

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL NO. 682

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Maryland” insert “; clarifying the duties of the University System of Maryland”; in line 16, after “college;” insert “exempting a student member of the Board of Regents who is a student in good academic standing at the University of Maryland University College from a certain requirement;”; in line 21, after “accountability;” insert “requiring the Board of Regents to include members of the Boards of Visitors in certain activities; prohibiting a member of the Board of Regents from assisting or representing, for compensation, certain persons in certain matters;”; and in line 25, strike “and”.

On page 2, in line 1, strike “Morgan State University”; in line 1, after “law;” insert “requiring certain systems of the University System of Maryland to be functionally compatible with the Financial Management Information System; altering the requirements of an overall plan for the University System of Maryland to include certain priorities, goals, and duties;”; strike beginning with “and” in line 2 down through “University” in line 3; in line 21, strike “certain institutions of higher education” and substitute “the institutions in the University System of Maryland”; strike beginning with “and” in line 23 down through “University” in line 24; strike beginning with “and” in line 28 down through “University” in line 29; strike beginning with the first “and” in line 31 down through “Committee” in line 32; strike beginning with “making” in line 32 down through “legislation” in line 34 and substitute “altering the time period after which certain proposals submitted to the Commission shall be deemed approved”; in line 36, after “review” insert “and approve”; in the same line, strike “actions” and substitute “proposed new programs”; strike beginning with “veto” in line 40 down through “circumstances” in line 42 and substitute “make the final determination on approval of certain proposed new programs for certain reasons”; and in line 44, strike “mission and”.

On page 3, in line 6, strike “Boards” and substitute “Board”; in line 7, strike “and Morgan State University”; in line 11, after “circumstances” insert “; requiring the Board of Regents of the University System of Maryland to establish and implement a certain collective bargaining plan”.

(Over)

contingent on the taking effect of certain legislation"; in line 17, before "12-112," insert "12-104.1"; in the same line, strike ", 14-104(b)(4)"; in line 24, after "Section" insert "10-209(c)"; in line 25, strike "12-111,"; in line 31, after "Section" insert "10-209(a) and (b)"; in the same line, after "(i)" insert a comma; and in line 36, after "4-406," insert "4-410."

On pages 3 and 4, strike in their entirety the lines beginning with line 39 on page 3 through line 3 on page 4, inclusive.

AMENDMENT NO. 2

On page 6, after line 5, insert:

"10-209.

(a) The University System of Maryland shall provide through its various campuses and programs a continuum of educational services, including undergraduate education, graduate education, professional programs, and research.

(b) The goal of the University System of Maryland is to achieve and sustain national eminence with each component fulfilling a distinct and complementary mission.

(c) The University System of Maryland shall:

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

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

(3) Recruit and retain nationally and internationally prominent AND DIVERSE faculty members;

(4) Actively pursue research funding and private support; [and]

(5) Promote economic development by creating a well educated work force

through undergraduate, graduate, and professional education, targeted research, education extension services, and technical assistance[.];

(6) INCREASE ACCESS FOR ECONOMICALLY DISADVANTAGED AND MINORITY STUDENTS;

(7) STIMULATE OUTREACH TO THE COMMUNITY AND THE STATE THROUGH CLOSE RELATIONSHIPS WITH PUBLIC ELEMENTARY AND SECONDARY SCHOOLS , BUSINESS AND INDUSTRY, AND GOVERNMENTAL AGENCIES;

(8) ENCOURAGE COLLABORATION AMONG INSTITUTIONS FOR THE BENEFIT OF THE STUDENTS; AND

(9) ADDRESS AND RESPOND TO CONTINUING HIGHER EDUCATION NEEDS IN ORDER TO MAINTAIN AN EDUCATED WORK FORCE IN THE STATE.”.

On page 6, strike beginning with “, INCLUDING” in line 20 down through “FORDICE” in line 22; and after line 22 insert:

“(III) IN DEVELOPING THE STATE PLAN FOR HIGHER EDUCATION, THE COMMISSION SHALL INCORPORATE THE GOALS AND PRIORITIES FOR HIGHER EDUCATION IDENTIFIED IN THIS DIVISION III AND, FOR THE UNIVERSITY SYSTEM OF MARYLAND, INCLUDING THOSE IDENTIFIED IN §§ 10-209 AND 12-106 OF THIS ARTICLE.”.

