College Park], COLLEGE PARK to report to the Board at  
30 least 5 days in advance of all University-related catered functions at which beer, wine, or  
31 liquor is intended to be sold or served; and

32 **Article 27 - Crimes and Punishments**

33 681A.

34 (b) (1) The Advisory Committee shall consist of the following members or their  
35 respective designees:

6

1 (vi) The Chancellor of the University [of Maryland] System OF  
2 MARYLAND;

3 **Article 41 - Governor - Executive and Administrative Departments**

4 4-201.

5 (b) There is hereby established in the Department of Public Safety and  
6 Correctional Services, a Police Training Commission whose membership shall consist of  
7 the following persons:

8 (1) The President of the Maryland Chiefs of Police Association; the  
9 President of the Maryland Sheriffs Association; the President of the Maryland Law  
10 Enforcement Officers, Inc.; the Attorney General of the State of Maryland; the Secretary  
11 of the State Police; the Commissioner, Baltimore City Police Department; the Chancellor  
12 of the University [of Maryland] System OF MARYLAND; the agent in charge of the  
13 Baltimore office of the F.B.I.; the President of the Eastern Shore Police Association; a  
14 representative of the Maryland State Lodge of Fraternal Order of Police; the Deputy  
15 Secretary of Public Safety and Correctional Services; and three police officials of the  
16 State to be appointed by the Secretary of Public Safety and Correctional Services, with  
17 the approval of the Governor, and with the advice and consent of the Senate, to represent  
18 the State geographically, the appointments to be made for a three-year term provided  
19 that, for the first term, one official shall be appointed for a term of one year, one for a  
20 term of two years, and one for a term of three years.

21 18-307.

22 (b) The Task Force consists of the following 17 members:

23 (6) The Dean of Agriculture of the University of Maryland [at College  
24 Park], COLLEGE PARK, or the Dean's designee; and

25 **Article 43C - Maryland Health and Higher Educational Facilities Authority**

26 3.

27 As used in this article, the following words and terms shall have the following  
28 meanings unless the context indicates another or different meaning or intent:

29 (h) (2) "Hospital" includes:

30 (i) Nonprofit comprehensive health centers providing out-patient  
31 primary health services available to the general public, but does not include any facility as  
32 described in this item which is owned and operated by the State, except that with the  
33 approval of the Board of Public Works and the Joint Budget and Audit Committee of the  
34 General Assembly the term includes medical or health care facilities of the University [of  
35 Maryland] System OF MARYLAND;

7

1                   **Article 65 - Militia**

2 12A.

3                   (a) (2) "Institution" means any campus of the University [of Maryland] System  
4 OF MARYLAND, any community college established pursuant to Title 16 of the Education  
5 Article, Morgan State University, or St. Mary's College.

6                   **Article 83A - Department of Business and Economic Development**

7 3-301.

8                   (b) In furtherance of the purpose set forth in subsection (a) of this section, the  
9 Office shall:

10                   (3) Coordinate its programs with the Departments of Agriculture,  
11 Environment, and Transportation, the University [of Maryland] System OF MARYLAND,  
12 and other appropriate federal, State, local, and private agencies and organizations;

13                   **Article - Agriculture**

14 2-203.

15                   (a) The Commission has 24 members. One member is ex officio and is the  
16 principal administrative official for agricultural affairs at the University [of Maryland]  
17 System OF MARYLAND as designated by the Chancellor of the University. The Governor  
18 appoints the remaining 23 members as follows:

19                   (1) Two from a list of at least four nominees representing the dairy industry;

20                   (2) Two from a list of at least four nominees representing the poultry  
21 industry;

22                   (3) One from a list of at least two nominees representing the livestock  
23 industry;

24                   (4) One from a list of at least two nominees representing the tobacco  
25 industry;

26                   (5) One from a list of at least two nominees representing the nursery  
27 industry;

28                   (6) One from a list of at least two nominees representing the horticulture  
29 industry;

30                   (7) One from a list of at least two nominees representing the field crops  
31 industry;

32                   (8) One from a list of at least two nominees representing the vegetable  
33 industry;

34                   (9) One from a list of at least two nominees representing the veterinary  
35 profession;

36                   (10) One from a list of at least two nominees of the Maryland State Grange;

8

1 (11) One from a list of at least two nominees of the Maryland Farm Bureau;

2 (12) Two without nomination appointed at large from services related to  
3 agriculture;

4 (13) One from a list of at least two nominees representing the turf industry;

5 (14) One from a list of at least two nominees representing the  
6 horse-breeding industry;

7 (15) One from a list of at least two nominees representing the food  
8 processing industry;

9 (16) One without nomination appointed at large from the general public to  
10 be the consumer member;

11 (17) One from a list of at least two nominees representing the organic  
12 farming industry;

13 (18) One from a list of at least two nominees representing direct farm  
14 marketing;

15 (19) One from a list of at least 2 nominees representing viticulture; and

16 (20) One from a list of at least two nominees representing agriculture  
17 education in primary or secondary schools.

18 3-203.

19 (b) The Secretary may cooperate with the University [of Maryland] System OF  
20 MARYLAND to prepare, test, use, and distribute biological products.

21 7-206.

22 (c) The Authority shall conduct studies and investigations covering each phase of  
23 the production and marketing of tobacco in the State and collaborate with any person or  
24 government agency, including the University [of Maryland] System OF MARYLAND.

25 8-201.

26 (a) The following persons shall serve as members of the Committee:

27 (4) The principal administrative official for agricultural affairs at the  
28 University [of Maryland] System OF MARYLAND as designated by the Chancellor of the  
29 University;

30 10-1302.

31 (b) The Advisory Committee shall consist of 21 members:

32 (6) 1 representative of the College of Agriculture at the University of  
33 Maryland designated by the President of the University of Maryland [College Park],  
34 COLLEGE PARK;



9

1                   **Article - Education**

2 10-101.

3                   (d) "Governing board" means:

4                         (1) The Board of Regents of the University [of Maryland] System OF  
5 MARYLAND;

6                   (j) "Public senior higher education institution" means:

7                         (1) The constituent institutions of the University [of Maryland] System OF  
8 MARYLAND;

9 10-209.

10                   (a) The University [of Maryland] System OF MARYLAND shall provide through  
11 its various campuses and programs a continuum of educational services, including  
12 undergraduate education, graduate education, professional programs, and research.

