## **HOUSE BILL 129**

M1 7lr0032

By: Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

Introduced and read first time: January 18, 2017 Assigned to: Environment and Transportation

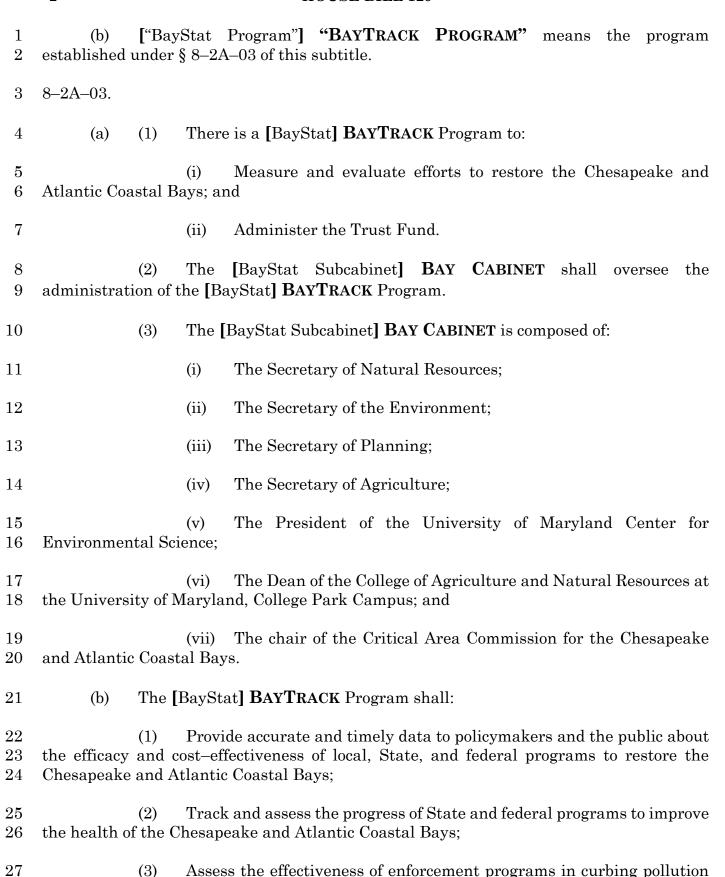
## A BILL ENTITLED

1	AN ACT concerning
2	BayStat Program and BayStat Subcabinet - Renaming
3 4 5 6	FOR the purpose of renaming the BayStat Program to be the BayTrack Program; renaming the BayStat Subcabinet to be the Bay Cabinet; providing for the construction of this Act; and generally relating to renaming the BayStat Program and the BayStat Subcabinet.
7 8 9 10	BY repealing and reenacting, without amendments, Article – Natural Resources Section 8–2A–01(a) Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement)
12 13 14 15	BY repealing and reenacting, with amendments, Article – Natural Resources Section 8–2A–01(b), 8–2A–03, and 8–2A–04 Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement)
17 18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
9	Article - Natural Resources
20	8–2A–01.
21	(a) In this subtitle the following words have the meanings indicated



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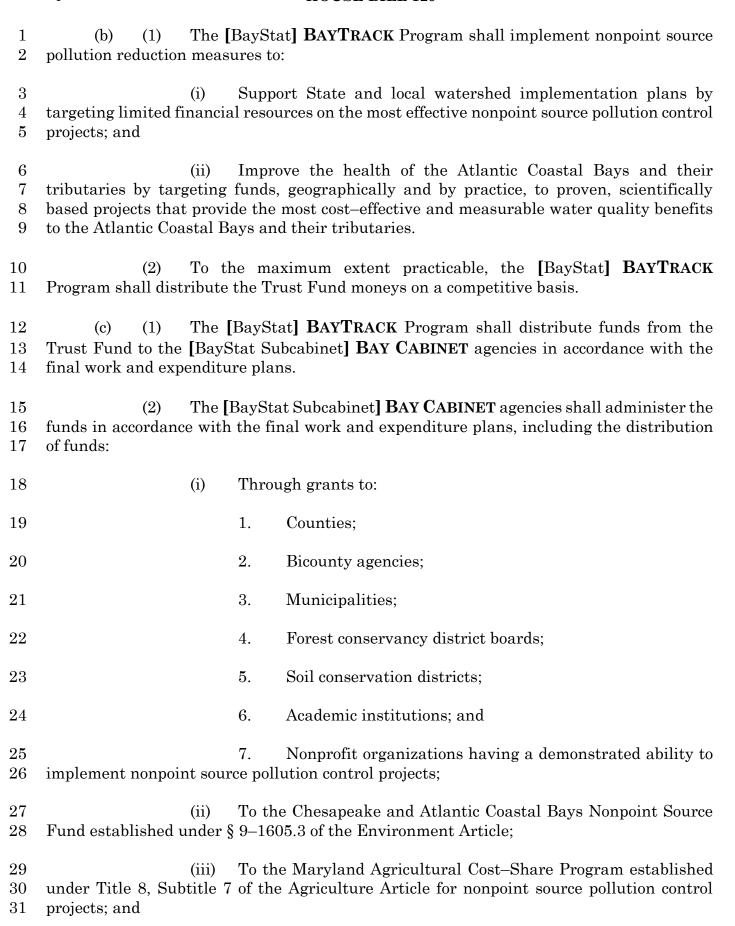
and achieving Chesapeake and Atlantic Coastal Bays restoration goals and institute

actions to improve the effectiveness of enforcement programs;

