

SENATE BILL 137

C8

4lr0627

By: **Senators Conway and Middleton**

Introduced and read first time: January 10, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Rural Maryland Prosperity Investment Fund – Revisions and Extension of**
3 **Termination Date**

4 FOR the purpose of altering certain findings of the General Assembly regarding the
5 Rural Maryland Prosperity Investment Fund; altering the fiscal year through
6 which the Governor is authorized to include an appropriation in the budget bill
7 for the Fund; altering the manner in which disbursements of money
8 appropriated to the Fund are required to be made; requiring that any money
9 received by a regional council under a certain provision of law be used for a
10 certain purpose; altering a certain provision of law to require that only certain
11 grants, rather than all grants, made by the Maryland Agricultural Education
12 and Rural Development Assistance Board from the Fund be made on a
13 competitive basis in accordance with a certain process; extending the
14 termination date of the Fund; making conforming changes; making a technical
15 correction; and generally relating to the Rural Maryland Prosperity Investment
16 Fund.

17 BY repealing and reenacting, with amendments,
18 Article – State Finance and Procurement
19 Section 2–207
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2013 Supplement)

22 BY repealing and reenacting, with amendments,
23 Chapter 621 of the Acts of the General Assembly of 2006
24 Section 2

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

27 **Article – State Finance and Procurement**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2–207.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “Agriculture” means the commercial production, storage,
4 processing, marketing, distribution, or export of an agronomic, aquacultural, equine,
5 floricultural, horticultural, ornamental, silvicultural, or viticultural crop, including:

6 (i) farm products;

7 (ii) livestock and livestock products;

8 (iii) poultry and poultry products;

9 (iv) milk and dairy products;

10 (v) timber and forest products;

11 (vi) fruit and horticultural products; and

12 (vii) seafood and aquacultural products.

13 (3) “Board” means the Maryland Agricultural Education and Rural
14 Development Assistance Board established under § 2–206(e) of this subtitle.

15 (4) “Council” means the Rural Maryland Council established under
16 Title 13, Subtitle 4 of the Economic Development Article.

17 (5) “Fund” means the Rural Maryland Prosperity Investment Fund
18 established under this section.

19 (6) “Regional councils” means:

20 (i) the Mid–Shore Regional Council;

21 (ii) the [Lower Eastern Shore Regional Council] **TRI–COUNTY**
22 **COUNCIL FOR THE LOWER EASTERN SHORE OF MARYLAND;**

23 (iii) the Tri–County Council for Southern Maryland;

24 (iv) the Tri–County Council for Western Maryland; and

25 (v) the Upper Shore Regional Council.

26 (7) “Rural area” means:

1 (i) the following counties:

- 2 1. Allegany;
- 3 2. Calvert;
- 4 3. Caroline;
- 5 4. Carroll;
- 6 5. Cecil;
- 7 6. Charles;
- 8 7. Dorchester;
- 9 8. Frederick;
- 10 9. Garrett;
- 11 10. Harford;
- 12 11. Kent;
- 13 12. Queen Anne's;
- 14 13. St. Mary's;
- 15 14. Somerset;
- 16 15. Talbot;
- 17 16. Washington;
- 18 17. Wicomico; and
- 19 18. Worcester; and

20 (ii) portions of other counties in close proximity to agricultural
21 activity.

22 (8) "Rural community" means an incorporated or unincorporated area
23 of a county or group of counties in a rural area.

24 (b) The General Assembly finds that:

1 (1) many rural communities in the State face a host of difficult
2 challenges relating to persistent unemployment and poverty, changing technological
3 and economic conditions, an aging population and an out-migration of youth,
4 inadequate access to quality housing, health care and other services, and deteriorating
5 or inadequate transportation, communications, sanitation, and economic development
6 infrastructure;

7 (2) Maryland's agricultural and resource-based industries continue to
8 underpin the local economies of rural communities but are increasingly under threat
9 from national and international market competition, urban encroachment and land
10 development pressure, and environmental and regulatory influences;

11 (3) local governments, regional organizations, educational institutions,
12 and private sector service providers have been unable to meet all the economic
13 development, community development, **HEALTH CARE**, and human services needs of
14 Maryland residents in the rural counties and municipal corporations because of a lack
15 of adequate available capacity and resources;

16 (4) the objective of the Rural Maryland Prosperity Investment Fund is
17 to help raise the overall standard of living in rural areas to a level that meets or
18 exceeds statewide benchmark averages by [2020] **2030**, while preserving the best
19 aspects of a pastoral heritage and rural way of life;