On page 8, in line 1, strike “DISAGREE WITH” and substitute “RECOMMEND AGAINST”.

AMENDMENT NO. 3

On page 10, after line 27, insert:

“11-302.

(a) (1) The president of each public institution of higher education is responsible for developing a mission statement.

(2) The president shall submit the mission statement to the institution's governing board.

(3) Upon the direction of the governing board, the president shall update the mission statement at least every [5] 4 years.

(b) (1) The governing board:

(i) Shall review the mission statement and may require the president to prepare a revised mission statement;

(ii) May adopt the mission statement as submitted or with amendments;  
and

(iii) Shall submit the statement to the Commission.

(2) (i) In the case of constituent institutions of the University System of Maryland, the Chancellor of the University System of Maryland shall review the statement prior to its consideration by the Board of Regents and make recommendations.

(ii) Before adopting the mission statements, the Board of Regents shall review the statements individually and on a systemwide basis to assure that:

AND  
1. They are consistent with the Charter and the systemwide plan;

2. [They will not result in unnecessary duplication of academic programs; and

3.] They will promote the efficient and effective use of the institution's and System's resources.

(iii) The Board shall consolidate the statements into an adopted systemwide statement.

(c) (1) The Commission shall review the mission statement TO DETERMINE WHETHER THE MISSION STATEMENT IS CONSISTENT WITH THE STATE PLAN FOR HIGHER EDUCATION.

(2) [The Commission shall approve the statement if the Commission finds that the statement :

(i) Is consistent with the Charter and the statewide plan;

(ii) Will not result in the unreasonable duplication of academic programs;

and

(iii) Will promote the efficient and effective use of the State's higher education resources] THE MISSION STATEMENT SHALL BE DEEMED APPROVED WITHIN 30 DAYS OF RECEIPT UNLESS THE COMMISSION FINDS THE STATEMENT IS NOT CONSISTENT WITH THE STATE PLAN FOR HIGHER EDUCATION.

(3) (i) If the Commission [does not approve] FINDS THAT the statement IS NOT CONSISTENT WITH THE STATE PLAN FOR HIGHER EDUCATION, the Commission shall return the statement together with its objections THAT INCLUDE THE SPECIFIC AREAS OF INCONSISTENCY WITH THE STATE PLAN FOR HIGHER EDUCATION to the governing board.

(ii) The governing board AND THE INSTITUTION PRESIDENT shall negotiate with the Commission and amend the statement or [direct the president of the institution to] prepare a new statement.

11-303.

(A) The Commission, WITH THE ASSISTANCE OF THE PRESIDENTS OF THE

(Over)

INSTITUTIONS REQUIRED TO DEVELOP MISSION STATEMENTS UNDER THIS SUBTITLE, shall establish AND PERIODICALLY UPDATE the format of mission statements to include [at least the following items:

(1) Specific] SPECIFIC short and long-range goals and measurable objectives to be achieved THROUGH THE IMPLEMENTATION OF THE INSTITUTION'S PERFORMANCE ACCOUNTABILITY PLAN AS REQUIRED UNDER § 11-304 OF THIS SUBTITLE[, including graduation and retention rates and equal opportunity goals;

(2) Level of academic degrees offered;

(3) Fields of academic degrees offered;

(4) Characteristics of students and other populations to be served;

(5) Characteristics of faculty;

(6) A list of institutional peers;

(7) Areas of research activity;

(8) Areas of service activity including economic development and services to the public schools; and

(9) Other items as required by the Commission].

(B) THE MISSION STATEMENTS DEVELOPED BY THE PRESIDENTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND SHALL INCLUDE INFORMATION NECESSARY TO MEET THE REQUIREMENTS OF THE PROGRAM DEVELOPMENT AND REVIEW PROCESS ESTABLISHED UNDER § 11-206.1 OF THIS TITLE.”.

AMENDMENT NO. 4

On page 11, in line 4, strike “WHO GO ON TO” and substitute “TO ENABLE THEM TO”

ATTEND AND SUCCEED IN"; in line 20, strike "AND"; in line 31, strike the period and substitute "; AND"; and after line 31, insert:

"(6) ASSIST HIGH SCHOOLS AND LOCAL SCHOOL SYSTEMS IN THE USE OF THIS INFORMATION TO IMPROVE STUDENT OUTCOMES."

