
By: **Senators Hogan, Brochin, Hollinger, Kasemeyer, Klausmeier, and Schrader**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - University of Maryland University College - Governing**
3 **Authority**

4 FOR the purpose of establishing that the University of Maryland University College
5 is an instrumentality of the State; providing that the exercise of certain powers
6 by the University of Maryland University College is for a certain purpose;
7 authorizing a custodian to deny inspection of certain public records pertaining to
8 the University of Maryland University College; declaring the intent of the
9 General Assembly; clarifying the name of a certain institution; and generally
10 relating to the governing authority and operations of the University of Maryland
11 University College.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 13-101
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2004 Supplement)

17 BY adding to
18 Article - State Government
19 Section 10-618(1)
20 Annotated Code of Maryland
21 (2004 Replacement Volume)

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

24 **Article - Education**

25 13-101.

26 (A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE UNIVERSITY OF
27 MARYLAND UNIVERSITY COLLEGE:

1 (1) OPERATE AS MARYLAND'S OPEN UNIVERSITY SERVING
2 NONTRADITIONAL STUDENTS WHO RESIDE IN MARYLAND, THE UNITED STATES, AND
3 THROUGHOUT THE WORLD;

4 (2) PROVIDE THE CITIZENS OF MARYLAND WITH AFFORDABLE, OPEN
5 ACCESS HIGHER EDUCATION; AND

6 (3) CONTINUE AS A LEADER IN DISTRIBUTED HIGHER EDUCATION.

7 [(a)] (B) (1) There is a [University College in the University of Maryland]
8 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE which is not a new [branch]
9 CONSTITUENT INSTITUTION of the University SYSTEM of Maryland.

10 (2) AS A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF
11 MARYLAND, THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE IS AN
12 INSTRUMENTALITY OF THE STATE.

13 (3) THE EXERCISE BY THE UNIVERSITY OF MARYLAND UNIVERSITY
14 COLLEGE OF ITS CONFERRED POWERS, INCLUDING ITS OVERSEAS OPERATIONS, IS
15 THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.

16 [(b)] (C) The provisions of § 12-105(a) of this article do not apply to the
17 overseas operations of [University College. University College] THE UNIVERSITY OF
18 MARYLAND UNIVERSITY COLLEGE. THE INSTITUTION may spend the appropriation
19 without the approval of the Board of Public Works and without submitting a detailed
20 budget schedule to the Board of Public Works.

21 [(c)] (D) [University College] THE UNIVERSITY OF MARYLAND UNIVERSITY
22 COLLEGE shall prepare an annual financial information statement for the next
23 following fiscal year and shall submit the statement to the Department of Budget and
24 Management each year before October 1. The annual financial information statement
25 shall include for the next following fiscal year:

26 (1) An estimate of the total revenues of [University College] THE
27 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE, including revenues from tuitions,
28 fees, gifts, grants, and interest income;

29 (2) An estimate of the value of services which the other units of the
30 University of Maryland and other State agencies provide to [University College] THE
31 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE; and

32 (3) An estimate of the total cost of salaries and personnel benefits for
33 employees of [University College] THE UNIVERSITY OF MARYLAND UNIVERSITY
34 COLLEGE.

35 [(d)] (E) (1) The interest or income from the investment of the funds of
36 [University College] THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE by the
37 State Treasurer shall be credited to [University College] THE UNIVERSITY OF
38 MARYLAND UNIVERSITY COLLEGE.

