

SENATE BILL 259

M1

(PRE-FILED)

4lr0305
CF HB 228

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Natural Resources)**

Requested: September 15, 2023

Introduced and read first time: January 10, 2024

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Maryland State Parks – Funds and Plan Alterations**

3 FOR the purpose of extending the date by which the Park System Critical Maintenance
4 Fund must be expended; authorizing the Department of Natural Resources to expend
5 up to a certain amount from the Park System Critical Maintenance Fund under
6 certain circumstances; authorizing the Park System Capital Improvements and
7 Acquisition Fund to be used for State projects on lands managed by the Department
8 ~~of Natural Resources~~ for public purposes; altering the allowable uses of funds for the
9 initial allocation to the Park System Capital Improvements and Acquisition Fund;
10 authorizing the Great Maryland Outdoors Fund to be used for promoting outdoor
11 environmental education in the State; requiring the Department to report certain
12 expenditures to the Parks and Recreation Commission at certain meetings;
13 extending the date by which the Department is required to develop and publish a
14 Comprehensive Long-Range Strategic Plan; and generally relating to the State park
15 system.

16 BY repealing and reenacting, without amendments,

17 Article – Natural Resources

18 Section 5-220(a) through (c) and (g), 5-221(a) and (b), ~~and~~ 5-222(a) and (b), and
19 5-2A-03(a)(1)

20 Annotated Code of Maryland

21 (2023 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Natural Resources
 3 Section 5–220(k), 5–221(c), (g), (j), and (l), 5–222(c), (g), and (k), 5–2A–03(e), and
 4 5–2A–05(a)
 5 Annotated Code of Maryland
 6 (2023 Replacement Volume and 2023 Supplement)

7 BY adding to
 8 Article – Natural Resources
 9 Section 5–220(l)
 10 Annotated Code of Maryland
 11 (2023 Replacement Volume and 2023 Supplement)

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

14 **Article – Natural Resources**

15 5–220.

16 (a) In this section, “Fund” means the Park System Critical Maintenance Fund.

17 (b) There is a Park System Critical Maintenance Fund.

18 (c) The purpose of the Fund is to provide funding for completing State projects
 19 that address critical maintenance concerns on lands managed by the Department for public
 20 purposes.

21 (g) The Fund may be used only for State park projects that address critical
 22 maintenance concerns on lands managed by the Department for public purposes.

23 (k) (1) For fiscal year 2024 only, the Governor shall include in the annual
 24 budget bill a General Fund appropriation in the amount of \$70,000,000 to the Fund for
 25 State projects that address critical maintenance concerns on lands managed by the
 26 Department for public purposes.

27 (2) The Department shall expend the funds allocated under this subsection
 28 before July 1, [2026] **2029**.

29 **(L) NOTWITHSTANDING § 13–109 OF THE STATE FINANCE AND**
 30 **PROCUREMENT ARTICLE, THE DEPARTMENT MAY EXPEND UP TO \$400,000 FOR A**
 31 **PROJECT THAT ADDRESSES CRITICAL MAINTENANCE CONCERNS FROM THE FUND**
 32 **WITHOUT PRIOR APPROVAL OF THE DEPARTMENT OF GENERAL SERVICES.**

33 5–221.

1 (a) In this section, “Fund” means the Park System Capital Improvements and
2 Acquisition Fund.

3 (b) There is a Park System Capital Improvements and Acquisition Fund.

4 (c) The purpose of the Fund is to provide funding for:

5 (1) Completing State [park] projects related to capital improvements on
6 lands managed by the Department for public purposes; and

7 (2) Acquiring land to be managed by the Department for public purposes
8 [as a State park].

9 (g) The Fund may be used only for:

10 (1) Completing State [park] projects related to capital improvements on
11 lands managed by the Department for public purposes; and

12 (2) Acquiring land to be managed by the Department for public purposes
13 [as a State park].