AMENDMENT NO. 5

On page 12, in line 18, after "Board" insert "OR A STUDENT MEMBER WHO IS IN GOOD ACADEMIC STANDING AT THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE.".

On page 14, in line 7, after "UNIVERSITY" insert "SYSTEM OF MARYLAND".

On page 16, after line 39, insert:

"(N) (1) THE BOARD OF REGENTS AND THE CHANCELLOR ARE ENCOURAGED TO MEET PERIODICALLY WITH THE BOARDS OF VISITORS OF THE CONSTITUENT INSTITUTIONS TO DEVELOP CLOSE WORKING RELATIONSHIPS.

(2) TO THE EXTENT POSSIBLE AND APPROPRIATE, THE BOARD OF REGENTS SHOULD INCLUDE MEMBERS OF BOARDS OF VISITORS ACTIVELY IN ALL SEARCHES FOR CAMPUS PRESIDENTS AND INVITE MEMBERS OF BOARDS OF VISITORS TO PARTICIPATE IN MEETINGS OF THE BOARD OF REGENTS AND ITS COMMITTEES."

On page 20, in line 20, strike "(I)"; and strike in their entirety lines 23 through 25, inclusive.

AMENDMENT NO. 6

On page 17, before line 1, insert:

"12-104.1.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A MEMBER

(Over)

OF THE BOARD OF REGENTS MAY NOT, FOR COMPENSATION, ASSIST OR REPRESENT A PARTY IN ANY MATTER BEFORE OR INVOLVING ANY UNIT OF THE STATE.

(B) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO ASSISTANCE TO OR REPRESENTATION OF A PARTY:

(1) IN MATTERS RELATING TO THE PERFORMANCE OF MINISTERIAL ACTS BY A GOVERNMENTAL UNIT;

(2) IN A JUDICIAL OR QUASI-JUDICIAL PROCEEDING, INCLUDING A PROCEEDING BEFORE AN ADMINISTRATIVE LAW JUDGE IN THE OFFICE OF ADMINISTRATIVE HEARINGS, OR A MATTER PRELIMINARY, INCIDENTAL, OR COLLATERAL TO A JUDICIAL OR QUASI-JUDICIAL PROCEEDING;

(3) IN A MATTER BEFORE OR INVOLVING THE WORKERS' COMPENSATION COMMISSION, THE MARYLAND AUTOMOBILE INSURANCE FUND, OR THE CRIMINAL INJURIES COMPENSATION BOARD; OR

(4) IN A MATTER IN WHICH THE ASSISTANCE OR REPRESENTATION, OTHER THAN FOR CONTINGENT COMPENSATION, WAS COMMENCED BY THE MEMBER OF THE BOARD BEFORE THE MEMBER WAS APPOINTED TO THE BOARD.”.

AMENDMENT NO. 7

On page 18, after line 34, insert:

“12-106.

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

(i) Is consistent with the [statewide] STATE plan for higher education in accordance with the Charter and with the CONSTITUENT INSTITUTIONS' APPROVED mission statements [approved by the Commission];



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

(iii) INCORPORATES THE FOLLOWING PRIORITIES:

1. A. [Enhances] ENHANCE the mission of the University of Maryland, College Park as the State's flagship campus with programs and faculty nationally and internationally recognized for excellence in research and the advancement of knowledge;

B. ADMIT TO THE CAMPUS FRESHMEN WHO HAVE ACADEMIC PROFILES THAT SUGGEST EXCEPTIONAL ABILITY;

C. PROVIDE ACCESS TO THE UPPER DIVISION UNDERGRADUATE LEVEL OF THE CAMPUS FOR STUDENTS WHO HAVE EXCELLED IN COMPLETING LOWER DIVISION STUDY; AND

D. PROVIDE THE CAMPUS WITH THE LEVEL OF OPERATING FUNDING AND FACILITIES NECESSARY TO PLACE IT AMONG THE UPPER ECHELON OF ITS PEER INSTITUTIONS;