- Adopt measurable goals for Chesapeake and Atlantic Coastal Bays 1 (4) 2 restoration: 3 (5)Identify new threats to the health of the Chesapeake and Atlantic 4 Coastal Bays: 5 (6)Increase public awareness of, and participation in, efforts to restore the 6 vitality of the Chesapeake and Atlantic Coastal Bays; and 7 (7)Direct the administration of the Trust Fund. 8 (c) The [BayStat Subcabinet] BAY CABINET shall: 9 (1) Report annually to the public regarding: 10 (i) The health of the Chesapeake Bay tributary basin: 11 The health of the Atlantic Coastal Bays and their tributaries; (ii) 12 The status of local, State, and federal programs to restore the Chesapeake and Atlantic Coastal Bays; and 13 14 Estimated nutrient reductions achieved through projects (iv) 15 financed by the Trust Fund; and 16 (2)Develop an annual work plan that identifies the planned work to be funded with money from the Trust Fund for the next fiscal year, including annual 17 nutrient and sediment reduction targets, performance measures, and accountability 18 criteria: and 19 20 Develop an annual expenditure plan that identifies planned 21expenditures for the work plan and includes an accounting of all moneys distributed from 22the Trust Fund in the previous fiscal year. 23 The Governor shall submit the annual work and expenditure plans to the General Assembly as part of the annual budget submission. 2425On an annual basis the [BayStat Subcabinet] BAY CABINET shall prepare a 26final work and expenditure plan based on the budget approved by the General Assembly.
- 28 (a) The [BayStat] **BAYTRACK** Program shall direct the administration of the 29 Trust Fund in accordance with this section.

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8-2A-04.



To the Mel Noland Woodland Incentives Fund established under 1 2 § 5–307 of this article. 3 The [BayStat] BAYTRACK Program shall develop solicitations. guidelines, and applications for Trust Fund grants that shall include consideration of the 4 5 extent to which a proposed project, both geographically and by practice, will deliver the greatest, most cost-effective, and measurable nonpoint source pollution reduction per Trust 6 Fund dollar. 7 8 (ii) The [BayStat] BAYTRACK Program shall encourage and 9 consider multi-year, multi-partner proposals, local match or cost-share agreements, or similar actions proposed by a grant applicant in evaluating a Trust Fund grant application. 10 11 Any grant agreement regarding funds from the Trust Fund shall: (d) 12 Specify the use of the funds provided under the grant, accountability 13 measures, and performance requirements; 14 Take into account the need for efficient, multi-year funding and (2)15 administration: and verification 16 (3)Include provisions for that practices being 17 implemented. 18 (e) A recipient of funds from the Trust Fund in any fiscal year shall submit (1) an annual report to the [BayStat] BAYTRACK Program by November 1 of the next fiscal 19 20year. 21(2)The report required under paragraph (1) of this subsection shall 22include: 23(i) For agencies receiving moneys from the Trust Fund: 1. 24A description of how the funds were allocated, including: 25The number and amounts of grants awards; and Α. B. 26 Direct expenditures by the agency; 27 2. How funding was leveraged; and 28 Estimated or calculated nutrient reductions associated 3. 29with Trust Fund expenditures. 30 For recipients of competitive grants from the Trust Fund, a

description of funded projects, including:

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basis.

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1	1. Project location;
2	2. Description of practices implemented;
3	3. Timeframes for project completion;
4	4. Estimated or calculated nutrient reductions; and
5	5. Provisions for long-term maintenance of practices.
6 7 8	(f) Funds from the Trust Fund may not be used to enable an individual cited for noncompliance with a nonpoint source pollution control law or regulation to achieve compliance.
9	(g) (1) There is a [BayStat] BAYTRACK Program Scientific Advisory Panel.
.0	(2) The Governor shall appoint the chair and members of the [BayStat BAYTRACK Program Scientific Advisory Panel.
12 13 14 15	(3) The [BayStat] <b>BAYTRACK</b> Program Scientific Advisory Panel shall include scientists and other technical experts with demonstrated expertise in the disciplines related to protection and restoration of the Chesapeake and Atlantic Coasta Bays.
6	(4) The [BayStat] BAYTRACK Program Scientific Advisory Panel shall:
17 18 19	(i) On or before August 1, annually provide recommendations to the [BayStat Subcabinet] <b>BAY CABINET</b> on the use of funds of the Trust Fund for the following fiscal year;
20	(ii) Monitor the distribution of funds from the Trust Fund;
21 22 23	(iii) Review the categories of grants made in the previous year to assess nutrient loading reduction estimates and cost efficiencies and the effectiveness of any innovative nonpoint source pollution reduction measure;
24 25	(iv) Review the proposed annual work plan and advise the [BaySta Subcabinet] <b>BAY CABINET</b> of any recommended changes;
26 27	(v) On request by the [BayStat Subcabinet] <b>BAY CABINET</b> , review individual grant applications; and
28 20	(vi) Annually review any Trust Fund moneys that are not distributed on a competitive basis to assess whether these moneys may be distributed on a competitive

- 1 (h) The [BayStat Subcabinet] **BAY CABINET** agencies may distribute to an administrative cost account the amount that is necessary to administer grant programs, not to exceed 1.5% of the allocations to the [BayStat Subcabinet] **BAY CABINET** agencies.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to have any effect on the purpose or function of the BayStat Program or BayStat Subcabinet.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 8 October 1, 2017.