14 (j) Money expended from the Fund for capital improvements [in the State’s
15 parks] **FOR STATE PROJECTS ON LANDS MANAGED BY THE DEPARTMENT FOR
16 PUBLIC PURPOSES** ~~is supplemental~~ **IS:**

17 **(1) SUPPLEMENTAL** to and is not intended to take the place of funding
18 that otherwise would be appropriated for capital improvements [in the State’s parks] **FOR
19 STATE PROJECTS ON LANDS MANAGED BY THE DEPARTMENT FOR PUBLIC
20 PURPOSES** and the acquisition of land by the Department that will be managed for public
21 purposes; **AND**

22 **(2) INTENDED TO:**

23 **(i) EXPAND PUBLIC ACCESS ON LANDS MANAGED BY THE
24 DEPARTMENT; AND**

25 **(ii) ALLEVIATE OVERCAPACITY WITHIN THE STATE PARK
26 SYSTEM.**

27 (l) The first \$70,000,000 received by the Fund may be used only as follows:

28 (1) **AT LEAST** \$5,000,000 for infrastructure projects that mitigate the
29 effects of climate change, including:

30 (i) Flood barriers;

1 (ii) Forest buffers;

2 (iii) Green spaces;

3 (iv) Building elevation;

4 (v) Stormwater infrastructure;

5 (vi) Wetlands restoration; and

6 (vii) Addressing environmental justice concerns;

7 (2) **AT LEAST** \$5,000,000 for historic preservation, in accordance with
8 subsection (m) of this section;

9 (3) **AT LEAST** \$20,000,000 for transportation improvements, including:

10 (i) Improving bike lanes and trails, increasing walkability, and
11 expanding parking availability; and

12 (ii) Targeting transportation investments to avoid capacity
13 shutdowns;

14 (4) **AT LEAST** \$10,000,000 for increasing water access, including kayak
15 and boat launches and areas for picnicking near water and swimming; and

16 (5) **UP TO** \$30,000,000 for land acquisition, including:

17 (i) Areas in the central and southern regions of the State that will:

18 1. Relieve overcrowding at existing State parks; and

19 2. Expand public access to State parks and outdoor
20 recreation;

21 (ii) Sites of significance to the history of African American, Asian,
22 Indigenous or Native American, and Hispanic or Latino populations in the State; and

23 (iii) Beachfront or waterfront property for public access.

24 5-222.

25 (a) In this section, "Fund" means the Great Maryland Outdoors Fund.

26 (b) There is a Great Maryland Outdoors Fund in the Department.

1 (c) The purpose of the Fund is to:

2 (1) Support the Office of Outdoor Recreation in the Department;

3 (2) Provide resources to improve existing and create new outdoor
4 recreation **AND OUTDOOR ENVIRONMENTAL EDUCATION** opportunities; [and]

5 (3) Implement the recommendations of the Maryland Outdoor Recreation
6 Economic Commission to promote and grow the outdoor recreation sector in the State; **AND**

7 **(4) PROMOTE AND GROW OUTDOOR ENVIRONMENTAL EDUCATION IN**
8 **THE STATE.**

9 (g) The Fund may be used only for:

10 (1) Implementing the recommendations of the Maryland Outdoor
11 Recreation Economic Commission[, including establishing and supporting an Office of
12 Outdoor Recreation in the Department];

13 (2) Department projects and programs that provide, promote, and enhance
14 outdoor recreation **OR OUTDOOR ENVIRONMENTAL EDUCATION** opportunities in the
15 State; and

16 (3) Awarding grants to destination marketing organizations for the
17 purpose of promoting and marketing State parks.

18 (k) Money expended from the Fund for existing programs in the Department that
19 provide, promote, and enhance outdoor recreation **OR OUTDOOR ENVIRONMENTAL**
20 **EDUCATION** opportunities is supplemental to and is not intended to take the place of
21 funding that otherwise would be appropriated for those programs.

22 5-2A-03.

23 (a) (1) There is a Parks and Recreation Commission in the Department.

24 (e) (1) The Commission shall meet quarterly to review the status of the Park
25 Service.

26 (2) AT EACH MEETING, THE DEPARTMENT SHALL REPORT TO THE
27 COMMISSION ON EXPENDITURES FROM THE PARK SYSTEM CAPITAL
28 IMPROVEMENTS AND ACQUISITION FUND.

29 5-2A-05.

30 (a) The Department shall:

1 (1) Develop and publish a Comprehensive Long-Range Strategic Plan by
2 December 1, ~~[2023]~~ **2024**;

3 (2) Update the Comprehensive Long-Range Strategic Plan every 5 years
4 to reflect major goals and progress toward meeting those goals; and

5 (3) Submit to the General Assembly, in accordance with § 2-1257 of the
6 State Government Article, the Comprehensive Long-Range Strategic Plan and any updates
7 to the plan.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.