[(iv)] 2. [Maintains] MAINTAIN AND ENHANCE AN ACADEMIC HEALTH CENTER AND a coordinated Higher Education Center for Research and Graduate and Professional Study in the Baltimore area, COMPRISED OF THE UNIVERSITY OF MARYLAND, BALTIMORE AND THE UNIVERSITY OF MARYLAND BALTIMORE COUNTY, WITH A FOCUS ON SCIENCE AND TECHNOLOGY;

3. ENHANCE AND SUPPORT HIGH QUALITY UNDERGRADUATE, TEACHER PREPARATION, AND MASTERS PROGRAMS AT THE REGIONAL COMPREHENSIVE INSTITUTIONS, RECOGNIZING AND SUPPORTING THE UNIQUE MISSION OF EACH OF THESE INSTITUTIONS;

4. SUPPORT TOWSON UNIVERSITY AS THE LARGEST

(Over)

COMPREHENSIVE INSTITUTION;

5. ENHANCE THE HISTORICALLY AFRICAN AMERICAN INSTITUTIONS AND RECOGNIZE THE ROLE OF THE UNIVERSITY OF MARYLAND EASTERN SHORE AS THE STATE'S 1890 LAND GRANT INSTITUTION;

6. ENCOURAGE AND ENHANCE, INCLUDING THE USE OF TECHNOLOGY, HIGHER EDUCATION CENTERS, SUCH AS THE SHADY GROVE CENTER IN MONTGOMERY COUNTY, AS POINTS OF COLLABORATION AND ACCESS FOR UNDERSERVED AREAS OF THE STATE; AND

7. RECOGNIZE AND PROMOTE THE UNIQUE POTENTIAL OF THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE TO BE A NATIONAL AND GLOBAL LEADER IN THE NEW INTERNATIONAL MARKETPLACE OF ELECTRONIC AND CONTINUING EDUCATION; AND

(IV) INCORPORATES THE GOALS AND DUTIES OF THE UNIVERSITY SYSTEM OF MARYLAND IDENTIFIED IN §§10-209 AND 12-107 OF THIS ARTICLE.

[(v) Recognizes the need to enhance its historically African American institutions;

(vi) Affirms the need for increased access for economically-disadvantaged and minority students;

(vii) Encourages and supports high quality undergraduate and teacher preparation programs on its campuses;

(viii) Stimulates outreach to the community and the State through close relationships with public elementary and secondary schools, business and industry, and governmental agencies; and

(ix) Addresses and responds to continuing higher education needs in order

to maintain an educated work force in Maryland.]

(2) The Board shall review, modify, as necessary, and approve the overall plan.

(3) By July 1 of each year, the Board shall submit to the Maryland Higher Education Commission, to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly an annual review of the plan.”.

AMENDMENT NO. 8

On page 18, in line 32, strike “University shall use” and substitute “UNIVERSITY’S ACCOUNTING, BUDGETING, PERSONNEL, AND PAYROLL SYSTEMS SHALL BE FUNCTIONALLY COMPATIBLE WITH”; and in line 34, strike “as its accounting, budgeting, personnel, and payroll system”.

On page 22, in line 42, strike “CHANCELLOR” and substitute “OFFICE OF ADMINISTRATIVE HEARINGS”.

On page 23, in lines 5, 6, 8, 11, and 12, in each instance, strike “CHANCELLOR” and substitute “ADMINISTRATIVE LAW JUDGE”; and in line 11, strike “, or his designated representative,”.

On page 27, in line 28, strike “1998” and substitute “1997”; and in the same line, strike “1999” and substitute “1998”.

AMENDMENT NO. 9

On pages 26 and 27, strike in their entirety the lines beginning with line 32 on page 26 through line 6 on page 27.

On page 31, in line 9, after “Administration;” insert “OR”; in line 10, strike “; OR” and substitute a period; strike in its entirety line 11; in line 16, strike “AND MORGAN STATE UNIVERSITY”; and in line 20, strike “, MORGAN STATE UNIVERSITY,”.

On page 32, in line 6, after “corporation;” insert “OR”; in line 7, strike “; OR” and substitute

(Over)

a period; strike in its entirety line 8; in line 9, after “4-406” insert “, 4-410.”; in line 11, strike “IS” and substitute “AND MORGAN STATE UNIVERSITY ARE”; after line 33, insert:

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

and in line 34, strike “(4)” and substitute “(5)”.

