

SB0439/413120/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 439
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Maryland” insert “or Morgan State University”; in line 6, after “Maryland” insert “and the Board of Regents of Morgan State University”; in line 11, after “Maryland” insert “and Morgan State University”; and in line 14, strike “12–104.1 and 12–113(c)” and substitute “12–104.1, 12–113(c), and 14–104.1”.

AMENDMENT NO. 2

On page 4, in line 30, strike “and”; in line 31, after “3.” insert “**THE LEGISLATIVE AUDITOR TO AUDIT ALL EXPENDITURES AND ACCOUNTS OF THE ENTITY DURING AN AUDIT CONDUCTED UNDER § 12-105 OF THIS SUBTITLE AND IN ACCORDANCE WITH §§ 2-1220 THROUGH 2-1227 OF THE STATE GOVERNMENT ARTICLE; AND**

4.”;

and after line 33, insert:

“14–104.1.

(a) **(I)** In this section, “high impact economic development activity” means an initiative, transaction, or other undertaking by Morgan State University to create or facilitate:

[(1)] (I) 20 or more new jobs in the State;

[(2)] (II) The award or completion of at least \$1,000,000 in externally funded research or other projects;

[(3)] (III) The establishment or relocation of one or more new companies to be registered or incorporated in the State and doing business in the State;

[(4)] (IV) The production of at least \$1,000,000 of annual gross revenue;

[(5)] (V) The licensing and potential commercialization of a promising new technology or other product; or

[(6)] (VI) An academic program to meet workforce demand in a documented labor shortage field.

(2) “HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY” DOES NOT INCLUDE COST SAVINGS RELATED TO THE REDUCTION IN THE NUMBER OF UNIVERSITY EMPLOYEES.

(b) To promote the economic interests of the State as mandated in §§ 10–205(c) and 15–107 of this article, the Morgan State University shall utilize its powers as a public corporation established in § 14–104 of this subtitle to undertake high impact economic development activities that support:

(1) Job creation and workforce development;

(2) Technology transfer, commercialization, and entrepreneurship; and

(3) Increased sponsored research funding and other revenues.

(c) In order for an activity to qualify as a high impact economic development activity:

(1) The President or the President’s designee shall certify that the activity meets the criteria defined in subsection (a) of this section; and

(2) The President or the President’s designee shall notify the Board of Regents and the Board of Public Works of any certified activity for review.

(d) (1) Notwithstanding any other provision of law, for any high impact economic activity within the scope of § 5–310 or § 10–305 of the State Finance and Procurement Article, the Board of Regents shall be fully responsible for administering the review and comment process prescribed in those sections.

(2) In administering the review and comment process prescribed in §§ 5–310 and 10–305 of the State Finance and Procurement Article, the Board of Regents shall include in the process the appropriate legislative committees and units of State government, which may include:

- (i) Committees of the General Assembly;
- (ii) The Board of Public Works;
- (iii) The Maryland Historical Trust;
- (iv) The Department of Planning;
- (v) The Department of the Environment; and
- (vi) The Department of Natural Resources.

(3) The Board of Regents shall adopt policies and procedures to ensure that the notice and opportunity for review are conducted in a manner that provides a reasonable period to complete while not impairing the institution’s capacity for the expeditious and successful pursuit of a high impact economic development activity.

(e) (1) On or before October 1 of each year, the Board of Regents shall report to the Board of Public Works and, in accordance with § 2-1257 of the State Government Article, the Senate Finance Committee, the House Economic Matters Committee, the Senate Budget and Taxation Committee, and the House Appropriations Committee on the high impact economic development activities undertaken under this section during the preceding fiscal year.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) THE AMOUNT OF STATE OR UNIVERSITY FUNDS USED ON EACH HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY DURING THE PRECEDING YEAR;

(II) THE NET BENEFIT OF EACH HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY; AND

(III) WHETHER THE BOARD OF REGENTS BELIEVES THAT EACH HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY IS IN THE BEST INTEREST OF THE STATE.”.