

(PRE-FILED)

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

 Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 28, 1997

 CHAPTER ____

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,

2

1 Article 27 - Crimes and Punishments
 2 Section 681A(b)(1)(vi)
 3 Annotated Code of Maryland
 4 (1996 Replacement Volume)

5 BY repealing and reenacting, with amendments,
 6 Article 41 - Governor - Executive and Administrative Departments
 7 Section 4-201(b)(1) and 18-307(b)(6)
 8 Annotated Code of Maryland
 9 (1993 Replacement Volume and 1996 Supplement)

10 BY repealing and reenacting, with amendments,
 11 Article 43C - Maryland Health and Higher Educational Facilities Authority
 12 Section 3(h)(2)(i)
 13 Annotated Code of Maryland
 14 (1994 Replacement Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,
 16 Article 65 - Militia
 17 Section 12A(a)(2)
 18 Annotated Code of Maryland
 19 (1995 Replacement Volume and 1996 Supplement)

20 BY repealing and reenacting, with amendments,
 21 Article 83A - Department of Business and Economic Development
 22 Section 3-301(b)(3)
 23 Annotated Code of Maryland
 24 (1995 Replacement Volume and 1996 Supplement)

25 BY repealing and reenacting, with amendments,
 26 Article - Agriculture
 27 Section 2-203(a), 3-203(b), 7-206(c), 8-201(a)(4), and 10-1302(b)(6)
 28 Annotated Code of Maryland
 29 (1985 Replacement Volume and 1996 Supplement)

30 BY repealing and reenacting, with amendments,
 31 Article - Education
 32 Section 10-101(d)(1) and (j)(1), 10-209, 10-212(b)(1), 11-105(b)(5)(ii), (h)(1)(i)
 33 and (5)(i) and (l)(2)(iv)1., 11-302(b)(2)(i), 11-304(b)(2), 12-102(a) and
 34 (e)(2), 12-104(b)(1) and (2), (g)(3) and (5), and (h)(1), 12-105(a)(2), (b)(2),
 35 (c)(1), and (f), 12-106(a)(1)(ii) and (iii) and (c)(5)(ii), 12-108(a),
 36 12-109(f)(1)(ii) and (3), 12-110(a)(1), 12-111(a), 13-103(b)(2)(i), 13-207(a),
 37 13-301(r), 13-304(c)(8), 13-401(d)(3), (e)(3), and (g), 13-404(f), 13-501(d)
 38 and (j), 13-503(b), 13-505(a)(2)(ii), 13-513(f), (g), and (h), 13-701(a)(3),
 39 13-702(a) and (c), 17-302(c)(2), 18-304(b)(2)(ii), 18-506(a), 18-601(e)(2),

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1 18-603(b), 18-702(a)(1), 18-703(e), 18-901(a), 18-1004(c)(2),
 2 18-1703(b)(2)(ii), 19-101(e), (k), and (m), 19-102(c)(1)(i), and 24-401(b)
 3 Annotated Code of Maryland
 4 (1997 Replacement Volume)

5 BY repealing and reenacting, with amendments,
 6 Article - Environment
 7 Section 2-202(a)(2)(vii)4., 3-202(a)(2)(iii), and 9-306(a)(2)(i)
 8 Annotated Code of Maryland
 9 (1996 Replacement Volume and 1996 Supplement)

10 BY repealing and reenacting, with amendments,
 11 Article - Health - General
 12 Section 18-213(a)(3)(vi) and 18-213.2(a)(8)(vi)
 13 Annotated Code of Maryland
 14 (1994 Replacement Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,
 16 Article - Labor and Employment
 17 Section 11-506(8)
 18 Annotated Code of Maryland
 19 (1991 Volume and 1996 Supplement)

20 BY repealing and reenacting, with amendments,
 21 Article - Natural Resources
 22 Section 3-401, 3-402, and 3-403 to be under the amended subtitle "Subtitle 4.
 23 ~~Institute for Environmental Studies~~ Center for Environmental Science"; and
 24 4-306 Article III Section 7
 25 Annotated Code of Maryland
 26 (1989 Replacement Volume and 1996 Supplement)