On page 33, in line 3, strike “OR MORGAN STATE UNIVERSITY”; in line 4, strike “§” and substitute “§§ 4-410 AND”.

On page 35, after line 15, insert:

“4-410.

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

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

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

(d) (C) For any public improvement project regardless of the source of funds:

(1) architectural and engineering services shall be procured in accordance with Title 13, Subtitle 3 of this article;

(2) for architectural and engineering services costing more than \$100,000, the Department shall make a recommendation for the award of a contract;

(3) for architectural and engineering services costing less than \$100,000, the

Department shall make the procurement;

(4) for all design projects exceeding \$100,000 in contract value, the University shall submit periodic status reports to the Department; and

(5) for all projects exceeding \$500,000 in contract value, the University shall submit periodic status reports to the Department.

[(e)] (D) For any public improvement project financed in whole or in part with proceeds of a consolidated capital bond loan or with State General Fund appropriations, the following additional procedures shall apply:

(1) for architectural and engineering contracts exceeding \$100,000, the Department must request the Board of Public Works to authorize the transfer of the contract amount to University funds. Any additional funds that may be needed may be transferred by an action of the Board of Public Works upon review by the Department;

(2) plans, specifications, schematics, design development, contract and bid documents shall be reviewed by the Department concurrent with University review;

(3) the Department may have a representative present at bid openings;

(4) the University shall analyze construction bids, recommend contractor selections, and notify the Department of its recommended selection and the date the item will be on the Board of Public Works' agenda;

(5) the Department shall prepare an agenda item for the Board of Public Works authorizing transfer to the University of the funds equal to the contract, plus 5% for use as a contingency fund for change orders. If the 5% contingency fund is insufficient to complete the project, the Department shall review the change conditions and make a recommendation to the Board of Public Works concerning the transfer of additional funds;

(6) all program changes not authorized in the original scope of the project shall be

(Over)

approved by the Department of Budget and Management and the Department prior to commitment by the University;

(7) at completion of the project, any unused amount of construction contingency funds or planning fund authorization shall be returned to the Board of Public Works by an action agenda item of the University; and

(8) the Department shall be part of the final inspection of the project and final acceptance may not occur without the Department's concurrence.

[(f)] (E) (1) For any public improvement project funded solely from funds other than State general funds or the proceeds of a general obligation bond loan, the University is responsible for procuring public improvement and public improvement-related services, for planning, and for management of all aspects of the project.

(2) Any contract under this subsection is subject to approval by the Board of Public Works.”.

On page 38, strike beginning with “OR” in line 25 down through “UNIVERSITY” in line 26; in line 28, strike “OR MORGAN STATE UNIVERSITY”; and strike beginning with “OR” in line 31 down through “UNIVERSITY” in line 32.

On page 42, in line 24, strike the opening bracket; in line 29, after “excluding” insert an opening bracket; and in line 32, after “2.” insert a closing bracket.

On page 43, in line 5, strike the closing bracket.

#### AMENDMENT NO. 10

On page 39, strike beginning with the semicolon in line 9 down through “(II)” in line 12; in line 12, strike “REFLECT” and substitute “PROMOTE THE PURPOSES OF”; in line 18, after “SUBTITLE” insert “(“FRAUD IN PROCUREMENT”)”; in line 19, after “SUBTITLE” insert “(“FALSIFICATION OF MATERIAL FACTS”)”; in line 20, after “ARTICLE” insert “(“REQUIRED CLAUSES - NONDISCRIMINATION CLAUSE”)”; in line 21 strike “SUBTITLE” and substitute “SUBTITLES 1 AND”; and in the same line, after “ARTICLE” insert

“(“PREFERENCES TO BENEFIT DISADVANTAGED INDIVIDUALS AND MINORITY BUSINESS PARTICIPATION”); in line 22, after “ARTICLE” insert “(“PROCUREMENT CONTRACT ADMINISTRATION”); in line 23, after “ARTICLE” insert “(“DEBARMENT OF CONTRACTORS”); and in line 35, strike “(2).”.

