

HOUSE BILL 37

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EMERGENCY BILL
(PRE-FILED)

5lr0591

By: **Delegate Schulz**

Requested: November 13, 2014

Introduced and read first time: January 14, 2015

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick Center for Research and Education in Science and Technology**

3 FOR the purpose of altering the name of the Frederick Center for Research and Education
4 in Science and Technology (CREST); altering the name of the Frederick Center for
5 Research and Education in Science and Technology Governing Board; altering the
6 powers and duties of the Board to require the Board to operate and exercise general
7 control over the Frederick CREST; authorizing the Board to fix the salaries and
8 terms of employment of the Director and other employees of Frederick CREST;
9 authorizing the Board to purchase, lease, sell, or otherwise acquire or dispose of
10 certain property; authorizing the Director of Frederick CREST or the chair of the
11 Board to execute certain legal documents under certain circumstances; requiring the
12 Board to submit an adopted mission statement to the Maryland Higher Education
13 Committee subject to certain Commission policies and guidelines; making this Act
14 an emergency measure; and generally relating to the Frederick Center for Research
15 and Education in Science and Technology.

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 24–1001, 24–1002, 24–1003(a), and 24–1004
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2014 Supplement)

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

23 **Article – Education**

24 24–1001.

25 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) “Board” means the Frederick [Regional Higher Education Advisory] **CENTER**
2 **FOR RESEARCH AND EDUCATION IN SCIENCE AND TECHNOLOGY GOVERNING**
3 Board.

4 (c) [“Center” means the Frederick Regional Higher Education Center.

5 (d)] “Commission” means the Maryland Higher Education Commission.

6 **(D) “FREDERICK CREST” MEANS THE FREDERICK CENTER FOR**
7 **RESEARCH AND EDUCATION IN SCIENCE AND TECHNOLOGY.**

8 (e) “Site” means a 4–year institution of higher education that offers
9 Commission–approved undergraduate and graduate programs at the Center.

10 24–1002.

11 There is a Frederick [Regional Higher Education Advisory] **CENTER FOR**
12 **RESEARCH AND EDUCATION IN SCIENCE AND TECHNOLOGY GOVERNING** Board.

13 24–1003.

14 (a) The Board consists of the following voting members:

15 (1) One representative of each of the 4–year institutions of higher
16 education offering a Commission–approved program at [the Center] **FREDERICK CREST**
17 and at a site, appointed by the institution;

18 (2) The following nine representatives, appointed in accordance with the
19 bylaws of the Board:

20 (i) Five members of the Frederick County Business Roundtable for
21 Education Executive Committee who are appointed as representatives from the following
22 groups:

- 23 1. The Frederick County Chamber of Commerce;
- 24 2. Frederick Community College;
- 25 3. Frederick County Public Schools;
- 26 4. Frederick County Office of Economic Development; and
- 27 5. Frederick National Laboratory for Cancer Research
28 (operating contractor);

1 (ii) Two representatives of regional businesses, industries, or
2 corporations; and

3 (iii) Two representatives chosen from the community at-large;

4 (3) The President of Hood College; and

5 (4) The President of Mount St. Mary's University.

6 24-1004.

7 (a) In addition to the other powers expressly granted and duties imposed by this
8 subtitle, and subject to the authority of the Commission, the Board has only the powers and
9 duties set forth in this section.

10 (b) The Board shall:

11 (1) **OPERATE AND EXERCISE GENERAL CONTROL OVER FREDERICK**
12 **CREST;**

13 (2) Assist and support the development of higher education in the
14 Frederick region;

15 [(2)] (3) Assist in setting the missions of and accomplishing the goals and
16 objectives of the sites in Frederick County;

17 [(3)] (4) Assist in establishing a Frederick [Regional Higher Education
18 Center] **REGIONAL HIGHER EDUCATION CENTER TO BE NAMED THE FREDERICK**
19 **CENTER FOR RESEARCH AND EDUCATION IN SCIENCE AND TECHNOLOGY;**

20 [(4)] (5) Provide guidance and support in identifying institutions and
21 programs to serve higher education and workforce needs in Frederick County;

22 [(5)] (6) Assist with the marketing and promotion of programs offered at
23 the Center and sites;

24 [(6)] (7) Facilitate interactions among the business, nonprofit, education,
25 military, and Frederick National Laboratory communities;

26 [(7)] (8) Keep separate records and minutes; and

27 [(8)] (9) Adopt reasonable rules, regulations, or bylaws to carry out the
28 provisions of this subtitle.

29 (c) **THE BOARD MAY FIX THE SALARIES AND TERMS OF EMPLOYMENT OF**
30 **THE DIRECTOR AND OTHER EMPLOYEES OF FREDERICK CREST.**

1 **(D) THE BOARD MAY PURCHASE, LEASE, OR OTHERWISE ACQUIRE ANY**
2 **PROPERTY IT CONSIDERS NECESSARY FOR THE OPERATION OF FREDERICK CREST.**

3 **(E) (1) THE BOARD MAY SELL, LEASE, OR OTHERWISE DISPOSE OF**
4 **ASSETS OR PROPERTY OF FREDERICK CREST.**

5 **(2) THE DIRECTOR OF FREDERICK CREST OR THE CHAIR OF THE**
6 **BOARD MAY EXECUTE A CONVEYANCE OR OTHER LEGAL DOCUMENT UNDER AN**
7 **APPROPRIATE RESOLUTION OF THE BOARD.**

8 **[(c)] (F)** The Board shall ensure that all academic programs and policies of [the
9 Center] **FREDERICK CREST** and sites are in compliance with the policies of and approved
10 by the Commission **FOR REGIONAL HIGHER EDUCATION CENTERS IN ACCORDANCE**
11 **WITH § 11–105 OF THIS ARTICLE.**

12 **(G) THE BOARD SHALL SUBMIT AN ADOPTED MISSION STATEMENT TO THE**
13 **COMMISSION SUBJECT TO THE POLICIES AND GUIDELINES OF THE COMMISSION.**

14 **[(d)] (H)** The Board may apply, accept, and expend any gift, appropriation, or
15 grant from the State, county, or federal government or any other person.

16 **[(e)] (I)** The Board may make agreements with the federal, the State, or a
17 county government or any other person if the Board considers the agreement advisable for
18 the operation of [the Center] **FREDERICK CREST.**

19 **[(f)] (J)** The Board may adopt a corporate seal.

20 **[(g)] (K)** In addition to other reports that may be required by the Commission,
21 the Board shall:

22 (1) Keep records that are consistent with sound business practices and
23 accounting records that use generally accepted accounting principles;

24 (2) Cause an audit by an independent certified public accountant to be
25 made of the accounts and transactions of [the Center] **FREDERICK CREST** at the
26 conclusion of each fiscal year; and

27 (3) For any State money, be subject to an audit by the Office of Legislative
28 Audits, in accordance with §§ 2–1220 through 2–1227 of the State Government Article.

29 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act is an emergency
30 measure, is necessary for the immediate preservation of the public health or safety, has
31 been passed by a yea and nay vote supported by three–fifths of all the members elected to

1 each of the two Houses of the General Assembly, and shall take effect from the date it is
2 enacted.