27 BY repealing and reenacting, with amendments,
 28 Article - State Finance and Procurement
 29 Section 2-105, 3-401, 3-407(a)(2)(i)5., 3-602(c), 3-703(b), 3-704, 4-209,
 30 4-401(d)(1), 4-402(a)(2), 4-406(a)(4), 4-410(a), (b), and (c), 7-212(a)(2),
 31 8-112(a), (c)(8), and (e)(1) and (3), 11-101(l)(5), 12-105(c)(1)(ii),
 32 12-107(b)(5), 12-202(b) and (d), 13-103(a)(2)(iv), 14-202(a)(3), 14-203(a),
 33 14-204, 14-205, 14-206(b), 14-207(a) and (c), 14-208(a), and 14-405(b)
 34 Annotated Code of Maryland
 35 (1995 Replacement Volume and 1996 Supplement)

36 BY repealing and reenacting, with amendments,
 37 Article - State Government
 38 Section 9-603(b)(7), 9-1003(10), 12-101(a)(2)(v), and 15-523(a)(4)(ii) and (iii)
 39 Annotated Code of Maryland

4

1 (1995 Replacement Volume and 1996 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - State Personnel and Pensions

4 Section 2-305(a), 2-402(a)(2)(i), 2-505(b)(2)(iii), 5-205(b), 8-102(b)(2),

5 9-101(a)(2), 14-103(2), 14-201(2), 30-101(e)(1), and 30-301(3)

6 Annotated Code of Maryland

7 (1994 Volume and 1996 Supplement)

8 BY repealing and reenacting, with amendments,

9 Article - Transportation

10 Section 21-803.2

11 Annotated Code of Maryland

12 (1992 Replacement Volume and 1996 Supplement)

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

15 **Article - Education**

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

17 12-101.

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

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

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

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

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

29 (4) "Constituent institutions", "institutions", or "campuses" means the
30 following public senior higher education institutions under the jurisdiction of the Board
31 of Regents:

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

34 (ii) University of Maryland Baltimore County;

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

5

- 1 (iv) University of Maryland Eastern Shore;
- 2 (v) University of Maryland University College;
- 3 (vi) Bowie State University;
- 4 (vii) Coppin State College;
- 5 (viii) Frostburg State University;
- 6 (ix) Salisbury State University;
- 7 (x) Towson [State] University; and
- 8 (xi) University of Baltimore.

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

- 11 (i) [Center for Environmental and Estuarine Studies] UNIVERSITY
12 OF MARYLAND ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR
13 ENVIRONMENTAL SCIENCE;
- 14 (ii) Cooperative Extension Service and the Agricultural Experiment
15 Station;
- 16 (iii) Statewide Medical Education and Training System;
- 17 (iv) Fire and Rescue Institute; and
- 18 (v) Any other center, component, or institute established and
19 operated by the [University] SYSTEM in accordance with its mission.

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

22 **Article 1 - Rules of Interpretation**

23 31.

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

27 **Article 2B - Alcoholic Beverages**

28 6-201.

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

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

34 (ix) The Board:

7

1 described in this item which is owned and operated by the State, except that with the
2 approval of the Board of Public Works and the Joint Budget and Audit Committee of the
3 General Assembly the term includes medical or health care facilities of the University [of
4 Maryland] System OF MARYLAND;

5 **Article 65 - Militia**

6 12A.

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

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

11 3-301.

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

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

17 **Article - Agriculture**

18 2-203.

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

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

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

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

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

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

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

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

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

8

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

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

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

5 (12) Two without nomination appointed at large from services related to
6 agriculture;

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

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

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

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

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

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

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

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

21 3-203.

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

24 7-206.

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

28 8-201.

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

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

33 10-1302.

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

9

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

4 **Article - Education**

5 10-101.

6 (d) "Governing board" means:

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

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

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

12 10-209.

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

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

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

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

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

24 (3) Recruit and retain nationally and internationally prominent faculty
25 members;

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

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

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

35 (2) The Chancellor shall:

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

10

1 (ii) Conduct systemwide planning;

2 (iii) Coordinate and arbitrate among the institutions and centers of the
3 University;

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

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

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

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

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

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

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

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

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

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

30 10-212.

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

37 11-105.

38 (b) (5) (ii) With respect to the constituent institutions of the University [of
39 Maryland] System OF MARYLAND in the Baltimore region, the Commission shall direct

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1 the Board of Regents of the University of Maryland to maintain and enhance a
2 coordinated Higher Education Center for Research and Graduate and Professional Study
3 in the Baltimore area.

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

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

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

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

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

27 1. The Board of Regents of the University [of Maryland]
28 System OF MARYLAND;

29 11-302.

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

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1 11-304.

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

6 12-102.

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

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

12 12-104.

13 (b) The Board of Regents:

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

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

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

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

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

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

34 12-105.

