## **HOUSE BILL 1143**

F2 8lr2846 CF SB 903

By: Southern Maryland Delegation

Introduced and read first time: February 8, 2018

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2018

CHAPTER

1 AN ACT concerning

## 2 Southern Maryland - University System of Maryland Partnership Act of 2018

- 3 FOR the purpose of repealing provisions that establish the Southern Maryland Higher
- 4 Education Center and its governance; providing that, on a certain date, the
- 5 operations, facilities, and resources of the Southern Maryland Higher Education
- 6 Center shall become part of a certain regional higher education center established
- 7 <u>by the Board of Regents of the University System of Maryland;</u> and generally relating
- 8 to the Southern Maryland Higher Education Center.
- 9 BY repealing
- 10 Article Education
- Section 24–301 through 24–309 and the subtitle "Subtitle 3. Southern Maryland
- 12 Higher Education Center"
- 13 Annotated Code of Maryland
- 14 (2014 Replacement Volume and 2017 Supplement)

15 Preamble

WHEREAS, The Board of Regents of the University System of Maryland and the Board of Governors of the Southern Maryland Higher Education Center have entered into

18 an agreement to design and construct on the campus of the Southern Maryland Higher

- 19 Education Center an 84,000-gross-square-foot education classroom and research facility
- 20 that, under the auspices of the University System of Maryland, will attract and execute
- 21 basic and applied research into the vitally important and growing field of unmanned and
- 22 autonomous systems and technologies, as well as provide space for general and technical

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

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



education and instruction to the residents and businesses of the Southern Maryland region; and

WHEREAS, University System of Maryland institutions have an established presence at the Southern Maryland Higher Education Center, with five universities offering degree programs, at both the graduate and undergraduate levels in engineering, information technology, K–12 education, nursing, criminal justice, and social work; and

WHEREAS, The Board of Governors and other stakeholders of the Southern Maryland Higher Education Center have engaged closely with the leadership of the University System of Maryland to develop a shared vision for a more fully integrated partnership combining the strength of the University System of Maryland's education, research, technology transfer, and student service programs with the strong array of advanced education and professional development services currently offered through the Southern Maryland Higher Education Center in order to address the workforce and economic needs and improve the quality of life enjoyed by the people and businesses of the Southern Maryland region; and

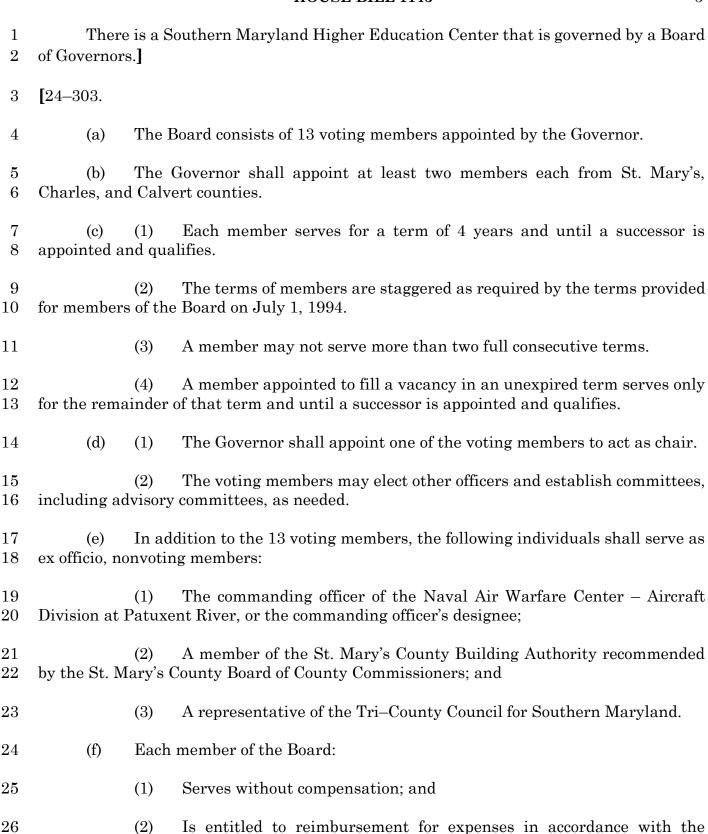
WHEREAS, To advance this shared vision, and create an unparalleled resource that promises to have a transformational impact on the further development of the advanced technology and innovation economy of the Southern Maryland region—and the concomitant highly skilled, highly educated workforce needed to drive such an economy—the Board of Governors of the Southern Maryland Higher Education Center and the University System of Maryland will soon have agreed through a memorandum of understanding to merge the Southern Maryland Higher Education Center and all its assets with the University System of Maryland to become the newest regional higher education center; now, therefore,

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

Article – Education

[Subtitle 3. Southern Maryland Higher Education Center.]

