

SENATE BILL 679

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C8

2000 Regular Session
01r2021
CF 01r1195

By: **Senators Middleton, Colburn, Dyson, Ferguson, Hafer, Haines, Hooper,
Jacobs, McCabe, Mooney, Munson, Neall, and ~~Stoltzfus~~ Stoltzfus,
Hogan, and Harris**

Introduced and read first time: February 4, 2000
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 3, 2000

CHAPTER 552

1 AN ACT concerning

2 **Maryland Agricultural Education and Rural Development Assistance**
3 **Program Fund Act of 2000**

4 FOR the purpose of ~~creating~~ establishing the Maryland Agricultural Education and
5 Rural Development Assistance ~~Program Fund~~ to be administered by the Board
6 of Public Works as a continuing, nonlapsing fund; stating legislative findings
7 and the purposes of this Act; ~~requiring the Governor to appropriate a certain~~
8 ~~amount of money in certain fiscal years to fund the Program; requiring the~~
9 ~~Board of Public Works to grant certain amounts of the funds in the Program to~~
10 ~~certain organizations that support the regional economic and community~~
11 ~~development needs of rural areas of the State; providing certain additional grant~~
12 ~~funding for advance technology centers that support economic development~~
13 ~~needs of rural areas; providing for the purpose of the Fund; providing that~~
14 ~~expenditures from the Fund may only be made under certain circumstances;~~
15 ~~requiring the Board of Public Works to designate the Department of Business~~
16 ~~and Economic Development to administer grant funding under the Fund;~~
17 ~~establishing the Maryland Agricultural Education and Rural Development~~
18 ~~Assistance Board; providing for the composition and duties of the Board;~~
19 ~~requiring the Board to give certain organizations funding priority under certain~~
20 ~~circumstances beginning in a certain fiscal year; requiring certain reports to be~~
21 ~~submitted to certain entities and officials; providing that this Act does not affect~~
22 ~~the annual appropriation in the State budget for certain organizations;~~
23 ~~providing for the construction of this Act; providing for the termination of this~~
24 ~~Act; defining certain terms; and generally relating to agricultural education and~~
25 ~~rural development assistance in the State.~~

1 BY adding to
 2 Article - State Finance and Procurement
 3 Section 2-206
 4 Annotated Code of Maryland
 5 (1995 Replacement Volume and 1999 Supplement)

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

8 **Article - State Finance and Procurement**

9 2-206.

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 11 INDICATED.

12 (2) "BOARD" MEANS THE ~~BOARD OF PUBLIC WORKS MARYLAND~~
 13 AGRICULTURAL EDUCATION AND RURAL DEVELOPMENT ASSISTANCE BOARD.

14 (3) ~~"PROGRAM"~~ "FUND" MEANS THE MARYLAND AGRICULTURAL
 15 EDUCATION AND RURAL DEVELOPMENT ASSISTANCE ~~PROGRAM~~ FUND.

16 (B) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

17 (1) MANY NONPROFIT ORGANIZATIONS THAT SERVE THE NEEDS OF THE
 18 RURAL AREAS OF THE STATE EXPERIENCE ~~FRUSTRATION~~ FISCAL DIFFICULTIES IN
 19 ADDRESSING THE AREAS OF ECONOMIC AND COMMUNITY DEVELOPMENT AND
 20 AGRICULTURE AND FORESTRY EDUCATION BECAUSE OF THE INADEQUACY OF
 21 FUNDING RESOURCES FOR THEM;

22 (2) THESE ORGANIZATIONS DO NOT HAVE THE ACCESS TO PRIVATE AND
 23 PUBLIC SOURCES OF FUNDING THAT ARE GENERALLY MORE AVAILABLE TO
 24 NONPROFIT GROUPS THAT SERVE THE NEEDS OF THE METROPOLITAN AREAS OF
 25 THE STATE; AND

26 (3) AS A RESULT, THE RURAL AREAS OF THE STATE FACE A SERIOUS
 27 DEFICIT OF RESOURCES WHERE THE NEED, IN MANY INSTANCES, IS GREATEST.

28 (C) (1) THERE IS A MARYLAND AGRICULTURAL EDUCATION AND RURAL
 29 DEVELOPMENT ASSISTANCE ~~PROGRAM~~ FUND THAT SHALL BE ADMINISTERED BY
 30 THE BOARD OF PUBLIC WORKS.