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

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

39 (i) The operating budget; and

13

1 (ii) The capital budget; and

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

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

8 (f) The Legislative Auditor shall audit all expenditures and accounts of the
9 University [of Maryland] System OF MARYLAND, in accordance with §§ 2-1215 through
10 2-1222 of the State Government Article.

11 12-106.

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

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

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

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

24 (5) Establish and implement:

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

28 12-108.

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

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

33 12-109.

34 (f) (1) The institutional boards established under subsection (e)(16) of this
35 section shall be known as boards of visitors. Each board shall submit a report by October
36 1 of each year to:

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

14

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

3 (i) The Board's evaluation of the status of the effort by the University
4 [of Maryland] System OF MARYLAND and the State in meeting the requirements of the
5 Maryland Charter for Higher Education set forth in § 10-209 of this article which require
6 the University [of Maryland] System OF MARYLAND to:

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

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

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

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

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

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

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

24 12-110.

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

30 12-111.

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

35 13-103.

36 (b) (2) The Director:

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

15

1 13-207.

2 (a) The defense of sovereign immunity may not be available to the University,
3 unless otherwise specifically provided by the laws of Maryland, in any administrative,
4 arbitration, or judicial proceeding held pursuant to this section, to the rules and
5 regulations of the Secretary of Budget and Management, or the personnel policies, rules,
6 and regulations for classified employees of the University [of Maryland] System OF
7 MARYLAND involving any type of employee grievance or hearing, including, but not
8 limited to charges for removal, disciplinary suspensions, involuntary demotions, or
9 reclassifications.

10 13-301.

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

13 13-304.

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

19 13-401.

20 (d) "Montebello assets" means all assets allocated to Montebello as shown on the
21 financial statements of Montebello at the transfer date and as more particularly or
22 additionally identified or supplemented by the Medical System Corporation and approved
23 by the Board of Public Works and transferred to the Medical System Corporation and
24 includes:

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

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

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

35 13-404.

36 (f) The value of any unused annual leave accrued by the Montebello University
37 employees shall be computed as of the transfer date, and the State shall pay the Medical
38 System Corporation the value of that leave. Upon the request of an employee, the
39 Medical System Corporation shall pay each Montebello University employee the value of
40 such leave, permit each Montebello University employee to take such leave, or permit a
41 combination of pay for such leave and use of such leave. In no event may a Montebello

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1 University employee, whether transferring to a University [of Maryland] System OF
2 MARYLAND position outside of Montebello, a State position, or a Medical System
3 Corporation position or leaving for a position elsewhere, not receive time off, credit for
4 future time off, or pay for such unused annual leave accrued as of the transfer date and
5 still unused and unpaid as of the date of transfer to another University [of Maryland]
6 System OF MARYLAND position or to a State position or as of the date of departure from
7 Montebello. If a Montebello University employee transfers to a University [of Maryland]
8 System OF MARYLAND position outside of Montebello or to a State position before being
9 paid for or using annual leave accrued as of the transfer date, the Medical System
10 Corporation shall transfer funds to the University [of Maryland] System OF MARYLAND
11 or to the State, as appropriate, equal to unpaid accrued annual leave.

12 13-501.

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

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

16 13-503.

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

19 13-505.

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

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

23 13-513.

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

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

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

33 13-701.

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

36 13-702.

37 (a) Any currency or item of tangible personal property lost or abandoned on
38 property owned, leased, operated by, or under the control of the University [of
39 Maryland] System OF MARYLAND and unclaimed for 1 year becomes the property of the

17

1 University [of Maryland] System OF MARYLAND and the Board of Regents may
2 establish procedures to dispose of the property in the best interests of the State.

3 (c) Notwithstanding subsection (a) of this section, any person who finds any
4 currency or item of tangible personal property lost or abandoned on property owned,
5 leased, operated by, or under the control of the University [of Maryland] System OF
6 MARYLAND and brings the currency or item to the University in order that the University
7 can find the true owner, has a superior claim as to the University to the unclaimed
8 currency or item, if the claim is preserved within 30 days following the 1-year period in
9 subsection (a) of this section.

10 17-302.

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

12 (2) \$1,250,000 each to the University of Maryland [College Park],
13 COLLEGE PARK and the University of Maryland [at Baltimore], BALTIMORE; and

14 18-304.

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

19 18-506.