13                   (b) The goal of the University [of Maryland] System OF MARYLAND is to  
14 achieve and sustain national eminence with each component fulfilling a distinct and  
15 complementary mission.

16                   (c) The University [of Maryland] System OF MARYLAND shall:

17                         (1) Promote excellence at each campus, in accordance with the skills of the  
18 faculty, the needs of the region, and the academic programs offered;

19                         (2) Develop a mission for each campus which builds upon the unique  
20 strength of the campus and embodies a diversity of programs;

21                         (3) Recruit and retain nationally and internationally prominent faculty  
22 members;

23                         (4) Actively pursue research funding and private support; and

24                         (5) Promote economic development by creating a well educated work force  
25 through undergraduate, graduate, and professional education, targeted research,  
26 education extension services, and technical assistance.

27                   (d) (1) The Board of Regents of the University [of Maryland] System OF  
28 MARYLAND shall appoint a Chancellor who shall be the chief executive officer of the  
29 University [of Maryland] System OF MARYLAND and the chief of staff for the Board.  
30 The Chancellor and the staff of the Board shall serve as coordinators and system planners  
31 for the University.

32                         (2) The Chancellor shall:

33                                 (i) Advise the Board of Regents on systemwide policy;

34                                 (ii) Conduct systemwide planning;

35                                 (iii) Coordinate and arbitrate among the institutions and centers of the  
36 University;

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1 (iv) Assist the institutions in achieving performance goals in  
2 accordance with the Accountability Reporting Program; and

3 (v) Provide technical assistance to institutions and centers such as  
4 legal and financial services.

5 (e) Each campus of the University [of Maryland] System OF MARYLAND shall  
6 have a president who is the chief executive officer of the institution.

7 (f) The University [of Maryland] System OF MARYLAND shall:

8 (1) Maintain and enhance the College Park campus as the State's flagship  
9 campus with programs and faculty nationally and internationally recognized for  
10 excellence in research and the advancement of knowledge;

11 (2) Admit as freshmen to the College Park campus highly qualified students  
12 who have academic profiles that suggest exceptional ability;

13 (3) Provide access to the upper division undergraduate level of the College  
14 Park campus for students who have excelled in completing lower division study; and

15 (4) Provide the College Park campus with the level of operating funding and  
16 facilities necessary to place it among the upper echelon of its peer institutions.

17 (g) The University [of Maryland] System OF MARYLAND shall maintain and  
18 enhance a coordinated Higher Education Center for Research and Graduate and  
19 Professional Study, in the Baltimore area. Based on their joint graduate and research  
20 programs, the University of Maryland [at Baltimore], BALTIMORE and the University of  
21 Maryland Baltimore County shall be considered a single research institution for the  
22 purposes of determining peer institutions. Funding guidelines for the professional schools  
23 of the University of Maryland [at Baltimore], BALTIMORE shall be based on peer  
24 comparisons separately established for each school.

25 (h) The University [of Maryland] System OF MARYLAND may recognize  
26 University College as a campus for continuing higher education.

27 10-212.

28 (b) (1) In order to improve the accessibility of businesses to resources of the  
29 public senior higher education institutions of the State, the University [of Maryland]  
30 System OF MARYLAND, Morgan State University, and St. Mary's College, under the  
31 direction of the Governor and in consultation with the Department of Business and  
32 Economic Development, shall develop and implement a Higher Education/Business  
33 Partnerships Program.

34 11-105.

35 (b) (5) (ii) With respect to the constituent institutions of the University [of  
36 Maryland] System OF MARYLAND in the Baltimore region, the Commission shall direct  
37 the Board of Regents of the University of Maryland to maintain and enhance a  
38 coordinated Higher Education Center for Research and Graduate and Professional Study  
39 in the Baltimore area.

11

1 (h) (1) On or before a date set by the Commission, each of the following  
2 governing boards and agencies shall submit to the Commission its annual operating  
3 budget requests and proposals for capital projects, by constituent institutions for the next  
4 fiscal year:

5 (i) The Board of Regents of the University [of Maryland] System OF  
6 MARYLAND;

7 (5) (i) The Governor shall include in the annual budget submission for  
8 fiscal year 1990 an amount of General Fund State support for each public senior higher  
9 education institution equal to at least the following amounts:

10	University of Maryland [College Park], COLLEGE PARK .....	\$217,209,721
11	University of Maryland [at Baltimore], BALTIMORE .....	110,217,600
12	University of Maryland Eastern Shore Campus .....	13,138,500
13	University of Maryland Baltimore County .....	44,462,235
14	Bowie State University.....	13,418,830
15	Coppin State College .....	12,269,200
16	Frostburg State University.....	18,867,480
17	Salisbury State University.....	18,490,340
18	Towson [State] University .....	49,163,579
19	University of Baltimore .....	17,701,280
20	St. Mary's College of Maryland .....	8,521,092
21	Morgan State University .....	26,844,350

22 (l) (2) (iv) Before participating in any interstate agreement under this  
23 subsection, the Commission shall consult with:

24 1. The Board of Regents of the University [of Maryland]  
25 System OF MARYLAND;

26 11-302.

27 (b) (2) (i) In the case of constituent institutions of the University [of  
28 Maryland] System OF MARYLAND, the Chancellor of the University [of Maryland]  
29 System OF MARYLAND shall review the statement prior to its consideration by the Board  
30 of Regents and make recommendations.

31 11-304.

32 (b) (2) In the case of the constituent institutions of the University [of  
33 Maryland] System OF MARYLAND, the Chancellor of the University [of Maryland]  
34 System OF MARYLAND shall review the plan prior to its consideration by the Board of  
35 Regents and make recommendations.

12

1 12-102.

2 (a) The government of the University [of Maryland] System OF MARYLAND is  
3 vested in the Board of Regents of the University [of Maryland] System OF MARYLAND.

4 (e) (2) The student member shall be appointed for a term of 1 year, from July 1,  
5 and may be reappointed if the student remains a student at any campus of the University  
6 [of Maryland] System OF MARYLAND.

7 12-104.