31 (2) THE PURPOSE OF THE ~~PROGRAM~~ FUND IS TO PROVIDE FUNDING;

32 (1) TO RURAL REGIONAL PLANNING AND ECONOMIC
 33 DEVELOPMENT ORGANIZATIONS AND RURAL COMMUNITY DEVELOPMENT
 34 PROGRAMS WHOSE MISSIONS AND WORK HAVE STATEWIDE IMPLICATIONS AND
 35 MERIT STATE SUPPORT; AND

1 (II) TO AUGMENT THE EFFORTS OF ADVANCED TECHNOLOGY
 2 CENTERS THAT SERVE AGRICULTURAL AND NATURAL RESOURCES BASED SMALL
 3 BUSINESSES IN RURAL AREAS THROUGH COMMUNITY COLLEGES. THE PROGRAM
 4 ALSO IS INTENDED TO AUGMENT THE EFFORTS OF RURAL COMMUNITY COLLEGES
 5 THAT SUPPORT SMALL BUSINESSES IN RURAL AREAS THROUGH ENHANCED
 6 TRAINING AND TECHNICAL ASSISTANCE PROGRAMS.

7 ~~(D) (1) BEGINNING WITH FISCAL YEAR 2001 AND IN FISCAL YEARS 2002, 2003,~~
 8 ~~AND 2004, THE GOVERNOR SHALL APPROPRIATE TO THE BOARD \$743,000 IN EACH OF~~
 9 ~~THOSE FISCAL YEARS FOR THE PURPOSE OF FUNDING THE PROGRAM.~~

10 (2) ~~FROM THE APPROPRIATION PROVIDED UNDER PARAGRAPH (1) OF~~
 11 ~~THIS SUBSECTION, THE BOARD SHALL PROVIDE GRANTS IN EACH FISCAL YEAR TO~~
 12 ~~THE FOLLOWING NONPROFIT ORGANIZATIONS IN THE FOLLOWING AMOUNTS:~~

13 (I) ~~THE MARYLAND CENTER FOR COMMUNITY DEVELOPMENT—~~
 14 ~~\$25,000;~~

15 (II) ~~THE MARYLAND RURAL WATER ASSOCIATION— \$25,000;~~

16 (III) ~~THE MARYLAND ASSOCIATION OF COMMUNITY ACTION~~
 17 ~~AGENCIES—\$25,000;~~

18 (IV) ~~THE MARYLAND RURAL HEALTH ASSOCIATION— \$25,000;~~

19 (V) ~~THE MARYLAND RURAL DEVELOPMENT CORPORATION/ RURAL~~
 20 ~~COMMUNITY ASSISTANCE PROGRAM—\$100,000;~~

21 (VI) ~~THE FORVM FOR RURAL MARYLAND— \$81,000;~~

22 (VII) ~~THE MARYLAND FORESTS ASSOCIATION— \$25,000;~~

23 (VIII) ~~THE MARYLAND AGRICULTURAL LEADERSHIP PROGRAM—~~
 24 ~~\$25,000;~~

25 (IX) ~~THE MARYLAND ASSOCIATION OF SOIL CONSERVATION~~
 26 ~~DISTRICTS/MARYLAND ENVIRONMENT PROGRAM— \$25,000;~~

27 (X) ~~THE AMERICAN FARMLAND TRUST/MID-ATLANTIC DIVISION—~~
 28 ~~\$25,000;~~

29 (XI) ~~THE MARYLAND AGRICULTURAL EDUCATION FOUNDATION—~~
 30 ~~\$100,000;~~

31 (XII) ~~THE TRI-COUNTY COUNCIL FOR WESTERN MARYLAND— \$42,000;~~

32 (XIII) ~~THE DELMARVA ADVISORY COUNCIL— \$90,000;~~

33 (XIV) ~~THE SOUTHERN MARYLAND RESOURCE CONSERVATION AND~~
 34 ~~DEVELOPMENT COUNCIL—\$10,000;~~

1 ~~(XV) THE WESTERN MARYLAND RESOURCE CONSERVATION AND~~
2 ~~DEVELOPMENT COUNCIL—\$10,000; AND~~

3 ~~(XVI) THE EASTERN SHORE RESOURCE CONSERVATION AND~~
4 ~~DEVELOPMENT COUNCIL—\$10,000.~~

5 ~~(E) (1) IN ADDITION TO THE APPROPRIATION REQUIRED UNDER~~
6 ~~SUBSECTION (C) OF THIS SECTION, BEGINNING IN FISCAL YEAR 2001 AND IN FISCAL~~
7 ~~YEARS 2002, 2003, AND 2004, THE GOVERNOR SHALL APPROPRIATE TO THE BOARD IN~~
8 ~~EACH OF THOSE FISCAL YEARS \$100,000 TO FUND ADVANCED TECHNOLOGY CENTERS~~
9 ~~THAT SERVE AGRICULTURAL AND NATURAL RESOURCES BASED SMALL BUSINESSES~~
10 ~~IN RURAL AREAS THROUGH COMMUNITY COLLEGES LOCATED IN THOSE AREAS.~~

11 (3) (I) THE FUND IS A CONTINUING, NONLAPSING FUND WHICH IS
12 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

13 (II) THE TREASURER SHALL SEPARATELY HOLD AND THE
14 COMPTRROLLER SHALL ACCOUNT FOR THE FUND.

