

# HOUSE BILL 362

F2

(2lr0917)

## ENROLLED BILL

— Appropriations/Education, Health, and Environmental Affairs —

Introduced by **Delegates Rudolph and James**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Northeast Maryland Higher Education Advisory Board**

3 FOR the purpose of establishing the Northeast Maryland Higher Education Advisory  
4 Board; providing for the composition, appointment, and terms of the Board  
5 members; providing for a chair of the Board and the establishment of certain  
6 committees; prohibiting Board members from receiving certain compensation  
7 but entitling Board members to reimbursement for certain expenses; providing  
8 for the powers and duties of the Board; authorizing the Board to apply, accept,  
9 and expend certain gifts, appropriations, or grants; authorizing the Board to  
10 adopt a corporate seal; requiring the Board to keep certain records and be  
11 subject to certain audits; requiring the Advisory Board to the Higher Education  
12 and Conference Center at HEAT to take a certain action on or before a certain  
13 date; declaring the intent of the General Assembly; defining certain terms; and  
14 generally relating to the establishment of the Northeast Maryland Higher  
15 Education Advisory Board.

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 BY adding to  
2 Article – Education  
3 Section 24–901 through 24–904 to be under the new subtitle “Subtitle 9.  
4 Northeast Maryland Higher Education Advisory Board”  
5 Annotated Code of Maryland  
6 (2008 Replacement Volume and 2011 Supplement)

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

9 **Article – Education**

10 **SUBTITLE 9. NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY BOARD.**

11 **24–901.**

12 (A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
13 INDICATED.

14 (B) “BOARD” MEANS THE NORTHEAST MARYLAND HIGHER EDUCATION  
15 ADVISORY BOARD.

16 (C) “CENTER” MEANS THE HIGHER EDUCATION AND CONFERENCE  
17 CENTER AT HEAT.

18 (D) “COMMISSION” MEANS THE MARYLAND HIGHER EDUCATION  
19 COMMISSION.

20 (E) “SITE” MEANS A 4–YEAR INSTITUTION OF HIGHER EDUCATION THAT  
21 OFFERS COMMISSION–APPROVED UNDERGRADUATE AND GRADUATE  
22 PROGRAMS IN CECIL COUNTY AND HARFORD COUNTY AND IS AFFILIATED WITH  
23 THE CENTER.

24 **24–902.**

25 THERE IS A NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY  
26 BOARD.

27 **24–903.**

28 (A) THE BOARD CONSISTS OF THE FOLLOWING VOTING MEMBERS:

29 (1) ONE REPRESENTATIVE OF EACH OF THE 4–YEAR  
30 INSTITUTIONS OF HIGHER EDUCATION OFFERING A COMMISSION–APPROVED

1 PROGRAM AT THE CENTER AND AT A SITE, APPOINTED BY THE INSTITUTION;  
2 AND

3 (2) THE FOLLOWING ~~NINE~~ 10 REPRESENTATIVES, APPOINTED IN  
4 ACCORDANCE WITH THE BYLAWS OF THE BOARD:

5 (I) THREE REPRESENTATIVES OF REGIONAL BUSINESSES,  
6 INDUSTRIES, OR CORPORATIONS;

7 (II) ONE REPRESENTATIVE OF THE CECIL COUNTY OFFICE  
8 OF ECONOMIC DEVELOPMENT;

9 (III) ONE REPRESENTATIVE OF THE HARFORD COUNTY  
10 OFFICE OF ECONOMIC DEVELOPMENT;

11 (IV) ONE REPRESENTATIVE OF CECIL COLLEGE;

12 (V) ONE REPRESENTATIVE OF HARFORD COMMUNITY  
13 COLLEGE; ~~AND~~

14 (VI) ONE REPRESENTATIVE OF THE NORTHEAST MARYLAND  
15 UNIVERSITY RESEARCH PARK; AND

16 ~~(VI)~~ (VII) TWO REPRESENTATIVES CHOSEN FROM THE  
17 COMMUNITY AT LARGE.

18 (B) (1) EACH MEMBER SERVES FOR A TERM OF 3 YEARS AND UNTIL A  
19 SUCCESSOR IS APPOINTED AND QUALIFIES.

20 (2) A MEMBER MAY NOT SERVE MORE THAN TWO FULL  
21 CONSECUTIVE TERMS.

22 (3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED  
23 TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A  
24 SUCCESSOR IS APPOINTED AND QUALIFIES.

25 (C) (1) (I) ~~THE~~ SUBJECT TO SUBPARAGRAPH (II) OF THIS  
26 PARAGRAPH, THE CHAIR OF THE BOARD SHALL BE ELECTED BY THE BOARD  
27 FROM AMONG ITS MEMBERS.

28 (II) A MEMBER WHO IS A REPRESENTATIVE OF AN  
29 OUT-OF-STATE INSTITUTION MAY NOT SERVE AS CHAIR.

