
By: **Delegates Flanagan, Amedori, Bartlett, Bates, Boutin, Brinkley,
Eckardt, Edwards, Elliott, Getty, Greenip, Kach, Klima, La Vay,
Leopold, McKee, Murphy, Pielke, Ports, Redmer, Rzepkowski, Schisler,
Shank, Snodgrass, Stocksdales, Stull, and Walkup**

Introduced and read first time: February 8, 2002
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **University System of Maryland - Board of Regents - Appointment of**
3 **Chancellor**

4 FOR the purpose of prohibiting the Board of Regents of the University System of
5 Maryland from appointing a former Governor as Chancellor under certain
6 circumstances; and generally relating to the appointment of Chancellor of the
7 University System of Maryland by the Board of Regents.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 10-209(d) and 12-108
11 Annotated Code of Maryland
12 (2001 Replacement Volume)

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 10-209.

17 (d) (1) The Board of Regents of the University System of Maryland shall
18 appoint a Chancellor who shall be the Chief Executive Officer of the University
19 System of Maryland and the Chief of Staff for the Board SUBJECT TO THE
20 PROVISIONS SET FORTH IN § 12-108(A)(2) OF THIS ARTICLE. The Chancellor and the
21 staff of the Board shall serve as coordinators and system planners for the University.

22 (2) The Chancellor shall:

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

24 (ii) Conduct systemwide planning;

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

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

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

7 12-108.

8 (a) (1) The Board of Regents shall appoint a Chancellor of the University
9 System of Maryland SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
10 SUBSECTION.

11 (2) THE BOARD OF REGENTS MAY NOT APPOINT A CURRENT OR FORMER
12 GOVERNOR OF MARYLAND AS CHANCELLOR:

13 (I) DURING THE PERIOD THAT TWO-THIRDS OR MORE OF THE
14 MEMBERS OF THE BOARD ARE COMPOSED OF APPOINTMENTS MADE BY THE
15 CURRENT OR FORMER GOVERNOR; OR

16 (II) DURING THE 2-YEAR PERIOD FOLLOWING THE FORMER
17 GOVERNOR'S LAST TERM, WHICHEVER PERIOD IS LESS.

18 [(2)] (B) The Chancellor is the Chief Executive Officer of the University
19 System of Maryland and the Chief of Staff for the Board.

20 [(b)] (C) (1) The Chancellor shall:

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

22 (ii) Conduct systemwide planning;

23 (iii) Coordinate and arbitrate among the institutions and centers of
24 the University;

25 (iv) Assist the institutions in achieving performance goals in
26 accordance with their adopted performance accountability plan;

27 (v) Provide technical assistance to institutions and centers such as
28 legal and financial services;

29 (vi) Perform the duties the Board assigns; and

30 (vii) See that the policies of the Board are carried out.

31 (2) The Chancellor serves at the pleasure of the Board.

32 (3) The Chancellor is entitled to the compensation established by the
33 Board.

1 [(c)] (D) The Chancellor may:

2 (1) Have the additional staff provided in the University budget; and

3 (2) (i) Create any position within the system administration office and
4 within existing funds available to the system administration office, to the extent the
5 cost of the position, including the cost of any fringe benefits, is funded from existing
6 funds.

7 (ii) This paragraph may not be construed to require any additional
8 State General Fund support.

9 (iii) The total number of positions authorized under this paragraph
10 shall be limited as specified annually in the State budget bill.

11 [(d)] (E) (1) Each employee of the Board shall join the Teachers' Pension
12 System of the State of Maryland or the Employees' Pension System of the State of
13 Maryland.

14 (2) As an alternative, any employee in a position determined by the
15 Board to be a professional position may join the optional retirement program under
16 Title 30 of the State Personnel and Pensions Article.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2002.