
By: **Delegate Shriver**

Introduced and read first time: February 9, 2001

Assigned to: Ways and Means and Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Special Registration Plates - Early Childhood Care and**
3 **Education Trust**

4 FOR the purpose of establishing the Early Childhood Care and Education Trust;
5 providing for the members of the Trust; providing for the terms and
6 compensation of members; providing the powers and duties of the Trust;
7 requiring the Trust to report annually to the Governor and General Assembly;
8 providing for the terms and accounting of money received by the Trust;
9 exempting the Trust from certain procurement provisions of law; requiring the
10 Motor Vehicle Administration to issue a special original or substitute license
11 plate to benefit the Trust to promote a public information campaign for an early
12 childhood care and education initiative; prescribing who may apply for and the
13 classes of vehicles eligible for the registration plate; providing the manner in
14 which fees will be established, collected, and distributed in connection with the
15 registration plate; requiring the Administration to consult with the Trust on
16 certain matters; providing a certain fee exemption applicable to disabled
17 veterans; requiring the Administration to adopt certain regulations; declaring
18 the intent of the General Assembly; and generally relating to special registration
19 plates that support the Early Childhood Care and Education Trust.

20 BY adding to
21 Article - Education
22 Section 5-601 through 5-608 to be under the new subtitle "Subtitle 6. Early
23 Childhood Care and Education Trust"
24 Annotated Code of Maryland
25 (1999 Replacement Volume and 2000 Supplement)

26 BY adding to
27 Article - Transportation
28 Section 13-619.3
29 Annotated Code of Maryland
30 (1999 Replacement Volume and 2000 Supplement)

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

3 SUBTITLE 6. EARLY CHILDHOOD CARE AND EDUCATION TRUST.

4 5-601.

5 THERE IS A EARLY CHILDHOOD CARE AND EDUCATION TRUST ESTABLISHED TO
6 PROMOTE PUBLIC AWARENESS AND PARTICIPATION IN A PUBLIC INFORMATION
7 CAMPAIGN FOR AN EARLY CHILDHOOD CARE AND EDUCATION INITIATIVE IN THE
8 STATE.

9 5-602.

10 THE PURPOSE OF THE EARLY CHILDHOOD CARE AND EDUCATION TRUST IS
11 DECLARED TO BE OF GENERAL BENEFIT TO THE CITIZENS AND CHARITABLE IN
12 NATURE. THE TRUST SHALL BE A BODY CORPORATE AND SHALL HAVE PERPETUAL
13 EXISTENCE, SUBJECT TO MODIFICATION OR TERMINATION BY THE GENERAL
14 ASSEMBLY IF NECESSARY TO EFFECTUATE ITS PURPOSE OR WHEN AND IF ITS
15 SUBSTANTIAL PURPOSE CEASES.

16 5-603.

17 (A) THE POWERS AND DUTIES OF THE EARLY CHILDHOOD CARE AND
18 EDUCATION TRUST SHALL REST IN AND BE EXERCISED BY A BOARD OF NINE
19 TRUSTEES.

20 (B) THE BOARD OF TRUSTEES SHALL CONSIST OF:

21 (1) THREE MEMBERS OF THE EXECUTIVE BRANCH, APPOINTED BY THE
22 GOVERNOR;

23 (2) ONE MEMBER FROM THE LEGISLATIVE BRANCH, APPOINTED
24 JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE;

25 (3) THREE MEMBERS WHO REPRESENT THE BUSINESS COMMUNITY;
26 AND

27 (4) TWO MEMBERS WHO REPRESENT NONPROFIT ORGANIZATIONS OR
28 THE ACADEMIC COMMUNITY, APPOINTED BY THE GOVERNOR.

29 (C) (1) THE TERM OF A MEMBER IS 4 YEARS;

30 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
31 TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2001;

32 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
33 SUCCESSOR IS APPOINTED AND QUALIFIES;

1 (4) A MEMBER WHO IS APPOINTED AFTER A TERM IS BEGUN SERVES FOR
2 THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES;
3 AND

4 (5) A MEMBER MAY SERVE NO MORE THAN 2 TERMS.

5 5-604.

6 (A) (1) THE GOVERNOR SHALL APPOINT ONE OF THE MEMBERS TO SERVE
7 AS THE FIRST CHAIRMAN.

8 (2) AT THE END OF THE FIRST CHAIRMAN'S TERM AND EVERY
9 CHAIRMAN'S TERM THEREAFTER, THE BOARD OF TRUSTEES SHALL ELECT BY AT
10 LEAST A TWO-THIRDS MAJORITY ONE OF THEIR MEMBERS TO SERVE AS CHAIRMAN.