1           **(2) THE VOTING MEMBERS MAY ELECT OTHER OFFICERS AND**  
2 **ESTABLISH COMMITTEES, INCLUDING ADVISORY COMMITTEES, AS NEEDED.**

3           **(D) IN ADDITION TO THE VOTING MEMBERS, THE FOLLOWING**  
4 **INDIVIDUALS SHALL SERVE AS EX OFFICIO, NONVOTING MEMBERS:**

5           **(1) THE SENIOR MISSION COMMANDER OF THE ABERDEEN**  
6 **PROVING GROUND, OR THE COMMANDER'S DESIGNEE;**

7           **(2) THE GARRISON COMMANDER OF THE ABERDEEN PROVING**  
8 **GROUND, OR THE COMMANDER'S DESIGNEE; AND**

9           **(3) THE CENTER COORDINATOR.**

10          **(E) EACH MEMBER OF THE BOARD:**

11           **(1) SERVES WITHOUT COMPENSATION; AND**

12           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN**  
13 **ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.**

14 **24-904.**

15          **(A) IN ADDITION TO THE OTHER POWERS EXPRESSLY GRANTED AND**  
16 **DUTIES IMPOSED BY THIS TITLE, AND SUBJECT TO THE AUTHORITY OF THE**  
17 **COMMISSION, THE BOARD HAS ONLY THE POWERS AND DUTIES SET FORTH IN**  
18 **THIS SECTION.**

19          **(B) THE BOARD SHALL:**

20           **(1) ASSIST AND SUPPORT THE DEVELOPMENT OF HIGHER**  
21 **EDUCATION IN CECIL COUNTY AND HARFORD COUNTY;**

22           **(2) ASSIST IN SETTING THE MISSIONS OF AND ACCOMPLISHING**  
23 **THE GOALS AND OBJECTIVES OF THE SITES IN CECIL COUNTY AND HARFORD**  
24 **COUNTY;**

25           **(3) ADVISE THE CENTER, SITE COORDINATORS, AND THE**  
26 **SUPERVISORY STAFF TO WHOM THE COORDINATORS REPORT ON PROGRAMS**  
27 **OFFERED AND FACILITY UTILIZATION;**

28           **(4) PROVIDE GUIDANCE AND SUPPORT IN IDENTIFYING**  
29 **INSTITUTIONS AND PROGRAMS TO SERVE HIGHER EDUCATION AND WORKFORCE**  
30 **NEEDS IN CECIL COUNTY AND HARFORD COUNTY;**

1           **(5) ASSIST WITH THE MARKETING AND PROMOTION OF**  
2 **PROGRAMS OFFERED AT THE CENTER AND SITES;**

3           **(6) FACILITATE INTERACTIONS AMONG THE BUSINESS,**  
4 **NONPROFIT, EDUCATION, AND MILITARY COMMUNITIES;**

5           **(7) KEEP SEPARATE RECORDS AND MINUTES; AND**

6           **(8) ADOPT REASONABLE RULES, REGULATIONS, OR BYLAWS TO**  
7 **CARRY OUT THE PROVISIONS OF THIS SUBTITLE.**

8           **(C) THE BOARD SHALL ENSURE THAT ALL ACADEMIC PROGRAMS AND**  
9 **POLICIES OF THE CENTER AND SITES ARE IN COMPLIANCE WITH THE POLICIES**  
10 **OF AND APPROVED BY THE COMMISSION.**

11           **(D) THE BOARD MAY APPLY, ACCEPT, AND EXPEND ANY GIFT,**  
12 **APPROPRIATION, OR GRANT FROM THE STATE, COUNTY, OR FEDERAL**  
13 **GOVERNMENT OR ANY OTHER PERSON.**

14           **(E) THE BOARD MAY MAKE AGREEMENTS WITH THE FEDERAL, STATE,**  
15 **OR A COUNTY GOVERNMENT OR ANY OTHER PERSON, IF IT CONSIDERS THE**  
16 **AGREEMENT ADVISABLE FOR THE OPERATION OF THE CENTER.**

17           **(F) THE BOARD MAY ADOPT A CORPORATE SEAL.**

18           **(G) IN ADDITION TO OTHER REPORTS THAT MAY BE REQUIRED BY THE**  
19 **COMMISSION, THE BOARD SHALL:**

20           **(1) KEEP RECORDS THAT ARE CONSISTENT WITH SOUND**  
21 **BUSINESS PRACTICES AND ACCOUNTING RECORDS USING GENERALLY**  
22 **ACCEPTED ACCOUNTING PRINCIPLES;**

23           **(2) CAUSE AN AUDIT BY AN INDEPENDENT CERTIFIED PUBLIC**  
24 **ACCOUNTANT TO BE MADE OF THE ACCOUNTS AND TRANSACTIONS OF THE**  
25 **CENTER AT THE CONCLUSION OF EACH FISCAL YEAR; AND**

26           **(3) FOR ANY STATE MONEY, BE SUBJECT TO AN AUDIT BY THE**  
27 **OFFICE OF LEGISLATIVE AUDITS, IN ACCORDANCE WITH §§ 2-1220 THROUGH**  
28 **2-1227 OF THE STATE GOVERNMENT ARTICLE.**

29           SECTION 2. AND BE IT FURTHER ENACTED, That the Advisory Board to  
30 the Higher Education and Conference Center at HEAT shall appoint the initial

1 members of the Northeast Maryland Higher Education Advisory Board established  
2 under the provisions of this Act on or before November 1, 2012.

3 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the  
4 General Assembly that the Higher Education and Conference Center at HEAT located  
5 in Aberdeen, Maryland change its name to the Northeast Maryland Higher Education  
6 Center.

7 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
8 effect October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.