20 (a) As an alternative to the scholarship awards authorized by §§ 18-503 through
21 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section,
22 during each year in office each Delegate may award scholarships in a total amount equal
23 to four times the tuition and mandatory fees for a full-time undergraduate student
24 enrolled at the University of Maryland [at College Park], COLLEGE PARK for the
25 academic year commencing in that year.

26 18-601.

27 (e) A scholarship awarded under this section:

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

31 18-603.

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

37 18-702.

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

18

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

3 18-703.

4 (e) (1) For a full-time student, the annual amount of tuition assistance shall be
5 equal to the cost of tuition, mandatory fees, and room and board, not to exceed the lesser
6 of costs incurred for the program required for teacher certification in an area of critical or
7 geographic shortage or the sum of these costs for a full-time undergraduate in-state
8 resident student at the University of Maryland [College Park], COLLEGE PARK.

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

12 18-901.

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

16 18-1004.

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

20 18-1703.

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

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

25 19-101.

26 (e) "Board" means the Board of Regents of the University [of Maryland] System
27 OF MARYLAND, the Board of Regents of Morgan State University, the Board of Trustees
28 of St. Mary's College of Maryland, or the Board of Trustees of Baltimore City Community
29 College.

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

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

37 19-102.

38 (c) (1) Except as provided in paragraph (3) of this subsection, the aggregate
39 principal amount of bonds outstanding and the present value of capital lease payments,

19

1 less the amount of any reserve fund or sinking fund requirement established for the bonds
2 or capital leases, may not exceed, as of the date of issue of the bonds, the following:

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

5 24-401.

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

10 **Article - Environment**

11 2-202.

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

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

15 4. The Chancellor of the University [of Maryland] System OF
16 MARYLAND; and

17 3-202.

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

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

22 9-306.

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

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

27 **Article - Health - General**

28 18-213.

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

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

20

1 18-213.2.

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

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

9 **Article - Labor and Employment**

10 11-506.

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

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

18 **Article - Natural Resources**

19 Subtitle 4. ~~INSTITUTE CENTER~~ FOR Environmental [and Estuarine] ~~Studies~~ SCIENCE.

20 3-401.

21 The [Center for Environmental and Estuarine Studies] UNIVERSITY OF
22 MARYLAND ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR
23 ENVIRONMENTAL SCIENCE, a branch of the University [of Maryland] System OF
24 MARYLAND, is designated to encompass the functions of the Natural Resources Institute
25 and the additions set forth in this subtitle.

26 3-402.

27 The [Center for Environmental and Estuarine Studies] UNIVERSITY OF
28 MARYLAND ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR
29 ENVIRONMENTAL SCIENCE shall be under the supervision, direction, and control of the
30 board of regents of the University [of Maryland] System OF MARYLAND. Academic
31 rank and faculty status may be assigned to the director and qualified personnel staff
32 members.

33 3-403.

34 (a) The [Center for Environmental and Estuarine Studies] UNIVERSITY OF
35 MARYLAND ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR
36 ENVIRONMENTAL SCIENCE shall conduct a comprehensive program to develop and
37 apply predictive ecology for Maryland to the improvement and preservation of the
38 physical environment, through a program of research, public service, and education. The
39 [Center for Environmental and Estuarine Studies] UNIVERSITY OF MARYLAND

21

1 ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR ENVIRONMENTAL SCIENCE

2 shall perform the following functions:

3 (1) Maintain liaison with the State to identify the important regional and
4 environmental problems, including the relationship to the use of the waters of the State
5 and in particular those environmental problems affecting the waters of the Chesapeake
6 Bay;

7 (2) Inventory appropriate:

8 (i) Professional individuals;

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

10 (iii) Facilities; and

11 (iv) Programs, including:

12 1. Educational;

13 2. Research and development; and

14 3. Public service;

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

18 (4) Assist the development and coordination of single or multidisciplinary
19 programs and projects on the environment at public and private educational and research
20 institutes;

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

22 (6) Conduct environmental research programs;

23 (7) Implement a program of environmental education to include
24 participation in undergraduate and graduate collegiate programs, assist public and private
25 educational systems, and participate in the education of the public and environmental
26 fields;

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

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

31 (b) The [Center for Environmental and Estuarine Studies] UNIVERSITY OF
32 MARYLAND ~~INSTITUTE FOR ENVIRONMENTAL STUDIES~~ CENTER FOR
33 ENVIRONMENTAL SCIENCE staff may collect any animal, plant, and other sample and
34 use any collection device, technique, and seizure necessary for and pertinent to its
35 research, public service and education program.

22

1 4-306.