8 (b) The Board of Regents:

9 (1) Is responsible for the management of the University [of Maryland]  
10 System OF MARYLAND and has all the powers, rights, and privileges that go with that  
11 responsibility, including the power to conduct or maintain any institutions, schools, or  
12 departments in the University at the locations the Board determines;

13 (2) May not be superseded in its authority by any other State agency or  
14 office in managing the affairs of the University [of Maryland] System OF MARYLAND or  
15 of any constituent institutions and centers under the Board's jurisdiction; and

16 (g) (3) (i) Title 12, Subtitle 1 of the State Government Article ("Maryland  
17 Tort Claims Act") applies to claims or actions against the University [of Maryland]  
18 System OF MARYLAND and its employees.

19 (ii) Subject to all exclusions and limitations in that subtitle, the  
20 immunity of the University [of Maryland] System OF MARYLAND is waived to the extent  
21 of any insurance coverage purchased under this subsection.

22 (5) Nothing in this subsection shall be construed to waive or abrogate the  
23 immunity of the University [of Maryland] System OF MARYLAND under the Eleventh  
24 Amendment to the United States Constitution.

25 (h) (1) Subject to Title 10, Subtitle 5 of the State Government Article ("Open  
26 Meetings" Law), the Board may make rules and regulations, and prescribe policies and  
27 procedures, for the management, maintenance, operation, and control of the University  
28 [of Maryland] System OF MARYLAND.

29 12-105.

30 (a) In consultation with the institutions and the Chancellor, the Board shall:

31 (2) Review, modify, as necessary, and approve consolidated budget requests  
32 for appropriations for the University [of Maryland] System OF MARYLAND with respect  
33 to:

34 (i) The operating budget; and

35 (ii) The capital budget; and

36 (b) (2) The title to any land acquired by the University [of Maryland] System  
37 OF MARYLAND shall be in the State of Maryland for the use of the University [of  
38 Maryland] System OF MARYLAND.

13

1 (c) (1) The Board may borrow money to acquire interests in personal property,  
2 including fixtures, for the University [of Maryland] System OF MARYLAND, on such  
3 terms and conditions as the Board considers proper.

4 (f) The Legislative Auditor shall audit all expenditures and accounts of the  
5 University [of Maryland] System OF MARYLAND, in accordance with §§ 2-1215 through  
6 2-1222 of the State Government Article.

7 12-106.

8 (a) (1) In consultation with the Presidents of the constituent institutions, the  
9 Chancellor shall develop an overall plan that:

10 (ii) Sets forth both long-range and short-range goals, objectives, and  
11 priorities for postsecondary education, research, and service provided by the University  
12 [of Maryland] System OF MARYLAND and methods and guidelines for achieving and  
13 maintaining them;

14 (iii) Enhances the mission of the University of Maryland [at College  
15 Park], COLLEGE PARK as the State's flagship campus with programs and faculty  
16 nationally and internationally recognized for excellence in research and the advancement  
17 of knowledge;

18 (c) With respect to each institution under its jurisdiction, and subject to the  
19 provisions of Title 11 of this article, in consultation with the Chancellor, the Board shall:

20 (5) Establish and implement:

21 (ii) Cooperative programs among the constituent and other  
22 institutions to assure appropriate flexibility in the University [of Maryland] System OF  
23 MARYLAND; and

24 12-108.

25 (a) (1) The Board of Regents shall appoint a Chancellor of the University [of  
26 Maryland] System OF MARYLAND.

27 (2) The Chancellor is the Chief Executive Officer of the University [of  
28 Maryland] System OF MARYLAND and the Chief of Staff for the Board.

29 12-109.

30 (f) (1) The institutional boards established under subsection (e)(16) of this  
31 section shall be known as boards of visitors. Each board shall submit a report by October  
32 1 of each year to:

33 (ii) The Chairman of the Board of Regents of the University [of  
34 Maryland] System OF MARYLAND;

35 (3) The report of the University of Maryland [College Park], COLLEGE  
36 PARK Board of Visitors shall include:

37 (i) The Board's evaluation of the status of the effort by the University  
38 [of Maryland] System OF MARYLAND and the State in meeting the requirements of the

14

1 Maryland Charter for Higher Education set forth in § 10-209 of this article which require  
2 the University [of Maryland] System OF MARYLAND to:

3 1. Provide the College Park campus with the level of operating  
4 funding and facilities necessary to place it among the upper echelon of its peer  
5 institutions;

6 2. Maintain and enhance the College Park campus as the  
7 State's flagship campus with programs and faculty nationally and internationally  
8 recognized for excellence in research and the advancement of knowledge;

9 3. Admit as freshmen to the College Park campus highly  
10 qualified students who have academic profiles that suggest exceptional ability; and

11 4. Provide access to the upper division undergraduate level of  
12 the College Park campus for students who have excelled in completing lower division  
13 study; and

14 (ii) A status report on the University's effort to achieve national  
15 eminence;

16 (iii) A status report on success in attaining federal research grants,  
17 private gifts, and other sources of nonstate revenue; and

18 (iv) Other matters in support of institutional priorities as determined  
19 by the Board.

20 12-110.

21 (a) (1) Upon the recommendation of the Chancellor who shall consult with the  
22 presidents, the Board of Regents shall establish general standards and guidelines  
23 governing the appointment, compensation, advancement, tenure, and termination of all  
24 faculty and administrative personnel in the University [of Maryland] System OF  
25 MARYLAND.

26 12-111.

27 (a) Except as otherwise provided by law, appointments of the University [of  
28 Maryland] System OF MARYLAND are not subject to or controlled by the provisions of  
29 the State Personnel and Pensions Article that govern the State Personnel Management  
30 System.

31 13-103.

32 (b) (2) The Director:

33 (i) Shall report directly to the President of the University of Maryland  
34 [at College Park], COLLEGE PARK; and

35 13-207.

36 (a) The defense of sovereign immunity may not be available to the University,  
37 unless otherwise specifically provided by the laws of Maryland, in any administrative,  
38 arbitration, or judicial proceeding held pursuant to this section, to the rules and  
39 regulations of the Secretary of Budget and Management, or the personnel policies, rules,

15

1 and regulations for classified employees of the University [of Maryland] System OF  
2 MARYLAND involving any type of employee grievance or hearing, including, but not  
3 limited to charges for removal, disciplinary suspensions, involuntary demotions, or  
4 reclassifications.

5 13-301.

6 (r) "President" means the President of the University of Maryland [at  
7 Baltimore], BALTIMORE.

8 13-304.