15 (III) THE TREASURER MAY INVEST MONEYS IN THE FUND IN THE
16 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

17 (4) EXPENDITURES FROM THE FUND MAY ONLY BE MADE:

18 (I) PURSUANT TO AN APPROPRIATION APPROVED BY THE
19 GENERAL ASSEMBLY IN THE ANNUAL STATE BUDGET; OR

20 (II) BY THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN §
21 7-209 OF THIS ARTICLE, PROVIDED THAT:

22 1. THE BUDGET AMENDMENT AND SUPPORTING
23 INFORMATION HAVE BEEN SUBMITTED TO THE BUDGET COMMITTEES FOR THEIR
24 REVIEW AND COMMENT; AND

25 2. AT LEAST 45 DAYS HAVE ELAPSED FROM THE TIME THE
26 BUDGET AMENDMENT AND SUPPORTING INFORMATION WERE SUBMITTED TO THE
27 BUDGET COMMITTEES.

28 ~~(2) (D) THE BOARD OF PUBLIC WORKS SHALL DESIGNATE THE~~
29 ~~DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT AS THE AGENCY TO~~
30 ~~ADMINISTER THE GRANT FUNDING UNDER THIS ~~SUBSECTION~~ SECTION.~~

31 ~~(3) (E) THE DEPARTMENT OF BUSINESS AND ECONOMIC~~
32 ~~DEVELOPMENT SHALL AWARD GRANTS FROM THE TOTAL APPROPRIATION~~
33 ~~REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON THE BASIS OF THE~~
34 ~~RECOMMENDATIONS OF A GRANT REVIEW BOARD THAT SHALL BE ESTABLISHED FOR~~
35 ~~THE PURPOSE OF THIS SUBSECTION. THE MARYLAND AGRICULTURAL EDUCATION~~
36 ~~AND RURAL DEVELOPMENT ASSISTANCE BOARD.~~

1 (4) ~~THE GRANT REVIEW BOARD SHALL BE COMPOSED OF THE~~
2 ~~SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT, OR THE SECRETARY'S~~
3 ~~DESIGNEE, THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S DESIGNEE, AND~~
4 ~~THE CHAIRMAN OF THE FORVM FOR RURAL MARYLAND OR THE CHAIRMAN'S~~
5 ~~DESIGNEE.~~

6 (F) (1) ~~EACH ORGANIZATION LISTED UNDER SUBSECTION (D) OF THIS~~
7 ~~SECTION THAT RECEIVES THE GRANT FUNDING FROM THE BOARD IN ACCORDANCE~~
8 ~~WITH AMOUNTS SPECIFIED IN THAT SUBSECTION AND EACH COMMUNITY COLLEGE~~
9 ~~THAT RECEIVES GRANT FUNDING IN ACCORDANCE WITH THE PROVISIONS OF~~
10 ~~SUBSECTION (E) OF THIS SECTION SHALL SUBMIT TO THE BOARD, THE GOVERNOR,~~
11 ~~THE FORVM FOR RURAL MARYLAND, AND, IN ACCORDANCE WITH § 2-1246 OF THE~~
12 ~~STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A WRITTEN REPORT THAT~~
13 ~~SETS FORTH IN CLEAR DETAIL HOW THE ORGANIZATION SPENT OR OTHERWISE~~
14 ~~USED THE FUNDS.~~

15 (2) ~~THE REPORT SHALL BE SUBMITTED AT THE END OF THE FISCAL~~
16 ~~YEAR IN WHICH THE FUNDS WERE RECEIVED.~~

17 (G) ~~BEGINNING WITH FISCAL YEAR 2002, BEFORE AN ORGANIZATION LISTED~~
18 ~~IN SUBSECTION (C) OF THIS SECTION RECEIVES THE GRANT FUNDING SPECIFIED IN~~
19 ~~THAT SUBSECTION, THE ORGANIZATION SHALL CERTIFY TO THE BOARD EITHER~~
20 ~~THAT IT:~~

21 (1) ~~OBTAINED AN EQUAL MATCHING FUND FROM A SOURCE OTHER~~
22 ~~THAN THE STATE IN THE IMMEDIATELY PRIOR FISCAL YEAR; OR~~

23 (2) ~~HAS SUFFICIENT EVIDENCE OF A COMMITMENT OF A THIRD PARTY~~
24 ~~FUNDING SOURCE TO PROVIDE AN EQUAL MATCHING AMOUNT OF FUNDING IN THE~~
25 ~~CURRENT FISCAL YEAR.~~

26 (F) (1) THERE IS A MARYLAND AGRICULTURAL EDUCATION AND RURAL
27 DEVELOPMENT ASSISTANCE BOARD.