AMENDMENT NO. 11

On pages 49 through 51, strike in their entirety the lines beginning with line 5 on page 49 through line 37 on page 51.

AMENDMENT NO. 12

On page 43, strike beginning with “AN” in line 13 down through “EDUCATION” in line 14 and substitute “A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND”; in line 32, strike “150” and substitute “60”.

On page 45, in line 37, strike “(I)”; in line 38, strike “PUBLIC INSTITUTION OF HIGHER EDUCATION” and substitute “CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND”.

On page 46, in line 3, strike “1.” and substitute “(I)”; and in line 5, strike “2.” and substitute “(II)”; strike in their entirety lines 7 through 13, inclusive; in line 17, after “BOARD,” insert “AND”; in line 19, strike “; AND” and substitute a period; strike in their entirety lines 20 and 21; after line 21, insert:

“(3) UPON RECEIPT OF A PROPOSED NEW PROGRAM, THE COMMISSION SHALL NOTIFY ALL OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.”;

in line 24, strike “AND”; in line 27, strike “1. OF A PUBLIC INSTITUTION OF HIGHER EDUCATION”; and strike beginning with “OR” in line 29 down through “COMMISSION,” in line 32; in line 34, after “INSTITUTION” insert “; AND”

(3) APPROVE THE PROPOSED NEW PROGRAM WITHIN 60 DAYS IF THE PROGRAM MEETS THE CRITERIA IN PARAGRAPH (2) OF THIS SUBSECTION, SUBJECT

TO THE PROVISIONS OF SUBSECTIONS (C) AND (D) OF THIS SECTION”.

On pages 47 and 48, strike in their entirety the lines beginning with line 1 on page 47 through line 7 on page 48.

On page 48, after line 7, insert:

“(C) WITHIN 30 DAYS OF RECEIPT OF A NOTICE OF AN INSTITUTION’S INTENT TO ESTABLISH A NEW PROGRAM IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, THE COMMISSION MAY FILE, OR THE INSTITUTIONS OF HIGHER EDUCATION IN THE STATE MAY FILE WITH THE COMMISSION, AN OBJECTION TO IMPLEMENTATION OF A PROPOSED PROGRAM PROVIDED THE OBJECTION IS BASED ON:

(1) INCONSISTENCY OF THE PROPOSED PROGRAM WITH THE INSTITUTION’S APPROVED MISSION;

(2) UNREASONABLE PROGRAM DUPLICATION WHICH WOULD CAUSE DEMONSTRABLE HARM TO ANOTHER INSTITUTION; OR

(3) VIOLATION OF THE STATE’S EQUAL EDUCATIONAL OPPORTUNITY OBLIGATIONS UNDER STATE AND FEDERAL LAW.

(D) (1) IF AN OBJECTION IS FILED UNDER SUBSECTION (C) OF THIS SECTION BY THE COMMISSION OR AN INSTITUTION WITHIN 30 DAYS OF RECEIPT OF A NOTICE OF AN INSTITUTION’S INTENT TO ESTABLISH A NEW PROGRAM, THE COMMISSION SHALL IMMEDIATELY NOTIFY THE INSTITUTION’S GOVERNING BOARD AND PRESIDENT.

(2) THE COMMISSION SHALL DETERMINE IF AN INSTITUTION’S OBJECTION IS JUSTIFIED BASED ON THE CRITERIA IN SUBSECTION (C) OF THIS SECTION.

(3) AN OBJECTION SHALL BE ACCOMPANIED BY DETAILED



INFORMATION SUPPORTING THE REASONS FOR THE OBJECTION.

(4) IF THE COMMISSION DETERMINES THAT AN OBJECTION IS JUSTIFIED, THE COMMISSION SHALL NEGOTIATE WITH THE INSTITUTION'S GOVERNING BOARD AND PRESIDENT TO MODIFY THE PROPOSED PROGRAM IN ORDER TO RESOLVE THE OBJECTION.

(5) IF THE OBJECTION CANNOT BE RESOLVED WITHIN 30 DAYS OF RECEIPT OF AN OBJECTION, THE COMMISSION SHALL MAKE A FINAL DETERMINATION ON APPROVAL OF THE NEW PROGRAM.”;

and in line 17, after “THE” insert “PUBLIC”.