9 (c) (8) The nonvoting members shall be, ex officio, the Chancellor of the  
10 University [of Maryland] System OF MARYLAND, the President, the Chief Executive  
11 Officer, the Dean of the School of Medicine, the President of the medical staff  
12 organization of the medical system, and the Associate Director of nursing services for the  
13 medical system.

14 13-401.

15 (d) "Montebello assets" means all assets allocated to Montebello as shown on the  
16 financial statements of Montebello at the transfer date and as more particularly or  
17 additionally identified or supplemented by the Medical System Corporation and approved  
18 by the Board of Public Works and transferred to the Medical System Corporation and  
19 includes:

20 (3) All personal property at the Montebello site owned by the State except  
21 for personal property owned by the Department of Education or the University of  
22 Maryland [at Baltimore], BALTIMORE.

23 (e) (3) "Montebello liabilities" does not include any liabilities whenever  
24 asserted, incurred, or arising in connection with Montebello University employees or their  
25 employment by the University [of Maryland] System OF MARYLAND prior to the  
26 transfer date.

27 (g) "Montebello University employees" means those employees of the University  
28 [of Maryland] System OF MARYLAND who work at Montebello and who are paid by the  
29 Medical System Corporation.

30 13-404.

31 (f) The value of any unused annual leave accrued by the Montebello University  
32 employees shall be computed as of the transfer date, and the State shall pay the Medical  
33 System Corporation the value of that leave. Upon the request of an employee, the  
34 Medical System Corporation shall pay each Montebello University employee the value of  
35 such leave, permit each Montebello University employee to take such leave, or permit a  
36 combination of pay for such leave and use of such leave. In no event may a Montebello  
37 University employee, whether transferring to a University [of Maryland] System OF  
38 MARYLAND position outside of Montebello, a State position, or a Medical System  
39 Corporation position or leaving for a position elsewhere, not receive time off, credit for  
40 future time off, or pay for such unused annual leave accrued as of the transfer date and  
41 still unused and unpaid as of the date of transfer to another University [of Maryland]  
42 System OF MARYLAND position or to a State position or as of the date of departure from

16

1 Montebello. If a Montebello University employee transfers to a University [of Maryland]  
2 System OF MARYLAND position outside of Montebello or to a State position before being  
3 paid for or using annual leave accrued as of the transfer date, the Medical System  
4 Corporation shall transfer funds to the University [of Maryland] System OF MARYLAND  
5 or to the State, as appropriate, equal to unpaid accrued annual leave.

6 13-501.

7 (d) "Board of Regents" means the Board of Regents of the University [of  
8 Maryland] System OF MARYLAND.

9 (j) "University" means the University of Maryland [at Baltimore], BALTIMORE.

10 13-503.

11 (b) The Institute is an independent agency located at the University of Maryland  
12 [at Baltimore], BALTIMORE.

13 13-505.

14 (a) (2) Of the 11 members:

15 (ii) One shall be a representative of the University of Maryland [at  
16 Baltimore], BALTIMORE, nominated by the Board of Regents;

17 13-513.

18 (f) Subject to the approval of the Governor, the President of the University of  
19 Maryland [at Baltimore], BALTIMORE shall appoint the Director of the Study Center.  
20 The Governor shall have 60 days to approve the appointment. If the Governor has not  
21 acted within 60 days of being notified of the appointed director, the appointed director  
22 shall be deemed approved.

23 (g) The University of Maryland [at Baltimore], BALTIMORE shall receive  
24 indirect cost recoveries as stipulated in grants received by the National Study Center.

25 (h) The University [of Maryland] System OF MARYLAND may not transfer funds  
26 for the Study Center to any other program or purpose.

27 13-701.

28 (a) (3) "Institution" means any constituent institution of the University [of  
29 Maryland] System OF MARYLAND.

30 13-702.

31 (a) Any currency or item of tangible personal property lost or abandoned on  
32 property owned, leased, operated by, or under the control of the University [of  
33 Maryland] System OF MARYLAND and unclaimed for 1 year becomes the property of the  
34 University [of Maryland] System OF MARYLAND and the Board of Regents may  
35 establish procedures to dispose of the property in the best interests of the State.

36 (c) Notwithstanding subsection (a) of this section, any person who finds any  
37 currency or item of tangible personal property lost or abandoned on property owned,  
38 leased, operated by, or under the control of the University [of Maryland] System OF



17

1 MARYLAND and brings the currency or item to the University in order that the University  
2 can find the true owner, has a superior claim as to the University to the unclaimed  
3 currency or item, if the claim is preserved within 30 days following the 1-year period in  
4 subsection (a) of this section.

5 17-302.

6 (c) Payments by the State under this subtitle may not exceed:

7 (2) \$1,250,000 each to the University of Maryland [College Park],  
8 COLLEGE PARK and the University of Maryland [at Baltimore], BALTIMORE; and

9 18-304.

10 (b) (2) (ii) The amount of a Guaranteed Access Grant shall be equal to 100  
11 percent of the student's financial need as determined by the State Scholarship  
12 Administration, not to exceed the equivalent annual expenses of a full-time resident  
13 undergraduate at the University of Maryland [at College Park], COLLEGE PARK.

14 18-506.

15 (a) As an alternative to the scholarship awards authorized by §§ 18-503 through  
16 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section,  
17 during each year in office each Delegate may award scholarships in a total amount equal  
18 to four times the tuition and mandatory fees for a full-time undergraduate student  
19 enrolled at the University of Maryland [at College Park], COLLEGE PARK for the  
20 academic year commencing in that year.

21 18-601.

22 (e) A scholarship awarded under this section:

23 (2) May not exceed the equivalent annual tuition and mandatory fees of a  
24 resident undergraduate student at the University of Maryland [College Park], COLLEGE  
25 PARK.

26 18-603.

27 (b) Any career or volunteer fire fighter, ambulance or rescue squad member shall  
28 receive full and complete reimbursement by the Administration for tuition costs not to  
29 exceed the resident tuition rates at the University of Maryland [at College Park],  
30 COLLEGE PARK for courses credited toward a degree in fire service technology or  
31 emergency medical technology.

32 18-702.

33 (a) In this section the following words have the meanings indicated.

34 (1) "School of medicine" means the School of Medicine of the University  
35 [of Maryland] System OF MARYLAND.

36 18-703.