28 (2) THE BOARD SHALL CONSIST OF:

29 (I) THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S
30 DESIGNEE;

31 (II) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT
32 OR THE SECRETARY'S DESIGNEE;

33 (III) THE SECRETARY OF NATURAL RESOURCES OR THE
34 SECRETARY'S DESIGNEE; AND

35 (IV) THE CHAIRMAN OF THE FORVM FOR RURAL MARYLAND OR THE
36 CHAIRMAN'S DESIGNEE.

37 (3) THE BOARD SHALL:

1 (I) ESTABLISH PROCEDURES FOR APPLICATIONS FOR GRANTS;

2 (II) REVIEW APPLICATIONS FOR GRANTS; AND

3 (III) MAKE RECOMMENDATIONS TO THE DEPARTMENT OF
 4 BUSINESS AND ECONOMIC DEVELOPMENT REGARDING THE RECIPIENT OF GRANTS
 5 AND THE AMOUNT OF THE GRANTS.

6 (4) BEGINNING IN FISCAL YEAR 2002, THE BOARD SHALL GIVE FUNDING
 7 PRIORITY TO ORGANIZATIONS DESCRIBED IN SUBSECTION (C)(2)(I) OF THIS SECTION
 8 THAT HAVE:

9 (I) OBTAINED AN EQUAL MATCHING AMOUNT OF FUNDING FROM
 10 A SOURCE OTHER THAN THE STATE IN THE IMMEDIATE PRIOR FISCAL YEAR; OR

11 (II) SUFFICIENT EVIDENCE OF A COMMITMENT OF A THIRD PARTY
 12 FUNDING SOURCE TO PROVIDE AN EQUAL MATCHING AMOUNT OF FUNDING IN THE
 13 CURRENT FISCAL YEAR.

14 (G) (1) A GRANT RECIPIENT SHALL SUBMIT TO THE DEPARTMENT OF
 15 BUSINESS AND ECONOMIC DEVELOPMENT WRITTEN DOCUMENTATION OF HOW THE
 16 GRANT RECIPIENT SPENT OR OTHERWISE USED THE GRANT.

17 (2) ON OR BEFORE JUNE 30 OF EACH YEAR, THE DEPARTMENT OF
 18 BUSINESS AND ECONOMIC DEVELOPMENT SHALL SUBMIT TO THE GOVERNOR AND,
 19 IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE
 20 GENERAL ASSEMBLY, A WRITTEN REPORT THAT INCLUDES:

21 (I) THE NUMBER OF GRANTS MADE DURING THE FISCAL YEAR;

22 (II) THE NAMES OF THE RECIPIENTS OF THE GRANTS;

23 (III) THE SPECIFIC PURPOSE OF EACH GRANT AWARDED; AND

24 (IV) DOCUMENTATION OF HOW THE GRANT RECIPIENT SPENT OR
 25 OTHERWISE USED THE GRANT.

26 SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may
 27 be construed to affect the annual appropriation to any of the organizations listed in §
 28 2-206(d)(2) of the State Finance and Procurement Article, as added by Section 1 of
 29 this Act. This Act shall be construed to provide Funding assistance to the
 30 organizations listed in § 2-206 of the State Finance and Procurement Article, as
 31 added by Section 1 of this Act, in addition to any Funds that were provided by the
 32 State to those organizations in fiscal year 2000.

33 SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act may
 34 be construed to reduce or otherwise affect the annual appropriation to the Tri-County
 35 Council for Southern Maryland, including any revenues that may be derived from
 36 non-State sources.

1 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the
2 General Assembly that the Governor include in the annual State budget funds for the
3 Forvm for Rural Maryland in an amount equivalent to the Forvm's federal funding.

4 SECTION 4. 5. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect July 1, 2000. It shall remain effective for a period of 4 years and, at the end of
6 June 30, 2004, with no further action required by the General Assembly, this Act shall
7 be abrogated and of no further force and effect.