

HOUSE BILL 386

Unofficial Copy
C8
HB 258/95 - ECM

2001 Regular Session
11r2242
CF 11r2319

By: **Delegate Barve**

Introduced and read first time: January 31, 2001

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Nonprofit Sector Development Center Program**

3 FOR the purpose of establishing the Maryland Nonprofit Sector Development Center
4 Program in the Department of Business and Economic Development; requiring
5 the Department to provide certain training and technical assistance services to
6 nonprofit entities; authorizing certain grants to provide certain training and
7 technical assistance services; establishing an advisory board for the Program;
8 requiring that certain recommendations about the Program be made; and
9 generally relating to the Maryland Nonprofit Sector Development Center
10 Program.

11 BY adding to

12 Article 83A - Department of Business and Economic Development
13 Section 6-601 through 6-605, inclusive, to be under the new subtitle "Subtitle 6.
14 Nonprofit Sector Development Center Program"
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2000 Supplement)

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

19 **Article 83A - Department of Economic and Employment Development**

20 **SUBTITLE 6. NONPROFIT SECTOR DEVELOPMENT CENTER PROGRAM.**

21 6-601.

22 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (B) "PROGRAM" MEANS THE MARYLAND NONPROFIT SECTOR DEVELOPMENT
25 CENTER PROGRAM.

26 (C) "NONPROFIT ENTITY" MEANS A CORPORATION INCORPORATED IN THE
27 STATE, OR OTHERWISE QUALIFIED TO DO BUSINESS IN THE STATE, THAT HAS BEEN

1 DETERMINED BY THE INTERNAL REVENUE SERVICE TO BE EXEMPT FROM TAXATION
2 UNDER § 501(C)(3), § 501(C)(4), OR § 501(C)(6) OF THE INTERNAL REVENUE CODE.

3 6-602.

4 (A) THERE IS A MARYLAND NONPROFIT SECTOR DEVELOPMENT CENTER
5 PROGRAM IN THE DEPARTMENT.

6 (B) THE DEPARTMENT SHALL FOSTER, SUPPORT, AND ASSIST THE ECONOMIC
7 GROWTH AND REVITALIZATION OF NONPROFIT ENTITIES IN THE STATE BY
8 PROVIDING TRAINING AND TECHNICAL ASSISTANCE SERVICES THROUGHOUT THE
9 STATE.

10 6-603.

11 (A) THE DEPARTMENT SHALL PROVIDE ASSISTANCE TO NONPROFIT
12 ENTITIES, INCLUDING:

13 (1) OPERATION OF AN INFORMATION EXCHANGE COVERING CURRENT
14 AND NEW TECHNICAL INFORMATION AND DATA ABOUT ALL ASPECTS OF NONPROFIT
15 MANAGEMENT, INCLUDING:

16 (I) NONPROFIT START-UP;

17 (II) BUDGETING AND FINANCIAL MANAGEMENT;

18 (III) FACILITIES DEVELOPMENT AND MANAGEMENT;

19 (IV) BOARD DEVELOPMENT;

20 (V) ORGANIZATIONAL DEVELOPMENT AND STRATEGIC PLANNING;

21 (VI) MARKETING;

22 (VII) FEDERAL AND STATE CONTRACTING AND GRANT MAKING;

23 (VIII) INDIVIDUAL, CORPORATE, AND FOUNDATION FUND-RAISING;

24 (IX) VOLUNTEER MANAGEMENT;

25 (X) PERSONNEL MANAGEMENT;

26 (XI) FEDERAL AND STATE TAX LAW AND REGULATIONS;

27 (XII) FEDERAL AND STATE LAW AND REGULATIONS GOVERNING
28 CHARITABLE SOLICITATIONS;

29 (XIII) FEDERAL AND STATE REGULATIONS APPLICABLE TO
30 LICENSING OR ACCREDITATION;

31 (XIV) FEDERAL AND STATE FINANCING PROGRAMS; AND

1 (XV) INFORMATION TECHNOLOGY; AND

2 (2) INDIVIDUAL CONSULTATION AND TECHNICAL ASSISTANCE TO ANY
3 NONPROFIT ENTITY THAT REQUESTS THE SERVICE, INCLUDING ASSISTANCE ON ANY
4 OF THE SUBJECTS IDENTIFIED IN SUBSECTION (A)(1) OF THIS SECTION.

5 (B) (1) THE DEPARTMENT SHALL GRANT FUNDS AS ARE APPROPRIATED TO
6 ONE OR MORE PUBLIC AGENCIES, INSTITUTIONS OF HIGHER EDUCATION, OR
7 PRIVATE NONPROFIT ENTITIES TO PROVIDE THE TRAINING AND TECHNICAL
8 ASSISTANCE SERVICES REQUIRED UNDER THIS SUBTITLE.

9 (2) SERVICES SHALL BE ACCESSIBLE TO NONPROFIT ENTITIES
10 THROUGHOUT THE STATE.

11 (3) GRANTEE SHALL UTILIZE THE EXPERTISE OF SUCCESSFUL
12 NONPROFIT LEADERS, EDUCATIONAL INSTITUTIONS, PUBLIC OFFICIALS, AND
13 OTHER PRIVATE OR PUBLIC RESOURCES TO PROVIDE TRAINING AND TECHNICAL
14 ASSISTANCE SERVICES.