20 (5) resources provided to the Fund are designed to facilitate
21 significant targeted investments in important economic, **HEALTH CARE**, and
22 community development programs and promote regional and intergovernmental
23 cooperation;

24 (6) these investments will also enable local and regional public and
25 nonprofit organizations to leverage additional nonstate financial and human resources
26 to facilitate the realization of sustainable rural development objectives while the
27 program is in effect; and

28 (7) the Fund will serve the interests of the entire State by:

29 (i) encouraging the increase of entrepreneurial activity and
30 commerce and a balanced economy in the State;

31 (ii) relieving conditions of unemployment and underemployment
32 in rural areas;

33 (iii) assisting in the retention of valuable farm and forest land
34 for productive use by present and future generations;

35 (iv) promoting intergovernmental cooperation and public
36 sector/private sector partnerships in and between rural and other areas;

1 (v) enhancing the deployment of housing, transportation, water,
2 wastewater, and broadband communications infrastructure and services in rural
3 areas;

4 (vi) supporting rural commercial center redevelopment and
5 community revitalization efforts; and

6 (vii) generally promoting the health, happiness, safety,
7 employment opportunity, and general welfare of the residents of each of the rural
8 counties and municipal corporations of the State.

9 (c) (1) There is a Rural Maryland Prosperity Investment Fund.

10 (2) The Fund is administered by the Rural Maryland Council with the
11 assistance of the Board.

12 (3) The purpose of the Fund is to provide funding to rural regional and
13 statewide planning and development organizations, institutions of higher education
14 serving rural communities, rural community development organizations, and local
15 governments acting in partnership with one another to promote the quality of life in
16 rural areas.

17 (d) Each year, beginning in fiscal year 2008 and continuing through fiscal
18 year [2020] **2030**, the Governor may include an appropriation in the budget bill for
19 the Fund.

20 (e) (1) The Fund is a special, nonlapsing fund that is not subject to
21 reversion under § 7-302 of this article.

22 (2) The Treasurer shall separately hold and the Comptroller shall
23 account for the Fund.

24 (3) The Treasurer may invest money in the Fund in the same manner
25 as other State money may be invested.

26 (f) **(1) [Disbursements] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF**
27 **THIS SUBSECTION, DISBURSEMENTS** of money appropriated to the Fund shall be
28 allocated [equally among the following categories] **IN THE FOLLOWING MANNER:**

29 **[(1)] (I) ONE-THIRD SHALL BE ALLOCATED EQUALLY TO THE**
30 **FIVE REGIONAL COUNCILS AS GRANTS FOR** rural regional planning and
31 development assistance, by targeting support to the:

32 **[(i)] 1.** regional councils serving rural areas; and

1 **(2) (I)** Subject to [paragraph (2) of this subsection]
2 **SUBPARAGRAPH (II) OF THIS PARAGRAPH**, the Board shall award grants from the
3 Fund **UNDER SUBSECTION (F)(1)(II) OF THIS SECTION** on a competitive basis in
4 accordance with the procedures in § 2–206(e) of this subtitle.

5 **[(2)] (II)** Any money received by the Council under subsection **[(f)]**
6 **(F)(1)(II)** of this section shall be used to help administer the Fund and perform other
7 functions that benefit rural areas as the Council determines.

8 (3) A grant recipient shall submit to the Council written
9 documentation of how the grant recipient spent or otherwise used the grant.

10 (h) The Board may reallocate money from one category listed in subsection
11 **[(f)] (F)(1)(II)** of this section to another category only if there is a lack of sufficient
12 applications requesting use of money in a particular category.

13 (i) (1) On or before October 1 of each year, the Council shall submit a
14 report to the Governor and, in accordance with § 2–1246 of the State Government
15 Article, the General Assembly.

16 (2) The report shall summarize the activities of the Fund during the
17 preceding fiscal year, including:

- 18 (i) the number of grants made during the fiscal year;
- 19 (ii) the names of the recipients of the grants;
- 20 (iii) the specific purpose of each grant awarded; and
- 21 (iv) documentation of how the grant recipient spent or otherwise
22 used the grant.

23 **Chapter 621 of the Acts of 2006**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2006. It shall remain effective for a period of **[14] 24** years and, at the end of
26 June 30, **[2020] 2030**, with no further action required by the General Assembly, this
27 Act shall be abrogated and of no further force and effect.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2014.