37 (e) (1) For a full-time student, the annual amount of tuition assistance shall be  
38 equal to the cost of tuition, mandatory fees, and room and board, not to exceed the lesser

18

1 of costs incurred for the program required for teacher certification in an area of critical or  
2 geographic shortage or the sum of these costs for a full-time undergraduate in-state  
3 resident student at the University of Maryland [College Park], COLLEGE PARK.

4 (2) For a part-time student, the amount of an award may not exceed the  
5 applicable cost of tuition and mandatory fees for a comparable undergraduate in-state  
6 student at the University of Maryland [College Park], COLLEGE PARK.

7 18-901.

8 (a) There is a program of fellowships for postgraduate work in the Graduate  
9 School of the University of Maryland [at College Park], COLLEGE PARK known as the  
10 Judith A. Resnik Memorial Postgraduate Fellowship Program.

11 18-1004.

12 (c) (2) The Secretary of Higher Education, the Executive Director of the State  
13 Scholarship Administration, and the Chancellor of the University [of Maryland] System  
14 OF MARYLAND, or their designees, are ex officio members of the Board.

15 18-1703.

16 (b) (2) The Advisory Board is composed of the following 5 members appointed  
17 by the Secretary:

18 (ii) 1 representative of the Board of Regents of the University [of  
19 Maryland] System OF MARYLAND;

20 19-101.

21 (e) "Board" means the Board of Regents of the University [of Maryland] System  
22 OF MARYLAND, the Board of Regents of Morgan State University, the Board of Trustees  
23 of St. Mary's College of Maryland, or the Board of Trustees of Baltimore City Community  
24 College.

25 (k) "Resolution" means a resolution adopted by a majority of the members of the  
26 Board of Regents of the University [of Maryland] System OF MARYLAND, the Board of  
27 Regents of Morgan State University, the Board of Trustees of St. Mary's College of  
28 Maryland, or the Board of Trustees of Baltimore City Community College.

29 (m) "System" means the University [of Maryland] System OF MARYLAND,  
30 Morgan State University, St. Mary's College of Maryland, or Baltimore City Community  
31 College.

32 19-102.

33 (c) (1) Except as provided in paragraph (3) of this subsection, the aggregate  
34 principal amount of bonds outstanding and the present value of capital lease payments,  
35 less the amount of any reserve fund or sinking fund requirement established for the bonds  
36 or capital leases, may not exceed, as of the date of issue of the bonds, the following:

37 (i) \$647,304,260 for the University [of Maryland] System OF  
38 MARYLAND;

19

1 24-401.

2 (b) The Board of Regents of the University [of Maryland] System OF  
3 MARYLAND has established at Bowie State University a State Center for Alternative  
4 Dispute Resolution and Violence Prevention. The Maryland General Assembly hereby  
5 recognizes that Center.

6 **Article - Environment**

7 2-202.

8 (a) (2) Of the Council members:

9 (vii) 4 shall be appointed 1 each from lists of 3 qualified individuals  
10 submitted to the Secretary by:

11 4. The Chancellor of the University [of Maryland] System OF  
12 MARYLAND; and

13 3-202.

14 (a) (2) Of the 5 Council members:

15 (iii) 1 shall be appointed from a list of at least 3 qualified individuals  
16 submitted to the Secretary by the Chancellor of the University [of Maryland] System OF  
17 MARYLAND; and

18 9-306.

19 (a) (2) Of the Board members:

20 (i) 1 shall be appointed from a list of at least 3 qualified individuals  
21 submitted to the Governor by the Chancellor of the University [of Maryland] System OF  
22 MARYLAND;

23 **Article - Health - General**

24 18-213.

25 (a) (3) "Law enforcement officer" means any person who, in an official  
26 capacity, is authorized by law to make arrests and who is a member of one of the following  
27 law enforcement agencies:

28 (vi) The police department, bureau, or force of any bicounty agency or  
29 constituent institution of the University [of Maryland] System OF MARYLAND, Morgan  
30 State University, St. Mary's College, or of any institution under the jurisdiction of the  
31 Maryland Higher Education Commission;

32 18-213.2.

33 (a) (8) "Law enforcement officer" means any individual who, in an official  
34 capacity, is authorized by law to make arrests and who is a member of one of the following  
35 law enforcement agencies:

36 (vi) The police department, bureau, or force of any bicounty agency or  
37 constituent institution of the University [of Maryland] System OF MARYLAND, Morgan

20

1 State University, St. Mary's College, or of any institution under the jurisdiction of the  
2 Maryland Higher Education Commission;

3 **Article - Labor and Employment**

4 11-506.

5 The Governor's plan shall include but not be limited to:

6 (8) provisions to maximize the utilization of existing State, local, and private  
7 institutions and organizations which have demonstrated effectiveness in the provision of  
8 employment and training programs (which include but are not limited to public schools,  
9 including career and technology education centers, community colleges, State approved  
10 proprietary schools, State colleges and universities, the University [of Maryland] System  
11 OF MARYLAND, and business and industry).

12 **Article - Natural Resources**

13 Subtitle 4. INSTITUTE FOR Environmental [and Estuarine] Studies.

14 3-401.

15 The [Center for Environmental and Estuarine Studies] UNIVERSITY OF  
16 MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES, a branch of the University  
17 [of Maryland] System OF MARYLAND, is designated to encompass the functions of the  
18 Natural Resources Institute and the additions set forth in this subtitle.

19 3-402.

20 The [Center for Environmental and Estuarine Studies] UNIVERSITY OF  
21 MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES shall be under the  
22 supervision, direction, and control of the board of regents of the University [of  
23 Maryland] System OF MARYLAND. Academic rank and faculty status may be assigned to  
24 the director and qualified personnel staff members.

25 3-403.