11 (B) THE BOARD SHALL MEET AT PLACES AND DATES TO BE DETERMINED BY
12 THE BOARD, BUT NOT LESS THAN 2 TIMES A YEAR.

13 (C) FIVE TRUSTEES SHALL CONSTITUTE A QUORUM, BUT ACTION MAY NOT BE
14 TAKEN BY LESS THAN A VOTE OF FOUR MEMBERS.

15 (D) A TRUSTEE:

16 (1) MAY NOT RECEIVE COMPENSATION; BUT

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

19 5-605.

20 (A) THE TRUST SHALL HAVE THE POWERS AND DUTIES TO:

21 (1) SOLICIT AND ACCEPT ANY GIFT, GRANT, LEGACY, OR ENDOWMENT
22 OF MONEY FROM THE FEDERAL GOVERNMENT, STATE GOVERNMENT, LOCAL
23 GOVERNMENT, OR ANY PRIVATE SOURCE IN FURTHERANCE OF THE TRUST;

24 (2) PROVIDE GRANTS TO NONPROFIT ORGANIZATIONS, COMMUNITY
25 ASSOCIATIONS, CIVIC GROUPS, SCHOOLS, OR PUBLIC AGENCIES TO PROMOTE A
26 PUBLIC INFORMATION CAMPAIGN FOR AN EARLY CHILDHOOD EDUCATION
27 INITIATIVE;

28 (3) DEVELOP PROJECTS FOR SPONSORSHIP BY CORPORATE AND
29 BUSINESS ORGANIZATIONS OR PRIVATE INDIVIDUALS;

30 (4) DEVELOP CRITERIA FOR CITIZEN INVOLVEMENT PROJECTS OR
31 CORPORATE SPONSORSHIP PROJECTS;

32 (5) MAKE, EXECUTE, AND ENTER INTO ANY CONTRACT OR OTHER LEGAL
33 INSTRUMENT;

34 (6) RECEIVE APPROPRIATIONS AS PROVIDED IN THE STATE BUDGET;

1 (7) LEASE AND MAINTAIN AN OFFICE AT A PLACE WITHIN THE STATE
2 THAT THE TRUST DESIGNATES;

3 (8) ADOPT BYLAWS FOR THE REGULATION OF ITS AFFAIRS AND THE
4 CONDUCT OF ITS BUSINESS;

5 (9) TAKE ANY OTHER ACTION NECESSARY TO CARRY OUT THE
6 PURPOSES OF THE TRUST; AND

7 (10) REPORT ANNUALLY TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF
8 THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, ITS ACTIVITIES
9 DURING THE PRECEDING YEAR TOGETHER WITH ANY RECOMMENDATIONS OR
10 REQUESTS DEEMED APPROPRIATE TO FURTHER THE PURPOSES OF THE TRUST.

11 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE TRUST MAY
12 NOT SOLICIT OR ACCEPT ANY GIFT, BEQUEST, OR LEASE OF REAL OR PERSONAL
13 PROPERTY.

14 5-606.

15 IN DEVELOPING THE CRITERIA FOR CITIZEN INVOLVEMENT PROJECTS OR
16 CORPORATE SPONSORSHIP PROJECTS, THE TRUST MAY CONSIDER ACTIVITIES
17 WHICH PROMOTE A PUBLIC INFORMATION CAMPAIGN FOR AN EARLY CHILDHOOD
18 CARE AND EDUCATION INITIATIVE THROUGH THE MEDIA OR OTHER MEANS.

19 5-607.

20 (A) THE TRUST SHALL MAKE PROVISION FOR A SYSTEM OF FINANCIAL
21 ACCOUNTING, CONTROLS, AUDITS, AND REPORTS.

22 (B) THE BOOKS, RECORDS, AND ACCOUNTS OF THE TRUST ARE SUBJECT TO
23 AUDIT BY THE STATE.

24 5-608.

25 IN EXERCISING ITS POWERS, THE TRUST:

26 (1) IS EXEMPT FROM THE PROVISIONS OF THE STATE FINANCE AND
27 PROCUREMENT ARTICLE, THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL
28 AND PENSIONS ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT
29 SYSTEM, THE PROVISIONS OF DIVISION II AND TITLE 37 OF THE STATE PERSONNEL
30 AND PENSIONS ARTICLE, AND THE PROVISIONS OF ARTICLE 78A OF THE CODE; AND

31 (2) MAY CARRY OUT ITS CORPORATE PURPOSES WITHOUT OBTAINING
32 THE CONSENT OF ANY DEPARTMENT, BOARD, OR AGENCY OF THE STATE.