- 28 [24–301.
- 29 (a) In this subtitle the following terms have the meanings indicated.
- 30 (b) "Board" means the Board of Governors of the Southern Maryland Higher 31 Education Center.
- 32 (c) "Center" means the Southern Maryland Higher Education Center.
- 33 (d) "Commission" means the Maryland Higher Education Commission.]
- **[**24–302.

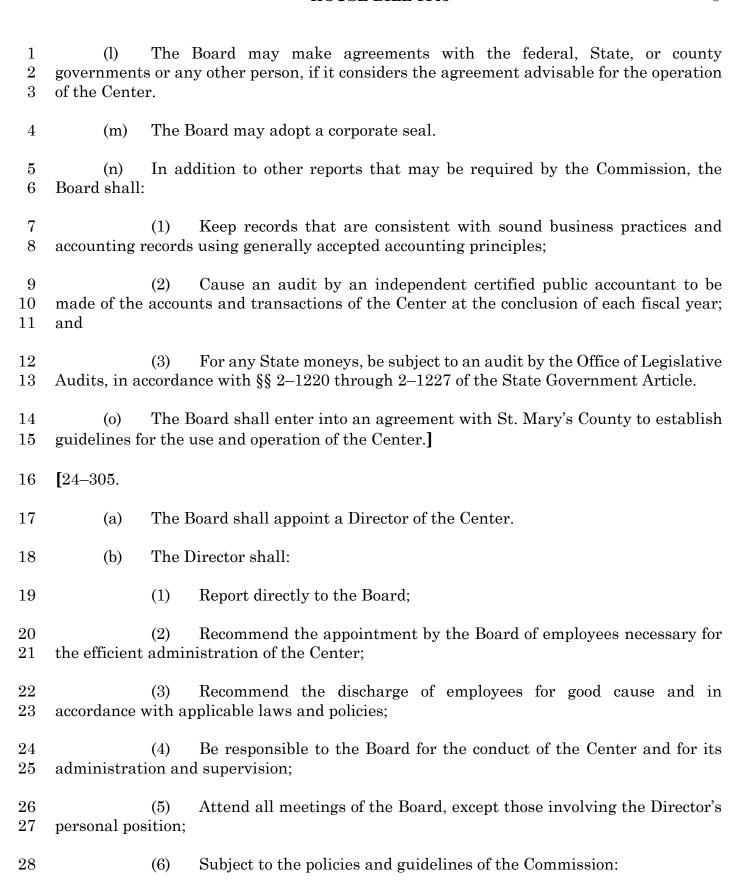


28 **[**24–304.

Standard State Travel Regulations.

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- 1 (a) In addition to the other powers expressly granted and duties imposed by this 2 title, and subject to the authority of the Commission, the Board has only the powers and 3 duties set forth in this section.
- 4 (b) The Board shall:
- 5 (1) Exercise general control over the Center;
- 6 (2) Keep separate records and minutes; and
- 7 (3) Adopt reasonable rules, regulations, or bylaws to carry out the 8 provisions of this subtitle.
- 9 (c) The Board may fix the salaries and terms of employment of the Director and 10 other employees of the Center.
- 11 (d) The Board may purchase, lease, or otherwise acquire any property it considers 12 necessary for the operation of the Center, with the approval of the St. Mary's County Board 13 of County Commissioners.
- 14 (e) (1) The Board may sell, lease, or otherwise dispose of Center assets or 15 property, with the approval of the St. Mary's County Board of County Commissioners.
- 16 (2) The Director of the Center or the chair of the Board may execute a conveyance or other legal document under an appropriate resolution of the Board.
- 18 (f) The Board shall ensure that all academic programs and policies of the Center 19 are in compliance with the policies of and approved by the Commission.
- 20 (g) The Board shall submit an adopted mission statement to the Commission 21 subject to the policies and guidelines of the Commission.
- (h) The Board may enter into contracts or other agreements with any institution of higher education for the provision of upper division undergraduate and graduate programs to meet the higher education needs of Southern Maryland, subject to the approval of the Commission.
- 26 (i) The Board may apply, accept, and expend any gift, appropriation, or grant from the State, county, or federal government or any other person.
- 28 (j) (1) The Board shall ensure that the tuition and fees charged to students by any participating institutions are reasonable.
- 30 (2) The Board may also charge reasonable fees to cover the overhead costs associated with providing these programs.
- 32 (k) The Board may sue and be sued.