26 (a) The [Center for Environmental and Estuarine Studies] UNIVERSITY OF  
27 MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES shall conduct a  
28 comprehensive program to develop and apply predictive ecology for Maryland to the  
29 improvement and preservation of the physical environment, through a program of  
30 research, public service, and education. The [Center for Environmental and Estuarine  
31 Studies] UNIVERSITY OF MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES  
32 shall perform the following functions:

33 (1) Maintain liaison with the State to identify the important regional and  
34 environmental problems, including the relationship to the use of the waters of the State  
35 and in particular those environmental problems affecting the waters of the Chesapeake  
36 Bay;

37 (2) Inventory appropriate:

38 (i) Professional individuals;

21

1 (ii) Organizations which are private, public, and commercial;

2 (iii) Facilities; and

3 (iv) Programs, including:

4 1. Educational;

5 2. Research and development; and

6 3. Public service;

7 (3) Arrange or prepare critical reviews, analyses, summaries of present  
8 levels of understanding and technical status reports on topical environmental problems,  
9 in formats ranging in depth from informal consultation to formal reports;

10 (4) Assist the development and coordination of single or multidisciplinary  
11 programs and projects on the environment at public and private educational and research  
12 institutes;

13 (5) Develop and promote environmental educational programs in the State;

14 (6) Conduct environmental research programs;

15 (7) Implement a program of environmental education to include  
16 participation in undergraduate and graduate collegiate programs, assist public and private  
17 educational systems, and participate in the education of the public and environmental  
18 fields;

19 (8) Perform other acts of public service relating to the environment in the  
20 best interest of the citizens of the State; and

21 (9) Implement the application of the institutional and physical resources of  
22 the University to the needs of State agencies in environmental matters.

23 (b) The [Center for Environmental and Estuarine Studies] UNIVERSITY OF  
24 MARYLAND INSTITUTE FOR ENVIRONMENTAL STUDIES staff may collect any animal,  
25 plant, and other sample and use any collection device, technique, and seizure necessary  
26 for and pertinent to its research, public service and education program.

27 4-306.

28 Article III.

29 Commission Powers and Duties

30 Section 7. The commission may call upon the resources and assistance of the  
31 Virginia fisheries laboratory, the University [of Maryland] System OF MARYLAND, and  
32 all other agencies, institutions, and departments of Maryland and Virginia which shall  
33 cooperate fully with the commission upon such request.

22

1 **Article - State Finance and Procurement**

2 2-105.

3 On or before January 10 of each year, each unit of the State government, including  
4 the University [of Maryland] System OF MARYLAND, that is using nonbudgeted or  
5 dedicated funds for a capital construction project shall submit, subject to § 2-1312 of the  
6 State Government Article, to the Joint Budget and Audit Committee a detailed report on  
7 the use of those funds.

8 3-401.

9 (a) This subtitle does not apply to changes relating to or the purchase, lease, or  
10 rental of information technology by:

11 (1) the University College of the University [of Maryland] System OF  
12 MARYLAND for use in University College overseas programs;

13 (2) public institutions of higher education solely for academic or research  
14 purposes; or

15 (3) the Maryland Port Administration.

16 (b) Notwithstanding any other provision of law, except as provided in subsection  
17 (a) of this section, this subtitle applies to all units of the Executive Branch of State  
18 government including the University [of Maryland] System OF MARYLAND and all other  
19 institutions of higher education.

20 3-407.

21 (a) (2) Of the members of the Board:

22 (i) 14 shall be the Secretary or the Secretary's designee of the  
23 following departments or agencies, who serve as ex officio members:

24 5. the University [of Maryland] System OF MARYLAND;

25 3-602.

26 (c) Each request for a capital project by a unit of the State government, including  
27 the University [of Maryland] System OF MARYLAND, shall include a detailed list of all  
28 proposed expenditures for capital improvements to be funded from grants or  
29 nonbudgeted revenues.

30 3-703.

31 (b) The provisions of this subtitle may not preempt the authority of the University  
32 [of Maryland] System OF MARYLAND or the Maryland Public Broadcasting Commission  
33 to own, operate, or manage telecommunication systems, services, or equipment.

34 3-704.

35 Telecommunications, including those of the University [of Maryland] System OF  
36 MARYLAND and Maryland Public Broadcasting System, shall be consistent with statewide  
37 information technology policies and standards and the statewide information technology  
38 master plan.

23

1 4-209.

2           The Department of General Services, the Department of Transportation, and the  
3 University [of Maryland] System OF MARYLAND shall reserve a reasonable amount of  
4 space in State buildings under their control, subject to regulations adopted by the Board  
5 of Public Works, so that any law enforcement agency or State recognized nonprofit  
6 advocacy group for abducted children can display the picture of a child abducted in a  
7 noncustody-related abduction in the reserved space.

8 4-401.

9           (d) "Public improvement" includes any construction, maintenance, or repair of  
10 any building, structure, or other public work:

11                   (1) owned or constructed by the State or any unit of the State government,  
12 including the University [of Maryland] System OF MARYLAND; or

13 4-402.

14           (a) (2) Except as provided in §§ 4-406, 4-410, and 4-410.1 of this subtitle or as  
15 otherwise provided by law, the University [of Maryland] System OF MARYLAND,  
16 Morgan State University, and St. Mary's College of Maryland are subject to the provisions  
17 of this subtitle.

18 4-406.

19           (a) (4) With respect to any engineering question or a matter concerning a public  
20 improvement, the Department shall advise the University [of Maryland] System OF  
21 MARYLAND and Morgan State University in accordance with the provisions of § 4-410 of  
22 this subtitle.

23 4-410.

24           (a) This section applies to any public improvement project of the University [of  
25 Maryland] System OF MARYLAND and Morgan State University.

26           (b) For purposes of this section, the University [of Maryland] System OF  
27 MARYLAND consists of the constituent institutions and centers specified in § 12-101 of  
28 the Education Article.

29           (c) In this section, "University" means the University [of Maryland] System OF  
30 MARYLAND and Morgan State University.

31 7-212.

32           (a) This section applies only to the following governing boards:

33                   (2) the Board of Regents of the University [of Maryland] System OF  
34 MARYLAND; and

35 8-112.

36           (a) The Committee shall review on a continuing basis the size and condition of  
37 the State tax supported debt as well as other debt of State units, including the University

24

1 [of Maryland] System OF MARYLAND, Morgan State University, St. Mary's College of  
2 Maryland, and the Baltimore City Community College.

3 (c) In making the estimate, the Committee shall consider:

4 (8) the amount of issuances, debt outstanding, and debt service requirement  
5 of other classes of State tax supported debt as well as other debt of State units, including  
6 the University [of Maryland] System OF MARYLAND, Morgan State University, St.  
7 Mary's College of Maryland, and the Baltimore City Community College.

8 (e) (1) In addition to its other duties under this section, the Committee shall  
9 review on a continuing basis the size and condition of any debt of the University [of  
10 Maryland] System OF MARYLAND, Morgan State University, St. Mary's College of  
11 Maryland, and the Baltimore City Community College.