Article - Transportation

13-619.3.

(A) IN CONSULTATION WITH THE EARLY CHILDHOOD CARE AND EDUCATION TRUST, THE ADMINISTRATION SHALL DEVELOP AND MAKE AVAILABLE FOR QUALIFYING VEHICLES A SPECIALLY DESIGNED REGISTRATION PLATE TO BENEFIT A PUBLIC INFORMATION CAMPAIGN FOR AN EARLY CHILDHOOD CARE AND EDUCATION INITIATIVE.

(B) THE OWNER OF A VEHICLE, OR A LESSEE OF THE VEHICLE UNDER A LEASE NOT INTENDED AS SECURITY, OR A DIRECTOR, OFFICER, EMPLOYEE, OR PARTNER OF A BUSINESS ENTITY THAT OWNS THE VEHICLE CONSIDERED ELIGIBLE BY THE ADMINISTRATION MAY APPLY TO THE ADMINISTRATION FOR THE ASSIGNMENT OF A SPECIAL REGISTRATION PLATE UNDER THIS SECTION IF THE VEHICLE IS INCLUDED IN ONE OF THE FOLLOWING CLASSES:

(1) A CLASS A (PASSENGER) VEHICLE;

(2) A CLASS B (FOR HIRE) VEHICLE;

(3) A CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER'S RATED CAPACITY OF 1 TON OR LESS;

(4) A CLASS G (TRAILER) VEHICLE; OR

(5) A CLASS M (MULTIPURPOSE) VEHICLE.

(C) (1) IN ADDITION TO THE ANNUAL REGISTRATION FEE OTHERWISE REQUIRED UNDER THIS TITLE, AN OWNER OF A VEHICLE ASSIGNED A REGISTRATION PLATE UNDER THIS SECTION SHALL PAY:

(I) WHEN INITIALLY ISSUED THE REGISTRATION PLATE, A ONE-TIME FEE SET BY THE ADMINISTRATION TO RECOVER THE ADMINISTRATION'S COST UNDER THIS SECTION; AND

(II) WHEN INITIALLY ISSUED THE REGISTRATION PLATE, AND EACH TIME THE REGISTRATION PLATE IS RENEWED, AN ADDITIONAL FEE SET BY THE ADMINISTRATION TO BENEFIT THE EARLY CHILDHOOD CARE AND EDUCATION TRUST ESTABLISHED UNDER TITLE 5, SUBTITLE 6 OF THE EDUCATION ARTICLE.

(2) THE ADDITIONAL FEE COLLECTED UNDER THIS SECTION IS NOT REQUIRED FOR SPECIAL REGISTRATION OF A VEHICLE THAT IS EXEMPT UNDER § 13-903 OF THIS TITLE.

(3) NO PORTION OF THE FEE COLLECTED UNDER THIS SECTION MAY BE CREDITED TO THE GASOLINE AND MOTOR VEHICLE REVENUE ACCOUNT FOR DISTRIBUTION UNDER § 8-403 OR § 8-404 OF THIS ARTICLE.

1 (D) THE ADMINISTRATION SHALL CONSULT WITH THE EARLY CHILDHOOD
2 CARE AND EDUCATION TRUST ON:

3 (1) THE DESIGN OF A REGISTRATION PLATE TO BE ISSUED UNDER THIS
4 SECTION THAT SHOWS SUPPORT FOR AN EARLY CHILDHOOD CARE AND EDUCATION
5 INITIATIVE;

6 (2) THE SETTING OF THE FEE TO BE CHARGED UNDER SUBSECTION
7 (C)(1)(II) OF THIS SECTION AT A LEVEL INTENDED TO ENCOURAGE THE PURCHASE OF
8 THE REGISTRATION PLATE ISSUED UNDER THIS SECTION WHILE PROVIDING A
9 CONTINUOUS REVENUE SOURCE TO BENEFIT THE TRUST; AND

10 (3) A SCHEDULE UNDER WHICH THE ADMINISTRATION WILL TRANSFER
11 TO THE TRUST REVENUE COLLECTED ON BEHALF OF THE TRUST.

12 (E) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO GOVERN THE
13 ISSUANCE OF SPECIAL REGISTRATION PLATES UNDER THIS SECTION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
15 General Assembly that the Motor Vehicle Administration work with the Early
16 Childhood Care and Education Trust on the development of a special registration
17 plate described under Section 1 of this Act and make the plate available to the public
18 at the earliest date practicable, but not later than July 1, 2002.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2001.