2 Article III.
3 Commission Powers and Duties

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

8 **Article - State Finance and Procurement**

9 2-105.

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

15 3-401.

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

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

20 (2) public institutions of higher education solely for academic or research
21 purposes; or

22 (3) the Maryland Port Administration.

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

27 3-407.

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

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

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

32 3-602.

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

23

1 3-703.

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

5 3-704.

6 Telecommunications, including those of the University [of Maryland] System OF
7 MARYLAND and Maryland Public Broadcasting System, shall be consistent with statewide
8 information technology policies and standards and the statewide information technology
9 master plan.

10 4-209.

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

17 4-401.

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

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

22 4-402.

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

27 4-406.

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

32 4-410.

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

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

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

24

1 7-212.

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

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

5 8-112.

6 (a) The Committee shall review on a continuing basis the size and condition of
7 the State tax supported debt as well as other debt of State units, including the University
8 [of Maryland] System OF MARYLAND, Morgan State University, St. Mary's College of
9 Maryland, and the Baltimore City Community College.

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

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

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

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

25 11-101.

26 (l) "Primary procurement units" means:

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

28 12-105.

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

30 (ii) the Chancellor of the University [of Maryland] System OF
31 MARYLAND;

32 12-107.

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

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

25

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

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

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

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

13 12-202.

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

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

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

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

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

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

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

26 13-103.

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

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

32 14-202.

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

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

26

1 14-203.

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

6 14-204.

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

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

12 (2) locating potential sources for various construction related services,
13 supplies, and services and affirmatively seeking to locate potential minority business
14 enterprise sources for those construction related services, supplies, and services;

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

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

20 (5) bidding for a procurement contract designated for a small business
21 preference;

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

24 (7) investigating the responsibility of bidders on small business preferences;
25 and

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

28 14-205.

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

33 14-206.

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

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

27

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

3 14-207.

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

9 (c) The Secretary of General Services, the Secretary of Transportation, or the
10 Chancellor of the University [of Maryland] System OF MARYLAND shall award a
11 procurement contract designated for a small business preference to the small business
12 that:

13 (1) is a responsible bidder; and

14 (2) submits the lowest responsive bid from a small business if the difference
15 between that bid and the lowest responsive bid submitted by a responsible bidder who is
16 not a small business does not exceed the percentage preference established under §
17 14-206 of this subtitle.

18 14-208.

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

23 14-405.

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

28 **Article - State Government**

29 9-603.

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

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

33 9-1003.

34 The Commission consists of the following 11 members:

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

28

1 12-101.

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

4 (2) an employee or official of the:

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

7 15-523.

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

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

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

15 **Article - State Personnel and Pensions**

16 2-305.

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

21 2-402.

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

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

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

28 2-505.

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

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

31 (iii) the University [of Maryland] System OF MARYLAND
32 Administration;

33 5-205.

34 (b) Notwithstanding any other provision of this subtitle, the University [of
35 Maryland] System OF MARYLAND may satisfy any reporting requirement required by
36 this subtitle or by regulations adopted under this subtitle by submitting to the Secretary

29

1 an annual report on the System's equal employment opportunity policies and programs in
2 such format as is determined by the System's Board of Regents.

3 8-102.

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

9 9-101.

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

14 14-103.

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

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

20 14-201.

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

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

26 30-101.

27 (e) "Employing institution" means:

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

29 30-301.

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

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

30

1 **Article - Transportation**

2 21-803.2.

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

10 SECTION 2. AND BE IT FURTHER ENACTED, That in every law, executive
11 order, rule, regulation, policy, or document created by any official, employee, or unit of
12 this State, the University of Maryland System is renamed the University System of
13 Maryland, that University of Maryland at Baltimore is renamed University of Maryland,
14 Baltimore, that University of Maryland College Park is renamed University of Maryland,
15 College Park, that Towson State University is renamed Towson University, and that the
16 Center for Environmental and Estuarine Studies is renamed the University of Maryland
17 ~~Institute for Environmental Studies~~ Center for Environmental Science as provided in this
18 Act.

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

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

32 SECTION 5. AND BE IT FURTHER ENACTED, That the changes made to §
33 4-306, Article III Section 7 of the Natural Resources Article by this Act may not take
34 effect until a similar Act is passed by the Commonwealth of Virginia; that the
35 Commonwealth of Virginia is requested to concur in those changes by passage of a similar
36 Act; and that upon that event the Governor of the State of Maryland shall issue a
37 proclamation declaring the changes to this Act valid and effective.

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