12 (3) At the same time that the Committee makes its report as required under  
13 paragraph (b) of this section, the Committee shall submit to the Governor and the  
14 General Assembly the Committee's estimate of the amount of new bonds for academic  
15 facilities that prudently may be authorized in the aggregate for the next fiscal year by the  
16 University [of Maryland] System OF MARYLAND, Morgan State University, and St.  
17 Mary's College of Maryland.

18 11-101.

19 (l) "Primary procurement units" means:

20 (5) the University [of Maryland] System OF MARYLAND;

21 12-105.

22 (c) (1) The Council consists of the following nine members:

23 (ii) the Chancellor of the University [of Maryland] System OF  
24 MARYLAND;

25 12-107.

26 (b) Subject to the authority of the Board, jurisdiction over procurement is as  
27 follows:

28 (5) the University [of Maryland] System OF MARYLAND, without the  
29 approval of any of the other primary procurement units, may engage in the procurement  
30 of:

31 (i) supplies for the University, including motor vehicles and, to the  
32 extent provided by Title 3, Subtitle 4 of this article, information processing supplies, but  
33 excluding insurance;

34 (ii) services for the University, including information processing  
35 services to the extent provided in Title 3, Subtitle 4 of this article, but excluding banking  
36 and financial services under the authority of the State Treasurer under item (1) of this  
37 subsection;



25

1 (iii) construction and construction related services for the University,  
2 regardless of the source of funds, to the extent that the Board grants authority over  
3 specific projects or classes of projects; and

4 (iv) leases of real property for the University if the lease payments are  
5 not paid from the General Fund of the State;

6 12-202.

7 (b) Before execution, a contract for a capital expenditure other than in  
8 connection with a State correctional facility, St. Mary's College of Maryland, or the  
9 University [of Maryland] System OF MARYLAND shall be:

10 (1) reviewed by the Secretary of General Services; and

11 (2) except as provided in § 12-203 of this subtitle and § 13-108 of this  
12 article, after that review, approved by the Board.

13 (d) Before execution, a contract for a capital expenditure in connection with the  
14 University [of Maryland] System OF MARYLAND shall be:

15 (1) subject to the provisions of Title 4, Subtitle 4 of this article;

16 (2) approved by the Board of Regents of the University [of Maryland]  
17 System OF MARYLAND; and

18 (3) approved by the Board of Public Works.

19 13-103.

20 (a) (2) Subject to subsection (b) of this section, an invitation for bids shall  
21 include:

22 (iv) if the Secretary of General Services, the Secretary of  
23 Transportation, or the Chancellor of the University [of Maryland] System OF  
24 MARYLAND has so designated, the small business preference.

25 14-202.

26 (a) This subtitle applies to procurement of supplies, services, and construction  
27 related services by:

28 (3) the University [of Maryland] System OF MARYLAND; and

29 14-203.

30 (a) By regulation, the Secretary of General Services, the Secretary of  
31 Transportation, and the Chancellor of the University [of Maryland] System OF  
32 MARYLAND each shall specify the criteria that a business must meet to qualify as a small  
33 business.

34 14-204.

35 The Secretary of General Services, the Secretary of Transportation, and the  
36 Chancellor of the University [of Maryland] System OF MARYLAND each shall adopt  
37 regulations to establish procedures for:

26

1 (1) compiling and maintaining a comprehensive bidder's list of small  
2 businesses;

3 (2) locating potential sources for various construction related services,  
4 supplies, and services and affirmatively seeking to locate potential minority business  
5 enterprise sources for those construction related services, supplies, and services;

6 (3) helping small businesses to comply with the procedures for bidding on  
7 procurement contracts;

8 (4) examining requests for construction related services, supplies, and  
9 services to determine when an invitation for bids may be designated for the Small  
10 Business Preference Program;

11 (5) bidding for a procurement contract designated for a small business  
12 preference;

13 (6) simplifying procurement specifications and terms, to increase the  
14 opportunities for small business participation;

15 (7) investigating the responsibility of bidders on small business preferences;  
16 and

17 (8) explaining to a small business the reason for which its bid for a small  
18 business preference was rejected.

19 14-205.

20 The Department of Business and Economic Development shall help the Secretaries  
21 of General Services and Transportation and the Chancellor of the University [of  
22 Maryland] System OF MARYLAND in establishing procedures to carry out § 14-204(1)  
23 and (2) of this subtitle.

24 14-206.

25 (b) Subject to the approval of the Board, the Secretary of General Services, the  
26 Secretary of Transportation, and the Chancellor of the University [of Maryland] System  
27 OF MARYLAND each:

28 (1) shall establish a percentage preference, not to exceed 5%, for each  
29 industry; and

30 (2) may vary the percentage preference among industries to account for  
31 their particular characteristics.

32 14-207.

33 (a) The Secretary of General Services, the Secretary of Transportation, and the  
34 Chancellor of the University [of Maryland] System OF MARYLAND each may designate,  
35 for the Small Business Preference Program, procurement of certain supplies, services, or  
36 construction related services that have been requested through or with the approval of the  
37 Secretary or Chancellor.

38 (c) The Secretary of General Services, the Secretary of Transportation, or the  
39 Chancellor of the University [of Maryland] System OF MARYLAND shall award a

27

1 procurement contract designated for a small business preference to the small business  
2 that:

3 (1) is a responsible bidder; and

4 (2) submits the lowest responsive bid from a small business if the difference  
5 between that bid and the lowest responsive bid submitted by a responsible bidder who is  
6 not a small business does not exceed the percentage preference established under §  
7 14-206 of this subtitle.

8 14-208.

9 (a) Within 90 days after the end of each fiscal year, the Secretary of General  
10 Services, the Secretary of Transportation, and the Chancellor of the University [of  
11 Maryland] System OF MARYLAND each shall submit a report on the operation and  
12 effectiveness of the Small Business Preference Program to the Board.

13 14-405.

14 (b) No later than January 1, 1994, the Board shall adopt regulations that require  
15 the Secretary of General Services, the Secretary of Transportation, and the Chancellor of  
16 the University [of Maryland] System OF MARYLAND to establish a percentage price  
17 preference, not to exceed 5%, for the purchase of products made from recycled materials.

18 **Article - State Government**

19 9-603.

20 (b) The Trust shall consist of the following advisor nonvoting members:

21 (7) the Chairman of the History Department of the University of Maryland  
22 [at College Park], COLLEGE PARK;

23 9-1003.