15 (4) IF THE DEPARTMENT MAKES MULTIPLE GRANTS, THE DEPARTMENT
16 SHALL COORDINATE THE WORK OF THE GRANTEE AS NECESSARY TO EFFECTUATE
17 THE PURPOSES OF THE SUBTITLE.

18 (5) IN SELECTING GRANTEE, THE DEPARTMENT SHALL CONSIDER THE
19 ABILITY OF THE GRANTEE TO PROVIDE CASH AND IN-KIND MATCHING RESOURCES
20 THAT FURTHER SUPPORT THE OBJECTIVES OF THIS PROGRAM.

21 6-604.

22 (A) THERE IS A NONPROFIT SECTOR DEVELOPMENT CENTER PROGRAM
23 ADVISORY BOARD IN THE DEPARTMENT.

24 (B) (1) THE BOARD CONSISTS OF 11 MEMBERS APPOINTED BY THE
25 SECRETARY.

26 (2) THE BOARD CONSISTS OF THE FOLLOWING REPRESENTATIVES:

27 (I) ONE REPRESENTATIVE OF THE DEPARTMENT;

28 (II) TWO REPRESENTATIVES DESIGNATED BY THE MARYLAND
29 ASSOCIATION OF NONPROFIT ORGANIZATIONS WHO SERVE AS EXECUTIVE
30 DIRECTORS OR BOARD PRESIDENTS OF NONPROFIT ENTITIES;

31 (III) TWO REPRESENTATIVES WHO SERVE AS EXECUTIVE
32 DIRECTORS OR BOARD CHAIRPERSONS OF FOUNDATIONS OR CORPORATE GIVING
33 PROGRAMS;

34 (IV) ONE REPRESENTATIVE OF COUNTY OR MUNICIPAL
35 GOVERNMENT AGENCIES INVOLVED IN CONTRACTING WITH NONPROFIT ENTITIES
36 FOR THE DELIVERY OF PUBLIC PROGRAMS AND SERVICES;

1 (V) ONE REPRESENTATIVE OF STATE GOVERNMENT AGENCIES
2 INVOLVED IN CONTRACTING WITH NONPROFIT ENTITIES FOR THE DELIVERY OF
3 PUBLIC PROGRAMS AND SERVICES; AND

4 (VI) FOUR REPRESENTATIVES OF PROFESSIONS INVOLVED IN
5 PROVIDING PROFESSIONAL SERVICES TO NONPROFIT ENTITIES, INCLUDING THE
6 ACCOUNTING, LEGAL, FUNDRAISING, OR ORGANIZATIONAL DEVELOPMENT
7 PROFESSIONS.

8 (3) IN CHOOSING THE MEMBERS OF THE ADVISORY BOARD THE
9 SECRETARY SHALL ENSURE THAT ALL REGIONS OF THE STATE ARE REPRESENTED.

10 (C) THE SECRETARY SHALL DESIGNATE A CHAIRMAN FROM AMONG THE
11 MEMBERS OF THE ADVISORY BOARD.

12 (D) A MEMBER OF THE ADVISORY BOARD:

13 (1) MAY NOT RECEIVE COMPENSATION; BUT

14 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
15 STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

16 (E) THE ADVISORY BOARD SHALL:

17 (1) IDENTIFY ISSUES AND CONCERNS OF NONPROFIT ENTITIES;

18 (2) ADVISE THE DEPARTMENT ON PROBLEMS AFFECTING NONPROFIT
19 ENTITIES;

20 (3) SERVE AS A GENERAL ADVOCATE FOR THE NONPROFIT SECTOR; AND

21 (4) REVIEW THE PROGRESS AND EFFECTIVENESS OF THE PROGRAM
22 AND MAKE RECOMMENDATIONS ON THE CRITERIA FOR SELECTION OF GRANTEES.

23 6-605.

24 (A) THE DEPARTMENT SHALL COORDINATE WITH FEDERAL, STATE, AND
25 LOCAL AGENCIES AND PRIVATE ORGANIZATIONS TO;

26 (1) EFFECTUATE THE PURPOSES OF THIS SUBTITLE;

27 (2) AVOID A DUPLICATION OF SERVICES; AND

28 (3) SOLICIT AND OBTAIN COOPERATION AND ANY AVAILABLE FUNDS OR
29 GRANTS TO AID NONPROFIT ENTITIES IN THIS STATE.

30 (B) WHENEVER POSSIBLE, THE DEPARTMENT SHALL UTILIZE THE SERVICES
31 OF EXISTING GOVERNMENTAL, EDUCATIONAL, BUSINESS, AND FINANCIAL
32 INSTITUTIONS AND THEIR PERSONNEL ON A VOLUNTARY BASIS.

1 (C) THE SECRETARY SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR
2 AND SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
3 ASSEMBLY, RELATING TO:

4 (1) THE OPERATION OF THE PROGRAM; AND

5 (2) SUGGESTED LEGISLATION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect October 1, 2001.