On page 52, in line 4, strike the opening bracket; and in line 6, strike the closing bracket.

On page 53, in line 10, strike “AND”; in line 15, after “INSTITUTION” insert “; AND”

(3) APPROVE THE PROPOSED NEW PROGRAM WITHIN 60 DAYS IF THE PROGRAM MEETS THE CRITERIA IN ITEM (2) OF THIS SUBSECTION, SUBJECT TO THE REQUIREMENTS OF § 11-206.1(C) AND (D) OF THIS ARTICLE.

(E) WITH RESPECT TO THE PROGRAM APPROVAL PROVISIONS IN THIS TITLE AND TITLE 11 OF THIS ARTICLE, THE BOARD OF REGENTS SHALL TAKE ACTION AS A BOARD TO APPROVE OR DISAPPROVE A NEW PROGRAM, AND MAY CONSULT WITH THE CHANCELLOR AND APPROPRIATE UNIVERSITY STAFF”;

and in line 16, strike “(E)” and substitute “(F)”.

AMENDMENT NO. 13

On pages 53 and 54, strike in their entirety the lines beginning with line 30 on page 53 through line 20 on page 54, inclusive.

On page 58, strike beginning with “Section” in line 34 down through “Assembly” in line 41

(Over)

and substitute “contingent on the taking effect of Chapter \_\_\_\_\_ (S.B. 129/H.B. 179) of the Acts of the General Assembly of 1999, the Board of Regents of the University System of Maryland shall establish and implement a collective bargaining plan, consistent with the principles and goals of Executive Order 01.01.1996.13, for the system’s nonfaculty employees. The collective bargaining plan shall be developed and submitted to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee, on or before September 1, 1999. The committees shall have 30 days to review and comment on the plan, with the intent that the plan take effect on October 1, 1999. Two years after the implementation of the collective bargaining plan, the Board of Regents shall study the outcomes of the collective bargaining plan. The study shall assess the plan’s effect on employee relations between nonfaculty employees and the University System of Maryland, and determine the fiscal impact of the plan on the University System of Maryland’s operations. The Board of Regents shall report on or before December 1, 2001, subject to § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee on the findings of the study. The committees shall evaluate the report’s findings with the intent of possibly codifying the collective bargaining plan.”.

AMENDMENT NO. 14

On page 54, in line 37, after “student” insert “or an additional \$500,000, whichever is greater,”.

On page 55, in lines 13, 14, and 15, in each instance, strike “\$1.3” and substitute “\$1”; in line 17, strike “If” and substitute “To the extent the base budgets of certain University System of Maryland institutions are not increased in a fiscal 2000 supplemental budget as requested above, and if”; in line 21, after “student” insert “or an additional \$500,000, whichever is greater,”; in line 26, strike “and”; in line 29, after “Park” insert “;”

- (4) An additional \$7 million for the University of Maryland, Baltimore;
- (5) An additional \$5 million for the University of Maryland Baltimore County;
- (6) An additional \$1 million for Bowie State University;
- (7) An additional \$1 million for Coppin State University; and

(8) An additional \$1 million for University of Maryland Eastern Shore”.

AMENDMENT NO. 15

On page 54, in line 26, strike “5.” and substitute “4.”.

On page 55, in line 35, strike “6.” and substitute “5.”.

On page 56, in line 8, strike “7.” and substitute “6.”; and in line 19, strike “8.” and substitute “7.”.

On pages 56 and 57, strike in their entirety the lines beginning with line 31 on page 56 through line 29 on page 57, inclusive.

On page 57, in line 30, strike “10.” and substitute “8.”; strike beginning with “and” in line 31 down through “each” in line 32.

On page 58, in line 5, strike “11.” and substitute “9.”; in line 18, strike “12.” and substitute “10.”; in line 19, strike “§ 11-202” and substitute “§§ 11-302 and 11-303”; in line 24, strike “revised”; in the same line, after “statements” insert “shall be revised, to the extent necessary”; in the same line, after “Plan,” insert “and”; in line 30, strike “13.” and substitute “11.”; and in line 34, strike “14.” and substitute “12.”.

On page 59, in line 1, strike “15.” and substitute “13.”.