24 The Commission consists of the following 11 members:

25 (10) the Chancellor of the University [of Maryland] System OF MARYLAND  
26 or a designee; and

27 12-101.

28 (a) In this subtitle, unless the context clearly requires otherwise, "State  
29 personnel" means:

30 (2) an employee or official of the:

31 (v) overseas programs of the University College of the University [of  
32 Maryland] System OF MARYLAND; and

33 15-523.

34 (a) (4) "Educational institution" means:

28

1 (ii) a center or institute of the University [of Maryland] System OF  
2 MARYLAND that is designated in the conflict of interest policies adopted by the system's  
3 board of regents; or

4 (iii) the University [of Maryland] System OF MARYLAND  
5 Administration, for which the chancellor of the system shall be considered the president  
6 for purposes of this section.

7 **Article - State Personnel and Pensions**

8 2-305.

9 (a) This section applies to all employees of all units in the Executive, Judicial, and  
10 Legislative Branches of State government, including all units with independent personnel  
11 systems except for the Department of Transportation and THE University [of Maryland]  
12 System OF MARYLAND.

13 2-402.

14 (a) Except as provided in subsection (b) of this section and notwithstanding any  
15 other law, the Central Payroll Bureau of the Office of the State Comptroller shall provide  
16 for the payment of all wages to:

17 (2) whether or not paid from funds appropriated by the General Assembly,  
18 each officer and employee of:

19 (i) the University [of Maryland] System OF MARYLAND;

20 2-505.

21 (b) The Advisory Council consists of the following 13 members:

22 (2) a representative of each of the following, appointed by the Governor:

23 (iii) the University [of Maryland] System OF MARYLAND  
24 Administration;

25 5-205.

26 (b) Notwithstanding any other provision of this subtitle, the University [of  
27 Maryland] System OF MARYLAND may satisfy any reporting requirement required by  
28 this subtitle or by regulations adopted under this subtitle by submitting to the Secretary  
29 an annual report on the System's equal employment opportunity policies and programs in  
30 such format as is determined by the System's Board of Regents.

31 8-102.

32 (b) (2) In addition, and notwithstanding any other law, the Governor may  
33 include in the Executive Pay Plan any executive management position in a unit in the  
34 Executive Branch with independent pay-setting authority, except a position in the  
35 University [of Maryland] System OF MARYLAND, Morgan State University, or St.  
36 Mary's College.

29

1 9-101.

2 (a) (2) Except as otherwise provided by law, this section applies to all  
3 employees of a State institution of higher education, including the University [of  
4 Maryland] System OF MARYLAND and Morgan State University, but does not apply to  
5 any other unit with an independent personnel system.

6 14-103.

7 Except as otherwise specifically provided by State law, this State, its officers, and its  
8 units may not raise the defense of sovereign immunity in any administrative, arbitration,  
9 or judicial proceeding involving an employee grievance or hearing that is held under:

10 (2) a personnel policy or regulation that governs classified employees of the  
11 University [of Maryland] System OF MARYLAND or Morgan State University.

12 14-201.

13 In this subtitle, "award" means a final monetary or benefit award or judgment in an  
14 administrative, arbitration, or judicial proceeding involving an employee grievance or  
15 hearing that is held under:

16 (2) a personnel policy or regulation that governs classified employees of the  
17 University [of Maryland] System OF MARYLAND or Morgan State University.

18 30-101.

19 (e) "Employing institution" means:

20 (1) the University [of Maryland] System OF MARYLAND;

21 30-301.

22 An individual is eligible to participate in the program if the individual is eligible for  
23 membership in a retirement system or a pension system and is:

24 (3) an employee of the University [of Maryland] System OF MARYLAND  
25 who is not in a position designated to be treated in the same manner as a classified service  
26 employee under § 12-111 of the Education Article;

27 **Article - Transportation**

28 21-803.2.

29 Each county board of education, the Board of School Commissioners of Baltimore  
30 City, the board of trustees for each community college, the board of regents for Morgan  
31 State University, the board of trustees for St. Mary's College, and the board of regents of  
32 the University [of Maryland] System OF MARYLAND may establish appropriate speed  
33 limits for safe travel on property under their jurisdiction. Such speed limits shall be  
34 posted on appropriate signs on the property, and a person may not drive a vehicle on such  
35 property at a speed that exceeds these limits.

36 SECTION 2. AND BE IT FURTHER ENACTED, That in every law, executive  
37 order, rule, regulation, policy, or document created by any official, employee, or unit of  
38 this State, the University of Maryland System is renamed the University System of

30

1 Maryland, that University of Maryland at Baltimore is renamed University of Maryland,  
2 Baltimore, that University of Maryland College Park is renamed University of Maryland,  
3 College Park, that Towson State University is renamed Towson University, and that the  
4 Center for Environmental and Estuarine Studies is renamed the University of Maryland  
5 Institute for Environmental Studies as provided in this Act.

6           SECTION 3. AND BE IT FURTHER ENACTED, That the publishers of the  
7 Annotated Code of Maryland, subject to the approval of the Director of the Department  
8 of Legislative Reference, shall correct any statutory reference that is rendered incorrect  
9 by this Act.

10           SECTION 4. AND BE IT FURTHER ENACTED, That this Act may not be  
11 construed to effect any substantive rights or obligations of these entities that exist as of  
12 the effective date of this Act. Such rights and obligations may be enforced by or against  
13 these entities using the entity name in which the right or obligation was created. This Act  
14 does not affect the validity of any rule, regulation, policy, directive, permit, proposal,  
15 form, plan, contract, appropriation, grant, property interest, administrative or judicial  
16 proceeding, right to sue and be sued, mission statement, bond or other evidence of  
17 indebtedness, or any other duty or responsibility associated with, or any other matter  
18 pending before these entities, all of which shall continue in effect.

19           SECTION 5. AND BE IT FURTHER ENACTED, That the changes made to §  
20 4-306, Article III Section 7 of the Natural Resources Article by this Act may not take  
21 effect until a similar Act is passed by the Commonwealth of Virginia; that the  
22 Commonwealth of Virginia is requested to concur in those changes by passage of a similar  
23 Act; and that upon that event the Governor of the State of Maryland shall issue a  
24 proclamation declaring the changes to this Act valid and effective.

25           SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 1997.