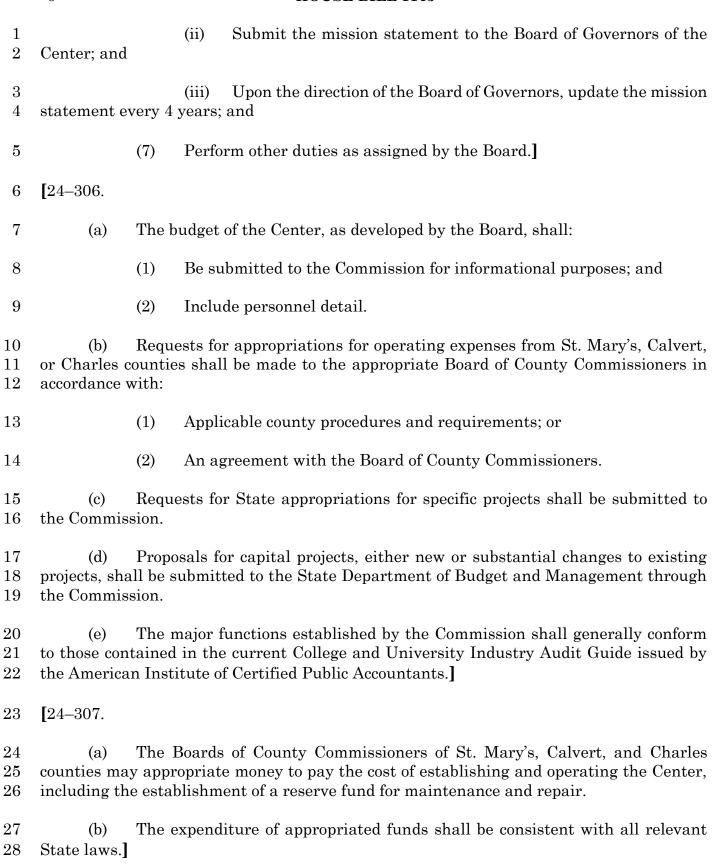
Develop a mission statement;

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(i)

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[24–308.



- 1 (a) If the Board of Governors of the Center conveys any real property in whole or 2 in part, the proceeds of the disposition shall be shared between St. Mary's County and the 3 State in such proportions as each has contributed to the capital investment in the property.
  - (b) That disposition shall be in accordance with all terms and conditions of the original conveyance of the property to St. Mary's County Board of County Commissioners and the Board of Public Works shall enter into an agreement providing for the calculation of the amount due to each party under this section.
- 8 (c) The payment to the State shall be made by the county within 90 days of the 9 date of receipt of any proceeds.
- 10 [24–309.

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- 11 (a) (1) The Board may carry comprehensive liability insurance to protect the 12 Board, its agents, and employees.
- 13 (2) The purchase of the insurance is for an educational purpose and is a valid educational expense.
- 15 (b) (1) The Board may adopt standards for the policies, including a minimum 16 liability coverage that may not be less than \$100,000 per occurrence.
- 17 (2) Any policy purchased after the adoption of these standards shall 18 conform to them.
- 19 (c) The Board complies with this section if it is self—insured, for at least \$100,000 and not more than \$500,000 per occurrence, under the rules and regulations of the State Insurance Commissioner.
- 22 (d) This section does not prevent the Board, on its own behalf, from raising the 23 defense of sovereign immunity to any amount of a claim in excess of the limit of an 24 insurance policy or in excess of \$100,000 in the case of self-insurance.]
- SECTION 2. AND BE IT FURTHER ENACTED, That the Southern Maryland
  Higher Education Center, as set forth in Title 24, Subtitle 3 of the Education Article, will
  cease to exist on the effective date of this Act and its operations, facilities, and resources
  shall become part of a regional higher education center established by the Board of Regents
  of the University System of Maryland in accordance with § 12–104(f) of the Education
  Article.
- SECTION  $\stackrel{2}{=}$  3. AND BE IT FURTHER ENACTED, That this Act shall take effect 32 October July 1, 2018.